

The Evolution and Features of the Post-Totalitarian Political Regime in the Republic of Moldova (1990-2012)

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Abstract

This article discusses the evolution and main trends of the post-Communist political regime in the Republic of Moldova. The author's argument is based on the premise that two opposing tendencies can be discerned in Moldova's politics between 1990 and 2012. The first was defined by a 'neo-Communist' resistance and revival, while the second offered a democratic and reformist perspective, currently epitomized by the project of European integration. The author provides a comprehensive overview of the political transformations during the last two decades, focusing on Moldova's successive governments and electoral cycles in the post-independence period. A special emphasis is placed upon the uneven, fragile and contested nature of the fledgling democratic processes, constantly weakened or thwarted by geopolitical uncertainty, corruption and the uneasy balance between political pluralism and post-totalitarian tendencies. The author's conclusion is that Moldova's lack of progress in comparison with its neighbors was due, on the one hand, to the persistence of 'totalitarian mentalities' and, on the other, to the nature of the country's transition to democracy, which was plagued by the exponential growth of social inequalities, the aggressive and generalized corruption on all levels of society, by a state with politicized and inefficient institutions and by an incompetent and immoral political elite.

The Evolution of the Post-totalitarian Political Regime

In the over twenty years that make the focus of our analysis, and that have by and large passed since the declaration of Independence, 6 governments have subsequently been in power in the Republic of Moldova:

- the agrarian-frontist government (1990-1994)
- the agrarian-socialist government (1994-1998)
- the center-right ADR government (1998-1999)
- the Dumitru Braghis transitional government (1999-2001)
- the communist (restoration) government (2001-2009)
- the center-right AEI governments (2009-2012)

Upon a simple compared analysis, it can be observed, on the one hand, that in the greatest part of this period (18 years), the Republic of Moldova was governed by left wing and extreme left wing parties, while only for a very short period of time (4 years) was it governed by center-right wing democratic parties.

On another hand this demonstrates that in this whole period there was a strong confrontation between two diametrically opposed currents concerning the development of the Republic of Moldova:

- one, of *neo-communist resistance* which has for a long time opposed democratic processes and the establishment of the rule of law, concomitantly opting for the country's preservation in the Russian sphere of influence;
- the other, of *democratic progress*, in the domestic perspective, having as a fundamental objective, the integration of the Republic of Moldova into the pan-European structures, as suggested by the names of the two center-right governments.

Unfortunately, the first current has dominated this period causing the Republic of Moldova to lose precious time, both concerning the democratization of society and EU integration.

Coming back to the post-totalitarian governments' topic, some considerations are in order to make clearer the evolution and characteristics of the post-soviet regime in the Republic of Moldova.

One should specify from the very beginning that in the Republic of Moldova as in other Soviet republics there were no democratically oriented political forces, they being created in the last period of the totalitarian regime, while civil society was not organized. A movement with a more national character was formed under the *People's Front of Moldova* (FPM) name, although it was unable to assume power all by itself.

As a result, in the power vacuum created by the collapse of the totalitarian regime, certain non-doctrine political formations have appeared under various names such as "*viata satului*" ("*village life*"), "*democratii*" ("*the democrats*"), "*sovietskaia Moldova*" ("*Soviet Moldova*") and "*Budjac*". Unlike the *democrats* which actually included FPM representatives, the other three political movements were formed of former soviet apparatchiks, kolkhoz and sovkhoz chairmen, Transnistrian and Gagauz separatists, most of them Russian speakers and Russophiles.¹

In the conditions of a non-existent political pluralism and the absence of a legal and democratic institutional framework, representatives of the mentioned groups have modified the *Soviet Constitution* allowing the organization of more or less free and democratic alternative elections. This took place in the February 25th - March 10th, 1990 period. A quasi-democratic parliament resulted, still preserving the totalitarian name *Supreme Soviet*. Approximately 84% of its

¹ Marian Enache, Dorin Cimpoesu, *Misiune diplomatică în Republica Moldova, 1993 – 1997, Polirom, Iasi, 2000, p. 50-122.*



constituents were Communist Party of Moldova members, many of them top level apparatchiks of the Central Committee.²

As none of the political movements managed to obtain majority, an *ad-hoc* alliance was created between “*viata satului*” (“*village life*”) parliament members also known as agrarians, and the ones of the FPM, having distributed the main positions in the state between them. The first post-totalitarian government, lead by Mircea Druc was invested on May 25th, 1990.

As expected, in view of its conjuncturist nature, the cooperation between the two groups could not last too long. Actually the *agrarians* have used the tactics of alliance with the FPM in order to calm the spirits in the streets and gain time until obtaining support from the other two political movements to which they felt more connected due to their common Soviet political past.

In consequence, after only one year, the Mircea Druc government supported by the FPM was dismissed while the Front went into opposition by the end of 1991. At the beginning of 1993, the other FPM representatives were dismissed from their leading positions in Parliament, power being taken over completely by the *agrarians*, led by Mircea Snegur, the first president of the Republic of Moldova. They had precarious, conjuncture based parliamentary political support from the other two neo-communist political groups. In other words, the descendants of the former communist totalitarian regime returned to power, this time in a so-called democratic outfit.

Although it had a semi-totalitarian character, the first *agrarian-frontist government* had also marked a positive fact for the political future of the Republic of Moldova. This consisted in the development of political pluralism, 26 parties and socio-political organizations being registered at the end of 1993. There has even been delimitation inside the *Front* between the *moderate wing*, represented by the Bessarabian political elite and the *radical wing* concentrated around Iurie Rosca which resulted in the division of this extended popular movement and the creation of two parties known as the *Congress of Intellectuals* and the Christian Democrat Popular Front (FPCD).

