

# The Role of the Romanian Press in Reporting Political Corruption

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## Abstract

This research investigates the role of the Romanian press in reporting political corruption. It argues that as a part of a Romanian society tolerant to corruption, the Romanian press manages to report corruption but fails to be part of the solution to the corruption problem by holding the political elite to account. To demonstrate this, the thesis uses textual and contextual analysis by employing techniques and concepts from critical discourse analysis, political economy of the media and theories of media and democracy. To assess the role of the Romanian press reporting political corruption within the larger context of post-communist Romanian realities, the research comprises three case studies and interviews with journalists. The first case study focuses on the corruption case of one of Romania's Prime Ministers, Adrian Nastase. The second case study focuses on the case of Dan Voiculescu, a powerful politician and media owner with strong connections with Romania's communist past. The third case study is an overview of the corruption within the Romanian political realm. It shows corruption as a practice surviving decades and touching politicians irrespective of their political colour or side, Government or Opposition.

The interviews provide an image of the internal state of the Romanian media: a mutually beneficial relationship shaped as barter between politicians and media owners, dodgy characters looking to protect themselves from being investigated by the legal system for their irregular deeds while trying to secure good contracts with the state for their other business endeavours. The Romanian journalist becomes almost irrelevant in such a context.

The results of the study contribute to a better understanding of post-communist Romania, its problem with political corruption and the working of its media. The results also suggest that, in view of the lack of any significant research into the phenomenon of corruption in Romania, understanding the problem of political corruption and the role of the media in tackling it should be as well approached from a clear understanding of the culture of corruption in Romania.

## **Introduction**

This research employs a critical political economy of media approach to investigate the discursive construction of political corruption in mediated communication in Romania. Its purpose is to understand the relationship between the written press discourse about political corruption and the critical political economy of press against the background of the political and economic context in Romania between 2004 and 2014.

### **The Importance of Romania**

Romania has a population of 20 million inhabitants and it is the 7<sup>th</sup> largest member of EU 28. With a surface area as big as the UK (38,931 square km), Romania is the largest EU member state in South-Eastern Europe and a key player from an economic and geo-strategic aspect in the area.

From a geo-political point of view, Romania is the border of NATO and the border of the EU. Positioned at the crossroads of two different spheres of influence, NATO and Russia, Romania is particularly vulnerable to the flare up of any of the frozen conflicts concerning the pro-Russian territories belonging to the Republic of Moldova as well as to potential significant immigration from Ukraine in case of an extended conflict with Russia. As such Romania needs to be a strong and capable ally to the international organisations. To perform both roles, as an EU and NATO member, according to the respective standards of each institution, Romania needs internal political stability and the capacity to follow through with its external commitments.

Romania is as well an important economic hub. It is the second largest consumer in Central Eastern Europe, behind Poland. Surrounded by Bulgaria, Serbia, Hungary, Ukraine, Moldova and the Black Sea, Romania is part of a 100 million consumers market. It has a strategic location which facilitates trade and investment in countries of the former CIS, the Balkans, the Middle East and North Africa. Romania is the junction of the 4, 7 and 9 prospective European transportation corridors. As a consequence, it attracts a significant percent of the foreign direct investment in South Eastern Europe and benefits from generous available EU funding for new projects: €30bn of structural funds from the EU were allocated for the period 2007-2013 and another €30.8 billion were allocated for the period 2014 – 2020.

Romania is closer to the rest of Europe than China and India, and being a new market, exhibits many opportunities, especially in terms of infrastructure.

Due to the low costs of doing business in Romania, international manufacturers are increasingly seeing it as a production alternative to China. Cutting the travel and shipping costs comes with the benefit of protecting their trade marks.

However, if all this potential is to develop, Romania needs to deal with its stuffy bureaucracy and sometimes overwhelming corruption.

### **The Problem of Corruption**

Political corruption is seen as a major political problem of post-communist Romania both internally and externally. Internally, the problem of political corruption is a permanent hot topic, as corruption is seen not only as one of the main causes for Romania's slow progress but as a source for fuelling politics as well (Cristoiu, 2013).

Since Romania joined the EU in January 2007, its efforts to combat high level corruption have been closely monitored by the European Commission. Like any EU member state, Romania has to be a functioning democracy, and the independence of the Judicial System from the Executive is a strong indicator of a healthy democracy. The Commission's most recent report at the time this research started noted that cases of high level corruption continued to be delayed or dropped altogether, proving the weakness of Romania's judicial system when facing political pressures (European Commission, 2010). This delay had also been highlighted by external international bodies, including the Berlin-based think-tank Transparency International, strengthening the idea that Romania was not ready and that much work needed to be done in order to attain the required standards. (Transparency International, 2004 – 2009).

Romania's corruption problems have been closely monitored by the EU via the Mechanism of Cooperation and Verification (MCV). For example, the MCV report released by the European Commission in January 2013 focused on respect for the rule of law and the independence of the judiciary in Romania, as well as on the reform of the judicial system and the fight against corruption. The report highlighted that politically motivated attacks on the judiciary had not ended, as well as that fact that there had been numerous examples of the media exercising pressure on the judiciary. As for the fight against corruption, the report underlined some progress, as the Romanian authorities continued to prosecute corruption cases successfully, the number of final convictions doubled compared to the previous year and politicians of all main parties were affected. However, the Commission recommended

Romania to accelerate progress of the reform of the judiciary and the fight against corruption and announced it would continue to monitor progress closely (European Commission, 2013).

### **Research Questions and Aims**

Although studies on the general state of the Romanian media have been done, none focuses specifically on the Romanian media reporting political corruption. Aspects such as the transition of the post-communist Romanian media, the post-communist journalistic elites, the media ownership and owners in Romania have been explored but no attention was paid to the manner in which the Romanian media has been reporting cases of political corruption nor to the elements at work behind this process. This is however a symptom of a larger context in Romanian society. The debate about the role of the media in curbing political corruption in Romania is missing altogether because the debate about what political corruption is and how it affects the everyday life of Romanian citizens, the internal and the external affairs of Romania as well as the impact of its strategic external partnerships is also missing. Romania has been struggling with political corruption for centuries; it is aware that political corruption is one of the main reasons it has not made more progress but still no comprehensive research has ever been done to understand, describe and explain political corruption in Romania.

The role of this thesis is to fill the gap in the research of the media reporting political corruption by answering three questions: how is news about political corruption reported by the Romanian press to its public, what characterises the relationship between the media ownership and political realm in Romania and how does this relationship influence the Romanian journalist reporting political corruption in terms of professional autonomy, daily practice, recruitment and professional ideology.

To answer these questions, I pursued three directions of analysis. Firstly, I analysed how news about political corruption is reported by the Romanian press to its public. Secondly, I focused on the relationship between the owners of the media reporting political corruption and the political realm in Romania by exploring the particular political-institutional and economic realities specific of the Romania press-political elite nexus. Thirdly, I explored how the relationship media ownership – political realm influences the Romanian journalist reporting political corruption in terms of professional autonomy, daily practice, recruitment and professional ideology. The most representative cases of political corruption between 2004 and 2015 were examined and journalists were asked, via interviews, about the challenges they face and how they think about them.

## **The Thesis Chapters in Brief**

The first two chapters introduce Romania as a case study to investigate the role of the press in reporting political corruption in a post-communist country. They built up a general context of the media and political corruption in Romania.

The first chapter, “Media & Democracy”, is a background chapter which sets out the main theoretical and conceptual foundations of the research and justifies Romania as a case for study. It introduces Romania, a post-communist state in transition bearing significant internal and external pressures on its democratisation process, within the larger debate about media and democracy.

The second chapter, “Political Corruption and Political Culture”, introduces the concepts of political corruption and political culture and exemplifies their application in the context of the Romanian case. Although political culture is seen as one of the main determinants of political corruption, I argue in this chapter that it can be a factor of resistance against corruption and a mechanism of holding political power to account.

The third chapter, “Methodology”, presents the rationale for adopting the research methods used in this study (discourse analysis, interviews and secondary documents analysis) by positioning the relationship between the Romanian media and the political realm within the coordinates set by the critical political economy of media approach. The rationale section is followed by a summary of the research aims and continues by exploring the methodology used for the discourse analysis and interviews and by explaining how these methods will be operationalised.

The following three chapters are dedicated to the case studies of media reportage of political corruption in Romania. I argue in each of the cases that, as part of a Romania society tolerant to corruption, the Romanian press manages to report corruption but it fails to be part of the solution by holding the political elite to account. I argue that this tendency can be recognised in three ways: 1) while the Romanian press should be a strong component of the resistance to corruption, it fails to perform its role as a whistle-blower or as an external mechanism to detect and bring corruption to light; 2) the Romanian press fails to frame political corruption as an emergency that should be a priority for the public and the political elite; 3) the Romanian press shows little concern and reflection about lack of ethics, understood as corruption and biased, unethical behaviour, affecting journalists reporting political corruption.

The fourth chapter, “Case Study 1: Adrian Nastase”, explores the manner in which the Romanian press reported the corruption case of Adrian Nastase, a politician who had to face

the full force of the law only after he finished his mandate as Prime Minister, lost the presidential elections and consequently the leadership of his party.

The fifth chapter, “Case Study 2: Dan Voiculescu”, explores the manner in which the Romanian press reported the corruption case of Dan Voiculescu, a politician who had to give explanations for his deeds while at the height of his career both as an MP and as a business man owning a media empire.

The sixth chapter, “Case Study 3: Microsoft – EADS”, explored the manner in which the Romanian press reported a corruption case indicating that political corruption in Romania is a practice widely spread irrespective of what political party forms the government, and inherited from minister to minister as a normal mode of functioning and managing public office.

The seventh chapter consists of “Interviews with Journalists”: while the case studies show how the Romanian press reports political corruption and demonstrate its shortcomings in holding power to account, the section dedicated to interviews with journalists and political analysts looks into the reasons behind the performance of the Romanian press.

The last part of the thesis, “Conclusion”, summarizes the key findings of the three case studies and interviews and looks at the contribution of this research to the understanding of the problem of political corruption in Romania. It concludes by suggesting directions for a future research.

## **Chapter 1: Media and Democracy**

This research employs a critical political economy of media approach to investigate the discursive construction of political corruption in mediated communication in Romania. Its purpose is to understand the relationship between the written press discourse about political corruption and the critical political economy of the press against the background of the political and economic context in Romania between 2004 and 2014. This background chapter sets out the main theoretical and conceptual foundations of the research and justifies Romania as a case for study. It introduces Romania, a post-communist state in transition, bearing significant internal and external pressures on its democratisation process, within the larger debate about media and democracy.

Liberal theories of the media and democracy and the critical political economy of the media approach that underpin this study are explained and justified. They are employed to explore the Romanian press in the light of the media standards and challenges in the Western world. I argue this way that Romania can provide an insight into the difficulties related to political corruption faced by a post-communist country trying to observe Western normative standards of behaviour in democratic political cultures. The concept of the media as the fourth power of state is a key concept in this study; therefore, its various dimensions are outlined.

### **1) Liberal Democracy and the Media**

#### **1.1 Liberal Democracy Vs Neoliberalism**

One might argue that a discussion about neo-liberalism and the media would have been more appropriate to investigate the role of the Romanian press in reporting political corruption than focussing on the classic liberal view of the media as the fourth power in state. There are a few considerations that stop me from proceeding down the path of neo-liberalism.

The first and the most important one is the fact that, as we shall see soon in this chapter, political corruption is associated with a deficit of democracy. One way one can assess the contribution of the media in tackling this problem is to look at the capacity and the challenges the media faces in performing its particular role in keeping power accountable. That is to remember that although “commercial news organisations are first and foremost businesses,

news is no ordinary commodity and is linked directly to the health and well-being of democratic practice” (Fenton, 2011: 63). The discussion about neoliberalism and the media is defined within the larger context of globalisation, in which the media system is playing the essential part of “promoting global markets and encouraging consumer values” (McChesney, 2001:1). Although, as Sparks underlines, in South-Eastern post-communist Europe there has been a strong element of entry by as sophisticated international enterprises in both press and broadcasting, (Sparks, 2000) my research focuses particularly on the internal changes of the press system in post-communist Romania, a process which, we shall see in the following chapters, has been influenced more by Romania`s un-processed Communist legacy and slow economic development and less by broader tendencies towards monopolisation and increased power for transnational and international media trusts.

Neo-liberalism can be understood as a “set of national and international policies” destined to establish business dominance over all social affairs without too much opposing force while governments remain largely to serve corporate interests and minimise the “activities that might undermine the rule of business and the wealthy” (McChesney, 2001:1). This would be difficult to apply to Romania, first because Romania is a country still struggling to impose a culture of open market encouraging investment, based more on business and entrepreneurship than on a large public sector. Second, because as Sparks shows, large international corporations had a go at the post-communist world and, although having the experience of operating in capitalist democracies, they ended up joining corrupt local practices (Sparks, 2000:37) or leaving the South-Eastern European market altogether in the aftermath of economic crises in 2008 due to poor economic return of their investment as in the case of the German media trust, WAZ.

More than this, it would be difficult to assert that the Romanian government has ever had the interests of the media at heart. The Strategy for National Defence produced by the Supreme Council of National Defence<sup>1</sup> in 2010 reads: ” the phenomenon of press campaigns ordered to denigrate the state institutions by spreading false information about their activity” as well as “the pressures exercised by media trusts on political decisions with the purpose of obtaining economic or other kind of advantages in the relationship with the state institutions” (SCND, 2010: 14). As we can see, the media was included by the Romanian decision makers among the threats to national security.

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<sup>1</sup> *Supreme Council of National Defence = SCND*

As McChesney states (2001:1), neo-liberalism is deeply linked to the belief that markets have the ability “to use new technologies to solve social problems better than any alternative course” and for achieving this, “commercial media and communication markets have to be deregulated”. In a neoliberal free market economy news has to pay its way and its value is sacrificed to increase profits for the shareholders of some media organisations caught in a full process of consolidation and monopolisation. It works at least with the assumption that a real economy media market exists, working on the principles of market demand and profit making by delivering a needed product/service to the public, and this assumption can be challenged in the case of the Romanian media.

In conclusion, the present thesis will explore the role of the Romanian press in reporting political corruption by: 1) employing the classical liberal view of the media as the fourth power in state and guard dog of democracy, a model characteristic of Western democracies towards which Romania aims and 2) by using a critical political economy of the media approach in order to explore the challenges that impede the speed and the success of this process.

## **1.2 Liberal Democracy**

Liberal democracy was born from the association of representative democracy with the principles of liberal ideology as a necessary mix to provide a coherent and fair formula for governing a society. It is today a model that many countries strive to follow, and it currently underpins all Western democratic political systems. The UK, the USA, Australia, Canada and New Zealand, for example, are nations closely monitored and assessed by Freedom House, an independent watchdog organization founded on the idea that freedom is possible only in the places where democracy, the rule of law, tolerance and the freedom of expression, association and belief prevail (Freedom House a, 2015). As advanced liberal democracies, these countries are considered a model by former post-communist countries implementing reforms towards democracy and an open market.

Liberal democracy today extends in varying degrees to much, but by no means all, of the economically developed world. It faces opposition from totalitarian and autocratic ideologies and religions, but these are not considered further here, as this thesis is based on the western liberal democratic consensus.

Representative democracy refers to government by majority. The ability of the people to change their governments peacefully through the ballot box is its hallmark. The necessity for representative democracy to be supplemented by liberalism became obvious very early. The

concept of representative democracy as a form of government in which people can involve themselves in decisions about public life by periodically electing their representatives seemed incomplete and attracted strong criticism. Montesquieu and Madison saw the danger of despotism in a democracy lacking rights or any form of liberalism (Rhoden 2015:564), Alexis de Toqueville (1835) and John Stuart Mill drew attention to the danger of the “tyranny of the majority” as something “generally included among the evils against which society requires to be on its guard” (Mill, 1859: 8).

The core of liberal ideology arguably represents the standards that should be observed today by any properly functioning society: rule of law, judicial independence, property rights, freedom of expression, religious freedom and minority rights. It draws its bases from the work of John Locke, Thomas Hobbes, Adam Smith, John Stuart Mill and Montesquieu.

The liberal democracy built on these concepts is centred on the idea of moral and rational individuals who strive naturally for progress and who accept to organise themselves as a society based on a social contract promoting cooperation in order to achieve well-being for as many citizens as possible. John Lock and Thomas Hobbes focussed on human nature and conceptualised the distinction between natural rights and legal rights.

John Locke saw human nature as being rational and tolerant. He considered that individuals are equal and independent in a natural state (Locke, 1689a) hence they all are equally endowed with natural rights to life, liberty and property, which cannot be alienated by any social contract (Locke, 1689b). As a consequence, legitimate governments are only those who have the consent of the people. Thomas Hobbes by opposition saw human nature as being very conflictual (Hobbes, 1651): therefore, a social contract was needed to sanction the consent of the individuals to give up some of their freedoms and submit to the authority of the ruler in order to protect the remaining rights.

The ideal of the well-being of all citizens led to liberal efforts to develop an open society, with reward based on merit and supported by the spirit of justice. To achieve the desiderata of justice and freedom, power needs to be legitimised by extensive popular support expressed through free elections, to have clearly defined limits and to be kept accountable.

The accountability of power was conceptualised by Charles de Montesquieu as “a system of checks and balances”. In “The Spirit of the Laws” Montesquieu (1748) promoted the division of powers in government into legislative, executive and judicial, as a mechanism which would allow different segments of power to check each other, making sure that the state does not overstep its limits in relation to the individual and their rights.

Although the objectives and the values of liberal democracy make it a desirable model in many people's eyes for human society, its application is always imperfect and provides scope for research and debate. Even though an imperfect model in imperfect countries, liberal democracy has led to by far much better consequences than the authoritarian – totalitarian model of Communism, which brought destruction to the economies, moral and social fabric of societies affected by it.

Corruption is a label that often describes the most challenging realities within non-liberal democratic countries. As such, researching post-communist countries such as Romania and the manner in which they manage or fail to tackle corruption can offer valuable insight into their difficulties to adopt standards specific to democratic political culture.

### **1.3) Freedom of Expression and Democracy**

Freedom of expression is a fundamental component of liberal democracy. As rational individuals are organised in societies and seek to govern themselves, they need to make decisions. Politics is nothing more than the process by which groups of people make decisions. To fulfil this purpose, individuals need as much relevant information available as possible.

During the 19<sup>th</sup> century, John Stuart Mill affirmed the importance of free speech in offering the fundament for debate. In his essay, “On Liberty”, he stated that: “there ought to exist the fullest liberty of professing and discussion, as a matter of ethical conviction, any doctrine, however immoral it may be considered” (1978:15). Mill's freedom of speech is broad and inclusive: it allows everyone to form opinions and express competing ideas in the public space no matter the subject.

Freedom of expression is today acknowledged and promoted by international agreements particularly due to its role in supporting and enforcing democracy. Article 19 of the Universal Declaration of Human Rights affirms freedom of information as a human right (UN 1948); formal legal obligations are imposed by Article 19 of the International Covenant on Civil and Political Rights. The treaty ratified by more than 150 countries indicates that: “Everyone shall have the right to hold opinions without interference. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice” (UN, 1966).

The essential role of freedom of expression in promoting democracy by allowing society to exercise control over the state authorities is indicated by Resolution 59(I) of the UN

General Assembly (1946) which affirms freedom of information as a fundamental right and the basis of all the freedoms promoted by the United Nations. The UN Human Rights Committee states that freedom of expression is so important for any democratic society that any restrictions imposed on it must be properly justified (1995).

Despite its desirability and use in protecting and promoting democracy, freedom of expression is bound by certain limits. Mill thought that it should end at the point where it started to harm others (1859). He opened a broad debate about the limits of free speech and respect for the rights of others. International and national laws today recognize that freedom of expression can be restricted but only in conditions strictly defined by law and only in order to respect the rights or reputations of others and for public security, public order, health and moral reasons (UN, 1966). More than this, freedom of expression encounters limitations due to social, political and economic circumstances as well as due to specific features of different societies: a significant freedom in the USA vs. a limited one in the UK system which promotes restrictive libel laws and willingness to tolerate a certain degree of secrecy in government (Mervin, 1998:12-13). These differences make it very difficult for this term to be used per se, and each country should be considered as a case in itself. At the present time the degree of limitation that may be imposed on free speech for religious reasons is highly controversial even within and between liberal democracies.

#### **1.4) Media and Democracy**

Freedom of expression as a fundamental value of liberal democracy is not enough on its own for citizens to make informed decisions. Habermas states that citizens need a space of social life, separate from the state, in which opinions can be formed and expressed. He defines public sphere as a space that allows free access to all citizens, who, beyond their professional status “behave as a public body when they confer in an unrestricted fashion - that is, with the guarantee of the freedom of assembly and association and freedom to access and publish their opinions - about matters of general interest. In a large public body this kind of communication requires specific means of transmitting information and influencing those who receive it. Today newspapers and magazines, radio and television are the media of the public sphere” (Habermas, 1964:198-200). In other words, a medium is necessary through which freedom of expression can be put into practice in society. Mass-media provides a large range of mediums which allow the process of mass communication in society: these include print media (books and

newspapers), film, broadcasting (radio, TV), recorded music, and new media (internet, mobile technology) (McQuail, 2010).

The importance of mass media in a democracy is broadly recognised by international organisations. The press in particular is considered by the European Court of Human Rights as a very effective tool for discovering and forming opinions about the ideas and attitudes of politicians while giving them the opportunity to comment on the problems raised by public opinion, enhancing in this way participation in free political debate, a fundamental mark of a democratic society (1992). The UN Human Rights Committee states that free communication between the public and political representatives about public and political issues is essential and can take place only where the press and other media are free to comment, without any pressures or restraints (UN,1996). There is even the suggestion that where democracy is not totally enforced, media should be first liberalised and only after this objective is achieved introduction of democratic reforms should start (Kalenborn & Lessmann, 2013: 877)

A media without censorship or restraint is a noble desideratum but rarely met in reality. According to Freedom House's Freedom of Press Index, just 14% of the world's population live in countries that have a free press while in the rest of the world, governments and non-state actors control the information that reaches citizens and limit any press attempts to "promote accountability, good governance and economic development" (Freedom House a, 2015). Understanding the role of media in a democracy requires an understanding of the relationship between media and power and how this relationship works: what is the nature of the power exercised by media, who exercises control over media and in what way (Curran, 2002).

From the perspective of the role of media in a democracy, the control exercised over media is a large area requiring careful analysis. Given that power is a fundamental process in society which represents "the relational capacity that enables a social actor to influence asymmetrically the decisions of other social actor(s) in ways that favour the empowered actor's will, interests and values" (Castells, 2013: 10), to understand the limits of media means to understand the game of social actors, be it individual or collective, organisations, institutions and networks which pursue their own interests.

Understanding the role of the media in a democracy requires as well to properly understand that, as a group of mediums used by communicators to disseminate messages to the public, media develops strong relationships with government, sources of opinions and public (Ngoa, 2010). Media can influence and is influenced back and this dynamic can often be tainted by rogue practices developed in the exchanges between the media and representatives of the

political realm, which can diminish if not reverse altogether the media's role in the process of democratisation as we shall see it has happened in the case of Romania.

### **1.5 Media Holding Power to Account**

The capacity of the mass media as the embodiment of freedom of expression to support and enhance democracy is best understood by considering its relations with power in society while considering the freedom of the media as a measure of democracy.

Although defined as an institution belonging to society, based on a technological infrastructure that is part of the economic and power base of society (McQuail, 2010: 70), mass media has never been a formal branch of a democratic government. However, the temptation to curb its freedom has always been a reality even in the most democratic regimes.

If we follow the premise that mass media as a system is characterised by a set of principles organised as goals to be pursued (Jakubowicz & Sukosd, 2008: 10), mass media in liberal democracies has been traditionally seen as another (the 4<sup>th</sup>) power of state. It has been considered the “watchdog” of society due to its capacity to influence public opinion by controlling information and communication, indirectly affecting the outcome of elections and so keeping power in check on issues concerning the public.<sup>2</sup> Ideally, the media supplements the other three powers of a democratic state of law, the Executive, the Legislature and the Judiciary, and provides a space in which citizens can express themselves freely.

The liberal view of the role of the media has its own narrative which follows the tradition of normative theories (McQuail, 2010: 19): it draws from the ideological core specific to liberal democracies and focuses on prescribing how the media should operate in order to observe certain values. The central thesis of the history of liberal media is that the process of democratisation “was enormously strengthened by the development of modern mass-media” as an institution that struggled successfully to become independent from government (Curran, 2002: 2-4). Once independent from government, mass media became a watchdog of democracy. It empowered people and strengthened democratic processes by making information more widely available, by promoting a culture of democracy, by subjecting authority to critical scrutiny and by representing public opinion to government. It encouraged

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<sup>2</sup> A concept initially attributed to the Irish Edmund Burke but strongly developed in the United States due to its massive impact on the American politics (Mervin, 1998:16)

constructive and “reciprocal communication between different groups in society” (Curran, 2002: 2-4).

This is a general picture of a desirable outcome of the media. However, the media has to navigate through market and political pressures, raising this way questions about its capacity to play the watchdog role properly.

The liberal view states that media is a provider of legitimacy and visibility. This function is properly performed when media observes values such as protection of the right of citizens to be informed and heard (Gurevitch & Blumler, 1990: 270). As the voice of the people and defender of society in relation to power, media as a source of legitimacy does not just subject authority to critical scrutiny; it monitors and reports the political environment. As a channel of communication between state and society, media provides political representatives with a voice. It has the power to allow or deny them the access to public as well as the power to choose which of them is brought to public notice and in what way.

Apart from controlling visibility and providing legitimacy, media is an agenda-setter. McQuail (2010) explains that by framing the issues at stake in a society, media structures the aspects of reality. The problematic aspects in society are brought to the attention of the public, which finds out from the information provided by the media how much importance to ascribe to issues and what position to have about them. David Deacon emphasizes that the written text in the media gives a definitional shape to a particular issue by selecting, omitting, highlighting and elaborating, all acts which give the text a particular orientation, either sense-making or exposing the sense already made of an issue (Deacon et al., 2007: 161).

The exposure of the corruption of the British political body is a positive example of how the media can keep politicians accountable when performing its role of correctly informing the public about matters in which the public is highly interested: political corruption in this case. It is as well a demonstration of the power the media can harness to cause significant changes within the political class, when needed. The story of the MPs’ expenses shows that irrespective of what mechanisms politicians use in order to cover up wrong-doing, as long as media senses something wrong, it can find the way of discovering and disclosing the facts.

The expenses scandal pictures parts of the British political class as an oligarchic group benefitting from a loose legislation and the resources put at its disposal without observing that public money was used for personal affairs. The explanation seems to reside in the fact that freedom of expression and a free media are “important human rights and powerful controls against government” wrong doing which give “independent journalists a strong incentive to investigate and uncover stories” of misdemeanour (Brunetti & Weder, 2003:1801). Overall,

the MPs' expenses scandal is an example of media playing a significant role in shaping political reality (McCombs & Shaw, 1972) by deciding how people and situations are depicted and what issues are important and need to be brought to the attention of the public.

In summary, according to the liberal narrative, media is essential to the development of democracy. It is a promoter of an open and transparent society which recognizes the individuality, the right to opinion and respect of each individual, who in turn needs to be properly informed, educated and included in the public debate. To achieve these objectives media provides and controls visibility, is a source of legitimacy by offering credibility and authority and a public and political agenda setter. However, media's capacity to perform these roles can be diminished by government interference, market concentration and strong private interests. All these aspects are considered by the critical political economy of the media approach. As we shall see in the next section, things are even more complicated when it comes to former communist countries such as Romania.

## **1.6 Criticising the Liberal Model of the Media: The Critical Political Economy of Media Approach**

### **1.6.1 Critical Political Economy of the Media**

The political economy of media approach is a critique born from the imperfections of the liberal model and focuses on the material reality of mass-media. Some exponents of this theory go as far as claiming that media is an instrument of the elite in its quest to maintain influence and power (Chomsky & Herman, 1988; McChesney, 2008). Others (Murdock and Golding, 2005) do not go as far but propose a hands on, holistic, historical and ethical approach of the relationship between media and power.

Political economy of media is grounded on Marxist and neo-Marxist views which see media as part of the economic and political elites, promoting their interests. It questions the independence of the media in capitalist liberal democracies by replacing the idea that everything can eventually be related to economic forces with the belief that economic forces are the driving factor. The liberal view sees media as a facilitator of an open debate based on dissemination of information and support for contrary opinions. The Marxist view promotes the idea of class manipulation of media content.

One of the strongest critiques brought to the political economy of the media approach is the simplicity of its model, based on the idea that those who have power and wealth will

seek, by all means and successfully manage to retain them, to the exclusion of any other outcome the human actions might have. Chomsky & Herman (1988) and McChesney (2008), for instance, focus on the realities of the corporate American media system. In their view, media does not play the same role to all and each member of society, a fairness desirable within the liberal democracy model. In their view, the democratic public sphere is damaged by transnational and multinational corporate media systems and the corrupt policy making process these systems bring into existence. Chomsky and Herman think that if the media performs “a societal purpose at all, it is to inculcate and defend the economic, social and political agenda of privileged groups that dominate the domestic society and state” (Chomsky & Herman, 1988:298).

McChesney follows the same view as Chomsky and Herman about a media system dominated by corporations which work to the good of the privileged ones. He defines political economy of media as a field preoccupied to explore how media are shaped by ownership, media structures, commercial support, technology, labour practices and government policies (McChesney, 2008:12) and finds a negative answer to the question of whether, on balance, the media system promotes democratic institutions and practices and a positive answer to the question of whether the media is a force for oligarchy to the detriment of social justice.

The model of political economy of the media meets significant critique for being incomplete, almost simplistic. Garnham (1979), for instance, draws the attention to the fact that the model disregards the role of other essential social components such as culture. He considers that while mass media can be a tool of ideological domination, culture is not always an industry, as everyone creates and spreads culture all the time. More than this, cultural consumption is not always as needed as natural resources are and it requires adaptation to the demands of the markets to generate revenue Garnham (1979).

Garnham pleads for the necessity of cultural studies to take into account political economy and ask economic questions such as the ones concerning the role of the economic in the reproduction of material and symbolic life (Garnham & Fuchs, 2014: 116). More than this, he emphasizes that to understand the dynamics of modern societies, researchers focusing on cultural studies should go deeper into understanding economics (Garnham & Fuchs, 2014: 116). Garnham (1979) draws attention as well to the fact that Marxist writings do not acknowledge that audiences become a commodity sold to advertisers. However, this aspect might not be relevant to the present thesis which sees the media as a field used by the politicians and media owners to pursue their power and commercial interests. Audiences become

secondary in this game and the only way they can figure out the truth is to read everything out there in the space of the media (Tatulici, 2012:8).

To summarise, the model provided by Chomsky & Herman and McChesney can be accused of simplicity. It adopts a strong view of a media as a tool meant to just serve the interests of oligarchy and it was built having in view the American society dominated by large corporations promoting the interests of a long lasting oligarchy. For this reason, it would be rather difficult to apply it to a former Communist country dealing with a rather young media market. More than this, as Garnham (1979) shows, this model is incomplete. As such, for the purposes of this thesis, I will employ the more comprehensive model of critical political economy of media proposed by Murdock and Golding (2005).

From the point of view of the elements taken into account when researching media, critical political economy of the media as defined by Murdock and Golding (2005) represented a step forward from the traditional political economy of media. It defined four new directions: a holistic approach which proposes the economy to be seen as intertwined with the political, social and cultural realms, not separated from them; a historical approach which required attention to be paid to long term changes; focus on “the balance between private enterprise and public intervention; and finally, looking beyond technical issues of efficiency to engage with the basic moral questions of justice, equity and the moral good” (Murdock & Golding, 2005: 61). As such, the utility of the critical political economy of the media as proposed by Murdock and Golding resides in its endeavour to ask fundamental questions about justice, equity and public good while investigating the manner in which the communicative activity in society is shaped by the unequal distribution of resources resulting from the general economic dynamics.

Murdock and Golding (2005) agree to a certain extent with the supporters of the instrumentalist view, Herman and Chomsky, who consider privately owned media as instruments of class domination but draw attention to the fact that media owners, advertisers and key political personnel cannot always do as they wish, as the media structures facilitate by offering opportunities, but equally constrain by imposing limits. As one of the central elements of critical political economy of media is the study of the manner in which meaning is built and re-built through the activities of producers and consumers, Murdock and Golding (2005) reject as well the structural approach which sees structures as solid, permanent and immovable and not as dynamic elements, constantly reproduced and changed.

Murdock and Golding (2005) define political economy of media as being interested in the relations developed between the economic section of society and political life, understood as the ground on which different ways of financing determine visible consequences on the

products of the media as well as for the access of the public to them. The critical political economy of media model proposed by Murdock & Golding (2005) defines production as the starting point of analysis and follows three core tasks: to investigate the manufacture of cultural goods understood as the production of meaning and the exercise of power; to investigate the political economy of texts; and to explore the political economy of cultural consumption. The analysis of the meaning production as a result of the exercise of power addresses two fundamental issues: the pattern of ownership of the media and its consequences in terms of control over the media's activities and the nature of the relationship between state regulation and media institutions.

***Private interests, marketization and democracy.*** The political economy of media approach brings forward the debate about media ownership and democracy in a world dominated by markets. The impact of media ownership on media activities has been addressed by theorists of democracy who could see a contradiction between private ownership and the media operating as a public entity. In a world increasingly dominated by large corporations and press barons helped by a supporting legislation focused on the consumer and not on the citizen, media owners could use their rights to control the flow of information and open debate, so curbing democracy. The critical political economy of media approach pays attention to how public policy is captured by market thinking and looks for consequences of this process in terms of evidence that the increasing power of major communication companies and the private interests behind them take over public culture. Murdock and Golding (2005) state clearly that public bodies behaving like private enterprises are at the heart of the conversion to an open market economy, but this carries cultural costs: "less diversity, less creative risk-taking and more reliance on tested formats and established reputations" (2005: 72).

***Media and state as communicator.*** Political economy of the media focuses on the relationship between the state and the communication institutions seen not only through the lens of the state as a regulator but as well of the state as a powerful communicator, which needs to promote its own views. To understand the manner in which the state uses its communication power, political economy of the media analyses the state as the biggest advertiser and looks at the process by which it gives subsidies to media organisations ranging from a healthy distribution of essential information to very limited sharing of information.

***Codes, Professional Ideologies and Human Resources.*** Critical political economy of media in Murdock and Golding's view is not limited to seeing production of communication as being only a reflection of the interests of public agencies and private corporations. It takes into account the aspirations, codes and professional ideologies of those working for

communication bodies and tries to establish not only how far the workers in the field can exercise autonomy given the economic constraints but “to what extent the economic structure of media prevents some forms of expression” (2005: 74).

Murdock and Golding (2005) consider that the structural dynamics should be assessed through their concrete impact on daily practice, recruitment and professional ideology in order to understand the consequences of the relations between media ownership interests, economic imperatives and cultural production. This requires the study of how human resources in media do their work, the way sources of power and authority build agendas and the connection between the market and work situations.

*The consequences of the broad patterns of power and ownership.* Seeing media through the lens of media ownership interests, economic imperatives and cultural production is not enough. Critical Political economy of media expands its analysis to the “concrete consequences of broad patterns of power and ownership” on the production of media goods in an attempt “to explain how the economic dynamics of production structure public discourse by promoting certain cultural forms over others” (Murdock, Golding, 2005: 75). As a result, “detailed connections between the financing and organisation of cultural production and changes” in the fields of public discourse can be traced (*ibid.*).

### **1.6.2 Critical Political Economy of the Media and the Post-Communist World**

Sparks (2000) not only brings a criticism to the liberal view of the media by pointing to the fact that the separate and distinct spheres of action for political and economic agents become blurred in the context of the Central and Eastern European post-communist world, but he as well offers a direction of how the model of critical political economy of the media should be applied to the societies in this region.

His research goes back in time, during the communist era, and follows the evolutions of the Central and Eastern European media systems past the fall of Communism until today. Sparks (2000) states that, as a consequence of the transition process, the political realm today does not intervene in the economic area of the media market just to regulate and correct distortions such as monopolies, as the classical model of media theory assumes. In the post-communist world, the two areas, economic and political, almost lose their identities and become intertwined as a permanent and mutually supportive relationship between politicians and businessmen: the politicians help their friends in the media to gather competitive positions

in the market economy and at the same time as they retain their influence over the media, political influence is turned into commercial advantage (Sparks, 2000:37).

Sparks identifies the origin of this exchange in the nature of transition: the passage from the communist economy to the capitalist one could be done only by taking political decisions and by transforming state property into private property. As this transformation could be done only by the state as the sole owner of the property, the old communist elite turned into the new private capitalist class owning a political capital and eager to get control over the media, with the consequence that “the stabilisation of capitalism democracy meant a reassertion of authority over journalists and media workers” (Sparks, 2000:35). This marked the beginning of a range of mutually beneficial and supportive, close relationships between politicians, businessmen and the media in which the distinction between what is “economic” and what is “political” does not exist anymore.

This mixture prompts Sparks to believe that the media follows the same logic as the political elites placing themselves on the same side of power. As a consequence, the newly instated democracy in Central and Eastern Europe is a “democracy negotiated by the elite groups, organised for the benefit of the elite groups, and demarcated for the interests of the elite groups” (Sparks, 2000: 39). In this process, the most important component, the public, is disregarded. As such, Sparks considers that, when it comes to Central and Eastern Europe, the debate about media and democracy should shift its attention from the relationship between state and market, bureaucrat and entrepreneur, to the relationship between media and their audiences and the mishaps within media organisations between those who give orders and those who have to follow them. As the public is the most disregarded element in this dynamic of relationships, Sparks (2000) thinks that the only way the media can be democratised is to break the control of these elites over the main means of public speech. Unfortunately, he does not provide any suggestion about how this might happen.

In conclusion, for the purposes of this thesis and within the boundaries offered by the critical political economy of the media model provided by Murdock and Golding (2005), I will follow the two directions defined by Sparks (2000) and focus on three fundamental aspects: how is news about political corruption reported by the Romanian press to its public, what characterises the relationship between the media ownership and political realm in Romania and how does this relationship influence the Romanian journalist in terms of professional autonomy, daily practice, recruitment and professional ideology.

## 1.7) Keeping Media Accountable

Media accountability is a particularly sensitive issue for a post-communist country struggling to develop a democratic media such as Romania. It is enough to reflect on the damage caused by the media in more established democracies due to improper accountability systems, as in the case of the UK phone hacking scandal, in order to understand how important as well as how difficult it might be to develop such systems within cultures already plagued by corruption up to the highest levels.

As an institution which is part of the economic and power base of society, media's freedom is curbed by a mix of pressures. Stuart Allan states that one should never lose "sight of how the news media are embedded in specific relations of power and control while, at the same time recognising the ways in which they are working to reflect, transform and, if only infrequently, challenge the same relations over time" (Allan, 2004:3). It is an invitation to a balanced view in which products of media are seen and understood in the context of the pressures producing it.

As a system characterised by a certain degree of centralisation, political influences, profile differentiation, multiple sources of finance and public scrutiny the media is subjected to the pressures imposed by broader phenomena such as globalisation (Saeed, 2009) and the expansion of the internet (Hopia, 2013). These factors increase the complexity the media encounters at a local level in the form of economic and political pressures which are ultimately mirrored in content, the product of self-censorship (Brunetti, 2003). Irrespective of the form pressures take, either as competing interests in the private sector that distort reportage or as economic favouritism and reprisals by government due to unwanted press coverage (Brunetti, 2003: 1806), understanding them is essential as they bring up questions about the freedom journalists have to perform their traditional role in relation to the state, private sector and social actors.

The phone hacking scandal in the UK is the most challenging situation a significant part of the British media has recently faced and mirrors the range of challenges Western media face today. It puts into perspective, for example, the negative aspects brought by the expansion of the internet. The Leveson Report is representative as it questions the accountability of the media in an era in which new technologies and adapted funding have consequences on both the quality of media product as well as on the systems of management and compliance.

The report states that competition from the internet and the absorption of advertising funds from the press led to a lowering of media standards to the disregard of the rights and liberties of individuals. (Leveson, 2012). Hopia points out that “internet takes over when the media does not do its job” (Hopia, 2013: 44) and that sources of financing, sales and resources have been shrinking directly proportional with the expansion of the internet, causing significant changes in media systems. Human resources are dismissed and the focus of the public shifts from what is important for it to what is selling. The speed of producing materials increased dramatically leading to the decrease in the quality of work done by journalists and to plagiarism. As a consequence, rogue practices developed. Trade in private and confidential information without consent and with little regard to the public interest had become rife, a sign of a major failure of the current policy and regulatory framework of data protection (Leveson, 2012).

On the brighter side, the expansion of the internet allows more perspectives to be brought to the table. However, there is no guarantee of quality and good intent (Hopia, 2013: 43). The lack of such a guarantee could be actually the least harmful effect if we take into account the blogs, websites or social media accounts which are used as a manipulation medium, failing to disclose where the finance comes from and what is their real purpose. The Leveson report raised a fundamental question: if mass media is the watchdog of society and the guardian of democracy, then who guards the guardian when the systems of management and compliance fail? (The Leveson Inquiry, 2011).

As Sparks (2000) who considers that the media and political elite work in the same logic, Dominic Wring`s analysis of the hacking scandal shows that abuse within the media does not just happen: it is a process which develops over time by having the support of the “right” people, often members of the political elite, and by rejecting any accountability mechanism. Dominic Wring follows the evolution of News Corporation`s involvement in British politics, showing that the Murdock family has been in fact all along part of the UK power elite which offered him its generous support for business purposes in exchange for positive media coverage, promoting regressive ideological agendas wrapped in a populist rhetoric and showing a loud repulsion towards any idea of accountability system, be it a National Union of Journalists or other independent worker representation within News Corporation (Wring, 2012: 635-636).

In this context, the question raised by the Leveson report could be taken further: how can the media be guarded provided that political elites and the media realm pursue mutually

enhancing objectives without paying too much attention to the public? One solution would be for the public to stop consuming the products coming from the affected sections of the media.

The classic view, as defined by McQuail (2010: 175), states that media accountability comprises a series of voluntary and involuntary processes which allow media to answer directly or indirectly to society and those immediately affected by the media. It is provided by mechanisms of social control and regulation which observe fundamental values such as free and transparent media based on guaranteed freedom of speech without causing any harm to individuals and society.

The imminent tension between freedom of speech and the need to keep media accountable transpires from imperfect mechanisms in place (McQuail, 2010), rules and regulations can be good when emerging from open debate but can do very much harm when protecting vested interests; market mechanisms are good when encouraging competition and quality and bad when leading to monopoly and low quality. The public responsibility frame assumes media organisations as social institutions would voluntarily go beyond their immediate goals of making profits and commit to getting public opinion feedback while keeping the public interest in sight. The professional responsibility frame relies on media setting its own standards of good performance and on the self-respect and ethical development of professionals in media. Codes of conduct are regulating the activities of the media, but their limits when dealing with powerful media are evident.

The Leveson Report brought into question the culture, the practices and the ethics of the press as part of a media which comprises today segments motivated predominantly by profit and run by media moguls with a political agenda, all based on declining standards of public service, significant gaps in the consensus about standards, and fragmentation of media due to individualism promoted by a decline of traditional values. Murdock and Golding (1973: 207, 219, 221) see these consequences as the result of globalisation, explained as “integration” (more media owned by the same owners), “diversification” (“expansion of the media corporations across other industries through mergers and acquisitions”) and “internalisation” (“expansion of the media corporations in other countries through export and investment”) (*ibid.*).

The failure of the British market to regulate media and the lack of professional responsibility have significant consequences. Media has been increasingly becoming a commercial entity oriented towards profit and consolidation. Many of the media's core values are sacrificed to this purpose as an increased tendency towards trivialisation and a strong weakening of the Public Service Broadcasting have been tolerated (Saeed, 2009: 468). For

example, the focus on sensationalism and celebrity reached grotesque levels in which the human is treated as an object of public property: the press has taken the view that (...) “anyone in whom the public might take an interest are fair game, public property with little, if any, entitlement to any sort of private life or respect for dignity, whether or not there is a true public interest in knowing how they spend their lives” (Leveson, 2012:10). Despite the deviations from ethical standards, significant parts of the media did not take any reparatory action and displayed a cultural tendency to strongly resist or dismiss complaints and led extremely personal attacks on those who challenged them.

The phone hacking scandal put under spotlight the relationship of the press with politicians, police and public. The Leveson report states that the phone hacking scandal is an example in which media, the press in particular, ceased to be a mechanism for holding politicians to account. The very close relationship between press and politicians pushed politicians into vulnerable positions by impeding their capacity to make objective and correct decisions regarding public policies about media and press standards in particular (Leveson, 2012: 26). Therefore, laws and regulations have their own limitations caused by the behind the scenes interventions by people with connections, and public responsibility can be an illusion when profit is the main focus.

## **2) The Post-Communist World: Romania**

We have seen in the previous sections what the values and the standards liberal media in Western democracies strive for and the main problems they face. The aim of this section is to introduce Romania as a case study, an example of a post-communist country struggling on its way towards democracy with political corruption, a phenomenon facilitated by Romania`s communist legacy.

### **2.1) Romania and Theories of Post-Communism**

The analysis of the post-communist countries in the Central and Eastern Europe encounters difficulties due to theoretical limitations. The theories of transition applied to countries in Southern Europe and Latin America that made their shift from authoritarian regimes to democracy are not enough to contain the challenges met by the new-comers in the world of democracy (Smith & Pickles, 1998; Wiards, 2002; Kollmorgen, 2013).

Smith and Pickles (1998) explain that the complexity of the transition from Communism lies in the reworking of old social relations in order to build a form of capitalism on and with the ruins of the communist system. They describe the mainstream transition theory as largely written in terms of the discourses and practices of liberalisation defined as techniques of transformation which work with specific instruments meant to de-monopolise the power of the state and separate the state from the economy and civil society.

Smith & Pickles draw the attention to the fact that this is a simplistic way of seeing the fundamental changes the post-communist world passes through: first, the “conventional neo-liberal view of transition wielded by multilateral agencies and advisers to governments that transition is a relatively unproblematic implementation of a set of policies involving economic liberalisation and marketization alongside democratisation, enabling the creation of a market economy and a liberal policy, relies on an under-theorised understanding of change in post-communism” (1998: 1-2). This approach looks simplistic indeed when viewing the total destruction of the social, political and economic fabric caused by Communism in Romania.

Smith and Pickles (1998) take into account the complexity of the processes involved in creating the grounds for liberal democratic and open market societies on the ruins of Communism and call for alternative sets of conceptual frameworks on transition to comprise and explain the variety of strategies, techniques and effects representative for the post-communist countries in Central and Eastern Europe.

### **2.1.1 Internal Pressures**

Wiards (2002) supports Smith and Pickles (1998) view and presents some of the limitations impeding the theories of transition as a viable theoretical model for the post-communist world: the lack of attention paid to the impact of political culture during the transformation process, the failure to notice the important and dynamic changes that occurred under the previous regimes in the later years, the failure to notice that economically the post-communist countries were nowhere near to the ones in Southern Europe when the process of transition began, the failure to notice the lack of cultural and socio-economic base in the post-communist countries for the political and democratic transition, the lack of a clear conceptual distinction between authoritarian and totalitarian which resulted in very optimistic expectations for the changes in East/Central Europe.

If the transition theories cannot explain properly the changes in the post-communist world, what is the solution? Kollmorgen (2013) advances the idea that a new generation of

transformation theories has been emerging since 1990s and proposes Post-communism and Europeanisation as coherent theoretical approaches.

The post-communism approach in Kollmorgen`s view has three components, which emphasize the internal pressures on the post-communist countries. The first component derives from the theory of totalitarianism and emphasizes the socio-cultural and particularly the cultural legacies of communism. The second component evolved from the Eastern European area studies before 1989 and is based on two fundamental claims: 1) the communist world was dominated by significant regional and national differences which led to different paths of transformation and variants of post-communism and 2) the region`s socialist past has not been erased after 1989 but it played a fundamental role in the new processes which led to a particular type of transformation. The third component of post-communism is interested in the global dimension of post-communism.

