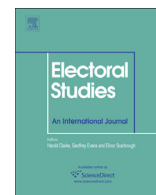




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## Notes on recent elections

## Antagonism and austerity: The December 2012 Romanian parliamentary elections

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For nearly a decade prior to the December 2012 parliamentary elections, Romanian politics was afflicted by partisan animosities and looming stalemate. Apart from the legislative seats won by ethnic minorities, parliamentary representation was divided among three major political parties – the Social Democrats (PSD) to the left, and the Liberals (PNL) and Democrats (PDL) to the right. Effective governance usually required alliance of two of these parties against the third. A right-right alliance of Democrats and Liberals and a left-right alliance of Social Democrats and Democrats previously had collapsed with bitter recriminations. In 2012, a new left-right alliance, of Social Democrats and Liberals, formed largely in opposition to outspoken and controversial Democratic President Traian Basescu, and it swept to victory. The so-called Social Liberal Union in December 2012 won approximately 60% of the vote and more than two-thirds of the parliamentary seats. The question now is whether the alliance will prove stable and capable of governing. This brief paper first will review the conditions leading up to the 2012 Romanian parliamentary elections and then will analyze the results.

## 1. Prelude to the election

To many, the 2004 Romanian elections heralded the end of post-communist transition (Stan, 2005; Downs and Miller, 2006). The communist-successor regime that had

dominated Romanian politics in most years since the revolution was defeated, replaced by a Truth-and-Justice Alliance promising overdue reform and modernization. Democrat Traian Basescu was elected president, and Liberal Calin Tariceanu was named Prime Minister. Conflicting personalities, disagreements over constitutional duties, and the dual executive arrangement of Romania's semi-presidential institutional system soon led to disputes and dissolution (Marian and King, 2011). By April 2007, Prime Minister Tariceanu was heading a minority government purged of all Basescu supporters from the Democratic Party. This was quickly followed by a parliamentary attempt to impeach President Basescu, which failed dramatically in a national referendum.

The 2008 Romanian parliamentary elections confirmed the existence of three-party stalemate (Downs, 2009). A coalition of Democrats and Social Democrats succeeded in naming Emil Boc, a Basescu ally, as Prime Minister, but the coalition predictably soon collapsed as the 2009 presidential contest approached. After Basescu's narrow re-election (Muntean et al., 2010), there was a period of uncertainty regarding the formation of a new government. Ultimately, Emil Boc was restored as Prime Minister with support from his PDL, all the ethnic minority parties, and some independent MPs who preferred to be on the winning side.

Yet fate was not kind to the Boc government. The world financial crisis hit the fragile Romanian economy severely. In 2009, GDP fell by 6.6%, domestic demand fell by 13.5%, and official unemployment rose to 6.9%. The contracting economy put stress on the government budget; the public sector deficit was 9.0% of GDP in 2009, compared to 2.9% in

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2007. Romania remained solvent due only to special assistance worth EUR 12.95 billion from the International Monetary Fund (Stoiciu, 2012).

In May 2010, Prime Minister Boc canceled a trip to Michigan State University, where he was to receive an honorary degree, for emergency meetings with unhappy representatives of the IMF. The outcome was an unanticipated and quite severe program of austerity and structural reform. Salaries for public employees were cut by 25%, pension and support benefits were cut by 15%, and VAT was increased by five points up to 24%, among the highest in Europe. In addition, government employment was reduced, a new labor code eased terminations and reduced the power of unions, and certain government utilities were scheduled for privatization. Not surprisingly, the austerity program was enormously unpopular, with criticisms fueled by the opposition political parties and their affiliated television stations and newspapers. By July 2010, 72% of Romanians said that they did not trust President Basescu; only 10.7% remained in favor of the government of Prime Minister Boc. PDL popularity never recovered yet Boc remained in power until January 2012, when confronted by street demonstrations over proposed health care reform. It was more convenient for the opposition parties to blame and condemn than to assume responsibility for the implementation of disliked but generally necessary policies.

