

ELECTORAL FRAUD METHODS – THE PARLIAMENTARY ELECTIONS OF 30TH NOVEMBER 2008

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ABSTRACT:

THE PARLIAMENTARY ELECTIONS OF NOVEMBER 30TH, 2008 ARE ACTUALLY THE FIRST PARLIAMENTARY ELECTIONS IN ROMANIA FOLLOWING OUR COUNTRY'S ACCESSION TO THE EUROPEAN UNION IN 2007. THIS ARTICLE HIGHLIGHTS THE MAIN ELECTORAL FRAUD METHODS USED BY THE POLITICAL PARTIES, BOTH DURING THE ELECTION CAMPAIGN AND DURING THE ORGANIZATION AND DEVELOPMENT OF THESE ELECTIONS. CONCURRENTLY, IN ORDER TO HIGHLIGHT THESE ELECTORAL FRAUD METHODS, THE 2008 PARLIAMENTARY ELECTIONS HAVE BEEN ANALYZED IN COMPARISON WITH THOSE OF 1946, WHICH LED TO THE IDENTIFICATION OF COMMON STRATEGIES REGARDING THE MANNER IN WHICH THE ELECTORAL CAMPAIGN WAS CARRIED OUT, THE UNFOLDING OF THE ELECTION DAY, ATTEMPTS AND EVEN SUCCESSFUL MANIPULATION OF THE CITIZENS IN CHOOSING CERTAIN PARTIES OR THEIR CANDIDATES. THUS, THE PARLIAMENTARY ELECTORAL FRAUD METHODS OF NOVEMBER 30TH 2008 MANIFESTED IN VARIOUS FORMS, SOME OLDER AND SOME MORE RECENT. THE PURPOSE OF THIS PAPER IS TO OBSERVE, THROUGH COMPARATIVE ANALYSIS, THE 2008 PARLIAMENTARY ELECTORAL FRAUD METHODS, NAMELY THE COMMON ASPECTS BETWEEN THEM AND THOSE OF NOVEMBER 19TH 1946, FROM AN ELECTION ORGANIZATION AND DEVELOPMENT POINT OF VIEW.

KEY WORDS: ELECTIONS, MANIPULATION, FRAUD, DEMOCRACY, 2008

INTRODUCTION

The year 1989 remained in human history as the year when communism regimes collapsed in Central and Eastern Europe. It was the moment when more or less previously accumulated noticeable developments spread in a spectacular way. Also, the Berlin Wall, symbol of the Cold War falls on November 9th, leading to the end of the communist regime in Easter Germany, while

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the violent collapse of Ceausescu's regime in Romania occurred only in the second half of December³.

The sudden collapse of communism placed the nations in a difficult situation⁴. In this respect, through free elections, citizens were to bring to power people who were able to build democracy. Years after the fall of communism, the difference between the countries⁵ led by leaders with a political will to coordinate their states to the rule of law and those which, on the contrary, did not have such guidance, became obvious. Together with Russia, Bulgaria, Ukraine and Moldavia, Romania too, is part of this second category⁶.

At the same time, it must be stressed that a major responsibility in the evolution or even involution of a democratic political system firstly belongs to the political elite. Depending on their specificity, some states were successful in the process of political consolidation, while others have had a modest evolution⁷.

Democracy necessarily means representative democracy where, the elected officials make decisions on behalf of the people. How are these people's representatives elected? This unchallengeable task within representative democracies is achieved through the electoral system. Hence, one can state that the electoral system is the fundamental element of representative democracy⁸.

Simultaneously, during the post-December construction, Europe, seen as a symbol of progress, was also the pretext for essential changes. For example, the "European constraints" were invoked to justify a radical reform of the Constitution and the electoral system⁹.

After 1990, the process of modernizing Romania and its admission to NATO on March 29th 2004, respectively to the European Union on January 1st 2007, were significant moments in its natural course of democratization and alignment to the European trend. Taking these reasons into account, we shall further address the Romanian parliamentary elections on November 30th, 2008, in the context of our country being a EU and NATO member.