In the same period, Moldova was a *parliamentary republic* for a year and three months, first president Mircea Snegur being elected by the Supreme Soviet on September 3rd, 1990. Later, taking the example of Boris Yeltsin and other leaders of former Soviet republics, Snegur imposed and obtained the introduction of a *presidential regime*. The regime change occurred after the November 8th, 1991 election which he won, in the absence of a counter-candidate, with 98,18% of the total votes expressed. He had a 5 year mandate.

² Grigore Eremei, *Fața nevăzută a puterii*, Litera, Chișinău, 2003, p. 232.

Yet, only approximately two and a half years later, the powers of the president were to be widely restricted through the provisions of the Republic of Moldova's first *democratic constitution*, adopted by the Parliament on July 29th, 1994. The fundamental law practically introduced a *semi-presidential regime*, similar to the one in Romania and other European countries.

With support of a *conjuncture-based* parliamentary majority, the *agrarians* managed to end the four year mandate of the *neo-communist government* installed in 1990 and prepare new parliamentary elections.

This time, the elections were, for the first time in Republic of Moldova's recent history, free and democratic, taking place in the conditions of political pluralism and a modern electoral law which established, beside voters' rights, a 4% electoral threshold.

The race for elections on February 27th, 1994, was entered by 13 parties and electoral alliances of the 26 registered as well as 20 independent candidates. Having all levers of power, the *agrarians*, this time organized in the *Democrat Agrarian Party of Moldova* (PDAM), have won with 43,18% of expressed votes, respectively 56 mandates of the total 104. Three other electoral alliances have entered the first democratically elected Parliament: the Socialist Party of Moldova (PSM) and the "Unitate-Edinstvo" Movement (M.U.- E.) – 28 seats; the Block of Peasants and Intellectuals (BTI) – 11 seats; the Christian Democrat Popular Front Alliance (AFPCD) – 9 seats. As they only had a simple majority which didn't insure the adoption of national importance organic laws, the *agrarians* have allied in government with the members of the Russophile socialist parliamentary group. The resulting *agrarian-socialist majority* thus held 84 seats of the total 104, the remaining 20 mandates belonging to the opposition.

The First Democratic Parliament also played the role of *Constituent Assembly*, adopting the first *Constitution* of the Republic of Moldova on July 29th 1994. Although it is a modern fundamental law inspired by the *French Constitution*, it contains a gross *scientific and historic untruth*. Thus, despite the evident Romanian identity of the majority population of the Republic of Moldova and the language spoken by it, the Constitution stipulates the false syntagms *Moldovan people* and *Moldovan language*. It must be mentioned that fearing a totally negative result, as well as due to the agrarian-socialist majority's totalitarian mentality, the Constitution was not subject to the approval of the people through referendum, being instead only adopted by Parliament as was the procedure with fundamental laws in totalitarian communist regimes.

The second agrarian government supported by its socialist allies, both partners having deep roots in the single communist party has, singled out the Republic of Moldova through the temporization and lagging in carrying



out democratic reforms and establishing the rule of law, as well as through in consequence and even resistance in promoting economic reforms.

The first complete electoral cycle in the contemporary history of the Republic of Moldova ended with the *first democratic presidential elections* that took place on November 17th, 1996. Although 9 candidates entered the electoral race, the political struggle took place between 3 protagonists: Mircea Snegur, the incumbent president, Petru Lucinschi, Parliament speaker and Andrei Sangheli, prime-minister. In the first round, M. Snegur and P. Lucinschi, both former top-level soviet apparatchiks obtained 38,75% and 27,66% of the votes, Premier A. Sangheli being left outside the race.

The second round was a mere formality for P. Lucinschi as most of M. Snegur's opponents granted him their votes, thus managing to win the elections by 54,02% of the total expressed votes and becoming the second president of the Republic of Moldova. According to an agreement prior to the elections between Petru Lucinschi and the acting prime minister, A. Sangheli has presented his resignation, the new head of state appointing Ion Ciubuc, who was close to him in the old totalitarian party guard, as Prime-Minister on January 16th, 1997. In the absence of parliamentary support, president P. Lucinschi and premier Ion Ciubuc, invested on January 24th, 1997 were forced to accept a government formula in which 70% of the former Sangheli Cabinet ministers were reconfirmed, the other 30% of positions being assigned to trusty people of the two high ranking state officials. It was for the first time when a president of a different political orientation had to cohabit with an agrarian-socialist majority, until the end of its mandate, during almost a year, to be precise.

The first alternation in government in the post-totalitarian history of the Republic of Moldova occurred in 1998, following the March 22nd parliamentary elections³. 11 political organizations or 5 political parties and 6 electoral alliances entered the electoral race. Of these, only 4 managed to pass the electoral threshold and enter the new Parliament:

- *Party of Communists of the Republic of Moldova* (PCRM) – 30,08% of votes or 40 seats;
- *Democratic Convention of Moldova* (CDM) – 19,31% of votes or 26 seats;
- *The Bloc for a Prosperous and Democratic Moldova* (BpMDP) – 18,12% of votes or 24 seats;
- *Democratic Forces Party* (PFD) - 8,86% of votes, equaling 11 seats.