Finally, in April 2012, with elections approaching, a new left–right coalition formed and assumed power. Under the aegis of the Social Liberal Union (USL), Social Democratic Party leader Victor Ponta became Prime Minister and National Liberal Party leader Crin Antonescu was named prospective candidate for President. The coalition was tested in the Romanian local elections of June and it proved relatively secure and successful, winning more than half the votes cast. This provided the inspiration for what some commentators termed an attempted “mini-coup”.

On June 20, former Social Democratic Prime Minister Adrian Nastase shot and minimally wounded himself in an alleged suicide attempt after being sentenced to prison on corruption charges. The same day, the international publication, *Nature*, accused Social Democratic Prime Minister Ponta of having plagiarized large portions of his doctoral dissertation. The government press office dismissed the charges as “unsubstantiated”, responding that they “have a very transparent political tinge” (Schiermeier, 2012). This claim was sustained by the Romanian National Ethics Council, whose members had all been removed earlier in June and replaced by those appointed by the Ponta government.

On June 28, President Basescu and Prime Minister Ponta feuded over who should represent Romania at a meeting of the European Council. The Constitutional Court favored the former while Parliament defended the latter. Soon afterward, the USL leadership announced plans to suspend President Basescu, with hopes of impeaching him from office on grounds of alleged constitutional violations. The USL removed the Ombudsman and replaced him with a person from the Social Democratic ranks. It replaced the heads of the Chamber of Deputies and the Senate so that Antonescu became interim President and would assume

the office permanently if Basescu were impeached. The Ponta government also attacked the Constitutional Court for political bias and moved to limit its powers regarding actions internal to the Parliament. These moves sparked a wave of international condemnation. U.S. Ambassador to Romania, Mark Gitenstein, was outspoken with concern over the independence of democratic institutions; President of the European Commission, Jose Manuel Barroso, expressed worry over unprecedented attacks on the rule of law.

As required by the Constitution, removal of President Basescu depended on a national referendum, held on July 29. Of those voting, more than 87% favored removal, with approximately 46% turnout. Basescu had urged his supporters to boycott the balloting because, according to Constitutional Court interpretation, a valid referendum required turnout by a majority of eligible voters. Further debate ensued over the actual number of eligible voters and the rights of Romanians residing abroad. Finally, on August 21, Parliament formally invalidated the referendum and restored Basescu to office. All attention then turned to the forthcoming December parliamentary elections.

The main task for the Social Liberal Union (USL) was to maintain unity among its component parties. A special meeting of the leadership in September apportioned candidates among the Social Democrats, Liberals, and other members of the alliance, so that no two were running for the same parliamentary seat. The main task for the Democrats was to shed itself of negative name recognition. It joined with the minor Peasant Party and the Civic Force and was re-christened the Right Romania Alliance (ARD). Apart from the Hungarian Union (UDMR) and other ethnic minority organizations, the only other relevant contender for seats was the People's Party – Dan Diaconescu (PP-DD). Diaconescu, a media mogul with his own private television station, established the party in 2011 based on vague expressions of protest, an eclectic combination of policy proposals, and considerable personal egotism.

The electoral campaign itself was somewhat tame, certainly when compared to the political turmoil of the previous years. Individual accusations predominated. Few social or economic issues were debated and no detailed plans for governance were presented. It was a foregone conclusion that the USL would win handily. The real question was whether its margin would be so large as to force President Basescu, despite his denunciations, to keep Victor Ponta as Prime Minister, and if so, whether the two could learn to work together in Romania's dual executive system of institutions.

## 2. Electoral rules and results

The 2012 Romanian Parliamentary elections resulted in a decisive victory for the Social Liberal Union (USL). This left–right coalition of Social Democrats and Liberals, along with the small Conservative Party, obtained more than two-thirds of legislative seats. As expected, the great loser was the Right Romania Alliance (ARD), comprised overwhelmingly by the Democratic Party of President Basescu, that saw its support decline by half compared to 2008. The amorphous People's Party of media personality Dan

Diaconescu (PP-DD) received almost as many votes as the ARD. The Hungarian ethnic party (UDMR) again obtained enough votes to qualify for parliamentary representation, and eighteen other small national minorities were granted special reserved mandates in the Chamber of Deputies (King and Marian, 2012). Calculated turnout was 41.76%, about two and a half percentage points higher than in 2008, the first year that Romanian parliamentary elections were held separately from presidential elections. Nevertheless, the figure is not necessarily reliable; the denominator is suspect as Romania experienced considerable out-migration particularly after its accession to the European Union in 2007.

