

Discourse Analysis of the Public Communication Campaigns about the Yoga Teacher Gregorian Bivolaru

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Abstract The case of the Romanian Yoga movement and its founder, the yoga teacher Gregorian Bivolaru, is well known for the human rights activists and organizations, especially in Europe. The case is quite typical as a persecution of a yoga movement in Eastern Europe in the post-communist period, but it draws the attention because of its dimension and duration. Another striking aspect of the case is the fact that in the Romanian public sphere and in the civil society there is no real debate around the case and no support for the democratic values. The discrimination of yoga practitioners, their marginalization, various abuses of authorities (including mystification in official actions and declarations) were not followed by any reaction of the civil society. How is this possible? Can the lack of democratic education in Romania and the Romanian mentality explain this inertia? This article explores the public communication around the case trying to explain the public reaction (i.e., no reaction) based on the following research hypothesis: the hate speech and the mystification that characterize the official and the media discourse about the case had a significant contribution in generating the rejection and marginalization of the yoga movement. The method chosen to investigate the case is critical discourse analysis, which offers a powerful tool for understanding the trends and influences implied in a large quantity of data. Based on the discourse analysis, the deconstruction of the discourse of the media campaigns follows. The conclusion of the study goes further than the research hypothesis, as it proves that the media was used as a manipulation element and an instrument of repression, since it covered abuses and made use of hate speech in order to justify persecution of a large group of Romanian citizens.

Keywords: *critical discourse analysis, deconstruction, stereotypes, defamation, discrimination, hate speech*

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1. Introduction

The case of Gregorian Bivolaru was thoroughly studied and documented by several human rights NGOs. Bivolaru is a yoga teacher born in Romania, political dissident during communism regime, resident in Sweden since 2005 where he was granted political asylum. Bivolaru coordinated several yoga classes before 1989 (when yoga was banned in Romania) and founded the Romanian yoga movement known as MISA after 1989. During the communism and even more in the post-communist regime, Bivolaru was constantly harassed by Romanian authorities, subject to several abuses and basic citizen rights violation and was also the target of a persistent defamation media campaign.

A typical example of abuse is the introduction of Bivolaru, by Romanian authorities, in the list of the “most wanted” and most dangerous criminals in Europe. In February 2016, the Romanian Police requested a Europol warrant for Gregorian Bivolaru for “sexual exploitations of minors and child pornography” and subsequently Europol listed him as one of the most dangerous European criminals. Gabriel Andreescu [1] explains the mystification

behind the warrant: Bivolaru was previously sentenced to jail for sexual relations with a minor (aged 17, the so-called victim of Bivolaru refused to admit the relationship and accused Romanian investigators of mistreatment and torture in order to obtain a false declaration)¹. As Bivolaru travelled in France in February 2016, he was arrested in a joint operation of Romanian and French secret services and further extradited in Romania, in spite of Sweden’s political asylum that, according to Geneva’s convention, should have been respected by French authorities [1]. The evolution of the Bivolaru case in 2016 is the consequence of a serious abuse of power done by Romanian authorities. One should expect that, in a democratic country, some mechanism should function that could help avoid or sanction an abuse of such dimension (that represent from

¹ An Europol warrant can be issued only for criminals found guilty for crimes listed in the Europol regulations. The accusation that Bivolaru was condemned for is not considered by Europol a serious crime, therefore Romanian authorities have mentioned different accusations in the warrant. In the several media campaigns against Bivolaru and the yoga movement he has founded, lot of serious accusations were mentioned but never proved. However, child pornography was never mentioned before this Europol warrant. The accusation of sexual exploitation of minors was included in a lawsuit and Mr. Bivolaru was found not-guilty.

now on a precedent for further indictments of Romanian citizens). However, in the Romanian public sphere nobody mentioned the substitution of the accusations of the Europol warrant for Mr. Bivolaru until July 2016. Mass-media, instead of bringing up questions, covered and legitimated the power abuse through a heavy and violent media campaign that put together Bivolaru with terrorists like Salah Abdeslam² (A0)

How is it possible that in a democratic society an abuse of such dimension that also imply abusive use of European resources and institutions, goes on not mentioned, but even praised as an act of justice? This research uses the analytic tool of critical discourse analysis in order to explain the phenomenon of the legitimation of the power abuse and its influence upon the Romanian society. According to Teun van Dijk [2], one the most famous researchers that developed the method of critical discourse analysis, this is the very domain when this method is effective and should be used: "critical discourse analysis should deal primarily with the discourse dimensions of power abuse and the injustice and inequality that result from it."

1.1. Motivation of the Research

Soteria International, one of the NGOs that brought the case to the attention of different European forums and personalities, had followed the case since 2004 and took part as legal observer in different trials and events. When the abuses were escalated in the beginning of 2016 with an abusive Europol warrant, Soteria International had analyzed the public and personal reactions in the Romanian public sphere and noticed the surprising lack of democratic consciousness and the lack of reaction to the fact that the Romanian authorities requested a European warrant for a Romanian citizen, invoking facts for which he was never condemned and were never mentioned in association to him. This *modus operandi* of the Romanian authorities in the Bivolaru case sets a precedent that makes us believe that each Romanian citizen might be sometimes, in future, subject to similar abuses.

During the last 11 years, Soteria International had noticed on several occasions the inability of the Romanian civil society to defend basic human rights: the freedom of belief, the right to associate, the right to privacy, the freedom of speech. Although many historians and thinkers claim that Romanian society is simply inert and Romanians do not involve in human rights causes [3], [4], the MISA-Bivolaru case is too complex to be explained like this. In this case, more than 30,000 persons are directly affected by discrimination [5]. In order to understand the context of the case, Soteria International interviewed several European personalities, human rights activists and also members of the yoga movement and decided that the case represents a serious violation of what Soteria International calls "the spiritual rights" of European citizens, of which freedom of belief comes first.

What we have noticed from the very beginning in our activity related to the case was the impossibility to discuss it openly with Romanian personalities in both political and academical domains. On the contrary, European MPs and organizations found the case very interesting and

important. Several MPs expressed their concerns and contacted Romanian authorities, demanding for explanations regarding documented human rights violations in the case.

The huge difference of attitude between Romanian civil society representatives and personalities from other countries raised repeatedly the question of the reaction of the Romanian civil society. Soteria International considers that the lack of reaction of Romanian society in defending human rights in this case is an important dimension of the case. Taking into consideration that Mr. Bivolaru was one of the few Romanian dissidents during the communism, the fact that in the post-communist Romania almost no one took his side is striking. Other persons that were (or claimed to be) persecuted by communists were heavily promoted after 1990. Present research search for an explanation of the reaction of the Romanian society through the discourse analysis on the public communication on the subject, including official declarations (available through media) and media discourse.

1.2. Two Significant Examples

Two events had triggered the apparition of this study as they are symptomatic for the civil society behavior in Romania and to media practices associated to the case. Both illustrate the reaction of Romanian media and society to the fact that a Europol warrant was issued for Gregorian Bivolaru, based on false accusations.

Example 1. The first example is an article written by a journalist that wrote his first articles on the case in 1992, Patrick Andre de Hillerin. In 2016, he joins the triumphalist discourse of the media to salute the capture of one of the most dangerous European criminals [6]. Hillerin praise the efforts of the media to solve the case and the heroism of the journalists that were sued for calumny by Mr. Bivolaru (starting with himself). He speaks about the inertia of the authorities that, in spite of numberless evidences published in media as result of journalistic investigations, took no legal action against the movement. This article will be presented in detail in section 4, where the faked references to previous work of the author will be explained. Let's notice so far the gross inversion of values, as a power abuse is presented as a triumph of democracy.

Example 2. The second example is the media reaction to the only person who dared to say that Mr. Bivolaru's rights were violated and that the Europol warrant was an abuse, as it invoked non-existent accusations. Gabriel Andreescu, a researcher and professor at the SNSPA University in Bucharest, studied the case since 1996 and is until now the only researcher who have documented the case based on the Archives of the Communist secret police (although journalists could have access to the file upon request, no one was interested to study it). In July 2016, Andreescu wrote an open letter to the President of Romania [7], presenting the human rights violation and abuses of authorities in the Bivolaru case. The history of abuses briefly presented by Andreescu is an argument to declare the case "an authorities conspiracy" meant to cover previous abuses and persecution of the Romanian yoga school and the huge expensed of surveillance and investigative actions (over 5 million Euro). As a conclusion, Andreescu asks for presidential amnesty in the

² Salah Abdeslam was involved in Paris terrorist attack in 2015.

case. As remarkable and significant as the analysis of the case may be considered, much more interesting is the reaction of the media and civil society to it. Media and different personalities mocked Andreescu's letter, in spite of the evidence it presented. Various threats were written against the news website that published the letter. Some personalities and organizations declared that they have no association with Mr. Andreescu and do not endorse his actions³

1.3. The Relevance of the Research

As one can see, the Romanian public sphere seems immature and unable to deal with the case. How can such a distortion of facts be possible? How can one of the few dissidents of communism regime be presented as one of the most dangerous terrorists in Europe? This article goes back in time to the beginning of the post-communist Romanian society in order to understand the failure of the civil society and of media in Romania to defend the truth, the democratic values and the human rights. The research is highly relevant both in terms of understanding the dimension of the abuses (and its explanation), as in finding a way to end them. Karl-Erik Nylund [8] considers that the MISA case is typical for post-communist societies in Eastern Europe. The repression of spiritual movements is the continuation of a dictatorship regime but also a reaction of the traditional Christian church. The same opinion is presented in the directory of CICNS⁴. Although the case is not singular, it is one of the most impressive because of its dimension in time and number of persons affected [9].

Prakash [10] also makes the connection of the discrimination of yoga schools in Europe with the opposition of the Christian institutions and ideas: "The idea of human rights has already been mentioned as bearing the strong imprint of Christian anthropology. Expressed in a different way, this idea, concepts, assumptions, etc, make sense if their theological background is taken into consideration. [...] Western law acts as a agent in the secularization of the key claim to Christianity about the falsity of pagan traditions, and in our specific cases, the Indian traditions. Far from the secular law and freedom of religion acting as mechanism for the neutral management of cultural diversity, they incorporate key Christian claims to reproduce the psychic violence against Indian traditions." [10].

2. Overview of the Literature - Documentation of the Case

The case needs a multidisciplinary approach that includes historical investigation, sociological research and journalism studies. Media sources should be careful pondered relating to the case, as this research will reveal.

³ Maria Nicoleta Andreescu, APADOR-CH doesn't support the Gregorian Bivolaru's pardon, 01.08.2016, www.apador.org/en/apador-ch-nu-sustine-solicitarrea-de-gratiere-a-lui-gregorian-bivolaru/ accessed on January 20, 2018

⁴ Centre d'Information et de Conseil des Nouvelles Spiritualités, NGO consultant for UN until it stops its activity because of the lack of financial resources in 2013. The directory is still available on the internet: <http://www.cicns.net>.

The information that offered the background of our case study and allowed us to formulate consistent research questions and research hypothesis is presented in this section. The scientific literature that offered the basis of our research methodology is overviewed in section 3.

The main source for historical information about the yoga movement during the communist period is the volume of Andreescu [11], a researcher who had access at the archives of the Romanian Secret Police (Securitate) and the interviews with yoga practitioners reproduced in [3,11,12]. A second volume of Andreescu [3] documents the repression of the yoga movement in Romania in the post-communist regime. According to Andreescu [3], the MISA-Bivolaru case can be understood only as a continuance of persecutions of the communist regime. Andreescu had published several documents that confirm the surveillance of the group of yogis, the activity of different informers and the fact that the Secret Police (Securitate) tried to frame the yogis in order to accuse them of common law offenses. Important information about the collaboration with the Secret Police of the key figures implied in the persecution of MISA and Gregorian Bivolaru before and after 1989 was disclosed recently by Romanian media. Due to the complexity of the case, we have included significant historical information in Section 4, presented in parallel with the media discourse.

The juridical dimension of the case is also important. Several official documents (with juridical information) are available online. The most important refer to the political asylum granted by Sweden to Mr. Bivolaru. There are also two decisions of the European Court of Justice - Human Rights (ECHR).

An interesting dimension of the case, as this research will suggest, is its absence in the public debate - in the public sphere (apart from media), but also in the academic sphere. There are quite few scientific articles about the case, comparing to its dimension and relevance.

2.1. Yoga during Communism - the Roots of MISA

The Romanian yoga movement MISA was founded immediately after the events in December 1989 that put an end to the communist era in Romania. The group of founders were, most of them, dissidents during communism, persecuted, surveilled and jailed because of their yoga practice. Indeed, in Romania, during communism, yoga practice was declared illegal by an order of the Secret Police (Securitate)⁵ and all yoga practitioners were put under surveillance, interrogated, tortured, put in prison or in mental facilities. The regime claimed not to have political prisoners and therefore all political dissidents were framed as common law criminals. The reason behind interdiction of yoga was the fact that it was considered to be contrary to the communist ideology and it was just one dimension of the so-called "scandal of the Transcendental Meditation". There were few articles in the media of the communist era, strictly censored, about yoga (including the articles against yoga). Some of them were written by Mario Sorin Vasilescu, a yoga teacher that was not only

⁵ The order and other secret documents of the Securitate are reproduced by Andreescu [11].

informer of the Securitate but was also payed to write articles against other yoga teachers, yoga courses and different yogic practices and ideas.⁶

The most prominent figure in the yoga movement was, during communism, Gregorian Bivolaru. Put under strict surveillance since he was 17, he was several times arrested, interrogated, tortured, and jailed. In 1989 he was abusively declared mentally ill and jailed in a mental facility at Poiana Mare, where he survived due to his yoga practice, with the help of his doctor who did not force him to take the medication. The documents and the story of the persecution of Bivolaru during communism were published by Andreescu [11]. According to Mr. Bivolaru, in an interview published in [12], after December 1989, when he was released from the hospital, he filed a petition to obtain a certificate that he is mentally sane. His petition was denied, probably due to the fact that doctors should have to recognize their professional abuse.

The accusations of communist prosecutors against Bivolaru were, for instance, detaining and dissemination of pornographic materials⁷. Andreescu [11] published the complete list of books and magazines confiscated from Mr. Bivolaru under this accusation, and there are indeed some titles that have sexual connotations: *The metaphysics of sex* by Julius Evola and *Playboy magazine*. It is important to explain that during communism in Romania even sexology manuals were declared pornographic and were banned, all sexual information was strictly censored, any contraceptive method was illegal (as was abortion) and - just to have the whole picture of the Romanian legislation in the domain - we should mention that the only legal sexual position was the classic "missionary", all the others being illegal, as considered perversions. The prosecutors tried to frame the group of yogis with accusations like "sexual orgies" or "group sex" and interrogated under torture several yoga practitioners forcing them to give such declarations, but only one yoga student signed a declaration that stated that she witnessed two other yogis kissing. The detail, as insignificant as might appear here, was the basis of subsequent media campaigns claiming that yogis were practicing "group sex". The Securitate workers, when preparing the file, faked some photos, as trying to frame different accusations, including homosexuality. According to [12], these faked pictures were extensively published by media in the 1990s.

Gabriel Andreescu, the only researcher that have studied the case in the archives of the Secret Police, claims that the yoga group of around 50-100 persons led by Bivolaru was the only group that can be considered an organized form of resistance against communism in Romania. Other researchers of the communism in Romania are reluctant to mention this group - the explanation can be the defamation campaign that started in the post-communist media against all defenders of yogis. Interviews of several yoga practitioners about their life and practice during communism have shown that the yoga practice itself had made them strong and offered them spiritual ideals that were for them much more important than their comfort or

safety. That's why they continued to practice and/or teach yoga in spite of persecutions and torture, and that's what give them strength to resist to all difficulties.

The historian Lucian Boia [4] wrote that Romania is the only country in the East European communist block that did not have any kind of resistance, nor samizdat media. But Romania is also the only country that gave a legal decision that had declared communism illegal. However, no other consequence as giving up some communist practices or punishing them (even morally) occurred.

2.2. Historical Perspective on the MISA - Bivolaru Case

The Romanian yoga movement addressed in this paper came into being in 1990, centered around a non-profit organization (MISA⁸) founded by 22 members, yoga practitioners and yoga teachers. The statute of the organization includes the objective to promote yoga practice and different oriental techniques for self-development, health, and meditation. Dissemination of yogic philosophy is another objective of the group. Various yoga courses started in different towns of Romania and attracted a large number of students. The media and authorities call it simply MISA. The most prominent figure of the group is the yoga teacher Gregorian Bivolaru, still considered the mentor of the School, although he has no formal implication in the activities of the yoga school. He regularly gave lectures, wrote several books and is the main author of the yoga courses' theoretical curricula.

The movement had a non-formal development and is often called by its followers "the MISA Yoga School". Because of its dimension, the movement attracted the attention of the secret services - official declarations⁹ confirm constant surveillance of all activities of the school and of its main instructors since 1995.

The MISA yoga School is an umbrella term for different courses, yoga practice groups, activities and symposiums organized by several foundations, associations and firms. More details about the activity of the MISA Yoga School are included in section 4. There is no formal organization whatsoever of the students of these courses, but the coherence of the group is quite strong and the group is perceived as a unitary movement. The School was subject of several media campaigns, journalists claiming illegal and immoral activities and demanding the closure of the activities. However, no proof was presented by media for such allegations and the courses continued. No proof was also provided by the surveillance activities. It is estimated that the costs of investigations and surveillance activities in the MISA case raise at over 5 million euros [12].

The yoga school and its students were subject to several discriminations and abuses, starting with interdiction to held yoga classes in schools and high schools, interdiction to advertise in media, professional persecution of yoga students belonging to different professions (like teachers, doctors, or army employees). More details will be provided in the sociological comments in section 4.

⁶ The documents attesting the collaboration of Andreescu with the Securitate, including the documents that confirm the payments for his services, are also presented by Andreescu [11].

⁷ The whole documentation of the case can be read in Andreescu [11]. A brief overview is available online in English in [1].

⁸ The acronym MISA stands for The Movement of Spiritual Integration into the Absolute.

⁹ Ioan Rus, minister of Internal Affairs, declaration in 2004 quoted by media.

The authorities' actions against MISA included investigations, surveillance, interrogatories and searches. In 1996, for instance, a violent police action at a yoga class in Bucharest was followed by different searches in yogis' houses but had no other legal consequences since no legal offense was discovered. In order to cover the illegality of the action, as some evidence would be necessary to obtain search warrants, the authorities claimed they received complaints of people about sexual orgies taking place in the yoga classes.

In 2004, during what was considered to be the biggest action of the Romanian police, 300 armed policemen brutal assaulted the houses of yoga practitioners¹⁰. The authorities declared that they investigated drug traffic, weapon traffic and prostitution. A huge media campaign followed, claiming the guilt of MISA, but again the authorities failed to present evidence for such accusations. Bivolaru left Romania and was granted political asylum in Sweden in 2005.

The media campaigns are an important historical component of the case, since they shaped the public perception and triggered several discrimination incidents and a general effect of marginalization of yogis [5,9,13]. A general, but brief presentation of the media campaigns was published by Andreescu [3]. A more detailed overview can be read in [12]. The volume written by Bivolaru and Dascalu [14] gives important references about the media campaigns in the case, and shows that the case is not singular: several other yoga schools around the world are subject to similar discriminations and defamation campaigns.

Two quantitative studies and significant qualitative research published by LAYMS and summarized in the articles of Popescu [5,9,13] analyze the public perception in Romania about the yoga movement and Gregorian Bivolaru. The public perception seems to be that Bivolaru is guilty of a lot of crimes and should be severely punished. The results of the sociologic investigations of LAYMS were published in peer-review scientific journals and show that the media campaigns practically shaped the public perception on the case. The argument of Popescu is quite straightforward: the difference of perception of people who know MISA and Bivolaru directly and of those who know them only from mediated information.

2.3. The MISA - Bivolaru Juridical Case

Andreescu [7] presents most of the trials referring the MISA case, both the lawsuits against MISA and Bivolaru, and the decisions in favor of MISA and Bivolaru (that he named "clarification and acts of justice"). Here are some of these decisions.

In 2005, the decision of the Supreme Court of Sweden to refuse the extradition of Mr. Bivolaru and to grant him political asylum was justified by the fact the he could have no fair trial in Romania, because of the abuses of authorities and the media campaigns.¹¹

¹⁰ In 2016, a decision of European Court of Justice - Human Rights ruled against Romania, in a file introduced by 20 of the victims. The illegality of the searches was ruled by the European judges.

¹¹ October 21, 2005 - The Supreme Court of Justice in Stockholm has declined the requests submitted by the Romanian authorities stating that Gregorian Bivolaru "cannot have a fair trial in Romania" and "might be inflicted serious persecutions due to his religious beliefs" http://gregorianbivolaru.net/docs/asylum/Decision_Supreme_Court_Sweden_21_Oct_05.pdf

An important juridical decision in 2007 declares all accusation formulated by communist authorities against Mr. Bivolaru as being political and having no juridical value. This includes the juridical decisions and the abusive commitment as mental unstable.

In 2015, ECHR decided in favor of a yoga practitioner who was abusively put in a mental facility by her parents, in order to force her to interrupt the yoga practice. She was kidnapped, detained against her will and forced to take medication that severely endangered her health.

In 2015, a decision of the Court of Appeal in Bucharest declared illegal the warrants for the surveillance of yoga practitioners.

In 2016, ECHR decided in favor of 20 yoga students, victims of the police attacks in March 18, 2004. Romania has to pay almost 300000 euros to compensate the abuses of the prosecutors and police in this case.

In addition, during the last 25 years Gregorian Bivolaru and other yogis have won a lot of calumny trials - a short list with accusations of media, considered calumny by the judges (thus pointing out that the accusations in media are false), will be presented in section 4. None of those juridical decisions had no influence on the case and did not diminish the abuses and discriminations of yoga practitioners in Romania.

On the other hand, the legal investigations of the MISA case started in 1997 with an investigation regarding "endangering of national security". Later it was revealed [12] that the investigations started with a complaint of Mario Sorin Vasilescu (former informer of Securitate), that claimed that the yoga taught in MISA is not complying to the Indian tradition, just because MISA advertised the classes. The file was closed, opened and closed again and illegally reopened for a third time in 2004 (which is against the Romanian law) in an investigation for "informatics crimes". In 2004, after the violent searches of March 18, investigation continued, although the accusations were not clear (more details in section 4).

After illegally arrested in April 2004 (in absence of a warrant and without any formal accusation) and released for procedural reasons, Bivolaru managed to leave Romania and went in Sweden, where he requested political asylum. The Romanian authorities asked for his extradition several times, but Swedish authorities denied the extradition. At the request of Romanian authorities, which claimed Bivolaru is a very dangerous criminal, he was jailed several months in Sweden, in conditions of high security, during the process of deliberation for the political asylum.