If we apply this explicative model to Romania, we can easily see why this country is today one of the post-communist Eastern European countries still struggling to become a full democracy. The latest report about nations in transit released by Freedom House indicates that Romania is a semi-consolidated democracy, significantly behind other post-communist countries considered fully-consolidated democracies: the Baltic countries, Czech Republic, Poland, Slovenia and Slovakia (Freedom House b, 2015). While aiming to become a fully functioning democracy and comply with the external requirements as an EU member state, twenty-five years after the fall of Communism, Romania still has a long way to go.

A few particularities make Romania a unique case. The violent way the Communist regime fell (or appeared to fall) in Romania is a distinctive mark that set Romania apart and defined its future evolution on different coordinates. All the acts and the facts that led to the fall of Communism in other countries, the “Round Table Agreement” in Poland, the “democracy package” adopted by the Hungarian Parliament and the multiparty political system and radical revision of the Constitution approved by the Hungarian Centrum Committee plenum; the Fall of the Berlin Wall in Germany and the non-violent student and popular demonstrations called the Velvet Revolution in Czechoslovakia, contrast to the demonstrations and street fights in December 1989 in Romania that ended with the trial and execution of the Ceaușescu and his replacement by another product of the communist system.

## **Communist Romania**

The bloody end of the Communist regime in Romania is seen as being the result of a few particularities that differentiate the Communist regime in Romania. The violence accompanying the change of regime in Romania in 1989 is seen first of all as a consequence of the fact that given the toughness and the repression perpetuated for four decades by the Romanian Communist regime, the model of negotiated transition “could not be adopted by either the opposition forces or the Communist Party in December 1989” (Ciobanu, 2007:1433). As Andrei Plesu points in a plastic way, “the events on December 1989 found Romania unprepared. Romanians were more adapted than they thought to life under a dictatorship; they did not have illusions about an eventual change and they had never seriously reflected on a normal political alternative” (Andrei Plesu, 1996).

Behind Andrei Plesu`s words lie the reality of a society emerging after 45 years in the hands of a despotic regime organised by a profiteer class (nomenclature) around a supreme leader, which stripped the country of any rule of law and pluralism, destroyed any democratic political parties, disintegrated any free trade unions or political movements that might have challenged them (Presidential Commission, 2006). A murderous regime by essence, Communism in Romania promoted a policy of social extremism using assassinations, deportation, incarceration and forced labour in order to destroy the traditional social classes. It left behind an estimated 2 million victims, most of them belonging to the bourgeoisie, landlords, intellectual and students as well as to the peasants that stood up against collectivisation (Presidential Commission, 2006: 637). Ethnic, religious, cultural and sexual minorities vanished, persecuted, sold, deported and exterminated as was the case of the Jewish and German minorities (Presidential Commission, 2006: 635,637). Communist Romania created camps for its orphans and children with handicaps and introduced aberrant rules concerning “rational feeding” leading to the starvation and misery of the entire population, as moral and material misery and fear became instruments to support Communist power. At its last moments in December 1989, the supreme leader, approved and supported by his party, ordered the massacre of the protesting crowds (Presidential Commission, 2006: 637).

## **The Media in Communist Romania**

The mass-media occupied a small place in Communist Romania. They remained very underdeveloped, with reduced television transmission and unappealing newspapers dominated

by propaganda and the Ceaușescu cult of personality (Nelson, 1990). The very same Romanian Radio and Television which would play an essential role during the 1989 December Revolution were part of a mass-media owned solely by the Communist Party, at the end of a process which started with nationalising the means of mass-communication. The freeway towards manipulation was opened by centralised resource distribution under the control of a small group of people which fixed the distribution criteria according to its own interest as well as by the fact that the party had allowed the exercise of censorship, the control of media messages before their distribution, so speeding the decline of any freedom of information (Coman, 2010).

Lack of alternative, lack of choice, limited size and poor quality were the main consequences, and they had a dramatic effect for any normal process of media development. They emerged from sinister measures enforced by the communist total ownership and control over the mass-media: paper quotas established by the annual plan, newspaper and magazine production limited to the number decided by the party, the denial of the possibility of any alternative publication, strictly limited number of radio and television frequencies, strictly limited number of broadcast programme hours, total control over transportation, telecommunication and means of production. All these measures assured the enhancing of Communist propaganda as the means of production assured rapid broadcasting of the Communist mass media products and the elimination of any products considered “unacceptable” (Coman, 2010).

### **Post-Communist Romania**

Post-communist Romania started under an extreme polarisation of politics inherited from Ceaușescu’s regime and perpetuated long after 1989 into late 1990 within a troubled political party. An interesting description of the Romanian political party system, which indicates where Romania was placing itself a few years after the Revolution, is offered by Kitschelt (2001). He states that significant cross-regional variations had become visible by the mid-90s as the successors of the communist parties in Hungary, the Czech Republic and Poland had become modern social-democratic parties and had started to develop social and economic reforms, while the Romanian and Bulgarian counterparts were still engaged in authoritarian and populist practices. Kitschelt explains the differences between these two categories as being the result of the interactions between historical legacies, institutions and party systems. He thinks that the patrimonial Communism, specific to Romania, based on repression and a corrupt bureaucratic apparatus, had consequences for the transition from Communism, as the post-

communist transition was led by just a section of the elite facing a weak democratic opposition (Kitschelt, 2001).

The extreme polarisation of politics supported by a troubled political party system probably would not have had a long life without a low intensity citizenship, where political authority is not exercised according to legal norms, but engages in practices typical for clientelism, patronage and corruption (Ciobanu, 2007). This created a very permissive environment which allowed the rapid conversion of the old communist elite into the business elite. The analysts noticed the emergence of the new class of rich, and explanations were sought to identify the causes and origins. The Romanian analyst Alina Mungiu-Pippidi noticed that there was a considerable overlap between the new rich and the political class, or at least a very strong bond based upon inter-locking common interests, so that economic advantages were gained through political patronage (Mungiu-Pippidi, 1997).

### **2.1.2 External Pressures – Fighting Political Corruption**

Europeanisation as a new theoretical approach which emphasizes the external pressures on the former communist countries follows two conceptual directions: the European dimension of cultural and ideological orientations and the embedment of the transformation process (Kollmorgen, 2013: 96) and the research on European integration, which scrutinises how the promise of EU membership, the conditions the candidate countries had to fulfil and the newly-achieved membership status have shaped the post-communist change

Twenty-five years after the fall of Communism, Romania still has to deal with its communist legacy, and political corruption is often seen as a strong component of this. In fact, Romania`s progress towards democracy has always been largely measured by its progress in diminishing political corruption. That Romania`s progress is the result of a clash between the internal pressures imposed by an unprocessed communist heritage in the form of an unreformed political class and judicial system and the external pressures, imposed by the process of joining the NATO and the EU, is indicated by the reports issued by international bodies. They tirelessly indicate corruption as the main cause of slow progress and a source for perpetuating corrupt ways of doing politics.

Transparency International, for example, (a Berlin-based international NGO that monitors political corruption) has been monitoring the evolution of corruption in Romania, and it shows very slow improvement: in 2004, before its accession to the EU, Romania ranked 87

out of 178. In 2010, three years after the EU accession Romania ranked better, 69, the same in 2013 and 2014. Despite this slow progress, Romania remains one of the most corrupt EU countries, together with Italy, Greece and Bulgaria (Transparency International, 2002 - 2014).

A more detailed view has been provided by the EU. It is not surprising that after Romania joined the EU in January 2007, its efforts to combat high level corruption continued to be closely monitored by the European Commission. Like any EU member state, Romania has to be a functioning democracy, and the independence of the Judicial System from the Executive is a strong indicator of this. The reports released by the European Commission via the Mechanism of Cooperation and Verification continuously brought to light the weakness of the Romanian judicial system when facing political pressures (European Commission, 2007, 2010), indirectly pointing towards the absence of awareness of corruption among the representatives of the legal system, hence towards the mentalities and cultural traits of those in charge of judging corruption cases.

The story of Romania's evolution has been the weakness of the judicial power, the lack of political support for its reform and the continued assault of the political realm on the judicial system to protect corrupt politicians. The European Commission report in 2008 clearly puts the political arena under the spotlight: decisions on corruption are highly politicised, each step in the right direction is blocked by the internal divisive political debate which brings to a halt any consensus in the Parliament (European Commission, 2008, 2013). Despite significant progress in prosecuting political corruption cases in the last two years and issuing final convictions (European Commission, 2013, 2014) and acknowledging that the "application of the justice system to powerful political figures has been an important demonstration of the reach of Romanian justice" (European Commission, 2014) the European Commission notes that corruption is still not treated as a serious crime. The high percentage of suspended sentences illustrates the reluctance of the judges to carry through the consequences of a guilty verdict, preventing at the same time the confiscation of assets and asset recovery (European Commission, 2014).

This makes Romania a good case study to bring to light the manner in which a corrupt political oligarchy acts as a powerful deterrent in the fight against corruption. It recommends Romania as well as a good case to broaden the research of corruption by including the study of mentalities and attitudes favourable to corruption and corrupt elements amongst those most interested to see this problem solved: the ordinary citizens.

### **3) The Importance of the Media in the Post-Communist World**

The previous sections provided a description of the main concepts specific to liberal democracy and an overview of the main difficulties a post-communist country, Romania, has encountered in its way towards democracy. In the view of the present thesis, the question arises: what is the role of the media in the context of post-communist evolution? The history of the post-communist Romanian media offers a powerful image of the tribulations encountered during the process of becoming an effective instrument capable to support democracy.

#### **3.1 Post-Communist Romanian Media: 1990 – 2004**

The Romanian press which emerged after the Revolution in December 1989 was the result of turbulent circumstances characteristic of the change of political regime. The interviews done for this thesis indicate the challenges faced by the Romanian press, offering at the same time a clear image of the main political, economic and social difficulties faced by Romanian society in its endeavour to become fully democratic and developed.

One of the main characteristics of this period, as described by Avădani (2012), Păcuraru (2011) and Țăranu (2011), is the effervescence which marked the emergence of the post-communist press: newspapers appeared and disappeared rapidly, without any experience of a democratic press, no clear definitions, without professional journalists. The post-communist evolution of the Romanian press was described by Păcuraru (2011), Țăranu (2011) and Savaliuc (2012) as passing through different phases, each of them with their own characteristics: 1990 to 1992, 1992 to 1995 and 1995 till 2004 and 2004 till the present.

The period 1990 to 1992 was chaotic and prolific. The press and generally the published word were in high demand, so different publications appeared, many of them without any clear stake in what was published, ranging from very serious magazines to similar publications to what we call today “tabloids”.

Most of the Communist newspapers disappeared due to bad management, but a few of them rebranded themselves as “free” and served purposes in political battles, “Romania Liberă” (“Free Romania”) and “Scântea” (“The Flame”) for example. “Scântea” (“The Flame”) was the former official newspaper of the Central Committee of the Romanian Communist Party and was re-branded as “Adevărul” (“The Truth”) in Bucharest on December 25, 1989. “Romania Liberă” (“Free Romania”) is the former official newspaper of the Front of Democracy and Socialist Unity in Communist Romania and was launched as a post-communist newspaper in

December 23, 1989. The Communist daily “The Information of Bucharest” was considered a daily for the citizens of Bucharest only. It was re-branded as “Liberatea” (“Liberty”) on December 22, 1989 and used as the first free newspaper by National front of Salvation, the organisation that took power in Romania during the Revolution.

Researcher Manuela Preoteasa shows that the end of Communism prompted the appearance of more than 1,200 new titles. Some of them disappeared in 1995 but others were set up (Preoteasa, 2004: 404). Overall, post-communist Romania has had an impressive plurality of sources. In 2004, the year when the present research started, the Romanian press counted 1,500 titles.

The period 1992 to 2000 is the period when the Romanian press started rebuilding itself. Successful national publications appeared, making a clear distinction between the serious press and tabloid press: “Evenimentul Zilei” (“The Event of the Day”) appeared in Bucharest on June 22, 1992, “Cronica Română” (the “Romanian Chronicle”) appeared in January 25, 1993, the weekly “Dilema” (“Dilemma”) appeared in January 1993, “Jurnalul Național” newspaper (“The National Journal”) was set up in July 1993, the daily “Ziua” (“The Day”) appeared in June 1994, the daily “Curentul” (“The Current”) appeared in October 1997, “Pro Sport” was set up in July 1997, “Ziarul Financiar” (“The Financial Newspaper”) was launched in November 1998, “Gardianul” (“The Guardian”) was launched in 2002, “Averea” (“The Fortune”) was set up in 2005 and “Gandul” (“The Thought”) was launched in May 2005.

It is as well the period of specialisation for newspapers, investigative journalism expanded and investigative journalists were formed. Many types of writing and analysis developed: political, aesthetic, cultural, ideological, and economic. Investigative journalism developed as the result of public demand, and the general political and economic context offered an abundance of strong topics. The transition period was full of trickery, theft and abuses closely monitored by the press, resulting in constantly changing legislation and a permanent refining of methods of stealing public money.

The written press reached a spectacular circulation in the first post-communist decade, but a decreasing trend started developing after 1995. For example, the newspapers “Romania Liberă” and “Adevărul” had a circulation of 1.5 million issues in 1990, but it started decreasing in 1992 to 180,000 issues (“Adevărul”) and 110,000 (“Romania Liberă”) (Buzaș, 2009). Between July and September 2015, “Romania Liberă” managed to sell just 10,562 issues and “Adevărul” sold only 8,906 (BRAT, 2016).

Overall, 10 years after the fall of Communism the Romanian media were far from being a strongly organised sector, capable of pointing out irregularities in politics and society. The

FreeEx reports (AMP, 2010 – 2011) describe them as being overwhelmed by political pressures, harassment and censorship and media feudalisation or “berlusconization”.

The interviews for this research describe the period 2000 to 2004 as one of the most difficult periods for the Romanian press, as the party in power, the Social Democrat Party (PSD), tried to dispose of the media. Significant political involvement is indicated by strong and direct financial pressures and falsified “official” measurements. The “mogulisation” of the press started mainly due to the public authorities (the National Audio-Visual Authority) issuing licenses only to those representing interests close to the Social Democratic Party (PSD), the party in power, and allowing many deviations from deontological behaviour in favour of those in power. This background allowed the big media trusts to be formed by taking over most of the national and local licenses.

The analysis of secondary documents, particularly the reports issued by Agenția de Monitorizare a Presei, offers too an image of how the “mogulisation” of the Romanian media took place. The process is closely linked to Năstase’s Social-Democrat prime-ministerial mandate (2000 – 2004) and is considered to be the consequence of the fact that the media did not benefit from any fiscal advantage, letting it depend on direct sales only.

The process started at local level, in counties like Bacău, Constanța, Buzău, Vrancea, wherever power had become concentrated at the level of political leaders and businessmen, usually the same persons. The example of Dumitru Sechelariu, both Mayor of Bacău and PSD member, became famous. He bought together with businessmen close to him the main economic objects in the area. The way he acquired political and administrative power was his shareholding in the main TV channel, a local newspaper and the local network for press distribution (Agenția de Monitorizare a Presei, 2002).

Given the situation, editorial censorship and political harassment of journalists occurred. Well known is the case of Rodica Culcer, Cosmin Prelipceanu and Nadina Forga<sup>3</sup>, three journalists who resigned from their jobs due to censorship and political pressure coming from their editors trying to politically manipulate the news bulletins (Agenția de Monitorizare a Presei, 2003).

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<sup>3</sup>Rodica Culcer, Cosmin Prelipceanu and Nadina Forga, all working with the News Department of *Europa FM Radio* station, resigned on 5<sup>th</sup> of April 2003 saying that the management demanded them not present the news that might be inconvenient for the political power. *Europa FM* belongs to the French “Lagardere” corporation whose main activity is building airplanes. The representatives of this corporation in Romania affirmed: “Europa FM is a radio which supports the political power because we have to sell airplanes”. Recently, the Romanian government signed a pre-contract to acquire Airbus planes.

Public advertising budget was one of the strongest instruments used by the political parties in power to control the media. As a consequence, the Romanian press was affected, as money for advertising made it vulnerable to pressure from the political arena. On the reverse side of the situation, the media started to use editorial control to practice blackmail in order to get advertising (Agenția de Monitorizare a Presei, 2002).

Agenția de Monitorizare a Presei presents the electoral year 2004, when local and general elections were due, as a particular example of leveraging public money to control the media. The audio-visual media were the main target of the aggressive political campaign as they were the media with the highest impact on the population (Agenția de Monitorizare a Presei, 2004). The methods used in order to achieve this included cancelling debts as in the case of Pro TV (Agenția de Monitorizare a Presei, 2004) which was often accompanied by government advertising granted in a non-transparent and preferential manner by public institutions and state-owned companies (AMP, 2004).

One of the worst consequences of this was the fact that the political control over the national Radio and TV station took the form of political distortion of the information broadcast (AMP, 2002). The results of a monitoring undertaken by the Monitoring Media Agency between September and October 2002 indicates that news coverage of the representatives of the ruling party coalition (Social Democrat Party - PSD) had a 78% share compared to the 22% share of the Opposition on all 5 monitored stations (Agenția de Monitorizare a Presei, 2003).

The fact that the party in power was using finance in order to control the media is shown by a simple calculation made by the Romanian journalists who gave the Romanian public an idea about the scale of corruption taking place at the heart of the media. According to journalist Cristina Hurdubaia, governmental advertising was estimated to account for 8% of the total expenditure for advertising in the media in 2003: “In 2000, according to the data provided by the Government of Romania, the ministries and their subordinate institutions allotted Euro 8.9m for governmental advertising. As a ruling party PSD (the Social Democrat Party) raised the amounts for advertising by 35% in the first three years, amounting to an average of Euro13.5m. In the electoral year 2004 the amount almost doubled compared to 2000: Euro17m” (Hurdubaia, 2005).

It is not a surprise then that the fundamental characteristic of Romania`s post-communist press as stated by Cristoiu (2012) is the fact that it was born from a privatisation process tainted by corruption allowed by politicians and involving journalists.

### 3.2 The Romanian Press: 2005 to Today

The period between 2005 until today has been marked by a weak economic and professional basis and lack of ethics. In his research of the post-communist Romanian landscape, Mihai Coman states that the transition in the Romanian media should not be analysed from a normative approach but rather understood as a battle for power whose ultimate goals are the closure of the professional field and the legitimation of a new media bourgeoisie (Coman, 2004: 45). This battle for power takes place in the context of a journalism based on improvisation not procedures, within a press with an uncertain identity, flipping between strong political attachments and aggressive demands for autonomy, and dominated by a human resource hired via corrupt means and unfair recruitment methods (Coman, 2004: 46, 50).

The Romanian press in the last decade (2005 – 2015) does not present itself very differently from the picture of the transition described by Coman, although the change of regime after the election at the end of 2004 brought a few modifications to the media legislation. For example, the new government took measures to improve things by suspending public advertising, by summoning the media institutions to pay their debts and by deciding together with the representatives of media institutions and media NGOs a set of new regulations in order to make the distribution or media advertising more transparent. Despite these reforms, the interviews describe the same daunting image of the media in the last decade as Coman's image of the Romanian press before 2004.

*The Romanian media stands on weak professional bases and is affected by the new technological developments.* Cristoiu<sup>4</sup> (2012), Tatulici (2012), Băcanu (2011), Păcuraru (2011), Rogozanu (2012) and Avădani (2012) describe the Romanian press as lacking any standards of ethics and behaviour. For example, part of the Romanian journalists does not check their stories even from 2 sources, launch false themes and invective easily, and newspapers do not give the right to reply or issue corrections.

The Romanian press lost sight of the fact that the public interest should be the basis of journalistic activity. Cristoiu (2012), Țăranu (2011) and Băcanu (2011) indicate that the Romanian press is flooded with tabloids and overwhelmed by a strong local oligarchy. It is not tuned to the demands of the market and incapable of disclosing significant corruption cases. Investigative journalism is under-funded and is unable to employ inquiry and investigation, its

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<sup>4</sup> The presentation of the journalists interviewed for this research can be found in Chapter "Methods & Methodology".

main instruments to disclose corruption, because of strong pressures from owners and managers regarding the subjects to be investigated and carrying a significant risk of being sued.

As concerning the latest technological developments and their consequences, the new technologies stopped the monopoly journalists had on managing and transmitting information so that the entire profession had to re-position, re-define and re-invent itself. Tatulici (2012) considers that the future and the evolution of the press are doubtful as, at worse, the Romanian press might become a phenomenon of public gossip. Tatulici (2012) and Savaliuc (2012) consider that it might re-specialise on the internet, in the same format as newspapers, magazines, etc.

*The Romanian media is affected by a loose economic basis.* Cristoiu (2012), Tatulici (2012), Țăranu (2011), Băcanu (2011), Păcuraru (2011), Savaliuc (2012) and Avădani (2012) consider that economic forces are one of the main causes of the problems the Romanian press has to face today. In this category are mentioned the journalists that choose to become owners as well as the fact that journalism had become for people in other economic sectors an extraordinary opportunity to launch into business by setting up newspapers and publications involved in politics. Cristoiu (2012) doubts the Romanian press is a real market economy to the extent that he doubts as well that Romania can be called a market economy given that the majority of fortunes there have been made based on business with the state and not on a healthy development of open competition.

The Romanian press had two types of engines during this period: official and unofficial ones. The Romanian press has three official economic engines: money from advertising, money from special campaigns/events, that bring extra income to the budget due to increased readership and money from other media organisations for production cooperation. Advertising is the most consistent source, but it is too scarce to satisfy the needs of so many newspapers and TV stations.

Both state and private advertising encounter difficulties due to corrupt dealings. State advertising is offered in a discriminatory manner only to those media-trusts or companies that are accepted by the parties in power

In the case of private advertising, the TV stations for example, have to generate a lot of very low quality content to get high ratings and so attract as much advertising as possible. Another challenge related to private advertising is the fact that journalists cannot write negatively about the companies that have advertisements in the newspapers those journalists work for. And most of the companies that commission advertisements in the newspapers have political connections that could change at any time.

The Romanian press has as well an unofficial economic engine, represented by their private owners (“bosses”). As the Romanian media institutions are not generally profitable, media owners bring money from their own pockets to keep them going. As businessmen, the Romanian media owners cannot afford to lose money on their assets, so they use their media as instruments to get a different kind of advantage. By bringing his own money to pay his employees and keep his media asset going, the Romanian media owner expects to obtain a certain immunity, business and to win public tenders, all with the complicity of politicians.

The consequences of these problems are both short and long term and comprise: censorship according to the media owner`s interest, distortions of the public agenda, paralysis and lack of credibility in the eyes of the readers. In the long term, the market mechanisms become distorted as fair competition disappears and the erosion of the public interest as a main reason for journalistic activity disappears.

*As a consequence, the Romanian media is deeply affected by corruption.* Cristoiu (2012), Păcuraru (2011) and Tatulici (2012) describe the post-communist press as the result of corruption. It is politicised and partisan and used as a tool for blackmail in a relationship involving the media owner and politicians. Journalist Cosmin Păcuraru explains that: “the publicity market and the measurement market are both a complete mafia; bribes have to be paid for everything, meaning money influences the whole chain: advertising, media-buyer, survey company, sales managers; media is bought for group interests, political or economic, and many local distribution channels have disappeared because political interests acted against the distributors” (Păcuraru, 2011: 2).

*The Romanian media is still affected by the Communist legacy.* William Horsley (2012) assesses the state of the Romanian press today by looking at other elements that have influenced its evolution. The Communist legacy has had a significant influence as Romania inherited a more bankrupt and corrupt political and professional culture than the other former communist countries in Eastern Europe. The post-communist transition lacked ethical principles, as many compromises were made compared to other post-communist European countries. Romania parted very slowly with Communism as it took much longer than the other countries in the region to develop a functioning multi-party system.

The powerful and unreformed establishment chased away foreign investment, mostly coming from Western Europe. Although foreign investment initially managed to create a diverse and more open media landscape, it was overpowered by powerful Romanian oligarchs who took back most of the media market. Chronic corruption in politics and business drove out

any foreign competition and diverted the attention of western companies towards friendlier and more transparent markets (Horsley, 2012).

The habits of secrecy, suspicion and deception deeply ingrained in the behaviour of the Romanian people by the Communist regime were a serious barrier to the growth of an open and competitive media landscape. British journalist and President of the Association of European Journalists, William Horsley declared: “It is hard to have a straight talk about Romanian media in Romania. Discussions with Romanian journalists about their profession and their industry are in my experience still strongly marked by secrecy, suspicion and even deception about current realities” (Horsley, 2012:2). In this context, the Romanian press has developed in an organic way, without strategies, a plan or a big picture and know-how (Avădani, 2012).

Outside authorities are indicated as part of the problems as well. The EU as a standard setter and to a certain extent an enforcer of proper laws and regulations related to media for candidate countries is considered to be partly to blame for the poor outcome when it comes to separating state and political power influence from media. The Council of Europe, which in the 1990s showed a strong commitment to keep media freedom and human/civil rights standards in its member states, including Romania, is considered to have softened its authority and political determination severely, diminishing its impact (Horsley, 2012).

*The Romanian media is a clear indicator of the level of progress post-Communist Romania has achieved.* Țăranu (2011) and Tatulici (2012) consider that the level of development of the Romanian press indicates the level of reform achieved within Romanian society: a weak democracy dominated by forms without content, in which an incoherent legal system makes the law slowly and incoherently. A muddled relationship between the powers of state renders them incapable of offering a background which would allow the politician and journalist to develop an institutional and professional relationship.

*Romanian media is the only body capable of holding politicians to account in Romania.* Tatulici (2012) and Avădani (2012) see the Romanian media as a guardian of democracy in Romania. The public seem to agree with this view as the press is indicated to be the most credible source of information about corruption<sup>5</sup>, according to a study on the “The citizens’ perception of corruption in public institutions: causes, practices, prevention” (Badea &

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<sup>5</sup>“*Media, the first reliable source of information about corruption*”, Mediafax.ro, August 25, 2010. Study conducted by the National Agency of Civil Servants, in partnership with the “Support Programs for Sustainable Development” Association.

Copoeru, 2010). A more recent study undertaken during 2012 confirms the trend, mass-media being one of the institutions Romanians trust most (19% of the respondents have trust in the mass-media), in contrast with the low degree of trust they have in institutions such as Government (90% do not trust in Government), Parliament (95% do not trust in the Parliament), Justice (85% do not have faith in Justice) and Police (80% of respondents do not trust the Police) (Andronache, 2012).

Ioana Avădani (2012) explains that Romanian politicians are afraid of journalists, and many of their legislative initiatives come from personal, unpleasant experiences usually linked to the exposure of corruption or suspected corruption. Tatulici shows that each part of the press taken separately does not tell the truth, but taken globally one can understand what the reality is (Tatulici, 2012).

### **3.3 The Media as an Actor in The Post-Communist World**

The process of democratising the media might be paved with challenges but the literature about mass-media no doubtly underlines their substantial contribution to the democratisation and evolution of post-communist societies through their ability to construct news about what happens in society. Sparks emphasizes that certain features of “society are more clearly illuminated through this optic (of media change) than through others” (Sparks, 1998: 16-7). Media change becomes an indicator of more general political change. Hopes are put in media as the shift between fundamentally different systems is expected to be registered particularly in the mass media (Sparks, 1998).

In the middle of the turmoil of such massive change, media has a significant importance as people rely on discursive constructs when trying to assign meanings to changing political reality (Baysha & Hallan, 2003). Media`s responsibility is substantial in this respect as the progress towards democracy depends on its state.

However, just stating the importance of the media is not enough. Jakubowicz and Sukosd (2008) urge the Central and Eastern European media scholars to take an objective look at other media systems and analyse what is happening in their own region compared to the processes developing elsewhere. They suggest the post-communist media to be seen as a key area of systemic change, based on the liberal theories of the democratic state as a fundamental philosophy of the press system which has to fulfil a number of expectations, to provide a number of services for democracy and to play some particular roles provided the historical context. An “enabling environment” (Jakubowicz & Sukosd, 2008, p. 10) for media freedom

and contribution to democracy is needed: therefore, a critical political economy of the media approach should be employed to look not only at the prerequisites necessary to consolidate media freedom but at the political and economic environment that influences the manner in which post-communist media reports problems such as political corruption.

## Chapter 2: Political Corruption and Political Culture

*“If your vote mattered, we would not allow you to vote. All you are doing is to change some of us with others of us. We are the ones who do the combinations, we are above. We have relations everywhere, no matter who comes to power. We make money anyway. What are you doing? You are the “I cannot afford” generation (...). You have to leave the country in order to make it.” (Vântu<sup>6</sup>, 2014).*

### 1) Introduction

Political corruption and political culture are related concepts that meet on the ground of practices and values. Political corruption, a rogue behaviour practised by the political elite, is rooted in certain mentalities or modes of thought arising from the practices and values that determine political behaviours. Although political culture is seen as one of the main determinants of political corruption, I argue in this chapter that it can be a factor of resistance against corruption and a mechanism of holding power to account.

Although corruption is usually acknowledged as a deeply negative occurrence in any society, some researchers support the idea that corruption can be good in small doses. Max Weber’s functional approach, for instance, looks at the circumstances of societies in transition and describes corruption as a mechanism which helps remove the tension between emerging and outdated norms. The institutional approach considers corruption as a means of redistributing resources from an old elite to a new elite without causing a direct clash between them (Barsukova, 2009).

However, this is not the position implied in this thesis. In my view, corruption, no matter how little, is harmful. As we shall see towards the end of this chapter, Romania experienced a “small” level of corruption during the Communist era. The behaviour had spread due to the Communist economic conditions and turned, post-Revolution, into systemic corruption which led to dire economic consequences, due to its ubiquity and depth. Since the fall of Communism in December 1989, this country has been rated as one of the most corrupt

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<sup>6</sup> Sorin Ovidiu Vântu is a Romanian businessman and media owner with strong connections in the political world, convicted to prison for blackmail and loot.

countries in Europe. According to the Index of Corruption made by Transparency International in 2014, Romania is one of the four most corrupt countries in the EU, ranking 43, the same as Greece, Italy and Bulgaria (Transparency International, 2014).

The first part of this chapter is dedicated to explaining the concept of political corruption, followed by an overview of the political context which allowed Romania to be seriously challenged by political corruption. The second part is dedicated to political culture in Romania. Romania's history of corruption dates back to the Ottoman domination in the 16<sup>th</sup> Century. Habits of corruption and corrupt ways of thinking learnt from foreign domination were perpetuated by local leaders with incalculable consequences for the Romanian people, the military incapacity to face the Russian ultimatum in 1940, to name but one, since military procurement had been ruined by corrupt practices.

As "a mentality is not usually examined by those who inhabit it" (Dean, 1999:16), reflexivity is generally missing from a political culture. Despite this, there has always been in Romania a small but strong segment of society which drew attention to the mentality of corruption and its consequences and made its voice heard through the media of their time.

## **2) The Concept of Political Corruption**

### **2.1) Defining Political Corruption**

The political arena is the place where people expect guidance and good leadership, and where any malfunctioning can produce significant negative effects on large populations. Consequently, researchers and organisations interested in the phenomenon of political corruption pay attention to defining and understanding the mechanisms, causes and consequences of corruption as well as to the political and social context which allows corruption to thrive.

Attempts to define and analyse the phenomenon of corruption highlight different aspects, but they all see the lack of ethics among the elected or appointed political representatives as the common denominator. Transparency International defines corruption as "the abuse of entrusted power for private gain" (Transparency International, 2011). The World Bank defines it as "the abuse of public office for private gain" (World Bank, 1997: 8). Stapenhurst sees corruption as "the abuse of public power for personal gain or for the benefit of a group to which one owes allegiance", an exchange which appears "when public office is abused by an official accepting, soliciting or extorting a bribe" (Stapenhurst, 2000:1). Robert

Klitgaard (1998: 4) uses formulas to help with empirical studies:  $C$  (Corruption) =  $M$  (Monopoly) +  $D$  (Discretion) –  $A$  (Accountability). The United Nations describe bribery, embezzlement, theft, fraud, extortion, abuse of function, favouritism, nepotism, exploiting conflict of interests, and improper political contributions as the most common corrupt practices (United Nations, 2004:24-29).

### **2.1.1) Mechanisms of Corruption**

The extent of corruption is the parameter that measures the severity of the disease. Klitgaard thinks that as a general rule “systems can stand some corruption, and it is possible that some truly awful systems can be improved by it” (Klitgaard, 1998: 4). However, the story is different when a society faces both grand and petty corruption. Their effects become crippling as they tend to get a grip on the entire system. Once systemic corruption is installed, the rules of the political and administrative game become impossible to play by, and the consequences are difficult to reverse.

“Grand corruption” or “state capture” is specific to the highest levels of decision in a state. It was first defined by Susan Rose-Ackerman (1978) who considered corruption the result of poorly channelled self-interest which appeared when the office holder acted in favour of interest groups based on the rational decision that it was more advantageous to accept the offered bribes. Surprisingly enough, this model of corruption is an indirect consequence of democracy. The outcome of elections is always determined by a majority. As a consequence, interest groups, an expression of a minority, pursue their own agenda by offering incentives to incumbent office holders who have to decide if a future term in office will be more rewarding than accepting the bribe and potentially losing the next elections for breaking their promises.

The World Bank defines grand corruption as “the phenomenon in which outside interests (often the private sector, mafia networks, etc) are able to bend state laws, policies and regulations to their (mainly financial) benefit through corrupt transactions with public officers and politicians” (The World Bank, 2010:1). In this case the influence of the interest groups goes as far as possible, to the point in which none of the fundamental institutions of the state fulfils its attributions in a proper or legal way.

The model of Persson, Tabellini and Trebbi (2002) describes corruption which occurs when governments transform public goods into private goods. Private companies bribe officials to get public contracts and then sell their goods and services at over-price to recover the loss. This type of corruption is measured by comparing the expenditure on public goods and their

real production costs. It allows politicians from both Power and Opposition to take part in occult deals which cause great financial damage to public budgets. Voters never find out about the damage or find out only much later. As a consequence, this type of corruption is a particularly obstructive factor in a democracy.

Extortive corruption is known as “petty corruption” or “day-to-day administrative corruption”. It appears when government officials use their power to refuse or delay a service that private entities are entitled to in order to extract bribes (Brunetti & Weder, 2003: 1805). Corrupt officials are not always the final beneficiaries of illegal payments. They are often just intermediaries manipulated by groups in higher positions, which offer protection and guarantee jobs for as long as corrupt officials are profitable. The pressure falls on public budgets and, although the bribers enjoy short-term benefits, the entire system gets unbalanced and incapable of progress in the medium and long term (Ficeac, 2013).

Collusive corruption is a model specific to tax evasion. In this model, both the official and the private entity are better off doing corruption, consequently neither of them is interested in the corrupt exchange being discovered. A strong internal control system is the only chance for corrupt acts to be detected. In countries with a significant amount of collusive corruption, the fairness of the entire system is questioned and the trust in the political system is severely eroded.

This model has been broadly researched by Besley and McLaren (1993) and Klitgaard (1998) but Brunetti and Weder (2003) took the analyses further and looked at the role of the media. They draw attention to the fact that a free press is the best control body, as independent journalists are strongly motivated to investigate any wrongdoing, while other bodies, such as the judiciary or anti-corruption commissions, can be less effective unless they are strongly incentivised internally. More than this, there is the danger they too might be corrupt (Brunetti & Weder, 2003).

Ficeac (2013) follows the research of Murphy, Shleifer & Vishny (1993) and focuses on the receiving end of corrupt exchanges by underlining the difference between the public and private rent-seekers. He considers these types of corruption to be a specific characteristic of the former Communist countries, Romania in particular.

Murphy, Shleifer & Vishny (1993) define private rent-seekers as interested in the productive or service sectors that circulate significant amounts of money, using corrupt practices in order to obtain control over such businesses. Once in charge, private rent-seekers exploit the companies intensively, until they become bankrupt. In the case of post-communist Romania, the practice of rewarding the private rent seeker with top managerial positions in

public companies which get drained until they are finally privatised and sold or simply shut down, has been a common method of acquiring money to finance political parties, especially during electoral years.

The public rent-seekers are interested in the investment and innovative sectors. The corrupt exchange in their case is due to the fact that investors or innovators, foreign or domestic, coming from outside the system, need to obtain a series of documents and to fulfil certain procedures in order to develop their activity legally. The corrupt officials demand an entire range of bribes in order to allow the investor/innovator to keep their business running. As outsiders, investors become subjects of “particularly heavy bribes and expropriations” (Murphy, Shleifer & Vishny, 1993: 413). As they are often credit-constrained and have difficulties finding money for bribes, they are deterred from entering a market and innovating.

### **2.1.2) Determinants of Political Corruption**

Understanding the causes of corruption means to investigate those mechanisms and aspects of a society which do not work properly and should be reformed. Brunetti and Weder (2003) point to the direct, internal and external, mechanisms of a bureaucracy that could go wrong, so diminishing its capacity to prevent corruption. In their view a bureaucracy can be sabotaged internally by low standards of performance due to improper supervision and by mechanisms of recruitment and promotion oiled by nepotism, to the disregard of any notion of merit. Bureaucracy lacks external pressure from unbiased individuals and organisations with roles in curbing corruption, such as an independent judicial system, the mass-media and watch bodies.

Randi, Baiyun & Ruppel (2012) propose that the phenomenon of corruption should be viewed in a larger context, the level of human development, which they define as the ability of people in a particular country to live fulfilled productive lives based on education and ability. A high level of human development is associated with a transparent public administration and government accountability. The capacity of the economic power to improve the quality of life is acknowledged, and better educated people are encouraged to scrutinise public authorities to ensure that they promote equal access to opportunities, and to demand social justice if they do not, so creating and maintaining an infrastructure necessary to control and sanction unethical behaviours (Randi, Baiyun & Ruppel, 2012).

## **2.2) Political Corruption in Romania**

Political corruption developed in Romania in a permissive tradition dating from the 16<sup>th</sup> century, a lack of accountability for the crimes of the Communist past and the lack of a national blueprint for the future. Nobody in Romania ever assumed any responsibility for the Communist past: its damaging effects were researched and acknowledged very late, 26 years after the fall of Communism. This allowed the post-Communist transition in Romania to be managed by communists, auto-declared the new democrats, who made every effort to consolidate their position politically and economically. Marked by a very weak, real-democratic Opposition, the post-communist transition in Romania was a process of sham democratisation and of growing a corrupt political class.

### **2.2.1) Political Context**

*Lack of responsibility for the Communist past.* The Presidential Commission set up in 2006 by President Băsescu to analyse and officially condemn Communism in Romania noted that “no political party in post-communist Romania has ever assumed responsibility for the four decades and a half of obsessive attempts to build an impossible utopia. The horrors of Communist Romania remained un-punished to the astonishment of the Western world as well as of so many supporters of democracy” (Presidential Commission, 2006: 10). The lack of an organised endeavour to reveal the entire truth about the crimes of the Communist regime, forcing those responsible to be made accountable for their acts and encouraging the healing process, is a key feature of post-Communist transition in Romania.

A draft Law of Lustration was proposed in 1990, but only in 2006 was a much watered-down version adopted. Consequently, the old Communist nomenclature had the time and the opportunities to reproduce itself and get established by occupying key positions in business, politics, and media. The “communist legacy” has always won in Romania (Ficeac, 2013) in front of those who thought that the democratic institutions, once built, would develop, become strong and deter the anti-liberal and anti-democratic structures.

*A post-Communist transition managed by communists.* Condemning Communism in Romania was not possible for a long time as the post-communist transition was dominated by the second rank Communist elite wishing to preserve its advantages. Romania`s politics from 1989 to 2014 were significantly marked by three strong characters at the top, all groomed in

Communist values: President Ion Iliescu (1990- 1996 and 1996 – 2000) and President Traian Băsescu (2004 – 2009 and 2009 – 2014) were elected by direct vote; Prime Minister, Adrian Năstase, was appointed by Ion Iliescu during his second mandate (2000 – 2004).

Ion Iliescu<sup>7</sup>, a representative of the Communist elite, who had lost his privileges in the party long before the Revolution but continued to retain his post in the Communist Party hierarchy despite the fact that he had become increasingly critical, never gave up his Marxist convictions. His presidential mandates are remembered for deeply undemocratic deeds: stopping the actions of civil society and those of the democratic parties; repressing the anti-communist protests in the Spring of 1990 by using the miners under the supervision of covert intelligence officers in order to neutralise and annihilate civil society, the press and the democratic political parties; actively showing hostility to pluralism and market society and continually supporting the re-organised forces of the communist nomenclature with whom he and his party cooperated (Presidential Commission, 2006: 655).

Iliescu`s party is perceived as a direct follower, under a democratic disguise, of the Romanian Communist Party, jeopardising the first steps to inaugurate economic reforms and to regenerate the human resources within the governmental apparatus (Nelson, 1990). During his first mandate, a governing elite not understanding the implications of European integration and accession and the brutal suppression of the opposition demonstration in June 1990 brought to nought Romania`s chances for admission as an EU member State until 1996 (Pridham, 2001 as cited by Pridham, 2002:966). The international community had little impact over the changes in Iliescu`s Romania, and no case of political corruption had been concluded during his mandates. On the contrary, under his leadership and that of Adrian Năstase, political corruption flourished.

Traian Băsescu is a former ship`s captain in the Romanian merchant navy with very good communication and leadership skills but with a controversial past, raising questions about his connections with the former Security (Pro TV, 2014). Băsescu proved to be a very skilled politician capable of original ideas and spectacular moves on the political scene (Gabriel Elefteriu as quoted by B1 TV, 2015). He preferred to define himself as the “President-Player”, wishing to reform the legal system and political class and doing it in a deeply conflictual way.

Băsescu was Mayor of Bucharest when he won the presidential elections in 2004 against the Social Democratic Party (PSD) led by Adrian Năstase and Ion Iliescu. As the leader of political alliance, Truth and Justice (ADA), his victory was facilitated by the fact that after

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<sup>7</sup> As a joke among those who do not like him, he is called “the Communist granny”

4 years of deep corruption, PSD and its presidential candidate, former Prime Minister Adrian Năstase, could not “present themselves as political actors genuinely interested in the country’s well-being; the Alliance for Truth and Justice promoted an aggressive anti-corruption electoral message under the symbol “mini-orange revolution”, which sought a renewal of the political class in a manner similar to the Ukrainian scenario; sections of the civil society, represented by the Coalition for a Clean Parliament and Pro-Democracy Association actively highlighted the importance of promoting fairness, accountability and transparency in the electoral process” (Ciobanu, 2007:1440).

The legacy left behind by his two constitutional mandates (2004 – 2009 and 2009 – 2014) included Romania’s EU accession, a significant progress in the fight against corruption and two referendums to reinstate him after being suspended twice by a hostile Parliament supported by politically involved media moguls.

*A post-Communist transition marked by corruption.* The second government under Iliescu’s patronage was the one led by his protégé, Adrian Năstase, between 2000 and 2004. Married twice, each time to daughters of high ranking communists<sup>8</sup> and occupying sensitive public positions<sup>9</sup> during the Communist regime, Adrian Năstase found it easy to climb to the highest political positions during the post-communist transition. He remained in history a symbol of corruption and served two terms in prison.

Despite positive developments such as Romania joining NATO and finishing the negotiations to join the EU<sup>10</sup>, the Romanian media at the time were showing more and more corruption stories linked to the new oligarchy (“local barons”), and the top political leaders in the counties revealed a pronounced clientelistic characteristic of Iliescu’s and Năstase’s party, PSD (Ciobanu, 2007:1439) and, subsequently, the incapacity of building a strong democratic institutional system. At the same time, reports coming from the European bodies were indicating Romania’s failure in implementing and dealing with the anti-corruption legislation (European Commission, 2002, 2003, 2004). Corruption had become officially one of

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<sup>8</sup> Năstase was married first to Ilina Preoteasa, the daughter of the Communist Minister of Foreign Affairs, Grigore Preoteasa, between 1955 and 1957. After divorce he married his current wife, Dana Năstase, who is the daughter of Angelo Miculescu, the Minister of Agriculture and Deputy Prime Minister between 1975 and 1981 and Ambassador of Romania in China between 1983 and 1990.

<sup>9</sup> Information from the unofficial biography of Năstase states that he was very trusted by the Communist regime which sent him as its representative to different international bodies such as the International Institute of Human Rights in Strasbourg, the Norwegian Institute for International Affairs (Oslo), the International Youth Festival in Pyongyang, the Republic of Korea.

<sup>10</sup> Romania finished the accession negotiations on 17<sup>th</sup> of December 2004 during the EU Winter Summit in Brussels.

Romania`s biggest problems and the most serious blockage in its way towards democracy and a fully functioning market economy during the second mandate of Iliescu.

*A post-Communist transition marked by a weak Opposition.* Iliescu`s reign in post-Communist Romania was briefly interrupted by an attempt at a democratic coalition between (1996-2000) that proved to be failure. The coalition emerged as early as 1991 when the political forces opposing Iliescu`s party coagulated into a political and electoral alliance, the Romanian Democratic Convention (CDR). After six years of fake democracy, Romanians decided to vote for a programme of democratic principles. The Democrat Convention (CDR) won the election in 1996 based on a political platform focused on implementing economic reforms and following the objective of obtaining EU membership. Being a coalition formed of too many pieces in a country which did not have experience of coalitions and lacking effective negotiation between its members, successive governments were marked by continuous conflicts, the lack of effective government performance, the inability to combat corruption and the weakness of the new President, Professor Emil Constantinescu (Tismăneanu & Klingman, 2001). In an epic interview at the end of his mandate, President Constantinescu declared himself defeated by the system: “I am feeling today more terrorised and threatened by Ceauşescu`s Securitate than I had felt before 1990. I did not cooperate with Securitate, I was not monitored, I am a victim today. They have defeated me today” (Radio Romania, 2010).

*Transition in Romania produced a deeply corrupt political class.* During Băsescu`s mandates the sheer scale of political corruption in Romania became apparent. Romanian media, particularly the HotNews` Anti-corruption Files section (HotNews a, 2015) provides a disturbing image of how deeply corrupt the political class has grown since 1989.

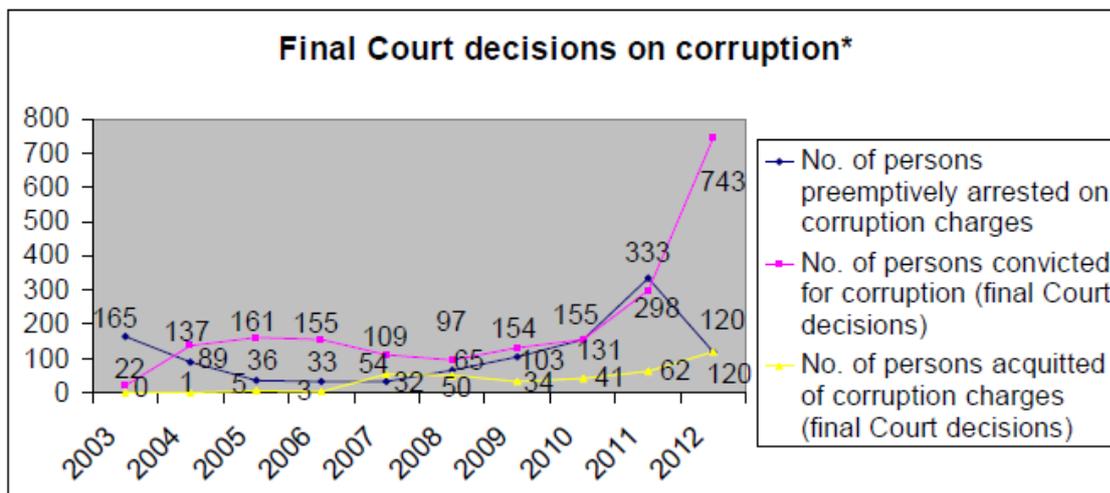
It shows that 19 politicians were definitely convicted for corruption by the end of Băsescu`s second mandate in December 2014. Among them one former Prime Minister, one former deputy Prime Minister, three former ministers, five MPs, five mayors, one head of county council, one party leader and one member of the European Parliament. Most of them were accused and sentenced to prison for taking bribes to facilitate the attribution of public contracts to their friend companies by avoiding public tendering or for influencing police officers and judges in order to give favourable sentences in the cases of businessmen offering bribes. Others were sentenced for deeds such as: fraudulent transfer of an asset from the state property to private ownership (the former Liberal Minister of Justice, Tudor Chiuariu, and the former Magyar Minister of Communications, Zsolt Nagy), blackmail, bullying and threatening public officials in order to obtain public contracts ( Liberal Deputy, Dan Păsat), buying lands and building for a price 75 times smaller than the real one such as the media mogul,

businessman, MP and leader of Conservative Party, Dan Voiculescu, camouflaging the fund raising for the his own electoral campaign by organising a symposium such as the former Prime Minister, Adrian Năstase or not declaring the real revenue obtained by selling private property to the state, such as the deputy Prime Minister, George Copos. (HotNews a, 2015).