³ Dorin Cimpoșu, *Guvernarea de centru-dreapta în Basarabia (Republica Moldova), 1998 – 1999, Renaissance*, Bucharest, 2009, p. 17-176.

The elections caused two enormous surprises. The first was the crushing defeat of the former governing party, the organizer of the elections, who didn't succeed entering the parliament, and by anticipating things, later disappeared from the political scene. The second surprise was the victory in the elections of the communists, direct successors of the former Soviet totalitarian party, who meanwhile returned on the political scene under a new name.

In this situation, President P. Lucinschi was constrained to choose between two options: either to appoint a candidate for the position of Prime-Minister from the majority parliamentary group of the communists, or to appoint a so-called independent person, which would get the support of a majority political coalition, consisting of the three anticommunist forces in parliament. In both cases the creation of a coalition was necessary, because none of the parties could ensure parliamentary majority.

Unwilling to be accused of having brought the communists back into power, despite his sentiment of closeness to them due to his political past, P. Lucinschi chose the second option. In spite of his disapproval ever since the beginning for the creation of the majority coalition with parties other than the communists, and known under the name *Alliance for Democracy and Reforms (ADR)*, the head of state has taken advantage of the misunderstandings between the constituent parties regarding the future Prime-Minister and re-appointed acting prime minister Ion Ciubuc as premier on May 6th, 1998. Thus the parliamentary majority was faced with a *fait accompli*, its constituent parties being left with appointing the other positions divided according to the algorithm established by the ADR establishment *Agreement*.

The Ciubuc II Government has received the investiture vote from the Parliament on May 21st, 1998, with the votes of 59 of the 61 members of the parliamentary majority. Patriot Ilie Ilascu, elected on the lists of the PFD did not have the chance to vote as he was held in the Tiraspol prison. Losing the Prime-Minister's seat, a position belonging to the CDM according to the algorithm made the relations between it and Premier Ion Ciubuc tense and fragile *ab initio*. Therefore, towards the end of 1998, the idea to withdraw political support granted to the premier became increasingly popular in the CDM. Similar ideas were shared by the other two components of the majority, the MpMDP and the PFD.

The tensions between the Alliance and the prime-minister were also fed by his weak performance in promoting economic reforms, lack of credibility from the international financial organisms as well as due to the severe economic crisis that Moldova had to face after the collapse of the Russian Ruble and the drastic decrease of Moldovan exports on Russia's Markets.



These were actually the causes that determined Ion Ciubuc to present his resignation to the President on February 1st 1999, which equaled with the fall of the whole government and clearing the way for the formation of a new Cabinet. This new political perspective led to a sharpening of disputes between the two components of the CDM (The Renaissance and Conciliation Party of Moldova-PRCM and the FPCD) regarding the appointment of a single candidate for the vacant position of prime-minister. The immediate consequences were the renunciation by M. Snegur, PRCM president, of the parliamentary majority leader position, the medium term ones being the onset of the CDM disintegration process and implicitly the loss of parliamentary majority following the retreat of the FPCD from the ADR:

After a failed attempt to impose Chisinau Mayor Serafim Urechean as prime-minister, P. Lucinschi accepted, following the precedent created, the candidacy of Ion Sturza, deputy premier and Minister of Economy and Reforms in the dismissed Ciubuc II government, proposed by the FPCD and approved by the *Coalition*. In other words, in only one year after its creation has the *governing Coalition* managed to impose its own candidate for Prime-Minister. Nevertheless the new Cabinet faced big difficulties from the very beginning, as the FPCD, although not leaving the coalition, retreated its political support, motivating their decision by the presence in the new government structure of too many ministers suspect of corruption or with doubtful reputations. In these conditions, the “*golden vote*” of Ilie Ilascu cast by him in written form from the prison in Transnistria was necessary for the Ion Sturza government to be validated by Parliament on March 12, 1999.

The new government had a brief lifetime of about eight months. Its fate was sealed on the one hand by the exit from the parliamentary majority of the FPCD and on the other by the initiative of president P. Lucinschi, just like his predecessor's, to transform the Republic of Moldova into a *presidential republic*, which amplified controversies between the adversaries and partisans of this problem in Parliament, determining the members loyal to the head of state to leave the parties of the ADR and declare themselves as so-called *independents*. As a direct consequence, at the end of 1999, the *Coalition* lost parliamentary majority, remaining with only 48 seats of the 101 possible, which could not provide a solid political support for the Ion Sturza Cabinet.

Intending to restore political support, ADR leaders decided that it was necessary for the Government to request a vote of confidence from the Parliament on November 4th, 1999. Contrary to their expectations, the parliamentary group of the communists, supported by FPCD members of parliament and the 11 *independents* have introduced a censure motion causing the dismissal of the Ion

Sturza Government. The reason for the vote of no confidence was the lack of satisfaction of the 58 members of parliament who voted for the motion with the economic reforms of the Cabinet. This is how the *first center-right*, reformist government in the recent history of the Republic of Moldova ended its activity.

A short-term *transition government* followed for approximately a year and four months, being a *democratic intermezzo* before the return to power of Soviet communists. President P. Lucinschi had 3 attempts to appoint a prime minister and form a new government, one of the candidates being communist leader Vladimir Voronin himself, these initiatives being rejected by the *conjuncturist parliamentary majority* formed after the removal of the ADR from power.