One lawsuit was filed against Mr. Bivolaru in 2004. The juridical case was an amalgam of accusations, from which none was proven and therefore Mr. Bivolaru was declared not guilty as "the facts did not exist" [1,3]. After two appeals of prosecution, Bivolaru was finally condemned in 2013¹² at 6 years in prison, for sexual act with a minor of 17 years¹³, although the alleged victim

¹² Regarding the condemnation of Bivolaru, [12] remarks that officially, the medical decision for mental instability that was abusively given in 1989 against Mr. Bivolaru was not at all reconsidered, in spite of the juridical decision that declares it to be a case of political police. Therefore, Bivolaru shouldn't be condemned as he officially was declared irresponsible. The Romanian authorities seem to have no trouble to have Bivolaru in a contradictory double position of legally responsible but mental irresponsible.

¹³ In Romania the age of consent is 15 years.

have declared during the trial that she had no relationship with him and has no accusation against him [1,7].

Soteria International took part as an observer in the trial and made statements about the violations of the legal procedures. The authors of this research also interviewed the so-called victim of Mr. Bivolaru and her testimony is consistent: she was abused by authorities, kidnaped, isolated, interrogated under torture in order to give declarations against Mr. Bivolaru in March 18, 2004. Although this young woman declared several times what happened in 2004, the judge did not take into consideration her testimony in the trial, and Bivolaru was convicted based on a declaration took under torture in 2004.

Another trial started in 2006, 20 yoga teachers and students being accused, along with Bivolaru, for human traffic. The decision given in 2015 by The Court in Cluj is dismissing all accusations and, on the contrary, denounce the abuses of the investigations and of the searches in 2004. In addition, the juridical decision highlights the abusive interpretation of the law: the prosecutors interpreted a yoga practice (karma yoga) abusively as human traffic, whereas a more appropriate assimilation would be with voluntary work.¹⁴

In 2016, Romanian authorities asked for a Europol warrant for Gregorian Bivolaru, claiming he was condemned for minor exploitation and child pornography. No such accusation was proven against the yoga teacher, but instead of rejecting the warrant, Europol issued the warrant and Bivolaru was arrested in France. In spite of the Sweden political asylum, the French judge decided for extradition and rejected all documents of defendant.

2.4. Scientific Literature about Romanian Journalism

The Romanian media landscape is heterogenous, rather chaotic, and is still tributary to the heritage of communism. After 1989, lot of newcomers entered the profession without proper education and culture, but one of the biggest problems of the Romanian journalism are due to the journalists that remained in the profession and continued to practice it as they learned in the communism, when the media was strictly censored and had a position of servitude towards political power [15]. Different authors highlight the reminiscence of communist practices in Romanian media. Tudorel [16] writes that Romanian media is still controlled by former communist censors. Bajomi-Lazar, in a country report about Romanian media [17] overviews its main problems, at economic, legal but also professional levels. According to [1], Romanian mass-media fails to play the role of watchdog of democracy and democratic values. The low professional values and quality of Romanian journalism are stated by different reputed authors. The study of Vasiledniuc and Gross [15] shows the poor quality of documentation and lack of objectivity of journalists.

The Romanian media has a predilection for tabloid format, both in written press and in broadcasted media.

The landscape of the media is populated with scandals, nudity, provoking articles. Various reports on Romanian media highlight the poor quality of Romanian journalism.

One of the most important aspects is the control of Romanian media by secret services. A detailed study realized by Richard Hall¹⁵ reveals that the Romanian media of that time was almost entirely controlled by heads of the former secret police (Securitate) that theoretically was dissolved in 1990 [18]. Hall gives examples and lists some periodicals that were founded by Securitate officers or where controlled (used) by Securitate. Most of the media outlets in our research are on Hall's list: Cuvantul, Europa, Ziua, Libertatea, Tinerama, etc. were used according to the interests of Securitate to maintain the control over the Romanian public.

25 years later, the situation seems to be similar. Although in the last years several cases of journalists and editors were disclosed as informers or secret services officers¹⁶, that made no difference as most of them are still on place. A recent report of the French organization Reporters sans frontieres (2016) states that Romanian media manipulates and is controlled by secret services¹⁷.

3. Research Design

The research presented in this paper aims to understand the public reaction based of the information provided to the public through media channels in a long period of time, in a case where human rights issues and democratic values should prevail, but they don't. A certain power influence and injustice seem to be facilitated by media and, in order to understand such influence, critical discourse analysis offers a powerful tool. The information publicly available on the MISA-Bivolaru case can be broadly classified in the public communication of officials (politicians and different authorities) and media articles¹⁸. A common approach is possible, because the official declarations is also information disseminated by media and reach the public through media. However, the difference between media and mediated discourse is important in order to understand the dynamics of the case.

3.1. Theory and Methodology of Critical Discourse Analysis

The method applied in this research is, primary, critical discourse analysis, as a complex and efficient tool that helps understanding the social implications of a discourse and discovering the power influences behind the discourse. We have included several considerations regarding the discourse analysis-based sociological research, in order to gain more insight of the studied phenomena. Discourse analysis is a qualitative research method that, although it

¹⁴ <https://www.scribd.com/doc/312023308/Motivarea-Instantei-Clujene-Care-a-Condus-La-Achitarea-Lui-Gregorian-Bivolaru-Si-Altor-20-de-Persoane-Din-Cadrul-MISA> Fragments translated in English are available in [1]

¹⁵ The study first appeared in the Special Issue on "Post-Communism and the Media in Eastern Europe" of the Journal of Communist Studies and Transition Politics, Vol. 12, No. 4, December 1996.

¹⁶ Dan Voiculescu, owner of Intact media group, was colonel of Securitate. Sorin Rosca Stanescu, chief editor of Ziua, was also colonel of Securitate. Almost all outlets have secret service officers as editors or reporters.

¹⁷ <https://rsf.org/en/roumanie>

¹⁸ We did not take into consideration sources like archives of institutions, since the public has no access to it.

has its critics, is already consecrated for text analysis. The method was approached in many ways (both regarding its theoretical foundation and methodology) and, consequently, various tools were developed in scientific literature, according to the field of its application, that can vary from psychology to communication sciences, sociology and journalism studies. According to Silverman [19], all these variations have a common origin in linguistic research. Overlooking the work of the most prominent researchers, Silverman quotes Potter to define the specificity of the discourse analysis. Potter (apud Silverman) considers that in discourse analysis, there is no dichotomy real-false, what matters is the way in which versions of the world are constructed. In other words, discourse analysis sees the reality as a construction of participants¹⁹ and is preoccupied by the way it is elaborated or undermined, growing in time and gradually substituting the real history.

Zelizer [20] makes a survey of research methods related to discourse analysis in journalism studies and considers that the most important contribution of this kind of research to journalism studies is the connection between language and the social context of the communication act. Hence, the importance accorded to critical²⁰ discourse analysis, which is focused on the power relations within society, particularly in the case of imposing social inequalities. Critical discourse analysis is related to (but cannot be reduced to) critical linguistics, as a way to decipher the ideology behind journalistic text, through its language and style. An important idea of the discourse analysis' approach is that using the analysis of a text/speech/conversation as a discourse, i.e. based on its linguistic content and on its context, one can gain significant knowledge about the intentions and interests of the speaker, including his/her identity if it is concealed and the ideology promoted. Concepts like interpretation repertoire, stakes and scripts [19] - which some theoreticians consider to belong to discursive psychology - are also useful in this direction. Jorgensen and Phillips [21] begin their extensive presentation of discourse analysis highlighting the wide range of interpretations of the term "discourse" itself²¹. The authors consider that discourse analysis is one of the most widely used approaches of social constructionism and is a research method that "can be applied to all areas of research but cannot be used with all kinds of theoretical framework" (page 3). Between different approaches to discourse analysis, the critical discourse analysis - and particularly that developed by the British researcher Norman Fairclough has, according to Jorgensen and Phillips, the most precise methodology, comparing to other forms of discourse analysis.

Another researcher, Teun van Dijk, prefers the cognitive rather than constructionist interpretation of critical discourse analysis. He has applied the method in several case studies, including the analysis of the racist messages in media articles. Van Dijk was particularly

interested in power relations (including the abuse of power): "One of the crucial tasks of critical discourse analysis is to account for the relationships between discourse and social power. More specifically, such an analysis should describe and explain how power abuse is enacted, reproduced or legitimized by the text and talk of dominant groups or institutions." [22]

The method of critical discourse analysis was used to study the way different minority groups are portrayed by media: immigrants, Muslims, ethnic groups etc. As far as we know, the present research is the first time that the media campaign against a yoga movement is scientifically analyzed, although such campaigns did take place in different countries around the globe in the past century (for examples, see [14]).

The common features of different critical discourse analysis approaches, according to Jorgensen and Phillips [21], are those who make possible to consider them as belonging to the same movement, in spite of their differences. The authors who had developed this field consider that discourses are an important form of social practice and both constitute the social world and are constituted by other social practices. The text analysis is, in these approaches, concrete and empirical and related to the social context. Most of all influences, discourses are related to ideology and their effects are ideological effects. Another important feature of critical discourse analysis is that it "does not understand itself as politically neutral (as objectivist social science does), but as a critical approach which is politically committed to social change. In the name of emancipation, critical discourse analysis approaches take the side of the oppressed social groups. Critique aims to uncover the role of discursive practice in the maintenance of unequal power relations." [21]

From the perspective of social constructionism, the discourse contributes to the construction of social identities, social relations and systems of knowledge and meaning. Therefore, the discourse has three main functions: an identity function, a relational function and an ideational function.

Due to different critics that addressed the wide variations of discourse analysis methods, significant work has been published in the last decade trying to make a synthesis of discourse analysis methods. Carvalho [23] considers that critical discourse analysis is probably the most used linguistic-based analysis method applied in media and journalism studies. The reason may be the fact that, addressing the social implications of the media messages, this approach reunites the causes and the effects in a global picture. Researchers that explain the way the power is exerted and imposed take the position of defending the unfavored social actors.

The critique of critical discourse analysis is related mostly to the variations of methodology and to the partisan position of the researcher. Carvalho [23] answer such critics as follows: "Most of these criticisms do not diminish the theoretical and analytical value of critical discourse analysis. Methodological pluralism, for instance, can be seen as a strength rather than a weakness, and ideological commitment, as discussed above, is an explicit agenda of critical discourse analysis and does not equal analytical distortion." [23] A researcher that has a partisan position can apply a scientific method correctly and obtain

¹⁹ Some researchers consider that critical discourse analysis is related to constructivism, while other prefer the cognitive approach.

²⁰ The term "critical" in "critical discourse analysis" does not have the acceptance of critique but is related to "critical studies" - the theory upon journalism belonging to Frankfurt School.

²¹ The authors suggest a preliminary definition of the discourse as "a particular way of talking about and understanding the world (or an aspect of it)" - page 1.

valid results, his partisan position can become an asset as, for instance, bringing specific in-depth knowledge of the case and first-hand information. [24]

Carvalho [23] developed an analytic framework for media discourse, based on previous scientific literature. The methodology proposed by Carvalho consists of two interconnected levels of analysis: textual analysis and contextual analysis. While the textual analysis includes different approaches (referring to objects, actors, language, ideological standpoints etc.), the contextual analysis includes comparison and historical analysis. The contextual analysis introduces, in Carvalho's terms, the time-related aspects of the case. This preoccupation for the time plane in the discourse analysis of the journalistic texts is an important direction of present and further development, although it was already mentioned, for instance, in Fairclough's works in terms of "intertextuality".

Ruiz Ruiz [25] makes a similar unifying effort for sociological discourse analysis, identifying three levels of analysis that are interrelated: text, context, society. All levels have appropriate methods of analysis. For instance, content analysis can be used for textual analysis, while framing theory is appropriate for contextual analysis. No such research should be complete unless taking into consideration the social implications of the discourse. According to Ruiz Ruiz, the three levels shouldn't be applied in a static sequence, but rather reiterated until a better understanding of the processes is obtained. Such an approach should help the researcher to overcome the critique that discourse analysis is rather an interpretation and not a scientific analysis. Regarding the social aspects of the research (discourse as information, ideology and social product), Ruiz Ruiz highlights the creative value of the abduction (as inference), in order to gain a new scientifically-based perspective and understanding of various social processes. The logic of sociological discourse interpretation in the case of abduction is to formulate a hypothesis and then to verify it. The term was originally defined by Peirce in 1901 (apud Ruiz Ruiz) and is nowadays widely accepted as a logically correct method, whose real challenge is to formulate appropriate hypothesis.

In conclusion, the choice of the methodology of research - critical discourse analysis, completed with elements of sociological discourse analysis - is justified by the aim of the research - to understand the social implications of a media campaign in terms of influencing the Romanian society with visible consequences: ignoring basic human rights and real historic facts.

3.2. Methodology of the Research

The authors that had developed the methodology of critical discourse analysis research suggest a rigorous scientific approach that should make the results easy to verify. Recommendations for research design, methodology and presentation of scientific reports can be found in the literature. According to Fairclough, for instance (apud Jorgensen and Phillips, [21]), the researcher should focus on the two dimensions of discourse: the communication event itself and the order of discourse (that is, textual analysis and contextual analysis). Any discourse is seen in relation to the configuration of all the discourse types of a social actor or within a field. In our case, the contextual

dimension of analysis (in this acceptance) is implicit in the research, as we looked to the evolution of discourse during a long period of time.

The choice of research problem as the starting point of the research is, in the case of critical discourse analysis, associated with the aim of critical discourse analysis as explanatory critique, i.e. the researcher should focus on a problem he intends to solve. "Explanatory critique takes its starting point in a problem that the research should help to solve. This can either be a problem identified by individuals or groups in society, perhaps formulation an unmet need, or it can be identified by the researcher who may want to disclose a 'misrepresentation', that is, a mismatch between the reality and the view people have of this reality that functions ideologically. The concept of 'misrepresentation' implies that the researcher has access to a more adequate description of reality than the people he or she is studying - without such access, the research would not be able to identify descriptions as misrepresentations." [21] The authors quoted, that explain in these words Fairclough's approach, do not entirely agree with such research philosophy. However, there is a lot of scientific work that uses this approach in order to suggest solutions for different social problems.

The analysis of social practice can refer, depending on the problem, to the discourse of an institution, or of different institutions, and the relations between these institutions. The researcher should also study the way the discourse constructs a social practice like, for instance, a profession. The best example - related to our research - is the example of the media discourse, which constructs not only the social perception and knowledge of specific facts, but also contributes to the development of specific professional practices, thus influencing future discourse and social relations/practices.

Carvalho [23] suggests a framework for media discourse analysis that consists of textual analysis (layout and structural organization, objects, actors, language, grammar and rhetoric, discursive strategies, ideological standpoints) and contextual analysis (comparative-synchronic analysis and historical-diachronic analysis). This framework gives the elements of analysis that the researcher should look for.

Ruiz Ruiz [25] focuses on methods that should be used in the different levels of sociological discourse analysis (adding the third, social level, that is implicit in Carvalho's framework). Methods suggested for textual analysis are content analysis and semiotic analysis. For contextual analysis, frame analysis, analysis of discourse positions, conversation analysis and intertextual analysis are recommended. The sociological interpretation (explanation of discourse) is obtained through inductive or adductive inference [25].

While discourse analysis can be successfully applied for small data samples, it is also useful for large data samples, especially in cases where there is a certain general coherence of the material. In our research, trying to give a consistent and unitary analysis of a long-time social phenomenon centered around the media and mediated discourse in the MISA-Bivolaru case, we encountered a lot of challenges in applying critical discourse analysis. The position of the researchers was, from the beginning of the study, as having much more

first-hand information than the public, and much more correct information than that disseminated by media. Therefore, the research can be considered an explanatory critique that tries to disclose a misrepresentation with serious social implications.

The research followed the following sequence:

- Preliminary research (field research, interviews, bibliographic documentation) in order to identify the research questions and collect the analysis material.
- First aspect of the time dimension - selection of significant periods for analysis and selection of articles.
- Analysis of documents (media articles and public declarations), identification of the social actors, the main themes of the discourse, the discourse positions, and the ideological elements. Linguistic and rhetoric aspects were briefly analyzed, also.
- Identification of missing elements (absences).
- Contextual analysis: evolution of the discourse, positions and relations. Contextual analysis also implied counting the articles that present false information, approach the case from a certain angle or fail to present significant details of the case.
- Sociological interpretation of results.

Elements of news framing theory were used in data interpretation and also deconstruction as an interpretation method in order to explain the misrepresentation of the MISA-Bivolaru case in the public perception and media discourse. The results are presented in section 4 and 5 in a synthetic manner, due to the large quantity of material. Additional information will be published in further complete reports and can be offered upon request to researchers interested to study the case, including the list of all the items included in the research. The articles selected for the detailed textual analysis are listed in the Appendix and/or in footnotes.

Taking into consideration the dimension of the problem and the quantity of material, our research has obvious limitations that should be eliminated by further research. To complete present analysis, a large-scale content analysis of media articles is needed, using elements of psychological discourse analysis (like interpretation repertoires and stakes) and framing theory. More detailed visual analysis will also offer specific insight, since a lot of anomalies were identified regarding the visual dimension of the media discourse. Further research can use models like the "spiral of silence"²² and also narrative analysis.

3.3. Motivation, Research Question and Research Hypothesis

Soteria International have followed the MISA-Bivolaru case closely and eye-witnessed some of the events in the last years, including activities of the yoga school, rallies and trials in Romania, Sweden, France. Events related to the case also occurred in this period in other European countries: Italy, Denmark, Finland and Germany. One of

the authors had the opportunity to interview Mr. Bivolaru in Sweden, after he was granted political asylum. Soteria International is concerned about the spiritual rights of the European citizens and considered the case from this point of view. After independent investigations, Soteria decided to support MISA and Gregorian Bivolaru, by presenting the case in different human right events, commissions and to European politicians. Our actions seem to encounter - in Romania - the obstacle of a total closure of the politicians, officials and other public persons and their inability to discuss the case and to consider it in an objective, factual-based, perspective. As other foreigners that supported MISA and Bivolaru at certain moments reported, we have also been contacted several times by activists of secret services that offered us huge amount of information about the case (information taken from media articles or from juridical files), trying to convince us to give up the case. Our experience when trying to bring the case in the attention of the Romanian public sphere convinced us of the abnormality of the reaction, as already presented in the introduction: no understanding of human rights and basic democratic value seem to be common to representatives of several NGOs and institutions in Romania. On the contrary, outside Romania the case has a large echo and several European politicians saw it as an indicative of the juridical and social situation in Romania.

Therefore, we have decided to study the attitude of the Romanian civil society with the intention to find an explanation for its reaction to the MISA-Bivolaru case. From our discussions with persons inside and outside the movement, we concluded that the presentation of the case - the media (ted) discourse - generated not only a "spiral of silence", but even a "blindness" regarding the case. There is not only reluctance, but also strong repulsion towards the case - people do not want to speak about it in private situations, nor in public, as they do not want to be associated with it in order not to be blamed or publicly mortified. On the other hand, the resistance of the members of the groups, their persistence in their yoga practice and their personal support for Mr. Bivolaru is also hard to understand, in the light of the information publicly available about him and about the yoga movement. Sociological studies like that undertaken by LAYMS can help us understand these reactions (both of members of the movement and of people outside it) (for more details, see [5,9,13]).²³ Therefore, the main objective of the research is understanding the reaction of Romanian civil society, in terms of finding a critical explanation of the situation.

Secondary objectives of the research are:

- demystification, the correction of the misrepresentation of the case;
- to suggest directions of research for the academic community, to draw the attention of researchers towards a case that is a very interesting subject of research from different scientific perspectives and domains;
- to offer correct information about this case to different actors of the Romanian public sphere, so that they could appreciate the possible consequences of the case for the Romanian democracy.

²² Theory of mass communication to explain the social consequences of the media campaigns in terms of isolating the groups that are criticized in media, as other people would not want to be associated with them.

²³ Both studies are fully available on the Internet in Romanian language on LAYMS website.

The main research objective can be rephrased as a research question: what is the explanation of the passivity (no reaction) in the Romanian public sphere in a case where authorities acted with brutality, trespassing all legal regulations for investigations and violating constantly basic human rights like the right to privacy, the right to belief, the right to associate, the right to one's own image?

The details of the case raise many other specific questions. To give only few examples: What is the ideology behind the media discourse in this case? What social actors are behind it? How is it possible that the Romanian authorities provided false information to the Europol and no one says anything? How is it possible that such a huge witch hunt was launched for Bivolaru, when no one has real accusations against him?

A primary hypothesis could be that the democratic education in Romania is still precarious, in spite of efforts done in the last 20 years. The historian Lucian Boia wrote that the mentality in contemporary Romania lacks civic responsibility and democratic solidarity [4]. People are not willing to involve in causes, to make efforts to educate, document or take actions of solidarity against authorities. This is possibly the heritage of the communist period, but in the Bivolaru case this cannot explain the inertia and the compliance of the civil society - and also their implicit solidarity with the abusive authorities. In order to understand the lack of reaction²⁴ of the different actors of the Romanian public sphere and civil society in the Bivolaru case, one should analyze the information that was publicly available and disseminated in the last 26 years (the authorities messages and the media discourse). This article presents a concise critical discourse analysis of the way the Romanian authorities and the Romanian media presented the case.

A preliminary investigation of the case, consisting of interviews and archive research, documentation (including first-hand reading of over 5000 articles and transcripts of broadcasted news) helped us make a selection of specific periods to be analyzed in detail. Reading the material in the perspective of the framework of analysis presented in previous section, we had already a basis to formulate the research hypothesis, because with few - statistical insignificant - exceptions, the case is presented in an almost uniform manner. One can notice immediately the absence of the voices of the presumably main actors of the case: the yogis of the MISA yoga School and Gregorian Bivolaru. Their point of view is absent in almost all of the articles written on the case. The rhetoric is also quite uniform: aggressive, hate instigating, definitive. The language is full of insults, words with negative connotations are frequently used. The average reader that gets his information from media articles will certainly reach easily the conclusion that Bivolaru and the yogis are "bad, depraved persons".²⁵ However, human rights associations and other institutions and NGOs in Romania

shouldn't adhere easily to such a media discourse, that could be harshly put in these words: "these persons are so bad and guilty that they should have no rights". But, according to Andreescu (2013 and 2016 a) and Popescu (2016 b), they do so.

Regarding the media and mediated discourse, the research hypothesis are as follows:

- the rejection and marginalization of the yoga movement was both explicitly and implicitly (and heavily) promoted by the media discourse;
- the media campaigns are a combination of hate speech and false information that promoted the idea that Bivolaru is a dangerous person and that he is guilty;
- the media generated a misrepresentation of the case that is based on mystifications, including false information provided by authorities;
- there is a consecrated practice of attacking the defenders of Bivolaru.