26 politicians were in the process of being tried in Court by the end of December 2014. Among them seven representatives of local oligarchy (Heads of County Councils), six MPs, five former ministers, three mayors, two leaders of political parties, one member of the European Parliament, one State Secretary, one Prefect and one politically appointed head of a public institution (the head of the Tax Authority). 25 politicians had their cases blocked in different stages of criminal investigation by the end of December 2014.

### 2.2.2. The Portrait of the Romanian Corrupt Politician

A study undertaken by Dutch experts for the Romanian Ministry of Justice<sup>11</sup> shows a very clear image of the typical Romanian corrupt public servant and his motivations. According to this study, between January 2006 and December 2013, 2,574 defendants were definitely convicted for corruption. Almost half of them held political positions (TRMJ & MFAN<sup>12</sup>, 2015:8)



\* Cases prosecuted by National Anticorruption Directorate (DNA) - medium and high level corruption.  
Source: DNA annual reports

<sup>11</sup> The study benefitted from the support of specialists from the Romanian National Anticorruption Authority (DNA) and the Prosecutor's Office affiliated to the Highest Court of Cassation and Justice as well as from the support of the Schools of Law in Bucharest and Amsterdam.

<sup>12</sup> TRMJ & MFAN = The Romanian Ministry of Justice & the Ministry of Foreign Affairs of the Netherlands

(Source: TRMJ & MFAN, 2015: 7)

The profile unveiled by the study shows that the typical corrupt in Romania is a man (87%), aged between 41-50 (37.5%), orthodox (91.4%), married (67.3%), with an academic degree (61.6%), relying on a wage (48.9%) and having an average social status (58.7%). He mostly has a passive role in corruption (54.6%): he does not ask for bribes but accepts them when offered. He is most probably convicted and sentenced to prison between 2 and 5 years, does not recognise his guilt, and the final conviction comes many years (4-11 years) after the corrupt acts took place. He is usually investigated for 3-7 years before a final conviction is decided (TRMJ & MFAN, 2015: 18-37)

### **3) Political Culture**

The display of a deeply corrupt political class raises an obvious question: what about the people governed by such a corrupt set? How do people led by corrupt politicians think? What are the beliefs and convictions that mould their behaviours?

In the second half of last century, Foucault started from the premises that power can play a positive role: it produces knowledge and discourses that turn into guides for the behaviour of large populations once the individuals internalise them. At the same time, he introduced the concept of “governmentality” or mentality of governing (Foucault, 2007), a term referring to the practices of governing but as well at the ways of thinking about governing. Foucault used the term governmentality to describe the modern mode of governing based on bureaucracies in which the government has objectives, means to achieve them and appropriate practices. He defined governmentality as “the ensemble formed by the institutions, procedures, analysis and reflections, the calculations and tactics that allow the exercise of this very specific albeit complex form of power, which has as its target population, as its principal form of knowledge political economy, and as its essential technical means apparatuses of security” (Foucault, 2007:108). He used the term as well as a starting point for developing his theory about the technologies of power, understood as a manner of exercising power while intentionally interfering with the actions of the others.

If Foucault looks only at the governing and the thinking about governing, his concept is interpreted and enriched by adding the governed ones in the equation. Dean (1999) breaks the term governmentality into “govern” and “mentality”, mentalities of governing, and states

based on the Foucauldian premises that the power can play a positive role as it produces knowledge and discourse that turn into behavioural guides once internalised: the concept of governmentality is not a tool for thinking only about government and governing but it has to consider how and what the governed ones think. Dean defines thinking as a collective activity which comprises the sum of the knowledge, beliefs and opinions of people who are governed and which shows how and what they think from their own perspective, pointing out that it is not possible to understand power without understanding the background mentalities (Dean, 1999:16), a significant component of political culture. This point is relevant as it shows that a certain type of government and governing could not persist without the silent acceptance and support of their led populations.

### **3.1) Defining Political Culture**

As a comprehensive concept comprising a set of attitudes, beliefs and sentiments which represent the underlying assumptions and rules that govern behaviours in a political system, providing order and meaning to political processes (Pye, 1968), political culture is a suitable instrument to explore and explain behaviours associated to political corruption. Being rooted in public events and private experiences, political culture is associated to the concepts of political ideology, national ethos, national political psychology, and the fundamental values of people (Pye, 1968), fixing the attention this way on both, the civil society and the private individual.

In the late 1950s, Almond and Verba brought the concept of political culture into political science and described three types of political culture. In a parochial political culture people are remote and disengaged from the centre of power. In a subject political culture, specific to authoritarian states, the individual is aware of the power centre and politics and is the subject of political decisions. The participant political culture is the most reactive one, specific to democratic regimes. Individuals are aware the centre of power affects them so they monitor the entire system, with all its political and administrative aspects and have the capability to influence it (Almond & Verba, 1965).

The concept of political culture as defined by Almond and Verba was used later by Hofstede who defines political culture as “the collective programming of the mind which distinguishes the members of one group or category of people from another” (Hofstede, 1991:5). Hofstede defined a broader cultural model which is often used to reach answers by evaluating national cultures based on precipitants of development and maintenance of a culture

prone to corruption: the power distance, uncertainty-avoidance, individualism-collectivism, masculinity-femininity and long term vs short term orientation (Hofstede, 1991:9-15). Hofstede places Romania in the category of countries with high scores of power distance, meaning members of society have a high degree of tolerance for the unequal distribution of power (Hofstede, 2011: 9), high degree of uncertainty avoidance (meaning a low preparation of the members of society to deal with novel and unusual situations, lack of flexibility, lack of openness to novelty and high intolerance (Hofstede, 2011: 10), high degree of collectivism (meaning people are born in extended families which protect them in exchange for loyalty, stress on belonging, relationships prevail over tasks) ( Hofstede, 1991:12), and long term oriented (meaning that adapting and evolving according to the circumstances as well as learning and persevering in achieving are considered the most important directions (Hofstede, 2011:15).

### **3.2) Political Culture as A Cause of Political Corruption**

Brunetti & Weder (2003) consider culture to be a cause of corruption as important as the malfunctioning of internal and external mechanisms of control. Ficeac (2013), Randi (2012), Galbraith (1973), Scott (1992), Sandholtz & Rein (2005) consider political culture to be a significant dimension of political corruption. Galbright (1973) focuses on the contingency effect national culture has on political corruption and considers the solution to curb corruption is as effective as the conditions under which it is implemented allow. Scott (1992) believes that curbing corruption depends on the nature of the related environment. Starting from the premise that corruption is “culturally transmitted from generation to generation by the mechanisms of socialisation which in very corrupt societies fail to promote abstinence from corruption as a social norm” (Barr, 2010:862), I consider Romania an example of a post-communist country which can provide an insight into the values and models of a nation which allows itself be significantly affected by political corruption.

#### **3.2.1) Culture as a Cause of Political Corruption in Romania**

Communism is labelled as a culture of corruption. Sandholtz & Rein note that the Communist regimes “created structural incentives for engaging in corrupt behaviours” (Sandholtz & Rein, 2005:109); as such corruption had become an unavoidable reality.

It is not only the principle of property belonging to all and to no one in particular or the idea that work should be evaluated and “rewarded from each according to his ability, to each according to his need” but the scale at which these rules were implemented. Public consciousness that made pernicious attitudes such as “they pretend to pay us, we pretend to work” (Ficeac, 2013: 224) become “rooted in the culture of these societies” (Sandholtz & Rein, 2005:109) to the extent that corruption became something normal (Rose, Mishler & Haerpfer, 1998:219).

Ficeac (2013) draws attention to the impact of historical legacy on the former communist countries. He describes the Communist bureaucracy inherited by the former Communist countries as a perverted concept in which leadership was much personalised and solving problems depended on buying the goodwill of the leaders in the context of a destroyed market economy. In these conditions, three types of corruption specific to the Communist regimes emerged: blat, bribe and grand corruption /state capture (Ficeac, 2013:224).

The notion of “blat” was defined by Alena Ledeneva. It refers to the “use of personal networks and informal contacts to obtain goods and services in short supply and to find a way around formal procedures” (Ledeneva, 1998:1). Yang underlines that “blat” meant a “personal basis for expecting a proposal to be listened to” (Yang, 1989:47-48), a manner of developing personal relations that would solve everyday problems that would not have appeared anyway if the system had not been so rigid. In Communist regimes, “blat” is raised to mass level, spreading throughout the entire administration (Ficeac, 2013:225).

The notion of “bribe” in the Communist regimes is different from the model of an official demanding a certain amount of money to provide a service; it entails a warm and understanding attitude from the public: bribe is a “form of rewarding kind public officers who are poorly paid, as a practice that is useful for “greasing” seized-up institutional mechanisms, and even as a sign of elegance, of courtesy, similar to leaving a tip to the restaurant waiter” (Ficeac, 2013:225). Corruption becomes very human, as a description of the culture of corruption in Romania provided by the study undertaken by Dutch experts for the Romanian Ministry of Justice shows.

The conclusions of the study indicate that contrary to the expectance that financial gain or power position would be the main motivation, in fact the majority of respondents could not provide a reason for their acts. More than this, the study underlines that, although towards the end of the interview most respondents would acknowledge the behaviour for which they were convicted, they would refuse to label their actions as corruption because “giving presents” and “establishing connections between people are common practices everywhere in the world”.

Even more, they think that “everybody does it”, that “nobody pays you attention if you don’t do it” and that “in Romania one needs to have very strong moral principles because it is very difficult to not be corrupt” (TRMJ & MFAN, 2015: 38- 40). The few that admitted that their acts were corrupt provided a series of motivations such as the beliefs that “the whole system encourages corruption”, “there is corruption at the highest level”, “corruption is a practice”, “everybody does it so I could not be different”, “when the boss tells you to do something, you do it”, “if I hadn’t done it, I would have lost my job” (TRMJ & MFAN, 2015: 38).

As concerning integrity standards, the study shows that those concerned think these are non-existent or, if they exist, it is easy to both respect and infringe them at the same time: one respondent said that, although these standards exist, they were created by the EU and Romanians lack education in this respect (“it is as if you would introduce the Swedish social model in the Balkans”). The integrity standards or the rules concerning corruption were considered difficult to keep in certain sectors (i.e. EU funds, NGOs, environment) (TRMJ & MFAN, 2015: 42).

### **3.3) Political Culture in Romania as A Culture of Resistance**

Corruption is today a usual occurrence and despite being a serious problem, it has received little attention from Romanian researchers. Journalist Matei Udrea warns: “It is difficult to find a specialist in corruption in Romania. Scientists start dialog with an honest warning: “We haven’t studied the phenomenon!” It is a paradox: we have to deal daily with this plague, foreigners talk about it, we talk about it, it affects our everyday life, but few are those who put it under the magnifying glass of science” (Udrea, 2013).

Research might be missing, but there have always been voices, be it civil society, artists or ordinary citizens, which pointed out the faults of political leaders as well the corruption ingrained in the prevailing culture. Their testimonies survive over time as writings and memories indicating awareness and reflection about the state of the Romanian political class and the morals of its ruled citizens. Communism destroyed this special fabric of Romanian society, but it has been slowly emerging again.

Reflection and awareness of political corruption are present not only in the written press but as well in literature, music and glimpses of ordinary people’s everyday life. The expansion of the media brings its contribution to the spread of a culture of resistance to political corruption. Independent blogs and free and independent social media, especially Facebook,

turn into channels for signalling corrupt malfunctioning, expressing rage, starting debates and defining solutions.

Despite lack of scientific research about corruption in Romania, historians, sociologists and psychologists appeal to history in an attempt to explain the behaviour and identify causes. Scientists explain the exogenous origins of political corruption and underline how rapidly corruption became part of the Romanian mentality. The history of political corruption in Romania is presented as an interchange of increasingly corrupt periods followed by tough austerity to prevent the country reaching a no-return point as a failed nation.

Romanian historian Dan Fălcan explains in an interview with journalist Petru Bădică (2014) that in fact corruption is not part of the Romanian DNA but part of a tradition forced upon the Romanian territories by centuries of foreign domination. The roots of corruption in Romania date back to the 16<sup>th</sup> Century, when the increase of Ottoman domination over the Romanian territories turned public offices into a trade-off:

“To obtain the throne, the local leaders of the Romanian Countries had to pay increasing amounts of money to Constantinople. After being appointed as leaders of the Romanian Countries they focused on making as much money as possible to recover the amounts paid to Turks for the throne and to save some for themselves. As such, they were selling public positions. The Phanariot domination throughout the 18<sup>th</sup> Century is a reference moment as corruption had become generalised in the Romanian Countries” (Fălcan cited by Bădică, 2014). Reminiscences of this procedure exist today as part of a non-transparent system of financing political parties.

The generalised corruption during the Phanariot epoch was inherited by the local leader, Alexandru Ioan Cuza, in the 19<sup>th</sup> Century. Although an enlightened leader who unified two of the Romanian territories setting the political background of today's Romania, and despite the progressive reforms which contributed to the modernisation of Romanian state and society, he allowed his lover, Maria Catargiu-Obrenovic, to patronise an entire corrupt network firmly established in his entourage. Fălcan explains that in certain respects Cuza was like Ion Iliescu, Romania's first post-communist President: he would not take money but would not take any measures to stop the rife corruption around him either (Fălcan cited by Bădică, 2014). Mediation for facilitating public contracts to build public roads in exchange for commissions and direct intervention in the legal system were the most corrupt occurrences at that time.

The reign of King Carol I of Hohenzollern-Sigmaringen (1866-1914) which followed the exile of Alexandru Ioan Cuza was the least corrupt in Romania's history. Romania was led by a political class formed of small and middle bourgeoisie, which was financially independent

and very responsible. Very patriotic and believing in Romania`s future, this political class obtain Romania`s independence in 1877.

The decay of the political class returned after the First World War, during the reign of King Carol II. Fălcan considers King Carol II the most corrupt Head of State Romania had, with drastic consequences for Romania`s capacity to defend itself and face the challenges of the Second World War:

“Damages of billions happened and national security was jeopardised. Corruption made the army badly equipped and unprepared in 1940. Billions were wasted on fitting the army out, but when the Russians gave Romania an ultimatum we couldn`t react. (...)” (Fălcan cited by Bădică, 2014).

King Carol II`s successor, Field Marshal Ion Antonescu, a very controversial political figure due to his friendship with Hitler and involvement in the Holocaust, understood Romania was in a serious condition due to systemic corruption. He started trials against the profiteers of the previous regime, including King Carol II, who fled Romania, and introduced tough austerity. When the Russians invaded Romania on August 23 1944, Marshal Antonescu was arrested, tried and executed.

The Communist era brought a different type of corruption. Political corruption became the exception: “Corruption means an illicit relationship with the state. As a party activist it was difficult to steal because this would have meant to steal from the regime which supported you and which you supported” (Fălcan cited by Bădică, 2014).

Political corruption descended to the level of each individual, who had to learn the new rules fast in order to survive: “During Communism corruption descended, from high level to micro level, where it became generalised. Especially the first years after Communism got instated until 1965, and the last years, the ones after 1980, represented a time of great sacrifices. You had to offer little gifts to have a good relationship with the butcher, with the greengrocer, with the manager of garments. You couldn`t find anything on the market, but the problem would be solved if you knew whom to give the present. There was the famous pack of Kent cigarettes which I used to give to the doctor, the doctor would give it to the butcher, the butcher would give it to the policeman and so on. There were few cases of high corruption and those that happened were covered up or were party vendettas and frame ups” (Fălcan cited by Bădică, 2014).

Generations of political leaders in Romania inherited corruption from their predecessors. Instead of changing the trend, a series of factors facilitated its continuation. Sociologist Constantin Schifirneț agrees with Fălcan that corruption is not a Romanian

phenomenon but puts things into a larger context: corruption was facilitated by the geo-political context and enhanced by local factors. Romania has never been allowed the time to draw up a national blueprint and it has never had a real bureaucracy such as the French one, its model of inspiration (Schifirneț cited by Udrea, 2013).

Marius Diaconescu, Specialist in Medieval History and Professor of History at the University of Bucharest, notes the lack of any documentary testimony indicating honesty and respect for law except the reign of Vlad the Impaler, in the 15<sup>th</sup> Century. Diaconescu highlights the Orthodox Church as factor perpetuating corruption in Romanian territories due to its lack of will and ability to reform like the Catholic Church. Diaconescu thinks the solution to corruption is very simple and it has been applied by the Occidental countries: the state has to become intransigent towards attempts to evade the law. As such, conscience will be formed with the help of punishment and education (Diaconescu cited by Udrea, 2013).

Marius Vasileanu, Professor of the History of Religions, notices too that corruption goes hand in hand with the Orthodox faith: the priests are not better than the believers, they have not assumed their role in a prophetic manner and the discourse of the Orthodox Church has not been updated to the reality of the present world (Vasileanu cited by Badea, 2014).

In an interview given to journalist Anca Țenea, Aurora Liiceanu, Doctor in Psychology and an expert in Anthropology and Social Psychology, defines corruption as a strong anthropological and cultural component of Romanian people embodied as a tradition of bribery. Bribery is used to bring close two parties so neither of them would be in a superior position: bribery dissolves the hostility from the perceived difference (Liiceanu cited by Țenea, 2011). Liiceanu thinks corruption has become so deeply rooted that Romanians do not understand it anymore, the reflection is missing. Traffic of influence and nepotism in the public space are part of the Romanian mentality, they come from a non-thought automatism and cannot be eradicated by higher wages. Liiceanu thinks too that corruption in Romania is linked to religion and that the anti-corruption education should start with the children:

“I think corruption is somehow linked to religion. We do not have the education of contract, which is a rational matter. Bribery and corruption have a strong irrational ingredient: emotions such as gratitude, pity, etc. Contractuality is a rational act. It is linked to the cultures where it is written. We have an oral culture. We still have streets without written signs with huge and countless institutions. Contractuality is linked to order and organisation, but we do not have an organised society” (Liiceanu cited by Țenea, 2011).

Representatives of the Romanian literature and philosophers approached the phenomenon of political corruption by reflecting upon the precarious state of the population's morals, its political class and the consequences for Romania's development and security.

Despite passing corruption from generation to generation, there has always been in Romania an opposition which made its voice heard. Representatives of the cultural field, members of the civil society of ordinary citizens voiced their reluctance towards corruption by raising awareness, defining and condemning reprobate acts of politicians. The strongest voices against political corruption marked Romania's cultural life at the end of the 19<sup>th</sup> and the beginning of the 20<sup>th</sup> Century.

I.L. Caragiale (1852-1912) is one of Romania's greatest classic writers and most praised playwright. He is a landmark of humorously stating how grotesquely corrupt human nature can be; his theatre plays abound in ridiculous characters marked by stupidity, vices and duplicity. Disturbed by the unfolding political corruption in Romania, Caragiale reflected upon its consequences:

“The cause of the disaster of this country is due to only, yes only, the wretched politics our political parties and politicians have been doing in the last forty years” (Caragiale as cited by Legal Adviser, 2015).

Personally affected by high level corruption, Caragiale left Romania and spent the rest of his life in Berlin declaring that:

“For no reason in the world would I leave this corner of foreign life (Berlin) to return to my country. I do not want to see what I have seen, I do not want to bear what I have borne, the same faces, the same fossils that lead the public life, poisoning you with their stupid and suspicious looks, the same magistrates that intentionally lose trials and undeservedly acquit. No, my dear, no. I exiled myself and that is all (...). There is nothing for me in a country where cajolment and theft are virtues and hard work and talent are pitiful vices!” (Caragiale cited by Andrei, 2015).

Mihai Eminescu (1850-1889) is Romania's iconic poet, he remained in history as the “*Lucifer of Romanian poetry*” due to his most loved and known poem, “*Lucifer*”<sup>13</sup>, an 89 verse philosophical poem about the condition of genius attempting to live among mortals. Educated in Law and Philosophy in Vienna, Eminescu was a very sharp and critical journalist who never abdicated from his firm moral principles. A declared enemy of political corruption, Eminescu investigated the most significant political corruption cases of his time and broadly exposed

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<sup>13</sup> Lucifer by Mihai Eminescu: <http://www.estcomp.ro/eminescu/cuclin1.html>

them in the newspaper “*The Time*”. His investigations brought to light corruption by the highest rank politicians of that time. For example, King Carol I is mentioned as being involved in corrupt acts to lease the building of a significant railway to the German Consortium Straussberg, under pressure from the political and financial groups around Chancellor Bismark.

In his writings, Eminescu notices that moral misery is part of the urban landscape as much as bribery and corruption: “Your example daily shows that corruption is the easiest way to live in Romania. This is the evil spirit that melts the Romanian society and kills it; this is the venom that makes room for discontent and public unrest (...)” (Eminescu, 1985: p.111).

Eminescu reflects as well on the consequences of accepting corruption as a style of life: “There is nothing more dangerous for the conscience of a people than gratified corruption and lack of value (...). This prospect removes the trust of the people in the value of work and the certainty of promotion through merit. By showing daily that without knowing anything and without working someone can become rich and respected (...) the intellectual infection grows from endemic to epidemic, it spreads from the small group to bigger and bigger groups of citizens” (Eminescu, 1985: p. 124). The death of Eminescu at the age of 39, in mysterious circumstances and without any apparent physical cause has remained a mystery.

Mircea Eliade (1907-1986) was a Romanian philosopher and fiction writer, professor at the University of Chicago. He wrote the first complete history of religions. Sensing the Communist Party would take over, Eliade left Romania in 1945 and got established in France. The Communist regime harassed him until his death. In an article published in the magazine “*Vreame*”<sup>14</sup> in 1937, Eliade sees the political class as immoral, totally lacking the instinct of state and politically incapable. While reflecting at the destruction brought by Communism on the best social categories, Eliade describes the manner of thinking prevailing among Romanian politicians:

“The class of our political leaders (...) does everything it can to prolong its power. They only think about the millions they still can scrape, about the ambitions they still can satisfy, about the elations they still can repeat. But their biggest crime does not lie in a few wasted billions and a few murdered consciences. It lies in the fact that not even now, when there still is time, they do not understand to reconcile” (Eliade cited by Oprea, 2010).

The Communist regime destroyed the social fabric which allowed voices such as Eliade to exist and be heard. 25 years after the fall of Communism Romania still does not have any

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<sup>14</sup> *Vreame* = The Weather (Eng.)

significant cultural personality to explain and condemn political corruption. However, the subject of corruption appears in successful theatre plays and music. The play *Idiots under Moon Light* by Theodor Mazilu shows how corrupts are able to steal without remorse, mimicking shame, love and empathy. The theatre play is concurrently a critique of the contemporary media. The corrupt world is full of dramatic events, masked raids, tax controls, attempts of suicide, all broadcast live on TV channels. The producer, Ion-Ardeal Ieremia, declared: “Life forced me to do this show. I did it because of nerves, life caught up with me and this is my way of saying: enough is enough, let us end once and for all with imbecilities and infamies and be normal people” (Ieremia cited by Osan, 2015).

“Solidarity” is a theatre play directed by Gianina Cărbunariu and presented at the International Festival of Theater in Avignon. Cărbunariu chose the title as a game of words: solidarity and solitude, she inspired from reality and her play presents five pictures based on real facts. Among them is the story of the Mayor in Baia Mare, in North-West Romania, who won elections by more than 80% of votes because he built a wall between the gypsy community and the rest of the town. Cărbunariu thinks that the Orthodox Church is untouchable in Romania, and one of her pictures shows images of the future Cathedral to be built in central Bucharest, in front of the former Palace of Ceaușescu (Cărbunariu cited by Călin, 2014).

In today’s Romania, digital media has become a strong component of the Romanian resistance to corruption and it is competing with the traditional media, written press and magazines, TV and books. “*România Curată*” and “*Vox Publica*” are two anti-corruption blogs that have become more and more active in the last two years. They are a platform for debate as well as a place where journalists, analysts and artists express their opinions about political corruption. “*România Curată*<sup>15</sup>” website, for instance, has a section called “*The Map of Regional Corruption*” (România Curată, 2015). It is an inter-active on-line map which allows a serial of information regarding the cases investigated by the National Anti-Corruption Authority to be viewed in a user friendly manner. “*România Curată*” has as well a section called “*The Black Lists*<sup>16</sup>” (România Curată a, 2015) which investigates the past and the moral probity of the candidates for public offices, both at local and national level, and a section called “*We Monitor the State*<sup>17</sup>” which keeps an eye on all the wrong doings of the elected ones, starting with the creation of difficulties to access information of public interest and ending with electoral fraud and political corruption (România Curată b, 2015).

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<sup>15</sup> “România Curată”: (Eng) “Clean Romania”.

<sup>16</sup> “Black Lists” = (Rom) “Liste Negre”.

<sup>17</sup> “We Monitor the State” = (Rom) “Monitorizăm Statul”.

“*Vox Publica*” website hosts investigative journalists such as Stelian Negrea (Vox Publica, 2015), who have a go at the most actual corruption cases such as the case of Sorin Opreescu, the General Mayor of Capital Bucharest, who was recorded on camera by the Police while receiving an instalment of €25,000 out of a bribe of €60,000 (Digi 24 HD, 2015) or such as the case of Prime Minister, Victor Ponta, who was as well sent to Court for corruption by the National Anti-Corruption Authority (HotNews b, 2015).

However, significant problems are blighting this area. For example, there are countless articles without an acknowledged author or declared sources of funding or a mission declaration stating the values and principles promoted by such websites. This situation is clearly explained by Mihail Tatulici, one of the journalists I interviewed for this thesis: “It is a world of anonymous people and it is very difficult to figure out which of these anonymous people are journalists. You should also add the fact that the free internet allows the political parties and the interest groups to manipulate on many forums using specialised institutions” (Tatulici, 2012:5). To choose carefully where you get your information and to try to figure out the entire picture is the solution, Tatulici thinks, but it becomes tiring (Tatulici 2012:6).

Social media is becoming as well an increasingly strong component of the Romanian resistance to corruption. YouTube is freely streaming songs and sketches parodying the leaders of the Romania political class. “*I-Q Sapro*” and their song, “*Pinocchio, I am sorry*” is mocking Victor Ponta, Prime Minister of Romania, famous for his deceitful character. “*Divertis Group*” is mocking the deceitful character and capacity to steal of the entire Romanian political class with a special emphasis on its leaders.

Many journalists, politicians, representatives of civil society and ordinary citizens use Facebook accounts to air their thoughts about corruption. The Presidential elections in November and December 2014 were an example of the power digital media has to circulate information which does not make its way within the mainstream media and to create a strong current of opinion which completely changes the outcome of elections.

#### **4) Conclusions**

We have explored in this chapter the main coordinates of the concept of political corruption. No matter how numerous the definitions of political corruption, they all have a common denominator: political corruption results from the lack of ethics within the political class. It involves different mechanisms and has different consequences depending on its extent.

In large quantities corruption can bring an entire system down, put national security in danger and cripple the entire economic system in a country, cutting any chance to correct resource distribution.

The Communist regimes enhanced the phenomenon of corruption by creating an environment in which people had to employ corruption as a means of survival. In the case of Romania, post-communist political corruption built on an already corrupt background, marked by the total destruction of the social fabric able to provide an opposition as well as by a tradition of political corruption inherited from previous centuries. Romania has become a symbol of corruption, most recently being labelled as the most corrupt country in the EU, together with Bulgaria, Greece and Italy.

Behind the corrupt behaviour of a political class there is a facilitating mentality understood as a mode of thought and action. The majority of individuals in corrupt populations lack reflection about the phenomenon of corruption as they grow up and are educated in values encouraging corruption. This characteristic is noticeable in a clear lack of scientific research on the topic.

Despite the lack of research dedicated to corruption in Romania, particularly to political corruption, a certain part of society has always taken an active interest in the subject and coagulated as a voice of resistance. The written press is not the only actor involved. Opposition to corruption can be identified in the works of writers, artists at the end of the 19<sup>th</sup> Century – the beginning of 20<sup>th</sup> Century. Historians, psychologists and social scientists are paying attention today to this phenomenon in an attempt to decipher its causes and mechanisms in the Romania society. The resistance to political corruption is increasingly strong as digital media facilitates the expression of dissent towards corrupt practices. All these developments corroborated by the massive emigration of Romanians to countries with a long established democracy for work or education purposes might help to change the culture in a not very distant future. The Presidential elections in November-December, when the plans of the Social Democrat Party in Power to limit the access of the Romanians in diaspora to exercise their constitutional right to vote blew up in the face of its candidate, Prime Minister Victor Ponta<sup>18</sup>,

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<sup>18</sup> Prime Minister, Victor Ponta, had a large support inside Romania, mainly due to very populist measures proceeding the electoral campaign but little from the over 3 million Romanians working and living abroad. As a high number of votes could have changed the outcome of the elections, the electoral process was poorly organised by the Romanian embassies. As tens of thousands of Romanians did not manage to vote a huge scandal started. The media inside Romania did not report much so Romanians inside Romania did not know what happened. The information started circulating via social media, especially Facebook causing public outrage and demands for the second tour between the favourites, Victor Ponta and Klaus Johannis, to be properly organised so that all the Romanian emigrants could cast their vote. The attempt to limit the access to

thanks to information circulating mainly via social media, show that there is a critical mass developing and the turning point for Romania might not be very far away.

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vote for the Romanians abroad together with the fact that Victor Ponta was the leader of the most corrupt political party in Romania brought to vote the more lethargic part of Romanian electorate and changed the political options of many other voters. Although favourite throughout the entire political campaign, Victor Ponta lost the elections. At the time when I write this thesis he was under criminal investigation and sent to Court for corruption.

## **Chapter 3: Methods and Methodology**

### **3.1 Introduction**

The previous two chapters introduced post-communist Romania and the case for investigating the role of the press in reporting political corruption there. They built up a general context of the media and political corruption in Romania, examined the theories of media and democracy, defined the concepts of political corruption and political culture and exemplified their application in the context of the Romanian case.

The present chapter starts with the rationale for adopting the research methods used in this study (discourse analysis, interviews and secondary documents analysis) by positioning the relationship between the Romanian media and the political realm within the coordinates set by the critical political economy of media approach. The rationale section is followed by a summary of the research aims and continues by exploring the methodology used for the discourse analysis and interviews and by explaining how these methods will be operationalised. The chapter closes with an outline of the case studies, interviewed subjects and researched newspapers followed by a brief summary of the research design as a whole.

### **3.2 Romanian Media and Politics, Rationale for Research**

The Romanian media has been passing through its own process of transition, similarly to the rest of society. The beginnings of post-communist Romanian media were marked by the conversion of old communist publications into new ones and the appearance of new private publications. The media were affected by acute difficulties in accessing resources, a factor that has shaped negatively its process of liberalisation, as well as by a lack of training in democratic values and procedures and often a lack of ethics.

Studies of the Romanian Press have been conducted by international bodies such as Reporters without Borders, the European Commission, and Freedom House. These organisations have scrutinised different aspects of the Romanian media. However, they have not focused specifically on the mass-media's reporting of political corruption and the aspects that can impact on the quality of reporting. This research is intending to fill in that gap by focusing particularly on the Romanian written press.

Although it has been increasingly occupying a secondary, even tertiary place as a medium to provide relevant information compared to the pre-eminence of TV, radio and Internet, the written press should receive a special attention. Numerous shortcomings indicate that, despite being preferred by the public, TV, radio and internet fail to engage the public in a proper analysis, causing distortion in the public understanding of how political systems actually work. with direct effects on the voter`s capacity to choose in a fully informed manner. For example, American society considers the TV the most reliable source of political news, and this has been an increasing trend since 1960s (Mervin, 1998, p.9). However, this comes packaged with serious problems: watching news on television doesn`t engage the mind the same way as reading newsprint: the quality of news broadcast on TV is affected by the limited time available and the permanent need of good visuals even though this means that the reality gets distorted by over simplification, exaggeration or even trivialisation (Mervin, 2008:10-11). By contrast, *to engage the written word means to follow a line of thought, which requires considerable powers of classifying, inference-making and reasoning. It means to uncover lies, confusions and overgeneralizations, to detect abuses of logic and of common sense. It also means to weigh ideas, to compare and contrast assertions, to connect one generalization to another ... In a culture dominated by print, public discourse tends to be characterized by a coherent orderly arrangement of facts and ideas (Mervinh, 2008:.9)*

If we consider the increasing popularity of TV and radio, the written press remains, despite being pushed to the back, the medium which would allow the reader to get a proper overview of a certain situation and detect manipulation by allowing him the time and space to detect the logical fractures in the content of the text (Curran, 2009:13-15). If we consider the increasing popularity of the internet, the written press remains probably the most straightforward area when it comes about the expertise and the financial, political and ethical coordinates of those delivering and commenting the information.

### **3.2.1 Media and Politics between 1990 and 2004: Parting with Communism**

The first reason for doing research on the reporting of political corruption by the Romanian press is the fact that since the end of Communism the Romanian media and the political arena have had a corrupt relationship, caused to a large degree by the economic hardships the media encountered. As a consequence, blackmail, censorship and distorted reporting became common occurrences.

The period 1990 – 2004, particularly the mandate of Adrian Năstase as Prime Minister (2000 – 2004), was characterized by a weak media in the strong hands of the party in power. Unsupported by legislation or by the overruled judiciary, creaking under the lack of financial facilities and of any economic protection, the Romanian press, instead of becoming a guardian of democracy and public interest, turned into both a victim and an aggressor. It became a victim, as money for advertising made it vulnerable to pressure from the political arena; it also became an aggressor as the use of advertising as an instrument for editorial control allowed some press institutions to practice blackmail (Agenția de Monitorizare a Presei<sup>19</sup>, 2001/2002).

The electoral year 2004<sup>20</sup> is a reference one, as the main party in power (the Social-Democratic Party – PDS) launched a strong campaign against the audio-visual media (Agenția de Monitorizare a Presei, 2004). Debts were cancelled and government advertising was granted in a non-transparent and preferential manner by public institutions and state-owned companies (AMP, 2004). As a consequence, the political control over the national Radio and TV station politically distorted the information broadcast (AMP, 2001/2002). Strong evidence exists that this campaign was a fully intended process. The declarations of the PSD leaders of the time, the official documents of PSD, the records of the PSD staff meetings published by the national press and confirmed by Mircea Geoană, the former Minister of Foreign Affairs and one of PSD's vice-presidents, indicate that the campaign against the media was intentional and carefully organised (Agenția de Monitorizare a Presei, 2004).

Media feudalisation/"berlusconisation" emerged as a strong feature of the media during Năstase's government, a consequence of the fact that the media did not benefit from any fiscal advantage, depending on direct sales only. The process took place at local level, wherever power had become concentrated in the hands of political leaders and businessmen, usually the same persons. In consequence, editorial censorship and political harassment of journalists became rife. Rodica Culcer, Cosmin Prelipceanu and Nadina Forga<sup>21</sup> are three journalists who became famous for leaving their jobs due to censorship and political pressure coming from their editors trying to politically manipulate the news bulletins (Agenția de Monitorizare a Presei, 2003).

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<sup>19</sup> Agenția de Monitorizare a Presei = (Eng) Agency for Press Monitoring.

<sup>20</sup> Local, General and Presidential elections took place in 2004.

<sup>21</sup> Rodica Culcer, Cosmin Prelipceanu and Nadina Forga, all working with the News Department of *Europa FM Radio* station, resigned on 5<sup>th</sup> of April 2003 saying that the management demanded them to avoid presenting news that might have been inconvenient for the political power. *Europa FM* belonged to the French "Lagardere" corporation whose main activity is building airplanes.

### 3.2.2 Media and Politics between 2005 and 2007

The second reason for doing research on the Romania press reporting political corruption is the fact that once the new class of media owners appeared, the relationship between the Romanian press and the political realm became a channel through which the media owners would get political and business advantages and would be protected from a weak legal system looking to uncover and punish those doing corruption, sometimes with the price of severe political crises. The shadow of Communism is still present in the Romanian press, which sometimes employs methods specific to the old Communist Security such as infiltrating the press with covert intelligence officers.

The change of regime after the election at the end of 2004 brought changes in the media outlook. The new government took measures to improve the media landscape by suspending public advertising, summoning the media institutions to pay their debts and by deciding together with the representatives of media institutions and media NGOs a set of new regulations in order to make the distribution or media advertising more transparent. Unfortunately, the freedom of the media at the time was wrongly understood as the freedom of owners to use the media for their own interests. Thus businessmen and politicians who already had or managed to take control over media institutions used it as an instrument to get political or business advantages, to the prejudice of the public's right to be properly informed (Agenția de Monitorizare a Presei, 2005/2006). The clearest example is the media trust of conservative MP, Dan Voiculescu: by using his media he was at the heart of two major political crises in Romania when the Head of State, President Traian Băsescu, was suspended twice by the Parliament, in 2007 during his first mandate and then in 2012 during his second mandate, and reinstated each time by the vote of the electorate.

Starting in 2006 it emerged that the Romanian media had been infiltrated by the intelligence services. This information was brought to the public's attention by the journalists' association Civic Media<sup>22</sup> that launched the "Voci Curate"<sup>23</sup> campaign trying to expose opinion makers, columnists and journalists in management positions that had collaborated with the former political police (the Communist "Securitate"). Civic Media made a list with more than 1000 people and requested the National Council for the Study of Securitate Archives (CNSAS) to verify whether these people were responsible for political police misdeeds during

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<sup>22</sup> [www.civicmedia.ro](http://www.civicmedia.ro)

<sup>23</sup> "Voci Curate" = (Eng) "Clean Voices".

the communist regime. Shortly after, several reputed journalists and public personalities confessed or were exposed by CNSAS as former collaborators of Securitate. In July, *Curentul*<sup>24</sup> daily published correspondence from 2001 between the Director of the Romanian Intelligence Service (SRI) at that moment, Radu Timofte and the Great Romania Party (PRM) Senator, Damian Brudaşcu. According to these documents, Timofte admitted that SRI had infiltrated agents into various editorial offices. Subsequently, the press published information stating that the other secret services were trying to recruit and infiltrate agents amongst journalists (Agenția de Monitorizare a Presei, 2006/2007).

### 3.2.3 Media and Politics between 2007 and 2014: The Economic Crisis

The third reason for researching the Romanian press reporting political press is the impact of the relationship media-political realm on the quality of journalistic products and journalists' ethics, especially in the aftermath of an economic crisis.

The period immediately before the major economic crisis that started in 2008 recorded increased political pressures on the Romanian media, especially from the highest levels of the political class, President Traian Băsescu committing the most serious misdeeds<sup>25</sup> in 2007. Public media became subject to negotiations between the political parties and, for the first time, a politician with a leadership position in a major party was appointed as the Director of the Public Television (Agenția de Monitorizare a Presei, 2007).

The tough economic crisis took its toll on the Romanian media, which became even more vulnerable to economic and political pressures. A depressed advertising market affected the budgets, followed by waves of dismissals, resignations, re-groupings and wage reductions. MediaSind, the Romanian Federation of Journalists, estimates that 4,000 journalists lost their jobs in 2009 - 2010. As a consequence, the control of politicians over mass-media institutions became powerful yet again by means of advertising contracts, while the press groups' employers proved to be engaged in supporting one or another of the presidential candidates (Agenția de Monitorizare a Presei, 2009/2010). New types of economic relations between

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<sup>24</sup> "Curentul" = (Eng) "The Current".

<sup>25</sup> The most widely covered incident was when Băsescu grabbed the phone of a journalist who was filming him with her phone, in a public space. The President left the scene and took the phone with him. He did not know the phone was still recording so he recorded himself insulting the journalist in a private conversation with his wife (he called the journalist "dirty gypsy") (Agenția de Monitorizare a Presei, 2007, 5).

politicians and media were generated as concrete cases were identified of favourable news being bought with public funds. (Agenția de Monitorizare a Presei, 2009/2010).

Following these developments, the press underwent an unprecedented crisis of image. The Global Barometer of Corruption 2009, maintained by Transparency International (Transparency International, 2009), mentions the Romanian mass-media for the first time at the top of the most corrupted institutions, due to the partisan editorial policies. As a symptom, a new journalistic genre, involving politicians, was invented: the non-stop, live, political soap-opera. Everyday, TV studios invited representatives of political parties and “analysts” of the most unusual kind. Several times a day, in marathon-like shows, they discussed “topics of the day” and begun arguing on any subjects, accusing one another of political bias and manipulation. The protagonists lived in a continuing unattested conspiracy and journalists made no efforts to clarify things (Agenția de Monitorizare a Presei, 2010/2011).

Despite this, Romanians consider the media to be the most credible source of information about corruption. According to the study “The citizens` perception of corruption in public institutions: causes, practices, prevention” (National Agency for Civil Servants, Support Programs for Sustainable Development Association, 2010: p. 15) conducted by the National Agency of Civil Servants in partnership with the Support Programs for Sustainable Development Association – Agenda 21, 73.54% of Romanians consider the mass-media as the most reliable source of information about corruption. Despite the high percent of Romanians trusting the media to inform them about corruption, the same study indicates that only 36.9% of respondents declared they knew about corruption cases from the written press. When asked to give examples their answers were rather diffuse. The trust in the Romanian press has been however on a decreasing trend. Between January 2014 and May 2015, only between 32.5% and 37.4% of Romanians trusted the press much and very much (INSCOP - Adevărul<sup>26</sup>, 2015).

### **3.3 Aims of the Research**

Mass-media have always been perceived as a potential, if imperfect, instrument for uncovering, raising awareness, explaining, debating and proposing and promoting solutions to different problems arising in a society. As we could see in the previous chapter, media is part of the external mechanisms at work to identify corruption where the internal mechanisms of

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<sup>26</sup> Adevărul = (Eng) The Truth.

different institutions fail to play their role. It could be reasonably expected that the Romanian media should be one of the main instruments used by society to tackle corruption: starting with investigations and disclosure of corrupt acts and going through the classical roles of informing the public, the media has as well a role in changing mentalities, practices and customs.

Political economy of the media sees the manufacture of cultural goods as production of meaning resulted from the exercise of power (Murdock, Golding, 2005). As such, the first aim of this thesis is to explore how news about political corruption is reported by the Romanian press to its public. That is to explore the news depiction of political corruption in order to assess the prevalent content and sources of news corroborated with an overview of the social universe presented by the news (who the main actors are, how are they linked in the political network, how are they presented by the press).

Political economy of the media addresses two fundamental issues: the pattern of ownership of the media and its consequences in terms of control over the media's activities and the nature of the relationship between state regulation and media institutions (Murdock & Golding, 2005). Following this path, the second aim focuses on the characteristics of the relationship between the media ownership and political realm in Romania. It will explore the particular political-institutional and economic realities characteristic of the Romanian press-political elite nexus.

Ownership is a core subject of political economy of the media. Focused on the relations developed between the economic section of society and the political arena, political economy of the media looks at the social relations and the play of power through the consequences of the broad patterns of power and ownership (Murdock, Golding, 2005). In the case of Romania, reports released by international organisations emphasize the tight connection between media ownership, political distortions and inefficiency of the judicial system.

A report released by the Organisation for Security and Co-operation in Europe (2013) states that the Romanian outlets were instruments at the disposal of the political parties and had become vulnerable to political interests due to the troubled financial situation of the media market in recent years. For example, Dan Voiculescu<sup>27</sup>'s Intact organisation was identified as an instrument of political manipulation which played an overwhelming role during the parliamentary elections in 2012 (OSCE, 2013).

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<sup>27</sup> Dan Voiculescu, politician and entrepreneur, is a controversial figure in Romania due to the trouble caused by his political ambitions, which he propelled with the support of his media empire, as well as due to his connection to the former Communist Securitate. He is currently serving a 10-year term in prison for corruption.

The European Commission's Report, Mechanism for Cooperation and Verification (2013), portrays the Romanian media as an element blocking the independence of the judicial system in dealing with cases of political corruption. For this reason, the European Commission recommended the revision of the existing norms linked to the media, so that the freedom of the press would be accompanied by a corresponding protection of institutions and fundamental human rights (European Commission, 2013). This recommendation has been questioned by experts in the Romanian media. Ioana Avădani, Manager of the Independent Centre for Journalism, considers that the report correctly identified the phenomenon of media pressure on the judicial system but had mistaken its root causes; the problem is not that the institutions have to be protected against the media but the fact that the media have to be protected against those who are able to seize control of them and use them to exert pressures on the institutions and fundamental human rights. According to Ioana Avădani, the Romanian media had published news reports that could be seen as attempts to intimidate and exert pressure on the judiciary, "but omitting the fact that those media outlets were carrying out a direct order, be it of a political or personal nature (...)" (Avădani cited by Haraga, 2013).

The game between state regulation and media institutions has always been an issue which affected deeply the capacity of the Romanian media to perform independently. For instance, Reporters without Borders and its Romanian partner, the Media Monitoring Agency (MMA), took position in 2007 when the Romanian Constitutional Court decided to recriminalize press offences based on the argument that defamation and insult seriously violated personal dignity and would be a source of permanent conflict if not discouraged by a penal law. The measure was a result of complaints according to which the reform of the criminal code deprived the victims of a legal way to obtain redress (Reporters Without Borders, 2007). Two years later, the same organisations drew attention to the fact that the Romanian Government was trying to rush through a Civil and Criminal Code reform restricting the right to information, pointing at the same time to the fact that amendments to the criminal and civil codes were needed to conform to European media standards but they should be adopted after consulting all the actors involved: as it stands, the draft civil code "would reduce the work of the press to just putting out information and statements that have been explicitly approved by those that produce them. The right of reply is part of journalistic practice, but it cannot acquire the automatic character envisaged by this bill. The proposed reform's requirements in the articles referring to data protection would also seriously undermine the right to the protection of sources that is the basis of all investigative journalism" (Reporters without Borders, 2009).

In 2010 Reporters without Borders and its Romanian partner, Active Watch – MMA and another 18 Romanian NGOs declared themselves outraged when the National Defence Strategy pointed to the Romanian press as a threat to national security. The document was approved by the Supreme Council for National Defence (SCND) and submitted to the Parliament. The document stated that “orchestrated media campaigns, aimed at slandering the state institutions by disseminating false information about their activity are one of Romania’s vulnerabilities” (Reporters Without Borders, 2010). Reporters without Borders and their partners declared that: “It is astounding that the government of a country that is a European Union member can regard the media as a threat to national security. We thought this kind of language was nowadays used only by dictatorial regimes that exploit national security concerns to legalise censorship and justify jailing lots of journalists. (...) The claims made about the media’s impact on defence strategy are completely unwarranted. If the press gets their facts wrong, European governments have many options at their disposal for ensuring that the facts are corrected and they rarely fail to take advantage of them (...)” (Reporters Without Borders, 2010).

Reporters Without Borders continue describing the media environment in Romania in 2011 as a “disturbing panorama of continuing media decline” dominated by many conflicts of interest and power struggles, populated by journalists without proper work contracts and threatened by lawsuits leading to disproportionate damages and threatened by bankruptcy, as a total of 6,000 journalists and media workers had been laid off and at least 60 newspapers had closed since the start of the economic crisis. At the heart of the entire disaster, “Romania’s politicians are steadily undermining Europe’s status as a model of media freedom” (Reporters Without Borders, 2011).

The third aim explores how this relationship, media ownership – political realm, influences the Romanian journalist in terms of professional autonomy, daily practice, recruitment and professional ideology. Critical Political Economy of media does not see the production of communication only as a reflection of different competing interests but as well as a result of the aspirations, codes and professional ideologies of those working for communication bodies. It tries at the same time to establish not only how far the workers in the field can exercise autonomy given the economic constraints but “to what extent the economic structure of media prevents some forms of expression” (Murdock & Golding, 2005: 74). Murdock and Golding (2005) recommend the dynamics to be assessed through their concrete impact on daily practice, recruitment and professional ideology in order to understand the consequences of the relations between media ownership interests, economic imperatives and

cultural production. This requires the study of how human resources in media do their work, the way sources of power and authority build agendas and the connection between the market and work situations.

