

“The Fabricated File” as Object of Study. Limits and Opportunities for Investigative Journalism in a New Democracy

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Abstract: *The present article analyzes journalistic investigations to observe the difference between investigative journalism as an ideal type of professionalism and other unprofessional practices in the field, such as investigations that do not meet professional standards regarding information verification and are not initiated by the journalist. The research intends to examine the design of the "prefabricated dossier" in investigative journalism to understand if and how the media is instrumentalized. The hypothesis underlying this work is that, despite the efforts to professionalize the occupation, including investigative journalism, in Romania in recent decades, it is still characterized by weaknesses related to the manipulation of the press by external factors outside the system.*

Keywords: *investigative journalism; "prefabricated dossier"; media manipulation; public interest; journalistic investigation;*

The present article studies investigative journalistic texts so as to differentiate investigative journalism as an ideal type of professionalism from other unprofessional practices in the field, such as investigations that do not meet professional standards regarding information verification and are not necessarily initiated by journalists.

Starting from the premise that post-communist media in Romania faces low levels of professionalization, clientelist practices, and generally low autonomy (Petre, *Journalism in Times of Major Changes* 53), this article seeks to identify and analyze the design of the "prefabricated dossier" in investigative journalism to understand if and how the press is used by third parties or how journalism is instrumentalized. At the opposite end of the scale, there is authentic investigative journalism, seen as an indicator of press autonomy and freedom.

The hypothesis of this study is that, despite efforts, in recent decades, to professionalize this career and use better professional practices, investigative journalism in Romania has been subject to weaknesses related to the manipulation of the media by external factors outside the system.

The research question guiding this study is: how can we identify investigations published in the early 2000s in the Romanian press that fall

under the category of a "prefabricated dossier," and how can we identify the existence of an external agenda to journalism itself? In cases where these texts respond to a hidden agenda, do they violate professional ethics, serving only partially or sometimes not at all the public interest?

In contrast to "prefabricated dossiers," we refer to authentic journalistic endeavors that respect the technique of working with sources and verifying information and also serve the legitimate public interest, not a hidden agenda.

Another category is represented by those "investigations" that are merely presentations of documents, cases handled by various public institutions, or reports of facts for which the journalist cannot provide evidence through the use and cross-referencing of multiple sources. Such "investigations," which do not necessarily aim to satisfy public interest but rather human interest, do not fully explain the subject but often present fragments of it. These investigations may not necessarily cover original topics but rather involve information taken from judicial sources, contributing less to better informing readers (Petre, Jacotă 17).

In the same line of thought, endeavors that do not qualify as journalistic investigations include: "a commissioned piece, the publication of information or documents excerpted from an official investigation by authorities; the complete reproduction of unknown files that have lain for years in the archives of the Prosecutor's Office, secret services, or the police and unearthed to set off press bombs" (Marin et al., 2008, 15-17, qtd. in Petre, *Managementul informației* 294, my trans.).

Cristian Grosu and Liviu Avram also draw attention to what does not constitute journalistic investigation: "It is not journalistic investigation to simply present, be it detailed and accompanied by relevant documents, the facts recorded in an investigation by authorities - Police, Prosecutor's Office, Court of Accounts, Financial Guard, etc. It is not journalistic investigation to simply present files buried for years in the drawers of the Prosecutor's Office and exploded overnight" (Grosu, Avram 22-23, my trans.). The two authors state that presenting files leaked to the press by individuals or institutions interested in creating media pressure on an opponent, be it political or business-related, is not investigative journalism either (Grosu, Avram 24). Grosu and Avram emphasize that such situations expose the journalist the most to violations of professional ethics, not so much because the disclosure comes from someone specific and at a certain moment, but because the interest that led to the "manufacture" of the file and its presentation to the journalist can be much more harmful to the community's interest than the serious fact presented in the "dossier" (Grosu, Avram 24-25).

Once we understand what an investigation is not, it is appropriate to understand what it is, how this standalone journalistic genre is defined. Sorin Preda defines an investigation as "a journalistic endeavor meant to reveal

uncomfortable and hidden truths about a public figure, group of interests, onerous business of various kinds, violations of the law, long-standing unresolved events" (Preda, qtd. in Coman 396, my trans.). Referring to the "enemies of investigation," Sorin Preda mentions: "The dangers are numerous. The simplest of them is militancy, a biased and not entirely disinterested tone" (Preda, qtd. in Coman 396). In conclusion, in approaching investigative journalism Preda recommends objectivity and an impartial attitude.

