

By Stefan Candra

Cars roll slowly. Drivers move their heads as if watching a tennis game. Actually, they are looking for a parking place. It's the third or the fourth time they've been on this block. Once in a while, they spot a free space — partially occupied by a chair or a beer case. Screaming, swearing, some contorted steel and even a black eye can ensue.

This vignette can be seen all over Bucharest, from downtown to the suburbs. The Romanian capital is flooded by almost 2 million cars each day, yet they are competing for only about 100,000 parking spots. How can this be?

### **Bribe Your Way In, Bribe Your Way Out**

In the 1990s, local authorities gave responsibility for managing Bucharest's sidewalks and already-existing parking areas to a company that hasn't invested a single penny in building new parking spaces. The company cashed in and, instead of investing in new parking structures, offered sidewalks marked with white stripes instead. The then-mayor subsequently retired from political life, and allegations of corruption surrounding the parking contract couldn't be proven — and none of the mayors who have followed could cancel the contract.

Terrible battles are fought for free parking spots, but lack of parking is only one of many reasons a spontaneous conflict may break out.

Nineteen years after “the revolution” when Romania broke free of the Warsaw Pact, corruption affects Romanians' everyday lives in the most surprising ways. Corruption is not limited only to citizens' relationships with the authorities; it also is present in private businesses.

All-important events in Romanians' lives are marked by bribery: passing exams; getting identity documents released; avoiding being drafted in the previously obligatory military service; acquiring a room on the university campus or a parking place; registering a car; avoiding paying fines. The cycle ends only after your family buries you; it starts once again when a child is born.

When a new “contributor” arrives, he learns to participate in the system as early as possible. In northern Romania, for example, an entire high school is being investigated because students collected money and bribed the teachers to be indulgent during final exams. Police officers and prosecutors have also been caught taking bribes.

This has been the tradition for years, all over the country. The system works perfectly at times. No one has to tell you that you have to pay or how much; it is all understood. A 7-minute British documentary captures the very essence of corruption in Romania: “Romanians get to know bribery even before they are born.” I add that Romanians never lose that familiarity, not even after they die. One can be buried only if his or her family bribes the gravediggers and a graveyard supervisor to obtain a burial plot.

There are some bright spots, however. Part of the judiciary system has improved, and there are new departments that can investigate police officers, prosecutors and public clerks.

### **Too-Early Admittance to the EU**

“Reform stopped once the country joined the European Union (EU),” according to Cristian Stefanescu, Deutsche Welle correspondent in Romania. Politicians were careful to protect blackmail-able judges and to keep them in key positions so that, in the end, the politicians could protect themselves.

This lack of continued reforms was also noted by the European Committee (EC) Country Report in July 2008: “Despite the satisfactory progress made with regard to the investigation phase, Romania can produce little evidence of tangible results when it comes to fighting corruption at high levels.” Later, the EC report observes that “sentences are still indulgent and inconsequential,” and it then makes direct reference to cases of ministers who cannot be investigated.

Before it was accepted into the EU, there was constant and effective external pressure for Romania to clean up corruption. Under the pressure of the adhering to EU standards, new laws were passed. Some were even implemented. But the EU’s premature decision to accept Romania as a member, as argued by some critics, produced chaos. Existing laws were no longer implemented, and new ones appeared that contradicted old ones.

### **Parliamentary Complicity**

Parliament itself is deeply involved in corruption. It plays an active and successful role as both corruption defense lawyer and judge. Parliament can unilaterally decide to stop a criminal file from making it to a judge’s desk, as happened in the summer of 2008: Members of the lower Parliament Chamber (the Deputy Chamber) refused

judicial access to two high-profile criminal investigations targeting former Prime Minister Adrian Nastase and former Minister of Transportation Miron Mitrea. The men were accused of having their personal homes built at a steep discount after granting a top position in the public works ministry to the head of a construction company. Even after the 2008 EC Report was issued with its severe warnings, Deputies still denied the National Anti-Corruption Department (DNA—*Departamentul National Anticoruptie*) the possibility of filing indictments against Nastase and Mitrea. Moreover, Deputies even attempted to judge the contents of criminal files. How can this happen? Because the former Prime Minister knows exactly who to hire for his defense.