Finally, on December 21st, 1999, this speckled and heterogeneous majority cast a vote of confidence to appointed premier Dumitru Braghis, the new Cabinet of ministers and its new program of governance. During this government, the confrontation between the Presidency and the Parliament on changing the political regime increased. The battle between the two institutions of state power was exacerbated after the approval by the legislative on July 5th, 2000 of the law to modify the Constitution and *the transition from a semi-presidential political regime to a parliamentary political regime*, basically returning to the situation from 1990.

The failure of Parliament to elect a new head of state after four rounds of elections, has led to the dissolution of the Legislative and the organization of the *first early parliamentary elections*, which would also lead to electing the next president of the Republic of Moldova⁴.

Elections were set for February 25th, 2001. The Central Electoral Commission (CEC) registered 17 parties and electoral blocs, as well as 10 independent candidates. The electoral threshold rose from 4% to 6% for parties and electoral alliances, while the threshold for independent candidates was set at 3%. CEC presented the final results of the elections on March 3rd, 2001. They revealed the following situation:

- PCRM – 50,23% of the votes or 71 seats;
- The “Braghis” Alliance – 13,45% of the votes or 19 seats;
- Christian-Democratic People’s Party (PPCD), formerly FPCD – 8,18% of votes or 11 seats.

It was for the first time in the Republic of Moldova’s recent history when a political party obtained a *crushing victory* in the elections and this was none other than the Party of Communists, resurrected from of its own ashes just like the *Phoenix bird*. This announced the return of the bolshevik communists to power, equaling with no exaggeration to the *restoration*, to a great extent *of the old*

⁴ Dorin Cimpoșu, *Restaurația comunistă sovietică în Republica Moldova*, *Ars Docendi*, Bucharest, 2008, p. 7-148.



totalitarian regime. Therefore, for this reason also, the *Republic of Moldova* was a *unique case* in Europe and the world.

The 71 communist seats of the total 101 allowed them to exert absolute control over the three state power institutions: Parliament, Presidency and Government. In the good totalitarian tradition, new president Vladimir Voronin elected April 4th, 2001, kept his Secretary-General of the Party of Communists position. The Parliament Leadership and new prime-minister, Vasile Tarlev (an illustrious unknown–a.n.), invested by the Legislative on April 19th, 2001 reported both on a state and on a party line, to the leader of the *state party*, synonymous to the *unique party* in Soviet times. The low number of opposition seats basically cancelled its role in a democratic system, rendering it decorative, symbolical, a pale spot in a *red Parliament*. In order not to sow excessive panic in the western democratic world as well as among the domestic public opinion, communists accepted “Braghis” alliance representatives in the structure of their first government, only to exclude them later on.

The *Communist Restoration* began along with governing Program “*Economic renaissance, renaissance of the country*” of the Vasile Tarlev Cabinet, based on the PCRM and the “Braghis” Alliance electoral platforms, which set the relaunch of the state role in economy and “*a rigorous control of post-privatization*” as its major objectives. The Republic of Moldova development path was to be “*contemporary socialism*”, a direction exposed by Vladimir Voronin at the IV Congress of the PCRM (April 21st-22nd, 2001). In this context, he mentioned that the country’s economy was destroyed by the savage capitalism caused in the previous ten years by reformist governments, the only alternative for the “*resurrection of the country*” being the socialist one. The picture of the communist restoration was completed by the *return to communist symbols*. Even if official state symbols were not yet replaced, a process to replace them with communist symbols has begun. Red flags with the sickle and hammer and Lenin’s portraits returned in the offices of new officials regardless of level, while the new leadership brought a pompous homage on April 22nd, 2001 to the “*leader of the world proletariat*”. *Communist props* were also present at the “*high communist forum*” (Congress IV – a.n.), where only Russian was spoken and Communist party representatives from 17 countries, among which the Russian Federation, Ukraine, China and Cuba attended.

Along with the *red restoration*, the communists of Bessarabia proceeded to apply what they learned best in the period of the bolshevik totalitarian regime, most of their leaders at a central or local level being third age people, born, educated and formed in conditions imposed by Soviet occupants having nothing in common with democratic values. In a still fragile democratic construction, the

communists had the fairly easy task to reintroduce a soviet-type authoritarian Regime in Bessarabia, which would control all the fields of socio-economical and political life in the Republic of Moldova.

For a firm appliance of their political objectives, the communists first of all consolidated the role of coercive law-enforcement, structures, bringing the soviet times *secret police* and *militia* back to the forefront, this time dyed in democratic colors like the Service for Intelligence and Security (SIS) and the carabinieri who restarted sowing the fear and horror among the population as it once did. In its turn, the *Prosecutor's office* repeatedly became an instrument of harassment and torture in the Chisinau leaders' hands. Hostile to political pluralism, the restored communist regime has unleashed, in the conditions of a *total monopoly of power* an ample, tough and constant campaign against its political opponents, especially against those of liberal, pro-European orientation leading to their police surveillance, decial, and denigration in the eyes of the domestic and international public opinion.

In the eight year period of their rule in the Republic of Moldova, the communists have governed in a discretionary manner, their party manifesting itself as the *single party* from Soviet times. Democratic values like human rights, liberty of the press and expression, independence of justice, freedom of gathering and many others were unfamiliar to the *red governors*, lack of respect to these norms and the cases of their flagrant violations becoming omnipresent.

Three important stages were distinguished in the political evolution of the *restored communist regime*⁵:

- The March 6th, 2005 general elections;
- The June 3rd and 17th, 2007 local elections;
- The April 5th, 2009 general elections.