Other research hypothesis are related to the specificity of the critical discourse analysis and refer to the ideology behind the media(ted) discourse:

- the media and the mediated discourse has ideologic components with roots in the communist ideology and the Securitate practices;
- there is significant gatekeeping and manipulation of information in the case, both by media and authorities;
- The media campaigns are not completely a self-constructed phenomenon, there is a power factor behind the media that generated and fueled them.

3.4. Data Corpus and Data Sampling (selection of articles and public declarations)

There is no indexing system for periodicals in the 1990s in Romania and we have no knowledge of any archives with TV shows and radio shows broadcasted in Romania in that period. Therefore, a huge documentation effort was done in order to identify articles referring to the MISA-Bivolaru case in the printed press. The main documentation source for the period prior to 2004 are written newspapers and journals. For the recent period, all TV shows and news included in our research can be found on the internet. Most of newspapers and journals cited are available at the Romanian National Library. Some of the sources are quoted in the studies presented in section 2, but we decided to verify the original and not to use indirect quotation. We consider this kind of verification essential for such a case, where mystification and propagation of false information is quite frequent and the media is not at all a reliable source. Due to the large period of time to be analyzed and the large number of public declarations and media articles, a selection of significant moments was done, based on historical information acquired from bibliography [3,11,12,14]:

- the beginning of the post-communist period, 1991-1993;
- the years 1996-1997, when a heavily media campaign took place and Bivolaru was forced to resign as a leader of the Romanian yoga movement;

²⁴ Andreescu (2016 a) considers that the Romanian society, by its passivity, participates in the repression against the yoga movement and therefore is the accomplice of authorities in all abuses and injustice done to yogis.

²⁵ And so it is, as recent sociological research have showed that Romanian who take their information about MISA and Gregorian Bivolaru only from media is convinced that Bivolaru is one of the most dangerous European criminals and suggest drastic penalties, even death penalty, as Popescu (2016 b) have presented.

- years 2004-2005, were legal actions took place around the yoga movement and Bivolaru left the country and was granted political asylum in Sweden;
- years 2013-2015, with important juridical events;
- 2016, Bivolaru arrested in France based on an abusive Europol warrant and was extradited in Romania.

Some historical data are included in the next section, together with the discourse analysis of the data corpus, to facilitate the understanding of the contextual analysis. For each period of time the methodology of research was applied as explained above. After general analysis of a large number of media articles, TV news and official declarations related to the case, general trends were identified. About 20 items for each period were selected for intertextual (contextual) analysis and 2-3 examples are selected for the textual analysis. The contextual analysis refers to the whole data corpus for that period. Some comments related to the sociological dimension are added for each period. A synthetic discussion of the results will correlate in section 5 all these findings.

4. Findings: Critical Discourse Analysis of the Data Corpus

In order to understand the analysis of the case, more significant historical data are included in this section. This makes possible the correlation of the discourse with the real facts and also facilitates the contextual and sociologic analysis. Because of the specificity of the data corpus, a special emphasis will be put of actors of the media(ted) discourse in this case, both declared and hidden, and on the ideologic aspects.

4.1. 1991-1993: Bivolaru, a Political Prisoner in Communism, is Presented as a Criminal

A. Context. Facts. (1991-1993)

The political and social context of the first post-communist years in Romania were strongly imprinted by social turmoil, public rallies, instability, confusion - most of these were the reflection or the direct consequence of the conflicts and fights between different wings of secret services and the army. The former Securitate - secret police of the Communist Party - was officially dissolved, but the same people formed new units of secret services²⁶.

The media outlets that started to offspring in the first years of the decade declared loudly to be "free" and "independent". As explained in section 2, researchers questioned the claimed "media independence" - there were the same journalists, the same infrastructure, and the media was largely under the control of former Securitate.²⁷ There was a sudden burst of cultural media - publishing previously censored authors and texts. Satiric

media outlets had a huge success and the political pamphlet emerged as a new genre. A large number of erotic and even pornographic publications were published and their success was due to the complete sexual taboo of the previous years (however, the circulation of such outlets was much lower than expected). The tabloid format was soon discovered by the Romanian media and ever since the Romanian media has a tabloid predilection.

Immediately after the "revolution" several figures became VIPs due to their (genuine or claimed) opposition to communist regime or persecution during the communism. In the case of some persons that were fired, jailed, publicly humiliated or abused psychically, their reputation was restored.

As far as we know, Gregorian Bivolaru is the only political prisoner of the communist regime whose reputation was never restored, but on the contrary he was presented as an infamous criminal and common law offender. Two decades later, Bivolaru filed a lawsuit against the Romanian authorities because of his detaining and condemnations during communism. The final juridical decision (2007) confirmed that he was a political prisoner and all accusations were set-ups of the investigators. His isolation in a mental facility was also declared an abuse, having no medical reasons, but a political character.²⁸

The political conflicts and also the internal fights within the secret services were constantly fueled by large leaks of Securitate files in the media. These files contained secret orders, surveillance notes, interrogatories transcripts, pictures, etc. [18]. Almost all media outlets published now and then such files, although theoretically they were classified. These files revealed the collaboration with the former regime and with the Securitate and different activities of several political figures implied in the power conflicts of that years. As far as we know, Gregorian Bivolaru is the only person not involved in any political and public activity (except the yoga classes and conferences) whose files from the Securitate archives were leaked to the media. Not the real surveillance and investigation files were published, but the set-ups and framed files. All accusations framed by the Securitate were mediated as if they were true, and no real information was published (for instance, there is no information about the decree that made yoga illegal during communism).

After December 1989 the order that banned yoga was implicitly considered not valid, as it was in fact illegal itself. There was no official declaration of public act about it, but yoga courses and groups appeared openly. The yoga movement founded by the group of yogis led by Bivolaru in 1990 offered regular yoga courses and free conferences and published articles and books with spiritual subjects.

Starting with 1990, Gregorian Bivolaru wrote several series of articles for different newspapers and periodicals. His expertise in yoga, tantra, supernatural literature and spirituality was obvious in his articles. He also was frequently invited to radio shows, where he had a significant success [12]. A series of articles about tantra and sexual continence²⁹ that was published in *Zig Zag* drew a lot of attention (probably because the sexuality was

²⁶ The Securitate was abolished by a decision of the National Salvation Front Council on 30 December 1989. On March 26, 1990, the Romanian Intelligence Service was formed by Decree no. 181/26 March 1990. (<https://www.sri.ro/momente-cheie>)

²⁷ The phenomenon was largely studied by scientists in Romania and abroad. See, for instance, Hall (1996) and Tudorel (2008).

²⁸ However, this decision was not at all mediated and it had no effect of reconsidering the previous accusations - as examples in sections 4.4 and 4.5 will illustrate.

²⁹ Control of sexuality, in yoga and tantra ethics, including no ejaculation (except when procreation is intended).

a total taboo in the Romanian media before 1990). Bivolaru's articles on tantra were commented by some journalists as being obscene, in spite of the fact that every media outlet has a section with sexual advices and articles on sexuality and relationships. In the context of that period, with the large number of pornographic publications newly launched, Bivolaru's articles that explain the principles of sexual control are completely different and cannot be considered erotic, but educational.

The teaching activity of Mr. Bivolaru was even more successful than his publishing activity. The yoga classes attracted a large number, mainly young, educated persons (and a lot of students). Estimation of the secret services give numbers of around 30,000 after only two years. The sudden flourishing of the yoga movement, due partly to

the fact that the topic was completely new for the public, attracted the attention of the secret services and a virulent negative media campaign started. Several yoga classes that started in that period targeted the students (age group 18-23 years), hence the large number of young persons in the yoga movement. There is no statistical information from that period regarding the structure of the movement - the first study appeared in 1996 - but all data available suggest that quite few underage persons followed the classes.

B. Official declarations

As far as we could document the case, we found no recording of any official declaration regarding the Bivolaru case in years 1991-1993.

Table 1. MEDIA OUTLETS involved in the campaigns in 1991-1993^a

MEDIA OUTLET	Type	Periodicity	OWNER/CHIEF EDITOR	ORIENTATION	Connections with Securitate
Academia Catavencu	Pamphlets and cartoons	weekly	Mircea Dinescu	political and social subjects	several journalists were secret services' informers ³⁰
Baricada	tabloid	weekly	Eduard Victor Gugui	scandal	controlled by Securitate
Cuvantul	cultural journal	weekly	Ioan Buduca	traditional (critical towards paranormal, oriental philosophy, etc.)	controlled by Securitate
Europa	political	weekly	Ilie Neacsu	communist	the journal was founded by former generals of Securitate [3]
Jurnalul National	tabloid	daily	Marius Tuca	general	several journalists were secret services' informer ³¹
Romania Mare	party-owned media	weekly	Corneliu Vadim Tudor	extreme nationalist, "communist nostalgic"	controlled by Securitate, several journalists were secret services' informers ³²
Tinerama	tabloid	weekly	Rene Pârsan	scandal was used as a launching platform for Securitate files	controlled by Securitate ³³

Table 2. DATA CORPUS FOR 1991-1993. The list of articles is available in APPENDIX

year	media outlet	number of articles	contents/themes	comments
1991	Europa	1	Illiteracy: injurious reference to Mr. Bivolaru as "guru with 4 classes"	introduction of the nickname "guru" Bivolaru's reply was published
1992	Academia Catavencu	3	sex themes (including suggested sexual orgies), suicides, underage students, pregnancies	very serious accusations in short, pamphlet-type articles, with no evidence
1992	Cuvantul	2	group sex (during communism), messianic claims, prophecies, underage students, pregnancies, psychic problems	the author was the son of a Securitate general in spite of the vulgarity and obscenity of the texts, Mr. Bivolaru lost a calumny trial because the articles were considered "pamphlets"
1993	Academia Catavencu	3	documents from Securitate files	calumny trial won by Bivolaru virulent reaction of the journalists
1993	Cuvantul	2	the legality of the yoga teaching authorization sexual orgies during communism other accusations during communism	same as above - the author was the son of a Securitate general, personal information (like home address of Bivolaru) were published
1993	Evenimentul zilei	3	promiscuity in the yoga camps kids left home	no proof whatsoever, calumny trial won by Mr. Bivolaru
1993	Jurnalul national	2	students with psychic problems because of yoga	no evidence, quotes doctors that did not exist
1993	Romania Mare	5	instigations of family conflicts Christian orthodox themes documents from Securitate files	three of the articles were unsigned one reply signed by 105 persons was not published, but mocked in the journal calumny trial won by yogis
1993	Tinerama	2	faked pictures and documents from Securitate files	calumny trial won by Bivolaru
1993	Baricada	1	faked pictures and documents from Securitate files	the copy of an article in Tinerama is presented as a first disclosure
	TOTAL	23		

³⁰ https://www.stripesurse.ro/acuzatii-uluitoare-la-adresa-lui-mircea-dinescu-si-andrei-plexu-ar-fi-agenti-externi_1141232.html

³¹ <http://www.cnsas.ro/documente/adeverinte/2008/Tuca%20Marius%20Valentin.pdf>

³² <https://www.hotnews.ro/stiri-arhiva-1160955-lavinia-sandru-vadim-tudor-facut-politie-politica.htm>

³³ Richard, Hall, "The Dynamics of Media Independence in Post-Ceausescu Romania", chapter in Post-Communism and the Media in the Eastern Europe, edited by Patrick H. O'Neil, Frank Cass, London, 1997, pag 108

C. Media articles/campaigns – overview

The data corpus that was analyzed included all articles that we were able to find in the Romanian National Library media archives on the subject, as listed in [Table 1](#) and [Table 2](#). Analyzing the data corpus, one can see that at the beginning of the 1990's (mainly in 1992 and 1993) a large number of articles criticized Bivolaru and his yoga movement, because he was jailed during the communism. Most of these articles appeared in newspapers controlled by former members of Securitate. The most significant aspect of the media campaigns of these years is the influence of the former Securitate and newly founded secret services in the overall presentation of the case. The witch-hunt of yogis started in communism was continued at large and was heavily mediated in the first post-communist years.

In 2018, after 27 years, our analysis has the benefit of the historical perspective: several studies and disclosures published in the meantime fully document the control of media by secret services in that period, and the connections of several key figures of the campaign with Securitate was revealed. [Table 1](#) and [Table 2](#) present the data corpus and highlight some of the Securitate connections of the media outlets and authors of articles.

The first articles on the subject present the cases built by Securitate workers against the yogis as if they were true. The articles include documents from Bivolaru's file in the Securitate archive, although no mention whatsoever exist in the archives about any journalist accessing the files³⁴.

We also have now the final juridical decision that proves that the Securitate accusations against Mr. Bivolaru were framed or set-ups built to cover the fact that the secret communist police considered that he was an "ideological threat" for the regime. Reading the media articles from the 90s the ideologic origin and the falsity of the mediated message are both obvious - however, in that years of confusion and turmoil, the media articles generated a strong tendency of hate speech, discrimination and marginalization of yoga practitioners.

The main idea promoted was that Bivolaru was an infractor (his convictions were mediated and he was frequently called "jail-man", "criminal", "offender", "recidivist", with no mention of the framing and of the fact that he was considered politically and ideological dangerous). For instance, Europa presented Bivolaru as an illiterate with only primary studies, although he was surveilled since he was in high school. This very first article on the case introduced the nickname "guru" (A1).

In 1993, the Securitate files and faked declarations and reports about sexual orgies were published in media, although the forgeries were obvious. For instance, Cuvantul (A2) narrates a search where all yogis were found naked, engaged in sexual activities (this never happened). The article gives also the home address of Mr. Bivolaru, together with instigation against him. A frequent theme in Cuvantul is related to the so-called messianic

claims of Mr. Bivolaru. According to [\[3\]](#), [\[12\]](#) and [\[13\]](#), Bivolaru never made such claims.

In a brief perspective, we can say that in this period media published contradictory stories that were based on anonymous letters and so-called testimonies, in a language that was both obscene and full of invectives. For instance, some articles claim that Bivolaru is homosexual (A3), other speak about his obsession for young girls (A4), but no real facts are associated with the claims. Some articles mock the idea of sexual continence (A5), while other are obsessed about the pregnancies subject (A6), although it contradicts the sexual control ideas.³⁵ In addition, media tried to instigate family and generation conflicts.

Some articles are products of Securitate workers, while other articles were written by young journalists with no culture, no understanding of communism and its abuses, who found the subject good for scandal. A good example for the second category is the campaign of Academia Catavencu, a pamphlet and cartoon magazine with a young editorial team of students with no experience and professional studies in journalism. This was the former team of Catavencu, that had a professional conflict with the owner of the outlet (when asked by the owner of the magazine to write for an erotic outlet, the team resigned and founded Academia Catavencu). Patrick de Hillerin is one of the authors that wrote in vulgar terms about Mr. Bivolaru, his yoga classes and tantra articles (A8), introducing serious accusations without any evidence (claiming "numberless suicides and pregnant young girls"), trying to make fun of it all - which is a first sign of the cynicism of the Romanian journalists regarding Mr. Bivolaru. After they lost a calumny trial, these journalists did not try to rectify their calumnies, but wrote even more aggressive pieces.

The discourse of the media is, in conclusion, based almost entirely on the cases built by mystification by the communist secret police, the Securitate. According to Andreescu, the only one researcher that analyzed the case in the Securitate archives, the leak of the files in the media is an action of the former Securitate officers, since no journalist has consulted the Bivolaru file before him. Andreescu [\[3\]](#) thoroughly proved the interference of the new secret services since 1992 in the media campaigns.

D. Examples - textual analysis

We have selected two typical articles of that period, in order to illustrate the way the case is presented in the media: based on rumors, on information of the Securitate, with propagandistic elements that reveal the real actors behind.

Example 1. An anonymous letter titled *A Romanian Rasputin: Gregorian Bivolaru*, published in România Mare in June 1993. (A9)

Romania Mare is a periodical owned by the party with the same name, with a strong communist-nostalgic, pro-Securitate orientation. The media campaign was based on a sequence of anonymous letters published as readers' letters. The style of those letters is different, as the authors claim to be former yoga students, friends of students and

³⁴ Andreescu [\[3\]](#) is the only researcher who officially consulted Bivolaru's file in Securitate's Archives. No journalist accessed the file. In his brief presentation of the media campaigns he signals the fact that any journalists that would have researched the case, should be recorded in the Archive's documents.

³⁵ We invite the reader to corroborate such accusations with the discussion in following sections. 25 years after, still no evidence was published for any of these accusations.

“a Christian woman”. But all of them have in common an attitude declared to be Christian and patriotic. They ask the “hero” (leader of the Romania Mare party) Corneliu Vadim Tudor to take action against Bivolaru and his yoga school.

Our example is the first in the series and is a construction that starts from the reality: the huge success of the yoga conferences, the excellent quality of the yoga classes, the high education of the participants. However, writes the article, behind this nice surface there is a dark side that only few people know. The fact that the letter was originated in the secret services offices is obvious in this logic, but also as Mr. Bivolaru is presented as a national threat, a foreign spy who acts against the national integrity.

In this article we find the only reference in the Romanian media to the fact - that is real - that Bivolaru's conviction was related to the Transcendental Meditation (TM) case and that he was considered one of the most important members of the TM. “How many people know he was a prime member of transcendental meditation?” The author considers the association with TM a guilt (again the author reveals his identity).

At a certain point it all goes astray, as we read that Bivolaru was committed to a mental hospital and all the medical staff soon got STDs because of his sexual obsessions (again, no evidence is given). The second part of the text is almost obscene, when referring to Mr. Bivolaru and his yoga classes. The article stated, for instance, that “venereal diseases are in bloom” and makes several comments about promiscuity and sexual perversions.

The editorial space is huge: a whole page in a large format newspaper. The language used (except for the obscene phrases) is typical communist propagandistic language. The personal references to Mr. Bivolaru are invective, vulgar, aggressive (although this contradicts the beginning of the article, where the quality of the conferences is recognized).

The anonymous letters are quite typical as the Securitate *modus operandi*. For instance, after surveillance or denounce of a certain person or event, the authorities claimed that the information was received in an anonymous letter. Ever since, the anonymous denounce was emblematic as a method for the disclosure of surveillance activity.

Example 2. The article *Gregorian Bivolaru: Pornography trafficking and recruiting women*, published in Tinerama in October 1993 (A10).

A previous article in Tinerama attacked the Bucharest officials that allowed the establishment of the MISA Public Library. In reply, a group of yogis claimed the right to rectification. The reply was considered by the editorial board “offensive”; instead of publishing it, they published the article we discuss. It is a collage of pictures and statements from the Securitate files (the forged file for sex group accusations that Securitate did not succeed to complete and led to no formal accusation but was heavily used in campaigning).

The article has a large editorial space: a whole page, with a large ad on the cover page. The large pictures and huge intertitles have a strong visual impact on the reader. The article pretends to present evidences for the “sexual

orgies” accusation. Instead of evidence, there is a story about somebody who took pictures to a couple while having sexual relations. The images are a combination of real and forged pictures and ever since were published several times. Every journal that have published these pictures later claimed to be the first to present them: Baricada (1993), Oglinda (1995), Atac la persoana (1998) are only few examples. In 2013 the same forged pictures were published again “for the first time” on a blog, although they were already available on the Internet.

The content gives practically zero information, has no logical coherence, does not stand for the title. The pictures are intimate, but not obscene and definitely not pornographic, nor erotic and by no means can prove accusations like “traffic with pornography” or “sex group”. Although the images are not pornographic, a black band covers a woman's breast and this, combined with the titles, strongly suggests pornography. To create the impression of authenticity, fragments from a declaration of Mr. Bivolaru are inserted (the photography of the first lines and last line), with the generic start of such a declaration, thus creating the image that all that is written in the article was true.

The accusations are not so tough but presented as “infamous facts”: Bivolaru took pictures to a naked woman and had sex with a woman while another one was watching them and, most outrageous, he was in possession of few issues of Playboy. The facts invented by the author - inspired from the Securitate forgery - are not so terrible, in the end, but are presented in an emphatic way, as the ultimate proof for the promiscuity of MISA and of sexual orgies. The sexual orgies are, though, only mentioned in the titles. The same content was later published by Baricada and even stronger claims were made about group sex.

In this example, we see the victims of Securitate - the group of yogis that the Securitate try to frame with accusations like “group sex” - that instead of having their image restored, are again attacked. Until now (2018), the accusation of “sexual orgies” related to MISA that was obsessively repeated in the Romanian media had no other proof than these first articles, and consequently it is just a construction of the Securitate workers going back in the 1980s. While in the 1980s these accusations were not used and led to no legal action, after 1990 they were persistently repeated in media and in the end became common knowledge. A sociologic investigation of LAYMS showed that Romanians consider that these accusations are true. [5]

Both examples are significant for the dimension of the campaign (large articles with large ads), for the way the case is treated (with no evidence, forged documents and a obscene language) and also for the actors involved. After close analysis, there is one and only voice in these articles: the voice of the Securitate workers that have built up cases against Bivolaru and other yogis, framing them and trying to accuse them of common low offenses in order to make them give up their spiritual options.³⁶

³⁶ Andreescu (2013, page 12) reproduces the order of Securitate to build common low files for the yogis: Colonel Rațiu Gheorghe, Head of Directorate I of the Ministry of the Internal Affairs, note with number 141/DG/0051036.

E. Contextual Analysis

As we have shown above, the media articles published in 1991-1993 are all constructed around the premises that Bivolaru was a convicted criminal and the accusations build by Securitate against him were true. The conviction in 1977 (for “detaining pornographic materials”) was now associated by media with the tantra articles wrote by Mr. Bivolaru and, since he wrote about sexuality, was considered to be guilty of several sex crimes. When writing about the convictions of Mr. Bivolaru during communism, journalists did not mention significant details: nobody wrote that the “pornographic materials” were some issues of Playboy magazine and Julius Evola’s Metaphysics of Sex. Interesting, in the first period, the psychiatric abusive diagnosis was not brought up - probably for not contradicting the criminal accusations, although several references were made about psychical sanity of Mr. Bivolaru. Table 3 displays the references to the condemnations of Mr. Bivolaru during the communism in this data set, and help us understand the influence of the Securitate over the media campaigns. As one can see, the campaigns are almost completely based on the political condemnations during the communist period of Mr. Bivolaru and on the faked accusations.

Let’s see what’s missing from the media’s discourse. The activity of the yoga school was not at all presented. The conferences and the courses are not advertised, nor covered by media. Number of articles that speak about MISA and Bivolaru and presented their point of view: 0 (zero). One reply was published, another one partly published with critical comments. The journalists mocked the replies and did not take into consideration the right to rectification - a trend that continued ever since.

Since calumny was at that time condemned by Romanian law, different yoga practitioners filed lawsuits against the journalists - the answer of the journalists (in Tinerama (A10), Academia Catavencu (A11) and Romania Mare (A3) was to publish more accusations and Securitate-leaked files. The personal implication of the

journalists (that in the end were condemned for calumny) starts to be visible in the articles, as in this quote: “The great impostor Bivolaru Gregorian, the sexual obsessed who consumed an entire page with his pitiful "Right to reply," was pushed by the Old Gentleman to sue us! Greater joy than this could not be possible, as we look forward to playing with this lair of lesbians and pederasts who corrupt the youth, and when we besmirch them in ink, they won’t even be able to crash into the Poiana Mare Bedlam! (A3)

We also notice the ambiguity of accusations and the variation of accusations, that strongly suggest the intended disinformation upon the subject.