With regard to our research hypothesis, we must state that this is an exploratory one, in which we shall try to find an answer to the question: Can there be common practices and methods in organizing and conducting parliamentary elections in completely different political regimes? Our

³ Ion Bucur, introduction to *Anul 1990: partide, ideologii și mobilizare politică [Year 1990: parties, ideologies and political mobilization]*, (Bucharest: The December 1989 Romanian Revolution Institution Publishing House, 2014), 10, available at <http://irrd.ro/wp-content/uploads/2014/08/Anul-1990-Ion-Bucur-.pdf>, accessed on 17.06.2018.

⁴ Flavius Cristian Mărcău, „Central and Eastern Europe – necessary stages of democracy construction”, *Research and Science Today*, No. 2(8)/2014, November 2014, pag. 93-102

⁵ Flavius Cristian Mărcău, „Post-communist democratization: difficulties and crisis”, *Analele Universității „Constantin Brâncuși” din Târgu - Jiu, Seria Litere și Științe Sociale*, nr. 3/2013, pag. 100-104

⁶ Giovanni Sartori, *Teoria democrației reinterpretată [Reinterpreted democracy theory]*, translated by Doru Pop, (Iași: Polirom Publishing House, 1999), 11.

⁷ Daniel Șandru, *Ipostaze ale ideologiei în teoria politică [Ideology aspects in the political theory]*, (Iași: Polirom Publishing House, 2014), 160-161.

⁸ Arend Lijphart, *Sistemele electorale și sisteme de partide : un studiu despre douăzeci și șapte de democrații : 1945-1990 [Electoral systems and party systems: a study on twentyseven democracies: 1945-1990]*, translated: Ileana Petraș-Voicu, (Cluj –Napoca: CA Publishing, 2010), 18,.

⁹ Cristian Preda, *Partide și alegeri în România postcomunistă: 1989-2004 [Parties and elections in postcommunist Romania: 1989-2004]*, (București: Nemira Publishing House, 2005), 108-109.

analysis aims at highlighting the common political practices on illegalities, especially the electoral fraud methods used during the organization and development of the election.

Starting from the premise that the parliamentary elections of 1946 were known to have been forged, using the exploratory methods and the comparison, we will demonstrate which of the practices of 1946 can be found in a democratic regime at the elections of November 30th 2008.

THE DEVELOPMENT OF THE ELECTIONS OF NOVEMBER 30TH 2008

The parliamentary elections of November 30th 2008 are the first parliamentary elections that took place in Romania after its accession to the European Union in 2007. Thus, there was a series of legal amendments which led to the organization of these elections.

Democracy guarantees respect for fundamental freedoms. Without this freedoms, we could not even talk about free debates to express and resolve social divergences, namely the right to freedom of speech, freedom of association, freedom of movement and security. Also, democracy makes it possible to renew societies and replace the generations or the responsible ones who have become inefficient within a well-established process¹⁰.

In a system of free elections, the success of political parties is conditioned by the importance of the electoral support they receive and the manner in which they cultivate it. Also, political parties are an essential mechanism that allows for an effective expression of the people's preoccupations within the governmental process. In comparison, the most intransigent democrats of the 19th century Europe demanded for the parliamentary elections to take place on a yearly basis, focusing on an efficient control of the representatives. Nowadays, the task of governors and parliamentarians is completely different, and a one-year mandate does not allow them to efficiently administrate the economy, nor does it give them the possibility to actually see the effects of the policies they had committed to. Nowadays, the term of office for the Members of the Parliament is 4 years¹¹.

With regard to the normative framework of the parliamentary elections of November 30th 2008, Romania uses an original method of mandate allocation, namely the number of votes is transformed in the number of mandates. This is a mixed method combining equally proportional principles – with a strong tradition in Romania, and majority principles – with a limited application to the vote for mayors, city council presidents and the state's President¹².