The Romanian Press after December 1989

To gain a clear understanding of the press in the early 2000s, a broader contextualization is necessary, allowing us to comprehend the political, historical, and cultural milieu in which the mass media operated. In this regard, Raluca Petre explains in her book *Journalism in Times of Major Changes. Critical Perspectives* that "the most significant action for newcomers to the mass media system in the early '90s was joining a field that had previously been closed and filtered through political criteria. For them, however, it was important that they had the freedom to be, to position themselves 'against.' Thus, speaking freely against someone - often a personal enemy - was a common way of writing and practicing journalism" (Petre 113).

Peter Gross also speaks about this unprofessional attitude that violates professional standards in the work *Return to the Romanian Laboratory. Mass-media after 1989*, where he argues that after the fall of the former communist regime in Romania, the emphasis was wrongly placed on defining the role of the news media as a watchdog, as the fourth power in the state:

The socio-political and (pre)professional existing culture has misconstrued this perspective and definition, in the sense that a news media can best serve democracy by being partisan, an attack dog, and a "counterpower." It became doubly negative when the frustration of not succeeding as a counterpower led to a news media that, in general, degenerated into sensationalism, entertainment, superficiality, and even banality. The need to simply inform, thus serving the notion of a watchdog or the Fourth Estate, was lost in the exuberance of freedom, in the pride and zeal, anger, and goals of emerging socio-political battles. (Gross, *Întoarcere în laboratorul românesc* 266-267)

Therefore, in the pursuit of long-awaited freedom, but equally in the race for readership, the print media has sometimes abdicated its responsibility, reaching a point where, according to Peter Gross, it serves not its own struggles but the socio-political battles of the moment. In other words, it has become a tool in the hands of the powerful of the moment.

The same author writes in his most recent work, *Rădăcinile culturale ale sistemului mass-media românesc* [*The Cultural Core of Media Systems. The Romanian Case*], that in the Romanian mass media after the fall of the communist regime, it is not at all clear what the boundary is between profit, the desire for political influence, and power, "because the full expression of regressive values, beliefs, attitudes, and tendencies has increasingly imposed itself after December 1989 in a kind of abnormal cultural normalization" (Gross 81). Most media owners, some of whom became true moguls in the field towards the end of the 20th century, when their desire to gain political power useful for financial gains intensified, continued to "attack and discredit on command (the adversaries of their political clients), at crucial moments, to earn money, not respect (Tăpălagă, 2010, 137)" (Gross 81-82, my trans.).

The Socio-Political Context and the Analyzed Publication

For the case study, I chose the national daily newspaper *Ziua*, which reappeared after the December 1989 Revolution in 1994. "June 13, Bucharest: *Ziua* appears, a newspaper founded in 1930 and reissued under the leadership of Sorin Roșca Stănescu. Chief editors: Sorin Ovidiu Bălan, Ioan Novac, Gabriel Stănescu" (Petcu 986, my trans.). The front page of the newspaper mentioned: general director - Sorin Roșca Stănescu, mentor - Constantin Bălăceanu-Stolnici.

Descended from an old boyar family, Constantin Bălăceanu-Stolnici, a neurologist, is known as a scientist, an intellectually elegant individual, and a public figure frequently present in post-December mass media. By Decision No. 2371 of August 28, 2007, the College of the National Council for the Study of the Securitate Archives (CNSAS) declared Bălăceanu-Stolnici a collaborator of the former Securitate: "Mr. Constantin BĂLĂCEANU STOLNICI, son of Grigore and Lucia-Ștefania, born on July 7, 1923, in Bucharest, was a collaborator of the communist political police. Decision No. 2371/28.08.2007 remained final and unchallenged."¹ According to the same document, Bălăceanu Stolnici had the covert names "Laurențiu" and the agent "Ionescu Paul" as an informant for the former Securitate. Interestingly, while he appeared on the front page of a post-December newspaper - during a time when Romania was trying to redefine itself in the spirit of freedom - as a "mentor," Constantin Bălăceanu-Stolnici experienced the peak of his collaboration activities through operations undertaken within the group at Radio Free Europe. More specifically, Bălăceanu-Stolnici provided the former Securitate with the floor plan of Vlad Georgescu's apartment, after Bălăceanu-