1. The March 6th, 2005 *general election*, have ended the first mandate of the communists after their coming to power, in democratic conditions and constituted their first test in front of the electorate after a four year governing period. Although sufficient popular dissatisfaction has accumulated in the respective period, the authoritarian government still gave voters, especially ones with a Soviet mentality, the feeling of a certain internal stability, both political and economical. Nevertheless, this situation did not exclude a certain degree of erosion of the restored communist regime. The elections proved exactly this, the communists winning the elections, but with a score smaller than the one in 2001, this time only getting 56 seats⁶ out of the total 101, as opposed to 71 seats

⁵ Dorin Cimpoșu, *Republica Moldova între România și Rusia, 1989 – 2009*, Casa Limbii Române Nichita Stănescu, Chisinau, 2010, p. 248-261.

⁶ <http://www.e-democracy.md>, last accessed on June 15th, 2005



in the previous elections. The loss of the 15 seats deprived the communists from holding a full monopoly of power, at least 61 votes being necessary to elect the president.

In the context of the misunderstandings between parties of the *Democratic Moldova Block* (BMD), one of the three parliamentary groups, Vladimir Voronin and Iurie Rosca, a faithful Moscow servant, set up an able political diversion meant to ensure a new presidential mandate for the communist leader. Thus, under the pretext of potential economical sanctions applied by the Russian Federation⁷ against the Republic of Moldova, determined by Chisinau's refusal to accept the *Kozak Plan* to federalize Bessarabia, the two managed to convince Dumitru Diacov and Oleg Serebrian, leaders of the *Democratic Party* and the *Social Liberal Party*, BMD components, to support Vladimir Voronin's candidacy. The condition was for him to sign the *declaration regarding the political partnership to achieve the European integration objective of the Republic of Moldova*.

The so-called political consensus between the PCRM and the BMD proved to be a great bluff, in the absence of firm guarantees from Vladimir Voronin that he would fulfill the commitments taken upon signing the *Declaration*. Later events proved that the communist leader not only didn't respect the said agreement, but even led a tough campaign to discredit and suppress the opposition, drawing the Republic of Moldova even farther from the European democratic values. The only political leader spared by the *red power* was Iurie Rosca, who, in exchange for his services, was offered the position of Parliament vice-president. Actually, Vladimir Voronin declared publicly that *Rosca is a man of confidence in the true meaning of the word and a credible man. Rosca does not wag.* (stands by his word – a.n.)⁸.

2. The entry of the *red regime* into a *free fall* period was also observed after the June 3rd and 17th *local elections*. The communists lost the position of Chisinau Mayor General, which was won by Liberal Party representative Dorin Chirtoaca, with 61,17% of the votes, as well as the majority in the Chisinau city council, which went to opposition parties. Although on a local level, the communists have won the local elections by 34,32%, the opposition parties and also the independent candidates have won the majority of mayoral and local council seats. The change in the ratio of forces in the Chisinau Municipal Council and at the national level to the detriment of the communists caused the communist government to implement a tough confrontational policy in its relations with the opposition, the activity of the latter's local structures being obstructed, including through the non-allocation of necessary financial resources from the state

⁷ The State Duma of the Russian Federation adopted three resolutions in this regard.

⁸ *Flux*, Friday edition, nr. 2008134, July 25th, 2008

Budget, while its leaders were denigrated, discredited, harassed and declared *main public enemies*.

3. *The April 5th, 2009 general elections* were the great confrontation between the authoritarian communist regime and the democratic opposition. The electoral campaign took place in totally unequal conditions. The communist leadership used all administrative levers, all financial and material state resources, including the public Television for electoral propaganda. In order to weaken the opposition and prevent the unification of its forces before elections, the *communist majority*, supported by the PPCD, its loyal ally, changed the electoral code by raising the threshold to enter the parliament from 5% to 6% and banning the creation of electoral alliances.

Opposition party activists were forced, in totally unequal and undemocratic conditions, to carry out an electoral campaign *from person to person*, as well as through the few mass media outlets that they had access to. The electoral message of the opposition was modern and mainly targeted pushing the Republic of Moldova out of the communist decay and integrating it into the European structures.

The vote count showed that the PCRM won the elections by 49,48% taking, coincidentally or not, 61 seats in the new Parliament, which represented the exact number of votes necessary to elect the head of state. The other votes were shared between three opposition parties: the Liberal Party – 13,13%; the Liberal Democrat Party – 12,43% and the „Moldova Noastra” Alliance – 9,77%⁹.

Yet, the great surprise of the elections was the failure, for the first time since 1990 of the PPCD to enter the Parliament after having won only 3,04% of the votes. This was the price paid for supporting the communists and for the services provided to Moscow.

The leaders of the parliamentary opposition denounced the *election fraud*, demanded the cancellation of the election results and the organization of new elections. Their claims were supported by tens of thousands of people who came out into the streets beginning with April the 6th, when the first preliminary data on election results were released to the public.

To suppress the *revolt* of the masses and to discredit the leaders of the parties who have entered the new Parliament, the communist leadership appealed to the *famous bolshevik-kgb-ist methods* staging, through *Secret police* agents, the vandalizing of Presidency and Parliament buildings and hoisting of the Romanian flag on them. Once the pretext created, the *communist regime took police troops and undercover SIS agents into the Square* to bloodily crush peaceful

⁹ Interlic Agency, April 7th, 2009.



protests of the population. Hundreds were arrested, tortured and abused by law enforcement agencies. The *tragic result* of the excessively brutal intervention of the authorities was *three deaths* and *three others missing*¹⁰.