### **3.4 Methods & Methodology**

#### **3.4.1 Discourse Analysis Defined**

Since discourse generally is understood as a writing which embodies beliefs, values and categories that represent primarily a way of looking at the world, and an organization or representation of experience (Fowler cited by Deacon, Pickering, Golding, & Murdock, 2007) and media discourse particularly is an essential context for understanding the formation of public opinion (Gamson & Modigliani, 1989), the discourse-based approach to news analysis is used for the first aim. Quantitative (frequency and thematic analysis) and qualitative (frame analysis) content analysis of the texts are deployed in order to provide a clear image of the representational (social universe) of press news.

If the quantitative content analysis reveals the thematic universe, the frame analysis performs four main functions: it defines problems, diagnoses causes, evaluates actions and prescribes solutions, helping in this way to identify the particular ways of seeing or thinking about high level political corruption, and how the problem is defined, explained and morally evaluated (Deacon, Pickering, Golding, & Murdock, 2007). Of course, the media might not always perform all these functions; however, the identified patterns will show those discursive components that structure the political corruption frame, allowing in this way a reflective look at the manner in which the media are performing these functions. Since the content of the discourse is always the outcome of a value-added process (Gamson & Modigliani, 1989), the frame analysis shows how the discourse about high level political corruption has evolved and changed over time. Based on the fact that news and information have no intrinsic value unless put in a context that provides coherence, frames are the main devices that make sense of relevant events and suggest what is at issue (London, 1993).

The first aim discloses the salient framing schemas/frameworks behind the major ways corruption is reported, discussed, interpreted and understood by the Romanian press (Gamson & Modigliani, 1989). Since media discourse is a meaning system in its own right (Gamson, 1992) and because content analysis does not work reliably when codes are required “to read between the lines” (Van Zoonen, 1994), frame analysis helps reveal the latent aspects of

content like ways of defining the problem, the suggested ways to think about the problem and suggestions about how to remedy it (Kinder, 1998). The first aim also shows what is the social universe presented by these news (who the main actors are, how are they linked in the political network, how are they presented by the press).

### **3.4.2 Algorithm of Research**

The first step was to measure the frequency in reporting political corruption in the Romanian press for each of the three cases mentioned before, in order to see how visible the topic was and how much attention the press paid to it. The second step was to identify the critical discourse moments since they make the discourse on any particular issue especially visible (Gamson, 1992) by generating commentary and debate on a topic (Chilton a, 1987). The critical discourse moments identified revealed what were the most important topics, in which order these appeared, what was the time dedicated to each, what was the relationship between topics, how they emerged and what were the main actors involved, bringing the most mediatised cases to light. These cases were analysed through the media events as such moments are characterised by a noticeable intensification of the communicative process (Balkin, 1998).

The frequency analysis answered the following questions: what were the most frequently presented topics about a particular politician? What was the content type used for presenting the corruption of the particular politician? What tone was used in presenting the acts of corruption done by the politician? What are the information sources of corruption coverage in political corruption cases?

The frame analysis answered the following questions: what are the main aspects of corruption presented by journalists? What are the suggested ways to think about the problem of corruption? Any suggestions about how to remedy the problem of corruption? Any journalist ethic?

The categories of content presented by this research are the categories of content as stipulated by each Romania newspaper. As such, the content counted as news or, for example, investigation, was taken from articles categorised by the Romanian newspaper researched as “news” or “investigation”.

The detailed algorithm I used comprises four steps:

- 1) On-line research was undertaken to identify all the articles linked to the name of the politician researched.

2) An initial monitoring of the identified articles was conducted in order to select all the articles comprising the name of the politician which had corruption as the main topic. Based on this initial monitoring I identified the most presented topics about the corruption done by the researched politician.

3) As Critical Discourse Moments are essentially moments of discourse crises (Chilton a, 1987), times when “discourse on an issue is especially visible” and “they stimulate commentary in various public forms by sponsors of different frames, journalists and other observers” (Chilton a, 1987), I identified the period of time comprising the moments when the frequency of published material about the researched politician`s corrupt acts was highest.

4) As media events are those events which are created by the media or attract particular attention by the media and are characterised by a noticeable intensification of the communicative process, I identified those events linked to the politician`s corrupt acts within the critical discourse moments. These events were preceded or followed by an increase in the frequency of the news items. When this happened, I took into account the preceding of following months as well. As a result, I analysed the news items published during several months.

### **3.4.3 Case Studies**

Since political corruption is mostly about elected politicians (Hodess, 2004), this research considered three case studies: the former Prime Minister Adrian Năstase, top politician Dan Voiculescu, both strongly linked to their Communist pasts, both investigated for corruption and sentenced to prison, and the Microsoft – EADS case.

Adrian Năstase has become notorious due to the corrupt acts that marked his mandate as Prime Minister between 2000 and 2004 as well as due to the significant censorship and pressure he put on the media during his prime ministerial mandate, especially by using the arm of public funding of advertising in the media. He is a symbol of how the system used to protect its corrupt politicians, as no criminal investigation against him started until he lost the Presidential elections to Traian Băsescu in 2004, and consequently the leadership of his party, the Social Democrat Party (PSD).

Dan Voiculescu on the other hand was criminally investigated and sentenced to 10 years in prison for corruption at the top of his political power. Surrounded by close politicians positioned in key offices (some of them owing him significant amounts of money, impossible to repay from the ministerial wage alone, such as Daniel Alexandru, the Minister of

Agriculture) as well by his huge media empire and numerous NGOs he had set up in order to create the image of a charitable and responsible politician, and despite all the judicial artifices used, he couldn't avoid being judged and convicted for his acts.

The Microsoft – EADS case offers an overview of the level of political corruption in Romania due to the high number of politicians involved as well as due to the mechanism that helped the corrupt practices be perpetuated from politician to politician. The case focuses on corruption that has taken place at the Ministry of Education and the Ministry of Communications since Adrian Năstase's Prime Ministerial mandate. This case research is significant as it raises questions about what is actually happening in other, more sensitive and less effective ministries, such as the Ministry of Transportation and Ministry of Roads and Motorways (for example, many know Romania is infamous for its having only 435 km of motorway built by the end of 2013, despite significant funding from the EU) (Neferu, 2013) and the Ministry of Regional Development, an authority in charge of investment projects developed mostly with money from the EU.

### **3.4.4 Newspapers, Blogs & Websites**

Following Deacon, Pickering, Golding, & Murdock (2007), content analysis was used to obtain an “objective, systematic and quantitative description of the manifest content of communication” (Deacon & al, 2007) about high level political corruption in selected newspapers. To obtain a representative sample, I have chosen highly respected, good quality newspapers with medium to high circulation, privately owned, read by different socio-economic strata and different age groups. Together they represent a major source of information, especially for news such as politics and corruption. I have selected as well the most representative websites for presenting and commenting political corruption, *Vox Publica*, *România Curată*<sup>28</sup>, *HotNews*, *Contributors*, *Critic Atac*, *Cătălin Tolontan*. Unfortunately, for the purposes of this research only *HotNews* proved to be consistent in its reporting for the period of time researched, 2004 - 2014. A reputable news website, *HotNews* has an entire section dedicated to reporting corruption cases, up-dated in real time.

*Evenimentul Zilei*<sup>29</sup> was the most read quality daily broadsheet of general information in 2014. It had an average general distribution of 14,403 copies and 103,000 readers per edition

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<sup>28</sup> România Curată = (Eng) Clean Romania.

<sup>29</sup> Evenimentul Zilei = (Eng) The Event of the Day.

(BRAT<sup>30</sup>, 2015). Between January – March 2015 it was the most read high quality newspaper in Romania (13,000 copies), followed by *Romania Libera*<sup>31</sup> (10,300 copies); *Jurnalul National*<sup>32</sup> was read by 4,807 Romanians within the same period (Pagina de Media, 2015).

*Evenimentul Zilei* was set up in 1992 by journalists, Cornel Nistorescu and Ion Cristoiu (whom I interviewed for this thesis) and businessman, Mihai Cârciog. It was bought by the German media trust *Gruner&Jahr* in 1998 and sold to the Swiss media trust, Ringier, in 2003. In February 2010 the newspaper was bought by the Romanian businessman, Bobby Păunescu.

*Evenimentul Zilei* positioned itself from the beginning as an anti-communist and pro-democracy newspaper, so it was an adversary of the power represented by Ion Iliescu and his party. Its inclination towards the right galvanised the support of this newspaper for President Băsescu and his supporters in the Liberal Democrat Party. This support went beyond the legal limits during the electoral campaign for the general elections in 2014. Newspaper *Libertatea*<sup>33</sup> mentions that according to the prosecutors within the National Anti-Corruption Authority (DNA), people around Elena Udrea, President Băsescu`s closest political collaborator, made monthly payments of €10,000.00 from money received as bribes to “postaci”, people specially hired to post comments under fictive identities on the internet pages of newspapers and news portals (Libertatea, 2015). The Free Ex Report about the Freedom of Press in Romania 2014 – 2015 shows that the coordinator of these “postaci” was Cristi Călugăru, one of *Evenimentul Zilei*`s editors (Active Watch, 2015: 15).

*Romania Libera* is a daily broadsheet of general information with national distribution. It was the second most read quality daily broadsheet of general information, with an average distribution of 13,712 copies and 37,000 readers per edition in 2014 (BRATa, 2015). The newspaper is currently owned by Medien Holding Society, a press trust owned by businessman Dan Adamescu. Adamescu acquired România Liberă from the German group WAZ that left the Eastern European markets in 2010 in the aftermath of the economic crisis started in 2008.

România Liberă is one of the oldest newspapers in Romania. It was set up in 1877 and became the second most important newspaper in Communist Romania behind *Scânteia*<sup>34</sup>. It was re-launched during the Revolution on December 1989 by journalist Petre Mihai Băcanu after his release from the Communist prison where he had been thrown by the Communist regime under the accusation of preparing to launch a clandestine newspaper. Under Băcanu`s

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<sup>30</sup> BRAT = (Eng.) The Romanian Office for Audit and Circulation.

<sup>31</sup> România Liberă = (enG) Free Romania.

<sup>32</sup> Jurnalul Național = (Eng) The National Journal.

<sup>33</sup> Libertatea = (Eng) Freedom.

<sup>34</sup> Scânteia = (Eng.) The Flame

management and leadership România Liberă became one of the first anti-communist and pro-democracy private newspapers in Romania with an orientation towards the right wing of the political spectrum, focusing on under-cover investigations, editorials and interviews. Petre Mihai Băcanu is one of the journalists I interviewed for this research.

The present owner of România Liberă, Dan Adamescu, is serving a four years and four months term in prison for corruption. The Romanian authorities discovered in 2014 that Adamescu had transferred between 2011 and 2014 €23.00 million from Astra Insurance Company, a company in financial difficulties which was put under administration, owned by Adamescu, to Medien Holding Society, as loans that have never been returned. In exchange, România Liberă published misleading information about the financial robustness of Astra Insurance Company by stating under the headline “The Most Secure Insurance Company in Romania Consolidated in 2013” that “Astra Insurances remain a solid company clients and partners can trust. Its solvency and liquidity will exceed double the legal limits, and the social capital will approach €100.00 million, according to the consolidated financial results for 2013, estimated by the company in an official press release” (Marin, 2014).

Criminal investigation was started by the National Anticorruption Authority against Dan Adamescu in May 2014 as he allegedly bribed two senior judges at the Bucharest Tribunal with €15,000.00 and €5,000.00 to get favourable resolution in his insolvency case. Adamescu`s barrister was a witness in this case and killed himself in an underground station after being questioned at the National Anticorruption Authority (DNA). According to newspaper *Gândul*<sup>35</sup>, Adamescu`s barrister killed himself after showing the DNA prosecutors documents indicating that Adamescu and his son gave bribes (Gândul, 2014).

In June 2014 the distribution numbers of România Liberă were halved due to a report of PriceWaterhouseCoopers for BRAT (The Romanian Office for Audit and Circulation). The report showed that the representatives of România Liberă had inflated the circulation numbers by 60% for many years, cheating their advertising clients, media partners and the public. Doru Buşcu, an investigation journalist who first signalled the problem during an interview in 2012 (Nicoleanu, 2012) was sued by Adamescu for damages of RON 510,000<sup>36</sup> in 2013. Adamescu lost the trial (Jurnalul Nationala, 2013).

*Jurnalul Național* was the third most read quality daily broadsheet in 2014 with 4,807 readers (Pagina de Media, 2015). It was set up in 1993 and is owned by Intact Media Group,

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<sup>35</sup> Gândul = (Eng) The Thought.

<sup>36</sup> RON 510,000 = £ 85,407.20 (October 2015).

founded and owned by controversial politician Dan Voiculescu and his family. Intact Media Group is one of the most powerful media trusts in Romania and has 100% Romanian capital. It comprises six TV stations (Antena 1, Antena 3, Antena Stars, Arena Internațional, Euforia Lifestyle TV, ZU TV), two radio stations (Radio ZU, Romantic FM), two newspapers (Jurnalul Național, Gazeta Sporturilor) and three magazines (BBC Top Gear, BBC Science World, BBC Good Food) (Intact Media Group, 2015). Antena 3 TV station has been affiliated to CNN since October 2011 (Antena 3, 2011).

*Jurnalul Național* and *Antena 3 TV* station are highly controversial from a political point of view. It is acknowledged that Dan Voiculescu used them as a tool for his political purposes as well as a way of protecting himself against the criminal investigations started against him for corruption with undervalued state property. Dan Voiculescu is currently serving a ten-year term in prison for corruption and his media empire is led by one of his daughter, Camelia Voiculescu.

*Gândul* used to be a daily broadsheet of general information, national distribution. It was set up in May 2005 by journalist Cristian Tudor Popescu and Mircea Dinescu. Cristian Tudor Popescu had resigned together with his team of journalists from *Adevărul* newspaper. *Gândul* gave up the printed form on April 8, 2011. Its digital format received 501,102 visits on September 14, 2015. The editorial team has been led by Cristian Tudor Popescu until his resignation this year. Cristian Tudor Popescu was the president of the Romanian Press Club until 2006 when he resigned displeased by the representation of journalists in the Club but was re-elected in 2007. The opinion polls designated him as Romania's best journalist between 2005 – 2008. He was famous for his distaste for President Băsescu and politicians close to him.

*Gândul* newspaper belongs to Mediafax Group which owns as well Mediafax News Agency. Mediafax Group is owned by Adrian Sârbu, a consummate Romanian businessman in the media. Sârbu was accused by Social Democrat Prime Minister, Victor Ponta, of blackmail done via his media in order to avoid paying the fiscal debts his companies acquired. Ponta declared: “Sârbu told me he made all the Heads of State and if I want he can make me Head of State too. I told him, no, thank you. I would prefer you to pay your taxes. Our relationship has been very cold since then” (Romania TV, 2014). Ponta mentioned as well that Sârbu asked him to stop the fiscal checks done by the tax authority on his companies and underlined that his refusal prompted the publication of press materials hostile to the Prime Minister: “The only one who had been in my office was Mr. Sârbu who asked me if I could stop the checks done by the National Authority for Fiscal Administration (ANAF). I told him I could not” (HotNews

a, 2014). *Gândul* newspaper reported comprehensively about a corruption file involving a local Social Democrat oligarch. The file mentions as well the name of Prime Minister Ponta. Adrian Sârbu was accused in February 2015 of tax evasion, money laundry and instigation to embezzlement and taken into preventive custody.

*Revista 22*<sup>37</sup> is the first independent post-communist weekly magazine, highly respected today as a publication about the political culture in Romania. Its name is dedicated to the date of the 22<sup>nd</sup> of December 1989, when Nicolae Ceaușescu left the building of the Central Committee, fleeing by helicopter. The magazine was set up by “Grupul pentru Dialog Social”<sup>38</sup>, the first NGO which appeared in post-communist Romania at the end of December 1989 by bringing together dissidents and intellectuals. The group expanded to comprise different professional avenues such as philosophers, sociologists, writers and historians and promoted the plurality of opinions. Grupul Pentru Dialog Social claims to promote via its magazine principles such as: support for the pro-Western orientation, support for the democratic values and institutions, support for minorities and a critical attitude towards power abuses.

### **Blogs & Websites**

The selection of websites and blogs approaching the subject of political corruption has proven not to be straightforward. As indicated in Chapter 2, “Political culture, Political Corruption” (page 22), this is an area dominated by anonymity, where it is difficult to establish what author is or is not a real journalist, and an instrument in the hands of political parties and interest groups to promote their own interests. To avoid this difficulty, I did not consider the website or the blog as a source per se and I counted the journalist of the expert publishing there as a source. I encountered as well difficulties due to the fact that some articles published in newspapers were copied on these websites, sometimes even two or three times, so I had to be careful to avoid counting the same material more than once in my analysis. Another difficulty I encountered during the monitoring of blogs and websites is the fact that some of them seemed to have been built with the purpose of promoting a certain topic or subject and went dormant (nothing else was published) once the topic had become obsolete. I removed such websites from my research. As a result, I selected in the end just three websites and one blog.

*HotNews* is a Romanian news website, set up in 1999 by two Romanian journalists: Ionel Mărgărit Timbolschi and Manuela Preoteasa. Its initial purpose was to gather the most

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<sup>37</sup> Revista 22 = (Eng) 22 Magazine.

<sup>38</sup> Grupul pentru Dialog Social = (Eng) The Group for Social Dialogue.

important topics from the Romanian press and present them as a press review. In 2000s *HotNews* started producing its own materials, the result of its own investigations and coverages. In 2004 *Hotnews* started organising online meetings via its website between public personalities and its readers. It has had links with BBC, RFI and Deutsche Welle. It has an entire section dedicated to political corruption called “HotNews Corruption Files” (HotNews a, 2015). According to BRAT, HotNews registered 341,202 visits on September 30, 2015 and 835,659 readings (BRATb, 2015).

*Contributors.ro* is a political debate website. It is a pilot project of the Association “Online Society” and it defines itself as “a civic platform of opinions and analysis” (Contributors.ro, 2015) where free authors can share their experiences and knowledge through a relaxed debate meant to offer new perspectives on the most important subjects of the day.

*Critic Atac* defines itself as a leftist group of social, intellectual and political critique. It considers that civil society is too much like politics so it promises to stay away from the political parties and have a political impact from outside the establishment (Critic Atac, 2015). Its purpose is to promote a sharp critical discourse about the most important problems of society. Critic Atac is coordinated by journalist Costi Rogozanu, one of the journalists I interviewed for this thesis.

*Cătălin Tolontan* ([www.tolo.ro](http://www.tolo.ro)) is the blog of investigative journalist Cătălin Tolontan. Initially specialised on reporting sport events, Cătălin Tolontan has become known as investigative journalist by uncovering corruption by the former Minister of Youth and Sports, Monica Iacob Ridzi and former Minister of Tourism and Development, Elena Udrea. His investigations focus on politicians, representatives of central public administration and high representatives of the legal system.

### **3.4.5 Press Partisanship**

Having a clear view of the political partisanship of these newspapers can be revelatory to understand the relationship between press and the political arena. In their article about patterns of press partisanship in the UK 2010 general election, Dominic Wring and David Deacon (2010) analyse how the British media had shifted its support in time, by carefully analysing the various newspapers` editorial endorsements during previous electoral campaigns. Their conclusion according to which in Britain the newspaper industry has been a very important political actor (Wring & Deacon, 2010) could equally be applied to Romania. However, as we shall see below, there is a big difference between the British media partisanship

and the Romanian one. The Romanian newspaper partisanship is solely dictated by the immediate needs/interests of the media owner. In many cases, the need is to have un-paid taxes written off, as in case of Adrian Sârbu and his Mediafax Group (the owner of Gândul newspaper), or Court cases finished favourably as in case of Dan Adamescu and his Medien Holding Group (the owner of România Liberă newspaper). If the favour is not granted, the support is withdrawn and negative campaigns are started. In such situation is difficult to follow a pattern of partisanship from one electoral year to another.

A taste of how these relationships take place is offered by the famous case of Social Democrat candidate for Presidency, Mircea Geoană. The entire scene takes place in the night of Thursday, 3<sup>rd</sup> December 2009, during the final TV debate between the two candidates contesting for the highest position in state in a run off scheduled for the following Sunday took place. The Head of State, Traian Băsescu, was competing for a second Constitutional mandate and Mircea Geoană, the leader of the Social Democrat Party, desires to replace him. This story shows how the mutual interest between the media owner and politician goes on quietly behind the scenes and the seriousness of the traded “services”: on one hand media mogul Vântu, considered to be the main culprit in a fraud that left thousands of Romanians without their life savings, is worried about the arrest of Nicolae Popa, the CEO of the investment fund via which he committed the fraud, while the presidential candidate seen as a winner at that time, Mircea Geoană, wants to make sure he has the back up of his media trust during those three days remaining until the elections. During the debate it emerged that the Social Democrat leader had visited the night before the media mogul, Sorin Ovidiu Vântu; his arrival had been recorded by paparazzi.

The debate was mediated by journalist Robert Turcescu:

*“Traian Băsescu: Nicolae Popa, the man who looted the National Fund of Investment (FNI) on behalf of Vântu<sup>39</sup> was arrested yesterday.*

*Turcescu intervenes: Please focus!*

*Traian Băsescu: Is there any connection between Vântu`s invitation to visit him with the arrest of Popa?*

*Mircea Geoană: This is a huge lie. I do not know who Popa is.*

*Traian Băsescu: Did you visit Vântu last night?*

*Mircea Geoană: I said I did” (HotNews, 2009).*

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<sup>39</sup> Sorin Ovidiu Vântu = controversial businessman and media owner.

This incident gives us a clue not only about how shifty, unsecure and short termed the media's political support is but as well an indication of the manner in which stories about political corruption get in the press and how objectively they are reported.

### **3.4.6 Interviews**

Jensen stated that the “news depiction of social reality has been decisively shaped by economic, political and organisational forces” (Jensen, 1986: 22). Murdock and Golding (1973: 226) showed that the frameworks “necessarily articulated with the nexus of interests producing them”. In order to understand how the manufacture of the news about high level political corruption takes place in the context of socio-political and cultural dynamics, interviews with political scientists and journalists promoting the idea that the history of the Romanian post-communist press is a faithful mirror of what is happening in the political realm, and secondary document analysis is employed for the second and the third aims.

The interviews are semi-structured to ensure that the main issues are addressed in a purposeful and organised manner but allow the participants the freedom to elaborate (Deacon, Pickering, Golding, & Murdock, 2007). Where it was possible, the interviews were done face to face such as the case of Ion Cristoiu, Mihail Tatulici, Ion Diamandi and Andrei Țăranu. The rest of the interviews were conducted by phone (Petre Mihai Băcanu) or e-mail (Ioana Avădani, Răzvan Savaliuc, Cosmin Păcuraru, Costi Rogozanu, Colin McIntyre and William Horsley).

Significant challenges were encountered when attempting to contact Romanian journalists for interviews. Most of them were very reluctant to speak and the reason becomes apparent in the interviews obtained from the more open journalists. The refusal came mostly from younger generations of journalists, while very experienced ones, such as Mihail Tatulici, Ion Cristoiu and Ion Diamandi were very open to talk about the developments within Romanian media and its connections with the political arena.

Apart from Andrei Țăranu, Ion Diamandi, Colin McIntyre and William Horsley, who are personal connections of the researcher, the rest of the subjects accepted to be interviewed only after I was recommended by very trustworthy sources. The journalists interviewed were informed about the scope of the interviews, the topic of my research and the fact that their interviews might become public. None of them required confidentiality, although this option was given to them. Those who had privacy issues simply refused to give me any interview.

The questionnaire I used was structured in three directions following the main coordinates of critical political economy of media as defined by Murdock and Golding (2005): media

ownership, media regulations and the relationship with the political arena and the characteristics of the Romanian journalists and his/her work conditions. Relevant information was gathered by using questions regarding behaviours, beliefs, attitudes and attributes. The questionnaire begins with a section dedicated to the evolution of the post-communist Romanian press in order to provide an overview of the main trends the media followed during the quarter of a century after the fall of Communism.

### **EVOLUTION OF THE ROMANIAN PRESS**

1. How would you describe the Romanian Press after the 1989 Revolution?
2. How would you describe the Romanian Press today?
3. Why do you think the Romanian mass-media evolved as they did compare to other post-communist countries?

### **REGULATION OF MASS-MEDIA IN ROMANIA**

4. Do you think the Romanian mass-media are properly regulated?
5. What are, in your opinion, the faults in their regulation?
6. Why do you think the Romanian mass-media have been regulated the way they are?

### **MASS-MEDIA OWNERSHIP**

7. Some analysts consider that the present state of the Romanian mass-media is due to a group of media owners who have been trying to get control of this sector since 1989<sup>40</sup>. What do you think about this idea?
8. What do you think about the way the journalists are organised and represented in branches?
9. How would you describe the media ownership in Romania?
10. Some analysts consider that the reason the Romanian mass-media don't have a proper leading organization is that this group of media owners wants to keep their monopoly and control the money in the area<sup>41</sup>. What do you think about this theory?

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<sup>40</sup> Coman, Mihai (2010), "Journalistic Elites in Post-Communist Romania", *Journalism Studies* 11:4, 587-595, First publishes on: 8<sup>th</sup> of July 2010.

<sup>41</sup> Idem.

## **JOURNALISTS AND MEDIA MOGULS**

11. What do you think about the concept of “media moguls”? Is it a concept that could be applied to the Romanian mass-media?
12. If yes, what elements do you think facilitated the appearance of the media moguls?
13. How would you describe the typical Romanian journalist today?
14. How would you define the concept of “media mogul”?

## **THE RELATIONSHIP BETWEEN POLITICS AND THE MASS-MEDIA**

15. How would you describe the way the state is using its power as communicator in Romania?
16. How would you characterise the relationship between politics and mass-media in Romania?
17. How large do you think is the autonomy of those working within the media given the consequences of the broad political situation?
18. Why do you think this relationship has evolved this way?
19. What do you think are the effects of Government money for advertising?
20. What do you think are the economic aspects that influence most the way the Romanian mass-media are organized and are functioning?

*The journalists I interviewed are:*



***Ion Cristoiu:*** born in 1948, Ion Cristoiu is a Romanian journalist, writer and political analyst. He started his career in Journalism in 1968 while he was still a student.

In 1990 three publications appeared under his coordination among which the first private newspaper in Romania, “Observator”. “Zig Zag” newspaper managed to reach 600,000 issues, a record at that time. After he resigned from the board of “Zig Zag” newspaper, he set up “Evenimentul Zilei”, a daily considered to be the publication which marked the beginning of the Romanian post-communist press. After he left “Evenimentul Zilei”, he cooperated with more publications. On 9<sup>th</sup> of December 2002 he became the Manager of Realitatea TV news station. On 10<sup>th</sup> of June 2003 Cristoiu resigned as he did not want to fulfil the request of the ownership to fire 100 people.



Source: <http://www.ziare.com/media/presa/ioana-Avădani-director-cji-rolul-televiziunilor-de-stiri-nu-este-sa-aduca-bani-ci-influenta-interviu-1248151>

**Ioana Avădani** is the Manager of the Center for Independent Journalism. She has been working in the press for more than 15 years, working as a news and television agency journalist. Ioana has been managing programs for the professional preparation of journalists, providing assistance to media enterprises, conducting advocacy concerning the media legislation and strengthening the journalistic associations.



Source: <http://www.reportervirtual.ro/2013/07/ce-face-pensionarul-mihai-tatulici.html>

**Mihai Tatulici:** born in 1949, Tatulici is a Romanian Journalist and writer. His debut in the press took place in 1966. In 1980 he started doing TV shows for the national state television, TVR. He worked here until 1989. His first success after 1989 was the TV show “Veniți cu noi pe programul doi” (“Join us on the second channel”) where he got a rating of about 46%. He set up the TV station, TELE 7 ABC but resigned in 1995. In 1996 he set up the Romanian Club of Press. At the present he is a Programme Manager at Realitatea TV. Together with Sorin Ovidiu Vântu he owns a television station still in project and Mihai Tatulici Production. He invested money in a sugar products trading company and has an association with the PRO Trust in Mediafest Company.



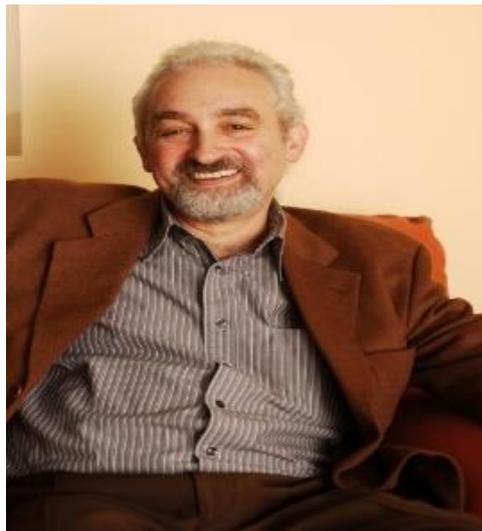
Source: <http://www.webbrain.ro/politice2/pagini/andrei-538259ranu.php>

**Andrei Țăranu:** Andrei is a Professor in Politics at the National School of Political Studies and Public Administration, Bucharest. He has been the Scientific Secretary of this institution since 2004. He is also the founder member and President of the Romanian Association of Political Studies, as well as Editor of “Cadran Politic” (“Political Dial”) magazine and Manager of “Perspective in Politică” (“Perspectives in Politics”) magazine. He is also a political adviser for the Liberal-Democrat Group in the Romanian Parliament.



Source: <http://roncea.ro/tag/Răzvan-savaliuc/>

**Răzvan Savaliuc:** benefitting from judicial training, Răzvan Savaliuc has been working as an investigative journalist since 1994. He worked for publications such as: “Ziua”, “Baricada”, “Cronica Română”, “Ora”. He works for “Ziua Veche”, an online publication. He specializes in investigation concerning the political and judicial fields.



Source: <http://www.romanialibera.ro/stil-de-viata/casa-mea/iazul--un-accesoriu-la-moda-pentru-gradina-305689>

**Ion Diamandi:** trained as economist and researcher, Ion Diamandi has been working as a journalist for 20 years. He published over 1,000 articles on various fields and 10 books.



Source: <http://www.mediafax.ro/cultura-media/costi-rogozanu-paraseste-cotidianul-4776709>

**Costi Rogozanu:** born in 1977, Costi Rogozanu is an author, blogger and a representative of the young generation of journalists focusing mostly on politics. He has been working as a journalist since 2002. Together with Șiulea, Ernu and Țichindeleanu he coordinated the anthology “The Ilusion of anti-communism (“Iluzia anticomunismului”, published by Editura Cartier.



Source: <http://www.Păcuraru.eu/>

**Cosmin Păcuraru:** Cosmin has been working as a journalist since 1990 and has had first-hand experience in the Romanian mass-media while holding some senior positions. He has also been involved with the political world, as he was the head of the Romanian Democratic Convention electoral campaign in 1996.



Source: <http://williamhorsley.com/profile/>

**William Horsley:** William is a former BBC foreign correspondent for TV and Radio News active in Europe and Asia. He is now International Director of the Centre for Freedom of the Media at Sheffield University. He is also the Media Freedom Representative of the Association of European Journalists (AEJ) and Chairman of the AEJ UK Section.

William recently attended the AEJ annual international Congress which took place in Bucharest in November 2011. The event was attended by journalists from about 20 European countries and the agenda included presentations and debates on the state of media, especially media freedom or the lack of it, in the countries of South-Eastern Europe and others on the western border of Russia. The Congress was addressed by the Romanian Foreign Minister, Teodor Baconschi.



Source: [http://www.tsinghua-gji.com/thomson\\_reuters\\_trainers.html](http://www.tsinghua-gji.com/thomson_reuters_trainers.html)

*Colin McIntyre (right, pictured here with the Czech Ambassador to London):* Colin has been working as a Consultant for Reuters Foundation on Journalism training since 2000. Previously he worked as foreign correspondent and sub-editor for Reuters. He was sent to Romania during the Revolution in 1989 and he had first-hand experience with the communist mass-media during and after the Revolution.

Following Deacon & al who think that analysis of secondary documents is invaluable for those seeking to map the general patterns but also to identify changes and continuities over time (Deacon D & al, 2007), my in-depth interviews are complemented by the analysis of secondary documents, including reports released by relevant national and international organisations monitoring the media, research materials generated in universities and official documents about the political realm in Romania.

All the research undertaken used public sources, the information researched and provided in the case studies is public, no confidential sources were used.

### **3.5 Summary**

The Romanian press has been passing through a very challenging process of liberalisation and modernisation. The corrupted relationship between the political realm and media owners is apparently one of the main culprits, manifested as financial pressures with significant consequences on the quality of the journalistic work, raising questions as well about the quality of human resource in the Romanian press in terms of both professional education and ethics. Although studies on the general state of the Romanian media has been done, none focuses specifically on the Romanian press reporting political corruption. This thesis intends to fill it this gap.

Provided the circumstances, this research employs a critical discourse analysis to explore how news about political corruption is presented by the main Romanian newspapers and news websites. Qualitative and quantitative content analysis are used for the three case studies selected. Interviews with journalists and specialists in politics are employed in order to understand the characteristics of the relationship between media owners and politicians in Romania as well as in order to understand how this relationship affects the manner in which journalists are trained and perform their work. It is noticeable as well that the owners of three out of four most respected high quality newspapers are in prison for acts of corruption involving state property or dues.

## Case Studies

Romania has been carrying for a very long time the label of being one of the most corrupt countries in the EU. As we could see in the second chapter, it has a history of corruption, and corruption is ingrained in everyday life. The most recent political drama that has unfolded in Bucharest shows how serious the problem of corruption has become, as well as the fact that Romanians are nowhere near the point of saying clearly “Stop corruption! “.

In the night of October 30, 2015, a former communist factory<sup>42</sup> turned into a nightclub<sup>43</sup> in Bucharest with an approved capacity of 80 seated people hosted a free rock concert attended by 400 standing guests (Poenariu, 2015). The club went up in flames in a matter of seconds, killing 27 and critically injuring 155 spectators. By the time this chapter was written another 31 had died, many of them in specialised units throughout Western Europe dealing with severe burns. The tragedy happened due to unsuitable sound isolation of the club, a polystyrene mixture which caught fire instantly when touched by sparks from fireworks. The fire spread instantly along the entire ceiling and released deadly fumes, an unseen mixture of many poisons which made many people inside lose consciousness before they could get out, or killed them later, although apparently they had made a lucky and safe escape from the club.

New information about the club emerged during the following days. The club was considered among the best in Romania, but it did not have any proper licence to organise events of the scale of a rock concert (Poenariu, 2015). The Mayor in charge of that part of Bucharest declared that the representatives of the Town Hall could not check the club properly because the work programme at the Town Hall finishes at 17.00 and the Club opened at 18.30. The Inspectorate of Emergencies had refused to provide any licence as the club was not complying with the safety standards (Poenariu, 2015). The firemen who went inside the club declared the club did not have any windows, any airways, and the emergency door was blocked with a steel chain.

All the authorities in charge knew the club was not safe but had turned a blind eye, presumably after receiving bribes, a too well known practice in Romania, but this time, people died. Many of them were students, very popular bloggers and photo-journalists, architects and journalists. All of the sudden death had become very real, and the trauma of seeing people killed in a building which should have been pulled down long ago added to the grievances of

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<sup>42</sup> The factory was called “The Pioneer” and manufactured sport shoes.

<sup>43</sup> The nightclub was called “Colectiv”.

Romanians fed up with corruption who had had to put up with a Prime Minister accused of many counts of corruption, including the plagiarism of his PhD thesis, and of limiting the right to vote of Romanians living abroad, as well with a Minister of Interior, indirectly responsible<sup>44</sup> for the tragedy in the nightclub, who had previously attempted to escape any responsibility for the death of one of his security guards who had died in a motorbike accident while being part of an illegal motorcade ordered by the minister himself.

All these events brought Romanians onto the street in massive protests against corruption, and very soon the Prime Minister, Victor Ponta, resigned together with his entire government. This left the Head of State, Klaus Johannis, in the unhappy position of having to appoint a new Prime Minister to form a new government in a situation where the protesters in the street did not want politicians as Prime Minister Ponta as members of the new government. It had very soon become clear that Romanians could not accept a government formed of representatives from the political parties present the Parliament, as they were completely compromised due to the 73<sup>45</sup> MPs avoiding criminal investigation for corruption thanks to parliamentary immunity. Different variants of action were proposed. One of them was that the MPs suspected or accused of corruption should resign and by-elections should take place. Another one was that the entire Parliament should resign and early elections should take place. The third option was that a government of technocrats should be formed to govern until the general elections next year.

Instead of insisting on the resignation of the corrupt MPs leading to by-elections in which they could not contend anymore, as happened in the UK during the MPs` expenses scandal, the President preferred the third option in which a technocrat government will try to introduce reforms to cut down corruption while needing the vote of a deeply corrupt Parliament to pass the legislation. As a bitter irony, only three weeks after the tragedy in Colectiv Nightclub and the public unrest which led to the resignation of Prime Minister Ponta and his corrupt government, the reprieved Romanian MPs voted against a bill allowing the seizure of the assets from corruption conducted by Romanian MPs under criminal investigation (ZiareLive, 2015)

Romanians` tolerance of corruption is much bigger than that of the British, and it is backed by a system of immunities which keeps corrupt MPs sheltered from legal proceedings. Romania has again wasted a significant opportunity to turn itself around and has chosen instead

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<sup>44</sup> The Inspectorate of Emergencies is an authority subordinating to the Ministry of Interior.

<sup>45</sup> List of criminal politicians: <http://www.scribd.com/doc/289567033/Ini%C8%9Biativa-Romania-list%C4%83-politicieni-penali>

a patchy solution which will give time to corrupt MPs to organise themselves and come back next year when general elections are due, although perhaps not in the front line.

I argue in each of the following case studies that, as part of a Romanian society tolerant to corruption, the Romanian press manages to report corruption but it fails to be part of the solution by holding the political elite to account. I argue that this tendency can be recognised in three ways:

The first is the fact that while the Romanian press should be a strong component of the resistance to corruption, it fails to perform its role as a whistle-blower or as an external mechanism to detect and bring corruption to the knowledge of the public and authorities: the investigative reporting is minimal and most of the content comes from official channels. To demonstrate this statement, news depiction of political corruption in Romania will be explored in order to assess the prevalent cases presented and sources of news corroborated with the content type of news and content coverage by tone.

The second way is the fact that the Romanian press fails to frame political corruption as an emergency that should be a priority for the public and political elite. That is the cases of corruption are not presented by the press in a manner that would indicate a serious debate with potential consequences on the government's practices, while progress in this area comes due to external pressure from the EU. To demonstrate my statement, the frame analysis employed will scrutinise the main aspects of corruption presented by journalists when reporting political corruption, including an overview of the social universe presented by the news (who the main actors are, how are they linked in the political network, how are they presented by the press).

The third way refers to the fact that the Romanian press shows little concern and reflection about any potential lack of ethics, understood as corruption and biased, unethical behaviour affecting journalists reporting political corruption, so drawing attention to the shortcomings within their profession.

#### Chapter 4: Adrian Năstase (Case Study I)

*”(Adrian Năstase) is a case of corruption at the highest level, as the individual involved was not just the leader of a party, he was among the most important representatives of the Romanian political class, the leader of the biggest political party in 2004, acting Prime Minister at that time and the candidate with the highest chance of being elected to the highest office of the Romanian State” (The conclusion of the Judges who sent Năstase to prison for corruption in the Quality Trophy case.)(Popescu, 2012)*



Photo: Adrian Năstase & his wife, Dana Năstase<sup>46</sup>.

Adrian Năstase is one of post-communist Romania's highest ranking politicians. Married twice, each time to daughters of high ranking communists<sup>47</sup> and occupying sensitive public positions<sup>48</sup> during the Communist regime, Adrian Năstase found it easy to climb to the highest political positions during the post-communist transition. During his mandate as Prime Minister Romania became a member of NATO and the accession negotiations with the EU took a positive turn.

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<sup>46</sup>Source:

[http://www.timesnewroman.ro/files/attach/images/stories/adrian\\_nastase\\_dana\\_lucuri\\_invatate\\_inchisoare.jpg](http://www.timesnewroman.ro/files/attach/images/stories/adrian_nastase_dana_lucuri_invatate_inchisoare.jpg)

<sup>47</sup> He was married first to Ilina Preoteasa, the daughter of the Communist Minister of Foreign Affairs, Grigore Preoteasa, between 1955 and 1957. After divorce he married his current wife, Dana Năstase, who is the daughter of Angelo Miculescu, the Minister of Agriculture and Deputy Prime Minister between 1975 and 1981 and Ambassador of Romania in China between 1983 and 1990.

<sup>48</sup> Information from the unofficial biography of Năstase states that he was very trusted by the Communist regime, which sent him as its representative to different international bodies such as the International Institute of Human Rights in Strasbourg, the Norwegian Institute for International Affairs (Oslo), the International Youth Festival in Pyongyang, the Republic of Korea.

Some economic reforms, which led the Romanian economy in a positive direction, are equally attributed to him. Acknowledged for his intelligence as a Professor and Lawyer and recognised as a high-calibre politician, Adrian Năstase has become as well a symbol of arrogance and corruption and a permanent subject of debate for the Romanian authorities each time international bodies took a stand and pointed a finger at Romania's efforts to tackle corruption (European Commission, 2014).

#### 4.1) Methodology

In order to answer the main question of my research, what is the role of the Romanian press in reporting high level political corruption, I am going to use content analysis, which will focus on two aspects.

The first aspect is a frequency analysis, which will answer the following questions:

- Which are the most frequently presented topics about Năstase's corruption?
- What is the content type used for presenting Năstase's corruption?
- What tone was used in presenting Năstase's corruption?
- What are the information sources of corruption coverage in his case?

The second aspect is a frame analysis used in order to reveal latent aspects of content which will give us a clear indication about the mentalities and behaviours of the Romanian journalists. By following the four roles played by frames in a text, defining problems, identifying/diagnosing causes, providing judgement/evaluating actions and justifying/prescribing solutions (London, 1993) the frame analysis conducted will answer the following questions:

- What are the main aspects of corruption presented by journalists?
- What are the suggested ways to think about the problem of corruption?
- Any suggestions about how to remedy the problem of corruption?
- Any journalist ethics?

The paragraph is my unit of research to make sure that all the positions and quotes of actors mentioned in articles are recorded.

Content analysis was conducted on the following:

A) Newspapers and magazines: *România Liberă*, *Evenimentul Zilei*, *Jurnalul Național*, *Gândul*, *Revista 22*.

B) Blogs & Websites: *Contributors* (political debate website), *Tolontan* (the blog of the investigative journalist, Cătălin Tolontan), *Anchete Online* (a blog dedicated to journalistic investigations), *Critic Atac* (blog dedicated to the fight against corruption).

C) Press Agencies: *Hotnews*.

In order to answer these questions, and taking into account the quantity of material that has been produced between 2005 and 2014 about Adrian Năstase's corrupt acts, relevant material was identified by using the following algorithm:

1. On-line research was undertaken to identify all the articles comprising the name "Adrian Năstase". 896 articles were identified.
2. An initial monitoring of these 896 articles was conducted in order to identify all the articles comprising the name "Adrian Năstase" which have corruption as the main topic. Based on this initial monitoring, I identified that the most frequently presented topics about Năstase's corruption are the three corruption cases he was sent to Court for: 116 articles were about the "Trofeul Calității<sup>49</sup>" case, 115 articles were about the "Zambaccian" case and 37 articles were about "Mătușa Tamara<sup>50</sup>" case.
3. As Critical Discourse Moments are essentially moments of discourse crises (Chilton b, 1987), times when "discourse on an issue is especially visible" and "they stimulate commentary in various public forms by sponsors of different frames, journalists and other observers" (Chilton b, 1987), I identified the period between 2012 and 2014 as comprising the moments when the frequency of published material about Adrian Năstase's corrupt acts was highest.
4. As media events are those events which attract particular attention by the media and are characterised by a noticeable intensification of the communicative process, I identified those events linked to Năstase's corrupt acts within the critical discourse moments. These events were preceded or followed by an increase in the frequency of the news items. When this happened, I took into account the preceding of following months as well. As a result, I analysed the news items published during the following months in: 2012 (June), 2013 (February, March, April, June, November, December), 2014 (January, February, March, April, May, June, July, August). A total of 370 articles were analysed.

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<sup>49</sup> Trofeul Calității = Quality Trophy (Eng.)

<sup>50</sup> Mătușa Tamara = Aunt Tamara (Eng.)

Table 4.0: Number of Articles by Newspaper /Blog

RL	EVZ	JN	G	22	Contributor	Tolontan	Anchete Online	Critic Atac	HotNews
171	103	110	125	125	2	0	3	0	257

Table 4.1: Examples of News Coverage

1. *“Motivarea Instanței în Dosarul Zambaccian: Inculpatul Năstase nu a avut nici o rețineră de a acționa în cel mai pur stil mafiot”<sup>51</sup> (Attila B., 2014 în Gândul).*
2. *“Sorina Matei: De fiecare dată când Adrian Năstase a trecut prin momente delicate, Victor Ponta a cedat psihic”<sup>52</sup> (Botezatu C., 2014 în Evenimentul Zilei).*
3. *“O sinucidere cât un plagiat. Lașitatea lui Adrian Năstase”<sup>53</sup> (Câmpeanu C., 2012, România Liberă).*
4. *“Prăbușirea: de la Năstase la Voiculescu”<sup>54</sup> (Cincea M., 2014 în România Liberă).*
5. *“Adrian Năstase a încercat să se sinucidă, 5 pensionari au reușit”<sup>55</sup> (Domnișoru C., 2014 în Vox Publica).*
6. *“Adrian Năstase merge la închisoare. Politicienii îi plâng de milă”<sup>56</sup> (Ciupercă C., 2012)*
7. *“Dosarul Mătușa Tamara – Adrian Năstase: dosar finalizat în 2931 zile de la începerea urmăririi penale”<sup>57</sup> (Hotnews, 2014 în Hotnews).*
8. *Urmașii lui Ceaușescu: Iliescu, Năstase, Ponta”<sup>58</sup> (Tismăneanu, V., 2014 în Evenimentul Zilei).*
9. *“La mulți ani, Adrian Năstase! “Pentru mine fericirea are un gust de libertate combinată cu sentimental de a aparține”<sup>59</sup> (Vintilă R., 2014 în Jurnalul Național).*
10. *“Împăratul ouălor: Contribuții la portretul lui Adrian Năstase” (Tismăneanu V., 2014 în HotNews).*

<sup>51</sup> *“The motivation of the Court in Zambaccian File: Adrian Năstase had no hesitation to act in the purest mobster way”.*

<sup>52</sup> *“Each time Adrian Năstase passed through difficult moments, Victor Ponta lost his temper”.*

<sup>53</sup> *“A suicide as a plagiarism. Năstase’s cowardice”.*

<sup>54</sup> *“The collapse. From Năstase to Voiculescu”.*

<sup>55</sup> *“Adrian Năstase tried to kill himself. Five pensioners managed to do it”.*

<sup>56</sup> *“Adrian Năstase goes to prison. Politicians pity him”.*

<sup>57</sup> *“Aunt Tamara File – File completed 2931 days after the start of criminal investigation”.*

<sup>58</sup> *“Ceaușescu’s decedents: Iliescu, Năstase, Ponta”.*

<sup>59</sup> *“Happy Birthday Adrian Năstase! “For me happiness has a taste of freedom combined with the feeling of belonging””.*

## 4.2) Romanian Press as Part of the Resistance to Corruption

### 4.2.1) The most frequently presented topics about Năstase`s corruption?

The frequency analysis revealed that the most presented topics are all linked to the three big corruption cases for which Năstase was sent to Court. Apart from these three big cases, Năstase is mentioned as well in connection with other corrupt acts he was part of or knew about such as: Rompetrol Refinery, Bancorex, corruption in the Danube Delta, Dacian bracelets, illegal logging concessions in Bucegi mountains, the sale of Elena Lupescu Palace, support provided to the terrorist Omar Hayssam, illegal VAT returns to his aide Ristea Priboi, the corrupt relationship between Prime Minister Năstase and the Prime Minister`s Control Authority, the contract with Bechtel, corrupt acts involving Năstase linked to Corbeanca Timber, the farm in Cornu, the house on Christian Tell Street, the support provided to Dan Voiculescu to illegally privatise the Institute for Food Research (Voiculescu was sentenced to 10 years in prison in this case), real estate from the state patrimony (RAPPS)<sup>60</sup> illegally sold to political clients, importing carcinogenic rockets from the Netherlands, corruption linked to the duty-free shops in the International Airport Henry Coanda (Otopeni), the privatisation of Rodipet<sup>61</sup>, the suicide of the Prosecutor Panait, corrupt acts of his Chief of Cabinet, Remus Truiă, the plagiarism committed by the present Prime Minister, Victor Ponta, the transfer of Ploiești Hippodrome to public property, favouritism for companies working on the reconstruction of Iraq, possible corruption with EU funds for the farm in Cornu and attempts to control the media. One article, an investigation article by *România Liberă*, describes how the Russian Intelligence Services tried to get control over Romania but failed because their facilitator, Adrina Năstase, lost the elections (Gherguț, 2011).