F. Sociological Comments (1991-1993)

Since the 80’s the secret service workers tried to frame Mr. Bivolaru for sexual crimes. Three main directions were explored, as the Securitate files revealed: sexual relations with underaged persons, group sex (the definition of “group” in the Romanian legislation of that time being “more than two”) and homosexuality. Therefore, the frequent apparition of the first two themes in the media campaigns. The homosexuality theme was also presented, because of the homophobic mentality in Romania. However, when homosexuality became legal in Romania, Mr. Bivolaru was accused of homophobia. (A12)

The articles speak about the abundance of underaged persons in the yoga courses and conferences. Although the first sociological data about the yoga movement were published in 1996, we can consider this an overestimation. Both Andreescu [3] and Dascalu [12] write that the percentage of underaged persons at the yoga courses was extremely low.

The most important trend from the sociological perspective is the speculation of family conflicts - the debut of a phenomenon that will become critical in 1996. However, the hate speech already shaped the *us versus them* configuration that later resulted in marginalization and stigmatization of yoga practitioners ([3,9]).

Table 3. References to condemnations of Mr. Bivolaru during communism

TOTAL ARTICLES	23	Context	Effect
Number of articles that mention the condemnations	21	Number of articles that mention correctly the accusations and/or the ideological connections: 0 (zero)	Bivolaru appears as a convicted criminal, not as a political prisoner
Number of articles that mention the psychological detention	10	Number of articles which mention correctly the detention facility (Poiana Mare), dedicated to political prisoners: 0 (zero)	Bivolaru is presented as a troubled person, not as a victim of the communist regime
Number of articles that mentioned the surveillance and the relation with transcendental meditation	1	Number of articles that write that communists have declared yoga illegal: 0 (zero)	There is no public knowledge on the fact that Mr. Bivolaru was a dissident and was persecuted for the yoga practice and teaching
Number of articles with sexual themes	23 (all)	Number of articles in which the sexual themes are related to events prior 1989 and are based on Securitate documents: 20	The case was already associated with a sexual scandal
		Number of articles that make the associations of sex themes with underaged persons (with no evidence): 16. In almost all articles, the underaged are also pregnant.	The sex scandal is associated with the underaged girls (illegal).

G. Conclusions for Sample 1.

According to Andreescu, “since 1993, even serious media gave up the idea to present the Bivolaru case in a professional way” [3]. The media articles perpetuated the stories of Securitate or invented scandal stories with no evidence and no witnesses. Mr. Bivolaru, a dissident during communism that had suffered years of abuses during communism, who was perceived by Securitate as one of the most dangerous enemies of the communist regime, was now presented as the enemy of the traditional values of the Romanian society. There is no substance whatsoever in these articles and no real connection to the facts and to the reality of the yoga school, the ideas promoted by the school, the yoga practice and the real activity of Mr. Bivolaru. The media started to create a parallel reality - in order to maintain it, the voice of the yogis did not reach the media.

Since the end of 1993, all collaborations of yoga teachers including Gregorian Bivolaru with radio and written media outlets were interrupted because of the editorial policy. Instead of making things right for the yogis, after the end of communism, the injustice was continued and they were publicly blamed as depraved people. Andreescu explained the total discrepancy of such accusations with the socio-psychological profile of the yoga practitioners, their beliefs and their activity and concluded: “To speak only of slander is yet too little to say. By this manner of systematically associating MISA with a stereotypical image, one can recognize a strategy of stigmatization of a community. [...] The press has made a considerable effort to stabilize stereotypes that can destroy the respectability of MISA members.” [3]

4.2. 1996-1997. Anomaly of the Media

A second period that was selected for detailed study is 1996-1997, because of the abundance of articles, media outlets involved and ideas introduced in the media articles about MISA (as in the previous period, *about* MISA means *against* MISA). Another reason for choosing this specific period is what we consider to be a complete anomaly of the media. The journalists stepped out of their professional role and engaged in activism. They filed complaints against any organization or official that accepted to collaborate with MISA; they founded three different associations of “victims” of MISA and heavily advertised them³⁷; they contacted different ministers in order to obtain the interdiction of activities of MISA; suggested possible legal accusations and even suggested law changes in order to obtain the conviction of Bivolaru.

A. Context. Facts. (1996-1997)

The period was preceded by a persistent hate speech discourse in 1995: violent discourses of political figures against MISA and Bivolaru (on the “children and family” themes that were prefigured in 1992-1993) and hate instigating articles in the media. By the end of 1995, according to [12], the association of MISA with outrageous sexual practices became the usual way the school was presented in the media.

Another direction of the media discourse was to present the yoga school as a cult that brainwashed its followers. The “leader” of the media campaign in 1995 was the newspaper Ziua (the editor in chief, Sorin Rosca Stanescu, was informer of Securitate and colonel of secret services [18]).³⁸ According to reports of two different human rights NGOs (Amnesty International and APADOR-CH)³⁹, the campaigns were not based on facts and seriously violated the civil rights of the yoga practitioners. However, the campaign went on in 1996, with a large span of accusations. Lot of articles contained suggestions for authorities regarding the possible legal accusations (see below the analysis at point D) and even suggesting changes to the legislation in order to condemn Mr. Bivolaru. After dozens of articles demanding it, a legal investigation started for endangering homeland security. Official declarations of Ioan Rus, Minister of Internal Affairs: “MISA has been under surveillance even since 1995, but the Ministry of Internal Affairs, specialists have decided that now is the time to intervene.” (A13)

A public declaration of Romanian Police in Arges county (A14), revealed that the Police had the approval for surveillance of all yoga students, during their personal and professional life. All facilities where yoga classes, conferences or other activities took place were bugged. In spite of the surveillance, no evidence whatsoever was found for any illegal activity. The surveillance report claims that no illegal activity was documented, but quotes media articles to justify that sexual orgies take place at yoga classes (A15).

The yoga students were frequently threatened, their name and personal data were published in media together with accusations like sexual orgies, psychical problems, suicides and pornography (A16).

Harassment and discriminations were reported by yoga practitioners at their workplaces or, for students, in schools. Searches took places at yoga courses with several violent incidents in which the yogis were injured [3]. The authorities gave no answer to the complaints of the victims of abuses and violences of police. Human media ONGs stepped in to defend the human rights of yogis and became the target of hatred media campaigns (A17). Lot of discrimination cases were reported and documented (in which the yogis were the victims), with no legal consequences [3,9]; such cases were not at all presented in the media. Amnesty International asked for the investigation of violent abuses against MISA in the summer of 1996, but the report is mentioned by only one newspaper (A21) and the request was ignored by authorities. The article is aggressive towards Amnesty.

Different other persecutions of authorities became usual: the interdiction to rent spaces for yoga classes and conferences, the interdiction to advertise in the mainstream media, etc. Since the most virulent media attacks were directed towards Mr. Bivolaru, he resigned as president of MISA in 1996 and officially gave up his public activity in yoga teaching, although he continued to give conferences and to write articles and books. [12] The

³⁷ The total number of members recruited was 7 parents of the alleged victims and no actual victim for all these 3 associations.

³⁸ With 33 full-page articles in 6 months, the campaign can still be considered the larger media campaign against Bivolaru and MISA.

³⁹ The reports are available online in Romanian at <http://www.apador.org/en/aspecte-privind-evolutia-situatiei-drepturilor-omului-in-romania-si-activitatea-apador-ch-raport-1996/>

activity of the yoga school continued to flourish, in spite of the continuous problems - for instance, with rental of the spaces. The number of students remained very large and already the courses took place in all big cities of Romania.

An insignificant publishing event had unexpected consequences. The publication of Damar Tantra (1995), a Sanskrit text about urine therapy and its effects (translated by Gregorian Bivolaru), was presented by the media in a very vulgar, disgusting way, as “the Bible of the urine therapy” that all yogis have to follow (A18). Since then, the yogis and everyone else that has any connections with them are presented as “urine drinkers” (see, for instance, A19). When all the accusations against MISA fall apart and the media has nothing more to say, it all comes back to “urine drinkers” (see also the analysis for years 2004-2005).

The activities of the yoga School and the point of view of its followers are still missing from the media. MISA yoga School was also the organizer of two international yoga camps that attract every year thousands of followers from Romania and abroad: the yoga summer camp in Costinesti and the yoga spring camp in Herculane. [12] The events were not presented in the media but were speculated as pretext to have defamation media campaigns. Some journalists claimed to take part in these camps and reported horrifying stories, but they gave no evidence to any allegations. For instance, a journalist that claimed to visit the yoga camp reproduced entirely a previous article, of a different author⁴⁰.

Reports of APADOR-CH, after observing the activities of the yoga school, testify that the accusations in the media had no factual basis⁴¹. A campaign of defamation of APADOR members followed (Table 6). On the other hand, the content of the report was not mediated. A psycho-sociological report that contradicts the media discourse⁴² was completely ignored by media.

B. Official Declarations (1996-1997).

Different politicians gave declarations in Parliament and in media, asking for legal actions against MISA and Bivolaru, based only on media articles.

Example 1. A declaration of a Romanian senator from 1995 is quite important as it is the first of its kind and it was published by different newspapers. We have introduced it here because it is crucial in the evolution of the case in the period 1996-1997 and after. Salagean had read in the Romanian Senate a so-called letter from the “desperate parents of the kids”⁴³ who fallen into the net of the yoga cult of Bivolaru”. The letter contains “the commandments of Bivolaru”⁴⁴, including “the yogis should read only the opus of the Master”, “the diet should

include the own urine and the urine of the partner”⁴⁵, it is forbidden to make the army service”⁴⁶ etc. Salagean had ended his statement asking the authorities to convict Bivolaru.

Example 2. Radu Timofte, senator and former head of the Romanian Intelligence Service, declared for the media his commitment to stop the activity of the “MISA sect, which is a wing of AUM sect in Japan”. (A22) The AUM sect organized the sarin gas attack on the Tokyo subway, in which 6000 people were killed or hurt. MISA has no relation whatsoever with the AUM sect.

Example 3. An announcement of Romanian Police (IGP) was repeatedly published on the front page of high circulation newspapers in March 2007: „Everyone that can have evidence regarding the illegal activities of the MISA sect, of Grig Bivolaru and his accomplices, please contact the organized crime department of IGP”. Note the use of the words like “illegal actions”, “cult” and “accomplices”. Since no common law offense (illegal action) was ever proven, Gregorian Bivolaru has no “accomplices” and did no “illegal actions”.

Example 4. In addition to those real declarations, media also published false official declarations and documents. A good example is the mystification of Romania Libera (A23) which claimed that MISA was declared the most dangerous cult in Romania by a Commission of the European Union (The Anti-Cult Committee). No such Commission existed and no such decision was ever issued. Although Gabriel Andreescu disclosed immediately the mystification in Revista 22 (a cultural magazine with low circulation) no other journalist wrote about the disclosure of Andreescu, but all quoted the article in Romania libera [3]. Romania libera was considered to be a quality newspaper and gave no explanation for this mystification.

C. Media Articles/Campaigns - an Overview (1996-1997)

We tried to find all articles in the mainstream printed press for a general overview of the period, starting from the articles and media outlets mentioned in Andreescu (2013), Dascalu (2013), Bivolaru and Dascalu (2011). We found out that during the years 1996-1997 heavy media campaigns were held in most of the Romanian newspapers regarding the case MISA-Bivolaru.

We read 135 media articles (65 published in 1996 and 70 in 1997) and selected a data sample consisting of 25 articles in mainstream media, equally distributed (regarding to the themes and media outlets) as the whole data corpus. With very few exceptions, all the articles write about the yoga school in a negative perspective. Aggressive rhetoric, combined with dirty language and invectives, maintained the ugly, even disgusting image already created. Most of articles occupy a large space, are very visible, have scandal titles and subtitles and images of nudity (most of these images have no relation to the articles). If not published on front page, they are

⁴⁰ The article reproduced by the journalist appeared in the previous year in a seasonal gazette in exactly the same words, not just with the same story, opinions, details. (A20) The journalist presents the narration of Toma Roman Jr as her personal experience.

⁴¹ See APADOR-CH report <http://www.apador.org/ro1996h.php>

⁴² <http://www.layms.net/>

⁴³ Those “kids” are 20 to 30 years old young adults with superior studies and a stable family and professional position. No case of an underages person was ever documented or presented with proves in media.

⁴⁴ According to Dascalu (2013), Bivolaru and Dascalu (2011), there are no such commandments, in fact there are no commandments for people who take the yoga courses.

⁴⁵ Soteria International made its own investigation speaking with present and ex students of the movements and with no exception they testified that they never heard of such ideas in the yoga school.

⁴⁶ This assertion is contradicted by the very media campaign in 1997, against the yoga students that were in the army (see below the social analysis of this period).

announced by ads on the first page or in the previous number. At the first glance, it appears again that the MISA point of view is almost completely absent from the media articles regarding the case. Indirect or even direct quotations of declarations of Mr. Bivolaru are, according to Dascalu (2013) composed by media and have no connection to real ideas and declarations of Mr. Bivolaru. As most media outlets refused to publish the replies requested (the articles themselves mock such requests), the yogis filed several lawsuits (A3 and [12]). According to Andreescu [3], these lawsuits made the journalists more aggressive in their writings and in their effort to find proves against Mr. Bivolaru. But their first problem seemed to be to find the appropriate accusation against MISA, in order to justify their previous writings.

The media campaigns in 1996 and 1997 have no logical sequence. Although no evidence whatsoever was published so far, the articles often mention that “evidences were previously published” (A24) or “will be soon

published” (A31). By the end of 1996, the MISA and Bivolaru case was already a myth of the Romanian media with its own narratives. The media articles and official declarations gives no evidence but quote other articles/declarations. This is how the campaigns were constructed and, subsequently, the legal files (see Figure 1 and Figure 2).

Tabloid media took a lot of advantage from the case, creating the so-called “MISA scandal”. The subject - which is, as one can see from this research, a very serious case of human rights abuse, discrimination and marginalization - was presented in a derisory way, as a scandalous one.

One of the most active media outlets was once again Ziua, which had published in the previous year (1995) 33 full-page articles of so-called investigations of the MISA case and have openly declared the objective to stop the activity of the yoga school. Ziua was considered a quality newspaper at that time.

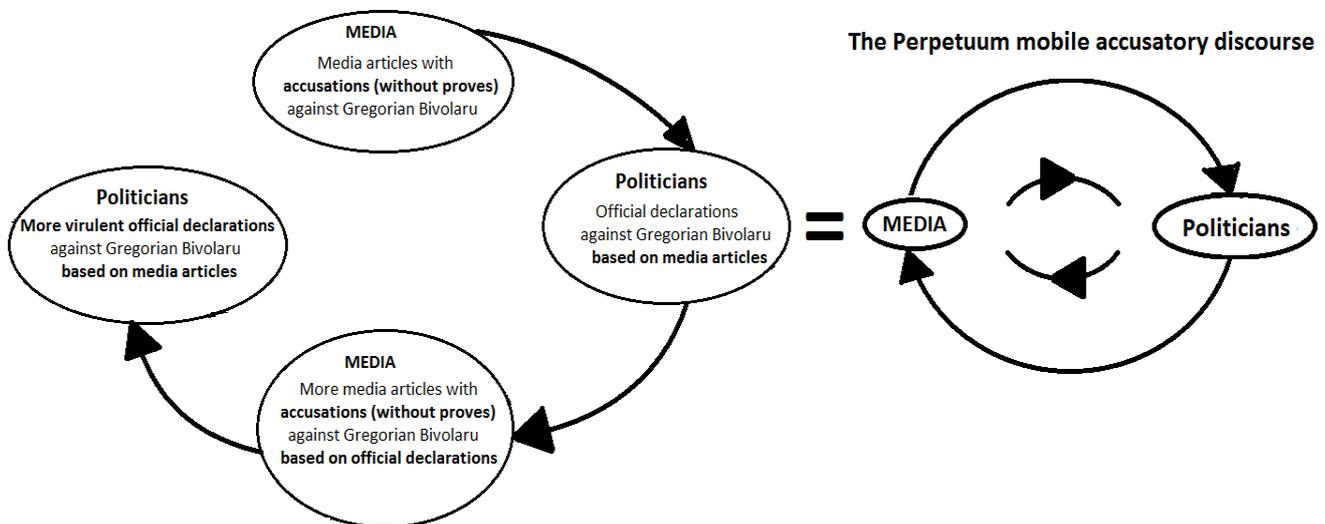


Figure 1. The first vicious circle - the “Perpetuum Mobile” model of the accusatory discourse. Both media and politicians accuse the movement for various illegal and the officials for not taking actions (although authorities took action but found no illegality)

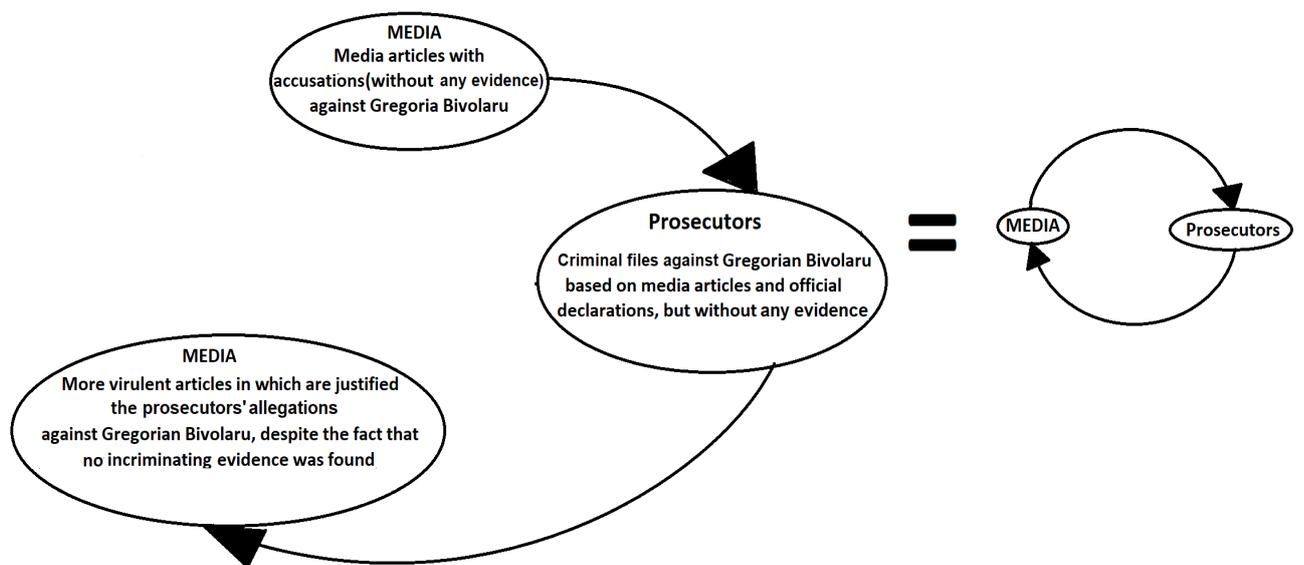


Figure 2. The second vicious circle: Prosecutors – Media. Prosecutors have used the articles from the media (that contained no evidence). The journalists justified their articles by the existence of criminal files constructed by prosecutors

There are several immediate conclusions of the global analysis: the abundance of negative articles, the abundance of accusations, the association of the subject with images of nudity, in most cases having no relations with the case and the articles. There are a huge number of accusations and almost each media outlet had its own line of campaign (some of these accusations were contradictory). For instance, Mr. Bivolaru was accused by media, with no proof whatsoever, for: homosexuality, homophobia, nationalist extremism, danger to national security, eating meat and drinking alcohol (while teaching his students not to do so), psychical problems, promoting incestuous relations, brainwashing his students, claiming to be a prophet, taking material advantages, intentionally contamination of children with HIV, illegal medical practice etc.

A lot of articles continued the line imprinted from 1993: fantasy stories with no evidence whatsoever, complaints of family problems (spouse conflicts or parents - children conflicts) and the documents (forged or real) of Securitate files. There were a lot of aggressive, violent, hate instigating articles. Failing to produce any evidence and to provide witnesses and real stories, the journalists started to claim that they have eye-witnessed the facts themselves (examples A25 and A26) - but they give no explanation why they cannot prove their allegations with evidences (like pictures, audio or video recordings) or why, being witness of illegal facts, they made no official complaint to authorities.

The contribution of the Romanian Orthodox Church which have declared yoga practice a mortal sin gave a new dimension to the case. [3]. Several priests gave declarations for the media claiming that MISA was the Romanian branch of the Japanese sect AUM (it was the period of the attacks with sarin gas) (A24). The main argument was the fact that some cars belonging to yoga practitioners had the license plates including "AUM" letters. Media published declarations of priests, nuns and monks that claimed to witness sexual orgies. The stories are again hard to believe: a priest way an orgy through a hole in the wall, a nun saw an orgy during a walk on the beach, some rangers discovered another orgy during a military action in the mountains (A27).

Another line of campaign was the claim that the MISA yoga courses are not correct, according to the yoga tradition. Different media outlets offered large editorial space to Mario Sorin Vasilescu (the informer of Securitate mentioned in section 2) in order to present to the public the "real, genuine yoga" and to criticize the content of the yoga courses. However, instead of the yoga articles promised (or even to write about the content of the MISA yoga courses), Vasilescu wrote accusatory articles similar with all others, attacking Mr. Bivolaru in a very personal way (A23).

The media discourse in this period can be reduced at a simple statement: MISA is by definition guilty. Journalists have stated the guilt and, although they did not decide yet the crime, the authorities should proceed with condemnations. The Table below (Table 4) is a list of the main themes of the articles, and includes the legal accusation suggested. One can see that, although the sexual themes are the most frequent in the articles, they do not appear in the legal accusation suggested.

D. Examples - Textual Analysis

The examples selected for this period illustrate the determination of the journalist to accuse MISA, the instigation of authorities. They illustrate the cynicism of the journalists who, instead to sanction the human rights violations and abuses of authorities, give the tone of the aggression and hate speech.

Example 1. In June 1996, Libertatea published the article *Police broke the party of the yogis patronized by guru Gregorian Bivolaru* (A28) The article has a very long subtitle: *120 earnest people were searching the absolute, naked, at midnight, in the gym of the "Leu" students' campus. They had come from all over the country to share a glass of urine*

This article appeared after a brutal search of Police and is relevant for the cynicism of the media which, instead of defending the victims of such abuse, is mocking them and presenting as if they have done something immoral, illegal or repulsive. Although the national television broadcasted images from the search, showing that people were dressed in training suits, Libertatea writes that they were naked. The expression used is slang - like "full but". The illustration of this article is significant: a picture from Securitate archives with Mr. Bivolaru standing on the nudist beach (the picture is not pornographic, but private). The most interesting aspect is that this picture is published two times in the same issue of the newspaper. The Securitate mentality is transparent through the entire piece, as the author writes that the yogis should not have been let to practice yoga for the last 6 years. The author, V. Zaschievici, was a secret service informer (disclosure of 2012 [12]).