To calm the spirits, the communist regime only accepted a *recount of the votes*, but not the verification of the electoral lists, as requested by the opposition parties who considered this to be the main method to prove the fraud in the parliamentary elections. The recount was not attended by opposition party representatives, as a sign of protest. The April 15th 2009, vote recount showed the existence of a number of invalid votes that was bigger than the one given by the Central Electoral Commission, which caused the communists to lose one seat upon the redistribution, remaining with only 60 seats in the new Parliament. Although at first sight this didn't seem so important, *the golden vote* would decide the fate of the election of the new president of the Republic of Moldova.

Following a certain stabilization of the situation, the Communist majority elected the leading organs of the new Parliament, a process in which all the 41 members of the parliamentary opposition refused to participate. Subsequently the president of the country had to be elected in order to form the new government. The communists delayed the procedures without justification, in hope of getting the "golden vote" from the opposition, yet the attempts to negotiate with its representatives have failed miserably. In these conditions, the *red majority* organized two formal voting rounds, on May 20th and June 3rd, respectively, to elect the head of state. In both of them the communists, as if fulfilling democratic norms, presented two candidates, such as acting premier Zinaida Greceanii and some fill-in personalities like Andrei Neguta and Stanislav Groppa. Every time, Z. Greceanii obtained 33 votes, the rest going to her "counter candidates." Both times, the opposition refused to participate in the vote *in corpore*. Following this situation, acting president Vladimir Voronin, who meanwhile became speaker of parliament, dissolved the recently elected Parliament and set early elections for July 29th, 2009.

The electoral campaign of the communists for the early elections was very harsh and aggressive, based on the accusations brought to the opposition of allegedly intending to destroy the independence of the Republic of Moldova. OSCE Observers have presented a report regarding the early elections on July 29th, 2009 in which they have incriminated the *totalitarian practices* of the communist regime and have underlined the necessity "to continue democratic reforms for the reestablishment of public trust"¹¹.

¹⁰ *Adevărul*, nr. 5836, Aprilie 23, 2009.

¹¹ *Jurnalul Național*, Year XVII, nr. 5100, July 31st, 2009.

The results of the new elections, publicized on July 31st, 2009, have shown the *defeat of the communists* and the *victory of the opposition parties*. Although they obtained the highest number of votes, 44,69%, the communists received only 48 mandates in the new Parliament, or 12 less than in the April 5th elections, losing the parliamentary majority for the first time in the last eight years.

The *united* opposition, formed by the Liberal Democrat Party (PLDM.), the Liberal Party (PL) and the „Moldova Noastra” Alliance (AMN), obtained 38,60% of the votes, respectively 40 seats. They were joined by another opposition party, the Democrat Party (PDM) which entered the Parliament with 13 mandates (12,54% of the votes), thus totaling 53 seats out of 101¹².

The election resulted in the *disappearance from the political scene of the PPCD*, led by Iurie Rosca which suffered two consecutive searing defeats, having received only 1,91% of the votes in the early elections, the lowest score in the history of this party.

With a parliamentary majority of 53 seats, the 4 opposition parties have on August 8th 2009, following intense and difficult negotiations, formed a public governing coalition known under the name Alliance for European Integration (AEI)¹³.

The *AEI Declaration* had as its main objective the *reestablishment of the rule of law* in the Republic of Moldova, which equaled with *a second de-communization of Bessarabia* after the one taking place in the 1990s, along with the launch of the movement for the national renaissance and national awakening of Bessarabian Romanians.

According to the established algorithm, the leading positions in the state went to the PLDM who obtained the Prime-Minister’s position and the PL which was given the position of Parliament speaker and implicitly the one of *interim president* of the Republic of Moldova, until the president’s election by the Parliament. It is important to mention, in this context, that the position of President became vacant on September 11th, 2009 when Vladimir Voronin submitted his resignation. The position was assigned to Parliament speaker Mihai Ghimpu.

The *alliance* formed a new government with Vladimir Filat, PLDM leader as Prime-Minister and included 16 ministries and 8 agencies in its structure. He won a vote of confidence in the new Parliament on September 25th, 2009, when the governing program, titled *European Integration: Liberty, Democracy, Welfare* was also approved¹⁴.

¹² <http://www.e-democracy.md>, last accessed on July 31st, 2009

¹³ Interlic Agency, August 8th, 2009.

¹⁴ Moldpres Agency, November 28th, 2009.



On November 10th and December 7th, 2009, two voting rounds to elect the president of the country by the Parliament took place. They both ended in failure, Mihai Ghimpu, PL leader and speaker of Parliament being reconfirmed by the Constitutional Court as *interim president* of the Republic of Moldova.

The problem of electing the new head of state had to be solved until June 16th, 2010, a term stipulated by constitutional norms. Throughout the following period, the parliamentary majority had studied various legal possibilities to solve the issue, including negotiations with the parliamentary group of the communists in order to obtain the necessary votes. Yet, none of these brought any concrete results, which determined the parliamentary majority to take the decision of consulting the people regarding the direct election of the head of state through the direct vote of the people. The *constitutional referendum*¹⁵ took place on September 5th, 2010, but its results were not validated because only 30,29% of the citizens with a right to vote presented themselves at the voting booths, the minimum necessary number of voters being 1/3 of the people registered in voting lists.