¹ <http://www.cnsas.ro/documente/monitoare/2007/Balaceanu%20Stolnici.pdf> accessed on 25.06.2023

Stolnici had visited the latter's home. At that time, Georgescu was the director of the Romanian section of the famous Radio Free Europe.²

Constantin Bălăceanu-Stolnici's collaboration with the former Securitate was neither accidental nor episodic. It spanned a period of 25 years, and the decision to provide information to the former Securitate about the team at Radio Free Europe was all the more serious considering that "Radio Free Europe is considered the most important media phenomenon in Romania until 1989, which played a decisive role in the recent history of the country."³ According to the Institute for the Investigation of Communist Crimes and the Memory of the Romanian Exile (IICCMER), "the premises for the removal of totalitarianism and the orientation towards democracy are largely due to this radio station. For many Romanians, the broadcasts from Radio Free Europe were the oxygen that allowed them to breathe and resist under communism."⁴

Sorin Roșca Stănescu, at that time the director of the newspaper *Ziua*, declared in 2006, during a "100%" program hosted by Robert Turcescu on the national television channel Realitatea TV, that he volunteered to collaborate with the former Securitate in 1973. He also mentioned that he had two successive covert names: H15 and Deleanu.⁵ However, the National Council for the Study of the Securitate Archives has not issued a decision regarding the recognition of his status as a collaborator with the former Securitate.

Regarding the general director of the newspaper *Ziua*, it should be noted that he was definitively convicted on October 7, 2014, in the Rompetrol case, by the Bucharest Court of Appeals. He was sentenced to two years and four months in prison for insider trading and forming an organized criminal group, with the sentence to be served.⁶ Roșca Stănescu contested the decision, but the judges of the supreme court rejected his appeal as unfounded.

Ziua reappeared in the post-December period, as mentioned, in 1994, and operated until January 2010,⁷ and the decision of the CNSAS regarding the collaboration of Constantin Bălăceanu-Stolnici with the former Securitate was made in 2007, many years after he had appeared on the front page of the publication as a "mentor." Sorin Roșca Stănescu, the general director of the newspaper, was convicted in 2014, four years after the closure of the

² <https://romania.europalibera.org/a/stolnici-boier-turnator-securitate-vlad-georgescu/32557486.html> accessed on 22.08.2023

³ <https://www.iiccmr.ro/resurse/arhiva-europa-libera-intro/> accessed on 20.06.2023

⁴ *Idem*

⁵ <https://www.hotnews.ro/stiri-arhiva-1167084-stanescu-colaborat-securitatea-imi-pare-rau.htm> accessed on 8.09.2023

⁶ <https://www.news.ro/justitie/sorin-rosca-stanescu-ramane-cu-pedeapsa-de-doi-ani-si-patru-luni-de-inchisoare-in-dosarul-rompetrol-a-decis-instanta-suprema-1922402917002017051616987056> accessed on 19.10.2023

⁷ https://economie.hotnews.ro/stiri-media_publicitate-6789339-cronica-unei-morti-anuntate-ziua-gardianul-cotidianul-business-standard.htm accessed on 19.10.2023

publication. Without intending to pass judgment, I have mentioned these aspects because they can be considered relevant in attempting to outline the profiles of those who either led this national daily or were specifically designated as mentors of the publication, and based on whom the editorial policy of the newspaper was shaped.

As mentioned earlier, Raluca Petre notes in *Journalism in Times of Major Changes* that after the fall of the communist regime, newcomers to the media joined a field that had previously been closed and filtered by political criteria. I believe it is not wrong to assert that, given the official collaboration with the Securitate, confirmed by CNSAS in the case of Bălăceanu-Stolnici, and the collaboration acknowledged by Sorin Roșca Stănescu himself, it was not just a coincidence that these two figures came to lead and guide the editorial policy of the *Ziua* daily.

Furthermore, the same author points out that in the post-communist fervor in the Romanian press, characterized by the entry of individuals from extremely diverse backgrounds into this field, the regulation of the media field by practitioners became an almost impossible goal, as well as the institutionalization of a single journalistic language and understanding of journalism (Petre, *Journalism in Times of Major Changes* 111).