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<sup>60</sup> RA-PPS = Regia Autonomă – Administrația Patrimoniului Protocolului de Stat (Eng Autonomous Authority – The Administration of the Patrimony of the State Protocol). It is an institution founded to manage, to preserve the integrity, and to protect the public heritage of goods that ensure the public services of national interest – representation and protocol for the Senate, the Chamber of Representatives, the Presidential Administration, the Government, and the Constitutional Court, the goods that ensure the proper functioning of the Diplomatic Missions, consular offices, representative offices of the international and inter-governmental organizations licensed in Romania, as well as goods in the property of the state.

<sup>61</sup> RODIPET – the national network of press distribution and express courier.

Table 4.2: Content analysis – Events

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2005	5	9	7	6	2	5	2	8	6	5	10	2	67
2006	13	11	15	3	4	3	1	6	0	0	9	4	69
2007	8	5	4	3	4	7	5	2	3	5	4	2	52
2008	4	4	2	1	6	6	5	2	0	1	9	5	45
2009	5	5	11	2	3	2	4	1	3	5	11	7	59
2010	3	7	3	2	1	2	11	5	1	7	12	2	56
2011	4	5	7	3	3	2	4	3	4	16	8	16	75
2012	8	7	7	3	7	24	9	6	4	5	3	5	88
2013	8	10	31	12	7	11	5	6	6	8	9	21	134
2014	67	7	11	10	18	20	49	69	0	0	0	0	251
												Total	896

### Line of events

**February 2006:** Adrian Năstase is charged with corruption for the first time.

**March 2009:** Adrian Năstase lost his MP's immunity.

**December 2011:** Năstase is acquitted by the Court in the Aunt Tamara Case.

**January 2012:** A former Prime Minister is sentenced to prison for corruption for the first time in Romania. Adrian Năstase is sentenced to prison in the Quality Trophy Case. He appeals against the Court decision.

**June 2012:** Adrian Năstase is definitively sentenced to prison for corruption and attempts suicide.

**March 2013:** Adrian Năstase is released from prison.

**November-December 2013:** The Court reaches a conclusion in the Zambaccian Case.

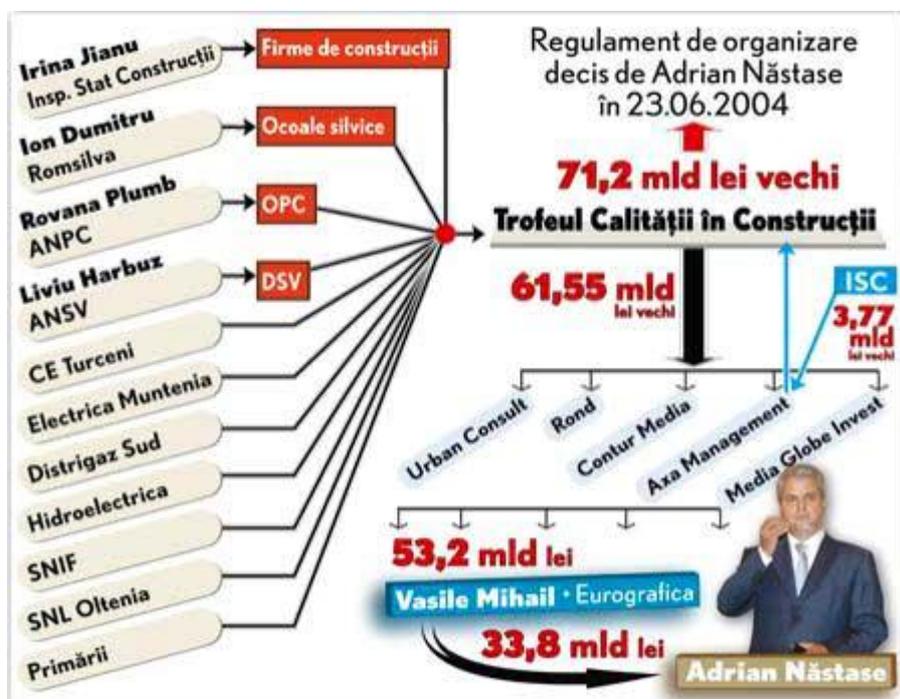
**January 2014:** Adrian Năstase is sentenced to prison.

**July 2014:** Adrian Năstase is released from prison.

Yellow: extra months analysed.

#### 4.2.2) Adrian Năstase – the Court Cases Most Presented by the Written Press

##### The “Quality in Construction Trophy” Case



*The corruption scheme as identified by România Curată*

*(<http://romaniacurata.ro/Năstase-spaga-electorală-si-din-bani-publici/>)*

This case began in July 2008 when the National Anticorruption Department (DNA) started a criminal investigation against the former Prime Minister, Adrian Năstase, for financing his electoral campaign in 2004 with the fees paid by companies which registered to participate to the “Quality in Construction Trophy” competition, organised that year by the State Inspectorate for Construction<sup>62</sup> (ISC).

In May 2010 the National Anticorruption Department (DNA) DNA charged Adrian Năstase with blackmail and taking bribes, and his wife, Dana Năstase, with complicity in bribery and

<sup>62</sup> The State Inspectorate in Construction = Inspectoratul de Stat in Construcții or ISC (ro.) is a governmental body which monitors the quality of construction, urban planning, monitors the market of construction materials and approves investments with public money for construction activities. Its activities spread throughout the entire Construction Industry. It is coordinated by a State Adviser in the team of the Prime Minister.

blackmail. Irina Jianu, the former General Inspector with ISC, was charged with giving bribes and money laundering.

On the 20<sup>th</sup> of June 2012 Adrian Năstase was sentenced by the judges of the High Court of Cassation and Justice<sup>63</sup> (ICCJ) to two years in prison. The decision was final. On the same day, in a failed suicide attempt, Adrian Năstase shot himself while waiting for the police to take him to jail. Dishonesty seems to have plagued his suicide attempt too, as Romanian journalists investigated the circumstances surrounding the failed suicide and discovered that the ambulance which arrived very quickly at Năstase's residence was sent as a result of a direct phone call from someone at the Ministry of Interior, a high ranking old member of PSD, Ioan Rus. The paramedics were forbidden to speak about the events, but journalists managed to find out from their colleagues that "the wound was not profound, the bullet barely grazed him" and Năstase only needed a thin plaster and some hydration to prevent a sudden drop of blood pressure (Befu & Naftanaila, 2012).

Adrian Năstase was transported to the hospital and operated. He stayed in the hospital for six days and then he was transferred to Rahova Penitentiary. Șerban Brădișteanu, Năstase's doctor as well as three policemen were arrested by the DNA for assisting the law breaker Năstase.

In January 2013 the State Inspectorate of Construction (ISC) asked the Sector 1 Tribunal in Bucharest to enforce an order against Adrian Năstase as he owed it Ron 3,300,000.00<sup>64</sup>. Its request was approved.

Adrian Năstase was discharged on 18 March 2013 after spending eight months in jail.

### **The "Zambaccian" Case**

The prosecutors from the National Anticorruption Department (DNA) started a criminal investigation against Adrian Năstase and another six individuals for corruption in February 2006. Năstase was accused that between 2001 and 2004 he used his influence and authority as President of PSD as well as the prerogatives specific to his position as Prime Minister of Romania to obtain undeserved benefits from Irina Jianu. Năstase was accused of receiving \$100,000.00 (representing the value of goods imported from China) and RON 1,200,000.00 (representing the value of materials, Aluminium, wood carpentry and double glazing) used for his house in Bucharest on Zambaccian Street, as well as for his house in Cornu, Prahova

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<sup>63</sup> High Court of Cassation and Justice = Inalta Curte de Casație si Justiție (ro). It is the supreme judicial Court in Romania. Its main purpose is to judge appeals against rulings by the other criminal Courts.

<sup>64</sup> Ron 3,300,000.00 = £ 592,161 (August 2014)

County. In exchange for these benefits, Năstase facilitated Irina Jianu to be appointed and maintained as State General Inspector and President of the Board of State Inspectorate in Construction (ISC). In the same case an investigation took place into the former Romanian Consul in Hong Kong who, due to Năstase's threat to revoke his mandate as Consul, illegally dispatched Chinese merchandise to Romania, as well as the former owner of the land in Zambaccian Street and Miron Mitrea, former Minister of Transportation.

The Judges of the High Court of Cassation and Justice (ICCJ) condemned Adrian Năstase in January 2014 to 4 years in prison and a fine of Ron 1,824,000.00<sup>65</sup> for blackmail and receiving bribes. His wife, Dana Năstase, was accused of complicity in bribery, use of fake documents at the border control and money laundering linked to corrupt acts. She received a suspended jail term of 3 years.

Sector 4 Court in Bucharest decided in July 2014 that Adrian Năstase, condemned to jail for 4 years and 6 months in the "Zambaccian" and "Quality Trophy" cases could be paroled after serving a third of the sentence. Irina Jianu was accused of giving bribes, of inappropriate use of the goods of companies against their own interests, direct link in giving bribes, false signature linked to corrupt acts, use of false documents and money laundering. She was sentenced to 4 years in jail for using fake documents at the border control (Avram, 2013).

### **"Aunt Tamara" Case**

This criminal case was preceded by a scandal which started at the end of 2005, when Năstase's wealth declaration submitted to the Chamber of Deputies indicated that he had inherited from Tamara Cernasov, his wife's aunt, money, jewellery and real estate valued at \$1million.

In January 2006 journalists from *Evenimentul Zilei* started a campaign focused on aunt Tamara and the inheritance left to Năstase's family. Information appeared that Dana Năstase was investigated by the National Office for Preventing and Combatting Money Laundering (ONPCSB) for a bank transaction of \$400,000 made in 1999 (*Evenimentul Zilei*, 2006). *Evenimentul Zilei* reported that the documents stating the source of this money had simply disappeared from the investigation file (*Evenimentul Zilei*, 2006).

DNA started criminal investigation against Adrian Năstase in May 2006. Năstase was sent to Court in May 2007 for giving bribes. Other defendants in this case were Ioan Melinescu - former President of the National Office for Preventing and Combating Money Laundering

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<sup>65</sup> Ron 1,824,000.00 = £ 327,304 (August 2014)

(ONPCSB)<sup>66</sup> who was accused of stealing or destroying documents, taking bribes and divulging information – and Ristea Priboi – former MP in the Chamber of Deputies between 2000 and 2004, accused of complicity in taking and giving a bribe. The case was closed in September 2012, 2142 days (Hotnews b, 2014) after the criminal investigation started. All the defendants were acquitted.

The facts of the file state that one of the first decisions made once Adrian Năstase had become Prime Minister was to replace Adrian Cucu, the Head of ONPCSB with Ioan Melinescu. According to the DNA Prosecutors, one month before Năstase became Prime Minister, Melinescu (who was a member on the board of ONPCSB) and Năstase had a meeting during which Melinescu informed the future Prime Minister that ONPCSB was working on a case against Dana Năstase as she had deposited \$400,000.00 in a bank account at HVB Bank. Melinescu promised Năstase to block the case until after the elections and after being appointed as President of ONPCSB he would steal the file and give it to Ristea Priboi, one of Năstase's close advisers. Genică Boerică, a controversial business man, witnessed the meeting and he appears in the files as a witness for the prosecution.

The information from the file stolen by Melinescu would have demonstrated that the amount deposited by Năstase's wife was not justified by their incomes: according to the sale contract attached by the depositor the amount of \$400,000.00 deposited in cash originated from the sale of jewels, paintings, papyrus and other valuable goods by Dana Năstase's aunt, Tamara Cernasov, who had a power of attorney on the personal bank account of Dana Năstase. According to this document 11 valuable paintings, 3 English manuscripts on parchment dated 1784 – 1827, Doum Nancy and Lalique vases, valuable furniture and 30 pieces of gold jewellery weighing 600 grams were in the apartment of Tamara Cernasov, who was 91 and lived alone. There were no clear proofs these goods were the property of the vendor, as Tamara Cernasov didn't show the Notary any document to certify ownership but only a declaration of good faith.

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<sup>66</sup> ONPCSB = Oficiul Național pentru Prevenirea și Combaterea Spălării Banilor = National Office for Preventing and Fighting against Money Laundering (En).

#### 4.2.3) The content type used for presenting Năstase`s corruption

Most of the information about Adrian Năstase is presented as News (53%), followed by Event type reporting (25%), Editorials (10.5%), Reportage (2.1%), Investigation (1.6%), Interviews (0.8%) and Systemic analysis (0.5%). The fact that the main types are news, events and editorials indicates clearly that the Romanian press does pay attention to the topic of corruption by the former Prime Minister and comments on it, but the low scores registered by investigation and reportage indicate that no deeper research or analysis into the seemingly corrupt acts have been done.

Table 4.3: Corruption Coverage by Content Type

Content Type	Number	Percent
Investigation	6	1.6%
Systemic Analysis	2	0.5%
Editorial	39	10.5%
Event	94	25%
Reportage	8	2.1%
Other topics	21	5.6%
News	196	53%
Interview	3	0.8%
Total	369	100%

#### 4.2.4) The tone used in presenting Năstase`s corruption?

More than half of the content about Năstase is presented in a negative tone (51%), followed at a long distance by neutral tone (38%). Only 11% of the content was delivered in a positive note.

Table 4.4: Content Coverage by Tone

Tone	Number	Percent
Positive	42	11%
Negative	188	51%
Neutral	139	38%
Total	369	100%

#### 4.2.5) The information sources of corruption coverage in Năstase`s case

The most frequent sources of information are the Romanian institutions of the legal system such as the Court, the Prosecutors` Office and Police (34%) and journalists following the Court cases Năstase was involved in. Politicians are a source of content as well (31%) due mostly to their declarations.

Experts in different fields linked to Năstase`s corruption cases are the least used source for information (3%). Oppositional voices which form a support group for Adrian Năstase are part of these sources, particularly newspaper Jurnalul Național, Antena 3 TV Station and their owner, politician Dan Voiculescu, as well as politicians Victor Ponta. These oppositional voices will be explored in the second part of this chapter.

Table 4.5: Corruption Coverage by Information Sources

Information Sources	Number	Percent
Police/Court / Prosecutors` Office	135	34%
Politicians	112	28%
Experts	10	3%
Journalists	125	31%

Anonymous or other sources	15	4%
Total	397	100%

### 4.3) Political Corruption Presented as an Emergency to be Addressed (Frame Analysis)

If frames are central organising ideas for making sense of relevant events and suggesting what is at issue and, news and info have no intrinsic value unless embedded in a meaningful context which organizes and lends its coherence (London, 1993), what did the episodic, personality and thematic frames focus on in the case of Adrian Năstase or, put it in a different way, what are the main aspects of corruption presented by journalists when reporting the case of Adrian Năstase?

A total of 3,418 frame units were identified: 71% (2,438) are episodic frames, 22% (768) are personality centred frames and only 6% (212) are thematic frames.

Table 4.6: Corruption Coverage by Episodic/Personality Centred/Thematic Frames

Frame Types (Units)	Number	Percentage
Episodic	2,438	71%
Thematic	157	6%
Personality centred	768	22%
Total	3,418	100%

#### 4.3.1) Episodic Frames

##### A) A Prime Minister in Court procedures.

In the process of the press informing the public about Năstase's corrupt activity, *most of the episodic frames* focused on Court activity (50% - 1,228 units): 35% (860 units) focused on Court procedures during Năstase's trials, 13% (328 units) focused on Court decisions and motivations and 2% (40 units) mention the Judges who declared Năstase guilty of corruption

and sentenced him to prison. The units describe in detail all the steps followed during the procedures, lacking any comments of the journalist reporting.

*B) A Prime Minister`s corrupt activity.*

The frames focused on Court activity are followed at a large distance by those focused on Năstase`s corrupt activity (19% - 454 units). 16% (384 units) describe Năstase`s corrupt acts, 0.3% (8 units) talk about consequences of corrupt acts and 3% (66 units) are linked to corruption cases of others. Most articles present Năstase`s corrupt acts as discoveries made during the Court trials.

15% (370 units) are dedicated to those who facilitated Năstase`s corrupt activity: 7% (178 units) just mention the facilitators, particularly his wife, Dana Năstase, and the officials Irina Jianu and Ioan Păun. 6% (158 units) mention the type of corrupt activity they undertook and only 1% (34 units) explain why they did it. The reasons the facilitators proceeded with corrupt acts can be organised in three categories: the wish to be appointed and maintained in public offices such as Irina Jianu who wanted to be the Chief Inspector at the State Inspectorate in Constructions, fear as in the case of Cristina Popa, who declared during the Court hearings that “the import of goods from China was done unlawfully. I made the false invoices at the request of Irina Jianu as I was afraid. The delivery notes were not real” (Stoica a, 2013) and pecuniary rewards in the case of the other facilitators, Irina Jianu and Ioan Melinescu.

*C) A Prime Minister upset with the legal system*

10% of the frames (232 units) show the suggestion made either by Năstase or his supporters that the legal system in Romania is used as a political tool and 3% (66 units) mention other remedial actions such as Năstase being fired from the position of Professor at the Law University in Bucharest and losing his rights to practise as a barrister as well as his position with the Bucharest Bar.

*D) Journalists and experts criticizing Adrian Năstase.*

5% (42 units) present journalists and experts criticizing Năstase. Professor and political analyst Alina Mungiu Pippidi declares that “Năstase and loyalties towards such types of human or politics belongs to the past” (Mungiu-Pippidi a , 2014) after noticing that the anti-corruption legislation was adopted in Romania due to the fact that Adrian Năstase convinced his supporters in 2003 that without it Romania would not be accepted in the EU and it was applied because President Traian Băsescu supported the Minister of Justice, Monica Macovei, and Daniel Morar (Chief Prosecutor of the National Anti-corruption Department DNA). Adrian Năstase got to be sentenced himself due to the fact that Mircea Geoană (the President of PSD

after Năstase lost the presidential elections) managed to get PSD MPs to vote for Năstase's MP's immunity to be revoked (Mungiu-Pippidi b, 2014).

Political analyst Vladimir Tismăneanu calls Năstase “a Julien Sorel of dynastic Communism”, “a paradigmatic case of hubris, a delirium of grandeur and a suicidal narcissism to which, in a toxic combination, should be added a unique rapacity, an unsated appetite to become rich” (Tismăneanu a, 2014)

Journalists Cristian Tudor Popescu appreciated the decision to send Năstase to prison as being correct and wanted to ask Năstase if he was considering whether to commit suicide following the second conviction too (Macarie, 2014).

### **4.3.2 Personality Frames**

#### *A) A Prime Minister - official symbol of corruption and greed*

*Most personality frames* describe Năstase's negative traits (25% - 191 units) while only 15% (118 units) present him in a positive light. An interesting aspect is that although there are editorials talking about Năstase's negative character traits, such as his corruption, notorious arrogance (he is called “He himself”, “the Emperor of Eggs”) and cupidity, a major part of the frame units (45%) repeat parts of the court motivation accompanying the prison sentences. Năstase is seen by Judge Ionut Matei as “the embodiment of corruption within the Romanian political class”. The Court reminds that the facts of Năstase's case put it at the highest level of corruption, as those involved were a Prime Minister who used public office to obtain economic benefits from public servants who chose to behave this way more or less of their own free will in order to make sure they kept their public offices.

Năstase's acts are considered by the Court to be beyond the classic corruption understood as giving and receiving bribes. His facts include as well other criminal acts associated to corruption (such as blackmail) or directly linked to corruption (such as money laundering and false accounts) or provided by special laws (such as using false documents at a border control). The Court thinks that this multitude of criminal acts, developed during a long period of time (2 years), shows the defendants' wish to hide the serious acts of corruption done by Adrian Năstase as Prime Minister, helped by his wife, and then, after their disclosure, their wish to hinder or to obscure their revelation.

Năstase is seen as not having any inhibition in acting in the purest mafia way. The Court motivation points out as well that his insincere behaviour during the trial, coupled with the permanent attempt to present himself as a victim of Justice and to give a political

connotation to any judicial process against him, demonstrate that he did not understand the importance of the social values affected by his criminal behaviours nor the way the state of law works, preferring to look for scapegoats beyond his person (Attila, 2014).

Due to his corrupt behaviour, Năstase is considered to be a “monster of polished greed” (Toma, 2013), a “thief with vanities and a big ego” (Toma, 2013), he is the “Renaissance portrait of the most industrious thief Romania has ever had” (Toma, 2013), he is the “embodiment of corruption in politics”, “He is an insightful charlatan, juggler, pervert, and slippery with standards, style and crime, subtleties probably gained absolutely excruciatingly by belonging to certain minorities! He is at the same time ingenious, a strategist and cunning as he gambles massively on the rocky imbecility of the masses as well as on the collective memory which is extinguished faster than a burning coal thrown in the wate” (Toma, 2013).

He is seen as well “a deplorable case of self-corruption, of self-destruction, of real political suicide” (Tismăneanu b, 2014). His rapid wealth is based on greed and he “gathers useless things because he is empty inside, but he takes care to give the impression of elegance and refinement on the outside” (Toma, 2013).

#### *B) A Prime Minister with good behaviour in prison*

Frames presenting Năstase in a *positive light* present mostly declarations of other PSD members about Adrian Năstase as well as positive feature presented by the Court in the motivation to the decision to release Năstase from prison early. Năstase is seen by the judges as having very good behaviour during detention due to the fact that he participated in educational activities, wrote three scientific papers and was rewarded eight times.

#### *C) A Prime Minister with few political supporters*

19% (147 units) are about politicians supporting Adrian Năstase. All of them are PSD members who consider Adrian Năstase to be “the best Prime Minister Romania has ever had” (Prime Minister Victor Ponta), “a political convict, a case comparable to Iulia Timoshenko” (Prime Minister Victor Ponta), a “high calibre politician”(Valeriu Zgones, PSD MP), “a very strong voice in the Romanian public life today” who will manage to “influence certain decisions in the party through his personality” (Victor Hrebenciuc PSD MP), “an intellectual with competences which need not be argued, a human who has an opinion, a human who read and has been reading a lot, a human who has the capacity to be always creative(...)” ( Ecaterina Andronescu, PSD Vice-President), a politician from whom Prime Minister Victor Ponta has always had lots of things to learn and who will remain “the same model of wisdom and political maturity” (Prime Minister Victor Ponta) , a “real statesman”(former Prime Minister Tăriceanu).

Ion Iliescu (PSD, former President of Romania) declares he would have pardoned Năstase. Another PSD Vice-President, Marian Vanghelie, declares that the prison sentence was too much and sending Năstase to prison created a dangerous example: “What is happening now is the creation of a very dangerous example. Nowhere in the EU, no former prime-minister of politician of Năstase’s calibre passes through similar experiences. I think it is too much, no matter what he did, good or bad. Irrespective of the fact that he is guilty and he has to pay. I think we are creating now a very dangerous example and this will not help democracy in Romania at all”.

*D) A Prime Minister with even fewer political critics.*

Only 5% (36 units) are units presenting politicians criticizing Năstase. Former Minister of Justice, Monica Macovei, thinks that “too many people from the Communist period, such as Năstase, have power, and this led to the contamination of the political class”. She underlines as well that “it would be a shame for Romania if people such as Năstase will still have a role in politics and it is a shame as well that during his prison term he gave political advice and commented on what happened in Romania’s public life”.

10% (80 units) are dedicated to Năstase’s suicide attempt and 7% (57 units) refer to Năstase’s political declarations.

*E) An upset Prime Minister in prison*

Năstase in prison and Năstase’s declarations about the Court decisions have each 5% (37 units).

*Adrian Năstase’s prison sentence* is seen as being “horrific and just”, and as having cancelled his political future (Pippidi Mungiu a, 2014) not a political condemnation (Câmpeanu, 2013). He is a real and convicted criminal who likes to call himself “politically convicted” (Cautiș, 2014). Adrian Năstase had to be sentenced to prison because his family had always had public functions, hence he could not justify the big wealth displayed, as no honest person working in a public office can get so wealthy (Pippidi Mungiu a, 2014).

Those supporting him are “only a gang of politicians and leaders of opinion he fed while he was Prime Minister” (Pippidi Mungiu a, 2014). Attention is drawn to the fact that even though he did many good things for Romania as Prime Minister “he chose as well to do some bad things. This was his choice, and presenting Adrian Năstase’s mandate only with its positive features is dishonest” (Pippidi Mungiu a, 2014).

*His condemnation* is seen as a success for the legal system and a lesson for politicians from which the entire political class should learn (Avram, 2014). Nonetheless “Adrian Năstase

represents for Romania the end of a terrible fight the legal system has been having with the political realm” (Botezatu, 2014)

Năstase`s condemnation is as well an opportunity to draw attention to the political irresponsibility of Romania`s leaders who do not fear “sanctions from their internal public. This public is convinced, thanks to the never-ending manipulation campaigns, that Adrian Năstase is the victim of Traian Băsescu, that he was sentenced in an unjust way, that he is a political convict, that everything is a dirty vendetta as the former Prime Minister says” (Tapalagă a, 2014).

#### *F) A corrupt Prime Minister as a symptom of a wider problem*

Only 0.3% (3 units) describe Năstase as a symptom of a wider problem. It is mentioned that the decision in the “Quality Trophy” case represented a crucial test for the Romanian legal system in its fight with high corruption, and its importance is underlined as well by the attention paid by European and American officials to this case (Ciuperca a, 2012). The press quotes as well the Court`s motivation for the sentence in the “Quality Trophy” case, which says that “the corruption of the political class in Romania personified by Adrian Năstase in 2004 is a phenomenon which can`t be tolerated by Romanian society, and the legal system is obliged to respond firmly each time it deals with such a case, as a proof that the state of law is not an illusory matter, and it works to the benefit of its own citizens” (Ciuperca b, 2012).

### **4.3.3) Thematic Frames**

Although it would have been expected that an episodic case such as Adrian Năstase might generate a larger debate at a systemic level, hence *thematic themes*, only 157 frames were identified. 95% (149 units) are about the legal system and political corruption, 5% (8 units) talk about attacks against the legal system.

#### *A) Legal system and political corruption*

Adrian Năstase and Dan Voiculescu are presented as powerful men who put their stamp on Romanian politics, justice and media. The powerful Dan Voiculescu is seen as the result of making his media trust obey political commands, while the powerful Năstase was created by using the levers of power he obtained as head of government and head of party. He was the creation of his party as well as of the political system. As a result, he encouraged and took advantage of an institutionalised corruption and politicised the legal system profoundly (Cincea, 2014).

Attention is paid to the Romanian collective mind, where there is the strong idea that as long as the politicians steal to become rich, the regular citizens are going to be forgiven for small thefts from the state budget. This is seen as a trap, as the appetite to tolerate high level corruption would decrease considerably if the population were to be held accountable for tax evasion, fraud and bribery (Domnisoru, 2014).

Attention is paid as well to the process of modifying laws in order to get corrupt politicians out of prison. The mentioned laws refer to: a) changing the definition of conflict of interests so that contracts of public acquisitions signed by public servants who have a personal interest (such as the public servant signing an acquisition contract with the company led by his son or wife) are not to be considered a conflict of interests anymore, b) changing the status of MPs so that they would not be considered similar to public servants, with the result that the legal system could not investigate them for abuse, traffic of influence and taking bribes linked to their positions, c) the draft stipulating amnesty for infractions punished with a maximum of 6 years in prison and pardon for those punished with a maximum of 7 years in prison, both maximum punishments for corruption. These changes are seen as attempts to create for MPs a legal shield against the legal system by limiting the powers of the institutions of the anti-corruption system as well as by allowing Parliament to control some of these institutions (Lupea, 2013).

The wave of changes in the anti-corruption legislation is seen as the system fighting back: in November 2013 alone the Court handed down 23 definitive criminal sentences, which sent to prison 90 very important people. The new laws are seen as the result of negotiations between groups of interests given that most MPs got elected due to the support of the local oligarchy (the so called “local baron”), an oligarchy which knows it will receive generous funds for the electoral year 2014 and does not want to be disturbed by the anti-corruption bodies (Guran, 2013).

#### *B) Attacks against the legal system*

One of the constant attacks against the legal system is the accusation that the National Anticorruption Department (DNA) is manufacturing political files. It is an accusation largely promoted by Adrian Năstase, Dan Voiculescu and their supporters, who consider the prison sentences for corruption to be the personal revenge of President Băsescu, and DNA a tool in his hands. On the other side, these attacks are seen as a desperate attempt to save the status-quo and reinstate the corrupt system created after 1989 (Câmpeanu, 2012) in which politicians in high positions, such as Năstase, could afford to play power games and expect detailed reports about their corruption files from the Chief Prosecutor in person.

#### 4.4) Lack of Ethics within the Romanian Press

1% of the episodic frames are about journalist`s ethics and media as a political tool. Only 2% (13 units) are about journalists supporting Năstase.

*Journalists backing Năstase and journalist`s lack of ethics.*

A good example of journalistic lack of ethics as well as Communist wooden language is provided by the tribute article published by Jurnalul National on the occasion of Năstase`s first release from prison: “Adrian Năstase`s nightmare which started on 21 June 2012 has finished! Romania`s former Prime Minister tastes the first day of freedom after his time in prison at Jilava Penitentiary as a result of the judicial masquerade over the “Quality Trophy”. Adrian Năstase, the political prisoner of Traian Băsescu`s regime, proved as well during the tough circumstances he passed through his intellectual and moral superiority compared to the detestable brigade of tormentors who wanted him defeated, destroyed as a human being, exhausted as a politician and drained as a Professor. The most effective Prime Minister of post-communist Romania is getting out from prison enforced by the solidarity of his friends, protected by the warmth of his family and, most important, aware of the feeling that his innocence is supported now by millions of people. Jurnalul National`s campaign to break down the accusations of the National Anticorruption Department (DNA)`s prosecutors, as well as the unjust verdict of the High Court of Cassation and Justice, have had, we think, effect. The verdict of conditional release does not erase the responsibility belonging to Băsescu`s supporters who instrumented the judicial farce of a detestable trial meant to crush the strongest political adversary of the un-lawful President Băsescu. The first day of liberty has the bitter-sweet taste of a battle won with much endurance against a reprobate machine. Attention! The hellish mechanism did not stop once Adrian Năstase was released. Under the umbrella of a fight against corruption, Băsescu`s guillotine is set to make other victims, using the same procedures and the same unscrupulous lieutenants used against Adrian Năstase!

Signed: Jurnalul National” (Jurnalul National b, 2013).

The same newspaper published a special, reverential article dedicated to Năstase on the occasion of his birthday (Vintila R, 2014).

Laurențiu Mișu, România Liberă, draws attention to the degree to which the media got involved in celebrating Adrian Năstase`s first release from prison: the show organised to honour Năstase`s return to freedom benefitted by the “involvement to the point of absurdity of the media trust controlled by Dan Voiculescu (apart from the madness of Antena 3, Jurnalul National dared to compare Adrian Năstase`s destiny with the one of Iulia Maniu and others

killed in the Communist prisons), as well as by the contribution of a public institution, the public TV channel – TVR whose servility made headlines between 2000 and 2004 when, using public funds, it turned the Prime Minister into an idol with the air of a Prince” (Mihu, 2013).

Cristian Câmpeanu, Editorialist at *România Liberă*, analyses Adrian Năstase’s interview after his release from prison. He considers that the interview was an act of “public obscenity” and its manipulative scheme originates in Hitler’s propaganda. The editorialist recalls that according to Hitler the best propaganda needs to be based on a “great lie, such a revolting lie that no decent and rational person could accept”, Năstase built his interview on a revolting lie, appealing to the feelings of the masses and not their brains (Câmpeanu, 2013).

Journalist Ion Cristoiu approaches the problem of ethics by ridiculing the interview done by Antena 3 with Adrian Năstase by comparing it to very low taste TV shows: “Adrian Năstase hurried to take part in the *Sinteza Zilei* show on Antena 3. After 300 days of silence he was set to lose his media virginity with Mihai Gâdea, Dan Voiculescu’s mouthpiece. In loose TV shows from some TV channels you can often see low quality starlets paid to describe the ordeals (awful ordeals, they think!) they have been passing through after being dumped by the thirteenth footballer. Positioned as comfortably as possible for the viewers who masturbate, the starlet is working hard to look as bereaved as possible while her nerves are about to explode because she has asked too little money for her live broadcast. The journalist pretends to be impressed to tears although deep in her mind she is asking herself if it is worth sleeping with the new Chief Editor. This is how *Sinteza Zilei* with Adrian Năstase and Mihai Gâdea was on Wednesday night” (Cristoiu, 2013).

Ion Cristoiu continues by explaining that the entire media show was prepared with the purpose of turning Adrian Năstase from a convict for corruption into a saleable political product: “as in the case of TV shows with starlets paid to grieve during the live broadcast, it was obvious from a mile off that both, the guest and the reporter, were pushing hard to find proofs from Năstase’s time in prison in order to advertise and sell Năstase as a victim who needs to be felt and, of course, voted for”(Cristoiu, 2013).

Cristoiu draws attention as well to the journalist’s lack of ethics as biased behaviour: “Mihai Gâdea assumed the role of the old hag who commiserates over the fence with the female neighbour pregnant and dumped by her husband. He (Mihai Gâdea) was watching Năstase with the wet eyes of a sad calf who did not know who his dad was in the entire herd. He (Gâdea) was asking kitschy questions which resulted in crazy and involuntarily comic sequences” (Cristoiu, 2013).

Evenimentul Zilei states that “Jurnalul National published the interview with Adrian Năstase as it is one of the clients the state companies used to feed with billions of money invested in advertising when Adrian Năstase was Prime Minister” (Evenimentul Zilei, 2013).

Journalist Cornel Nistorescu took a stand against Antena`3 attempt to portray Adrian Năstase as a victim: “(...) I like to think it is an exaggeration, that many people have exaggerated about Adrian Năstase, and a race which has not finished yet seems to have transformed him into a winner. He is not a winner yet. His race has not finished. We are confronted with an excess of pathos. I saw on TV today a president from Organisation 31 from Sector 1, who was telling us that he was born today for the second time, that he is the spiritual child of Adrian Năstase. People, let`s be serious!” (Musat, 2013).

Under 1% of the units focused on: solution to the problem of Năstase`s corruption and declarations of experts. Just 0.2% (6 units) mentioned Adrian Năstase`s fortune.

#### **4.5) Conclusions**

The Romanian press presents Adrian Năstase as a corrupt Prime Minister dragged through Court proceedings and upset with a legal system that wants to hold him accountable for his acts. The press devotes a lot of space to the Court proceedings as well as the corrupt acts, mentioning as well the facilitators and their reasons.

The researched material describes the court proceedings, the corrupt acts and the facilitators, and it is a medium for transmitting the support as well as the criticisms of journalists and politicians.

From the point of view of the latent point of communication, the analysis clearly indicates the Romanian press is not a monolithic block, as its different sides present corruption according to their own interests. We could easily see from the results of the content analysis that while most of the written press condemns Năstase`s corrupt behaviour and supports the justice of his prison sentence, it takes at the same time a clear stand against the journalists from Jurnalul National and Antena 3, both owned by Dan Voiculescu`s media group “Intact”, which have showed an un-reserved and unlimited support for Năstase.

It is easy to see that Adrian Năstase is backed by a very controversial part of the media due to its owner, politician Dan Voiculescu, who, like Adrian Năstase, complains about being politically harassed via the legal system. Backing Adrian Năstase is as well an opportunity to look at the ethics of the journalists belonging to Voiculescu`s media Trust (Jurnalul National,

Antena 3 TV), especially by contrast with those criticising him. It is easy to see as well that Năstase has relatively little support among politicians. His biggest supporter is Prime Minister Victor Ponta, his “political child”. Ponta owes Năstase his political career as well as his academic achievements, as Năstase coordinated his controversial, plagiarised PhD thesis.

A very big contrast is visible throughout the researched material between Năstase, the powerful politician and Năstase’s image presented by the press by publishing the motivations of the Court decisions, a strong dichotomy between “He himself” and the image of a common criminal. Although the Romanian press clearly reports corruption, the researched material does not contain any obvious suggestions about ways to think about the problem of corruption, apart from the suggestion made by the thematic units that corruption is part of the Romanian collective mind and change has to start with each member of society.

From the perspective of a press, part of the solution, it would have been expected that Adrian Năstase’s prison sentences for corruption should have generated a strong debate about the problem of political corruption in Romania, which could have been quantified via thematic frames. In fact, nobody actually discusses the problem of political corruption. Journalists write about what Năstase did, what he says, how he is, who backs him and how, but there is no real debate, no real dialogue or monologue about political corruption, what it means, what its effects are and what would be the solutions to remedy it. It is in fact a behaviour which keeps the line indicated by journalist Matei Udrea, quoted in the second chapter of this thesis, about what happens in the scientific Romanian world related to the study of corruption:

“It is difficult to find a specialist in corruption in Romania. Scientists start dialog with an honest warning: “We haven’t studied the phenomenon! It is a paradox: we have to deal daily with this plague, foreigners talk about it, we talk about it, it affects our everyday life, but few are those who put it under the magnifying glass of science” (Udrea, 2013).

A symptom of this lack of real debate is that some editorials are published on most of the researched websites and blogs almost as if trying to fill the space for debate with the episodic case of Năstase, instead of seeing the problem in perspective as well. Another symptom is the fact that most of the episodic frame units were about the Court proceedings, which confirms what one of the interviewed journalists, Mihai Tatulici, stated about the Romania press: there is no news in the Romanian press. Everything is a report about what the Court did, what the Court said, etc. We could almost say that Năstase’s prison convictions for corruption are a missed opportunity for a real debate about political corruption in the Romanian press.

## **Chapter 5: Dan Voiculescu (Case Study II)**

As with the previous case study, I argue that, as part of a society tolerant to corruption, the Romanian press manages to report corruption but it fails to be part of the solution by holding the political elite to account. As in the previous case study, I argue that this tendency can be recognised in three ways:

The first is the fact that while the Romanian press should be a strong component of the resistance to corruption, it fails to perform any role as a whistle-blower or as an external mechanism to detect and bring corruption to the knowledge of the public and authorities: the investigative reporting is minimal, and most of the content comes from official channels. To support this statement, news depiction of political corruption in Romania is explored to assess the prevalent cases presented and sources of news corroborated with the content type of news and content coverage by tone.

The second way is the fact that the Romanian press fails to frame political corruption as an emergency that should be a priority for the public and political elite. That is the cases of corruption are not presented by the press in a manner that would indicate a serious debate with potential consequences for the government's practices, while progress in this area comes due to external pressure from the EU. To support my statement, the frame analysis employed will scrutinise the main aspects of corruption presented by journalists when reporting political corruption, including an overview of the social universe presented by the news (who the main actors are, how are they linked in the political network, how are they presented by the press).

The third way refers to the fact that the Romanian press shows little concern and reflection about any potential lack of ethics, understood as corruption and biased, unethical behaviour affecting journalists reporting political corruption, so failing to draw attention to the shortcomings within their profession.

### **5.1) Methodology**

#### **A) Frequency Analysis**

- Which are the most frequently presented topics about Voiculescu's corruption?
- What is the content type used for presenting Voiculescu's corruption?
- What tone was used in presenting Voiculescu's corruption?
- What are the information sources of corruption coverage in his case?

The following steps have been accomplished:

5. On-line research was undertaken to identify all the articles containing the name “Dan Voiculescu”. 1,504 articles were identified.
6. An initial monitoring of these 1,504 articles was conducted in order to identify all the articles comprising the name “Dan Voiculescu” which had corruption as the main topic. Based on this initial monitoring I identified that *the most frequently presented topic about Voiculescu’s corruption* is the privatisation of the Food Research Institute (383 articles). A significant numbers of articles were registered for issues such as: the media blackmail that Voiculescu and his daughter, Camelia, were involved in (82 articles); corrupt judges linked to Voiculescu’s court cases (56 articles); Voiculescu’s involvement with the former Communist Securitate (36 articles) and Voiculescu’s involvement in the Communist Securitate’s business activities (20 articles).
7. As Critical Discourse Moments are essentially moments of crisis (Chilton b, 1987), times when “discourse on an issue is especially visible” and “they stimulate commentary in various public forms by sponsors of different frames, journalists and other observers” (Chilton b, 1987), I identified the period between 2011 and 2014 as comprising the moments when the frequency of published material about Dan Voiculescu’s corrupt acts was highest (626 articles).

Table 5.0: Number of Articles by Newspaper / Blog

RL	EVZ	JN	Gandul	22	Hotnews
352	289	130	189	214	330

Table 5.1: Critical Discourse Moments

Year	RL	EVZ	JN	G	22	HotNews	TOTAL
2005	6	0	0	0	3	13	22
2006	13	7	2	3	3	14	42
2007	18	3	1	1	7	7	37
2008	11	2	6	3	4	4	30
2009	8	3	4	5	8	8	36
2010	17	11	7	0	1	12	48
2011	35	25	10	14	8	35	127
2012	65	45	5	36	31	43	225
2013	94	81	30	58	59	79	401
2014	85	112	65	69	90	115	536

Total: 626 Critical Discourse Moments: 2011, 2012, 2013, 2014

8. As media events are those events which attract particular attention by the media and are characterised by a noticeable intensification of the communicative process, I identified those events linked to Voiculescu`s corrupt acts within the critical discourse moments. These events were preceded or followed by an increase in the frequency of the news items. When this happened, I took into account the preceding of following months as well. As a result, I analysed the news items published during the following months in: 2013 (July, September, October), 2014 (April, May, June, July, August, September). A total of 363 articles were analysed.

Table 5.2: Content Analysis - Events

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
2011	2	1	12	3	6	8	2	2	3	5	3	5
2012	9	7	5	3	16	13	9	4	12	5	13	10
2013	27	18	21	17	26	19	2	17	37	32	22	11
2014	13	10	16	37	32	21	85	100	58			

## LINE OF EVENTS

**September 2013:** Voiculescu is sentenced to 5 years in prison. The Court decision is not final.

**October 2013:** Voiculescu and his daughter are sent to Court for blackmail involving Voiculescu`s media group, Antena Group.

- Voiculescu announces he intends to start the procedures for suspending the Head of State for the third time.

**April 2014:** First Court hearing in Voiculescu`s corruption file.

- Voiculescu launches his book: “The Social Democrat Union – the idea that brought President Traian Băsescu to his knees”.
- Evenimentul Zilei daily discloses that Voiculescu was a business partner of the former Communist Security and had knowledge about their secret bank accounts. EVZ provides information about the confidential commissions paid by Voiculescu.
- The Judge from the Appeal Court who is supposed to sentence Voiculescu is arrested for corruption on the day Voiculescu`s verdict is due. An entire corruption network among judges is discovered.
- Voiculescu loses the trial started by his cousin for providing the Communist Security with information about her.

**May 2014:**

- More information emerges about the corruption of the Appeal Court judge.
- More information emerges about the businesses developed by Voiculescu with the Communist Security.

**June 2014:** One of the judges who should sentence Voiculescu for corruption retires.

**July 2014:** The Court decides Voiculescu should continue to be criminally investigated.

**August 2014:** Voiculescu is sentenced to 10 years in prison for corruption. He is put in prison.

Table 5.3: Examples of News Coverage

1. *“EXCLUSIV. INTERCEPTĂRI. Cum l-a obligat judecătorul Mustață pe MEME STOICA să-I dea mită dacă vroia să iasă din pușcărie”<sup>67</sup> (Gherguț O., 2014 in România Liberă).*
2. *“Portret. Dan Voiculescu, mărirea și decăderea unui mogul. De la brokerul de putere care a suspendat președintele României la zece ani de pușcărie”<sup>68</sup> (Hotnews, 2014 in Hotnews).*
3. *“EXCLUSIV EVZ. Dosarele ICE DUNĂREA. Misiunea lui Dan Voiculescu in afacerile Securității. Tranzacția ratată cu tancuri”<sup>69</sup> (Sica I., 2013 in Evenimentul Zilei).*
4. *STENOGRAME: Interceptări despre DOSARUL ICA. Judecătorul Dan Mustață, acuzat de CORUPȚIE, voia să dea soluție favorabilă lui Dan Voiculescu: “Și, bă, in caz de ceva.... Că e loc!”/” Da, da, da. Da!”<sup>70</sup> (Stoica I., 2014 in Evenimentul Zilei).*
5. *Judecătorul Stan Mustață, revoltat de fraudă lui Dan Voiculescu. “60 de milioane să iei cu 100 de mii? Aș lua și eu!”<sup>71</sup> (Stoica I., 2014 in Evenimentul Zilei).*
6. *“Portretul golanului la tinerețe și la bătrânețe”<sup>72</sup> (Tapalagă D., 2011 in HotNews).*
7. *“INCOLȚIT în JUSTIȚIE, Văranul reacționează agresiv. Dan Voiculescu își asmute dulăii asupra editoriaștilor”<sup>73</sup> (Tabacu H., 2014 in Evenimentul Zilei).*
8. *Dosarul ICS – DAN VOICULESCU. Dosar finalizat in 2230 zile de la începerea urmăririi penale”<sup>74</sup> (Hotnews, 2014 in Hotnews).*
9. *“De ce nu ies românii în stradă ca să-l apere pe Dan Voiculescu. 5 August 2014 e finalul unei epoci”<sup>75</sup> (Andronic D., 2014 in Evenimentul Zilei).*
10. *“Dan Voiculescu, 10 ani de închisoare:” O să scriu cărți”<sup>76</sup> (Ziarul Românesc, 2014).*

<sup>67</sup> *“EXCLUSIVE. PHONE TAPPING. How Judge Mustață obliged Meme Stoica to give him bribe if he wanted to get out of prison”.*

<sup>68</sup> *“Portrait: Dan Voiculescu, the rise and the fall of a mogul. From the power broker who suspended a Head of State to 10 years in jail”.*

<sup>69</sup> *“Evenimentul Zilei exclusivity. ICE Dunarea files. Voiculescu`s mission in Securitate`s businesses. Failed transaction with tanks”.*

<sup>70</sup> *“Stenographs: Tapping in ICA case. Judge Stan Mustață accused of CORRUPTION wanted to give Dan Voiculescu a favourable sentence: “...if anything...there is room. Yes, yes, yes. YES!”.*

<sup>71</sup> *“Judge Stan Mustață revolted by the fraud committed by Dan Voiculescu. “To receive Euro 60 millions for Euro 100 thousands? I would do it too!”.*

<sup>72</sup> *“The portrait of the thug in its youth and its old age”.*

<sup>73</sup> *“Cornered by the Legal System, Varanus Reacts Aggressively. Dan Voiculescu Sets his Dogs on Columnists”.*

<sup>74</sup> *“Case finalised 2,230 days after the debut of criminal research. ICA File – Dan Voiculescu”.*

<sup>75</sup> *“Why aren`t Romanians taking the streets to defend Dan Voiculescu. August 5, 2014 is the end of an era”.*

<sup>76</sup> *“Dan Voiculescu, 10 years in prison: “I shall write books””.*

## **B) Frame Analysis**

- What are the main aspects of corruption presented by journalists?
- What are the suggested ways to think about the problem of corruption?
- Any suggestions about how to remedy the problem of corruption?
- Any journalist ethics?

If frames are central organising ideas for making sense of relevant events and suggesting what is at issue, and news and info have no intrinsic value unless embedded in a meaningful context which organizes and lends its coherence (London, 1993), what did the episodic, personality and thematic frames focus on in the case of Dan Voiculescu or, to put it in a different way, what are the main aspects of corruption linked to Voiculescu presented by journalists?

### **5.1.1 Dan Voiculescu - Presentation**



Photo source: <http://m.stiri.tvr.ro/article/47162>

*Family and educational background.* Born in 1946, Dan Voiculescu is a Romanian politician and business man who has had a particular interest in doing business in the mass-media field. He has often declared that he came from a very modest family. He graduated international trade in Bucharest at the Academy of Economic Studies (ASE).

