

## “THE PARTIES WILL HAVE TO ACCOUNT FOR THEIR ACTIONS”

Interview with Paul E. Sum  
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Paul E. Sum teaches Political Science at the University of North Dakota and is also a close collaborator of the Political Science Department at Babes-Bolyai University in Cluj. He is a close observer of Romanian politics, authoring and editing several publications on this topic, the most recent being the “Romania under Basescu” volume, co-edited with Ronald King in 2011. He is the chair of the Society for Romanian Studies at APSA. This interview, taken right after the referendum for the impeachment of the president in July 2012, tackles the recent development in Romania politics and the expectations for the upcoming general elections.

*In the past two months we witnessed numerous changes at the top of Romanian politics, implemented at an unprecedented speed. Moreover, the recent campaign for the referendum was mainly a war of harsh words between the two main sides. What does that tell us about the quality or the strength of Romanian democracy?*

Attempting to measure the quality or strength of any democracy is very difficult. I do not feel that levels of political volatility or the harshness of political rhetoric are sound measures. Democracy is best understood as process not outcome. Thus, we should concern ourselves not with turnover of political leadership but with the process through which leadership has been changed. In that light, the recent developments in Romania are cause for concern. Rapid political turnover has occurred through questionable means. More importantly, credible allegations exist that pressure, possibly even threats, have been levied against members of the constitutional court.

My emphasis on process refers to how well the rule of law is operates in Romania. The rule of law refers to the principle that *no one stands above the law* and it is the hallmark of Western liberal democracy. In its absence, the foundation of democratic governance is eroded. In place of procedure and process, we have political actors exercising unabated power and using institutions for their own political gain. The prospect that this is the reality of the Romanian political system is why we see so many observers

expressing their concern: Romanian citizens are rightly outraged and representatives from the European Union have a staked interest in the functioning of the Romanian political system. The outcomes of this political wrangling might be seen as positive or negative depending on your point of view. Political outcomes are always going to be interpretive, based on normative values. However, Victor Ponta and the USL seem to be taking liberties with the process. The lack of effective checks on the recent actions, except for supranational pressure from the EU and international community, speaks to a weakness in Romanian governing institutions.

*Both sides and their leaders claim that the source of their legitimacy is the people. Basescu based on the 2009 vote and Ponta-Antonescu based on their win at the local elections in June and now on the results of the referendum (as well as on the majority in parliament and on the opinion polls). Therefore, "the people" as a collective, homogeneous actor is quite present in the political discourse. Does this indicate a growing concern of Romanian politicians regarding the signals coming from the society? Or is it just pure populism?*

Rule of law is a fundamental feature of Western democracy because it provides a minimal legal standard to evaluate the behavior of political leaders: no one shall be above the law. Although that seems unambiguous, applying it to particular situations can be challenging. Romania is still a relatively new democracy, and as such, questions remain in regard to proper legal procedures. For example, under exactly what circumstances and how would one replace an ombudsman? The grey areas, and there are many in any democracy, must interact with citizen perceptions and attitudes. Thus, legitimacy, which is defined as a tacit acceptance of the political system and the structure of political authority within that system, ultimately is derived from the political culture of the governed.

Applied to the current situation in Romania, you have both sides claiming legitimacy for their actions. The Ponta Government claims that President Basescu has overstepped his authority; that he improperly directed the severe austerity measures, and thus, the Government's actions are justified. President Basescu counters that his actions have been constitutional and that he is defending the constitution. Both sides claim to be adhering to the rule of law and accuse the other side of violating it. Naturally, both sides appeal to the citizenry for support, and these appeals use the language of legitimacy.

What I find fascinating about the process is that increasingly, Romanian citizens do not seem to find either side to be legitimate. At this point, it appears that this dissatisfaction continues to be directed toward the political parties and specific leaders. However, confidence in governing institutions remains very low, and if citizens begin to mobilize against the political system itself, in other words discontinue their tacit acceptance of the constitutional order, regime change becomes a real possibility. From a more positive angle, the dissatisfaction speaks to a Romanian political culture that is less willing to acquiesce.

*The Romanian party system has been dominated in the previous years by a large catch-all party (PDL) which has now been replaced by a large catch-all alliance (USL). From 1990 onwards, the party system has constantly been polarized by strong political leaders (CDR anti-Iliescu in the 1990's, the Truth and Justice Alliance anti-Nastase in 2004, and now USL anti-Basescu). In such contexts, it is difficult to distinguish any clear and constant ideological thread, both in the party system and in the political discourse. What do you think could break this pattern?*

Your assertion that there has been no ideological grounding in the Romanian political party system is absolutely correct. One way to assess political parties in a system is by evaluating the extent to which they are institutionalized, meaning the extent to which a party becomes reified in the minds of voters as standing for something, usually based on an ideological orientation. New democracies tend to be plagued with weakly institutionalized parties that operate more as organizations to advance the interests of an identifiable network and supports a charismatic leader. Theories of democratic transition predict that political parties in a new democracy will institutionalize in time because ideologically oriented parties gain an advantage at the polls. However, this has not happened in Romania. Instead, we see an entrenchment of clientelism. The Romanian parties do occupy ideological space but have not been consistent.