In this context, what Peter Gross states in the work *Rădăcinile culturale ale sistemului mass-media românesc* [The Cultural Core of Media Systems. The Romanian Case] may be relevant: "A media system is largely dependent on the values, beliefs, and attitudes of its elites (owners, editors, directors, celebrity journalists, analysts) and the elites of other systems and institutions in society with which it interacts and influences symbiotically" (Gross 16, my trans.). In this case, Dr. Bălăceanu-Stolnici, as a descendant of an old boyar family and considered the mentor of the *Ziua* newspaper, could be or was perceived as a representative of the elite. The same may be true for the general director of the publication, Sorin Roșca Stănescu, meaning that, he could very likely be perceived by a part of the press as an exponent of elite journalism.

It is noteworthy that Constantin Bălăceanu-Stolnici was celebrated on July 6, 2023, at the Romanian Academy, on the occasion of his 100th birthday.⁸ Furthermore, Bălăceanu-Stolnici is the honorary director of the "Francisc I. Rainer" Institute of Anthropology of the Romanian Academy and an honorary member of the Romanian Academy.

Returning to Decision No. 2371 of August 28, 2007, in which the National Council for the Study of Securitate Archives declared Constantin Bălăceanu-Stolnici a collaborator with the former Securitate, the document states: "The information provided by Constantin Bălăceanu-Stolnici to the communist political police was of a nature to infringe upon the right to freedom

⁸ https://acad.ro/evenimente/evenimente/2023/42_eveniment.html accessed on 7.07.2023

of expression and freedom of opinions." Paradoxically, after the fall of the communist regime, in the midst of the transition to a democratic regime, Bălăceanu-Stolnici becomes a "mentor" for a supposedly free and independent newspaper. As stated earlier, at that time, his collaboration with the former Securitate was not known to the general public, and there was no official decision confirming this status.

However, a different story can be told 16 years after the CNSAS decision. The celebration of Bălăceanu-Stolnici's centenary in 2023 at the Romanian Academy may be an indicator of how Romanian society continues to relate to individuals who, during the communist regime, were involved in political policing, thus relativizing the significance of an action that influenced and even destroyed destinies. In his study, "Spectacular Changes, but Few Changes in the Press," published in the volume *Post-Communist Romania: Past, Present, and Future*, Peter Gross draws attention to the fact that the press in Romania—both in print and in the digital environment—is not just a reflection of post-communist political and economic institutions: "More accurately, alongside society, the press and its sister institutions are the products of the values, beliefs, and attitudes of the political-economic and media elites that lead, control, manipulate, and influence these organizations" (Gross 167). In this context, Gross argues that, in fact, the Romanian press after December 1989 has adopted forms without substance from its Western counterparts, lacking profound freedom and professionalization:

The old culture encourages behaviors and practices constantly adapted to the perceived demands and needs of those in power. What internal leaders can bring about significant cultural changes in the political, economic, or professional domain in a country where neither the elites nor the masses have the desire and capacity to take on this responsibility? (Gross 168).

In this case, the so-called elite was represented on the front page of the *Ziua* daily by a figure who was involved in political policing.

Methodological aspects - Object of study: "the prefabricated file"

The corpus of this research focuses on "investigations" of the "fabricated dossier" type. Methodologically, I will use content analysis, defined by Mircea Agabrian as a non-reactive research technique that does not allow the researcher's influence (Agabrian 18). Being systematic, content analysis helps the researcher "extract relevant information consistently" (Agabrian 19). Specifically, I will conduct a content analysis involving the interpretation of qualitative data. Through the examination of journalistic texts and investigations identified in the *Ziua* newspaper over a specific time interval,

this article aims to decipher the meanings of the phenomenon of the use of journalism by third parties through these "investigations" and to identify the elements that define a "fabricated dossier."