Example 2. For the second example of this period, we give some titles (and quotes) of articles published in the first months of 1997, all suggesting possible legal accusations against MISA and Mr. Bivolaru. As Adriana Oprea wrote in Telegraf (a local newspaper in Constanta, where there was a strong branch of MISA School): "with a bit of goodwill, all activities can be appropriately legally classified." (A29)

- "The bunch of the "guru" Grig Bivolaru must be hidden behind bars"; România Liberă, February 7, 1997, Mariana Petcu and Flavius Popa (suggested accusations: forgery, use of forgery, deception). Here's a quote from this article:

"Gregorian Bivolaru, an obscure, half illiterate individual, a former common law convict, has become by the ability of succeeding in perverting tens of thousands of teenagers, the only "guru" in the history of the Romanian people. In order to run his paranoid activities undisturbed, he established MISA [...] Below, we present the criminal acts of the MISA leaders and we also ask the General Prosecutor and MAI (Ministry of Internal Affairs) to take action and conduct an inquiry into this."

- "We demand the exclusion from medical life of medics from the MISA sect" - subtitle in an article in the Ziua newspaper, February 21

- "The Ministry of Health should withdraw the authorization of Gregorian Bivolaru", Adriana Oprea, February 21, 1997, in Telegraf

- "Grig Bivolaru and the MISA sect violate Article 30 of the Romanian Constitution", Răzvan Savaliuc and

Cosmin Barbu Stamatov, in Ziua, February 22, 1997 (with the subtitle: "The law forbids obscene conducts that contravene to Christian morals")

- "The quacks of Bivolaru's sect falsified the documents of the Ministry of Health", by Răzvan Savaliuc, Ziua, March 22, 1997

- "Gregorian Bivolaru may be accused of deception and tax evasion", by Cosmin Barbu Stamatov, Ziua, March 28, 1997

"MISA - Dangerous Sect", Romania Liberă, March 1997, suggests the conviction of Gregorian Bivolaru for attempt against national security (related to corruption of youth)

- "Gregorian Bivolaru can be spiritually integrated into the absolute of the prisons", Adriana Oprea, Telegraf, March 4, 1997 (accusation: illegal practice of medicine)

- "Groups and sectarian movements that have been strongly active in the Constanța county", by Lizeta Haralambie, Telegraf, May 13, 1997, gives possible variants for a legal accusation related to Satanism (drug abuse, desecration of graves)

- "The Seed of Anarchy", by Cornel Nistorescu, Evenimentul Zilei, August 6, 1997 - gives arguments for the intervention of the police and the SRI (Romanian Intelligence Service), saying that Gregorian Bivolaru would like to run for public office and thus he jeopardizes the national security

- "The high-risk schizoid psychopath", by Ștefan Tănăsescu, Atac la persoană, October 1997, goes back to a more "tantric" version of the presentation (with pictures released by Tinerama and Baricada in 1993), but suggested accusations related to the destruction of thousands of families, and the course fees

- "Politics, business, sect and sex", Mihail Mihăilescu, România Liberă, November 1997 - gives suggestions for legal actions to deny the rental of a hall for yoga classes.

E. Contextual analysis for 1996-1997

Comparing the whole data corpus for the contextual analysis, we have selected some significant elements and identified several directions of interest for further research. While reading any of these articles one might be convinced of one or several accusations but reading them all reveals the nonsense: the large number of accusations, none of them proven by proper documentation or witnesses. However, the average reader does not read the entire campaign and does not make analysis. Scandal stories instead of journalistic investigations in very poor-quality articles is the common rule for the campaign and they may be very convincing. In addition to those, very aggressive declarations of priests, politicians and Police officers legitimate the campaign and contribute to the isolation and marginalization of the yoga School [5] and [9].

Table 4. Sample: MEDIA CAMPAIGNS IN 1996-1997 in mainstream written press. Selection of 25 significant articles

Media outlet	No of articles in data sample/total of articles in 1996-1997	Themes of campaigns	Legal accusations suggested to authorities	Comments
Atac la persoana	1	Sexual themes Psychic problems	Financial irregularities with the taxes for classes	The same article in Tinerama (1993) with a calumny decision won
Evenimentul zilei	2	Family conflicts Sexual themes	National security - because it would be possible that Mr. Bivolaru candidates to public functions	calumny trial won
Jurnalul national	3	Religion themes: traditional Orthodox values Family conflicts Psychic problems Suicides Sexual orgies The yogic ashrams	Association with the AUM sect Theological subjects	Very large editorial space, full page articles with ad on first page
Libertatea	3	Sexual orgies STDs Brainwashing Paramilitary organization	"The organization should not have been allowed to function freely" because of Bivolaru's condemnations	Securitate influences most visible very large editorial space
Romania libera	5	Psychic problems Sexual orgies Sexual orgies in the army Cult	National security (because of the bad influence on the young generation) Cult	Suggest legal actions against military yogis
Romania mare	1	Family conflicts Sexual orgies, perversions, homosexuality	Homosexuality Brainwashing	Calumny trial won
Telegraf	1	Satanism	Satanism Homosexuality Drug consumption (related to satanism)	One of the most violent campaigns
Ziua	5	Violence Paramilitary organization Plagiarism Sexual themes Illegal medical treatments	Illegal practice of medicine Plagiarism Forgery of documents Violation of christian morality Illegalities related to formal organization of the classes	Very large editorial space, full page articles with ads on first page suggest legal actions against doctors and teachers yogis

Table 5. Some of the themes of the media campaigns

Accusations	victims (real persons involved) versus claimed victims	witnesses and proofs	comments (involvement of church and security, lawsuits)
sexual orgies	claimed that hundred of persons took part in it	no witness ever to such manifestation, no picture or recording	pretended declarations of priests, monks and officers calumny trial won
psychic problems because of yoga	zero real victims, while dozens claimed on the other hand, there are several documented cases of yogis abusively isolated in mental facilities by their family - see one case in section 4.4	none	declarations of doctors (who never treated yogis) calumny trial won
suicides	zero real victims, dozens claimed	none	calumny trial won
illegal practice of medicine	zero victims, versus thousands claimed (no real victim presented)	none	several variations, including or not urine therapy
endangering homeland security	yogis against whole nation	very complicated reasoning, not about facts	there are several variations of the theme: perverting of the young nationalist propaganda
plagiarism	claimed all books and courses are plagiarism	one book particularly discussed – (A33)	the book of Mr. Bivolaru appeared in first edition before the other one

Table 5 puts together some of these accusations, the evidence, witnesses and alleged victims. Note in the last column, that for every accusation, the yogis won calumny trials. Although sexual orgies and other sexual crimes continued to be mentioned in the campaign, these are not mentioned in correlation with possible legal accusations.

We consider that this period illustrates the total anomaly of the Romanian media in relation to this case, because:

1. For several articles, there is no connection with the real-time events. These articles are not news, according to the very definition of the term. For instance, there are articles written in January about the yoga camp that took place in August (A30). The alleged facts (immoral or illegal) are not presented as professional news: they do not present a specific fact that happened in a precise place, at a certain moment. In other words, they do not answer to the basic questions that any news should answer: who? what? when? where? and why?

2. The cross references to previous/future evidences are frequent in the articles. One article introduces an accusation and makes veridic promises of evidence in the next article (A31). But the next article contains other accusations (A32), again with no proves. Then when the first accusation is reiterated, the journalists mention the irrefutable evidence presented before. When putting it all together - see Table 5 - there are no proofs, no witnesses, no victims, but a large quantity of accusations.

3. The climax of the period was a press conference of the journalists in which 17 journalists (that were accused of calumny in lawsuits) presented the case to the authorities and asked for the indictment of the yoga movement and its leaders. The event was a complete anomaly, because by definition a press conference offers information to the media and not the other way around. This “press conference” was preceded by an aggressive advertising campaign which promised to offer evidences

that will urge an immediate action of the authorities. There was also a parallel campaign inviting all people that have evidences and reclamations against MISA and Mr. Bivolaru to take part in the press conference. However, the event was a total fiasco: only one “witness” showed up - a woman that was very angry that her husband, a yoga student, did not accept to have children as he practiced the sexual continence. The “evidences” offered to the authorities were only the media articles, plus a very aggressive press release (A34). However, the officials representing the Bucharest Police gave hate-instigation messages in the following days (see above point B, example 3).

Two weeks later, the head of the General Police Inspectorate, General C. Voicu, interviewed on the topic of “MISA sexual orgies” on Antena 1 TV station, declared: “The police did not have and is not yet in possession of evidence to show a combination of yoga practices with sexual ones, as you called them.” As the journalists were insisting that the media have been long writing on the subject, the general exclaimed in exasperation: “Well, why not bring to the table, sir, actual cases? I mean, at that famous press conference, there was no document, no paper, no referral, or the beginning of a referral.” (transcript apud [12]).

4. Very few voices tried to defend the yogis against the rage of the media campaigns and the abuses of authorities. A pattern started to emerge as every one of them was harshly attacked by media (Table 6). Those are the only defenders of MISA in that period (APADOR-CH authored a report about human rights violation and took part as observer in MISA activities, testifying that the stories published by media are false). All those where denigrated and accused by media. As a consequence, from now on every one who dared to speak defending human rights in MISA case starts with a disclaimer: “we don't agree with who they are and what they do, but they should have rights” (example A35).

Table 6. What the media wrote about the defenders of human rights in the Bivolaru case

Name	Who is he/she	What has he/she done	What happened	Further activity and reactions
Adrian Paunescu	poet, senator, owner of Vremea magazine	wrote an editorial that comment the aggression of the parliamentary speech of Viorel Salagean in 1995	immediately attacked as "urine drinker"	none
Monica Macovei	at that time, leader of APADOR-CH	leader of the APADOR-CH (independent observer - reports defending human rights and documenting the false accusations	was targeted by a very large number of articles as "MISA member", mainly with references to group sex	none related to the case, but still often attacked as "defender of Bivolaru"
Gabriel Andreescu	at that time, member of APADOR-CH	member of APADOR-CH, took part as observer at MISA activities	immediately attacked as "defenders of homosexuals"	wrote books and articles on the case that were totally ignored by media
Renate Weber	member of APADOR-CH	member of APADOR-CH with no relation with the report	attacked when she became presidential counselor in 2004	none related to the case, seldom attacked

F. Sociological Comments 1996-1997

1. By now, it seems to be an open conflict media – yoga movement, because of the trials lost by journalists. While journalists wrote their articles full of accusations, the yogis filed lawsuits. When convicted, the journalists continued with more offensive articles, in a self-proclaimed righteous war with the yogis. The following quote is a good example for the attitude of the journalists: "While not being afraid of Bivolaru's (actually unfounded) accusations and out of respect for the pain of those who asked for our help, in loyalty to the Holy Orthodox Church to which we belong, for fear that the number of victims might increase, we resume the series of disclosures."⁴⁷ Note: we have carefully read all the articles and followed all cross references and again, we found no real evidence or witness for none of the disclosures. The 17 journalists involved in calumny trials claimed to have a righteous war against MISA.

2. One of the most significant sociologic phenomenon related to the media campaign is the family and generation conflicts instigated by media. All cases reported by media refer to "children" over 20 (or 30) that left home or do not obey their parents, but the campaign is always about underaged persons. Three different newspapers (Ziua, Romania libera and Jurnalul National) had founded associations of "victims of MISA" or of "parents of victims of MISA". In spite of large advertising of those associations, only 7 (seven) persons in total were recruited in the associations⁴⁸ - parents that did not accept that their children practice yoga.

3. Although MISA is presented as a dangerous cult, the number of real victims of the various alleged crimes is still null. On the other hand, the number of victims of the media campaigns is growing. There were several professional- focused campaigns against doctors, teachers, military that practice yoga. There are several documented cases of discriminations for yogis who were fired from army and Police [[3], page 69].

G. Conclusions for Sample 2.

The media have already adopted particular interpretation repertoires. If they want to present MISA as a cult, a

paramilitary organization or a promiscuous group, journalists use different words.

The instigations of the secret services are still present in the media, but a new dimension is given to the case due the calumny trials lost by journalists: the journalists are now committed to obtain the conviction of MISA members, in order to get rid of the calumny accusations. However, in spite of their efforts and the huge titles, no proof was presented.

In our opinion, the journalists have invented a dragon and they constructed all the mythology around it. And now they fear the dragon.

The total anomaly of the media approach to MISA case is illustrated by the following comment of Petre Mihai Bacanu (which was considered a prominent journalist at that time). This is what he wrote about a bank fraud by a senator belonging to the government party, named *Gabriel Bivolaru* (România Liberă, August 1996): "When we have heard of the "electronic" fraud from BRD and the name Bivolaru, the dissolute Gregorian Bivolaru came to our mind, a sort of Rasputin, the master of deceptions and scams [...] Did he transfer his sexual obsessions to the banking field, thinking himself above computers and financial experts? A serious thing – that a bank of the size of BRD can be "broken" by a deranged individual." So this is the logic: the journalist has no problem that the bank was frauded by a senator, but insulted *Gregorian Bivolaru*.

4.3. 2004. Media Cover-up and Legitimation of Police Abuse

Since 2004, Romanian Public Ministry conducted openly massive investigations against the MISA Yoga School⁴⁹. All started on March 18, 2004, with "the largest operation against drug trafficking and human trafficking in the post-communist Romania" (A36) - some newspapers also mentioned arms trafficking (A37). This was in fact a brutal assault on the yoga movement⁵⁰. In fact, some newspapers even said this directly: "Over 300 prosecutors, policemen, secret agents and gendarmes have been involved in the largest anti-sect operation in the history of

⁴⁷ Adriana Oprea, "Yoghinii lui Bivolaru il cauta pe Dumnezeu la buda", in Jurnalul Național, 11.11.1996

⁴⁸ The journalists were very active in these associations, filing complaints at various ministers in the name of the "parents of the victims". Some examples are quoted by Dascalu (2013).

⁴⁹ Prior 2004, the case was instrumented by secret services, Public Ministry and Police.

⁵⁰ Reports of APADOR-CH, Amnesty International, So-Just, according to a decision of the Court in Cluj in 2015 and a CEDO decisions in 2016 sustain this perspective.

Romania. The target of the investigators was the Movement for Spiritual Integration into the Absolute and its leader, Gregorian Bivolaru" (A38). The prosecutors gave official declarations about the case, promising to reveal evidence for all the accusations (drug traffic, weapon traffic and human traffic) (A39). However, no evidence was ever presented until now, 14 years after, for none of these. A violent media campaign covered up the lack of evidence and legitimated the abuses, through scandal articles that brought again on the front pages the imaginary sexual orgies (A40), the cult subject (A41) and, most of all, urine therapy (A42). 12 years later, a ECHR decision ruled against Romania with a total of 300000 Euro compensation for victims of the actions of prosecutors in March 2004, because the investigators did not respect the legislation and the rights of the yogis.

In this section we will analyze the discourse of Romanian authorities and the media discourse regarding the action on 18 March, 2004, in order to see how the media acted as an instrument of dominance - instead of disclosing the abuses, the media legitimated them and instigated the whole nation against the victims of the abuses.

A. Context. Facts.

The presentation of the events/facts for this period is, again, based on alternative sources, since media is not a reliable source: the reports of human rights NGOs, juridical decisions, scientific papers and volumes [3] and [12].

After 1997, the media campaign against MISA decreased in intensity. The file in which the yoga school and Mr. Bivolaru were accused to endanger the national security was closed, opened and closed again as the accusations did not stand. In the autumn of 2002, a huge scandal in media was centered around a show that took place in the spring of 2002, in the yoga school (note again the "synchronization" of the news about MISA, highly significant: the news was "broke" 6 months after the event). Few images with "nudity" allegedly from this show were broadcasted as ultimate evidence of sexual orgies, although the actors in the images wore costumes that faked nudity and were not naked. In the cultural context of Bucharest, according to [12], where several theater shows displayed nudity, the hypocrisy of the media was once again obvious. In 2003, another media scandal around the yoga courses in Targu Mures based on the subject of "sexual orgies" was the subject of a new human rights violation report of APADOR-CH⁵¹. The defamation articles had discriminatory consequence over high school teachers that practice yoga. Although the persons involved won the trials with the media outlets for calumny, no reparatory action followed.

In 2004, the same file on "national security" was reopened (although this is not legal, after it was closed the second time) and investigation against MISA started again, ruled by the same prosecutors that conducted the inquiry prior 1989. It was later revealed that several persons were surveilled (and had their phones taped) all this period, including all the years in which the file was "closed". The prosecutors of the case were the same that investigated Mr. Bivolaru before 1989.

A large action that will be described below took place in March 2004, theoretically investigating, in the same file that was about national security, "informatics crimes" - that's what was written on the search warrants. The legal procedure is that the prosecutors should have consistent evidence before obtaining the warrant. In MISA case, the logic was different: the prosecutors hoped to obtain evidence after the searches, in order to build a case for any possible accusation. The case was continued with two files: one in which Gregorian Bivolaru was accused of having a relationship with a girl of 17 years old and another one in which 22 yoga instructors were accused of human trafficking (the meaning of human trafficking is not the usual of sexual exploitation, but an interpretation of the voluntary work). As one can see, none of these accusations can be related to the claimed motives of the action in March, 2004: drug traffic, etc. and has no correlation to national security issues.

On March 18, 2004⁵², 6.00 a.m., 300 policemen (mostly of anti-terrorist troops) and prosecutors took part in a massive operation, that implied searches in 16 houses belonging to yoga practitioners from the MISA yoga school. The houses were devastated and almost all belongings of the inhabitants where confiscated, including carpets, computers, jewelry, mobile phones, video tapes, books, money and IDs. All persons found in those houses where threatened with guns, brutalized or humiliated (for instance, a young woman found on the toilet was kept standing, with knickers down, for almost an hour, with more soldiers pointing the guns at her and laughing⁵³). Other were kept lying on the floor, hit with the boots and beaten.

All of them were taken to interrogatories and detained for more than 18 hours, brutally interrogated without a lawyer, not allowed to eat, drink water, give a phone call or use the toilet. The prosecutors promised them that they will go free if they sign declarations to incriminate Gregorian Bivolaru (they suggested different crimes), but the yogis refused. Finally, when they were released late at night, they were assaulted by journalists with incisive questions about prostitution and drugs. As the policemen stole their phones and money, they found themselves lightly dressed, with no money and no cellular phone (and some of them with no IDs as those were also stolen), on the streets. They had no other possibility to reach home but walking and were followed by journalists with cameras, shouting horrible accusations. The images were broadcasted by all TV stations.

On the other hand, the whole day all news programs broadcasted images from the police action and repeated the accusations of drug traffic, weapon traffic and prostitution when presenting images with the yogis on the floor and the policemen with guns and logs breaking doors. Later it was revealed that all televisions received the footage and the comments from the authorities. The huge difference between "informatics crimes" (on the warrants)

⁵² The narration of the events in March, 2004, is based on personal testimonies of victims, on studies and reports of Soteria International, reports of APADOR-CH, Amnesty International and Sojust, and the volumes Bivolaru and Dascalu (2011), Andreescu (2013), Dascalu (2013).

⁵³ This kind on treatment can be considered torture as, for instance in the case of incidents with american soldiers at Abu-Graib.

⁵¹ <http://www.apador.org/en/apador-ch-raport-anual-2004/>

and “drug traffic, weapon traffic and prostitution” (transmitted to media) raise serious doubts about the legitimacy of the action. As it became obvious that all things confiscated from the yogis houses could not be used as evidence and no accusation was possible, prosecutors chose to follow the angle of “sex with a minor”. All the minor girls in the yoga classes all over the country received interrogation warrants and were brought to Bucharest in order to obtain declarations to accuse Mr. Bivolaru - but no such declaration was obtained. Some of the parents that assisted their daughters in the interrogatories filed complaints about the procedure and the obscene content of the questions addressed to the kids. In the end, the prosecutors decided to use the declaration signed by Madalina Dumitru, a declaration took under torture in March, 18 and immediately denied by the girl (Madalina’s situation is presented in next section). Note that media mentioned this false declaration only one week after, when it became obvious that no other incriminatory declaration and evidence was obtained during or after the action in March 18.

During next days, months, years, the yogis filed hundreds of complaints because of the violence and other illegal aspects of the March, 18 actions - most of complaints were rejected without any investigation - and took part in hundreds of rallies to present their case to the public sphere. The media never presented their complaints, never took an interview to the thousands of yogis in public manifestations. Only one investigation followed, but the general in charge of it (Dan Voinea, the same military prosecutor that investigated the files of crimes during Romanian revolution in 1989) was dismissed just before the file was completed. Dan Voinea presented his conclusions in interviews (for instance, to the authors of this article) but his point of view, also, was not presented by media. In essence, the action was abusive and the investigators subjected the yogis to inhuman treatment. On the other hand, Voinea discovered that the troops that took part in actions were prepared (by prosecutors) as if they would have to face very dangerous, aggressive and merciless criminals.

The truth about the events in 2004 was officially revealed in 2015, in a juridical decision of the Court of Cluj, where the file on human trafficking was judged. The judge wrote that all possible regulations regarding legal actions were trespassed and highlights the fact that the prosecutor tried to interpret the law in order to accuse the yogis. All accusations were found not true and all the yoga instructors declared not guilty (however, not a single media outlet in Romania presented this document). In 2016, the ECHR decision that refers to the abuses during the investigation (but not referring to the accusations at all) confirmed that the action in March, 18, 2004 was a huge abuse. However, in Romania the media, the authorities and the civil society never acknowledged the fact and made no single reparatory action towards yogis. The cover-up and the legitimization of the abuse was the contribution of the media.

As an example, this is how media treated the case of Mr. Bivolaru. As requested by the General Attorney, news agencies broadcasted the news that a warrant was given for Gregorian Bivolaru and that he had the interdiction to leave the country. Both information was false. The journalists were aware of it, but still the news was heavily

broadcasted on all media channels in the last days of March, 2004. Bivolaru was arrested in Nadlac, when talking to the border officers, under the accusation that he tried to live the country. Although he had no interdiction to leave the country and did not try to leave the country illegally, he was arrested. This accusation is not judged under arrest, but he was jailed and brought to Bucharest in chains while the prosecutors improvised a file. The pictures with Mr. Bivolaru arrested (taken in those days) are even now used to illustrate the news about him. The yogis made several rallies and tried to draw public’s attention towards the illegality and abuses of authorities and after three days Bivolaru was released. Soon a real warrant was issued on his name, invoking the declaration (obtained under torture) of the young Madalina Dumitru. Mr. Bivolaru left Romania. In 2005, he obtained political asylum in Sweden.