With the first practice of the new electoral law, Law no. 35 of March 13th 2008 on the election for the Chamber of Deputies and Senate, and for the change and amendment of Law no. 67/2004 on the election of local public administration authorities, of the Local Public Administration Law no. 215/2001 and Law no. 393/2004 on the status of the elected local representatives¹³, the parliamentary elections of 2008 brought about many surprises for the Romanians as there were changes on mandate allocation. More precisely, the confusions regarding the process by which

¹⁰ David Beetham, Kevin Boyle, *Democrație. Întrebări și răspunsuri*, trad. de Corina Mărgineanu, (Editura Clusium, 2002), 8.

¹¹ Beetham and Boyle, *Democrație [Democracy]*, 12.

¹² Andrei Cristian, „Despre efectele sistemului electoral românesc, cu ajutorul unei simulări electorale,” în *Expert electoral* [„About the effects of the Romanian electoral system, with the help of an electoral simulation” in *Electoral Expert*], 2 (2013): 16, accessed on 18.06.2018, http://www.roaep.ro/prezentare/wp-content/uploads/2013/04/DTP-Expert-Electoral-7-Iunie-CL-final_black.pdf.

¹³ Hereinafter: Law no.35/2008.

candidates who won their colleges (boards), lost their mandates, and those regarding candidates coming on the second or third place, who still managed to win their mandates¹⁴.

Therefore, by adopting Law no. 35/2008, the proportional list vote was replaced by a uninominal one. This is, however, not part of the majority electoral systems, as it targets the proportionality between votes cast by the electoral body and the parliamentary mandates¹⁵.

Under the new law, deputies and senators are elected in uninominal colleges (boards) by uninominal vote, according to the principle of proportional representation. Each college is usually given a single mandate. The political parties obtain mandates in proportion to the number of votes obtained, and the independent candidate receives a mandate if he/she obtains 50% + 1 of the total number of valid votes cast in the college he/she has applied for. The representation rule for the election of the Chamber of Deputies is one deputy to 70,000 inhabitants, while for the election of the Senate, the rate is one senator to 160,000 inhabitants¹⁶.

Hence, to better understand the effects of introducing uninominal colleges, we will exemplify the following aspect: theoretically, even if the Social Democratic Party (PSD) was the winner of the 2008 elections in terms of percentage (33.09% versus 32.36% for the Democratic-Liberal Party (PD-L) for the Chamber of Deputies, respectively 34.16% versus 33.57 for Senate), PD-L obtained three extra mandates¹⁷.

The organization of elections meant the creation of electoral divisions in all the 41 counties, one division in the municipality of Bucharest and a separate one for the Romanians residing abroad¹⁸.

The Permanent Electoral Authority¹⁹ together with the Romanian Ministry of Home Affairs were the ones responsible for what the Central Electoral Bureau's auxiliary technical apparatus is²⁰.

Decision no. 10 of 22.10.2008 also refers to the electoral campaign, regarding the interpretation of art. 41, paragraph (6) and art. 50 letter o) of Law no. 35/2008. Thus, it was decided that continuing the electoral propaganda after the end of the campaign meant the display, launch or distribution of electoral materials of any kind after the 29th of November 2008, 7 PM. After the end of the electoral campaign, all electoral propaganda materials must be removed from the polling place²¹. As we will observe in our analysis, this provision was violated.

¹⁴ Andrei, „Despre efectele sistemului electoral românesc, cu ajutorul unei simulări electorale, ” [„About the effects of the Romanian electoral system, with the help of an electoral simulation”], 16-17

¹⁵ Raport asupra organizării și desfășurării alegerilor pentru Camera Deputaților și Senat din 30 noiembrie 2008, [A report on the organization and development of the 30th November 2008 elections for the Chamber of Deputies and Senate] 8, accessed on 16.06.2018, http://www.roaep.ro/legislatie/wp-content/uploads/2015/06/raport_parlamentare-2008.pdf.

¹⁶ „Report.”

¹⁷ Disproporțiile proporționalului,” *Istoria unui dezacord: uninominalul*, (2008) [Disproportions of the proportional, „The history of a disagreement: the uninominal (2008)], 18, accessed on 20.06.2018, http://www.apd.ro/files/publicatii/brosura_uninominal.pdf.