After being helped by the High Court of Justice in 2007, in 2008 Nastase called his parliamentary colleagues for help with regard to his legal problems. And because he had an image problem to deal with as well, Nastase hired a PR consultant — Alan M. Madison from Madison & Co., Washington DC — and paid US\$19,000 for him to lobby in the U.S., according to lobbying records on file with the U.S. Department of Justice.

It seems common for ministers to ask Members of Parliament (MPs) and efficient corruption-defense lawyers to spare them from criminal investigations. The former Minister of Economy, Codrut Seres, asked his Senate colleagues for protection against criminal investigation “so that I didn’t have to prove my innocence ... and spend the next five or six years in court.” Another minister under investigation, Paul Pacurar, warned his colleagues right before they voted that, “Each and every one of you can have a criminal file in their name.”

Why would the legislature continue to protect senior officials accused of corruption? Because the Parliament Palace — the former Ceausescu Palace — contains hundreds of high officials who want to hide the way they made their fortunes. There is no other explanation for such an excessive preoccupation with improving MPs’ images and halting investigations into their finances. On several occasions, different MPs have proposed legislative initiatives to silence the press: forbidding the taping or photographing of their villas, forbidding filming with a secret camera, delaying reforms to the public radio network, or instigating political fights over leading positions in the network. This summer, a new parliamentary initiative even tried to impose a balance on television news, forcing it to broadcast an equal number of positive news and negative stories, a policy many saw as a threat to independent media coverage.

Parliament has also made sure that it is difficult to investigate politicians' personal wealth. The National Agency for Integrity (ANI—*Agentia Naionala de Integritate*), an independent agency supported by the EU, has seen its work delayed and its power limited by the inhabitants of Ceausescu's Palace.

## **Media Complicity**

The media suffer from the same taint as politicians. People lacking credibility manage or own media institutions, and media companies are backed by illegal money from not-so-transparent business enterprises. Politicians seemingly dictate the media agenda. Few star analysts interview each other or express opinions about anything, from sports to finance to external affairs. Few, if any, publish investigative articles because no investment is made into long-form journalistic research. Depending on the media outlet, taboo subjects still exist, especially when certain businessmen or their political protégés are involved. The only way media make a profit is by promoting “infotainment” and sensationalism.

Corruption, of course, existed during communist times as well. It was coordinated by the former Securitate (the security services) on behalf of a *nomenklatura* and was strictly controlled by dictator Ceausescu and his family. After “the revolution,” the Securitate and former *nomenklatura* took over power by inventing an “original democracy.” Out of 15,000 Securitate agents, the identities of only 3 percent were revealed to the public. Out of 400,000 Securitate informants, not even close to 1 percent have been publicly named. From these roots come today's elite: parliamentarians, judges, prosecutors, businesspeople, and media moguls.

## **No History of Public Involvement**

The press and civil society need to get involved in changing the *status quo* and holding politicians accountable. Unfortunately, civic participation in this area is nearly zero.

“Romanians got used to being abused by the government and to seeing their rights violated,” says Razvan Martin, project coordinator with Media Monitoring Agency, a local media nongovernmental organization (NGO) and watchdog. “That is why NGOs' rare reactions to abuses are ignored. Civil society lacks experts and diversity, while financial support [is hard to come by]. There is no tradition of donations, and the government does little to encourage a phenomenon similar to American charitable foundations.

And external funds became thinner and thinner, and less accessible, once Romania joined the EU.”

In 1990, communist activist and ideologue Silviu Brucan issued a warning: “Romanians need another 20 years to learn democracy.” The former top communist knew how much damage the communist system had caused. He also knew, quite well, the people about to form the contemporary political class. In the light of current events, Brucan’s prophecy seems optimistic.