Election outcomes are produced from two separate components, the expressed vote preferences of individuals and the rules by which those preferences are aggregated and transformed into legislative seats. Romanian rules regarding vote aggregation are especially complex, with multiple stages and methods of seat allocation (Marian and King, 2010). First, at the local level, the 43 electoral constituencies in Romania (41 counties + the city of Bucharest + the Romanian diaspora abroad) are subdivided into electoral colleges of approximately equal population (315 for the Chamber of Deputies and 137 for the Senate). The total valid vote within each constituency is summed and divided by the number of colleges, establishing Hare quotients. Parties ‘purchase’ mandates at the Hare quotient price. In 2012, 240 mandates in the Chamber of Deputies and 75 in the Senate were allocated in this manner. Yet not all college seats were purchased and not all votes were used for purchases. In the second, national-level allocation stage, remaining seats are allocated among the parties using d’Hondt divisors applied to the total of their unused votes. In 2012, 75 mandates in the Chamber of Deputies and 62 in the Senate were allocated by the second-stage process.

Finally, returning to the local level, party mandates are allocated back to the hundreds of electoral colleges for purposes of district representation. Any candidate obtaining an absolute majority in his or her college automatically is guaranteed a seat. In 2012, there were 279 majority winners for the Chamber of Deputies and 123 for the Senate. The remaining Hare and d’Hondt mandates are then assigned using a complex formula that gives priority to those available candidates who garner the highest numerical vote. The system can generate unusual results.

Complications occur when some county is required to allocate more mandates than it has colleges. For instance, imagine a county in which Party A wins majorities in three colleges, in which Party B and Party C are also assigned mandates, but which is comprised of only four colleges. The official solution is to assign more than one representative to a given college. This is known as an overhang seat. It happened one time in 2008. It happened more than 100 times in 2012, adding 79 seats to the Chamber of Deputies (expanding the body by 25%) and 39 seats to the Senate (expanding the body by 28%). Even further, two colleges in the Chamber and two in the Senate were assigned three simultaneous representatives, each from a different political party. The consequence is that the 2012 Romanian parliament is among the largest in Europe.

Similarly unusual is the fact that the Romanian formula for seat allocation, requiring that all calculated party mandates are assigned to specific electoral districts, can result in college winners with a small percentage of the vote. In 2012, only 71% of elected Deputies and 74% of elected Senators obtained a first-place plurality in their college of election. Fourteen Deputies and nine Senators took third place. Three Deputies actually took fourth place. The most extreme allocation happened in College 2 of Timis County, in which the UDMR candidate was elected from fourth place with only 1063 votes (4.72% of the college total).

### 3. Interpreting the result

There is a temptation simply to compare the Romanian parliamentary results from 2012 to those from the previous election in 2008. It would appear that the USL in 2012 improved by nearly 100 seats in the Chamber of Deputies and more than 40 in the Senate. Although the USL victory was considerable, such a direct comparison is somewhat misleading.

Romanian parliamentary politics is notable for the number of MPs who shift from one party to another during the course of a legislative session or who resign (sometimes to take other offices, on occasion because of convictions for corruption) without their seat being filled. Just prior to the 2012 elections, the Chamber was down to 302 members and the Senate to 123. There were more than three dozen legislators, across both chambers, who had declared themselves independent of all major political parties.

Even more important for purposes of valid cross-election comparison, the 2008 allocation of seats would have been different had the Social Democratic Party, the National Liberal Party and the Conservative Party then been in alliance. This is a function of the election law. Had the three parties run together in 2008, there would have been more majority winners in the various colleges, more overhang seats, and a different assignment of winners via Hare quotients and d’Hondt divisors. For a plausible comparison of the 2008 and 2012 Romanian parliamentary elections, it is necessary to construct a counterfactual alternative for the former election based on the same coalition arrangements as in 2012. Had the parties of the USL ran together in 2008 (labeled USL\*), they would have triumphed overwhelmingly – with 59.7% of seats in the Chamber and 59.6% in the Senate. As can be seen from Table 1, the percentage of seats “won” by the hypothetical USL\* alliance in 2008 is greater than the percentage of seats actually won by its component parties, indicating a substantial coalition advantage beyond mere addition, received as a consequence of the complex allocation system in Romanian electoral law.