*Political background.* Voiculescu founded the Humanist Party of Romania (PUR) in 1991 which promoted a third way, between Capitalism and Socialism. PUR managed to get seats in the Parliament in 2000 due to an alliance with PDSR, the predecessor of PSD (Social Democrat Party) as it is today. PUR changed its name in 2005 to become the Conservative Party (PC) and adopted conservative values. Between 2000 and 2004 PUR supported the Social

Democratic (PSD) government and formed a coalition with PSD in 2004 in order to win the Presidential elections. The PSD-PUR coalition led by former Prime Minister Adrian Năstase, their candidate for the Presidency, lost the elections, and PUR left PSD in order to help the winner, the Truth and Justice Alliance (ADA), led by Traian Băsescu, to form the new government led by a liberal Prime-Minister, Călin Popescu-Tăriceanu. As a result of the general election Voiculescu became a member of the Romanian Senate. PC (formerly PUR) left the government in 2006 but in 2008 obtained seats in Parliament due to cooperation with PSD. Together with the Liberal Party (PNL), PC formed the Centre-Right Alliance and, at Voiculescu's suggestion, PSD, PNL and PC formed the Social Liberal Union (USL) in February 2011.

In 2012 the government was dismissed due to a no confidence motion, and Victor Ponta, the leader of the Social Democrat Party (PSD) and representative of USL, was appointed Prime Minister.

*The immoral solution.* The decision made by Prime Minister Tăriceanu to accept PUR, a small party supported by just 6%<sup>77</sup> of the population, in the governmental coalition was controversial. It was admitted that one of the reasons PUR was invited into the government was the Voiculescu family's media power. The newly elected President, Traian Băsescu, called this association "an immoral solution", and Tom Gallagher, a British academic from Bradford University and specialist in Romania, noted that Voiculescu was a potentially major problem if the government decided to introduce legislation that would challenge vested interests which had profited through the questionable sale of state assets (Condon, 2005).

*Suspending the acting Head of State. Twice.*

*First suspension.* As an MP Voiculescu strongly opposed President Băsescu by accusing him as well as the reformist Minister of Justice, Monica Macovei, of infringing the Constitution and abusing power. In March 2007 Voiculescu set up a special parliamentary committee to investigate whether President Băsescu had indeed infringed the Constitution and pushed through Parliament the legislation that led to a national referendum to decide whether Băsescu should remain in office. Although in April 2007 the Parliamentary Committee run by Dan Voiculescu managed to suspend the acting Head of State, the national referendum that followed re-affirmed Băsescu as President.

*Second suspension.* Traian Băsescu, the Head of State, was suspended for the second time in 2012, after Dan Voiculescu publicly announced the step. The Opposition strongly

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<sup>77</sup> PUR obtained 6% of the votes at the local elections in the summer of 2004.

alleged that USL had severely infringed the rule of law and committed large-scale fraud in order to obtain a referendum result that would dismiss President Bănescu and organize early Presidential elections. The result of the national referendum was to reinstate president Bănescu, and Voiculescu`s corruption file continues its progress through the Court.

*Voiculescu was re-elected in 2008 and again in 2012.* PC led by Voiculescu rejoined PSD in 2008 in a coalition to contest the general elections. Voiculescu was re-elected as an MP in the 8<sup>th</sup> college in Bucharest, becoming as well the Vice-President of the Senate of Romania.

*Secret Police Involvement.* After many years of denial, Voiculescu admitted in 2006 that he had cooperated with the former Securitate, Romania`s internal intelligence service during the Communist time. He admitted the cooperation after the information was publicly released by Romania`s National Council for the Study of the Securitate`s Archives (CNSAS). The information appeared around the time Voiculescu was named to be a Deputy Prime Minister in Tăriceanu`s government, and he was not allowed to take up the position.

According to CNSAS Voiculescu cooperated with the former political police using the name “Felix”. Voiculescu challenged the decision of CNSAS, but the Court of Appeal in Bucharest rejected his appeal in February 2006 and defended its decision by showing that the informative notes written by Voiculescu injured the fundamental rights and liberties of the people he monitored (Evenimentul Zilei, 2010). According to CNSAS, Voiculescu was recruited by the Securitate in 1970 and he acted under the code name “Mircea”. His mission was to collect information about foreigners, as he worked as German translator for the Norwegian ice hockey team, as well as about foreign students at the Academy of Economic Studies (ASE).

Due to unsatisfactory results the cooperation with the former Securitate stopped, but it was resumed in 1973 when he used the cover name “Felix”. He was used in contra-espionage, providing information about employees of foreign companies that did business with Romania. During this period, he gave information about further individuals, including two relatives, a cousin and her husband, Paraschiva and Victor Silaghi, who decided not to return to Romania. His reports were handed to the board of the company he worked for or to a Securitate Officer (Centrul de Investigatii Media, 2013)

Voiculescu continued to challenge the Court decision. The legal battle ended in February 2013 with a final Court decision stating clearly that Voiculescu was a former Securitate informer. Voiculescu`s betrayed relatives submitted a criminal complaint accusing him of false declarations, as he had stated at the beginning of his MP`s mandate in 2004 that he had never cooperated with the Communist Securitate. Paraschiva and Victor Silaghi wrote

in the complaint submitted to the Court that “Voiculescu gave false information to the Communist Securitate for decades causing extremely severe damage” and asked for compensation of Euro 21,000. Dan Voiculescu brought a counter suit against his cousin, asking for Euro 136,000 in damages. Voiculescu lost the trial (Ziarul Romanesc, 2014).

*Voiculescu`s businesses before the fall of Communism.* After completing his studies in international trade at the academy of Economic Studies in Bucharest, Voiculescu was sent to work with Vitrocim, a foreign trade company. In 1982 Voiculescu gave up working in this state company and became the representative of the Cypriot company, Crescent Commercial and Maritime Ltd Cyprus, in Romania. It seems that Crescent had privileged relations with the Communist Securitate via the international trade company “ICE Dunărea”.

The daily Evenimentul Zilei wrote about Voiculescu`s involvement and described in detail how ICE Dunărea was the most important covert company belonging to the Centre of External Information (CIE) subordinated to the State Security Department (DSS). It explained as well that this company was bringing foreign currency for Nicolae Ceaușescu and the Securitate and was involved in transactions with diamonds and munitions (Stoica b, 2013). It has been alleged that after the Revolution in 1989, Voiculescu got some of the money of the former Communist Security. These accusations have never been proved. However, questions remained about the source of the capital he used to build his commercial and media empire after 1992 (Hotnews a, 2014).

*Voiculescu`s businesses after the fall of Communism*

Voiculescu set up Grivco Holding in 1992 (short for “Grupul Industrial Voiculescu & Co”)<sup>78</sup> for international trade purposes in industry, energy, agriculture, commerce, aviation and media. Grivco Group developed a multitude of businesses done directly with the state, for example a controversial lease on the lands belonging to the State Assets Administration (Agenția Domeniilor Statului) or businesses developed together with state companies such as Oltchim, Govora Factories, energy companies, etc (Hotnews a, 2014).

He got involved in the media and launched the daily, Jurnalul Național, and Antena 1, the first commercial television station in Romania. Intact Media Group is the most notorious company of Grivco`s Group and comprises the television stations (Antena 1, Antena 2, Antena 3, Antena Stars, Antena Internațional, Euforia Lifestyle TV, ZU TV, GSP TV), radios (Romantic FM, Radio ZU) and publications (Jurnalul Național, Gazeta Sporturilor, BBC Top Gear, BBC Good Food, BBC Science World) (Intact Media Group, 2014). Voiculescu owns as

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<sup>78</sup> Grupul Industrial Voiculescu & Co: (Eng) Industrial Group Voiculescu & Co.

well the Intact Printing House and the “Mereu Aproape” Foundation. Dan Voiculescu transferred his media trust to his daughter, Camelia Voiculescu, in 2006. Starting in 2002 – 2003 Antena 1 became an aggressive player in the political arena as Dan Voiculescu used the increasing influence of this television station to get his little political party, PUR (later PC) into Parliament by forming political alliances with the Social-Democrat party (PSD) or the National Liberal Party (PNL).

Antena 3 TV station was set up in 2005 to compete with the news TV station belonging to Sorin Ovidiu Vântu, Realitatea TV. Antena 3 rapidly become popular due to its anti-Băsescu`s campaigns, much radicalised after Băsescu`s suspension as Head of State in 2007. Antena 3 has become a poisonous political instrument used by Voiculescu against his biggest political enemies, especially President Băsescu, as well as against his enemies in the legal system. The intensity of the media campaigns increased when Voiculescu`s corruption trial approached the final verdict. As a result of these pressures, the European Commission mentioned the media attacks against key-figures in the legal system in its Monitoring and Verification Reports in 2013 and 2014, without naming Antena 3 explicitly. Antena 3 was also involved in blackmail of cable companies to buy advertising.

Voiculescu had the habit of lending money to people close to him, journalists or politicians. One of Antena 3`s managers, journalist Mihai Gâdea, the producer of “Sinteza Zilei”, the main political talk-show of Antena 3, owes Voiculescu about Euro 200,000 as does Dan Constantin, the Minister of Agriculture and the President of the Conservative Party (Hotnews a, 2014).

Voiculescu is considered to be one of the richest people in Romania. The Top 300 richest Romanians launched by Capital Magazine in 2009 states that his fortune at that time was of Euro 1.5 – 1.6 billion (Buzas, 2009). More recently Voiculescu appeared in a list of the top 5 Romanian oligarchs compiled by Theodore Tanoue, the Political Councillor of the US Embassy in Bucharest. Voiculescu ranked 2nd, behind Dinu Patriciu and in front of Sorin Ovidiu Vântu, Ion Niculae and Gigi Becali. Theodore Tanoue emphasized Voiculescu`s large fortune as well as his connections with the Communist Securitate: “Although Dan Voiculescu insists the role he played in the Securitate wasn`t bigger than the role played by any other Romanian and that he served his country earning money with difficulty, still his position during Communism, as Manager of a very important company of the Securitate, suggests that he was rather a high rank officer in the Securitate and not just a simple co-operator”(cited by Fati, 2011). Voiculescu is seen as well as one of the main culprits for Băsescu`s suspension. Theodore Tanoue thinks that the main purpose of the political party created by Voiculescu is

to protect his own business interests as the party lacks ideology and a political programme and acts according to” opportunistic” criteria (cited by Fati, 2011).

*Corruption allegations:* money laundering regarding funds obtained through the National Lottery, illegal dealings with energy, illegal privatisation of the Food Research Institute.

## 5.2) Romanian Press as Part of the Resistance to Corruption

### 5.2.1) Most Frequently Presented Case of Political Corruption



Photo source: <http://www.evz.ro/dosarul-ica-dan-voiculescu-fotografii-grivco-tower.html>

The Privatisation of the Food Research Institute is Voiculescu`s most frequently presented case of political corruption. It is as well the only case for which there exists a final Court decision and as such this is going to be the main case researched.

*The history of the case.* Between 1991 and 2003, Voiculescu and his accomplices developed a series of fraudulent commercial and financial operations to help Grivco SA (one of Voiculescu`s companies) to win the tendering process for the package of shares of the Food Research Institute (ICA) from the State`s Assets Administration at a much smaller price than the real commercial value of the land, in discriminatory and non-transparent conditions due to the under-evaluation of the assets and equity.

In July 2003 Corneliu Popa, the President of the Administration Board of State Assets, authorised without a mandate from the Romanian state the opening of the privatisation of the Food Research Institute (ICA). He established a value of the share package 94.5 times smaller

than its real commercial value. False documentation was produced to suggest that the requirement of publicizing the intention to privatise had been fulfilled. The pack of shares was bought for Euro 104,730 while its real value was Euro 7,900,929. At stake were 36,676 sqm of land and 9,983 sqm of buildings in Băneasa, one of the most expensive areas in Bucharest.

The fake tendering was attended only by Voiculescu`s Grivco SA and by Gheorghe Mencinicopschi, ICA`s Managing Director and member of the Shareholders and member of Voiculescu`s Humanist Party (later Conservative Party). An increase of the capital based on a fictional handing over of two pieces of equipment from Grivco to ICA took place in 2004. Grivco`s shares got into Voiculescu`s personal ownership by February 2005 and he placed them in his daughters` names.

Voiculescu was sent to Court in December 2008 charged with using his influence and authority as the leader of a political party in order to obtain money, assets or other undeserved benefits for himself or someone else, as well as money laundering (Hotnews b, 2014)

### 5.2.2) The content type used for presenting Voiculescu`s corruption

Similar to the case of Adrian Năstase, most of the information about Dan Voiculescu is presented as News (53%), followed by Event type reporting (33%), Editorials (10%), Investigation (2%), Reportage (1%) and Interviews (1%). This indicates clearly that, similar to Adrian Năstase, the Romanian press does pay attention to the topic of corruption by Dan Voiculescu and comments on it but the low scores registered by investigation and reportage indicate that no deeper research or analysis into the seemingly corrupt acts have been done.

Table 5.4: Corruption Coverage by Content Type

Content Type	Number	Percent
Investigation	7	2%
Systemic Analysis	-	-
Editorial	38	10%
Event	118	33%

Reportage	3	1%
Other topics	1	0.1%
News	191	53%
Interview	5	1%
Total	363	100%

### 5.2.3) The tone used in presenting Voiculescu`s corruption

More than half of the content about Voiculescu is presented in a negative tone (62%), followed at a long distance by neutral tone (37%). Only 1% of the content was delivered in a positive note.

Table 5.5: Content Coverage by Tone

Tone	Number	Percent
Positive	2	1%
Negative	226	62%
Neutral	135	37%
Total	363	100%

#### 5.2.4) The information sources of corruption coverage in Voiculescu`s case?

The most frequent sources of information are the Romanian institutions of the legal system such as the Court, the Prosecutors` Office and Police (45%) and Politicians (30%), followed by the journalists (19%) monitoring the evolution of the Court case Voiculescu was involved in. Different experts are a source of content as well (3%) due mostly to their declarations. Police (2%) and Voiculescu`s daughters (1%) are the least used source for information.

Table 5.6: Corruption Coverage by Information Sources

Information Sources	Number	Percent
Police	8	2%
Court / Prosecutors/Judges	162	45%
Politicians	110	30%
Parliament	-	-
Experts	11	3%
Journalists	69	19%
Press Agencies	-	-
Penitentiary	-	-
Doctors	-	-
Editor`s Office	-	-
DV`s daughters	3	1%

### 5.3) Political Corruption Presented as an Emergency to be Addressed (Frame Analysis)

A total of 2,539 frame units were identified, distributed like this: main character: 593 (23%), the role of the media: 402 (16%), accomplices: 347 (15%), describing and mentioning corrupt acts 370 (14%), court procedures: 228 (9%), how is Dan Voiculescu evaluated: 117 (5%), consequences of the corrupt acts: 133 (5%), how are corrupt acts evaluated: 79 (3%), who evaluates corrupt acts: 71 (3%), how to solve the problem: 54 (2%), who evaluates Dan Voiculescu: 51 (2%), journalist`s ethic: 29 (1%), why they did it: 20 (0.78%), other media moguls: 11 (0.43%), political mixture in the press: 10 (0.39%), how not to solve the problem: 7 (0.27%), initial source of political corruption disclosure: 5 (0.19%), pressure put on Justice: 3 (0.11%), communist way of thinking in the media: 3 (0.11%).

Table 5.7: Distribution of Frame Units

Frame Units	Number	Percent
Main character	593	23%
The role of the media	402	16%
Accomplices	347	15%
Describing and mentioning corrupt acts	370	14%
Court procedures	228	9%
How is Dan Voiculescu evaluated	117	5%
Consequences of the corrupt acts	133	5%
How are corrupt acts evaluated	79	3%
Who evaluates corrupt acts	71	3%
How to solve the problem	54	2%
Who evaluates Dan Voiculescu	51	2%
Journalist`s ethic	29	1%
Why they did it	20	0.78%

Other media moguls	11	0.43%
Political mixture in the press	10	0.39%
How not to solve the problem	7	0.27%
Initial source of political corruption disclosure	5	0.19%
Pressures on the Legal system	3	0.11%
Communist way of thinking in the media	3	0.11%

*Main characters involved.* 23% of the episodic frames describe the main characters involved one way or another in topics about political corruption.

The characters mentioned that appeared in most frame units are: Dan Voiculescu (339), Judge Stan Mustață (52), Judge Camelia Bogdan (39), Judge Mihai Alexandru Mihalcea (37), Judge Florică Duță (19), Laura Codruta Kovesi, Head Prosecutor of the National Anticorruption Authority/DNA (11), Traian Băsescu, President of Romania (10). Under 10 units were registered by: Klaus Johannis, Mayor of Sibiu Town and Presidential candidate (8), Codruț Sereș, former PC Minister of Economy (8), Antena 3 TV station (8), Victor Ponta, PSD Prime Minister of Romania (6), Marian Căpățână (5), Camelia Voiculescu, Dan Voiculescu`s daughter (5), Corina Voiculescu, Dan Voiculescu`s daughter (4), Monica Macovei, former Minister of Justice and member of the European Parliament (4), Bercea Mondialu, member of a criminal gang (3), Mircea Băsescu, the brother of President Traian Băsescu (3), The Superior Council of Magistrates/CSM (3), Gheorghe Mateuț, Voiculescu`s barrister (3), Maria Vasii, Voiculescu`s Barrister (2), Journalists from Antana 3 TV station (2), Mariana Curea, the Registrat of Judge Stan Mustață (2), Tiberiu Niță, the General Prosecutor of Romania (2). Politicians: Daniel Constantin (Minister of Agriculture), Adrian Năstase, Cătălin Voicu, Ion Iliescu, Ovidiu Silaghi, Relu Fenechiu, Adrian Videanu, Bogdan Olteanu, Liviu Dragnea, Mircea Geoană as well as media owners Sorin Ovidiu Vântu and Sebastian Ghiță, journalist Robert Turcescu, the Romanian Intelligence Service (SRI), Police representative, Pavel Abraham, Popular Movement Party, Judge Grațiela Constantin and Emilian Eva, the prosecutor who sent Voiculescu to Court were mentioned just once.

Table 5.8: Main Characters Involved

Main Characters Involved	Number of Frames
Dan Voiculescu	339
Stan Mustața, Judge	52
Camelia Bogdan, Judge	39
Mihai Alexandru Mihalcea, Judge	37
Florică Duță, Judge	19
Laura Codruta Kovesi, Head Prosecutor of the National Anticorruption Authority / DNA	11
Traian Băsescu, President of Romania	10
Klaus Johannis, Mayor of Sibiu and Presidential candidate (The current President of Romania)	8
Codrut Sereș, Former PC Minister of Economy	8
Antena 3 TV Station	8
Victor Ponta, PSD, former Prime Minister	6
Mariana Căpățână	5
Camelia Voiculescu, Dan Voiculescu`s daughter	5
Corina Voiculescu, Dan Voiculescu`s daughter	4
Monica Macovei, former Minister of Justice and MEP	4
Bercea Mondialu, member of a criminal gang	3
Mircea Băsescu, the brother of former President, Traian Băsescu	3
The Superior Council of Magistrates (CSM)	3
Gheorghe Mateuț, Dan Voiculescu`s barrister	2
Journalists from Antena 3 TV Station	2

Mariana Curea, the Registrar of Judge Stan Mustață	2
Tiberiu Niță, the General Prosecutor of Romania	2
Daniel Constantin, Minister of Agriculture	1
Adrian Năstase, former Prime Minister	1
Cătălin Voicu, politician	1
Ion Iliescu, former President of Romania	1
Ovidiu Silaghi, MP	1
Relu Fenechiu, MP	1
Adrian Videanu, politician	1
Bogdan Olteanu, politician	1
Liviu Dragnea, politician	1
Mircea Geoană, politician	1
Sorin Ovidiu Vântu, media owner	1
Sebastian Ghiță, MP & media owner	1
Robert Turcescu, journalist	
The Romanian Intelligence service (SRI)	1
Pavel Abraham, Police representative	1
Popular Movement Party	1
GrațIELa Constantin, one of the Prosecutors who sent Voiculescu to Court	1
Emilian Eva, another Prosecutor who sent Voiculescu to Court	1

*Judge Stan Mustață and Judge Florică Duță* were part of the team of judges judging Voiculescu's case. Judge Stan Mustață was arrested on the day a verdict in Voiculescu's corruption case was due and accused of selling sentences for money or assets. A verdict

pronounced by him would have been very significant, as according to the new Penal Codes his verdicts were final and enforceable. Judge Florică Mustață lied in order to postpone a new hearing in Voiculescu`s trial and requested to be retired after Judge Stan Mustață was arrested.

*Judge Camelia Bogdan and Judge Mihai Alexandru Mihalcea* took over Voiculescu`s case and sent Voiculescu to prison for 10 years, final decision. Camelia Bogdan had previously judged one of Sorin Ovidiu`s Vântu criminal files. She increased the speed of the procedures and conducted 15 Court hearings in just four months (November 8, 2010 – March 22, 2011) before giving a final decision. She was strongly contested by Voiculescu`s barristers and challenged to the end. Camelia Bogdan is as well the Judge who discovered that the cardiology consultant who gave Sorin Ovidiu Vântu medical notes testifying that he had a heart problem and could not attend Court was in fact a Gynaecologist.

Judge Mihai Alexandru Mihalcea refused to parole Sorin Ovidiu Vântu in 2013 due to the fact that he did not make the effort to be re-educated nor distinguished himself in any positive way.

*Laura Codrut Kovesi, the Head Prosecutor of the National Anti-Corruption Authority (DNA)*, drew the attention of the media during an interview on the State Television (TVR) to the fact that the deeds Voiculescu has been prosecuted for would be foreclosed in December 2014 unless the judges pronounced a verdict before then: “it is important for a criminal file which has been in the Court for more than six years to be finalised with a decision (...) we shouldn`t stay and wait for the foreclosure deadline” as otherwise “we could become suspicious about those who postponed the trial” ( Dumitru, 2014).

*Traian Băsescu, the Head of State*, is the one Voiculescu considers to be guilty for his troubles with the legal system. In return, President Băsescu describes Voiculescu as “a rotten informer who denounced his family and relatives to the Communist Security, and whose employees say what they are paid to say. Antena 3 has only employees. If you called them journalists, you ennobled them” (Tapalagă b, 2014).

*Mentioning and describing corrupt acts* accounts for 14% of the media frames. The most described case is the corruption concerning the privatisation of the Food Research Institute (269) followed by the corruption of Judge Stan Mustață and how he wanted to help Voiculescu (34).

Based on the papers released by the National Anticorruption Authority (DNA), the Romanian press describes in detail the way Judge Stan Mustață and his criminal group worked. It includes almost daily conspiratorial meetings in the apartment of Ion Boraciu, one of the accomplices. The way of communicating avoided the use of mobile phones. The criminal cases in which Judge Mustață could pronounce a favourable final sentence or could carry out traffic

of influence with other judge-colleagues were identified by using ECRIS, the database system of the Court of Appeal in Bucharest. Favourable Court decisions were offered in any criminal case, no matter how serious the offence. His accomplices would contact the potential bribers or those interested in buying influence. Their addresses were identified via the same ECRIS system. If the culprits refused to give bribes or buy influence, they would be threatened with unjust verdicts even though they were entitled to an acquittal as in the case of the famous football manager, Meme Stoica.

The level of the bribes requested was according to the financial power of the culprits and their financial power was established according to the market value and notoriety of the barristers representing them. The money was retrieved by one of the accomplices and the amounts were shared equally among the members of the group led by Mustață. One or two files were arranged monthly.

Judge Mustață was backed up by Mariana Curea, his Registrar at the court of Appeal Bucharest.

According to the Romanian press, Judge Mustață might have considered helping Voiculescu, as the stenographs released by the National Anti-Corruption Authority (DNA) show that Boraciu, one of Mustață's accomplices sent to ask for bribes for favourable sentences, showed his availability to get a favourable sentence for Voiculescu in the ICA case after the first Court hearing and the details of the criminal file were discussed with two "mysterious" barristers (Stoica a, b, 2014).

Later, the script of the discussions between Judge Mustață and his accomplices shows they were in difficulty due to the notoriety of the case, which would have brought them under the spotlight. "Mustață and his accomplices considered initially giving up the ICA case. The reason: the decisions given by the Judge were receiving attention from public opinion and this would destroy their plans. As such, the entire group was vulnerable.

*5% (133) of the frame units are about the consequences of the corrupt acts.* Most of them (83 units) describe the consequences specific to the ICA case: the state budget lost Euro 60 million. The rest of the units describe the consequences of corruption for different areas of society: moral decay of the Romanian society; moral decay of Romanian public life where responsibility had been abdicated; an isolated Romania, far from the European trends and always in danger of abandoning the rule of law; a capitalism built on robbery and controlled by the representatives of the Communist system; lack of clarification in politics.

The consequences for the legal system are broadly mentioned. The Romanian legal system has become a weak and unfair system in which: suspects of fraud are released; criminal

investigations against judges accused of taking bribes are stopped; the legal system is bargaining with the political arena as much lighter sentences are given to those convicted for corruption; judicial decisions favour criminals. A dysfunctional and mostly propagandist media are the consequences of corrupt acts for the media.

*Accomplices* (15% - 347 units) are presented in detail by the Romanian press. The most presented ones are Voiculescu`s accomplices in the Institute of Food Research Institute (ICA) case, followed by Mariana Curea, Judge Mustața`s Registrar.

*Dan Voiculescu`s accomplices in the ICA* case were state authorities: The National Authority for Fiscal Administration (ANAF), the Romanian Intelligence Service (SRI), politicians and former ministers and managers of public institutions:

*Gheorghe Mencinicopschi*: nutritionist and former Manager of the Food Research Institute. He participated together with Grivco in a fake tendering. He was sentenced to eight years in prison and lost his family home in Otopeni for abuse in performing his duties and false private signature.

*Sorin Pantiș*, former Minister of Communications and then one of Grivco`s managers. He was sentenced to seven years in prison for complicity in establishing a lower value of the institute compared to the real one and presenting false documents.

*Corneliu Popa*, former Manager of the Agency for State Assets (ADS), was sentenced to eight years in prison and forbidden to perform any public function for five years afterwards. He was found guilty of intentionally under-valuing assets belonging to the state.

*Sandu Jean Călin*, former Chief of the Judicial Department of the Agency for State Assets (ADS), was sentenced to six years in prison for intentionally under-valuing the assets belonging to the Food Research Institute (ICA).

*Vlad Nicolae Săvulescu* was sentenced to six years in prison for intentionally under-valuing the ICA`s assets by 75 times.

*Flaviu Adrian Pop*, member of ICA`s board, was sent to prison for five years for undervaluing the ICA.

*Gheorghe Sin*, Academician and former member of ICA`s board, was sentenced to four years in prison for complicity in intentionally undervaluing state assets.

*Constantin Baci*, former representative of the Ministry of Agriculture in the General Meeting of the Shareholders, received a suspended sentence of four years in prison for complicity in intentionally under-valuing state assets.

*Petre Alexandru, Grigore Marinescu and Viorica Ene*, former censors at ICA, received a suspended sentence of three years to prison.

Other accomplices often mentioned are those working together with Judge Stan Mustață. *Mariana Curea*, his Registrar, who identified the convicts and defendants willing to pay bribes for favourable sentences by using the ECRIS system of the Appeal Court of Bucharest. She was monitoring as well in order to see if any phone tapping mandates were issued on the name of Mustață.

*Florian Alexandru* was close to the dubious clan Camatari and *Ion Boraciu* was a business man and owner of the house in Colentina, Bucharest, where the meetings with Stan Mustață used to take place. Florin Alexandru and Ion Boraciu would get in touch with the “clients”, their relatives and barristers and ask money to receive favourable Court decisions or to traffic influence if other judges were in charge of their case.

*The reasons for corruption* presented by the press are mostly material benefits, money and goods. Some of the accomplices, Gheorghe Mencinicopschi, Sorin Pantiș and Cătălin Jean, were compensated as well with financing to attend events abroad and with being maintained or appointed in new, well remunerated, positions.

*The initial source of political corruption disclosure.* The involvement of the Romanian Intelligence Services in the case of Judge Stan Mustață as well as the cooperation of his accomplices with the Prosecutors investigating the case are broadly described by the written press: “in order to jam potential tapping, mobile phones were forbidden from the bathroom, the tap water was allowed to run and the toilet was flushed often. Despite all this the audio-video instruments set up by the Romanian Intelligence Services registered faithfully all the meetings” (Gherguț a, 2014).

*Who evaluates corrupt acts.* The material researched indicates that the evaluation of the corrupt acts comes mostly from the prosecutors (59), followed by the journalists (9) and politicians (3).

*How are corrupt acts evaluated.* Most of the frame units identified present the facts as being political corruption and money laundry. Some of the units consider the corrupt facts as being “dubious or illegal activities” and draw attention to the fact that the reforms of the legal system can be reversed.

*How to solve the problem.* Although only 2% (54 units) of the frame units focus on the question of how to solve the problem of political corruption, the Romanian press provides a few answers. The most mentioned one is the idea that the culprits should be criminally investigated and sent to prison (21) and a part of their wealth should be confiscated (20). The reform of the legal system is the third preferred option defined as: securing the independence of the leaders of the fundamental institutions in the legal system and professionalism of the

judges. Forbidding civil rights and balancing the power relationship between political parties and state are the least proposed solutions.

*How not to solve the problem.* However, the Romanian press has an idea about how not to solve the problem: by blaming the politicising of the Legal System, by suing journalists reporting cases of political corruption, by solving the cases of corruption through political negotiation, avoiding the legal system, by doing political deals between the Head of State and the Prime Minister about appointing the new Chief Prosecutor, by lack of political will as well as by removing prosecutors who finalise major cases of political corruption.

*Court procedures.* Although a considerable number of units were dedicated to Court decisions and Court motivation, most of the units focus on the Court hearings (125) as they provide a clear image of how Dan Voiculescu tried to postpone a final decision until the foreclosure deadline. The Romanian press let us know that 2,145 days elapsed between the anti-corruption prosecutors starting the criminal investigation in the ICA case and the final verdict. This means 5 years, 10 months and 16 days. 2,073 days have passed since Voiculescu was sent to Court. This means: 5 years, 8 months and 5 days. We find out as well that 3 Courts judged the case: the Tribunal in Bucharest (20 hearings), the High Court of Justice (39 hearings) and the Court of Appeal Bucharest (12 hearings), a total of 71 Court hearings. Dan Voiculescu resigned twice from the Senate, once in June 2012 and again in January 2013. As a consequence of his resignation, his criminal case was moved from one Court to another. A total of 17 panels of Judges deliberated in the ICA case and 13 judges and prosecutors led the court trials. One of the Judges, Stan Mustață, was arrested (Cozmei, 2014)

*How Dan Voiculescu is evaluated.* Dan Voiculescu is mostly evaluated by journalists, followed by politicians such as President Băsescu and experts in corruption and political marketing such as Monica Macovei and Dan Andronic.

Most of the frame units (52) are about Dan Voiculescu's negative traits. He is presented by the Romanian press as: "Varanus<sup>79</sup>", "toxic mogul", "guilty", "informer", "Felix" (his name as informer of the former Communist Securitate), "the man of the Communist Securitate", "a rotten informer who betrayed his family so that he would have a nice life", crook, culprit, "the last fossil of the old world", "a Terminator in misery", "a cancer of society", "poor old man sick of grandeur", "the Professor", "suspect of stealing Ceaușescu's money", "beast of prey", "a too big fish", "oligarch", "power broke", "nabob". He is seen as well as someone "misrepresenting the problem", "capable to easily trick the legal system", "capable of dodgy

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<sup>79</sup> Varanus = a type of crocodile that lives in Africa, Asia and Australia.

manipulation to avoid going to prison”. He is seen as” creating a pocket party”, the” owner of a political party always in power”, “capable of obtaining high political positions”, always “influencing the political life in Romania”, he is” the system”. He is seen as well as the creator of television stations for brainwashing who doesn` t understand his criminal conviction.

*Other media moguls.* The frame units identified as linked to Voiculescu`s ICA case refer to other media moguls as well. *Sorin Ovidiu Vântu* is seen as someone who controlled the mass-media, the sources of money and politicians like no one before due to an exceptional relationship with the intelligence services, very sensitive to his demands (Andronic, 2014).

*Sebastian Ghiță* is the new media mogul in Romania. He is accused of building an empire with money from public contracts he obtained with the help of the Social-Democrat (PSD) Prime Minister, Victor Ponta. He is accused as well of returning the favour by doing propaganda for Ponta ignoring the rules of journalistic correctness (Bănescu cited by Romania Libera, 2014). The frame units show that his purposes are similar to those of other media moguls: the wish to control the political decision makers, to instate prime ministers and heads of state. The means used are similar as well.

Media mogul Dinu Patriciu is mentioned as well. He is presented as someone who made a mountain of money from a “lucky” privatisation, invested more than €100 million in mass-media and controlled the National Liberal Party for a while. He ended up tired, exhausted, almost bankrupt and with a few trials in Court (...) He died this year of cancer in London where he spent his last years (Andronic, 2014).

*Political mixture in the press.* The relationship between Prime Minister Ponta and the big media trusts is a recurrent theme in the articles about the relationship between media and politics and consequently the pressures put by the political arena on journalists. As an example, the Romanian press mentions the case of Mircea Diaconu, an independent candidate who asked Voiculescu`s media trust for support in order to win elections for the European Parliament (Cristoiu, 2014).

*The role of the press* is visible by the type of content it is providing:

*It informs about:* developments in a criminal case, corrupt judges and their acts, Court decisions, Dan Voiculescu`s fortune, details of Dan Voiculescu`s life and career, conflicts between Dan Voiculescu and other politicians, potential solution to the corruption problem.

*It explains:* how corruption took place, why Voiculescu was condemned, and the significance of Voiculescu`s prison sentence for the legal system, for the media, for the political arena, for Romanian society. It explains as well the consequences of political corruption and the thinking of the wrong-doer.

*It describes:* how Dan Voiculescu tried to put pressure on the prosecutors investigating his case, the methods used by politicians to postpone a final decision in a criminal case, how the media moguls act.

*It discloses:* acts of political corruption, occult methods used by politicians to get power and money and put pressure on other politicians and state institutions, pressures put by politicians on journalists, deals between Dan Voiculescu and other politicians.

*It investigates* corruption and *comments* about corruption cases.

*It transmits* the views of politicians, experts and journalists about corruption and about Dan Voiculescu`s case as well as Voiculescu`s and Voiculescu`s family point of view about his Court trial and sentence.

*It accuses the political involvement* in the Legal System.

*The Romanian press plays as well a very negative role:* it makes propaganda to support Voiculescu and save him from going to prison; it allows itself to be used as a tool to put pressure on the Legal system in exchange of financial support. As a consequence, the Romanian press is seen as practising blackmail, mob rule against representatives of the Legal System, and media terrorism. Voiculescu`s media in particular are seen as the origin of political actions with impact: the suspension of the Head of State, the mobilisation of people to vote, the polarisation of opinion: those supporting a political leader and those not supporting that political leader, as in the case of President Băsescu.

#### **5.4) Lack of Ethics Within the Romanian Press**

Given the context, the journalist`s ethic becomes a very sensitive and necessary aspect. The journalists employed by Voiculescu particularly are seen as being plasticine journalists: they support their corrupt owner and his political game despite a clear verdict of political corruption and a prison sentence. They try to impose the idea that Voiculescu`s clear verdict of political corruption is the result of a political command, as if the legal system in Romania were a mechanism politically used. From outside Voiculescu`s trust, his journalists are seen as paid to continuously lie and to brain wash in order to defend him. More than this, Oreste, one of the journalists that used to work for Voiculescu describes how Voiculescu`s very faithful journalists such as Mona Nicolici, Gabriela Vranceanu Firea, Niels Schneckner, Andrei Zaharescu and Mirel Palada accepted to be placed in key positions in the political arena (Breazu, 2013).

The Romanian press describes Voiculescu`s media trust mode of operation, resembling the communist times: “step by step he created in his media trust a team of mercenaries. He paid them very well for years and he is still doing it. Varanus created a “blood thirsty” public with a perfidious skill by borrowing from the miserable Golden Age journalism all the mould and gangrene. You basically don’t want to mess with them. They behave as a pack. They mostly lie and they must please Voiculescu with every word. Unfortunately, very many important people do not want to get into their mouth. This is why very poisonous political movements that compromise us for many years take place. In 2012 the suspension of the Head of State was attempted by infringing all possible laws. The Judges are currently avoiding attendance at Court hearings about Voiculescu`s criminal acts.

Varanus`s trial has been lasting for very many years and he used all the tergiversations in order to avoid going to jail. Despite the fact that all the people who follow this case have understood Voiculescu`s manoeuvres, he still shouts and makes press conferences. Many people play along out of fear or because they are well paid. Most do not get involved” (Tabacu, 2014).

## **5.5) Conclusions**

It is easy to notice a fundamental difference between the cases of Adrian Năstase and Dan Voiculescu. Adrian Năstase represents the symbol of the fallen star: he lost the presidential elections to a candidate promoting an anti-corruption agenda, lost the leadership of his party and got back among his peers where he had many things to answer for. On the other hand, Voiculescu represents “the system” itself: always in power, always having the right people in the right place.

The Romanian press presents Dan Voiculescu as a politician with strong connections in the Communist past who wants to promote himself as a victim of the new lot of politicians despite the fact that a clear Court investigation and verdict have demonstrated his corrupt acts. The press devotes a broad space to the Court procedures, to explaining how the corrupt acts took place and what the role of accomplices was. Linked to Voiculescu`s case is the case of Judge Stan Mustață, which brings a new light on the dealings between politicians and the representatives of the legal system.

Similar to the case of Adrian Năstase is the role of Voiculescu's media trust which appears as a poisonous element within the Romanian mass-media, an instrument to support corrupt politicians, an agent of propaganda and a tool with which stained politicians and media owners want to bring down Heads of State and governments of the day according to their own will.

As in Adrian Năstase's case, it would have been expected that Voiculescu's prison sentences for corruption would have generated a strong debate within the press about the problem of political corruption in Romania, but only a few frame units were identified about the consequences of Voiculescu's conviction for Romanian society, the political arena and the legal system. Most of the information about corrupt acts committed by Dan Voiculescu is presented as News, followed by Event type reporting. Editorials, Investigation, Reportage and Interviews have no noticeable presence within the press output about this case. As in the case of Adrian Năstase, these figures indicate that the Romanian press pays attention to the topic of corrupt acts committed by Dan Voiculescu and comments on them, but it does not do a deeper research or analysis into the seemingly corrupt acts that have been done. The Romanian journalists do not seem to be willing to use the information available either to continue investigation or to attempt to discover other similar corruption cases. They simply report the information received from official channels. They fail to discuss the topic of political corruption per se.

The topic of journalists' ethics occupies a small place too in the reporting of the Romanian press, although the information is available and the journalists acting unethically are named and presented together with their deeds. As in the case of Adrian Năstase, the Romanian press has a minimal reporting of the lack of ethics among journalists reporting political corruption, and a debate about this issue is far from its preoccupations.

To a large degree, Voiculescu's case has been another missed opportunity for debate about political corruption in the Romanian press.

## Chapter 6: EADS<sup>80</sup> – Microsoft (Case Study III)

EADS and Microsoft are linked to two corruption cases which have in common a number of politicians and companies involved in corrupt dealings over a period starting with the Government led by Adrian Năstase (2000 – 2004) and continuing until today. I chose to analyse this case due to the number of high ranking Romanian politicians involved, and also because the scandal surrounding it started shortly before the beginning of the electoral campaign for the Presidential elections. It is a case which, as Romania's former head of State, Traian Băsescu, declared, shows a clear x-ray of politicians and political corruption in Romania since 2000 (Vintila, 2014). In this respect, the Microsoft – EADS case is very different from the previous two. It provides us not with the image of just one politician, his acts and his strategies to escape the long arm of the legal system. Instead we see the image of how a corrupt practice survives over a decade, irrespective of who is in charge, and who are those who help this happen.

As with the case studies 1 & 2, I argue that the Romanian press reports corruption but it fails to become part of the solution by holding the political elite to account in the case of EADS – Microsoft. I show that in this case the Romanian press fails to perform its role as a whistle-blower or an external mechanism capable to detect and bring corruption to the knowledge of the public and authorities by providing any investigative reporting, but instead most is based on content provided by official channels. News depiction of political corruption is explored to assess the prevalent topics presented and sources of news corroborated with the content type of news and content coverage by tone.

Similar to the previous two cases, I demonstrate that the Romanian press fails to frame political corruption as an emergency that should be a priority for the public and political elite. The corruption cases are not presented by the press in a manner that would indicate a serious debate with potential consequences on the government's practices, and progress in the area comes due to external pressure from the EU. Frame analysis is employed to scrutinise the main aspects of corruption presented by journalists, including an overview of the social universe presented by the news (who the main actors are, how they are linked in the political network, how they are presented by the press). I demonstrate as well that the Romanian press shows little concern and reflection about any potential lack of ethics affecting journalists reporting political corruption, drawing attention this way to the shortcomings within their profession.

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<sup>80</sup> EADS = European Aeronautic Defence and Space Company

## 6.1 Methodology

The Microsoft – EADS scandal started in July 2014 and had its highest intensity up to the end of the electoral campaign for the Presidential elections at the end of October. Due to the short period of time involved as well as due to the high number of high ranking officials involved I decided to analyse all the articles published by the selected newspapers and magazines.

### A. Frequency Analysis

- What is the content type used for presenting the Microsoft – EADS case?
- What tone was used in presenting Microsoft – EADS corruption?
- What are the information sources of corruption coverage in this case?

Table 6.0: Number of Articles Analysed by Newspaper

Year	RL	EVZ	JN	G	22	HotNews	TOTAL
2014	55	26	8	16	21	11	137

Table 6.1: Examples of News Coverage

1. *“Traian Băsescu: M-aş bucura dacă ar ieşi şi EADS. Acest dosar face şi el o radiografie a clasei politice”<sup>81</sup> (Vintilă C., 2014 in Evenimentul Zilei).*
2. *“Sistemul ticăloşit a migrat de la Năstase la Băsescu”<sup>82</sup> (Pora A., 2014 in Revista 22).*
3. *“La modă, turnătorii din lumea grangurilor”<sup>83</sup> (Golea G., 2014 in Jurnalul Naţional).*
4. *“Tripleta Niro-Cocoş-Pinalti, în subteranele afacerii Microsoft-EADS”<sup>84</sup> (Gherguţ O., 2014 in România Liberă).*
5. *“Băsescu spune că informaţiile în dosarul Microsoft nu pornesc de la milionarul Alexandru Bittner. Nu l-a căutat nimeni prin SUA”<sup>85</sup> (Biţă D., 2014 in România Liberă).*

<sup>81</sup> *“I Would Be Happy If EADS File Would Start. This File Presents As Well an X-ray of the Political Class”.*

<sup>82</sup> *“The Reprobate System migrated from Nastase to Băsescu”.*

<sup>83</sup> *“The Informers from the High-Up Society Are Fashionable”.*

<sup>84</sup> *“The Trio Niro – Cocos – Pinalti in the undergrounds of Microsoft – EADS business”.*

<sup>85</sup> *“Băsescu says the information in Microsoft file do not start from millionaire Alexandru Bittner. Nobody looked for him in the US”.*

6. "PENALII din spatele CANDIDAȚILOR la prezidențiale. În top, Ponta și PSD"<sup>86</sup> (Bechir M., 2014).
7. "Fostul Ministru, Gabriel Sandu, investigat la DNA in Dosarul Microsoft"<sup>87</sup> (Biță D., 2014 in *România Liberă*).
8. "MEGADOSAR DE CORUPȚIE: contracte suspecte în valoare de 1 miliard de euro. Vezi lista preliminară a politicianilor care au semnat achizițiile"<sup>88</sup> (Attila B., 2014 in *Gândul*).
9. "Laura Codruța Koveși: Mita pentru contractile cu Microsoft și EADS, în jur de 60 milioane de Euro"<sup>89</sup> (Hotnews c, 2014 in *Hotnews*).
10. "Cătălin Harnagea, fostul șef al SIE, explică ce a căutat DNA la el acasă: Are legătură cu EADS"<sup>90</sup> (Ciocan O., 2014 in *Gândul*).

## B. Frame Analysis

- What are the main aspects of corruption presented by journalists?
- What are the suggested ways to think about the problem of corruption?
- Any suggestions about how to remedy the problem of corruption?
- Journalist`s ethics?

Table 6.2: Corruption Coverage by Episodic Frames

Frame Types (Units)	Number	Percentage
Episodic	1,699	100%

## 6.2 Romanian Press as Part of the Resistance to Corruption

### 6.2.1 Presentation of the corruption cases: EADS & Microsoft (IT acquisitions)

The National Anti-corruption authority (DNA) started investigation in July 2014 concerning the acquisitions of IT contracts valued at over €1 billion, based on clues that those in charge of the Ministry of Interior, the Ministry of Communications, the Ministry of

<sup>86</sup> "The criminals behind the Presidential candidates. Ponta and PSD are at the top"

<sup>87</sup> "Former Minister, Gabriel Sandu, investigated by DNA in Microsoft File".

<sup>88</sup> "Mega-dossier of corruption: Suspicious contracts worth 1 billion euros. See preliminary list of politicians who have signed procurement".

<sup>89</sup> "Laura Kovesi: Bribes for contracts with Microsoft and EADS, around 60 million euros".

<sup>90</sup> "Cătălin Harnagea, the former Head of the Romanian External Intelligence Services (SIE) explains why DNA visited him home: He is linked to EADS file".

Education and the General Secretariat of the Government abused their offices and took bribes from companies seeking to get contracts for IT products including software for the security of the state borders. The contracts started being signed after Adrian Năstase`s election as Prime Minister, and the bribes were taken in 2004. One of the four big contracts researched refers to the Incorporated System for the Security of the State Borders. The contract, worth € 534 million, was signed between EADS Deutschland GmbH and Romania`s Ministry of Interior and was extended in 2009 with a further €200 million.

### 6.2.2 The content type used for presenting EADS - Microsoft corruption

Similar to the previous two case studies, most of the information about EADS - Microsoft is presented as Events (51%), followed by News type reporting (34%), Editorials (6%) and Investigation (6%), Interview (2%) and Reportage (1%).

This indicates clearly that the Romanian press does pay attention to the topic of corruption done by former and current ministers involved in the Microsoft – EADS case and comments on it, but the low scores registered by investigation and reportage indicate that no deeper research or analysis into the seemingly corrupt acts has been done.

Table 6.3: Corruption Coverage by Content Type

Content Type	Number	Percent
Investigation	8	6%
Systemic Analysis		0
Editorial	8	6%
Event	71	51%
Reportage	1	1%
Other topics	0	0
News	46	34%
Interview	3	2%
Total	137	100%

### 6.2.3 The tone used in presenting the EADS – Microsoft case

Almost the entire content about EADS – Microsoft corruption is presented in a negative tone (81%), followed at a long distance by neutral tone (18%). Only 1% of the content was delivered in a positive note.

Table 6.4: Content Coverage by Tone

Tone	Number	Percent
Positive	2	1%
Negative	111	81%
Neutral	24	18%
Total	137	100%

### 6.2.4 The information sources of corruption coverage in the EADS – Microsoft case?

The most frequent sources of information are the institutions of the Romanian legal system such as the Court, the Prosecutors` Office and Police (42%) and Politicians (36%), followed by the journalists (19%) monitoring the evolution of the case. The statements of different experts and businessmen are a small source of content (1%).

Table 6.5: Corruption Coverage by Information Sources

Information Sources	Number	Percent
Police	0	0
Court / Prosecutors/Judges	58	42%
Politicians	50	36%

Parliament	0	0
Experts	1	1%
Journalists	26	19%
Businessmen	2	1%
Total	137	100%

### 6.3 Political Corruption Presented as an Emergency to be Addressed (Frame Analysis)

#### 6.3.1 Frame Analysis – Results

Most of the unit frames (72%) refer to political corruption. They focus on describing the actors involved, the corrupt acts, how the corrupt acts are evaluated, the consequences of the corrupt acts, the motivation for corruption and suggestions of how to solve the problem. Only 21% (366 units) of the frame units refer to the press, and these focus on describing the role of the media, the political mixture in the press and journalists' ethics. The lowest number of units (6%, 110 units) refer to the legal system and focus on the stages of the criminal investigation, the initial source of corruption disclosure and pressures put on the legal system.