¹⁸ „Report.”

¹⁹ This is the fundamental autonomous administrative institution of the Romanian state responsible with ensuring the organisation and development of elections or referendums.

²⁰ „Report” 95-96.

²¹ „Report” 99.

Another decision which requires our attention is that referring to the sealing of the stamps. In this respect, Decision no. 65 from 17.11.2008 highlights the obligation of the presidents of the polling place electoral bureau to seal the “VOTED” stamps immediately after the vote ended. Concurrently, these stamps were to be placed in an envelope which had to be glued shut, signed and bear the polling place’s control stamp²².

The elections for the Chamber of Deputies and Senate were organized at 18,104 polling places distributed in the 43 electoral divisions. The voting participation rate was 39.20%. Following the centralization of data received by the Central Electoral Bureau, the results for the Chamber of Deputies and Senate were: For the Chamber of Deputies, the total number of valid votes was 6,886,794, 210,994 votes were null and 139,139 were white votes²³.

The facts stated in the parliamentary elections report of November 30th 2008 on the official website of the Electoral Parliamentary Authority, conclude that all petitions and appeals submitted at the Central Electoral Bureau referring to the annulment of the elections and the recount of votes were rejected as unfounded on the grounds that they have not been supported by evidence proving that the voting process had been vitiated, so as to alter the mandate attribution or due to the fact that those who made the appeals did not have the necessary expertise²⁴. This is an aspect that can be carefully analyzed, in the sense that, following the 2008 parliamentary elections organization and development assessment, both during the electoral campaign and on the day of the elections, or immediately after, numerous “fraudulent” methods were identified. These methods not only could have represented a solid ground for appeals on annulment of the elections and recount of votes, but could have also been admitted, such as: the double vote, previously stamped ballots, destroyed stamps.

ELECTORAL PROCESS IRREGULARITIES – ELECTION FRAUD METHODS

As we have previously explained, several irregularities, deviations from the law, organizational deficiencies and malfunctions were reported to the authorities charged with sanctioning such offenses and electoral infringement.

Concurrently, there was also some information from the territorial branches of the Permanent Electoral Authority bringing to light negative aspects regarding the behaviour of certain electoral officials, some categories of voters, party representatives and representatives of the media or the civil society who have disturbed the good conduct of the elections. Hence, statistically speaking, following the press statements issued by the Ministry of Home Affairs and Administrative Reform, 341 incidents were recorded on the day of the election, of which 57.7% were urban and 42.3% were rural. At the same time, 62 criminal case files were drawn up and 92 legal sanctions amounting to 37,614 lei were applied. Regarding the electoral campaign and election organization and development period, 1,470 incidents were reported, against which, 1,378 measures were taken, 492 offenses were detected and 893 legal sanctions amounting to 469,667 lei in fines were applied. Related to the environment of origin, 49.46% of incidents were reported in rural areas and 50.54% in the urban areas²⁵.

²² “Report” 100-101.

²³ “Report” 114.

²⁴ “Report” 121.

²⁵ “Report” 126.

With regard to the fairness of the electoral process, this can be severely compromised in three ways. Thus, the first refers to the advantage of exercising power given to the party or coalition forming the government. The second way of threatening the fairness of the electoral process refers to the fraudulent practices of party adherents and sympathizers: corruption, intimidation, usurpation of identity, double vote, etc. Concurrently, the third way compromising the fairness of the electoral process refers to the fact that because of personal fortunes and massive financial support, certain candidates or parties hold the advantage²⁶.

As for our research, we will focus on the second way that threatens the fairness of the electoral process, more precisely, we will refer to the fraudulent practices of party adherents and sympathizers: corruption, usurpation of identity, intimidation, double vote, etc.

The methods of parliamentary electoral fraud from November 30th 2008 manifested in various forms, some older, and some more recent. Thus, we will emphasize the main methods of electoral fraud used by the political parties both in the electoral campaign and during the organization and development of the parliamentary elections on November 30th 2008.