We are now in a position to assess the change in the Romanian political landscape produced by the 2012 election. The empirical finding is that the ARD of President Basescu lost far more than was gained by the USL of Prime Minister Ponta. It was an election of rejection more than affirmation. The vote against prevailing conditions was stronger than the vote in favor of any particular alternative.

First, using the appropriate comparison, it is apparent that the main reason for the sweeping USL victory in 2012

**Table 1**

Electoral results, Romanian parliament 2012 and 2008.

	Total votes	Vote percentage		Seats (Seat percentage)			Seat/vote ratio	
	2012	2012	2008	2012	2008	2008Sim <sup>a</sup>	2012	2008
<i>Chamber</i>								
Social Liberal (USL)	4,327,475	58.6		273 (66.3)		212 (59.7)	1.13	
Social Dem. (PSD)			33.1		114 (34.1)			1.03
Liberal (PNL)			18.6		65 (19.5)			1.05
Right (ARD)/Democrat (PDL)	1,219,973	16.5	32.4	56 (13.6)	115 (34.4)	107 (30.1)	0.82	1.06
Hungarian Alliance (UDMR)	380,513	5.2	6.2	18 (4.4)	22 (6.6)	18 (5.1)	0.86	1.06
People's (PP-DD)	1,032,208	14.0	–	47 (11.4)	–	–	0.81	–
Other	423,067	5.7	9.8	18 (4.4)	18 (5.4)	18 (5.1)	0.77	0.55
Total (valid votes)	7,383,236	100	100	412	334	355		
<i>Senate</i>								
Social Liberal (USL)	4,439,884	60.1		122 (69.3)		96 (59.6)	1.15	
Social Dem. (PSD)			34.2		49 (35.8)			1.05
Liberal (PNL)			18.7		28 (20.4)			1.09
Right (ARD)/Democrat (PDL)	1,236,144	16.7	33.6	24 (13.6)	51 (37.2)	56 (34.8)	0.81	1.11
Hungarian Alliance (UDMR)	388,372	5.2	6.4	9 (5.1)	9 (6.6)	9 (5.6)	0.98	1.03
People's (PP-DD)	1,081,601	14.7	–	21 (11.9)	–	–	0.81	–
Other	244,036	3.3	7.1	0	0	0	0.00	0.00
Total (valid votes)	7,390,037	100	100	176	137	161		

<sup>a</sup> Simulation for the 2008 seat allocation given the counterfactual assumption that the Social Liberal coalition had existed for the 2008 election. It is based on applying the complex Romanian electoral law to the sum of the votes cast in 2008 for all the parties that in 2012 did unite to form the USL.

Source: [Biroul Electoral Central \(2012\)](#).

is the mere fact that two of the three major Romanian parties ran in electoral alliance. Had such an alliance been formed for 2008 (USL\*), the victory would have been almost as large. The net gain for the 2012 USL over the 2008 USL\* in the Chamber was only 6.6% of seats; the net gain in the Senate was 9.7% of seats. The huge 2012 USL victory was thus a function of multi-party coalition more than of voter preference transformation, and was largely predictable.

Second, based upon this appropriate comparison, in 2012 the PDL/ARD lost approximately half of its seats in Parliament. Because of the altered size of the legislative chambers, this was the equivalent of a 60% loss in parliamentary share. Yet the USL\*/USL gain was only about one-third of this amount. Nearly two-thirds accrued to the People's Party (PP-DD), a personalized protest party centered upon a prominent TV commentator without links to the community and without a clear ideological position.

A similar finding can be seen using raw vote scores. The PDL/ARD total declined by one millions votes from 2008 to 2012. Minor parties, especially those of nationalist extremism, declined by 0.25 million votes. Turnout was higher by about 0.5 million. In 2012, the PP-DD earned one million votes. The USL\*/USL added but 0.75 million.