After this option failed, the interim president dissolved the Parliament and established the organization of early elections¹⁶ for November 28th, 2010. 39 electoral competitors participated, but only 4 parties managed to enter the new parliament, their votes and seats being distributed as follows:

- PCRM – 39,34% of votes, 42 seats respectively;
- PLDM – 29,42% of votes, equaling 32 seats;
- PD – 12,70% of votes or 15 seats;
- PL – 9,96% of votes corresponding to 12 seats.

This time the communists also won the elections, yet they did not have the majority necessary to take over the government. At the same time, the elections resulted in the disappearance from Parliament of the “Moldova Noastra” Alliance, one of the components of the previous parliamentary majority, as well as in a notable rise in the number of PLDM seats. This was basically a reediting of the 2009 situation, when none of these parties had the necessary number of mandates to form a majority. Only this time, the PCRM had 6 seats less than it had in 2009, while the 3 other parties of the AEI had 6 seats more.

In these conditions, the only option was a recreation of the AEI¹⁷, which actually happened on December 30th, 2010, a date when the *Agreement to create the new AIE* was signed by leaders of the 3 parties. According to it, Marian Lupu,

¹⁵ <http://www.e-democracy.md/elections/referendum/2010/>, last accessed on January 13th, 2012.

¹⁶ Ibidem.

¹⁷ *Publika Agency*, December 30th, 2010.

the president of the PDM was given the function of parliament speaker and at the same time the position of interim president of the Republic of Moldova, while Vladimir Filat, PLDM president was given the position of prime-minister.

The new AEI government, led by Vladimir Filat, had a structure similar to the previous one, the 16 ministries being distributed as follows: PLDM – 7, PD – 5 and PL – 4. He was invested by the Parliament on January 14th, 2011. The only issue left to be resolved was the one of electing the chief of state by the Parliament, which actually determined the organization of early Parliamentary elections.

During 2011, the governing Alliance didn't find a solution to this problem, which maintained the political instability. Negotiations with communists failed as have the talks with a group of 3 members of parliament who left the PCRM fraction and submitted to the AEI an offer to vote for an apolitical candidate from outside the parliamentary majority as president.

In this situation, the Alliance decided to organize the first round of head of state¹⁸ elections, on December 16th, 2011, supporting the candidacy of Marian Lupu, the current interim president of the Republic of Moldova. He only got 58 votes of the 61 necessary, all from the Alliance. The communist members of parliament didn't attend the vote while the 3 communist dissidents voted against. The second round was programmed for January 15th, 2012. After the first round, in order to dismiss any suspicions regarding potential underground talks between a party of the majority and the communists, the leaders of the AEI signed, on December 17th, 2011, a *Supplement*¹⁹ to the *Agreement to create the Alliance*, excluding any *separate negotiations, and common vote with the PCRM which would lead to the reconfiguration of the government and creation of a new parliamentary majority*.

Meanwhile, on January 12th, 2012, , responding to a claim filed by a member of parliament, the Constitutional Court²⁰, declared the December 16th, 2011 elections for the President position as being unconstitutional, because the secret of the vote was breached. The same Court ruled that the Parliament's decision to establish repeated elections for January 15th, 2012 was, therefore, also unconstitutional. Following this decision, Parliament was forced to start the procedure to elect the head of state from the beginning.

AEI gave its own interpretation²¹ to the January 12th, 2012 Constitutional Court Decision regarding the interruption of the process to elect the head of

¹⁸ Interlic Agency, December 16th, 2011.

¹⁹ Moldpres Agency, December 17th, 2011.

²⁰ Interlic Agency, January 12th, 2012.

²¹ www.e-democracy.md, last accessed on February 6th 2012.



state and summoned on January 15th, 2012 an extraordinary meeting of the parliament, during which the two decisions of parliament were abrogated.

The same day, AEI leaders have adopted the *Declaration regarding the ways to solve the constitutional crisis and ensure political stability*. Through it, the components of the Governing alliance have solidarily assumed responsibility for the achievement of some major objectives on the political agenda for the following period, the most important one being the initiation of a *referendum* for the modification of the Constitution with the purpose of giving citizens the possibility to correct the constitutional deficiencies that cause interminable political crises in the Republic of Moldova. This would allow for the democratization and the simplification of the mechanism to elect the President by the Parliament (with a simple majority - a.n.) and transforming the governing system into an authentically parliamentary one. The referendum was supposed to take place no later than April 2012.

However, on February 10th, 2012, the leaders of the AEI announced that they are coming back to electing the president in Parliament.²² The initiative to abandon the idea of *the referendum* belonged to PLDM and PDM, PL being forced to comply with their decision. This judgment was motivated by the fact that the referendum would have failed because of the pressures created in society.

The interim president of the Republic of Moldova, Marian Lupu indicated that the date of presidential elections will most likely be made public on the occasion of the first winter session of Parliament, planned for February 16th, 2012.

In context, the three leaders stated that for the election of the president they will negotiate with the *Dodon group* of the 3 dissident communist members of parliament. Regarding the potential presidential candidates, Vlad Filat specified that *We need a person with moral integrity*, liberal Mihai Ghimpu stating that the party he leads will give up the Parliament speaker function that belongs to PL according to the agreement, and will not forward any candidates for the position of President of the Republic of Moldova.

On the other hand, the AEI leader mentioned that the modification of the Constitution through the will of the people remains valid and an eventual referendum will take place until the end of the current mandate of the Parliament. *A number of articles in the supreme Law need to be modified and it is possible that we will return to adopting a new Constitution*, premier Vlad Filat concluded.