To better understand the meaning of electoral fraud from a political point of view, we will define the term “electoral fraud” exactly how it appears in the specific legislation. Hence, in accordance with art. 2 point (30) of Law no. 35 of March 13th 2008 on the election of the Chamber of Deputies and Senate and the amendment and completion of Law no. 67/2004 on electing the local public administration authorities, with the Local Public Administration Law no. 215/2001 and Law no. 393/2004 on the Status of elected local representatives, electoral fraud means: “any illegal action which takes place before, during or after the end of the voting process, or during the vote counting and minutes conclusion, and which results in the distortion of voters’ will and the creation of advantages through extra votes and mandates for an electoral competitor”²⁷.

Starting from the abovementioned definition, we will mention a few electoral fraud methods observed during the organization of the parliamentary elections.

1. The electoral bribery

The electoral bribery is one of the most accessible methods to persuade voters to vote with the candidates of a certain party. We will refer to some examples reported at a county level during the exercise of vote. So, in the Viisoara neighbourhood in Bistrita-Nasaud, the representatives of the Social Democratic Party-Conservative Party complained that the voters who vote for the PD-L candidates and take photos of their votes, would receive free drinks. Also, the County Electoral Bureau (BEJ) in Constanta notified the Prosecutor’s Office, following a complaint made by the PSD-PC Alliance, according to which, a member of the polling place in the Valu lui Traian township allegedly granted heating aids to voters, at the request of the PD-L mayor. Certainly, the term “electoral bribery” is a highly diversified one, manifesting in various forms during the electoral campaign, depending on the specificity of the area or the needs of voters, identified by the parties’ local leaders. For example, the PD-L leader in the city of Fieni is accused of bribing a voter with a bag of cabbage. He supposedly also offered him two buckets with the PD-L brand,

²⁶ Beetham and Boyle, *Democrație [Democracy]*, 48-49.

²⁷ Law no. 35 of March 13th 2008 on the election of the Chamber of Deputies and Senate and the amendment and completion of Law no. 67/2004 on electing the local public administration authorities, with the Local Public Administration Law no. 215/2001 and Law no. 393/2004 on the Status of elected local representatives, accessed on 17.06.2018, <http://legislatie.just.ro/Public/DetaliiDocument/90301>.

thus violating the provisions on banning the continuation of the electoral campaign on the day of the vote²⁸.

Although these small tokens of “electoral attentions” were clearly forbidden during the electoral campaign, the parties could not refrain from offering voters numerous attractive opportunities to their benefit, just to gain their votes for the party, from trips within the country or abroad, to flour, oil, rice and sugar from the European Union. This statement draws the attention upon the thousands of pensioners from sector 5 who received from PSD free one-day trips to the Bran Castle. On the same note, they were informed about the benefits brought by a PSD governance, the people being constantly “notified” about the party’s activity throughout the trip. Also, the leaders of the National Liberal Party (PNL) have distributed flour, oil, rice and sugar in several towns in Bacau, on their behalf, but these aids were actually received from the European Union via the Directorate for Agriculture and Rural Development for the retired farmers and people with a guaranteed minimum wage. Moreover, the products were distributed with the personal vehicles of the PNL leaders’ relatives, bearing the party’s insignia²⁹.

2. The “minibus” method

The political parties’ ambitions focused on getting voters on the candidates’ side also prove to be increasingly obvious through this method. In Bistrita-Nasaud, the PD-L branch was called for to have allegedly give people rides with minibuses to the polling places and paying them for their votes. Timis county also received such complaints, the PSD representatives being accused of having transported several people to the polling places. In Alba, the liberals were accused of not only taking people from Zlatna to the polling places by minibus, but of also having made them swear on the Bible that they would vote with the PNL candidates³⁰.

3. The double vote

This electoral fraud method can be exemplified by the case of a 70-year-old individual from Dambovita, who is under criminal investigation for attempting to vote twice. The old man firstly voted on the permanent lists in Oncesti, after which he tried to vote a second time in Gemenea. At the same time, another man from the county of Vrancea is also under criminal investigation after having received two sets of ballots when entering the voting booth. He had supposedly taken the second ballot to vote on behalf of his wife who stayed at home³¹.