Regarding the texts presented as journalistic investigations published by the *Ziua* newspaper that I analyze in this work, they are:

- "Neamul STS [The STS Kin]" (*Ziua*, 10 May 2001)
- "Averea Măscăriciului [The Masquerader's Wealth]" (*Ziua*, 29 June 2001)
- "Raport «Top Secret» al UM 0962. Conspirația Vox Maris [Top-Secret Report of UM 0962. Vox Maris Conspiracy]" (*Ziua*, 6 August 2001)
- "Mafiotul de la Vox Maris [The Mafioso from Vox Maris]" (*Ziua*, 7 August 2001)
- "Furăciunile mafiotului de la Vox Maris au ajuns la Curtea Supremă de Justiție (XI). Șarlatanul Nicușor [The Thief's Scams at Vox Maris Have Reached the Supreme Court of Justice (XI). The Charlatan Nicușor]" (*Ziua*, 9 August 2001)

I identified these texts throughout the first eight months of the year 2001; I chose this year considering the period of time of over two decades since the December 1989 Revolution—a period long enough for the transition from a state-controlled press, considered the armed arm of power, to a free press that respects and promotes the principles of a functional democracy, albeit one that is perfectible. It is important to mention that I identified the analyzed texts in this research by reviewing all the editorial content published by the daily newspaper *Ziua* during the selected time interval.

The newspaper *Ziua* never published journalistic investigations in a section or page named "Investigations" but rather in the generic page titled "Events" and, more rarely, in the "Revelations" page.

In the five texts mentioned above, I will examine the source regime used by journalists, the adherence or not to the principle of cross-referencing sources, the presentation of the point of view of the person(s) who is/are the subject of the investigation, and the language.

The article titled "The STS Kin," published by the newspaper *Ziua* on May 10, 2001, focuses on the hiring of relatives of Lieutenant Colonel Alexandru Todoran's chief at the Cluj Regional Office of the Special Telecommunications Service (STS). The journalistic text refers to names and positions within the institution, but the only source mentioned in the article is the organizational chart of the Cluj office. However, this type of document contains only positions and hierarchical relationships, not names of individuals. An important clarification in the journalistic text is as follows: "ZI

UA de Ardeal has obtained the organizational chart of the Cluj office, but, for understandable reasons related to national security, we will not provide too many names during this investigation." Nevertheless, the so-called journalistic investigation provides the names of relatives of Lieutenant Colonel Todoran employed in the institution.

Regarding the source invoked by the authors of the journalistic text, the only one they refer to, it is worth mentioning that "professional journalistic practice recommends corroborating information from at least three sources to verify its truth," as Petre writes in *Managementul informației în media* [The Management of Information in the Media] (84). In this case, relying on a single source exposes journalists to a potentially subjective and biased approach to the subject:

By comparing information from different sources, we can competently clarify a subject. In addition, the journalist is much more certain that they understand exactly what is happening, independently and without being influenced by the interests and versions of the various parties involved in that subject. The journalist becomes the one who decides what will be published or transmitted, in the spirit of truth, and not third parties who would like to manipulate information for their own interests. (Petre, *Managementul informației în media* 84-85)

Furthermore, limiting oneself to a single source may be an indicator of journalists being manipulated by third parties, especially since, in "The STS Kin" investigation, the point of view of the person who is the subject of the investigation does not appear.

To revert to "The STS Kin" article, in addition to the mentioned organizational chart, the investigation could have quoted, for example, an official, a hierarchical superior from the structure of the Special Telecommunications Service, to confirm the published information. I am not claiming that the presented information is necessarily not real, but that the journalists did not provide evidence of verification from multiple sources in the text, leaving readers with no choice but to take their word for it.

At the language level, I identified the use of terms in the journalistic text that may indicate a degree of subjectivity in relation to the approach of the topic. Specifically, there is the depreciative noun "familionul" (for *family*) in the statement "Tot familionul este săltat în grad și salariu" (The whole family ["familionul"] is promoted in rank and salary), the gender depreciative nouns "subofițereasă" (female non-commissioned officer) and "căpităneasă" (female captain) in the statement "fosta subofițereasă s-a trezit căpităneasă la instituția comandată de soțul ei" (the former NCO ["subofițereasă"] woke up as a captain ["căpităneasă"] at the institution commanded by her husband), and the use of

the noun "mafia" in two constructions, admittedly placed in scare quotes - "«Mafia» bistrițeană din STS Cluj și-a întins tentaculele" ("The Bistrița 'mafia' in STS Cluj has spread its tentacles") and "Dovadă că «mafia» bistrițeană n-a murit" ("Proof that the 'mafia' from Bistrița has not died"). The journalistic discourse, given the use of these words, may give the impression of settling scores, managing a subject to serve an agenda unrelated to the public interest.