To make this long story short, Romanian authorities investigated for more than 9 years MISA and continuously surveilled dozens (for some years, hundreds) of yogis and Mr. Bivolaru (including illegal recording of their phone calls), conducted massive searches and interrogated hundreds of persons, had this huge action with 300 policemen, anti-terrorist troops and prosecutors, took all belongings in 16 buildings, the homes of yoga practitioners, and in the end the only legal accusation is sexual relation of Bivolaru with the minor Madalina Dumitru (age 17 and 8 months). This false accusation is the conclusion of a file that investigated crimes related to national security. Both Bivolaru and Dumitru denied the relation. Subsequently, this is the only accusation (note that it is an accusation with no victim) for which Romanian authorities put Bivolaru on Europol’s “Most Wanted” list.

B. Official Declarations

Example 1. The deputy Raj Tunaru gave a speech in the Parliament on March 23rd, 2004, asking the General Attorney to issue immediately a warrant for Mr. Bivolaru, whom he calls “satan”, “monster” etc. These are his words: “Mr. President, We are a country preparing to join the European Union. We are a country that is a member of NATO. We are a democratic state with a police force and other 7 helpless institutions in front of a “schizophrenic”, a “genetic mutant”, both in literal and figurative terms. I am talking about Gregorian Bivolaru, this psychopath who has done everything he pleased on the territory of our country for over 14 years, and the above-mentioned institutions have managed to catch this bastard 3 days ago. How is that possible, distinguished colleagues, how is it possible for this bastard, by the serious crimes he committed, to make 39 young people reach the psychiatric ward, other few hundreds take drugs and become dehumanized, drinking human urine and having group sex. I consider this “Satan with a face of Satan” to be as dangerous as Râmăru, Dr. Hanibal etc. ...” and continued like this for a while. Note that the “group sex” is now mediated from the Parliament’s tribune. The declaration is still available on the website of the Romanian Parliament. (A43)

Note the insults towards Mr. Bivolaru, the false but very precise accusations (hundreds of yogis doing drugs, 39 young people with psychiatric problems), the political order to the General Attorney to issue a warrant, in

absence of any evidence or proof whatsoever for any illegal fact. And positive comments about March, 18.

Example 2. Ioan Rus, Minister of Internal Affairs (05.04.2004): "I appreciate as being strange the release of Gregorian Bivolaru on the grounds of procedure. He could be released on the grounds that he is not a danger for society, because his movement does not have hundreds of thousands of members, but tens of thousands of members, and there are not thousands of mothers shocked by what is happening to their children, but only hundreds of them", quoted by Mediafax. (A44) An indirect quotation of the same (Rus) sounds like this: "you should have kept him in jail until you find the evidence" [12]. The Minister came forward the next day with a much more politically correct discourse, but still not respecting the benefit of doubt.

Example 3, George Bălan, First Prosecutor of the General Prosecutor's Office, (19.03.2004)⁵⁴: "Many people were interrogated, more than 20, 30, 40 people. You will have surprises next week and I'm sure the media will be more than interested in our actions." Note the ambiguity of the figures - 20, 30, 40... there were over 80 yogis. The surprises were not so surprising, since no evidence was presented so far.

Example 4. Commissar Ioan Bejean (19.03.2004): "The head of the Anti-Organized Crime and Anti-Drug Service Covasna, commissar Ioan Bejean, declared yesterday in a press conference that between 1995 and 1996 several young people from Covasna attempted to commit suicide after attending MISA meetings. Bejean said that in 1996 MISA opened its activity in Covasna County, and had only a few members but had many followers and an investigation was conducted on this subject. The investigation was done because between 1995 and 1996 there were between 20 and 25 suicide attempts among the young people in Covasna and it was found that they had attended the MISA meetings."⁵⁵ Note: no suicide of a yoga practitioner ever happened in Romania, in relation to MISA. Media mentioned 2 cases in the 90's but did not justified the alleged connection with the yoga school.

Example 5. Ioan Talpes, Minister of state, quoted by lot of media articles (03.04.2004): "I have no information about MISA," the current state minister said, adding that in this case it could be about the "non-payment of taxes or violations of tax regulations." (A45), - This is quite typical declaration for officials that "know nothing" about MISA and launch accusations (although less terrible than the others, these accusations of tax evasions are still criminal offenses).

Example 6. A Press Release of the Public Ministry (20.03.2004): "According to a press release issued by the Bucharest Court of Appeal, the action was triggered also as a result of the complaints made by several citizens regarding activities of prostitution and drugs trafficking."⁵⁶ This is quite a transparent try of the authorities to justify the attacks in March, 18, invoking the voice of the people.

C. Media Articles/Campaigns – Overview

We have identified over 1600 of articles in written press and news broadcasted on TV in 2004, in direct

relation with the events on March, 18. For the TV news programs and other types of shows, we have used the archives of the MISA Library. For the printed press, National Library Media Archives were consulted. Unfortunately, there are no archives of radio shows. The period is situated just when Romanian journals started to implement online versions, but even those that were functional at that time are not available now.

The analysis in this section differs in principle from previous sections by the fact that here we were focused to discover how a specific moment/event was reflected by media. However, almost all articles referring to MISA in 2004 mentioned with more or less details the action in March, 18.

In the day of the attack (action) of the authorities against the yogis, all TV channels broadcasted images from the searches (offered by the prosecutors), with no consideration for the rights of the victims. The media presented the case as if the yogis were very dangerous, as if they were already convicted as found guilty, and made a lot case around the authorities' promise to present evidence. For the journalists familiar with the case, it seemed that in the end all their righteous war against MISA (that we have presented in previous sections) will be legitimated and will have a meaning and a closure.

So, from the very beginning, the media presented the action of the authorities as the happy-end of the media fight with MISA (A46). The media discourse is aggressive, violent, dirty, with no consideration whatsoever for the dignity of the victims. It is a hate speech with a consistent component of mockery, trying to obtain not only the hate reaction of the Romanians, but also their disgust towards MISA and their implicit consent to the attacks⁵⁷. Nobody seemed to notice that the point of view of the victims was ignored - indeed, some attempts to interview the victims existed, by all were in terms of "drug traffic and prostitution" that nobody doubted. There is no wonder that the victims of the actions in March 18, approached by the media after more than 20 hours of illegal detention, refused to answer when the journalists accused them instead of asking for a point of view. It didn't take long to notice that no evidence whatsoever was produced. A simple reasoning and a legitimate doubt regarding the actions of authorities (because of the many trespassing of the procedure) could help the journalists to understand that, if all things in 16 houses were confiscated and all the inhabitants interrogated and nothing interesting emerged (and no legal charges were stated) then probably there is nothing wrong there. Indeed, there were several, very few, voices of mature journalists asking the authorities: "Show the evidence!" (A47). But these wise reactions where drowned in a huge quantity of articles that blamed yogis for every possible accusation that was ever mentioned in media in the previous years (see again the previous section for a list). Instead of publishing evidence about "drug traffic, weapon traffic and prostitution", media articles republished some of their own stories, and considered the event in March 18 as the ultimate proof that all what they wrote about MISA was true. There were lots of negative

⁵⁴ Romanian National Television, 19.03.2004

⁵⁵ Razvan Savaliuc, Ziu, 31.03.2004

⁵⁶ Adina Anghelescu, Se strange latul in jurul lui Bivolaru, Ziu, 20.03.2004

⁵⁷ Gabriel Andreescu considers that all Romanians are equally guilty of these abuses (as authorities), because of their implicit consent given by their absence of reaction.

articles, and reading them in sequence, their subject seem to slide: from “drug traffic, weapon traffic and prostitution” to the more general “organized crime”, video-chat, then informatics crimes, then copyright-related crimes, anti-semitism, cult, brainwashing, sexual orgies, promiscuity. And in the end, urine therapy. Again. As it became more and more obvious that the authorities will not give them anything, the media covered their own cover-up in March, 18 with long articles violently accusing MISA to be the enemy of the nation. It appears as if the media are disappointed with the incapacity of the authorities to convict Mr. Bivolaru and other yogis and fuels itself the accusations. MISA and Bivolaru are again and again presented as the no.1 public enemy of the Romanians, instead of disclosing the fact that there is no proof, no guilt of MISA, but huge abuses of authorities.

D. Examples - Textual Analysis

The first example we have chosen for this section illustrates the preeminence of the sexual themes in the campaign against MISA, although no evidence pointed to any sexual-related legal accusation. The second example shows how, by rhetoric and linguistic means, an article that has some positive aspects - it is one of the very few that speaks frankly about the lack of evidence and the nonsense of the actions on March, 18 - is still a negative article, tying MISA to Saddam Hussein, sexual crimes, human trafficking and so on.

Example 1. Sexual references in titles of articles (we have chosen this example because approx. 1/4th of our data sample have explicit sexual references in the title. *All* the articles have sex-related subjects in the subtitles and body of articles):

- “Gregorian Bivolaru is a guru that managed to gather thousands of followers by spreading yoga discipline, by urine-therapy and sex” (A48)
- “MISA Sect - Sex and Drugs” (A49)
- “Disclosures about the activity of Gregorian Bivolaru's MISA group – “They were having group sex””(A50)
- “Would you let your daughter be “deeply penetrated” by Bivolaru?”(A51) Note: the author, Gabriel G. Stanescu, was at that moment professor of media ethics at the Faculty of Journalism in Bucharest
- “MISA and the promotion of pornography in Romania” (A52)
- “Declarations with erotic fantasies. Prosecutors take sex lessons from Bivolaru's girl pupils” (A53) Note - this is one of the most cynical articles we have encountered in our study. It is about the large-scale action of the prosecutors that interrogated all the underaged girl in the yoga classes - about 50 in all country (compare this figure with the thousands claimed by media in previous articles!). The parents filed complaints for the perversity and sexual explicit questions of prosecutors addressed, for example, to 14 years old. Although none of these girls that were abusevely interrogated by the investigators give declarations of any sexual relationship with him, they were presented as “the teenagers mistresses of Bivolaru” in articles with explicit sexual content.
- “Erotic adventures of Gregorian Bivolaru have reached the debate of the ... Constitutional Court”

(A54) Note: this, probably intended ironic, title, refers to a juridical action filed by Bivolaru’s councilors.

- “The performances of the Bivolaru Gregorian clan”: “I've had sex with 6000 women” (A55) Note. Gregorian Bivolaru never gave any public or private declaration about his intimate life. In spite of this, a large number of articles make speculations on the subject. The quote in the title suggests the direct quotation of a declaration that, in reality, is the invention of the journalist.

Example 2. This is one of the very few articles that have noticed the lack of evidences offered by authorities (A56). However, it succeeds to be a very strong propagandistic article against MISA, although it says quite plainly some intelligent ideas. “The “Gregorian Bivolaru” judicial business fills the summer program as an entertainment show. It's just like a soap opera. Somewhere, from a Saddam Hussein-type hideout, the persecuted guru sent a cassette to a TV station, philosophizing about life and human rights, but also vehemently accusing the abuses of the authorities against himself and his group. I have neither the qualification nor the evidence to say whether Bivolaru is the head of a deeply harmful sect, if he is guilty of sexual crimes, of human trafficking, etc. But, months after the forceful raids of masked men led by commissioners, quaestors and prosecutors, of such a magnitude as if they had found a nest of terrorists, the authorities deflated. The investigators, under the pretext of dealing with a “complex case”, after procedural blunders, are stuttering again and again. [...] It was ridiculous how secret intelligence structures were not able, for so many years, to gather evidence, in case they had ever existed”.

Note that the author of the article manages to say things like: deeply harmful cult, sexual crimes, human traffic, in the same phrase with Bivolaru’s name. He associates Bivolaru with Saddam Hussein and calls the yoga school “a gang”...

On the other hand, the article explains the fact that the yoga school was under strict surveillance for over a decade and still there is no evidence, the failures of the actions on March, 18 and the inconsistency of official declarations. Why combining these pertinent remarks with the rhetoric techniques above? The overall result is not so “good” for the victims of March, 18 since the public is much more sensible to those messages than to the logical sentences about the abuses.

E. Contextual Analysis

The contextual analysis of the articles selected for this period revealed the fact that once again the voice of the victims is missing from almost all media articles. The very few articles that mention their perspective, usually do so in indirect quotations, so that there is no guarantee of the real content of declarations, or use faked quotations, like the title in Example 1 above with an invented quotation.

After presenting the police actions and their severe (but never proven) allegations about MISA, media started to reiterate the old subjects of previous campaigns, to republish stories from previous years, instead of asking questions about the investigations⁵⁸.

⁵⁸ Simona Ionescu, “Femeile geloase din viata lui Bivolaru”, in *Libertatea*, 14.05. 2004.

On the other hand, facts that could be huge news subject were never mentioned by media:

- the accusations announced by prosecutors in the press conferences were not similar to the one on the search warrants

- the anti terror units involved showed off their force: they broke down doors that were not locked, broke windows when the doors were open, jumped over fences (when again doors were open), put the guns of the head of unarmed persons, keep them summarily dressed (as they were sleeping at 6 a.m) for hours, lying on the floor or in the courtyard etc.

- the detention and interrogation of 80 persons without warrant, as witnesses, without being assisted by lawyers, etc.

There was no reason for the violence of the actions in 2004 (i.e., a reason related to the MISA followers and activities that would justify the idea that the yogis are violent and dangerous), but the media considers that the violence of the actions is a motive in itself to claim the fact that yogis are violent and dangerous. This is quite a deceiving perspective, as one can notice the fact that media seemed not to understand, in the end, the fact that there is no concrete evidence in the case.

In April 3rd, Cristian Levant - the journalist that also deconspired the order to broadcast an inexistent warrant makes a list of accusation that were claimed, but not yet proven, in the article: "Bring out the evidence! Guru made the Prosecutor's Office kneel down", (A47)

"Prosecution allegations yet unproved:

Against MISA

- Tax evasion
- Crimes under the Organized Crime Law and the Law of Pornography (MISA Video Chats)

- Money laundering
- Trafficking of pornographic material
- Human trafficking
- Drugs trafficking and use
- Undermining national security

Against Gregorian Bivolaru

- Sex and repeated perversion with minors
- The attempted fraudulent crossing of the border".

Table 7 illustrates the "sliding" of the accusations and the lack of "evidences". This evolution of the angle in which the case is presented is quite significant by itself, as accusations "drug traffic, weapon traffic and prostitution" were left far behind.

The gradual shifting of the subjects illustrated in Table 7 reveals once again the influence of the secret services (especially SRI) in the campaigns about MISA.

In 2004, when the press statements of prosecutors could not be sustained, secret services stepped in and took over the campaign. This brings up a much more sensible question: why the surveillance activities produced no evidence, not even a hint? The legitimate questions of some journalists were ignored, while secret services poured a lot of propaganda material into the media: anti cult documentaries, and the sexual orgies subject.

A verification of all cross-references of media articles going back to sources revealed that there is no evidence, no victims and no witnesses. Example 4 in section 4.3.B above is an excellent example, much more significant as it came from an official declaration. The suicides mentioned are not real, and the media of that time mentioned only two cases, that were not connected with MISA in any way.

One can also notice the active role of the media in the abuses, by instigation and cover up in the same time.

Example 1. An article that claims that there have been no abuses in March, 18 (remember that now there is a ECHR final decision sanctioning the abuses): "In their ignorance MISA followers also say that their image rights had been violated and their IDs were detained, which made them unable to vote, and thus their constitutional rights were violated. However, all raids were carried out according to the law, based on a warrant issued by a judge." (A57) Indeed, there were several yogis that could not vote in the Presidential Elections in December 2004, because their IDs were confiscated on March, 18 and never returned.

Example 2. "In addition to group sex, urine therapy and "yoga," Gregorian Bivolaru's followers have two obsessions: rallies and recusing judges." (A58) This is a very interesting strategy of putting together false and real information, in order to make it all look bad. We notice once again the total, impossible to excuse, cynicism of the media who mock with cruelty the victims of abuses and their resistance.

A comparison to the previous sample shows for this one a different type of uniformity. While in 1996-1997 all media agreed that Bivolaru is guilty - so there was a consensus, but the content was very heterogenous, here there is the uniformity that raise serious doubts. By no means, such a complex case could have been presented in such a similar way by different journalists, if other ideologic elements would have been missing.

Table 7. Evolution of accusations

Month	accusations	based on	proved by
18-20 March, 2004	1. Drug traffic, 2. Undermining national security 3. Human traffick; prostitution	Prosecutors declarations	Nothing - future evidence
from 21st March 2004	Trafficking in pornographic materials	Prosecutors declarations	Nothing - future evidence
April 2004	Paramilitary organization	SRI	Nothing
May 2004	Software licenses	Ioan Talpes, Minister of state	Nothing
June 2004	Taxes	Ioan Talpes, Minister of state	Nothing
July 2004	Madalina Dumitru	Prosecutors declarations	Nothing
August 2004	Copyright	Ioan Talpes, Minister of state	Nothing
September 2004	Cult	SRI information	Nothing

F. Sociological Comments

The cover up is only one side of the Bivolaru case. The hate speech, with all its consequences (discrimination, stigmatization, marginalization) is another side of the story. The media was, since 2004, the main instrument for continuous stigmatization of the yoga movement. As the studies of LAYMS illustrated, the media campaigns can be considered the main cause of discrimination of yoga practitioners and their stigmatization in Romanian society. Prior 2004, there were reports that drew attention on the phenomenon, but recently quantitative sociologic research (a study with over 3,000 respondents) make the causal connection of the two: media campaign and discrimination.

The instigation of the media is illustrated by these quotations from a news show broadcasted in prime time by the most important news channel of that period: Realitatea TV (A59): "However, if we corroborate what happened to Bivolaru for so many years in Romania, how many souls he has perverted all this time, what crimes begin to be seen among the multitude of more or less justified charges, what else is still to be revealed - because I say again - I feel that they will find even worse things. What interests me is that we have to decide: do we want or not to have to deal with such phenomena, of MISA-type, of the type of Bivolaru, whom we have to bear with, who sued journalists and even worse. It's unforgivable ..." (E. Isopescu)

The same journalist launched a war call: "At the moment, it is a fight between 20 million Romanians and 78,000 followers of MISA." (A62)

Most significant is the campaign launched in January 2005 by two newspapers controlled by the secret service colonel Sorin Rosca Stanescu. A huge prize in money was offered for any indication about the whereabouts of Mr. Bivolaru. The campaign included TV ads that were heavily broadcasted by 4 TV stations, national television included (A60, A61): "Gardianul and Ziua offer a 50 million lei reward to those who can give useful information for catching the MISA leader, Gregorian Bivolaru! He is in Romania! Those who have any information can call the phone number 021.224.68.80. The initiative of the two daily newspapers is supported by a television campaign, which is unfolding starting today, Monday, January 24, 2004, on Realitatea TV, Prima TV, TVR 1 and B1 TV".

G. Conclusions for Sample 3

After the actions in 2004, a striking shift was noticed: while by now media instigated the authorities, from now on media cover the abuses of authorities through a violent hate speech discourse. Media were used as the main communication channel for accusations like human traffic, weapon and drug traffic. The prosecutors promised evidences for all accusation, but they presented none.

No justification was given for the violent actions (see the ECHR decision for more details), but the media campaigns continued. Again and again, new accusations were claimed, all having no evidences, no witnesses, no victims. Again, the journalists stepped forward as "eye witnesses" and stories published in 1996-1997 were presented again as being news, with no evidence whatsoever.

Media accepted to broadcast false news as requested by authorities, in order to arrest Mr. Bivolaru. The false information that there was a warrant for him was

presented by all media outlets, at a time when no legal action was started and no such warrant existed. Bivolaru was abusively arrested and detained for 3 days. The Internal Affairs ministry at that time declared that Bivolaru should be kept in jail until evidence against him will be found - a declaration that confirms not only the power abuse, but also the fact that no proof whatsoever existed.

The discourse analysis of the authorities' declaration reveals the total disrespect of legal procedures and basic human rights of the citizens. It is a hate instigating speech. The discourse analysis of the media articles shows that media acted as an instrument of an abusive power. But it is not just a cover-up discourse, it is hate instigating as well.

When taking into consideration the legal decision that unveils and documents the authorities abuses⁵⁹, the case is clear. However, no rectification was ever done in Romanian media. More than that, after ECHR established penalties for the 2004 abuses, media presented the decision as if the victims of abuses are guilty for imposing these penalties to other Romanian citizens as contributors. Even now (in 2018), media articles reiterate the accusations of 2004 campaign, making no reference to the legal decisions that denied them.

4.4. 2005-2015, with Special Focus on 2013. Mystification around the Juridical Case

The main topic in the analysis of this period is the way the media presented the lawsuits and the legal decisions in the cases related to Mr. Bivolaru and MISA Yoga School. Precisely, we will show the mystification of the media which displayed a "victim" of Mr. Bivolaru, different that the one implied in the juridical decision. In the meantime, the presentation will illustrate the way the media completely ignored all juridical decisions in favor of Mr. Bivolaru and other yoga instructors, but on the other hand mediated intensively the (fewer) unfavorable juridical decisions⁶⁰. In fact, there was only one final juridical decision against Mr. Bivolaru, but the media continued to present him as guilty of different charges of which he was, in fact, acquitted. Soteria International took part as an observer in that trial where, after two favorable decisions, Bivolaru was convicted - the information presented here is first-hand information from Soteria documentation and direct testimony of the authors of this research.

A. Context. Facts.

In 2005, Gregorian Bivolaru asked for political asylum in Sweden, and was immediately detained because Romania requested his extradition, claiming that he was a dangerous criminal, investigated for organized crime. At the request of Romanian prosecutors, Bivolaru was detained in isolation for over 10 months. Finally, The Supreme Court of Sweden refused the extradition and offered him the status of political refugee. In the meantime,

⁵⁹ The document issued by the Court in Cluj in 2015, available on the Internet here: <https://www.scribd.com/doc/312023308/Motivare-Instantei-Clujene-Care-a-Condus-La-Achitarea-Lui-Gregorian-Bivolaru-Si-Altor-20-de-Persoane-Din-Cadru-MISA>.

⁶⁰ Investigations, warrants, lawsuits filed against Mr. Bivolaru are mediated as final proof of his guilt.

a lawsuit against him was filed as basis for the extradition request. In this file (the first of the two lawsuits that followed after the investigations in March 2004), Bivolaru was accused of several different things: attempt to illegally leave the country⁶¹, traffic with minors, sexual act with minor. The prosecutors claimed the investigation in the file started long time before March 18, 2004 (in order to justify the action and use the “evidence” obtained). However, the file contains an amalgam of completely different accusations, somehow similar as the media campaign in the previous years. The warrant issued in this file (although the trial was still going on, the warrant was justified by the argument the he could influence the witnesses), was the basis of the first extradition request, request that was denied by Sweden. In order to obtain the extradition, another lawsuit was filed in 2005, for human traffic. 20 yoga instructors, along with Mr. Bivolaru, are accused for “human traffic” of 8 alleged victims, that claim millions of euros as compensations for their voluntary work while they were living together with other fellow yoga students (for periods of several weeks or few months). Another warrant was issued, followed by and a second extradition request to Sweden. The indictment file of this trial was leaked to media and published online on the Internet before the parts in the lawsuits were officially served.