4. Already stamped ballots

Regarding this electoral fraud method, the case of the 18-year-old young man who reported to the chairman of a polling place located at the Drobeta Turnu Severin County Hospital that the ballot he received for the Chamber of Deputies had already been stamped “Voted”, is more than

²⁸ „10 metode de fraudare a alegerilor,” [10 methods of electoral fraud] accessed on 17.06.2018, <https://romanalibera.ro/politica/institutii/10-metode-de-fraudare-a-alegerilor-140655>.

²⁹ „Alegeri parlamentare Pomeni de la partide: excursii, mobile si faina de la UE,” [Parliamentary elections Handouts from the parties: trips, mobile phones and flour from the EU] accessed on 17.06.2018, <http://www.ziare.com/alegeri/alegeri-parlamentare-2008/alegeri-parlamentare-pomeni-de-la-partide-excursii-mobile-si-faina-de-la-ue-506008>.

³⁰ „10 metode de fraudare a alegerilor,” [10 methods of electoral fraud]

³¹ „10 metode de fraudare a alegerilor,” [10 methods of electoral fraud]

conclusive. Another such case regarding already stamped ballots is the one reported by PD-L Teleorman in the complaint filed with the County Electoral Bureau on the Perii Brosteni township, where the PD-L representatives had noticed that 300 votes, stamped “PSD” were illegally placed inside the ballot box. At the request of PD-L, the president of the polling place refused to seal the ballot boxes³².

5. The “blue shirt” and the “crowd” methods

The “blue shirt” method refers to the fact that a person, identified by a piece of clothing, is hired to accompany the voter inside the voting booth for the purpose of supervising him/her during the exercise of the vote. The “crowd” method refers to the crowding caused at the entrance of the polling place by previously trained people for this purpose, making it difficult for other citizens to vote. This method is used to obstruct the voting process in polling places where a party is known to be favoured³³.

6. Juvenile offenders

As the name clearly states it, this method brings minors to the foreground. Thus, in Constanta, a young 17-year-old woman was caught near a polling place with a bag holding 47 ID cards belonging to some people whom she was to pay 100 lei each so that they would vote in favour of the candidates of a certain party³⁴.

7. Illegal electoral campaign

The illegal electoral campaign can also be considered a parliamentary electoral fraud method. For example, the PSD mayor of a township in Arad notified the Arad District Electoral Bureau that electoral flyers had been distributed on his behalf, encouraging citizens to vote for PD-L. A young man from Dolj was fined by the police after parking a car filled with electoral posters of a PD-L candidate in front of the polling place³⁵.

8. Destroyed stamps

Along with the other methods, the one concerning destroyed stamps is also on the list of the fraudulent parliamentary elections of November 30th 2008. A good example is the one in Vrancea, where two stamps were destroyed in a polling places, being thrown into the fire, which led to the temporary disruption of the voting process. At the same time, it was found that in one of the polling places in Odobesti, the control stamp was destroyed after one of the committee members threw it in the fire along with a series of papers. Also, at Jilava, the polling place was closed for almost an hour after a stamp had disappeared³⁶.

³² „10 metode de fraudare a alegerilor,” [10 methods of electoral fraud]

³³ Metode de fraudare a alegerilor,” [Electoral fraud methods] accessed on 17.06.2018, <https://saccsiv.wordpress.com/2009/11/19/metode-de-fraudare-a-alegerilor/>.

³⁴ „10 metode de fraudare a alegerilor,” [10 methods of electoral fraud]

³⁵ „10 metode de fraudare a alegerilor,” [10 methods of electoral fraud]

³⁶ „10 metode de fraudare a alegerilor,” [10 methods of electoral fraud]

A COMPARATIVE ANALYSIS OF THE PARLIAMENTARY ELECTIONS OF NOVEMBER 19TH 1946 VS. THE PARLIAMENTARY ELECTIONS OF NOVEMBER 30TH 2008

Although unfolding in completely different political regimes, the parliamentary elections of November 19th 1946, and those of November 30th 2008 show certain ongoing aspects as to how candidates for power tried to win voters on their side.