The investigation in the *Ziua* daily exposes a real phenomenon recorded in Romanian society (also) after the December 1989 Revolution, namely "nepotism," which refers here to the employment of relatives in various public institutions, without the mandatory respect for minimal professional standards. It is what Peter Gross calls, in *Rădăcinile culturale ale sistemului mass-media românesc* [The Cultural Core of Media Systems. The Romanian Case], "connections, acquaintances, relationships":

In one form or another, this deeply internationalized triad of behaviors (connections, acquaintances, relationships) constitutes the operational pillar of how elites and people in general find their place in social-political and economic life. It is undoubtedly a collectivist approach to problems but is accomplished in a very individualistic manner. Combining values, attitudes, behaviors, and practices, connections, acquaintances, and relationships are essential to finding or retaining a job in the private or public sector, winning a lawsuit, succeeding in business, and in politics. (Gross 69, my trans.)

Although the journalistic endeavor of "The STS Kin" critically exposes this phenomenon, the text makes no reference to legislation, any regulations, or a charter prohibiting the activation of individuals with family ties within the same institution—a document indicating any formal incompatibility in this regard.

The article titled "The Masquerader's Wealth," published in the *Ziua* daily on June 29, 2001, addresses the issue of the wealth accumulated by Corneliu Vadim Tudor, the leader of the Greater Romania Party (PRM), and, at that time, a senator in the Senate of Romania.⁹ The investigation contains names, specific dates, addresses, but the tone of the entire text is vengeful, as if the political figure Corneliu Vadim Tudor were the personal adversary of the journalist signing the article. Moreover, the title "The Masquerader's Wealth" is a first indicator of an apparent settling of scores with the subject of the article. Regarding the sources' regime, it is important to mention that nowhere in the journalistic text is there a specific, identifiable source mentioned: neither

⁹ <https://www.cdep.ro/pls/parlam/structura2015.mp?idm=30&leg=2000&cam=1&idl=1> accessed on 10.09.2023.

a human source, be it a partisan source, expert source, or witness, nor a material source such as a property deed or a land registry extract, for example. This is despite the article containing data regarding the area of property, namely the villa supposedly purchased by Corneliu Vadim Tudor in 1997: "The two-story house with a basement, with a usable area of 179.03 square meters, was valued at 33,396,023 lei, a sum paid on the spot by Vadim and his wife" (*Ziua*, June 29, 2001).

The subtitle "'The Evangelic' Samson Family Owns a Fleet of Cars," referring to the family of Corneliu Vadim Tudor's sister, represents an evident irony by comparing the Samson family's surname to that of the biblical character Samson from the Old Testament. The purpose is to convey the idea that the leader of the PRM's family is far from being considered sinless. According to Mariana Bafană Tocă, "the post-communist daily press perceives freedom of expression erroneously and prefers a polemical attitude towards political organizations that do not serve the newspaper's interests, leaving ample space for insult" (Bafană Tocă 169). In the case of the text published by the *Ziua* newspaper, the polemic tone is evident through the use of the common noun "măscăriciul" (the masquerader, clown), but written with a capital letter in the title, suggesting that Romania can only have one clown, and that is Senator Corneliu Vadim Tudor, the president of the PRM.

The investigation titled "Top Secret Report of UM 0962. Vox Maris Conspiracy," published by the *Ziua* newspaper on August 6, 2001, contains a series of accusations against the businessman Nicușor Năstase, criticized for his alleged connections with the political world, representatives of the mafia, figures from the underworld, and "media mobsters with millions of dollars in accounts." The sources indicated in the so-called journalistic investigation are "confidential sources," a report from UM 0962, and "some voices from the PSD (Social Democratic Party)." Yet the journalistic investigation does not mention any names of underworld figures, "media mobsters," or any members of the mafia. Interestingly, the text claims: "Intelligence services have made a habit of monitoring businessmen from the underworld who have strong connections in the political world." The information is not critically filtered, explained, or contextualized: do the services have this right, do they have a mandate, a protocol under which they conduct this monitoring? Based on what criteria, in what context? Lastly, the investigation quotes "some voices from the PSD," stating that "Nicușor Năstase would be very close even to Ion Iliescu and Adrian Năstase," who held respectively the positions of President and Prime Minister of Romania at the time. The vague designation of sources - such as "confidential sources," "an intelligence officer specialized in this field, whose name, easy to understand, we will not reveal," "some voices from the PSD" - is characteristic of tabloid press and not investigative journalism.