Table 6.6: Categories of Frames

Category of Frame	Number of Units	Percent
Frames referring to political corruption	1,223	72%
Frames referring to the press	366	21%
Frames referring to the legal system	110	6%

Table 6.7: Summary of the Frame Numbers

Frame	Number of Units	Percent
Main actors	721	42%
The role of the media	364	21%
Describing and mentioning corrupt acts	248	15%
How are corrupt acts evaluated	106	6%
Criminal investigation – Stages / Shows the role of the Romanian authorities in charge	71	4%
Consequences of the corrupt acts	55	3%
Who evaluates corrupt acts	48	3%
Why they did it	40	2%
Initial source of political corruption cases disclosure	37	2%
How to solve the problem	5	0.29%
Pressures put on legal system	2	0.11%
Political mixture in the press	1	0.05%
Journalist`s ethic	1	0.05%

### 6.3.2 The actors<sup>91</sup> involved

The frame units presenting the actors involved are the most numerous ones, (721 units, 42%) and describe a diverse fauna populated with allegedly corrupt characters.

*At the top of the corrupt acts are the politicians*, former ministers currently MPs and state secretaries. The Romanian press writes about them often describing: their position when corruption took place, the corruption they were involved in, their position today and the

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<sup>91</sup> See Annex for photos.

accusations brought against them as well as the manner in which the present bodies they belong to, particularly the Romanian Senate, have tried to block the start of criminal investigation against them. Prime Minister Victor Ponta received a more detailed presentation: a proper look back in his political past as well as a presentation of all the corrupt politicians around him.

*At the bottom are the intermediaries*, a special category of people linked to each other by long standing family, friendship and business connections. They are the real dealers, people that thrive irrespective of the minister in office, irrespective of the political party in power. As such the Romanian press pays more attention to them and the companies they use for their dealings than to the top politicians involved.

*Main actors.* Top Romanian politicians are presented by the press as having committed corruption since 2009:

*Șerban Mihăilescu.* One of Romania's long standing Social-Democrat (PSD) MPs, Mihăilescu is presented by the Romanian press as being accused of encouraging the abuse of public office, traffic of influence and money laundry. Mihăilescu is being investigated for determining another minister to sign Government Decisions and the contract for Microsoft licences according to the conditions he negotiated while he was minister. He is being investigated for determining another minister to accept the technical and financial offer sent by Fujitsu Siemens Computers, without informing about judicial impediments due to the fact that Fujitsu Siemens was not the sole distributor of Microsoft licences, without giving details about the manner in which the price was established nor the price asked by Microsoft or the discount agreed by the Romanian government and the sale price established by Fujitsu Siemens Computers. He is being investigated as well for asking and receiving between April and November 2004 a share of \$20 million sent by Fujitsu Siemens Computers to the account of some off-shore companies. The money was requested as payment for the consultancy and technical assistance he provided by using his public office in order to seal the contract with Microsoft according to the conditions imposed by Fujitsu Siemens Computers.

*Ecaterina Andronescu* is another long-standing Social Democrat (PSD) MP. She was the PSD Minister of Education in Năstase's government (2000 to 2003) as well as in Emil Boc's government (2008 to 2009). Her MP immunity has been suspended and she is under criminal investigation for abuse of public office, bribery, traffic of influence and money laundry. She is accused of: approving the budget for the "Electronic Educational System" as well for the programme concerning the Microsoft licences while initiating and approving Government Decisions which favoured two Romanian companies, Compaq and Siveco, as well as their co-operators. She apparently falsely certified these two companies were part of a

consortium. Andronescu established quotas of participation for other companies and favoured the Romanian company Siveco by helping it and its co-operators seal the deal without going through a tendering process. As a result, the state budget was affected as the products and services were bought at higher prices than the real market prices: the prices for licenses were 30% - 40% higher, the ones for computers and software were up to 50% higher. Andronescu is also accused of asking from Siveco and its co-operators undeserved benefits, money or computers, for herself and others, in order to develop projects with the Ministry of Education between 2001 and 2009.

*Valerian Vreme* is a Democrat Liberal MP and former Minister of Communications between 2010 and 2012. His MP immunity has been suspended as he is currently investigated for abusing public office and forgery.

*Daniel Funeriu* was the Democrat-Liberal Minister of Education and Research between 2009 and 2012.

Valerian Vreme and Daniel Funeriu are accused of using a note approved by Prime Minister Emil Boc based on which the Ministry of Communications bought directly an educational software programme although this purchase should have taken place based on a Governmental Decision. They are accused as well as the Ministry of Education asked for 72,990 more educational licenses than were necessary, so overspending by €5.4 million.

*Dan Nica* was the Minister of Education between 2000 and 2004 and Deputy Prime Minister between 2008 and 2009. He is currently a member of the European Parliament. He is accused of taking bribes, doing traffic of influence and money laundry. Like Șerban Mihăilescu, Nica is being investigated for asking and receiving between April and November 2004 a share of \$20 million sent by Fujitsu Siemens Computers to the account of some off-shore companies. The money was requested as payment for the consultancy and technical assistance he provided by using his public office influence in order to seal the contract with Microsoft according to the conditions imposed by Fujitsu Siemens Computers.

*Alexandru Athanasiu* was one of Romania's Prime Ministers on an interim basis from 13 to 22 December 1999. He served as the Social-democrat Minister of Education between 2003 and 2005. Athanasiu is accused of abusing public office, taking bribes, traffic of influence and money laundry. He is accused of the same deeds as Ecaterina Andronescu.

*Mihai Tănăsescu* was the PSD Minister of Finance between 2000 and 2004 and an MP (member of the Chamber of Deputies) between 2004 and 2007. Tănăsescu is under criminal investigation for abusing public office while Minister of Finance, of taking bribes, traffic of influence and money laundry.

Tănăsescu is accused of approving the budget for the “Electronic Educational System” as well for the programme concerning the Microsoft licences while initiating and approving Government Decisions which favoured two Romanian companies, Fujitsu Siemens Computers and Siveco, as well as their co-operators. As a result, the state budget was affected as the products and services were bought at higher prices than the real market prices: the prices for licenses were 30% - 40% higher; the ones for computers and software were up to 50% higher. He is accused as well that between June 2003 and November 2004 he asked for and received via intermediaries bribes from Fujitsu Siemens Computers` turnover as a result of the licencing contract with Microsoft. As such, € 82,000 got into the bank account of one of Tănăsescu`s relatives from the account of a company in Liechtenstein. The investigation shows that the company in Liechtenstein was controlled by one of the intermediaries, who received money from a company fed exclusively with money from Fujitsu Siemens Computers.

*Gabriel Sandu* was the Liberal-Democrat Minister of Communications between December 2008 and September 2010. He was arrested by the National Anticorruption Authority (DNA) as suspected of public office abuse while a minister, taking bribes, traffic of influence and money laundry. He is accused of requiring a bribe of €1.8 million from Fujitsu Siemens Computers in order to make a due payment, to supplement the budget as well as to overlook some deficiencies. He demanded and received €2.7 million in 2009 in order to seal the licensing contract with Microsoft and its additional acts. The required amount of money was transferred in the account of a company controlled by himself (Essim Partners Ltd.) based on consultancy contracts for bogus commercial activities.

Sandu worked very much through intermediaries and the Romanian press described the mode of operating. According to the statement of a witness, un-official meetings were taking place between those interested to renew contracts with the Minister in charge, Gabriel Sandu, in the office of one of the intermediaries, Dorin Cocoş. Money was required during these meetings in order to seal the deal. For example, Minister Sandu Gabriel asked for € 2.7 million and the intermediaries asked for € 9 million (Dorin Cocoş) and 3.99 million (Gheorghe Ştefan). A company, Barringwood Investment Limited, was set up in order to receive the money

*Adriana Țicău* was the PSD Minister of Communications between July and December 2004. She is suspected of public office abuse, taking a bribe, traffic of influence and money laundering. Țicău is suspected of approving the budget for the “Electronic Educational System” as well as the project for licensing Microsoft. She is suspected as well of initiating and approving drafts of Governmental Decisions meant to favour Fujitsu Siemens Computers, Siveco and their co-operators. As a consequence, the State budget was prejudiced, as the

products and services were bought at higher prices than the real market prices: the prices for licenses were 30% - 40% higher; the ones for computers and software were up to 50% higher.

*Victor Ponta.* A Law graduate, Victor Ponta is a Prosecutor who worked within the Supreme Court of Justice by dealing with anti-corruption and money laundering between 1998 and 2001. He got into politics in 2001 under the wing of the Prime Minister at that time, Adrian Năstase, and was appointed as head of the Control Authority in the Romanian Government. In 2004 he was appointed as Delegate Minister in charge with the Control of the Programmes based on International Funding and Monitoring the Monitoring of the Application of the EU Acquis.

In 2002 he became the leader of the Youth Organisation of the Social Democrat Party (PSD) and was elected as PSD's Vice President in 2006. He was elected as the President of PSD in 2010 and became Prime Minister in 2012. His mandate is seen in rather bleak colours. One black spot on his mandate is the fact that in 2012 his government, by infringing the law, managed to determine the Parliament to vote for the suspension of President Bănescu in just three days. The referendum that followed in order to reinstate or dismiss Bănescu as President of Romania was not valid due to a lack of quorum, so President Bănescu could continue his mandate. Another black spot is the accusation that Victor Ponta plagiarised his PhD thesis. The plagiarism was confirmed by the Ethics Committee of the University in Bucharest, the same institution which provided him with the PhD Diploma in Law. Although the Ethics Committee proved the plagiarism, the Ministry of Education, led by the PSD Minister Ecaterina Andronescu, created a National Committee of Ethics especially for this case. The Committee decided that Ponta didn't plagiarise.

Ponta's Government is seen as "shimmering with unkept promises, overwhelming tax measures, the decrease of strategic investment, the lack of vision" (Alexandrescu, 2014). As a result, "the latest EU economic reports blatantly contradict the triumphal declarations of PSD government concerning the economic growth and, on the contrary, indicate an economic drop which places Romania at the bottom of the EU" (Alexandrescu, 2014).

Other low moments in Ponta's mandate presented by the Romanian press are: the accusation that he was a covert Intelligence Officer within the External Intelligence Services (SIE) while working as prosecutor, the support provided to the PSD MPs and their allies in their attempt to pass the Law of Amnesty and Pardon which would have led to the release from prison of many politicians convicted for corruption.

Victor Ponta is presented by the Romanian press as being surrounded by a deeply corrupt oligarchy comprising notorious politicians such as: Victor Hrebenciuc, Ilie Sârbu, Dan

Șova and Liviu Dragnea. Victor Hrebenciuc is the PSD member that negotiated the formation of PSD governments and the coordinator of Ponta`s Presidential campaign. He was arrested for the traffic of influence done to illegally reconvey 43,000 hectares of wood in Moldova. Ilie Sârbu is Ponta`s father in law and a significant PSD member, former Minister of Agriculture. He is being criminally investigated too in the same business as Victor Hrebenciuc. Dan Șova is presented as a very good friend of Victor Ponta and former Minister of Infrastructure. He is involved in the same business with Hrebenciuc and Sârbu. The Romanian press presented the stenographs of a discussion between Hrebenciuc and Șova in which Șova promises to mobilise the PSD in order to promote the Law of Amnesty and Pardon if promised to become the leader of the party after Ponta`s departure.

Liviu Dragnea was the Manager of Ponta`s Presidential campaign. He was sent to Court together with 74 members and heads of electoral commissions in October 2013 for attempting to rig the referendum to reinstate President Bănescu in 2012. The Court trial provided the public with the image of 300 witnesses, in fact electors in whose name PSD members voted, brought to the Court by coaches to testify to the fact they in fact did not vote. (Bechir, 2014).

The Romanian press describes as well that Victor Ponta might be involved in the Microsoft case, as one of the informers indicated that Claudiu Florică, the boss of Fujitsu Siemens Romania, tried to put pressure on Ponta while he has in charge with the Control Authority in Năstase`s government with the purpose to make Ponta start an investigation at the Ministry of Education in order to oblige Siveco, the company that had the contract with the Ministry of Education, to make room for his company. In order to thank Ponta for his support, Fujitsu Siemens Romania donated via its partners computers to the the HQ of the Youth Organisation of PSD (Biță, 2014)

The Romanian press clearly describes the corruption mechanism that has been used by most of the Romanian ministers of Communications and Education since 2000: the Romanian companies wishing to get the contract with the state in order to sell Microsoft products had to bribe the ministers (and pay the intermediaries generously) for receiving contracts without public tendering or any process allowing competition. As these companies have to recover the loss registered due to all the bribes paid, the Romanian Ministries order much more than necessary and the “selected” companies provide them at prices 30% to 50% above the market price. The Romanian press describes a circuit in which all the actors involved win apart from the state budget and, indirectly, the Romanian tax payer.

*The Intermediaries* have been largely mentioned by the Romanian press. Most of them are presented as being part of an “underground” group focused on linking the political parties

in power with those in opposition in order to obtain illegal contracts (Gherguț b, 2014) The most notorious names from this group, are: Dorin Cocoș, Gheorghe Ștefan (Pinalti), Dumitru Nicolae (NIRO), Alexandru Bittner, Remus Truică, Adrian Petrache, Dinu Pescariu, Claudiu Florică, Doru Boștină and Cătălin Harnagea.

Controversial businessmen Dorin Cocoș and Dumitru Nicolae as well as Gheorghe Ștefan, the Mayor of Piatra Neamț Town, are the most mediatised names due to their connections with Elena Udrea, the closest politician to the President of Romania, Traian Băsescu.

*Dorin Cocoș* is considered to be probably the most important character in the Microsoft – EADS saga as his role was to link politicians irrespective of the political party and companies which intended to obtain contracts at overrated prices. He is notorious as well due to the fact that he had been the husband of Elena Udrea until their divorce in the summer of 2013 and was close to President Traian Băsescu. He is presented as being someone very well connected to all the political parties; his business partners link back to Năstase's Government.

The Romanian press describes in detail Cocoș's involvement: the contract for Microsoft licenses expired in 2009 during the Liberal Democrat – Social Democrat Coalition led by Prime Minister Emil Boc. Prime Minister Boc refused to give the contract directly to Fujitsu Siemens led by Claudiu Florică, as Adrian Năstase did, and asked for tendering. Claudiu Florică got in touch with tennis player Dinu Pescariu, a close aid of Dorin Cocoș, in order to put him in contact in the hope that Cocoș might support him during the tendering process. Dorin Cocoș, helped by Gheorghe Ștefan, the Liberal Democrat Mayor of Piatra Neamț who had influence over Gabriel Sandu, had the role of linking the Social Democrat Party (PSD) with the Liberal Democrat Party (PDL) in order to attract Gabriel Sandu, the Liberal Democrat Minister of Communications, into the business. Meetings were arranged and intermediated by Dorin Cocoș between Claudiu Florică and Gabriel Sandu. Businessman Dumitru Nicolae (NIRO) got in the game as well with the role of providing the guarantee letter. Claudiu Florică won the tendering and the bribes were broken down and directed by Dorin Cocoș. The contact persons and the bank accounts of the companies where the bribes were to be sent were indicated to Claudiu Florică by each of the beneficiaries.

The Romanian press notes that for the role he played, Dorin Cocoș received a bribe of € 9 million in Switzerland. The money travelled from the bank account of D. Con. Net fed exclusively with money from Microsoft to the bank account of Barringwood Investment Ltd, a company controlled by Dinu Pescariu. Cash was retrieved by Dinu Pecariu and personally handed in bags to Cocoș. Dumitru Nicolae received € 3 million, Gabriel Sandu, the Minister of Communications received a total of € 4.1 million (€ 2.3 million from Dinu Pescariu and €

1.8 million from Barrister Boștină who made sure the documents involved in the tendering were legal), Gheorghe Ștefan received about € 4 million and Dinu Pescariu received € 3 million.

*Elena Udrea* intended to run for the position of the Head of State in the autumn of 2014 enjoying the openly declared support of the Head of State at that time, Traian Băsescu. The Romanian press notices that her image problems during the electoral campaign came after Cocoș was arrested in the Microsoft case and the fact that the divorce took place after the first information about the case appeared in 2013.

*Gheorghe Ștefan (Pinalti)* is the Liberal Democrat Mayor of Piatra Neamț and close to the Social Democrat Party. He is presented as well as having an important role in the Microsoft file together with Dorin Cocoș and Dumitru Nicolae: to link politicians from different parties and the companies that wanted to obtain state contracts at overrated prices.

*Businessman Dumitru Nicolae (NIRO)* is a controversial businessman and owner of NIRO Group. He likes to call himself a “gipsy”. He has been previously involved in corrupt dealing with Microsoft Licenses, as in 2003 he did traffic of influence involving the Minister of Communications at that time, Dan Nica, and the State Secretary, Șerban Mihăilescu, so that the same Fujitsu Siemens, controlled by the same Claudiu Florică would win the contract. Dinu Pescariu helped again laundering the money received as bribes. Dumitru Nicolae received for this deal \$7.65 million.

The Romanian press mentions as well that the PSD Prime Minister Victor Ponta and his family own three luxury apartments in a residential complex built by NIRO, and that NIRO associated in 2006 with Elena Udrea and Dorin Cocoș in order to develop a real estate project but the project failed. Dumitru Nicolae admits that among his employees there are 20 former officers from the Communist Securitate to whom he gave key positions. One of his business partners, Colonel Constantin Salistra, died in suspicious circumstances in 1993 and his spokesperson, Colonel Ion Badea, was the spokesperson of the National Anticorruption General Prosecutors Office (PNA), the predecessor of DNA, until 2005.

*Businessman Alexandru Bittner* is presented as a close aide to the former Prime Minister, accused and convicted for corruption, Adrian Năstase. A millionaire currently living in the USA, Bittner is presented as being one of the main beneficiaries of the contracts signed during Năstase’s government (2000 – 2004). One news blog, Stiripesurse, announced that Bittner cooperated with the FBI in the Microsoft case, but President Băsescu declared the information was not correct (Biță, 2014). Bittner is presented as well as being part of the lobby trio involved in the EADS case.

*Remus Truică* is the former Chief of Cabinet<sup>92</sup> of Adrian Năstase when he was Prime Minister. He is presented as somebody who had become one of the richest Romanians in just 10 years, starting from the moment he began working for Adrian Năstase. The Romanian press describes the search at his villa, a real palace spread over hundreds of square meters surrounded by 10 hectares of land and comprising a pool, a football and a tennis pitch as well as a pavilion for picnics. He is considered to be an important link in the long chain of intermediaries in the Microsoft case.

*Adrian Petrache* is presented as being close to Dorin Cocoş and Adrian Năstase and business partner on real estates with Alexandru Bittner. Like Cocoş and Bittner, Petrache is presented as part of the lobby trio involved in both the EADS and the Microsoft case.

*Claudiu Florică* is one of the characters involved in both the Microsoft and the EADS cases. He was the coordinator of Fujitsu Siemens Computers business in Romania.

*Dinu Pescariu* is a former Romanian tennis player who became close to Dorin Cocoş. Similar to Claudiu Florică, he is presented by the Romanian press as one of the characters involved in both the Microsoft and EADS cases. He is presented as well as being the main administrator of the bribes via his companies.

*Doru Boştină* is presented as the Barrister who drafted the documents used by the group for their dealings and provided them with legal assistance.

The Romanian press pays special attention to the long term persistence of these characters, who not only link different, often opponent political parties but represent at the same time a bridge over time and one of the main instruments facilitating the continuation of the same corrupt practice.

*The Informers.* The National Anticorruption Authority (DNA) was informed about the dealings in the Microsoft case by the denunciations made by Claudiu Florică, Dinu Pescariu and Doru Boştină after the criminal investigation officially started in July 2014, in the hope that they would escape unpunished or receive lenient punishment. Other people such as the former State Secretary during the Năstase Government, Eugen Bejenariu, and Dan Nica, a former Minister of Communications, made denunciations as well. Perhaps the most spectacular denunciation is the one of Cocoş's close aid, Dinu Pescariu. The Romanian press states that Pescariu offered to help DNA demonstrate he gave Cocoş the cash. It emerged that in order to hide the source of the money, Cocoş signed with Pescariu loan contracts which appeared in Elena Udrea's wealth declarations which state that Pescariu gave them two loans, one of €

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<sup>92</sup> Chief of Cabinet is the equivalent of Private Secretary.

500,000 and another one of €200,000. In order to get rid of these debts, Dorin Cocoş manufactured 21 receipts confirming he had paid the money back to Pescariu. The receipts had different dates and were written and signed by Cocoş and Pescariu with different pens. Pescariu took the receipts as well as the pens, all were confiscated by the prosecutors during a house search. A few stenographs were published by the press during the electoral campaign showing a discussion between Dorin Cocoş and Dinu Pescariu in which Cocoş mentions someone called “Elena” who agrees to the forgery of receipts in order to hide the bribes.

### **6.3.3 Presenting Political Corruption**

*How the corrupt acts are evaluated.* The Romanian press takes over the descriptions of the facts provided by the National Anticorruption Authority, which is in fact the main producer of frames about political corruption. The facts are described as: corruption, money laundering, bribery, traffic of influence, abuse of public office, fraud, setting up criminal groups.

*The consequences of the corrupt acts* are presented by the Romanian journalists as being: money stolen from the state budget, exaggerated acquisition prices, damaging, and illegal contracts for the Romanian state, lacking guarantees and infringing the tendering legislation, the result of huge commissions paid to intermediaries. The most mediatised consequence of the corrupt acts is the damage of over €1 billion done to the state budget. The Romanian journalists draw attention as well to the broader consequences: the lowest wages in the EU, generalised poverty, the lack of road infrastructure as well as poor infrastructure in Education and Health Systems.

*The motivation of doing corruption* is given by the benefits, in goods and money, for both, politicians and intermediaries.

*The Romanian press suggests as well a few solutions for solving the problem of corruption:* Romanians to give up their indifferent attitude, to be more careful about the manipulation done by the mass-media, especially by TV channels Antena 3 and Romania TV, to pay more attention to what the elected politicians are doing and in the case of a clear verdict of corruption, the money to be recovered and returned to the state budget. The anti-corruption institutions to be consolidated.

*The role of the press* appears from the manner in which the Romanian press presents the two corruption cases:

*It informs about* the names involved in the Microsoft – EADS cases and describes in detail the corrupt acts done by each of them. It informs about the legal procedures applied during the criminal investigation and describes the initial source of the disclosure of political corruption cases. It informs about the benefits the culprits received as a result of their corrupt acts, this way explaining the magnitude of corruption. It transmits the views of the politicians about the Microsoft – EADS cases, including the points of view of those politicians accused of corruption. It provides information about the informers that cooperated with the DNA and presents the evolution of the companies involved in corruption. It monitors the activity of the legal system and the Parliament linked to this case. It describes how the culprits benefit by the protection of other politicians, the involvement of other Romanian institutions such as the Romanian Intelligence Service (SRI) and the Romanian External Intelligence Service (SIE) as well as the manner in which the culprits try to escape from the situation.

It draws attention: to the consequences of political corruption, to the passive attitude of the population to political corruption, to the manipulation by the media, to the fact that Romanians do not pay enough attention to the acts of their elected politicians.

It presents stenographs showing how culprits intended to hide bribes, as well as the manner in which the Parliament tried to protect the MPs who should have had their political immunity cancelled in order to be criminally investigated for corruption. It transmits information about other cases of corruption and corrupt politicians and draws attention to the consequences of solving the two cases for Romanian society.

*A potential political interference in the press* is signalled by the journalists in an article published by a Romanian freelancer, Vlad Georgescu, in the Huffington Post, about the EADS case. The article points to corrupt acts done by Romanian politicians including Elena Udrea and minister Ioan Rus, Romanian businessmen such as the world renowned former tennis player Ion Țiriac, and indicates a potential involvement of German politicians such as the former Chancellor, Gerhard Schroeder. The article appeared in the Romanian press, although journalists Cătălin Antohe and Ion Cristoiu wondered if it was not a diversion organised by the Romanian External Intelligence Service (SIE) a few days before the end of the electoral campaign for the Presidency designed to harm one of the candidates (Elena Udrea) (Antohe, 2014).

The Romanian press pays considerable attention to *the stages of the criminal investigation* backed up by the fact that the Court/Prosecutors/Judges are the source of news about political corruption in 42% of the cases.

The Romanian press describes as well *the initial sources of corruption disclosures*. The press informs that the National Anticorruption Authority (DNA) started the criminal investigation in May 2013 as a result of a notification received from the Chancellery of Prime Minister Victor Ponta. The notification pointed to a report that resulted from an investigation done by the Control Authority under the supervision of Prime Minister Victor Ponta about illegal contracts for renting and expanding educational licences by the Ministry of Communications for the use of the Ministry of Education. The inspectors sent by the Control Authority investigated only the ministers Daniel Funeriu and Valerian Vreme, who were part of the opposition, hence Mr. Ponta's political adversaries. The anti-corruption prosecutors analysed the documents sent by the Prime Minister's Control Authority and discovered that the illegal contracts started being signed in 2001, when Victor Ponta's mentor in politics, Adrian Năstase, was Prime Minister. The investigations showed that other PSD ministers continued the practice of signing illegal contracts. The Romanian press announces that the first notification sent to the Anticorruption Authority about these contracts happened in 2005, when the Democrat Minister of Education at that time, Mircea Miclea, complained about the exaggerated prices of software and computers for schools.

The FBI is presented as a potential source of information, as the Romanian press publishes that the American authorities informed their Romanian counterparts about one year and half ago about illegalities done in the Microsoft-EADS contracts. The information was confirmed by the head of the Romanian External Intelligence Service (SIE) at that time, Teodor Meleşcanu, but denied by President Băsescu. Another source presented by the Romanian press is the Romanian freelancer in Germany, Vlad Georgescu, mentioned above.

*Pressures put on the legal system.* Only a few frame units present how the Romanian MPs try to save their allegedly corrupt colleagues from having their political immunity waved and allowed to being criminally investigated by Prosecutors. For example, the Romanian Senate decided to suspend its session for the Presidential elections one day early in order to avoid voting against their PSD colleagues, Şerban Mihăilescu and Ecaterina Andronescu. This manner of approaching the fight against corruption annoyed Romania's ally, the United States, and the Romanian press did not miss the opportunity to mediatise the reactions coming from the USA as Victoria Nuland, the Under Secretary of State for Euro-Asian Affairs, asked shortly after the scandal started how could certain leaders from Central and Eastern Europe sleep peacefully under the blanket of Article 5 of the NATO Treaty (the article which obliges all NATO members to react in case one of them is attacked) while they defend corrupt people from the Legal System: "Internal threats to democracy and freedom are equally worrying in

Central Europe. The cancer of economic downfall and corruption threaten the dream pursued by so many people who fought for it in 1989 in the whole region. We have political leaders in Central Europe who take advantage of the NATO and EU membership, we find leaders in the region who seem to have forgotten the values these institutions are based on. We would ask these leaders: How can you sleep under the blanket of Article 5 of NATO while you are talking about “non-liberal democracy”, a theory amounting to nationalism, restricting the freedom of the press and demonising the civil society? I would ask the same thing about protecting the corrupt officials against criminal investigation, ignoring the Parliament when it is convenient to you or protecting the dirty businesses which increase the dependency of your countries on a foreign source of energy, despite the declared liberal policy” (Filimon, Simion, Biță, 2014)

#### **6.4 Lack of Ethics Within the Romanian Press**

The only piece of material about ethics appears in an opinion article by Gabi Golea, who draws attention to the fact that the developments in the world of informers reporting political corruption mixed with political interests and the interests of prosecutors have a poisonous result. He underlines that before the fall of Communism in Romania, informers were considered to belong to the underworld, used by the Police to watch thieves and having a very short life as they were soon discovered by those they monitored (Golea, 2014).

The development of IT technologies raised the level of “professionalism” so the informers started being the ones who carry recording equipment, and thanks to that the evidence collected from the interior of different state institutions became the quasi-universal means used by Prosecutors when submitting their cases. This method has become inefficient in time, and this is how there appeared the instigator introduced into the area under surveillance to initiate compromising discussions. The journalist draws attention to the fact that sentences taken out of context and put together with information from other recorded discussions could be used to compromise people who have to be removed, on command, from the game, as important political and economic interests are hijacked with the help of the informer “created” at the right moment (Golea, 2014).

The journalist warns that the independent status of investigators is in doubt due to the manner in which “the result” of the informer’s work is delivered with the purpose of compromising, “calming down” or warning certain people. The journalist describes a list of luxury informers, comprising businessmen in the Top 300 (Nelu Iordache), the Police General,

Dan Fatuloiu, barrister Doru Boștină, who betrayed his own client and even the brother of President Traian Băsescu, Mircea Băsescu (Golea, 2014).

## 6.5 Conclusions

The previous two case studies tell us the different stories of two politicians who have two significant points in common: they both emerged from the very high ranks of the Romanian Communist society and they both committed serious acts of corruption for which they were sent to prison. The difference between the two is that Adrian Năstase started being criminally investigated after he lost the presidential elections in 2004 and shortly after that the leadership of his party. He was no longer protected by the system. Dan Voiculescu was in the opposite situation: he was convicted for corruption and sent to prison at the top of his political influence. Supported and surrounded by the media empire he had built, elected as Senator in the Romanian Parliament, discreetly supported by all the charities and NGOs he had set up over time, he went to prison for corruption.

As I mentioned in the Introduction, the Microsoft – EADS case is very different from the previous two as it shows how a corrupt practice survives over a decade, irrespective of who is in charge, and who are those who help this happen. It shows that corruption in Romania is done not only in isolated cases by politicians that manage to get in very high positions with access to contracts and financial resources but it is a widely spread practice which points to the fact that corruption in Romania is systemic. It shows as well that the problem does not lie only in the politicians, who temporarily occupy a position until the next election, but in a system carefully hidden from the public, comprising a group of business people, the “intermediaries”, who managed to survive and thrive over time no matter which parties formed the Government or Opposition.

The presentation of the nine ministers involved shows that the mechanism is the same, each new minister inherits it from the previous one. It is difficult to think that nine officials did not realise that what they were doing was not legal. More than this, the case of Minister Gabriel Sandu shows that each minister was “instructed” in “how things work” by the intermediaries. Another significant aspect that emerges from this case is how extended corruption is, as PSD Prime Minister Victor Ponta might have thought that notifying the Anticorruption Authority (DNA) he would damage only his political opponents. The case affected instead mostly his Party members.

The case is indeed an x-ray of corruption committed by nine ministers and their helpers in the Ministries of Communications and Education. Perhaps similar acts have happened in other institutions, as for example, it is often considered that the reason Romania does not have more roads and motorways or more projects using EU funding is due to the corruption in the Ministries in charge.

The Romanian press plays mainly a role of providing information. Its main source is the National Anticorruption Authority. The low number of editorials and opinion articles, only eight, is significant, as though the Romanian journalists either do not understand the entire case or are afraid to comment about it. Its coverage is very similar probably due to the fact that this particular case of corruption affected politicians from all the important political parties and brought forward the business characters behind them.

The researched material provides us with the main aspects of corruption the journalists present. It suggests as well ways of thinking about the problem of corruption: political corruption in Romania does not appear at single cases of politicians who lost power, such as Năstase, or have become so toxic that the legal system feels compelled to do something about it as in the case of Voiculescu. It is a pervasive phenomenon that spreads over decades, has its own mechanism of survival and reproduces itself in the same manner. The survival mechanism is based on corrupted businessmen available to be on good terms with everyone in the political arena and corruptible characters that become ministers and allow themselves to do.... what everybody before them did. Perhaps the most illustrative of all is the message posted on his Facebook account by probably the most toxic media mogul Romania has ever had: the newly released from prison, Sorin Ovidiu Vântu. It is a hatred message addressed to all the Romanians, particularly to those called “the Facebook generation” which had an important contribution to turning the results of Presidential elections in November 2014: “I want to tell that you are all fools. You are fools, suckers in the full meaning of the word. We are the dealers. There is no point in damning us, we do not care. We are resources hoovers, we take everything you produce. (...) said that if your vote mattered, we would not allow you to vote. This is how it happens here too: if your vote would matter, be convinced we would not allow you to vote! All you are doing is to change some of us with others of us. We are the ones who do the combinations, we are above. We have relations everywhere, no matter who comes to power. We make money anyway. What are you doing? You are the “I cannot afford” generation. You have absolutely nothing. You cannot afford houses; you cannot afford cars. You cannot even afford prostitutes. You have to leave the country in order to make it. No, no, you should not leave as less workers will remain to produce the money we will take. Do you want to change

us? You have only one chance: change the political system as it is! Otherwise you will continue to be our slaves. Read my posting below and you will see what I think the political system is and what you are to us. When you spit on us, we (he points towards his t-shirt on which one can read: “Bitch Inside”) say that it is raining. Happy Holidays! “(Băiaș I, 2014).

It is worth mentioning that the researched material does not suggest how to remedy the problem of corruption. The entire written press is focusing on the mechanism and the magnitude of the corruption in this case, but not much attention is paid to potential solutions. As in the previous two cases, the Romanian press fails to open a proper debate about political corruption, its consequences and potential solutions. It fails to reflect about its own role in dealing with it and likes mostly to transmit to its public information made available by the Anticorruption Authority. Attention paid to journalists` ethic is minimal.

## **Chapter 7: Interviews**

### **7.1 Introduction**

I have argued at the beginning of this thesis that the Romanian media can play a key role in the resistance to political corruption, being part of the solution and not of the problem. This might be difficult to achieve when the media is just an instrument used by certain categories of society. Political economy of the media stands on the idea that those who have the power and wealth will use all means to retain them irrespective of consequences. The media in this context is just an instrument whose role is to defend and promote the economic, social and political interests of the privileged groups in society (Chomsky & Herman, 1988). The critical political economy of the media on the other hand, has a more nuanced position: the economy is intertwined with the political, social and cultural realms, and in order to understand the processes at work, attention needs to be paid to long term changes, the balance between private enterprise and public intervention, justice, equity and moral good (Murdock & Golding, 2005).

This research looks at the relationship between the media and the political realm and the impact of this on the quality of the journalistic product. The significance of the critical political economy of the media proposed by Murdock and Golding (2005) for the research resides in the emphasis it puts on political life. It resides as well in the emphasis on the ethical approach to media power. Critical political economy of the media indeed scrutinises justice, equity and public good seen as the result of the communicative activity in a society where political life is a special area of general economic dynamics (Murdock & Golding, 2005). In the context of the general economic dynamics, different ways of financing determine visible consequences on the products of the media. As such, from the perspective of the consequences on the products of the media, the three case studies analysed in the previous chapters show how the Romanian press presented the most notorious political corruption cases between 2004 and 2014. The case studies offer an image of the products of the media by showing how the Romanian press reports political corruption, displaying its own shortcomings. The section dedicated to interviews with journalists and political analysts looks into the reasons behind the performance of the Romanian press and focuses on production as a central point where answers should be looked for. The critical political economy of media model proposed by Murdock & Golding (2005) defines production as the starting point of analysis and follows three core tasks:

to investigate the manufacture of cultural goods understood as the production of meaning and the exercise of power; to investigate the political economy of texts; and to explore the political economy of cultural consumption. Attention will be paid to the ethical aspects as the basis of some of the mistakes of the Romanian media.

The analysis of the media production as a result of the exercise of power addresses two fundamental issues: the pattern of ownership of the media and its consequences in terms of control over the media's activities, and the nature of the relationship between state regulation and media institutions. If we consider the pattern of ownership and its control over the media as the result of exercising power, a justified question arises: what characterises the relationship between media owners and the political realm in Romania? The answer is important, as in a field dominated by media owners helped by a supporting or non-existent legislation, media owners could use their rights to control the flow of information and open debate, so curbing democracy.

How does the relationship between media owners and the political realm influence the Romanian journalists? Critical political economy of the media in Murdock and Golding's view sees the production of communication as the result of the interests producing it, but a special role is acknowledged for those working for the communication bodies. To understand the consequences of the relationship between media owners and the political arena, the human resource is assessed through its aspirations, codes & professional ideologies, and freedom to exercise autonomy given the economic constraints (2005: 74). This requires the study of how human resources in the media do their work, the way sources of power and authority build agendas and the connection between the market and work situations.

By following this structure, I argue that the Romanian media has not yet reached the point in which it can be an effective instrument to hold political power to account, as it is itself affected by a deeply corrupt relationship between the political realm, media owners and journalists. To gather information from journalists involved in reporting and analysing corruption, I used a questionnaire structured in four directions following the main coordinates of critical political economy of media as defined by Murdock and Golding (2005): media ownership, media regulation, the relationship with the political arena and the characteristics of the Romanian journalists and their working conditions. Relevant information was gathered by using questions regarding behaviours, beliefs, attitudes and attributes. 25 journalists specialised on reporting politics and working for the mainstream media were approached to give me an interview. Only 11 answered positively even though I was recommended by trustworthy sources. The content of the interviews explains the reason for the reluctance of the others.

The first section of the chapter focuses on media ownership and lack of ethics. The second section explores the state of the Romanian journalists that is supposed to be professional and perform according to the standards of unbiased reporting in a work environment often lacking any clear and transparent procedures. This section explores topics such as education, professionalism, economic conditions, the relationship with the media owner and political realm. It closes by exploring the solutions suggested by the interviewees. The third section is dedicated to conclusions.

## **7.2 The Romanian Press 2005 to Today: Media Ownership & Lack of Ethics**

*Cristoiu (2012), Țăranu (2011), Tatulici (2012), Păcuraru (2011) and Savaliuc (2012) describe the media ownership as dominated by a group of rogue characters. A Romanian journalist and political analyst Voinescu described the Romanian press as being very oligarchic: “there are 10-12 persons that manage newspapers, do radio and television shows, invite each other on them and who exhaust the embodiment of the press” (Voinescu as cited by Coman, 2014: 45).*

As representatives of a highly oligarchic media, the media owners are described by interviews as “bosses” or “moguls” on which the journalists are highly dependent. They are described as being a closed circle of people that have made money and are doing business mainly in illegal ways. They do not address a real demand on the market. They invest in the press without any preliminary market research, as obtaining a profit from the press is not their main objective. Cristoiu explains: “Tell me if you have ever seen in Romania someone who, like in an American movie, started from a little shop in a bloc of flats. Let’s say he started in the kitchen, because this is how it was during the `90s, and now he has the biggest network of shops in the country. There isn’t anybody. Nobody grew in a healthy way. Nobody had first a monthly dedicated to bees, and with the money obtained this way started publishing a weekly and so on... No, they all got rich overnight, and this is why we do not have capitalists. This is why we do not have managers in the press, this is why no press institution has any preoccupation with survival or competition. If you ask any media boss, none of them will be able to tell you why they set up that newspaper. I have had many meetings with people wanting to invest in the press in the last 10 years. The first question I asked them was: why do you want to set up that newspaper? They couldn’t explain, they couldn’t tell me that they wanted to publish the X

publication dedicated to, let`s say, blue jeans, because there were many people interested to read about blue jeans. They didn`t have a target market” (Cristoiu: 2012:13).

The fact that the Romanian media owners could be considered a rogue group is supported by accusations and prison sentences which have become a common occurrence: Sorin Ovidiu Vântu, the owner of Realitatea - Catavencu media company, was convicted for blackmail and forgery; Dan Adamescu, the owner of Medien Holding Trust which publishes the daily România Liberă, was sentenced to four years in prison for corruption; Adrian Sârbu, the owner of MediaPro trust, was accused of tax evasion, money laundering, forgery and embezzlement and is currently being investigated; Dan Voiculescu, politician and the owner of Intact Media trust, was sentenced to 10 years in prison for corruption; Sebastian Ghiță, politician and the owner of Romania TV, was sent to Court for corruption and is currently being investigated; Dan Diaconescu, politician and the owner of DDTV and OTV television stations, was sentenced to five years in prison for blackmail.

Cristoiu (2012), Tatulici (2012), Țăranu (2011) and Păcuraru (2011) explain that this rogue group resulted from a post-communist transition marked by economic difficulties which facilitated the access of the wrong people to the media. This happened due to the fact that from an economic point of view, the transition from Communism confronted a press not used to following financial purposes with the need to find finance for an increased number of publications. As the emerging advertising market was very limited, the new press owners turned to the state.

Cristoiu (2012) explains that most of the old communist newspapers were privatised by being bought by the members of the editorial offices. The journalists had to sell their shares due to economic difficulties and these got into the hands of people outside the press. The newest newspapers were set up by new owners. He explains: “The newspapers which became state newspapers were privatised through a huge fraud as they were never bought. If we talk about corruption, the corruption started with the press. Fraudulent privatizations took place as the newspapers were not auctioned.

It would have been normal for them to be put up for auction and to be bought by whoever wanted them. No, this didn`t happen. Through a stunt called the “Mebo method”, the employees took shares, but even more shares were taken by the bosses who got installed through the revolutionary power in 1989” (Cristoiu, 2012:4).

Most of the new owners came from those people who had made money illegally and decided to protect themselves by buying or setting up newspapers, TV stations and media holdings.

Most of them prefer to own TV news stations, as this type of asset gives them the power to obtain contracts from the state for the businesses they develop in parallel with their media:” Look, at the present moment there are 8 TV news stations. None of the people who set up these TV stations said: there is a niche (...) As in commerce, in production...you research the market... No, everybody wants to have TV news stations because with the TV news you have power, the power to obtain contracts. What power do you have if you want to do set up a television station dedicated to bees? None. Maybe this TV is more effective, it could bring you money. The most effective television stations in Romania are those dedicated to popular music, but they do not have any power either. There is no point if they are not news stations” (Cristoiu, 2012:13). This way the profits are the result of the corrupt relationship between media owner and politician.

Dan Voiculescu, sentenced to prison for obtaining the HQs of his media empire via corruption, is the most notorious example of how businessmen and politicians who already have or take control over media institutions use them as instruments to get political or business advantages, to the prejudice of the public’s right to be properly informed (AMP, 2005/2006).

Țăranu (2011) emphasises that not all media moguls are as visible as Dan Voiculescu. He explains: “These moguls are not always the sponsors, such as Voiculescu, who is a visible mogul. There are and will continue to be semi-visible or completely invisible moguls who control chunks of the Romanian press better than the visible moguls, because they generate press campaigns against their competitors, or rival political structures, they generate press campaigns against legislative or citizens’ initiatives which could damage their businesses” (Țăranu, 2011: 4). This situation is supported and enhanced by the lack of any regulation concerning media ownership. As such, there is no form of transparency of media ownership, making any anti-trust research impossible because of the very incomplete data. The situation is even worse for the online press. There is as well no legal measure to impose the transparency of media’s finance sources.

Research done by Liliana Preoteasa confirms that hiding media ownership is one the features of politicians who acquire media with the purpose of gaining power and influence, due to the lack of legal provisions to force media outlets to reveal their real owners. She gives the example of Mediafax, the biggest news agency in Romania, whose real owners had been kept secret, putting into question the credibility of thousands of pieces of news daily spread throughout Romania (Preoteasa, 2014).

*The relationship media owner – political class is based on barter.* The relationship media owner – political class is explored by seven of the interviewees (Cristoiu, Țăranu, Tatulici, Păcuraru, Rogozanu, Savaliuc and Avădani). It is described as a relationship based on interest, in which politicians and media owners work hand in hand, in a complicity in which the media owners have political interests and politicians are looking for support for their political purposes. It is an ambiguous relationship in which the media owners penetrated the political class, being the same people.

Overall, this relationship has grown more and more complicated. The Romanian press was initially used to support political parties or groups, but once people who had made money illegally decided to acquire media as protection, the media started being used primarily to promote the interests of the media owner and not the interests of a political group. This relationship has evolved, and today the relationship between media owner and politicians is one of short term barter: the politician pays for articles and campaigns and the media owner uses his media assets to support the politician according to the chances this one has to administer public money and give him something back.

Extra capital is received at the beginning of electoral campaigns, which is the particular time when media owners are looking for money to finance their “dark activities”. Savaliuc explains the mechanism at work: “Almost all the media bosses have political interests and look for financing for their dark activities from their media trusts with money from politicians and business people around these politicians. The relationship between the two parties is based on interest. The politicians in power usually attack the press and those from the opposition supply it with subjects about their adversaries in power. Usually, at the beginning of the electoral campaigns the media bosses get extra capital. The media institutions are generally enslaved and it is known which serve those in power and which are against them (Savaliuc, 2012: p:5) As a result, deliberate and systemic distortions in the output of the press are a common occurrence.

The reports issued by Agenția de Monitorizare a Presei explain that this phenomenon became even stronger due to the contribution of the economic crisis in 2008 to the aggravation of the Romanian media landscape. A depressed advertising market affected the budgets, followed by waves of dismissals, resignations, re-groupings and wage reductions. 4,000 journalists lost their jobs in 2009 and at the beginning of 2010. The control of politicians over mass-media institutions became much more powerful by means of advertising contracts, while the press groups’ employers proved to be engaged in supporting one or another of the

presidential candidates (AMP, 2009). Concrete cases were identified of favourable news being bought with public funds. (AMP, 2009).

*The relationship media owner – journalist is profoundly unbalanced.* This state emerged very early after the fall of the Communism as a result of a corrupt process of recruitment. Journalist Cătălin Zarojanu explains that 90% of the post-communist journalists came to this profession due to personal connections, as the cases of those who became journalists by presenting good material to a publication were very rare: “As for recruitment selection procedures, let us be serious – they are rare and fictitious” (Zarojanu, 2001). Nicolau explains the implications of this corrupt process of selection: “the absence of a contest means selection according to other criteria: friendship, favouritism, political ties. Therefore, automatically, the person who named you is more important than the criteria that you have to fulfil. You have to be more concerned about not having any arguments with the person that appointed you than about doing your job properly” (Nicolau, 1999: 121). What resulted is a feudal type of mechanism where each media owner worked hard to create its own group of “vassals” (Coman, 2004).

Explored by 8 interviewees (Cristoiu, Țăranu, Tatulici, Păcuraru, Rogozanu, Savaliuc, Avădani, Horsley), the relationship media owner - journalist is described mostly as “obedience”, “subjugation”, “slavery”; two interviews described it as “depending on both parties” and “mutual servitude”.

The relationship has evolved over time from the stage in which the media owner depended on the good quality of the work done by journalists, through an intermediate stage in which the media owner started getting involved in the policy of the newspaper, to today’s media owner, the “pork butcher” (Cristoiu, 2012: 9). The “pork butcher” is the owner that makes the editorial policy, imposes on the journalists the subjects and content to write and generally considers himself a journalist as well. Cristoiu describes them as: “The “pork butcher” owner is the guy whose lover tells him: “I do not like how presenter X looks”. And he fires presenter X next day. The owner who goes, and I met such a situation, a news television owner who went to the restaurant. The owner of the restaurant, who was a friend of his, told him that he didn’t like how the presenter, who was broadcasted directly, was reading the news. So the television owner made a phone call and replaced the presenter right then, only to show the restaurant owner how powerful he was. And this is even more serious...because you don’t even have the freedom to say: look, we make a newspaper, we make a television programme, this is our orientation. And the manager eventually says: let us translate everything in journalistic terms...No, the “pork butcher bosses” are journalists already” (Cristoiu, 2012: 9).

Although proper editorial office relationships have not disappeared completely, many journalists experience oppression and self-censorship: they are obliged to write paid-for articles meant to denigrate or enhance the reputation of the persons or issues targeted. Some owners face blackmail in their business and political dealings and defend themselves against attacks from their political and business enemies via journalists, key-employees in their media assets.

The autonomy of journalists is not guaranteed by anybody and the distribution of correct journalistic material often implies a willingness to risk confronting the media owner. Rogozanu explains that: “Autonomy has become a strictly personal matter. It is not guaranteed by anybody. You can gain your right to distribute the correct journalistic material if you take risks, if you confront and if you are indispensable to them. Many lose their will to fight all the time for this thing. The argument of the owner is always a financial one” (Rogozanu, 2012:3). Few journalists dare to do it, and only if they are indispensable to the media owner. The degree of autonomy allowed to journalists is defined depending on three elements: the rank of the journalists, the power of the editorial boss, the vision and the needs of the media owner, i.e. if he wants to make a media business or just needs to use the media as an instrument. The relationship between the media owner and journalists is under strain from the very beginning as only a few journalists try to negotiate their contracts, most sign them as presented. The situation is a bit different in investigative journalism. The relationships between media owners and journalists are usually based on trust, as the journalist can produce results only if protected by the media institution that hired him and if freedom of expression is allowed. Savaliuc describes this relationship by mentioning that:” It depends on both of them. They are relationships of trust usually. The investigative journalist can’t be effective without the protection of the media institution which hired him and without freedom of expression. The bosses are tempted to censor the inquiries when they affect the interests of some of their acquaintances or to ask for their exacerbation in order to get an advertising contract. I could say that at present some bosses understand the importance of having professional investigative journalists, but the financial resources are sparely allocated for this kind of journalism” (Savaliuc: 2011:3).