Thus, following our analysis on both the 1946 and 2008 elections, we can objectively identify the existence of common strategies for campaigning, unfolding of the election day, attempts and even successful manipulation of citizens regarding the election of parties and their candidates. The aspects on which we shall focus and place under comparative analysis are those referring to the electoral fraud methods, events that took place during both parliamentary elections described in this paper.

Regarding the parliamentary elections of November 19th 1946, we note that the Democratic Parties Bloc (BPD), the alliance established around the Communist Party managed to find means to secure its victory. The official data showed that 78.46% of votes belonged to BPD and only 17.34% to the historical parties. However, recent studies have shown that the BPD parties won only 20% of the votes by their own efforts, the rest being the result of fraud. On the other hand, the 1946 law is the second to give women the right to vote, this time, without any condition³⁷.

Concurrently, we remind you that a series of abuses were reported, such as: vote theft, the oppression of opposition candidates, the infiltration of violent people inside voting places, the introduction of ballots already stamped for the Democrat Parties Bloc in ballot boxes before the opening of the polling places. Also, illegalities and deviations from the legislative provisions were also reported during the parliamentary elections of November 30th 2008, which were the object of appeals to the Electoral Bureau. Thus, numerous criminal case files were drawn up and fines were applied. Other negative aspects related to the 2008 elections referred to the behaviour of some electoral officials, of certain categories of voters, party representatives, representatives of the media and of the civil society, aspects which led to the disruption of the elections organizations and development.

The polling places activity reports drawn up by the communists, identified in the archive funds underlying this research and the Salaj National Archives County Service provided us with essential information regarding the manipulation of the 1946 election results. According to these, the vote count took place inside the polling places, in the presence of the political parties' delegates and assistants. But, the same reports also show that in the county of Salaj, all the important places inside the room and polling place were taken by the best comrades from the communist party, continuously pointing out to citizens how to vote. Similar situations also occurred during the 2008 elections. Voters were guided and supervised on how to vote through the "blue shirt" method (a person identified by a piece of clothing who was paid to accompany the voter inside the voting booth to supervise his/her exercise of the vote).

³⁷ „Sistemele electorale românești - de la 1831 până la instalarea comunismului,” *Istoria unui dezacord: uninominalul*, (2008) [„Romanian electoral systems – from 1831 to the establishment of communism”, *The history of a disagreement: the uninominal vote (2008)*] 14, accessed on 20.06.2018, http://www.apd.ro/files/publicatii/brosura_uninominal.pdf.

Concurrently, as mentioned above, this method was used to obstruct the voting process in polling places where it was known that a certain party was favoured.

Under a first analysis of the day of elections, both in 1946 and in 2008, we conclude that, although the law prohibited it, the electoral campaign was carried on even on the day of the vote. Hence, in 1946, the Democrat Parties Bloc activists continued their electoral campaign even inside the polling places, while during the 2008 elections, certain party leaders continued their campaign through various methods, such as electorate SMS-ing or even direct contact with voters over the phone. Here we can also emphasize the fact that the electoral campaign was initiated before its legal start point, the so-called pre-campaign period.

During the voting process, other irregularities were also reported, such as: the sealing of ballot boxes prior to the arrival of the “opposition” representatives, appointing presidents and clerks largely among the communists, removing delegates of the opposition from the polling places, the plural vote. Making a parallel with the elections of November 30th 2008, we can conclude that the double vote was also present here. The case under our analysis is the one of a person who attempted to vote twice, the first time on the permanent lists in Oncesti, and then in Gemenea. A similar situation we also mentioned was the case of the man from Vrancea who received two ballots when entering the voting booth, under the pretext of exercising the vote on behalf of his wife. An activity report from 1946 offered us details regarding another electoral fraud method, namely the preparation of a certain number of votes prior to the elections. From this point of view, the reports from the county of Salaj state that there were numerous votes already bearing the stamps of list No.1 (B.P.D), which were introduced into the ballot box on the day of the elections. We give as example the case of the two polling places in Zalau, where 500 votes were registered, with 300 being already stamped with list No.1 – the list of pro-communist coalition – on the morning of November 19th.