In the same vein, the journalistic text mentions at some point that some businessmen connected to Nicușor Năstase and members of the Social Democratic Party (PSD) would be "on international lists of organized crime." Once again, no specific person is named, despite the gravity of the accusation. The journalist does not verify this information.

The conclusion of the so-called journalistic investigation, however, undermines the entire effort because the journalist notes:

Anyway, the signals sent by UM 0962 seem to confirm. But when precisely the political factor is the one encouraging such tendencies, the question arises about the effectiveness of such signals, as long as the measures should be taken by those who sit at the table with the mobsters. (*Ziua*, August 6, 2001)

The verb "seem" demonstrates that the investigation was published without confirmation from multiple sources of the presented information. However, journalistic investigation is only published after triangulating sources, confirming all data, and eliminating any doubt about the investigated subject. In Petre's words, in *Managementul informației în media*, "Investigative journalism represents an approach that involves the use and crossing of all types of sources to achieve the value of truth following an intensive exploration effort. An investigation always relies on a multitude of sources - people, documents, structured observations" (291). In this case, the journalistic text is, in fact, based on a document, namely the report of a military unit, and the existence of the other mentioned sources - "confidential sources," "an intelligence officer specialized in this field, whose name, easy to understand, we will not reveal," and "some voices from the PSD" - could legitimately be questioned.

Last but not least, it is noteworthy in the above quotation the use of the noun "mafioso" without scare quotes, although nowhere in the text is there any evidence brought to support the quality of being a mafioso, a member of any specific mafia group for a particular person.

At the language level, I have identified the use of terms that may indicate a lack of objectivity in relation to the subject matter, namely: "Nicușor the sly" and "the snake with glasses," an expression designating Virgil Măgureanu, the first director of the Romanian Intelligence Service after the December 1989 Revolution.¹⁰

Regarding the text "The Mafioso from Vox Maris," published by the newspaper *Ziua* on August 7, 2001, the subtitle of the article mentions:

¹⁰ <https://romania.europalibera.org/a/m%C4%83gureanu-sunt-absolut-convins-c%C4%83-%C8%99i-azi-informa%C8%9Biile-ajung-la-fel-de-repede-la-moscova-ca-pe-vremea-lui-ceau%C8%99escu/30162395.html> accessed on 10.10.2023

"Nicușor Năstase, a champion of million-dollar frauds to the detriment of the state, is under the protection of high-ranking magistrates, police officers, and politicians." However, the names of any high-ranking magistrates protecting the businessman Nicușor Năstase, nicknamed "the mafioso from Vox Maris," are not mentioned in the actual text. Neither is the claim that "regularly on the terrace at Vox Maris, the generals from the General Police Inspectorate party" — presented as a reason why the General Police Inspectorate did not place a precautionary seizure on properties belonging to businessman Nicușor Năstase — proven with photos or statements from possible witnesses. The only politician's name mentioned in the text is that of Virgil Măgureanu, the former head of the Romanian Intelligence Service, assumed to be the friend and protector of Nicușor Năstase.

The journalistic text contains accurate data regarding bank loans and information about the lifting of certain properties, but it also includes statements for which the journalist does not provide proof in the text. An example in this regard is the subheading: "An unexecuted seizure by corrupt police officers." The journalist does not provide any evidence of police corruption, merely mentioning: "Due to friendships at the top of the General Police Inspectorate, no officer dared to disturb Nicușor."

In the same vein, another piece of information for which the journalist does not provide verification evidence is the following: "When the investigations progressed dangerously for Năstase, last-minute political levers acted in justice and obtained from the Prosecutor's Office of the Supreme Court the annulment of the Prosecutor's Ordinance regarding the seizure." What are these last-minute political levers that would have intervened in the justice system? The investigation published by the newspaper *Ziua* does not fully reveal this, failing to specify concretely, by name, the persons who would be responsible for interfering with justice and, thus, a potential attack on the rule of law.