When again extradition was denied and Bivolaru was granted political asylum, it seemed that Romanian authorities started to figure the case can have an impact over the country reports regarding the EU integration.⁶² In order to compensate the human rights issues of the case and the very sensible fact that a Romanian citizen was political refugee of an EU country, the media continued to exaggerate the accusations against Mr. Bivolaru. Continuous media campaigns with the same subject: sexual orgies, drugs etc. were all over the media. Now there is an additional source for these campaigns: the indictment, consisting of more than one hundred volumes, most of them consisting of media articles that are included as evidence in the indictment, although the articles present no evidence at all. The two trials went on in parallel. In the first one, Bivolaru was acquitted for all accusations in 2010, as the Court decided the facts did not exist. Prosecutors appealed the decision and the case was judged again, and again Mr. Bivolaru was acquitted in 2011. A new appeal brings the case to the Supreme Court in Bucharest, where the judges decide to start the whole trial from the very beginning, claiming that Mr. Bivolaru (who was previously acquitted two times) could not defend himself. Ironically, the deposition of Mr. Bivolaru, recorded in Sweden for the trial in Romania, was ignored by the judges and in the end (in 2013) he was sentenced for 6 years in prison for “sexual relation with a minor”. In the second trial, the Court decision in 2015 acquitted Bivolaru and all other yogis for all accusations, and

instead claims that the prosecutors are guilty for the abuses in the investigations (including March, 18, 2004) and for interpretation of the law in order to accuse innocent people. In 2016, ECHR confirmed human rights violations in March, 18, 2004 with a decision that costs the Romanian state 300,000 euro penalties for victims of the abuses in March, 18, 2004.

Until now, the only final legal decision against Mr. Bivolaru is the conviction in 2013, for sexual relation with a minor, with a sentence of 6 years in prison. It is the one that was the pretext for the abusive Europol warrant in 2016. Therefore, a particular attention is needed to all aspects of this juridical decision, as to its history. The first striking element of the allegation of “sexual relation with minor” is that the young woman considered victim by authorities have never made any complaint against Mr. Bivolaru. She never admitted to have any intimate relation to him and, on the contrary, declared that she was abused by Romanian authorities. This is her story, documented directly by Soteria.

Among all 80 persons interrogated in March, 18, 2004, only one was underage: Madalina Dumitru, age 17 and 8 months and she’s the one on whom the most pressure was put by authorities. She was the only one that accepted, under torture, in an interrogatory not assisted by a lawyer or a family member, to sign a complaint against Mr. Bivolaru, mentioning a (non-existent) intimate, sexual relation. Madalina later told what happened to her in that day. After 18 hours of isolation, not being fed and not allowed to call anyone (or use the toilet), threatened that she will be imprisoned if not signing the declaration composed by prosecutors, she accepted to sign it, although she never had any relationship with Bivolaru and has no accusation or complaint against him. In fact, the very next day she took a legal advisor, made a new statement, and filed a complaint about the abuses of prosecutors she was victim of and declared the illegitimacy of the first declaration. In the next days, she was kidnapped by authorities and isolated for many months, theoretically to keep her away from the influence of Mr. Bivolaru. The media presented her case with no respect for her condition (she was a minor), the story of the alleged relationship with Bivolaru was presented in a degrading manner all over the media without protecting her image and her name. While destroying her image (and her life, as she never managed to graduate high-school after the incidents) pretending to defend her against Bivolaru, everybody ignored her struggle and her true testimony. The real declaration of Madalina reached the media for the first time in February 2016, 12 years after the events and 3 years after Bivolaru was condemned for a non-existent relationship with her. Note also that the consent age in Romania is 15, so by no means a non-existent relation with a 17 years old young woman could be a reason to accuse anybody.

As mentioned above, Soteria took part as an observer in the trial of Mr. Bivolaru. Several abuses of the court were mentioned in the reports of our association⁶³. There were

⁶¹ While Mr. Bivolaru had the right to leave the country freely, having no legal restrictions at that time, the set-up can be easily unravel. However, media went on the authorities’ version.

⁶² Romania and Bulgaria both entered the UE in 2007, after negotiations around critical issues as Justice and corruption. Until now, Romania is still on the last positions between the European countries regarding the democracy scores and Justice is still one of the most low-rated domains in Romania. Problems of Romanian justice were often brought up by officials in EU and MPs of different political orientation.

⁶³ Observational Analysis: Judicial Persecution of Gregorian Bivolaru, Founder of Largest Spiritual Movement in Romania and Implications on the Human Rights, 2007, <http://www.layms.net/images/docs/MISA/Soteria%20International%20-%20GB%20and%20MISA-EN.pdf>

not only violations of procedures, but an unacceptable mockery of witnesses, so-called victims and also lawyers in the trial. For instance, the judges decided to accept the appeal of the prosecutors (after two decisions in favor of Mr. Bivolaru), claiming that the defendant was not given the right to defend himself (although he had won the trial). During the trial, the testimonial of Mr. Bivolaru was not accepted. Another example of irregularity was the way the supposed victim was treated: as she refused to have any accusation against Mr. Bivolaru, her testimony was neglected and, although she denied having a relationship with Mr. Bivolaru, the court sentenced him to 6 year in prison for this alleged relation. Even more, as the victim had the age of consent according to Romanian, the court stated that Mr. Bivolaru, who did not teach yoga classes since 1996⁶⁴, was her teacher. Finally, the judge presented a so-called threat letter that he said was sent to him by members of the yoga school (without offering any proof - this is another lose end of the case). The media presented the conviction in 2013 as the main juridical event in the case, and totally ignored other juridical events that could make huge news, like the decisions in favor on Mr. Bivolaru in calumny trials with different journalists, the decision that claims that he was a political prisoner during communism and that his phone calls were illegally listened.

Gregorian Bivolaru filed a lawsuit to attack the accusations of the communist courts against him. In 2007, the court ruled the final decision that confirms that all convictions he suffered during communism were acts of political police. The psychological diagnosis that was given in order to put him in a mental facility in 1989 was also declared to be a political (and not a medical) act. Although no financial compensation was payed, the decision itself is a kind of moral compensation that should have payed back the incarceration, the surveillance, searches and other persecutions that Bivolaru endured during the communism. The effect was almost annulled by the way it was presented to the public opinion: not as an act of justice, but as an insignificant fact, related to the "paranoia" of Bivolaru that accuses authorities of abuses (as in 2004) (A59).

A yoga student who was abusively put in a mental facility by her parents in order to give up yoga practice and put on medication won a lawsuit against Romanian authorities which did not defend her rights. The case was heavily mediated in 2004, as an example of family conflicts and so-called psychic problems of a yoga student (A63), as generated by yoga. In the end, after a long juridical fight, the young woman in question proved that she was mentally healthy, and, although major, was kidnapped by her family, isolated (with the complicity of local police), put in a psychiatric hospital and abusively medicated - with severe consequences over her health (obesity and sterility). The ECHR decision in 2013 in favor of this young woman was neglected by almost all newspaper and TV stations that presented the case in 2004 and thus contributed to the abuse.

B. Official Declarations

There are quite few official declarations in this years, compared to 2004. Some of them are positive. When

Gregorian Bivolaru obtained political asylum in Sweden, Calin Popescu Tariceanu, prime minister of Romania, declared that "Romania has a problem with the Justice" (A64). However, no legal consequence occurred for the abuses against him.

Adrian Nastase, prime minister in 2004 and responsible for the actions against MISA in March 2004, declared on TV that the assault in March, 18 was a huge mistake (A65).

There are also some official declaration that continue the line of 2004 actions. An official report of the Supreme Council of Justice in Romania (Judicial Inspection Note Nr. 2613/IJ/2005) declared that the action in 2004 was staged by the yogis (like a play, with actors) and all evidence leaked to media was given by the victims of the abuses [3].

Different European MPs took a stand for Mr. Bivolaru, but their declarations were never presented in Romanian media (A66).

C. Media Articles/Campaigns – Overview

First, we made an overview of the most significant media campaigns in the whole period (over 3000 items published in 2005-2015), A sample of 100 articles was selected for the whole period 2005-2015, and a second sample of 20 articles specially for the decision in 2013. The overall analysis lead to some conclusions:

- the point of view of MISA, Gregorian Bivolaru, of the yoga instructors accused in the trials is missing from the media
- no evidence appeared, no justification or clarification for the events in 2004
- the juridical events were exploited by media to prove the guilt of Mr. Bivolaru, completely ignoring the benefit of doubt and completely ignoring the favorable decisions: Bivolaru is considered guilty because he is under investigation, no matter the result of the investigation
- there is a lot of story telling around the case, in order to maintain it on the first pages, even when no news appeared.

Heavy media campaigns continued during 2005, presenting the Bivolaru case as such to justify the request for extradition. Articles demanding the extradition or even false news (as for instance, that Bivolaru was denied political asylum) appeared almost daily in 2005. When the final decision was made by the Supreme Court of Sweden in favor on Mr. Bivolaru's request, the media in Romania was outraged. The decision was never properly presented by Romanian media.

Although Bivolaru was protected by Sweden, received a protected identity, with a new name, and a Swedish passport, the Romanian media investigated and discovered this name and also his address. This information was broadcasted all over the media, the reporters called live the contact number Bivolaru gave to authorities, went to his address and shot images with his house, while presenting him as the public enemy no. 1 etc. All the contact data that Bivolaru's councilors offered to Romanian authorities in order to contact him for legal actions (including the telephone number) was leaked to the media.

⁶⁴ That means, before Dumitru was born.

Table 8. Sample of 100 articles on juridical subjects in mainstream media in 2005-2015

Year	Number of articles selected	Media outlets	Main events
2005-2006	20	Ziua, Ev. Zilei, Romania Libera, Jurnalul National	Denial of extradition, political asylum in Sweden
2007-2011	20	Ziua, Ev. Zilei, Romania Libera, Jurnalul National	More favorable decisions: the convictions during communism are declared political convictions. Bivolaru wins the trials in Sibiu and Alba Iulia
2012-2013	30	Ziua, Ev. Zilei, Romania Libera, Jurnalul National	Trial at Supreme Court, the only final decision against Mr. Bivolaru. Decision for Dana Craescu at ECHR.
2014-2015	30	Ziua, Ev. Zilei, Romania Libera, Jurnalul National	Trial in Cluj, won by Mr. Bivolaru Decision about illegal surveillance

In the meantime, the trials in Sibiu and Cluj were often subject of media articles. In spite of the interest of the subject, the decisions favorable to Mr. Bivolaru were kept under silence or were presented only as partial results, soon to be appealed. The single juridical decision against Mr. Bivolaru in this period was the most mediated. Our focus is to see how a juridical decision so contested was presented by media, in order to overwrite all other information about the case.

D. Examples - Textual Analysis

This first example shows how favorable decisions for Mr. Bivolaru were presented in a negative manner. The second example explains the substitution of the victim in the media articles, in relation with Bivolaru's conviction, because

Example 1. The subject of the following piece is the juridical decision that states that the secret services illegally taped Bivolaru's phone calls prior 2004. Taking into considerations that the recordings are included as "evidence" in both files against Mr. Bivolaru, the decision has a huge juridical significance. However, let's see how media puts it.

Andrei Coman writes, under the title *The Romanian state does not give two lei on Guru Bivolaru* (A67): "MISA's great spiritual chief, Guru Grig Bivolaru, had the Romanian state kneeled down. The Bucharest Court ordered the Romanian state to indemnify the tantric with ... 1 leu. (n.a. 1 leu = 0.2 euro). The Ministry of Public Finance will make the payment. Gregorian Bivolaru was sentenced to jail for sexual intercourse with a minor. With a stubbornness worthy of a better cause, Grig Bivolaru is still suing the Romanian state for various deeds. Some time ago he asked for damages of 30,000 euros, because we do not know what he suffered during Ceaușescu times. Of course, his application was rejected. This time, he sued the state for illegally intercepting his phone calls. The judges accepted the petition and "bound the Romanian State through the Ministry of Public Finance to pay to the applicant the sum of 1 leu, representing moral damages." (A67)

Note the mystification on various topics: the article says that Mr. Bivolaru was not persecuted by the authorities during communism, because no financial compensation was given (no reference to the decision itself!). This new decision, that proves that the conviction in 2013 is a mystification, is presented as invaluable, because of the symbolic financial compensation.

Example 2. This example is important in order to understand the mystification around the juridical case.

Bivolaru's conviction in 2013 was based on a declaration given under torture in March 18, 2004, by Madalina Dumitru. Starting with March 19, 2004, and until 2016, Madalina Dumitru explained how the prosecutors forced her to give that false declaration. Madalina's testimony was ignored by the judge in 2013, when he ruled against Bivolaru. She tried to present her testimony in the media, but journalists ignored her. On the contrary, journalists published extensively the declarations of another woman, declarations that were not included in the juridical file and were not included in judges' decision.

"The model that puts Bivolaru in prison"⁶⁵ is a title published in 2013. Here is a quote of this article: "A Portuguese model of Romanian origin became a key figure in the case of Gregorian Bivolaru. The ex-lover of Gregorian Bivolaru claimed that Bivolaru had used her and send her to work for him in Japan". The mystification was continued in 2016 (the reference is included here for the logic of our presentation). An unsigned article claims that this woman, Agnes Arabela Muresan, is "the blonde that send Bivolaru in jail. Guru made her his sexual slave, she made him a.. jailman".⁶⁶

E. Contextual Analysis

The contextual analysis of the articles about juridical issues in the MISA-Bivolaru case is essential in order to understand the mystification of the media about the case. For instance, the verdict in 2007 should have revolved the perception on the case, since it is all based on the "criminal past" of Mr. Bivolaru during communism, or his psychical instability. Apart of Gabriel Andreescu's interview and the articles published by the yoga school, we did not find even a single article that considered the implications of these decisions. Table 9 illustrates - on the data sample - the way the juridical decision were reported by media. The data are overwhelming: although there was only one decision against Mr. Bivolaru, he was perpetually presented as a criminal, guilty of most terrible crimes. In order to impose this image, several persuasive elements were used in order to interpret the positive decision or argue in favor of a condemnation. To mention only few of the persuasive elements [22]:

(a) Argumentation: the negative evaluation follows from the facts presented by media. (A44)

(b) Rhetorical figures: hyperbolic enhancement of their negative actions and our positive actions; euphemisms, denials, understatements of our negative actions. (A59)

⁶⁵ Ionel Stoica, Evenimentul zilei, May 29, 2013

⁶⁶ Libertatea, February 29, 2016

(c) Lexical style: choice of words that imply negative (or positive) evaluations. (A1)

(d) Story telling: telling above negative events as personally experienced; (A20)

(e) giving plausible details above negative features of the events. (A27)

(f) Structural emphasis of their negative actions, e.g. in headlines, leads, summaries, or other properties of text schemata. (A28)

(g) Quoting credible witnesses, sources or experts, e.g. in news reports. (A23)

F. Sociological Comments

This is the period when LAYMS started its large-scale investigation on the effects of the defamation media campaigns. This investigation proves that the marginalization and discrimination of yoga practitioners in Romania is related to the media campaigns. The conclusions of the research are as follows: "In the case of the Romanian yoga movement and the yoga teacher Gregorian Bivolaru, 25 years of media campaigns of defamation and hate speech have a measurable effect on the public perception, as the mediated image was based on false accusations and repetitive stereotypes. The negative framing and associations of the

news about MISA Yoga School had led to the marginalization and discrimination of the yoga practitioners, who are now one of the most discriminated categories of Romanian citizens. The public perception, as the quantitative research presented in this paper have shown, reproduces the mediated stereotypes. The opinion of people who know directly the yoga movement, although are not part of it, is strongly different (considerably better, according to our results) than the opinion of people who "know" the yoga movement only as a media constructed reality. Biased by the media campaign, people from the second category tend to isolate the yoga practitioners, do not trust them and are suspicious towards them. These results are consistent with the research that studied the opinion of yoga practitioners, who considered that are victims of discrimination as a consequence of the media campaign. The quantitative research consisted of a pilot survey upon 300 subjects, followed by two different researches with 1500 subjects each, that addressed the public and the persons inside the movement. Our results suggest that the two strongest effects of the hate speech and stigmatization media campaigns are the marginalization of the yoga practitioners as a social group and their discrimination in the Romanian society." [9]

Table 9. Juridical decisions and official documents in media (sample of 100 articles)⁶⁷

Juridical decision	Number of articles correctly presenting it (and comments)	How the decision was presented in media
Extradition denial Romania made two different extradition requests, both denied - Sweden rejected the requests stating that Mr. Bivolaru cannot have a fair trial in Romania	Zero. The trial in Sweden was presented as if the extradition was certain. When the extradition was denied, the documents and the motivation were not published in Romanian media	The denial of the extradition was presented: - as a mistake of Romanian authorities (the Ministry of Justice) - as an intervention of the Ministry of Justice, who is a "urine drinker", Table 6 - Bivolaru is afraid of the fair Romanian justice
Political asylum Mr. Bivolaru was given a protected identity and was also protected by the Geneva convention	Zero. The protected identity and the address of Mr. Bivolaru were revealed and presented in media as a scandal story.	Media wrote that the decision for political asylum generated public protests in Sweden (not true) Some journalists wrote that Mr. Bivolaru will organize sexual orgies in Sweden
Political convictions during communism According to this decision, all convictions of Mr. Bivolaru during communism are not legal decision, but political acts, thus proving his innocence	Zero. With an unprofessional delay, the decision was mentioned few months after it was given, but never analyzed in its full meaning.	The decision was ridiculed because no financial compensation was given Soon, this decision was forgotten and completely ignored There was no rectification: even now, Bivolaru is presented as a convicted criminal
Decision of the Court in Sibiu in 2010 Mr. Bivolaru was acquitted as "the facts did not exist", for accusations of "traffic of minors", "sexual act with minor" et al.	According to the Court in Sibiu, some of the heads were prescribed, while other could not be proven	Media wrote either that all accusations were prescribed, or that the decision is not final
Decision of the Court in Alba in 2011 After the prosecutor's appeal, the previous decision was maintained by the Court	same as above	same as above
Decision of the Court in Cluj in 2015 In the human traffic trial of 20 yoga instructors, all defendants were acquitted because the facts did not exist and the indictment is a compilation of media articles	Zero. Although the document that justifies the decision was leaked on a blog on the internet, no other website or media outlet quoted it.	Fragments of the indictment that was leaked to the media in 2006 were republished in order to prove that Bivolaru and the yogis are guilty.
ECHR in favor of Dana Craescu A yoga practitioner abducted and abusively put in a mental facility by her parents, with the help of doctors	The decision was practically ignored by media, although the case was highly mediated in 2004 from the perspective of the kidnappers.	Few articles that wrote about the decision did not reconsider the propaganda made around the case in 2004
Telephone tapping The surveillance warrants (in the national security file) and subsequently the phone taping was declared illegal	Zero. This decision proves that all arguments for the condemnation of Mr. Bivolaru in 2013 are illegal	The decision was ridiculed because no financial compensation was given. Mr. Bivolaru was presented as "paranoid"
ECHR about March 19, 2004 This decision proves the human rights violation and illegalities of the actions in March, 18, 2004	Few articles (1 in our sample) write about the illegalities of the action in 2004.	The decision was presented as affecting all Romanians, who have to pay because of the yogis.

⁶⁷ The last line of the table was processed for the data sample in section 4.5 and added in this table to give the whole picture of absence in the media of favorable decisions.

G. Conclusions for Sample 4.

The examples in this section illustrate the mystification around the case. Since Soteria has first-hand information about the events in this period, and therefore has a much more realistic image than the public, the analysis of this period is focused on demystification and deconstruction of the myth constructed by media around the case. The analysis shows how it was possible that, with only one conviction, seriously contested by human rights NGOs on factual basis, Gregorian Bivolaru is still mediated as the most dangerous Romanian criminal.

Remember Fairclough's point of view about the importance of the missing elements in the overall picture of the discourse. The absent elements are crucial in order to discover the ideologic influences behind it. Therefore, the absence of the juridical decisions favorable to Mr. Bivolaru in the media, the absence of documents regarding human rights and the deficiency of the accusations against him in the media, absence of the point of view of the yogis are very important propagandistic elements that allowed the mystification to take place. In fact, the voice of the secret services is again all over the media, in an effort to justify the huge expenses and lack of results of investigations against MISA and Bivolaru.

Among all the significant elements of the case, privacy issues should be particularly mentioned. In the case of Mr. Bivolaru, combined with hate speech and instigation, personal contact data and secret identity offered by Swedish authorities were all over the media, and his secret identity was presented as his new "nickname". In the case of Madalina Dumitru, personal information (true and false) and pictures of her, together with obscene comments, were again published all over the media, even if she was still minor in March 2004. On the other hand, her testimony was never presented by media until 2016, and her first interview was broadcasted - apart from the yoga school website - in August, 2016.

The juridical decision against Bivolaru was abusive and was the logical sequence of a lot of cover-up done by media and authorities in the case. A disproportionate punishment, for a nonexistent crime with no victim, was the climax of the abuses. As for the media, the decision was presented with obvious satisfaction. An important element of mystification was the fact the substitution of victim: media presented declarations of another person, Arabela Agnes Muresan, and completely ignored the declarations of the real "victim" of the case: Madalina Dumitru. The verdict was presented in a gendered way, as the victim would be of masculine sex (since in Romanian language, the word minor has different forms for masculine and feminine and the mentality in Romania is, till present, slightly homophobic). The judge was presented as a hero, because of the alleged threat message and for his courage to put behind bars the media's no 1 enemy.

4.5. Extradition, 2016. "Most Dangerous European Criminal"

The construction presented in the previous sections may be, after this presentation, obvious for the patient reader and the attentive analyst. However, the public perception, according to the sociological studies presented above, is

the image imposed by media: Bivolaru was a guilty person that was not sentenced and punished enough, who always tries to elude the ways of justice. That's the stage for the events in 2016, when the case was once again in the focus point of the media, this time with an unprecedentedly - even for this case - mystification done by authorities: an Europol warrant claiming that Bivolaru was convicted for "child pornography and traffic of minors". Instead of a disclosure of the mystification, the media presented Mr. Bivolaru as the most dangerous European criminal. The actors of the public sphere, including different NGOs that claim to protect human rights and justice, had no reaction to this huge abuse. This section presents the media reaction to the events in 2016 - the contextual analysis take into consideration the conclusions of previous sections and explains how such confusion was possible.