Despite intense partisan acrimony and personal condemnations, elections during the period from 2004 to 2008 had been remarkable for their degree of stability in vote patterns (King and Marian, 2011). Such stability was not quite as strong for 2012, judged by the partisan vote by college, but it was still considerable. For instance, the vote for Prime Minister Ponta's USL in 2012 correlated 0.67 in the Chamber and 0.83 in the Senate with the combined vote for the PSD plus PNL in 2008. The USL in 2012 gained votes in more than 95% of the 315 colleges. Ecological regressions show nevertheless that the alliance overwhelmingly did best in the locations where its component parties, especially the Social Democrats, did well in 2008.

Similarly, the vote for President Basescu's ARD in 2012 correlated with the 2008 PDL 0.61 in the Chamber and 0.68 in the Senate, despite its enormous unpopularity. The ARD lost votes in just about every college outside of the diaspora. Yet again, from ecological regression, the ARD in 2012 did best in the locations where the PDL had done well in 2008. Without individual-level data, it is impossible to determine where the previous PDL votes went. The officially certified exit polls did not ask respondents whom they had supported in 2008. Quite obviously, the PP-DD as a new entrant into partisan competition gained considerably at the expense of the PDL. Empirically, there was no significant statistical relationship between the PP-DD vote by college in 2012 and the PDL vote in 2008, indicating a pattern of general and diffuse defection.

The theory of retrospective voting suggests that voters happily retain their political leadership when times are good and throw them out of office when times are bad. In Romania, most of the blame for deep recession combined with painful austerity fell upon President Basescu and his PDL supporters. Not surprisingly given the frustrations of ordinary Romanians, the 2012 parliamentary election demonstrated retrospective penalty. Optimistic hopes had again been disappointed that Romanian society would be transformed and the country would take a secure place within the European family. This, plus the alliance of the two major anti-Basescu political parties, plus the seat/vote advantage received as a result of that alliance, largely explains the 2012 result.

#### 4. Alternative electoral engineering

Virtually every Romanian parliamentary election since the fall of communism has seen controversy over the rules designed to convert votes into seats. Much of the time, the rules were changed from one election to the next. The only



reason why the complex arrangement introduced for 2008 was retained into 2012 was a ruling by the Constitutional Court. The proposal by Prime Minister Ponta of the USL, to adopt instead a simple first-past-the-post (plurality) rule system was declared unconstitutional, allegedly because it violated the Article 62 guarantee of “universal, equal, direct, secret and free suffrage.” The common assertion is that each successive Romanian government sought to alter the electoral rules in its own interest. The greater the level of partisan acrimony and stalemate, the greater was the incentive to pursue advantage, creatively engineering the transformation of popular franchise into parliamentary power.

A preliminary indicator of bias can be seen in the seat–vote ratios reported in Table 1. Despite the complexities of Hare and d’Hondt calculations, the electoral outcome in 2008 was remarkably close to proportional. Each of the parties that surpassed the threshold for parliamentary representation garnered minimally more than 1% of seats for each 1% of votes. The slight variance above strict proportionality was due to the failure of some minor parties to secure representation. The only reason why the coefficient for “Other” parties is not zero is the special provision in the Chamber insuring seats for 18 registered ethnic minorities.

By contrast, in 2012 the seat/vote ratios distinctly favored the USL. The provision for overhang seats had an enormous impact, guaranteeing election for the majority winner in a college even when the system of calculated allocation determined otherwise. As the main beneficiary of the extra mandates, the USL garnered somewhat more than 1% of seats for each 1% of votes, while all the other parliamentary parties garnered less than 1% of seats.

An alternative approach is to apply different forms of electoral rule to the vote distribution from the 2012 election. A strictly proportional system would have resulted in a lower share of seats to the USL (by about 7 percentage points) and a higher share to the other parliamentary parties. Nevertheless, the USL still would have won a comfortable majority in both the Chamber and the Senate, with no single competitor obtaining as much as one-fifth of seats.