Another important aspect is the use of the noun "the mafioso" in the title without scare quotes, even though the journalistic text does bring arguments and evidence to support this claim in the title. Simply put, the journalist does not substantiate the "mafioso" label applied to the businessman who is the subject of the investigation.

The text "The Theft of the Mafioso from Vox Maris Reaches the Supreme Court of Justice (XI). The Charlatan Nicușor," published by the newspaper *Ziua* on August 9, 2001, presents the so-called "Breaza Affair," in which businessman Nicușor Năstase was involved. The journalistic text explains the route of certain properties, recalling information from the businessman's past, such as a loan contracted at Bancorex in 1997 and not repaid. Unlike the other texts published as investigations analyzed in this research, the article "The Theft of the Mafioso from Vox Maris Reaches the

Supreme Court of Justice (XI). The Charlatan Nicușor" mentions and even shows a material source used in documenting the investigation: a facsimile representing an assignment agreement for a floor of a building. This is added to the representatives of "SC Britania SRL," who "claim not to have criminally denounced Nicușor Năstase," citing the very long terms in criminal proceedings as the reason.

What is missing from this investigation, as well as from the other four analyzed in this work, is the point of view of the person who is the subject of the investigation, in this case, the businessman Nicușor Năstase. Investigative journalists Vlad Stoicescu and Ovidiu Vanghele explain in the manual *Investigative Journalism, from Theory to Practice* that journalists are obliged to confront the person targeted by the investigative journalism before publication: "The principle has its roots in Roman law: *audiatur et altera pars* (let the other side be heard). If only to be one hundred percent sure that our documentation has no flaws" (Stoicescu, Vanghele 26).

Despite mentioning two sources, and the fact that the voice of the person targeted by the investigative journalism does not appear in the material, and it is not specified that the journalist tried at least to contact them to learn their perspective, the title of the investigation remains problematic through the use of the noun "the mafioso", again without scare quotes: "The Theft of the Mafioso from Vox Maris Reaches the Supreme Court of Justice." It is true that, as mentioned in the text, there was a final decision of the Court of Appeal Bucharest regarding businessman Nicușor Năstase, but it is equally true that the decision was suspended, at the time of the publication of this text in the newspaper *Ziua*, as the case was in appeal at the Supreme Court of Justice. Therefore, the label "mafioso" is inappropriate for the journalistic text. It is the third journalistic endeavor that focuses on this person, and in two of them - "Top Secret Report of UM 0962. The Vox Maris Conspiracy" (*Ziua*, August 6, 2001) and "The Mafioso from Vox Maris" (*Ziua*, August 7, 2001) - journalists do not provide evidence of verification of the information presented by cross-referencing sources.

Conclusions

Looking back at the post-December press in Romania, Peter Gross explains that "any small, timid, and temporarily noticeable progress in the period 1989-2023 represents only a very short pinnacle in an unstable roller-coaster of finite and limited positive developments, as well as the inevitability of descending to low points, more comfortable" (Gross, *Rădăcinile culturale ale sistemului mass-media românesc* 94/The Cultural Core of Media Systems. The Romanian Case, my trans.). Analyzing these five texts published in the *Ziua* national daily in the first eight months of 2001, I cannot formulate an absolute conclusion. Although I have observed and exemplified in this research unprofessional

journalistic practices that do not adhere to the ethical principles of the profession, I cannot know if we are dealing with episodic lapses or if, on the contrary, at the historical scale of the publication, such practices were a *modus operandi*.

However, it is correct to mention that the five investigative articles analyzed have elements of the "prefabricated file" design. In this regard, I have explained what could make an honest reader believe that these texts respond to the needs of third parties or have a hidden agenda: the extremely small number of sources used and, as a consequence, the disregard for the principle of source triangulation to reach the truth, or at least get as close to it as possible. Lastly, the violation of the principle *audiatur et altera pars* means that nowhere in these texts are the voices of the individuals targeted by the investigative journalism present. Therefore, the reader cannot learn their perspectives or points of view.

The instrumentalization of the press by third parties can be an indicator of both low professionalism in the profession and, more importantly, limited autonomy of the press. In this way, press freedom is compromised, especially in the context of post-December redefinition of identity, which is crucial for citizens and the broader socio-political context. Without real autonomy and full freedom, the press cannot fulfill its normative role in society, cannot monitor power optimally, and thus cannot fully serve the public interest.

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