### 7.3 The Romanian Press 2005 to Today: The Romanian Journalist

The interviews undertaken present a dramatic portrait of the Romanian journalist in the last decade, facing enormous challenges in all the aspects which should prepare and allow them to develop their journalistic activity in a professional manner.

Education is considered by Tatulici (2012), Țăranu (2011), Diamandi (2012), Avădani (2012) and Horsley (2012) as being one of the major factors with a negative impact on professional journalistic activity. The education of journalists is viewed as precarious due to an excessive focus on financial gain at the expense of quality. Tatulici thinks that: “There is the idea that the journalists with experience look back on the young generation with contempt. I do not have this bent. I think there are many talented journalists in the young generation. It is just that they are victims of the phenomenon called “Romanian education”. They are victims. I can’t reproach them anything if nobody really educated them nor showed them the ways where they could find what they need, and especially nobody trained them to use associative thinking, which is the essence in journalism: to know lots of things and to link them together producing a new idea or a new formulation or even a memorable formulation” (Tatulici, 2012:4-5).

The techniques of journalism coming from the West do not fit Romania. As a consequence, the market is flooded with journalists that are not properly trained, lacking the practice of using associative thinking, lacking knowledge and understanding of the political world, being almost incapable to understand the relationship between politics and society, with a very weak critical perspective and finding it hard to get out from their own paradigm. As a result, the homogenisation of futile questions which appear 24 hours/day has led to boredom and to the wooden language the Romanian journalist is famous for. The Romanian journalist is incapable of high quality reportage or political and economic analysis and has a huge language handicap. Țăranu explains: “The journalist today is very ill prepared from the point of view of political science. He/she has a very weak critical perspective, is very easily influenced, has difficulties to get out of his or her own paradigms. He/she is pretty formless when it comes to social change. They are almost incapable of understanding the relationship between politics and society. They try to stay together with politicians, at their level, extremely close, without having the social experience an MP has beyond their parliamentary activity. This is why you can meet, I give you an example, completely futile questions which appear 24 hours /day such as: “What would you do if?” Why should you ask such a question if: 1) that fact hasn’t happened yet; 2) there is a multitude of possibilities, of possible futures. What if? What if...why is it absolutely

necessarily for that to happen? Why shouldn't something else happen, from A to Z? This homogenization of questions leads to the boredom and to the wooden language most journalists have. There are just a few better journalists, and most of them do not appear on TV" (Țăranu: 2011:10-11).

Tatulici confirms this view: "The majority of Romanian journalists today are quarter-learned (less than half-learned), ambitious, aggressive, their main quality is to carry the microphone or the voice recorder. You can see that many of the live radio or TV broadcasts are actually transcriptions. Reportage doesn't exist; political, social and cultural analysis of a certain calibre doesn't exist anymore. These are things which are still done by the old journalists. The young ones do not have access to this kind of thing, as they do not have the proper "equipment". Plus, the language handicap is huge. The main problem I have had as an employer in the last 22 years was for the candidates to pass the Romanian language test. I have to tell you that more than 80% of over 5,000 people I have hired in the last 22 years didn't know the semantic content of the word "fortuitous". They don't know what it means. Most of them say it means "forced", only a small minority say it means "incidental". So...this is the starting point. The portrait of the journalist today is dramatic" (Tatulici, 2012:5).

The condition of the Romanian journalist is dealt with by 5 of respondents (Cristoiu, Tatulici, Țăranu, Avădani, Savaliuc), who see the Romanian journalist as lacking talent, over-worked and struggling for money. The value of journalists is judged according to the quantity of material delivered and not according to the quality or complexity of the work done. While chasing for material which they deliver at a low, sometimes shockingly bad quality, Romanian journalists are pressed by the media owner, disregarded by authorities and not protected by anybody. Due to the high number of journalists available on the Romanian media market, the media owner treats journalists as an easily disposable element, not a valuable asset for their company.

The attitude of journalists is addressed by 6 of the respondents (Horsley, Cristoiu, Tatulici, Avădani, Rogozanu, Savaliuc). They are seen as superficial and demotivated by financial and work conditions. Savaliuc explains: "The older generations embrace massively other fields of activity and younger journalists have difficulties in affirming themselves because of the unsuitable professional environment as well as of the permanent uncertainty concerning their jobs due to the fact that many press institutions went bankrupt in the previous years" (Savaliuc, 2012:4).

For example, in February 2013, the journalists from România Liberă went for the second time in a half a year on an unlimited strike as they hadn't been paid for three months (Ziare.com, 2013). A similar situation was happening to the journalists working for Jurnalul Național: the journalists were putting their names down on a list to borrow money from Marius Tucă, the Manager of the newspaper, as they hadn't received their wages for three months (Reporter Virtual, 2013).

The lack of enthusiasm comes as well from the fact that the media owners turned their media trusts into propaganda units meant to bring down ministers as a result of personal vendettas and not due to objective investigations done by journalists. As such the Romanian journalist is reduced to the condition of an ordinary employee, weakened by economic measures and tough owners and experiencing a feeling that their work is pointless. BBC journalist, William Horsley, states as a known fact that “most Romanian media organisations are unwilling to hire BBC or ex-BBC journalists because they are viewed as likely to show too much independence of mind, in contrast to Romanian journalists whose whole career has been spent in Romania and who are thus likely to be conditioned or inured to toeing whatever line they are told to take or even knowingly to falsify the facts or the articles they write” (Horsley, 2012:4).

Cristoiu (2012), Țăranu (2011), Tatulici (2012), Avădani (2012), Păcuraru (2011), Savaliuc (2011), Rogozanu (2012) indicate that the organisation and representation of Romanian journalists is a major difficulty, with a serious impact on the practice of journalism. Although there are about 35 associations of journalists, the typographers' and journalists' trade unions included, most of them are inactive, are managed by people without reputation and leadership, and their capacity to impose themes or ethical principles on the public agenda is low. Only three organisations stand out, The Romanian Press Club, MediaSind Trade Union and the Association of Journalists in Romania. None of them has enough authority and determination, and they are led by people who use them for private purposes.

The high number and overwhelming influence of the media owners in the Romanian press is considered to be the main reason that Romania does not have and cannot have such a representative organisation. Any attempt by any organisation to become representative for the Romanian press could be quickly and easily discredited by the journalists working for a media owner. The second cause is the nature of the Romanian journalists themselves, who are not organised, do not believe in being organised and prefer to ally with the owner and not with their colleagues in the office. Ioana Avădani considers that one solution might be in professional solidarity: “I think that professional solidarity is the thing that should be primarily

consolidated. An abuse against a journalist rarely arouses reactions at national level (excepting the cases when the infringement is serious or spectacular). Unfortunately, journalists are aligned on the division lines between their bosses so that one can find, in the provincial towns where the community is small and everybody knows everybody, journalists that don't speak to each other or "hate" each other just because they work for bosses who are political adversaries or economic competitors" (Avădani, 2012:7).

The consequences of lacking organisation and representation within the press environment affect the journalists' everyday practice. They are easily expendable so they try to survive in a tough market, forgetting about any ethical dimension. They are easily compelled to pay more and more newly introduced taxes as politicians dislike them.

Cristoiu (2012), Țăranu (2011), Tatulici (2012), Avădani (2012), Păcuraru (2011), Savaliuc (2011), Rogozanu (2012) and Horsley (2012) show that the work ethic is missing in this challenging environment. Journalists are seen as mercenaries without any moral compass. Disgraceful deviations are performed, many journalists indulging in such behaviour. Most of them just blindly carry out the orders given by the media owners pursuing their own interests; they know they will survive as long as their owner is in business. Cristoiu exemplifies: "As long as the boss brings money from home he actually pays you the way he pays his driver or chambermaid" (Cristoiu, 2012:11). Once the owner gets bankrupt they are hired by another one. The Romanian journalists know what to say in order to not upset their media owner and some of them got to the point where they voluntarily deform news to curry favour.

As a direct consequence, an attitude of contempt towards journalists is encouraged by both the possibility for politicians to go directly to the media owner to solve their problem, as well as by the lack of ethics and professional standards displayed by media trusts. This makes the Romanian press an easy prey for the negative and dangerous generalisations promoted by politicians. They exploit this vulnerability to promote the idea that all Romanian journalists are crooks, corrupt and serving obscure interests, and no legal measures are proposed to protect journalists.

Agenția de Monitorizare a Presei provides an image of the interactions between politicians and journalists during TV political shows: every day, TV studios invite representatives of political parties and "analysts" of the most unusual kind. Several times a day, in marathon-like shows, they discuss "topics of the day" and begin arguing on any subjects, accusing one another of political bias and manipulation. The protagonists live in a continuing unattested conspiracy and journalists make no efforts to clarify things (AMP, 2010/2011).

Cristoiu (2012), Țăranu (2011), Tatulici (2012), Avădani (2012), Păcuraru (2011), Savaliuc (2011), Rogozanu (2012) and Savaliuc (2012) indicate that Romanian journalists are embarrassed and reluctant to talk about the field they work in. Țăranu thinks that the feeling of imposture and lack of professionalism are the main reasons: “many of them are not professionals. Because they do not feel sure what the press means. There isn’t an inheritance of the press; there aren’t people who have always belonged to the press. Most of them came to the press from elsewhere without knowing very clearly what the press meant, and they always have the feeling of imposture. Because of this they feel embarrassed to tell the most common things although they discuss them among themselves. I think the feeling of imposture is the strongest one. (...) Here (in journalism) is like in politics: most of these people do not have professions. If they had had a profession they would have known it very well, wouldn’t they? Because being a journalist is a profession. If they had had journalism as profession they would have known the answers and would have been more open, especially in front of a professional body. They are not professional, so they withdraw very fast into their shells in order to not make mistakes (Țăranu, 2011:16).

Savaliuc (2012) too indicates that behind this lack of ethics is a massive lack of professionalism and efficiency. The autonomy of journalists depends on the will of the journalists themselves, as nobody can force them to write something they do not agree with, and the excuse that they might face dismissal is available only to those who do not know how to find strong subjects.

Categories of journalists are addressed by Cristoiu (2012), Tatulici (2012), Țăranu (2011) and Savaliuc (2012). The Romanian press comprises three types of journalists. The least populated one, no more than 20, is the category of independent journalists, who have absolute editorial freedom from their Chief Editor or media owner. They gained their independence from their bosses after many years of work. They are older journalists, over the age of 50, and they enjoy public prestige. They are kept by their media owners exactly because they are autonomous. The most populated category of journalists are the ones who do not have any independence, and this is the main reason their media owner keeps them. In this category, remuneration is heavily used by the media owner to censor the news. The area in between comprises a few very high quality people who decided to keep the line of the ownership against their professional judgement.

There is as well the category of investigative journalists. Only a few of them remain, and they were severely affected by the economic crisis. However, they have the advantage of

experience and better understanding of the press world, so they manage to do better than other journalists and have better incomes.

Disclosing political corruption in this context is very challenging, as indicated by Cristoiu (2012) and Tatulici (2012). Disclosing political corruption is presented as being empty of content on the one hand and deeply corrupt on the other. The lack of content comes from the absence of inquiries and investigations, the main instruments typically used by the media in the fight against corruption. The Romanian public is flooded instead by “news” that just reports what happens in the public arena regarding the fight against corruption, a continuous banal reporting of events such as “The Prosecutors’ Office arrested” or “The Prosecutors’ Office discharged”. Tatulici explains the reason behind this situation: “Due to sub financing, the media bark more and more feebly as they can’t finance their main instruments to fight against corruption: inquiry and investigation, which cost most. Bosses don’t have money to throw at these, as they can only be done in a very long time, 3-6 months, they suppose very high professional abilities, a very competent knowledge of the judicial framework, support from solicitors, special advisers, they are deceptive fields so the media prefer to record corruption scandals rather than to discover them.

The Press makes exposures every day but these exposures are something like: “I heard that Boldea did some unseen businesses with land in Galati”. Then they present what the Prosecutors’ Office or others declared. The press can’t announce a relevant corruption case. This happens only once or twice per year” (Tatulici, 2012: 9).

On the other hand, Cristoiu (2012) explains, the corruption scandals that get to the press are the direct result of the involvement of the media owner, who gives the newspaper a dossier that he wants published: “Usually, newspaper X is given a dossier, the newspaper doesn’t make any effort to investigate, it just publishes it: a dossier on the adversary of the newspaper’s boss. I can’t remember, there are just few cases when a newspaper, a press trust started on its own, from a piece of news, a complex investigation which lasted, lets say, one month and ended up with the discovery of a big business. Usually the only cases of corruption that are discovered are those that are meant to be discovered. From my point of view, in Romania, and not only in Romania, things that the politicians, the Power want to keep secret are kept secret. This is because nobody actually makes an effort to discover what the Power wants to hide. This is why, each time a scandal appears, I wonder not if it is true or not. I wonder what the purpose of that scandal is) (Cristoiu, 2012: 8).

Similarly, Romania does not have real political news, as a correct and coherent debate about building and adopting political policies is missing. Instead, 90% of the news consists of manipulation and attempted misinformation and the rest comes from not very robust sources. Declarations by politicians, for example, have become the main form of political news, and it has become enough for journalists to capture statements from notorious characters who are known to talk tough. As a result, the Romanian public is flooded most of the time by non-news, an almost total lack of meaningful content that just reports what happens in the public area regarding the fight against corruption such as “The Prosecutor’s Office arrested” or “The Prosecutors’ Office discharged” (Tatulici, 2012). As a consequence, the public trust in the Romanian press is slowly eroded and the market mechanisms are distorted.

### **7.3.1 Potential Solutions for the Romanian Press**

Opinions expressed in the interviews are mixed and indicate the lack of a clear direction to reform the Romanian press. Cristoiu (2012), Rogozanu (2012) and Păcuraru (2011) think that the Romanian press should be exposed to the real market economy via a proper judicial regulation passed with a significant support from the press itself. This suggestion is based on the idea that if the supply and demand mechanism starts working then the press will not be able to afford deviations as they will depend on the public and ratings and this will bring the necessity for the press to have at least a minimum of independence. Of course, this depends on implementing another solution: the reform of the political class, which would give up their arrangements with media owners and start seeing the press as what it should be, both as public service and industry.

Tatulici (2012) and Țăranu (2012) consider that the Romanian press should build a serious trade union organisation to defend the rights of journalists and to pay attention to what happens to the press, not only in the capital, Bucharest, but in the rest of the country as well. A condition should be enforced that anyone who has not been part of the trade union for at least 2 years should not be allowed to be part of the press.

Savaliuc (2012) considers that a good solution would be tax reductions on journalists’ incomes, but that would be a discrimination against other professional categories. He considers as well that the press will specialise and become professional in time according to the public and its need for information. Rogozanu (2012) sees the solution in an increased solidarity of the state media so that it would become a serious agenda setter for the rest of the media.

All the above suggested solutions could have a more or less significant impact on the state of the Romanian media. Playing according to the rules of an open market economy forces the economic actors to improve and become competitive. It forces them as well to become more focused on the sources of financing. Current economic rules allow enterprises to continue their activities, despite not being in profit, for as long as the financing of activities is ensured. As such, in places where the activities that bring finance are not scrutinised by the legal system, such a solution could have an opposite effect to the desired one, resulting in a much stronger and protected barter relationship between the media owners and political realm.

Building a trade union might help in protecting the Romanian journalist against abuses, but due to its Communist past Romania does not have a strong tradition of free trade unions. More than this, the enhanced fight against corruption in the last years exposed massive corruption at the heart of the existing trade unions. For example, Marius Petcu, the former leader of the National Confederation of the Free Trade Unions in Romania – Frăția (CNSLR - Frăția<sup>93</sup>) and Sanitas Federation was sentenced in 2012 to eight years in prison for corruption, Bogdan Hossu, the President of Confederation “Cartel Alfa<sup>94</sup>” has been investigated for corruption, Marius Petcu, another leader of CNSLR – Frăția and Sanitas Federation was sentenced in 2013 to seven years in prison for corruption.

Tax reductions and financial incentives could improve the state of the Romanian journalist, who might start feeling more stability and less pressure to produce quantity at the expense of quality. However, it is improbable that this would change the nature of the relationship between media owners and the political realm or transform corrupt practices, including employment mechanisms, into ethical ones.

## 7.4 Conclusions

In general, the interviews see the Romanian press as passing through a continuous professional crisis. They describe it as a dysfunctional system not following the principles of demand and supply of an open market. It is stripped of any financial power to assert its independence, it lacks any moral content to acquire a deontological line, it is incapable of

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<sup>93</sup> The National Confederation of the Free Trade Unions in Romania is the largest national organisation with a trade union profile in Romania. It comprises 28 professional federations from all the economic fields in Romania. It has branches in all the 41 administrative units (counties) of Romania.

<sup>94</sup> Cartel Alfa is the trade union of the workers in Romania. It comprises 41 professional federations and has branches in all the 41 counties of Romania.

organising itself in order to protect its interests and workers, and it is mostly used as a blackmail instrument. A reflection of the major challenges facing Romanian society and its political class, the Romanian press is nevertheless seen, despite all its shortcomings, as a guardian of democracy in Romania.

All the three major actors, media owners, politicians and journalists are linked to each other by deeply corrupt relations. These relations serve the purposes of politicians and media owners well but affect journalists as human resources and journalism as a profession negatively. The most affected of all is the Romanian public that is fed with non-news and manipulation instead of benefitting from the reporting of a media eager to scrutinise and unveil the wrongdoings of the elected ones.

The relationship between media owners and politicians is obscure and very changeable according to the interests at stake. The novelty does not come from the fact that the media owners have a special relationship with the political realm, as everywhere in the world journalists want a good story and politicians want the support of the media to win votes. The novelty comes from the shady character of the barter.

Such a relationship can carry unforeseen consequences for the journalists that have to execute the orders as well as the potential of a sudden change of the political line promoted by the newspaper. This is the reason why it is difficult to pinpoint the political colour of newspapers in Romania.

To be a journalist in Romania in such a context proves to be a real challenge, both professionally and personally. Although in the triad politicians – media owners – journalists the journalist is the one doing the work that allows the media outlet or TV station to continue existing, it is by far the most disregarded category. Used at the direct convenience of the media owner or, indirectly, at the convenience of the politician, the Romanian journalist and his/her problems are in fact the most visible part of a very ineffective media system. It is easy to point to the lack of professional education and doubtful ethics of the Romanian journalist while in fact a proper framework based on standards of performance for both, media owners and journalists, is missing.

Overall, the interviews describe the image of a very unstable and un-transparent media system which does not strive to reach certain standards of reporting while having in sight clear ethical guidance. It is a system in which honest, good professionals are mingling with unprofessional and shady characters, many of them already condemned for corruption, in a game which is more and more often lately interrupted by the cleansing intervention of the legal system.

In this context, it is not difficult to see that justice, equity and the public good are in short supply resulting from such rogue communicative activity in Romanian society. The majority of interviewed journalists emphasize the financial aspect as the main culprit for the low quality of media products and human resource. Personal desire for high professional standards and moral stand are somewhere, at the back, far behind economic and relationship challenges of media ownership.

Critical political economy of the media, as defined by Murdock & Golding (2005), sees justice, equity and public good as the value to be offered by the communicative activity in society. However, this is not the case in Romania. Money obtained via corruption and mercenary type activities are the “value” most sought after by most of journalists and media owners. Money, no doubt, is important for both personal and professional survival and development. But as long as the Romanian media owner and journalist see money as the ultimate goal and not an instrument to help do and provide more and better quality work, the Romanian media might not get out from its present pitiful state.

It is also worth noting the sense of disengagement of the interviewed Romanian journalists with their own field. Thinking in the critical political economy of the media mode, these journalists are the representatives of one of the most important actors of the communicative activity in a society. Indeed, they are some of the best journalists Romania has today and their opinions describe correctly the challenges of the Romanian media. But their discourse presents them more like spectators caught in a jaded state than main actors in a situation that needs solutions and rapid intervention. Although they are aware of the situation of the Romanian media, as well as of their importance in the Romanian media landscape, one cannot notice many initiatives or ideas about increasing professional standards and enhancing ethics.

## **Chapter 8: Conclusions**

### **8.1 Introduction**

#### **8.1.1 The Problem**

As we could see throughout this thesis, there are a few particularities that recommend Romania as a relevant case study to understand the transition to democracy and one of its biggest problems, political corruption. Although Romania passed through similar processes to the rest of the post-communist world, it had a few distinct traits which prevented it from developing at the same pace as countries such as Poland or the Czech Republic and achieving the status of fully instated democracy.

The problem of political corruption in Romania should be put into historical context: the Romanian territories have confronted it since the Middle Ages, although a certain degree of awareness and resistance to its practices has always been present. This fact is historically recorded in the work of the representatives of the civil society who had the courage to freely express their discontent and whom we can see today as the resistance to a scourge which has brought Romania many times on the brink of destruction.

In 1989 Romania parted violently with a patrimonial Communism which had totally destroyed the thriving economy this country had managed to build towards the end of the Nineteenth century and between the two World Wars, including the most valuable fabric of society (entrepreneurs, intellectuals, owners) as well as any notion of democracy, pluralism, freedom of speech and tolerance. In view of the lack of any organised dissent as in other Central European post-communist countries, a negotiated transition was not an option. Consequently, Romania ended up with a transition carried out by the communist elite itself, which took advantage of the lack of any opposition and used all the available levers to maintain its privileges. As a direct consequence, political corruption has become Romania's biggest problem and the slow progress in tackling it left its mark on the identity of this country.

The deficit of democracy and political corruption seem to go hand in hand in the case of Romania. Much attention has been paid to Romania's progress towards democracy and tackling political corruption by the EU and by Transparency International, a major international organisation and a well-known think tank. While democratic progress has been carefully scrutinised since Romania expressed its intention to join the EU and NATO, the progress of

the judicial system in tackling political corruption has been the real deal maker in any of this country`s major achievements.

### **8.1.2 Questions & Aims**

As part of the resistance to corruption, the media has a very important role as, apart from informing and educating the public, it sometimes is the only organism that can bring dishonest dealings to the attention of the public in those areas where the warning systems, including legal systems, themselves succumbed to corruption. It is important thus to understand how the media plays its role in a society plagued by political corruption, and what are the main drivers behind the manner in which it reports political corruption.

The Romanian media, as described by the analysis of secondary documents, has three characteristics which legitimise an analysis of its reporting as well as of the causes behind the quality of its work: 1) since the end of Communism the Romanian media and the political arena have had a corrupt relationship caused largely by the economic hardships the media encountered; 2) the appearance of the new class of media owners changed the aims of the media from informing the public to following private interests; 3) the relationship media-political realm seems to have affected both the quality of the journalistic products and journalists` ethics.

The novelty of the present research arises from the fact that, although studies on the general state of the Romanian media has been done, none focuses specifically on the Romanian press reporting political corruption. For example, much attention has been paid by the researchers to the Romanian press during the post-communist transition, to the journalistic elites in post-communist Romania, to the media ownership and owners but virtually none to the manner in which the media has been reporting political corruption and the elements at work behind this process. The debate about the role of the media in reporting political corruption in Romania is missing altogether. The role of this thesis is to fill this gap by answering three questions: how is news about political corruption reported by the Romanian press to its public, what characterises the relationship between the media ownership and political realm in Romania and how does this relationship influence the Romanian journalist reporting political corruption in terms of professional autonomy, daily practice, recruitment and professional ideology.

To answer these questions, I pursued three directions of analysis. Firstly, I analysed how news about political corruption is reported by the Romanian press to its public. Secondly, I focused on the relationship between the owners of the media reporting political corruption

and political realm in Romania by exploring the particular political-institutional and economic realities specific of the Romania press-political elite nexus. Thirdly, I explored how the relationship media ownership – political realm influences the Romanian journalist reporting political corruption in terms of professional autonomy, daily practice, recruitment and professional ideology.

The novelty brought by this thesis lies as well in the actual analysis of the reportage of the most representative cases of political corruption between 2004 and 2015 as well as in the fact that, via interviews, journalists were asked about their challenges and how they think about them.

### **8.1.3 Analysis Done**

This research employed a discourse analysis to explore how news about political corruption is presented by the main Romanian newspapers and news websites. Qualitative and quantitative content analyses were used for the three case studies selected. The quantitative content analysis was conducted following an algorithm comprising critical discourse moments and media events and revealed the thematic universe as presented by the Romania press.

The qualitative (frame) analysis was conducted according to its four main functions: to define problems, diagnose causes, evaluate actions and prescribe solutions, helping this way to identify the particular ways of seeing or thinking about high level political corruption, and how the problem is defined, explained and morally evaluated (Deacon, Pickering, Golding, & Murdock, 2007). Even though the media might not always perform all these functions, the identified patterns show the discursive components that structure the political corruption frame in the Romanian press, allowing this way a reflective look at the manner in which the media are performing these functions.

In view of the fact that the content of the discourse always results from a value-added process (Gamson & Modigliani, 1989), the frame analysis of news about political corruption in Romania shows how the discourse about this topic has evolved and changed over time. The frame analysis sheds light as well on the context of the events, providing coherence and a clear image of issues at stake (London, 1993).

Highly respected, good quality newspapers with medium to high circulation, privately owned, read by different socio-economic strata and different age groups were analysed. Together they represent a major source of information, especially for news such as politics and corruption. I have selected as well the most representative websites for presenting and commenting on political corruption. Unfortunately, for the purposes of this research only

*HotNews* proved to be sufficiently consistent in its reporting for the period of time researched, 2004 - 2014. The other websites displayed problems such as establishing what author is or is not a real journalist, articles published in newspapers were copied in these websites even two or three times, and some of the websites seemed to have been built with the purpose of promoting a certain topic or subject and went dormant (nothing else was published) once the topic had become obsolete.

Interviews with journalists and specialists in politics were employed in order to understand the characteristics of the relationship between owners of media reporting political corruption and politicians in Romania as well as in order to understand how this relationship affects the manner in which journalists are trained and perform their work. It is noticeable as well that the owners of three out of four most respected high quality newspapers are in prison for acts of corruption involving state property or dues.

The interviews were semi-structured, to allow the interviewees the freedom to elaborate. The questionnaire was structured by following the main coordinates of critical political economy of media as defined by Murdock and Golding (2005): media ownership, media regulations and the relationship with the political arena and the characteristics of the Romanian journalists and their work conditions. Relevant information was gathered by using questions regarding behaviours, beliefs, attitudes and attributes.

Although I encountered serious difficulties in getting the interviews, the material obtained provides a comprehensive image of the press and the Romanian journalist reporting political corruption in Romania today.

## **8.2 Key Results**

### **8.2.1 Reportage of Political Corruption by the Romanian Press (Similarities and differences between case studies)**

There are a few similarities and differences between the three case studies when it comes to the Romanian press reporting political corruption. The cases themselves are different. Adrian Năstase is a politician who had to face the weight of the legal system only after he finished his mandate as Prime Minister, lost the presidential elections and consequently the leadership of his party. Dan Voiculescu on the other hand, is a politician who had to give explanations for his deeds while at the height of his career both as an MP and as a business man owning a media empire. The third case study, Microsoft - EADS, shows that political

corruption is a practice widely spread irrespective of what political party forms the government, and inherited from minister to minister as a normal mode of functioning and managing public office.

The analysis of the manner in which the Romanian press reported the three corruption cases indicates that while the Romania press would like to be part of the solution to the problem of political corruption in Romania, it is rather a medium lacking content, as shown by the similarities and differences of reportage related to the three case studies.

The first similarity is that the researched material describes an entire universe of political corruption. Court proceedings, corrupt acts, main political actors and facilitators of political corruption are largely described by a press which plays as well the role of the medium of transmitting the support as well as the criticism of journalists and politicians. Most of the information about corrupt acts committed in the three cases is presented as News and Event type of reporting, while Investigation, Reportage and Interviews have no noticeable presence within the press output in these cases.

In none of the three cases analysed did the Romanian press present itself as more than a medium to report information obtained from official channels, mostly those related to the legal system such as the General Prosecutors` Office. The Romanian journalists do not seem to follow up the information available to either continue investigation or to attempt to discover other cases of political corruption. The low number of editorials and opinion articles indicate that the Romanian journalists either do not understand the cases of corruption or are afraid to comment. Overall, the Romanian media cannot be seen as a whistle-blower or an external mechanism to detect and bring corruption to light.

The second similarity is that while the Romanian press is faithfully reporting the evolution of the court cases related to corrupt politicians, there is no real debate, no real dialogue or monologue about political corruption as an attempt to define the phenomenon, its effects and proposed potential solution. As journalist Mihai Tatulici indicated, there is no news in the Romania press. Everything is a report about what the Court did, what the Court said, etc. (Tatulici, 2012).

A third similarity is represented by the fact that the Romanian press is not unified under the single purpose of reporting and condemning corruption. On the contrary, it takes different sides and presents political corruption and its main actors according to its own interests.

A fourth similarity, obvious mostly in the cases of Adrian Năstase and Dan Voiculescu, is that the Romanian press has a serious problem related to journalists` ethics. The topic occupies a small place in the reporting of the Romanian press despite the information being

available and the journalists acting unethically being named and presented together with their deeds.

There are, however, a few differences between the researched cases. The first difference is provided by the nature of Microsoft – EADS case. It does not focus on just one politician, at the highest or lowest point of their political career, but it provides the image of a corrupt practice comprising an entire political class. This case is important as it shows that the problem of political corruption in Romania does not lie only in the politicians who temporarily occupy a position until the next election, but in an obscure group of business people behind politicians, who managed to survive and thrive over time no matter what party formed the Government or Opposition.

The second difference is that coverage of the Microsoft – EADS case is very similar throughout the Romanian press. This is due probably to the fact it affected politicians from all the important political parties and brought forward the business characters that are behind them.

The third difference in the results of the researched case studies is the presence of suggestions about ways to think about the problem of political corruption. Thematic units in the case of Dan Voiculescu suggest that corruption is part of the Romanian collective mind and change has to start with each member of society. The case of Microsoft-EADS suggests that political corruption in Romania does not just appear in single cases of politicians who lost power, such as Năstase, or have become so toxic that the legal system feels compelled to do something about it as in the case of Voiculescu. It is a pervasive phenomenon that spreads over decades, has its own mechanism of survival and reproduces itself in the same manner. The survival mechanism is based on corrupted businessmen available to be on good terms with everyone in the political arena and corruptible characters that become ministers and allow themselves to continue using corrupt practices.

However, suggesting ways to think about the problem of political corruption is not enough in a country characterised by endemic corruption. One potential solution would be to frame political corruption as an emergency that should be a priority to the public and political elite. Unfortunately, this is something the Romanian press has been constantly failing to do.

### **8.2.2. External Factors with Impact on Media Reportage of Political Corruption (The Relationship Media Ownership - Political Realm and the Condition of the Romanian Journalist)**

*The relationship between media ownership and the political realm* was indicated by the interviews conducted with journalists as a key element and one of the main causes of low quality of media reporting of political corruption. This relationship is presented as a barter of mutual support between media owner and politician to achieve political and business purposes. This relationship is facilitated by a media landscape which is dominated by more or less visible but strong local media owners. Most of these owners are outsiders who acquired media assets by using financial resources obtained from irregular enterprises. As such, the newly acquired media assets are used to protect themselves from being made accountable for their irregular deeds, as well as to obtain access to state contracts for their other businesses.

As the media asset is used just as an instrument for their personal affairs, the reporting of political corruption is consequently distorted. The interviews describe the corruption scandals that get to the media as the direct result of the intervention of the media owners, who pass to their newspaper dossiers about their adversary that need to be published without being properly investigated. As journalist Ion Cristoiu underlines, the cases of corruption “discovered” by the Romanian press are those meant to be discovered, so the correct way of approaching a corruption scandal in Romania is not to wonder if the information is true but to wonder what the purpose of the scandal is (Cristoiu, 2012).

Another source of distorted reporting of political corruption is *the condition of the Romanian journalist within this particular media landscape*.

The professional autonomy of the Romanian journalist is severely limited. With a few exceptions, the journalist has to execute the directions from the media owner who puts a lot of pressure to achieve that.

The journalistic daily practice is described as “slavery”. The Romanian journalist is overworked and underpaid, put under considerable financial pressures. The richness of available human resource, combined with a lack of proper training and support, make the Romanian journalist vulnerable in front of the media owner, who treats them as he pleases.

Lack of ethics is a too common occurrence among the Romanian journalists. As an example, it was only last year that the British branch of the Association of European Journalists asked for my advice concerning the Romanian freelance, investigative journalist Stelian Negrea. He was persecuted together with his wife by two journalists, Mircea Badea and Mihai

Gâdea, of the media trust “Intact”, belonging to Dan Voiculescu (Arvunescu, 2015). The Association of European Journalists supported Negrea publicly and signed a petition together with other Romanian NGOs as a sign of protest. In the Autumn, the same organisation trusted him to collect the sponsorship money to organise the Congress of the organisation in Sibiu, Romania. This year, the same organisation expelled Stelian Negrea from his members and sued him for fraud with sponsorship money (Tudor, 2016).

Lack of ethics becomes a challenge in view of the context aggravated by the fact that both politicians and media owners know politicians act directly through the media owner to solve their problems. As such, as shown by interviews, journalists easily become the victims of the idea often promoted by politicians that all the Romanian journalists are unprofessional, corrupt and serving obscure interests. And the fact that the Romanian press shows little concern and reflection about the lack of ethics affecting the journalists reporting political corruption makes it even more difficult in this context to have a correct and coherent debate about political corruption and reforms in the field.

The general image of the Romanian media as depicted by this research is that of a field passing through a continuous professional crisis, a dysfunctional system eluding the principles of demand and supply specific to an open market and stripped of any financial power to declare a minimum of independence. Used as a mere blackmail instrument, it is described as well as lacking any moral content or deontological line.

The topic of media regulation is a very sensitive one. The views regarding the reliability of the existing norms as well as concerning the necessity and effectiveness of new ones are mixed. The current norms governing the activity of journalists are seen as being the product of a political class that is afraid of journalists and which does anything to maintain its control over this professional branch. In-depth reforms are needed, but before that Romania still has to pass through an education in political correctness so that reforms would not come up against a hostile, unprepared environment.

Although reflecting the major challenges facing Romanian society and its political class, the Romanian press is considered, despite all its shortcomings, the only guardian of democracy in Romania.

## **8.3 Contribution to Existing Knowledge**

### **8.3.1 Contribution to the understanding of the problem of the media reporting political corruption in Romania**

The present thesis is researching just a small slice of the Romanian media in an attempt to exemplify and explain some of its shortcomings. It shows that the reporting of corruption by the mainstream press is in fact void of meaningful content despite the quantities of information let out, a mere reporting of information released by official channels. It shows that investigative journalism, one of the main instruments to uncover corruption, is missing. Journalists restrain themselves or do not have the necessarily means and support to investigate political corruption and do not approach the subject of corruption per se in a proper debate.

The analysis indicates that the source of the absence/low quality of reporting political corruption lies in the relationship between media owners and the political realm. Their inappropriate dealings have a direct impact on the quality of the journalists and their work. For example, the reporting of political corruption is empty of meaningful content most of the time due to the lack of investigations and inquiries about corruption, according to the interests of the media owners.

What separates the Romanian media from the media in Western democracies is the human fabric embodied as media owners. Most of them are undesirable characters who are not interested in expanding their media empire with the purpose of making money and having a power ascendant over politicians. Their aims are short term, focused on getting public contracts for their other businesses and friends and on being protected from potential legal enquires about their past activities. Thus, who becomes a media owner is a particular area that needs to be addressed urgently if the Romanian media is to start curbing its corruption problems. According to the rules of a free market, whoever wants to become a media owner must be allowed to do so. But given the situation of the media ownership in Romania, it is clear that the classical instruments for keeping it accountable are not enough. A joint effort between state institutions and civil society, as in the case of would be MPs, could possibly be a solution.

For example, the National Agency for Integrity in Romania is a public body that was set up in 2007 with the purpose of checking the suitability of the candidates for the Romanian Parliament. These are checked regarding wealth acquired while in public office, conflicts of interest and incompatibilities. It is the administrative instrument the Romanian state is using to cut down on corruption, and it is led by a board largely representative for the Romanian

political administration<sup>95</sup>. Perhaps such a body should be set up to make sure that would-be media owners are morally fit to take on such an important enterprise.

However, ownership is not the only problem. The Romanian media has never reached the stage of a fully functional market economy. The interviews indicate that the principles of demand and supply specific to open markets are completely evaded by the Romanian media owner. In view of the absence of a genuine market to indicate the needs and the wants of the public in the matters of reporting, the audience gets what the media owner wants. As shown by the interviews, the public generally gets doubtful products promoting the interest of a small group, without any consideration for the public agenda. The Romanian media has been confronting severe financial challenges which reduce the professional and ethical quality of journalists, and the public trust in the Romanian media is slowly eroded.

It would be simplistic to suggest that the solution for the Romanian media would be to just expose it to the real demands and rigours of an open market. After all, in an open market the business owners could pump in as much investment as they wished without this generating any profit at all. The Romanian media owner does not care too much about profitability. The profits come from the dealings they obtain as a result of artificially keeping alive their media. A difference could be made only by imposing certain standards of profitability for a media enterprise to be allowed to exist on the market, coupled with a clear ethical code.

The research shows that the Romanian press has been passing not just through a professional crisis but as well through an ethical one. The subject of ethics in reporting political corruption is missing almost completely from the Romanian press, although there are a few indications of reflection on this matter.

A robust code of ethics, enforced by a joint cooperation between representatives of public administration and civil society, including organisations of journalists, which would address the relationship between the media owners and politicians as well as between media owners and journalists is necessary if the Romanian media is to start performing according to higher standards. And it might be the case that in the end what the Romanian media needs is a trade union, a strong body to address the problems and promote the interests of journalists.

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<sup>95</sup> The board is formed of: a representative of each parliamentary group in the Romanian Senate plus a representative of the group of national minorities in the Chamber of Deputies, a representative of the Ministry of Justice, a representative of the Ministry of Public Finances, a representative of local administration from each of Romania's 41 counties, a representative of all the towns in Romania, a representative of all the cities in Romania, a representative of all the higher public servants, a representative of the associations of judges and prosecutors, a representative of the civil society organisations focused on human rights, economic-financial and judicial matters.

### **8.3.2 Contribution to the understanding of the problem of corruption in Romania & Scope for Future Research**

To have a comprehensive image of the state of the Romanian media reporting political corruption, the model of the present research should be applied to the local and regional media where often the pressures and the challenges affecting the mainstream media, are felt much earlier and more acutely.

The present research puts the problem of corruption in context. The Romanian media is reporting political corruption but its output is equally affected by it. The analysis of the case studies presents the image of political corruption as a sum of practices which touch individuals irrespective of their political colour and get inherited as the public office gets new inhabitants at each new electoral cycle.

The analysis done by Dutch and Romanian analysts (TRMJ & MFAN, 2015) indicate that corruption is so embedded in the psyche of the Romanian public servant that, although they do not actively ask for bribes, they do not refuse when offered and have difficulties in finding a reason for doing it. Overall the Romanian politician and public servant lack any reflectivity regarding their corrupt deeds. This points towards corruption in Romania as a problem of political culture and Romania lacks any significant study on this matter. If this is the case, then a future study on the Romanian media reporting political corruption should perhaps begin with a research of the culture of corruption it is based on. This need is acknowledged as well by the Romanian researcher and political analyst, Vladimir Tismăneanu and by German researcher Peter Gross.

Tismăneanu thinks that studies and reports about emerging markets and Western-style institutions do not take into account the role of political culture understood as political traditions, memories and deeply entrenched attitudes (Tismăneanu, 1998:5). Gross considers that a study of the media system such as Romania's must start with the study of history and cultural patterns affecting political and economic systems and cultures (Gross, 2008:136). This is the only way, Gross thinks, that the Romanian overall institutional culture could be understood as well as the manner in which it shapes the media and the media culture and defining this way the professional culture in Romania (Gross, 2008:138).

As a self-reflection, I consider that the work done offers an insight into media reporting of corruption and emphasizes the necessity of a real dialog and a real debate within Romanian society about the manner in which the media approaches the problem of political corruption. It

is not a surprise that such debates do not take place. Despite political corruption producing significant consequences, despite being around for centuries, Romania lacks any scientific studies of the phenomenon. There is no study to explain the culture of kleptocracy or its consequences in this modern European country. Being corrupt is part of everyday life and corruption seems to be a way of life Romanians find difficult to part with, despite its horrendous consequences.

The drama generated by the fire in the nightclub “Colectiv” in Bucharest on the Halloween night last year angered Romanians enough to generate street protests which brought down a very corrupt government (Clej, 2015). But the anger stopped short of pushing things towards the real solution: the resignation of all the MPs accused of corruption and under investigation. By-elections would have been a clear sign that corruption is not tolerated anymore. Instead Romanians accepted a politically independent government of technocrats which cannot pass any real reform as it does not have the political backing of the Parliament. Meanwhile, the MPs accused and under investigation for corruption conveniently continue to hide and conduct their dishonest businesses under the protection of their parliamentary immunity. And to prepare for the general elections in the summer. “Corruption kills!” has become Romania’s most recent slogan but it is not strong enough to make Romanians say: “Stop corruption!”.

As concerning the media, on the 10<sup>th</sup> of March the Special Committee of the Romanian Senate (the inferior Chamber of Parliament) met to evaluate democracy and the state of law in Romania with a focus on the link between democracy and the freedom of mass-media. As a conclusion of the meeting, Ioana Avădani bitterly asked herself on Facebook: “Only my colleague, Alex Giboi, and I still believe in education for the mass-media. The general opinion at this debate is that democracy and the freedom of mass-media would mean to just teach people what TV station to watch. Depressing!” (Avădani, 2016).

Avădani’s conclusion might be depressing indeed but it just shows how big is the need for Romania to have a proper public debate about the role of the media in guarding democracy by exposing the wrong-doing of the elected politicians. Unavoidably such a debate should touch sensitive points: the moral fitness of those who become media owners, how do the media owners use their assets, how should be the relationship between the media owner and the political realm, how could this relationship be kept accountable to the public, how should be the relationship between media owner and journalists? Equally important is to find an answer to the question of how could be implemented the ethical standards missing in the Romanian media? But the most important question the Romanian media has to answer to is related to its

vision for the future as a profession in the service of a public which needs to be correctly informed, involved in the public debate about relevant issues for society and educated.

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## Annex – Actors Involved in EADS – Microsoft Case

### PROFILES

#### *Șerban Mihăilescu*



Source: <https://www.senat.ro/FisaSenator.aspx?ParlamentarID=0231e907-5210-4737-857f-2c1ef03986c1>

Șerban Mihăilescu is one of Romania's long standing Social- Democrat (PSD) MPs. He has had four mandates as a member of the Chamber of Deputies (1990 to 1992; 1996 to 2000; 2000 to 2004 and 2008 to 2012) and three mandates as the member of the Senate (2004 to 2008; 2008 to 2012; 2012 to 2016). He was as well a Minister in charge of coordinating the Government's General Secretariat between December 2000 and October 2003. His MP immunity has been suspended due to criminal investigation of corruption.

*Ecaterina Andronescu*



Source: <https://www.senat.ro/FisaSenator.aspx?ParlamentarID=e25601d1-bde1-4ee4-8b69-f44f36662835>

Andronescu is a long standing PSD member of the Chamber of Deputies (1996 to 2000; 2000 to 2004; 2004 to 2008) as well as a member of the Senate (2008 to 2012; and 2012 to 2016). She was the PSD Minister of Education in Năstase`s government (2000 to 2003) as well as in Emil Boc`s government (2008 to 2009).

*Valerian Vreme and Daniel Funeriu*



Source:

<http://www.cameradeputatilor.ro/pls/parlam/structura.mp?idm=405&cam=2&leg=2012&pag=0&idl=1>

Valerian Vreme is a Democrat Liberal member of the Chamber of Deputies (2008 to 2012; 2012 to 2013; independent 2013 to 2016). He was the Minister of Communications between 2010 and 2012.

*Daniel Funeriu*



*Source:*<http://anticoruptie.hotnews.ro/stiri-anticoruptie-18349478-daniel-funeriu-audiat-dna.htm>

Daniel Funeriu was the Democrat-Liberal Minister of Education and Research between 2009 and 2012.

*Dan Nica*



*Source:* <http://www.dannica.ro/>

Nica has been one of Romania's long standing Social Democrat Members of the Chamber of Deputies (1996 to 2000; 2000 to 2004; 2004 to 2008; 2008 to 2012). He was as well the Minister of Education between 2000 and 2004 and Deputy Prime Minister between 2008 and 2009. He is currently a member of the European Parliament.

*Alexandru Athanasiu*



*Source:*

[http://www.europarl.europa.eu/meps/en/33994/ALEXANDRU\\_ATHANASIU\\_home.html](http://www.europarl.europa.eu/meps/en/33994/ALEXANDRU_ATHANASIU_home.html)

Athanasiu has been a member of the Social Democrat party since 2001. He was one of Romania's Prime Ministers on an interim basis from 13 to 22 December 1999. He was as well the Social-democrat Minister of Education between 2003 and 2005.

*Mihai Tănăsescu*



*Source:* <http://www.cdep.ro/pls/parlam/structura.mp?idm=16&leg=2004&cam=2>

Tănăsescu is Romania's representative at the IMF and the Vice-President of the European Investment Bank (EIB). He was the PSD Minister of Finance between 2000 and 2004 and an MP (member of the Chamber of Deputies) between 2004 and 2007.

*Gabriel Sandu*



Source: <http://www.cdep.ro/pls/parlam/structura.mp?cam=2&idm=101&leg=2004>

Sandu was a Liberal member of the Chamber of Deputies between 2004 and 2008 and the Liberal-Democrat Minister of Communications between December 2008 and September 2010.

*Adriana Țicău*



Source: [http://www.europarl.europa.eu/meps/en/36281/SILVIAADRIANA\\_TICĂU\\_home.html](http://www.europarl.europa.eu/meps/en/36281/SILVIAADRIANA_TICĂU_home.html)

Adriana Țicău was the PSD Minister of Communications between July and December 2004.

***Victor Ponta***



Source: <http://www.revista22.ro/victor-ponta-si-klaus-iohannis--crochiu-de-candidati-49598.html>

***Businessman Dorin Cocoş***



Source: <http://ancheteonline.ro/wp-content/uploads/2014/10/Cocoş1.jpg>

***Elena Udrea***



Source: <http://liberinteleorman.ro/elena-udrea-romania-are-nevoie-de-un-presedinte-puternic-implicat-si-capabil-sa-miste-tara-inainte/>

***Gheorghe Ștefan***



Source: <http://www.Gandul.info/politica/gheorghe-pinalti-Ștefan-zvonurile-privind-plecarea-a-20-de-primari-din-Neamț-catre-opozitie-sunt-povesti-vanatoaresti-9471964>

***Businessman Dumitru Nicolae (NIRO)***



Source: <http://www.nasul.tv/2013/11/28/picatura-chinezeasca-niro/>

***Businessman Alexandru Bittner***



Source: <http://www.ziuaconstantia.ro/diverse/stiri-calde/alexandru-bittner-s-a-retras-din-pensiune-piscicola-srl-jurilovca-514946.html>

***Remus Truică***



Source: <http://www.cotidianul.ro/patricia-kaas-fermecata-de-iubitul-ei-roman-milionarul-remus-Truică-155060/>

***Adrian Petrache***



Source: <http://www.cdep.ro/pls/parlam/structura.mp?idm=285&leg=2012&cam=2>

***Claudiu Florică***



Source: <http://www.evz.ro/reteaua-spagilor-de-milioane-de-euro-mita-ministrilor-era-platita-de-fapt-de-la-bugetul-de-stat.html>

***Dinu Pescariu***



Source: <http://www.cotidianul.ro/dinu-pescariu-600000-de-dolari-din-tenis-32-milioane-de-dolari-din-trafic-de-coruptie-248300/>

***Doru Boștină***



Source: <http://www.doruBoștină.ro/>