It is clear that the governing Alliance proved incapable in the two and a half years since it has been in power, to find a solution to the constitutional crisis

²² Moldpres Agency, February 11th, 2012.

that the Republic of Moldova severely faces. The causes of this failure should be sought in the unhealthy vanity of the AEI leaders, their lack of political will and their incapacity to make compromises for the national interest, although there are opportunities for this.

Features of the Post-Totalitarian Political Regime

The main feature of the post-totalitarian political regime is that in the conditions of losing the *monopoly of power* by the single party, a more or less *reformist* part of the former communist nomenclature dissipated into a series of political groups which subsequently turned into parties specific for a democratic political regime. This category was especially joined by the PDAM, FPM and PSM, which dominated the political life in the 1990-1998 period.

The toughest type of the totalitarian party, lead by Vladimir Voronin and other Soviet activists, supported by the most dedicated and fanatical party members, has conserved local structures and along with the reentry into legality started to climb up the steps of power, managing to win all parliamentary elections from 1998 until 2010. Moreover, in 2001, the communists had a crushing victory in the elections, seizing the political power fully and on all levels, which allowed them to *restore* the totalitarian regime of soviet origin for a period of 8 years, *a unique case in Europe*. It can thus be fully stated that in the 22 years which are the subject of our analysis, the successors of the former single party, some more reformed, other less reformed, ruled the Republic of Moldova for over 18 years.

Another feature consists in the fact that the center-right *democratic parties* proved to be *pretty weak from a political standpoint*, disunited and with very vain leaders which made their accession into power difficult and the cooperation inside governing coalitions tense and precarious. For these reasons they stayed in government for short periods of time, not managing to end their mandates.

An important feature is that the *post-totalitarian political regime had an especially sinuous evolution*, which determined, especially in the later years of the period, a constitutional crisis, for which no solution was found by the end of 2012. Therefore, following the quasi-democratic elections of 1990, a *parliamentary political regime*, was installed in the Republic of Moldova, lasting until the end of 1991 when, also as a consequence of elections, it was transformed into a *presidential regime*. The character of the regime was changed into a *semi-presidential* one after the adoption of the *democratic Constitution* in 1994. The conflict between the Presidency and the Parliament, which broke out in 1999 as a consequence of the head of state's wish to have his constitutional prerogatives extended, determined the members of parliament to modify the Constitution and reintroduce, on July 5th, 2000 *the parliamentary political regime*.



During the *communist restoration*, having a solid parliamentary majority, the regime enjoyed stability. Following the loss of power by the communists and the takeover of government by a democratic political coalition, without a sufficient majority, the *parliamentary regime entered a constitutional crisis*, determined by the impossibility to elect the president of the Republic of Moldova.

A characteristic thing is that in those 22 years, only one party, i.e., the Communist Party was able to win the parliamentary elections (in 2001-a.n.) in a categorical manner which would allow it to form an *absolute majority* (over 2/3 of seats-a.n.). In all the other elections, either pre-electoral alliances or post-electoral coalitions were necessary to form parliamentary majorities and form governments. Generally, only approximately 4 parties and pre-electoral alliances managed to pass the electoral threshold and enter the Parliament.

It should also be mentioned that, except for the 2005 and 2010 elections, which marked, on the one hand, the second communist government, and, on the other, the maintaining of the AEI in power, all the other *electoral confrontations were lost by the party/coalition*, which was their organizer. Moreover, in 1998, the PDAM didn't enter Parliament, later on disappearing from politics. Usually election winners came into power following a *negative vote* given to the former government by the unsatisfied electorate, rather than through a debate on electoral platforms and projects which are feasible and attractive for the population.

In the over 20 years of the current post-totalitarian political regime, there were periods of both *political stability* as well as *instability*. Thus there were 8 *parliamentary elections* of which 5 on term and 3 early elections (2001, 2009 and 2010). As regards *government stability*, the situation was rather different, with 14 cabinets alternating in power in the respective period, which equals an average of less than 2 years for each government. The longest *parliamentary stability* was registered during the *communist restoration*, when there were only 3 governments, of which the 2 led by Vasile Tarlev were in power for 7 years (2001-2008).

Other features of the regime result from its very evolution and concern aspects like:

- *the communist structure* (in an approximate proportion of 84%) of the first Parliament of the Republic of Moldova;
- the passage of a *complete electoral cycle*;
- ensuring an *alternation in government*;
- *the cohabitation* of a parliamentary majority of a certain political color with a president of a different political color;
- the exercise of the no-confidence *vote* by the opposition, albeit once, as an instrument of parliamentary democracy.

The phenomenon of parliament members' migration from the opposition to the governing forces and vice-versa depending on their opportunist interests or the blackmail exerted upon them by the leadership, did not take a significant dimension, but was not altogether absent, being registered by all parliamentary parties, including the communists.

The almost generalized corruption at the state administration level, both central and local and the decreased efficiency of specialized structures in fighting it is another feature of the post-totalitarian political regime.

In conclusion, it can be stated that the slow and very uneven course of transition towards the construction of a democratic parliamentary regime in the last over twenty years has positioned Moldova at the bottom of the list among central and eastern-European countries with latent democracies, due, greatly to totalitarian mentalities. The transition to the new regime was marked by the exponential growth of social inequalities, the aggressive and generalized corruption on all levels of society, by a state with politicized and inefficient institutions as well as a politically and intellectually self-interested, manipulated and decadent pseudo-elite.