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Romanian politics

The fight over the judiciary

Romania's president is to be reinstated, but this won't end the political battle

Aug 25th 2012 | BUCHAREST AND LONDON | from the print edition

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TRAIAN BASESCU, Romania's president, has won a battle. But the political war between the head of state and the country's prime minister is likely to continue. On August 21st the Constitutional Court declared invalid a referendum on Mr Basescu's impeachment that was held on July 29th. Even though 88% of those who voted wanted Mr Basescu to go, the court ruled that the turnout was below the minimum 50% of registered voters required by the constitution.

In theory, Mr Basescu can now return to his duties. In practice, the majority in parliament will make it as hard as possible for the president to do his job. They can still play tricks, warns Sorin Ionita of Expert Forum, a think-tank in Bucharest.

Romania's political crisis has dragged on for two months and is likely to intensify in the run-up to a parliamentary election in November. Crin Antonescu, leader of the National Liberal Party, who was the country's interim president during Mr Basescu's suspension, has said that his party is unwilling to cohabit with Mr Basescu after he returns to office. Victor Ponta, the prime minister, a close ally of Mr Antonescu's, has also vowed to continue the fight with Mr Basescu until the president and his regime are removed.

Mr Basescu has survived an impeachment referendum for the second time since he took office eight years ago. He has repeatedly said that Mr Ponta's efforts to take him down are linked to the government's attempts to take control of the judiciary and other public institutions. "The ultimate battle is about control of the judiciary," says Mr Ionita. Members of the old political guard are worried about the increasing independence of the general prosecutor and the anti-corruption office, who might go after them. Their wake-up call was the conviction on corruption charges of Adrian Nastase, a former prime minister, who is now in jail. They seem to be using Mr Ponta (who has become vulnerable after allegations of plagiarism against him surfaced recently) as an instrument in their power grab.

The key to the success or failure of the impeachment referendum was the turnout. Mr Ponta said a day ahead of the court's ruling that more than 3m Romanians are living abroad and that the Romanian identity cards of more than half a million of them had expired. The opposition criticised the government for trying to disqualify these voters (which would have lowered the threshold to make the referendum valid), arguing that the ruling alliance had no legal right to do this. A Council of Europe official spoke of the "shocking" political pressures that the Constitutional Court faced ahead of its ruling. Some of the court's judges said they had received death threats and appealed to European institutions for protection.

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Some of the more moderate ministers in Mr Ponta's government resigned shortly after the referendum. Ioan Rus, the interior minister, quit on August 6th. Mr Rus said he was under pressure from politicians, including Mr Basescu and Mr Antonescu. The next to go was Paul Dobre, a junior minister in charge of public administration, whose ministry was involved in organising the referendum.

Romania's currency fell to its lowest level against the euro due to the political crisis. The IMF is alarmed. Following a €5 billion (\$6.2 billion) standby loan agreement, it is urging the government to implement a series of austerity and privatisation measures by the end of September.

The European Union and the United States are closely monitoring Romania's political crisis. Questions have been raised in Brussels about whether it was a mistake to admit Romania to the EU. It is now up to Romania's leaders to show the West that they are eager to transform the country into a fully functioning democracy. The events of the past few months give the impression of a country regressing in almost every way.

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