Such actions were also reported during the 2008 elections. Regarding this electoral fraud method, namely the already stamped ballots, we described the case of the young man who received his Chamber of Deputies ballot already stamped “Voted”. Further, we mention the case filed by PD-L Teleorman, where the representatives of the party reported that 300 votes already stamped “PSD” were illegally introduced and the president of the place refused to seal the ballot boxes.

Following the 1946 elections, those who were part of the B.P.D. wanted to reward the work and services provided by those who supported them in the good development of the elections. Thus, the Plowmen’s Front proposed to grant all drivers who serviced the Bloc the amount of 300,000 lei as reward. Also, the prefect of Salaj county proposed to approve the request of the Office of Telephony to grant 50,000 lei to each clerk who had thoroughly provided call services during the elections as reward.

Analyzing the development of the 2008 elections, we can see that similar cases also occurred in this situation, under the form of electoral bribery, the tokens of “attention” or material goods that were offered prior to the elections in order to win over the voters. Such cases were represented by actions of offering certain trips in the country or abroad, food such as flour, rice, sugar and even money to vote for a particular candidate. We can also mention here the “juvenile offenders” electoral fraud method through which minors had on them several ID cards of people who were getting paid 100 lei each, in exchange for the service of voting for the candidates of a certain party.

CONCLUSION

The historical information and analysis carried out in the document and specialty literature study process aim at capturing the events that took place and led to the falsification of the 2008 elections results, as well as the deficiencies, uncertainties and illegalities that came along, simultaneously carrying out a comparative analysis of the common elements identified in the elections of the November 19th, 1946.

Concurrently, by emphasizing the documents and information obtained from our research paper, we succeeded in creating a case study with great significance to the evolution of the Romanian society, by drawing a parallel between the elections of November 19th, 1946 and those of 2008, elections which took place under different political regimes, which, however, shared numerous common elements.

Starting from the researched archive papers and documents, we consider that the analysis of parliamentary elections from two governmentally distinct periods of time in Romania can contribute to a better understanding of the communists' and the democratic forces' techniques to seize political power. Thus, as a result of our research, we managed to answer the questions raised at the beginning of the scientific process, demonstrating that, both during the parliamentary elections of November 19th, 1946 and of those of November 30th, 2008, methods of mass manipulation, illegalities or electoral fraud techniques were present.

The result of our research brings a black point for the post-December democratic political system in Romania, as the common techniques used by the political parties to seize power make us realize that after 60 years (2008 being a reference point), since the 1946 moment when elections were massively frauded, there still are common electoral methods used through which, candidates or parties try to "win over" voters and regardless of the fact that the political regime has changed compared to that of 1946, certain "fraudulent" electoral techniques from the communist period are still the same.

The comparative analysis of these two parliamentary elections – those of November 19th, 1946 and November 30th, 2008 – reveal similarities within the political factor, but in completely distinct timeframes. Hence, we can observe the way in which the electoral fraud methods continue to manifest in a democratic society in which, the freedom to exercise the right to vote provided for by the Constitution, can be overshadowed by the political desires and ambitions to seize power.

All these conclusions are all the more important as, since the elections of 1946, Romania joined the European Union in 2007, proving its international evolution, expanding the democratic values and aligning them to the European Union values. Although we have passed from a communist political regime in which the unique party had the power, to a democratic one where pluripartidism is a condition of the democratic system, the way in which elections unfolded with all the irregularities, uncertainties and frauds tend to make us rather think of a 1946-like type of system.

Perhaps the regulation of a harsher and more specific legislative system concerning the organization and unfolding of elections, be it local, parliamentary or presidential would prevent or, at least, limit the abuses and illegalities that take place on such occasions. Thus, it would just be unfortunate to imagine that these political factor validation methods are already grounded, and the Romanian society must get used to idea of electoral bribery, fraud and forged elections.

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