Clientelism tends to weaken under conditions of economic crisis because the system depends on political parties delivering public resources to their designated networks. If the share of public revenue contracts, individuals become dissatisfied and begin to defect. Political competition becomes extremely harsh. We have seen this in places such as Mexico and Japan over the last several decades. I would characterize the Romanian situation in a similar light.

I think it is unrealistic to expect an altruistic political party to emerge to save the day. Political parties have as their first priority gaining political office. With an economy that struggles to grow, clientelistic parties have an increasingly difficult time maintaining their position. I would hope, optimistically, that a political formation would emerge that recognizes that if they are transparent and utilize the resources of the state for long-term growth and satisfying basic needs, they can dominate the political party system over the course of many elections.

I would add however, that this is easier said than done. The easiest course of action is always to follow the stream and behave like others. Political actors, and parties generally, are risk-averse. The other side of the equation also poses difficulties. Romanian citizens are not particularly oriented toward conventional ideology. Public opinion polls conducted that I was associated with in 1996 showed only two-thirds of the population placing themselves on a left-right scale, and many of those who did showed dramatic inconsistencies with regard to their understanding of "left" and "right." That result was not so surprising given the communist legacy. However, public opinion polls show very similar numbers today. Still only about two-thirds of the population self-identifies and among those who do, there are many inconsistencies. So part of the problem is that a new political formation would have to confront a citizenry that does not have political orientations that view political issues along conventional dimensions.

*Is constitutional reform the main necessity at this point or simply an obsession of Traian Basescu? There are other observers who also feel that the political system should be placed on new basis. And what should the main priorities of constitutional reform be?*

I do not think constitutional reform is necessary, nor do I feel it is that it is a good idea. The system is not the problem; applying the rule of law is the problem. If you are trying to get leaders to play by the rules, changing the rules does nothing. In fact, constitutional reform introduces new opportunities for individuals to weight the system in their favor. At a minimum, the process would set the stage for yet another bitter political struggle.

However, there are ways to strengthen the existing system. Transparency is a real problem in Romania. Providing more opportunity for citizen-based

oversight would be a good start. Civil society has strength in Romania yet has very little access. Yet, NGOs would be excellent actors that can monitor the decision-making process at multiple levels. As it stands, a struggle ensues at each election to allow domestic monitoring, which is a very basic point of access. I also feel that much could be done in the area of administrative reform. The Romanian bureaucracy and intergovernmental relations continue to be inefficient.

*EU officials, as well as the US Embassy, have voiced numerous concerns regarding the recent political developments in Romania. However, the Constitutional Court declared as constitutional the changes at the top of the Parliament, of the ombudsman, and even the impeachment of the president by the Parliament. This has triggered much criticism in Romania regarding foreign involvement in internal political affairs, regarded as favoring Basescu. As an external observer, do you believe that Romania is rightfully perceived as a problematic country or are we dealing with exaggerated reactions from foreign officials?*

I think the concerns are valid. The constitutional court may have approved the process but there are credible allegations that their decisions were made under duress. What is most disconcerting is that there are reports of pressure on the court regarding their review of the impeachment referendum with regard to the voter lists. These are lists that were provided by the Government and implicitly approved by the court by allowing the impeachment process to move forward. The question is not as much a legal one as one that will impact how citizens (and foreign actors) perceive the legitimacy of the process. If the voter lists are considered null and void by the court, who will determine the actual number of eligible voters in the country, the court? Or should the Government conduct a new census? Perhaps appoint a Presidential Commission? How can anyone view this process as legitimate?

Having said that, the EU does seem to be taking a more interventionist position with Romania compared to other so-called "problem members" such as Hungary or Greece. I speculate that this is the case precisely because Brussels is under intense pressure from member states to get ahead of political and economic problems. EU involvement in the Romanian crisis now still can affect the process. In Hungary, there is little the EU can do short of trying to engage Article 7 and that seems highly improbable.

*The effects of the political crisis on the economy have been clearly visible during the summer. What can the citizens do in this situation? How can they sanction the behavior of the politicians, given that the alternatives in the mainstream political spectrum are limited to the two main sides? Can the presumably high score of the colourful to-star Dan Diaconescu be regarded as a sanction vote?*

The parliamentary election this autumn does present itself fortuitously as a time for settlement. Citizens will have the opportunity to voice their concerns through a vote. I realize that many perceive the upcoming election as a charade because the same political formations and actors are involved. However, I view the impact of elections from a more nuanced perspective. The parties will have to account for their actions; they will have to provide a rationale and logic. Importantly, they will need to go on the public record. Both sides of this political battle will need to reign in what has become an extreme, and economically devastating, confrontation. Despite a lack of institutionalization, Romanian political parties have been sensitive to such pressure over the years. They adapt to the present political mood pretty well which has restrained some of the more extreme elements from the right and the left. I expect the same this election. Thus, citizens must continue to demand transparency. A vote for someone like Diaconescu becomes a wasted vote.

*What are your expectations regarding the current political crisis? What should we expect on the short-term? Will the elections clear the tension or is it so rooted in the current political arrangements that it is deemed to continue regardless of short-term developments?*

In the short-term, the political conflict will continue with many among the political class being bruised but few real changes taking place. Citizens are largely left out of the process but need to demand more. In the long-run, I tend to be more optimistic about stabilization and adherence to the rule of law. The coming election will provide a settlement for the current crisis (yes, with a winner and loser, boasting and hard feelings), and then Romanians can begin to move on.