On the other hand, had Prime Minister Ponta succeeded in enacting first-past-the-post, his USL would have received more than 88% of all Chamber seats and nearly 93% of Senate seats. The ARD would have won only four seats in the Chamber and one in the Senate. Alternatively, President Basescu had proposed, for 2008, a system of majority rule with a second-stage runoff in colleges where there was no initial majority winner. For purposes of simulation, we assigned a 0.5 probability of winning to the top two candidates in all colleges that would have experienced a second-stage runoff. In retrospect, it appears lucky for President Basescu that he did not prevail. Had the President’s preferred system been in operation for 2012, his ARD alliance would have received less than 5% of seats, about one-third of the actual share secured.

Ironically, had either a first-past-the-post or majority runoff arrangement been adopted, the largest bloc of seats not controlled by the USL would have belonged to the 18 selected small ethnic minorities (that in fact almost always vote with the government in the pursuit of distributive

benefits), and not to any of the announced partisan rivals. Election from single member districts often entails deviation from proportionality in representation. The complex Romanian system produced, because of the large number of overhang seats, some variance in favor of the USL. The alternatives advanced at different times by various partisan interests would have established far greater pro-USL bias. The result would have been a shift from considerable parliamentary control to near-unanimous parliamentary domination.

Finally, much of the complexity inherent to Romanian electoral law stems from the decision to allocate mandates, not just to the counties, but further (starting in 2008 and continued for 2012) to hundreds of small representation districts known as colleges. The justification was that voters in the colleges would come to know their particular legislators, who would have incentive to listen to their concerns and attend to their interests. The consequence allegedly would be increased responsiveness and accountability. Nevertheless, candidate nomination remained centrally controlled and politics remained heavily focused in Bucharest. There is no statistical evidence for 2012 of any incumbency vote advantage. It did not matter at all, for candidate C of Party P, whether he/she was a sitting legislator in a given college or not. Despite all the noise in Romanian politics regarding the introduction of uninominal representation, there appears to have been approximately zero electoral effect.

## 5. Conclusion

It is impossible to predict the future. Yet certain dynamics seem logical and probable. The Democratic Party (PDL/ARD) will most likely settle into the role of main parliamentary opposition, hoping to improve its popularity by the time of the 2014 Presidential elections. The People’s Party (PP-DD) most likely will lose cohesion and direction. Dan Diaconescu did not win a seat in the parliament to provide the delegation with leadership, and his personal ambitions do not seem to extend to the problems of daily governance.

Most attention, however, will focus on the ruling Social Liberal Union (USL). Despite its claims to an electoral mandate, the data show that its overwhelming victory in the 2012 Romanian parliamentary elections was more a function of two-party alliance combined with retrospective rejection of those deemed most responsible for recession plus austerity.

The alliance of left-leaning Social Democrats and right-leaning Liberals has been based primarily on a venomous hatred of President Basescu. There is no apparent ideological unity. The parties did not run in 2012 with a negotiated policy program, and it is undetermined whether they will discover one. Yet there are serious challenges ahead. The national budget is strained amidst popular pressures to relax austerity measures. The economy has developed unevenly, with many sectors in precarious health and large segments of the population remaining vulnerable. The question is whether a ruling coalition formed to win government power against Basescu will hold together once a constructive agenda needs to be formulated. Pop-Eleches (2012) makes a similar point, observing: “Negative

coalitions, such as the USL, typically start to unravel once their common enemy is gone.”

Furthermore, the Ponta government has aroused suspicions in Europe given its attacks on independent constitutional authority in the period prior to the election. Its affiliation with old guard politicians, not quite free of communist reflexes, suggests that accusations of corruption and the abuse of power, endemic to recent Romanian politics, will continue unabated.

The victorious USL coalition is comprised of component parties that have traditionally been intense rivals, especially at the local level. Within the Liberal ranks, there are already voices warning against the abandonment of principles and fearing that the party will lose its purpose and identity. Among the Social Democrats, there are those who envision ruling unencumbered, especially if it can attract supporters from the ethnic minorities and from autonomous legislators seeking the benefits of the winning side. Many would wish to renege on the party's promise to support Liberal Crin Antonescu for President in 2014. It therefore remains quite uncertain whether the decisive win by the USL in the 2012 Romanian parliamentary elections will in the longer run provide a solution to nearly a decade of hostile partisan squabbling and stalemate.

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