A. Context. Facts. (2016)

In February 2016, soon after the new Europol website was launched, the Romanian Ministry of Internal Affairs asked for an Europol warrant for Mr. Bivolaru. The warrant was issued for "child pornography and sexual exploitation of minors", but Mr. Bivolaru was never accused nor convicted for these crimes. As disputed as it might be, the conviction of Mr. Bivolaru was for sexual relation with a minor, a much softer accusation, that cannot justify a Europol warrant. With no intent whatsoever to endorse the verdict in 2013, we have to explain that this verdict cannot justify a Europol warrant. Never was Mr. Bivolaru accused for child pornography. The accusation of "traffic of minors" was included in one of the files but was dismissed by the court.

On February 26, Mr. Bivolaru was arrested in Paris, on behalf of the Europol warrant, in a joint operation of Romanian and French secret services that involved an effective of 200 French policemen⁶⁸. Romanian authorities claimed again that he was a dangerous theorist and therefore he was jailed at Fresnes, the most secure French prison, with real terrorists.

French Court had to choose between the demand of extradition (on behalf of Romania) and the political refugees rights granted by the Geneva convention. Previous juridical decisions stated the prevalence of the right of political refugees⁶⁹ against Europol actions. In the case of Mr. Bivolaru, for whom the reason of political asylum was exactly the impossibility have a fair trial in Romania, everybody expected a decision along that line. Sweden confirmed the political asylum, but the French Court ruled in favor of extradition to Romania.

Mr. Bivolaru was extradited to Romania in July, based on a warrant for "traffic of minors and child pornography" and jailed to execute his punishment for "sexual relationship with a minor". No authority or public figure seemed to notice the significant difference of the two accusations and, with the assistance of a huge media campaign, the abuse went unnoticed. Our whole study was done to help us understand these events.

⁶⁸ Note again the disproportion of force used: 200 policemen are mobilized to arrest a person accused of "sex with a minor".

⁶⁹ The European Arrest Warrant – Cases of Injustice, https://www.fairtrials.org/documents/EAW_-_Cases_of_Injustice1.pdf

B. Official Declarations

No official declaration was issued related to the case, and this fact makes the most significant statement by itself. In this case with a political refugee that could have cost Romania the EU admittance, we would expect that the extradition of Mr. Bivolaru would have been received with declarations of the Minister of Justice, General Attorneys, Prime Minister etc. The silence is, however, even more significant than any declaration. Any serious discussion on the subject - apart from numberless talk-shows and media articles - would probably reveal the huge significance of such an abusive Europol warrant for the democracy in Romania.

C. Media Articles/Campaigns - Overview

Soon after Gregorian Bivolaru was listed on the Europol website, few media outlets (mainly the large audience Antena 1 and Antena 3) started a heavy media campaign promoting the idea that Bivolaru is “the most dangerous European criminal” (A68). Some typical subjects of the previous media campaigns against MISA were brought into the public attention once again, in the usual unprofessional manner (A69, A70, A71). However, there is a significant new element: for the media, all that was written about Mr. Bivolaru and MISA, no matter how fantastic, became now justified and proven by the Europol warrant. The association with other criminals (and terrorists) on the Europol “Most Wanted” list was done frequently. After Mr. Bivolaru was detained in France, he was associated with terrorists in Frenses and presented as guilty by association (A72).

Several fantastic stories of the campaigns in previous years were resuscitated, especially the stories regarding minors and sexual orgies (A70). However, nobody seemed to notice that an accusation like traffic of minors or child pornography should be related with some events, that took place in a specific place and time, should have some victims and all the facts should be proven with appropriate evidence. In the MISA case, the only “evidence” are media articles, exaggerated from one article to another.

The subjects chosen are typical scandal subjects. For instance, the theme “sex with minors” (never proven, nor even in the trial in 2013) was presented in a series of articles about “sex with virgins”, claiming numbers continuously growing. Media claimed that Bivolaru had sex with 1000 virgins (A73) or 6000 virgins (A55). The articles quote one another and so-called declarations of Mr. Bivolaru, completely invented by media.

Another line of the campaigns that covered the abuse of the Europol warrant was to bring again on the front pages the “criminal history” of Mr. Bivolaru. Most articles write about his conviction during communism, for “detaining pornographic materials”, without mentioning the legal decision⁷⁰ that annulled it. Even though, there is a huge distance between owning a Playboy magazine and producing illegal child pornography (no exhibit of which was shown). The number of articles that appeared in this period is, again, large. However, no complete presentation

of the case is given by any article, no balanced perspective and legal analysis was done.

In the same period, the ECHR decision about the action in 2004 was announced. The decision was presented as a antisocial act of the yogis (the victims are presented as enemies of the nation), because of whom the Romanian have now to pay 291,000 euros in compensation (A74). The expenses are insignificant comparing to direct expenses of the investigations in the MISA case - over 5.000.000 euros since 2004 - having as result just the abusive conviction of Mr. Bivolaru, with no criminal act proven whatsoever, in spite of sophisticated surveillance and large-scale interrogatories and searches. An overview of over 450 articles revealed the general trends for this data sample:

- accent on the Europol warrant and associations with terrorists;
- confusion of accusations against Mr. Bivolaru;
- revival of the campaign in 2004, with very few references to all juridical decisions favorable to Mr. Bivolaru in between;
- completely absence of the point of view of MISA.

Table 10 presents the data sample for detailed analysis for the year 2016. 20 articles, significant for the way the juridical situation was reflected in the media in 2016, were chosen.

D. Examples - Textual Analysis

The examples chosen for the textual analysis of the presentation of the case in 2016 illustrate two of the tendencies mentioned above: the abuse of the authorities is presented as a victory of the righteous war of the media with Mr. Bivolaru and all the yoga movement in Romania, and the guilt of Mr. Bivolaru is “established” by unjustified association with real criminals, even terrorists.

Example 1. This is the example we started with in Section 1.1.: the article *For 26 years, the judiciary system gobbled up from the Guru*, written by de Hillerin [6]

In July 2016, this journalist that wrote about the MISA case in the 90s, when he was in his 20s, writes an article that is intended to be an expert’s presentation of the case. The article is significant for the construction of the mystification - the media sees a justification of its lies in the Europol warrant, which in its turn is justified by the lies of the media.

From the very beginning, the tone of the article is that of a pamphlet – inappropriate for a case that is related to such human right violations and democracy’s failures:

“Gregorian “Guru” Bivolaru finally arrived in the country after a European odyssey during which he fled Romanian Justice as much as he could. He found asylum in tolerant countries, where even pedophiles are looked upon leniently, and had supporters among human rights defenders, managing to present his case as one of persecution from an authoritarian and traditionalist state against a universal, free citizen, who only wants to integrate himself into the absolute.

It’s the kind of cheap charm that catches northerners and suckers. For the Romanian state, the Romanian Justice, has not persecuted Gregorian Bivolaru by any means. On the contrary, for a long time, despite the evidence, despite all the evidence produced by the media, despite countless complaints lodged with the police and

⁷⁰ Decision of the Bucharest Court of Appeal on 8 February 2012 from file no. 48765/3/2010 found the political character of the convictions that Gregorian Bivolaru suffered in the years 1977 and 1984

the Prosecutor's Office, Gregorian Bivolaru was protected by a small sect in the judiciary system.”

Note that the irony, the nickname “Guru”, the choice of words, the insinuations, all are part of a presentation that is very unjust - and very far away for the truth.

In the rest of the piece, Hillerin is rewriting the story of his own career, presenting himself as “one of the first journalists to investigate the case” and claiming that he reported two documented cases of victims of Bivolaru. As we presented before (section 4.1), the author and his colleagues in Academia Catavencu (migrated to Catavencii) did not make journalism, but cartoons and jokes. They made no investigation of the case and presented no victims, no stories, no evidence. What they have published, apart from their own pamphlets, were documents from the Securitate’s abusive inquiries on Gregorian Bivolaru and other yoga practitioners. Therefore, what should be a stain on the reputation of a serious journalist - the collaboration with the secret services and the complicity in the persecution of a dissident of communism - is presented as a heroic pursuit of justice. And, we have to say this here, no serious journalist would praise the justice of the Romanian justice.

The media outlet in case lost a calumny trial (see Table 10) and ever since displayed openly the rage for the fact that it was sued but did not mention the legal decision. No wonder that now, Hillerin writes again about the trial, but lies (saying that they were not convicted). So, bottom line, this article full of lies and classic discourse techniques meant to present Mr. Bivolaru in the worst angle possible and to legitimize all abuses and lies on the subject. What is specific for Catavencii, apart from other media outlets, is the “generosity” with which they impart the insults to a whole group of thousands of yoga practitioners.

Example 2. The second example is significant for the negative association of Mr. Bivolaru with real criminals and terrorists - and goes much beyond. This is how the abusive imprisonment of Mr. Bivolaru in France was presented in the tabloid with highest circulation in Romania: “Guru Bivolaru risks a conflict with Islamist militants in the prison near Paris, where he is imprisoned” (A75). Journalist Mariana Pavalasc wrote: “According to the French press, life in a French prison is as tough as in Romania. Moreover, Bivolaru will be at the hands of the large Islamic community in prison that rejects the sexual excesses of the Romanian’s cult.

MISA vs. ISIS. At Fresnes, there is a very strong community of Islamist prisoners, many supporters of ISIS, leading a frenzied campaign to recruit as many followers among prisoners as they can. According to the French press, the penitentiary management tried to isolate the Islamic community, which led to a rebellion of its members. In turn, Gregorian Bivolaru is also a master of attracting adherents to the sexual-religious doctrine in which he himself is a Guru”.

The hate instigation in this article is obvious. Note the nickname “Guru” that the media gave to Mr. Bivolaru from the 1990s, in order to portray him as an interloper, was never a real nickname of Mr. Bivolaru. No one between his friends and his associates ever called him like this, according to Dascalu [12]. Journalists insisted to present him as having a nickname just to make him look like a criminal. In this article, the author speaks as if it was

true about the cult of Mr. Bivolaru, about a sexual-religious doctrine, all these being a part of the media campaigns with no connection to reality. The main idea is to instigate the Islamic community, and rhetoric is used for this, as logic is completely skipped.

E. Contextual Analysis

In March 2004, the Romanian media presented the actions on March 18 as the triumph of their “righteous war” with the yogis, instead of presenting it as an abuse. In February 2016, the media presented the Europol warrant as the victory of the media war with Bivolaru and did not even mention the illegality of the warrant.

A general analysis of 470 articles and television news broadcasted in February-September 2016 reveals the following (Table 10):

- of 217 items that mention the Europol warrant, only 1 article notes the discrepancy of the legal accusations. 51 articles associate Mr. Bivolaru with Salak Abdesalam, the terrorist involved in the Paris attacks in November 2015;
- 211 items mention the convictions of Mr. Bivolaru during communism. Only 7 of them correctly present the convictions as political acts, other 204 articles state that Mr. Bivolaru was guilty for the accusations he was framed by the communist political police;
- the history of the case seems to be reduced to the events in 2004 and the accusations against Mr. Bivolaru. All significant facts that reveal the abuses and the lack of evidence, all juridical decisions in favor of Mr. Bivolaru are not presented;
- 450 articles (from the total of 470) include scandal stories previously published by media, although never proven.

We found very significant the presentation of the ECHR decision regarding the abuses during the 2014, March 18 action. While a previous similar decision of the Romanian Court in Cluj was received with silence and not mentioned at all, this decision that could have change the public perception upon the actions in 2004 is presented in a manner that should awake the public rage against the victims: it is because of the yogis that the people now has to pay, through taxes, 300,000 of euros. It is not the fault of the investigators who had abused the yogis, but the fault of the yogis who dared to sew the State in order to obtain an act of Justice. The contextual analysis for this period was focused on the logic of the presentation of the case, an in its turn this reveals the way the abuse was legitimated and explains the reaction of the actors of the public sphere. The contextual analysis summarized in table above shows that, again, the condemnations during communism are the basis for the public stigmatization of Mr. Bivolaru. The connection of the conviction in 1977 for “possession of pornographic material” with the “child pornography” on the Europol warrant has to role to distract the attention from the fact that, in spite of numberless accusations stated by media or authorities against Mr. Bivolaru, this one was never mentioned.

Another conclusion of the contextual analysis is that the Europol warrant and the association of Mr. Bivolaru with most dangerous european criminals and terrorists justify all the accusations against him, no matter how irrational they might be.

Table 10. Contextual analysis of the sample of data regarding juridical dimension of the case

Total articles	20	Missing facts	Effects
Articles that mention the actions in 2004	20	Not even a single article includes the ECHR decision and/or the decision of Cluj Court in 2015 about the illegality of the Police actions in 2004	The action in 2004 is presented as a justification for the present Europol warrant and reinforce the idea of a dangerous movement
Articles that mention the conviction of Bivolaru in 2013	20	Not even a single article mentioned the two favorable decisions in tris trial in 2010 and 2011. Not a single article includes Madalina Dumitru's testimony in favor of Mr. Bivolaru, but 4 articles substitute the victim and include the testimony of another woman,	The decision is presented as justified and just, as having a victim (although the "victim" presented is not the one in the files)
Articles that mention convictions during communism	20	The juridical decision that stated that those were political convictions is presented just in 1 item.	Previous convictions, during communism, are substituted as arguments for the Europol warrant. The abuse went unnoticed
Number of articles that mention the Europol warrant	20	The substitution of the accusations in the warrant was not mentioned in any article. Evidence for the new accusations is missing in all articles, but 16 of them make associations with real criminals and terrorists	The warrant appears as justified by the 2013 conviction, although it is about different crimes.

All favorable decisions and all significant facts are completely ignored by the media. Although, for the first time, the testimony of Madalina Dumitru was published in several media outlets belonging to mainstream media, her testimony is considered to be controversial (as raise doubts upon the juridical decision) and the Europol warrant is considered to be the ultimate proof for Bivolaru's guilt.

We notice once again the completely upside-down logic of the case: in MISA and Bivolaru case, the searches come before the evidence, the crimes investigated are stated after the investigations, the warrant justifies the guilt and is not justified by a conviction of by evidence.

F. Sociological Comments

The LAYMS study of 2016 investigated how the media discourse have shaped the public perception of Gregorian Bivolaru and analyzed the dimension and the consequences of the hate speech. This study published on the internet - a selection of results is included in two peer-reviewed paper [5,9] - showed that Romanians consider that Bivolaru had committed much more serious crimes than he was ever accused for, and therefore the respondents do not hesitate to suggest cruel penalties for him, death included. The results of a hate speech fueled with false information (and no real facts) are the hate and the public condemnation. Various assaults were reported by yogis in the following months, since the hate speech campaign became much more intense⁷¹.

G. Conclusions for Sample 5.

When the Romanian authorities abusively asked for the Europol warrant for Mr. Bivolaru, a heavy, extremely violent media campaign started in all media channels in Romania naming Bivolaru "the most dangerous European criminal". No article in mainstream media did mention the difference of the accusation against him of the warrant and the conviction in 2013, but instead the completely new accusations were presented as being absolutely true, proven beyond doubt, as if there was a juridical decision for these accusations (minor trafficking and infantile

pornography). No one seemed to notice that accusations like these should imply victims, profits or products. The lack of professionalism in Romanian media has further consequences, as British and French media published some of previous stories of Romanian media - like an absurd (false) story that Bivolaru had sex with 3000 virgins.

The ECHR decision is presented as if yogis are guilty of being victims, Romanians have to pay - no fair comment was given in media, no association with the political asylum in Sweden, no explanation for the campaigns in 2004 and before. After the extradition, recent articles state that "evidence allowed the prosecution for human traffic etc" but no mention is done whatsoever to the decision that denies all accusations.

And, finally, after the extradition, extensive articles were published that come back to the stories and the accusations forged in the Securitate files. In order to justify the mystification of the "infantile pornography" accusation, media wrote about the accusation of the communist secret police (detaining pornographic materials).

The conclusion for this period: the cynicism or the Romanian journalists, who acted like accomplices of authorities in a case with significant abuses and human rights violations. In order to understand this situation, the historic perspective was necessary.

5. Discussion of Results

The analysis in previous sections was focused on approx. 250 articles, but in order to make the selection more than 5000 articles in written press and news and TV shows were carefully read/watched. The discourse analysis of the media articles and diverse public declarations on the MISA-Bivolaru case revealed some factors of influence and also a significant shift of direction of influence in time. Until 2004, it seems that the journalists pushed the institutions and authorities to take actions against MISA. After 2004, the authorities impose media to publish false accusations against the movement, in addition to the usual media discourse. However, at a careful analysis, behind all these there is a same actor.

⁷¹ For examples, see Andreescu 2016 a

5.1. Key Features of the Media and Official Discourse

The general documentation and the detailed analysis showed that:

- in the mainstream media there is no single article presenting the case in a complete and deontological way - that is, presenting the perspective of all the parts involved;
- we could not find a single case of accusation against MISA sustained by witnesses or evidence;
- the articles that state accusations do not answer the basic questions of the journalism: who? what? when? etc. Accusations are made without specific data. Sexual crimes are mentioned (like sexual orgies, pornography, traffic) without mentioning something that really had happened, where, when etc.;
- the hate speech is a constant of the media discourse around MISA and Gregorian Bivolaru case;
- the discourse analysis of the declarations of officials and political figures (quoted by media) revealed a constant non-democratic message of hate speech;
- there is a hidden ideologic component of the media campaign against MISA which goes back in time to the communist period;
- secret services played a huge role in the campaign, as they inherited the case from the communist Securitate.

5.2. Ideology behind the Discourse

The overall discourse on the MISA-Bivolaru case is constructed based on the ideas in the Securitate files and their attempts to frame and to accuse Mr. Bivolaru during communism. All the campaign is based on the convictions of Mr. Bivolaru during communism and it should logically fall apart because of the juridical decision in 2007 (that stated these were political convictions). However, due to the mystification presented in section 4.4, Mr. Bivolaru was not exonerated.

Key figures of the campaigns after 1989 are officers, employees or informers of secret services. The discourse of "outlawing" and legal interdiction of MISA is the Securitate discourse and the nostalgia of the decree from 1984. The "sexual orgy" theme is also found in the Securitate files. The theme of the sect (cult) is based on a total mystification created also by the secret services starting from 1996, with a forgery of a decision of a non-existent commission of the European Union.

There is a major shift in the media position regarding the case, in 2004. Prior 2004, the media had a role of instigation, after 2004 has functioned as a cover up and blurring factor. Before 2004 there is more variation in the way different authors and media outlets write about the case, after 2004 there is an almost complete uniformity. Before 2004, secret services fueled the media outlets with material and instigate the hate speech. After 2004, they fueled the investigators with material (that was leaked to media) - but as we have seen, no real evidence was given for any crime.

5.3. Conclusion of the Textual Analysis

Regarding the content, we noticed the lack of consistency: contradictory accusations, accusations for facts that imply

hundreds/thousands of persons, with no witnesses and no evidence at all. In the conditions of recent technological development (for instance, gadgets for surveillance) this is hard to explain.

In terms of journalism studies, such campaigns are considered "intoxications", due to the abundance of false information. In comparison with the seriousness of the case and the gravity of human rights infringements and legal trespasses of the authorities, the language of the public discourse is trivial, mocking, joking, with insults and sometimes even obscenities.

The deconstruction of the media campaigns showed that the case is not intricate at all, although it seems intricated, as a consequence of the media intoxications. The legal case itself is not difficult and does not imply subtleties or juridical in-depth knowledge. Therefore, it is significant the fact that no journalist presented it correctly.

It is also highly significant that media did not publish the public statements and press releases of MISA. No elements favorable to the movement were published and no report on the yoga school activity. Media constantly denied the right to rectification and ignored the replies written by the yogis.

Publication of personal data of yoga students and yoga instructors (home address, place of work) is a serious violation of right to privacy, and when it is related to severe accusations, it becomes more than a privacy violation and caused discrimination incidents.

In conclusion, the media presentation of the case seems to be the continuous seek of a guilt in conditions in which no proof was given for previous accusations. Further research should imply content analysis, analysis of visual elements, in-depth analysis according to framing theory of news, in-depth interviews with journalists.

5.4. The Objectives of the Research

The main objective of the research was to understand the reaction of Romanian civil society, in terms of finding a critical explanation of the situation. We were searching for an explanation for the almost complete lack or reaction in the Romanian public sphere in a case where authorities acted with brutality, trespassing all legal regulations for investigations and searches and constantly violating fundamental human rights. Our analysis shows the continuous intoxication of the public with a hate speech discourse regarding the case, combined with the public humiliation of all defenders of MISA and Bivolaru. Therefore, the actors of the public sphere do not want to be associated with the case. On the other hand, the violation of the human rights are not known, the real dimension of the case was never presented. Mr. Bivolaru is presented as guilty of terrible crimes and therefore all abuses are considered justified.

Secondary objectives: Demystification and correct information. Our analysis is a deconstruction of the mediated image of the MISA case. Based on solid proofs, legal documents and reliable witnesses (including the personal testimony of the authors of this research), we proved that the "guilt" of Mr. Bivolaru and of Romanian yoga movement is nothing but a myth created by the secret services during the communism and developed to huge dimensions in the post-communist

period, with no real basis. We therefore offer correct information and a significant perspective upon the case to all the actors of the Romanian public sphere who are really concerned about the implementation of democratic values in Romania. Based on our analysis, we offer an important warning to everybody who studies the case or write about it (journalists included): in the MISA case, the typical “two sources verification” is never relevant, if the sources are media sources and official declarations. The public declarations and the media articles are not a reliable source of information about the case.

Secondary objective: Identifying Directions of Research. Another objective of our research was to identify directions of further research for the MISA-Bivolaru case, in order to have a real and serious debate in the academic community and in the Romanian public sphere. In our opinion, the case is extremely interesting in different scientific perspectives, for researchers in domains like: recent history, anthropology, cultural studies including organizational culture, sociological research, philosophy, globalization and hybridization (adaptation of oriental practices in western culture), law, law practice, human rights, media studies, journalism practices and deontology. However, the practice of public spoilage of everyone who spoke about MISA in other language that the one imposed by media, kept it out of the interest of serious investigation journalists and academic researchers.

Further research related to this article could cover the limitations of present research. An analysis of the visual rhetoric of the discourse is essential. An investigation among journalists could give important indications about the gatekeeping mechanisms. A content analysis and a narrative analysis of the articles, including themes evolution in time, will provide further insight.

5.5. Verification of the Research Hypothesis

In previous sections (4.1- 4.5) the research hypothesis were addressed. Now we can present them as conclusions of the research, as validated according to the discourse analysis. The research hypothesis about the media and mediated discourse were verified as follows:

- The rejection and marginalization of the yoga movement was both explicitly and implicitly (and heavily) promoted by media discourse. In the discussion in sections 4.1 and 4.2 we saw the origin of this phenomenon and gave several examples of hate speech in the examples selected for the textual analysis. In the sociological comments in sections 4.1-4.5 there are strong arguments for the effects of the media campaigns.
- The media campaigns are a combination of hate speech and false information that contributed to generate the idea that Bivolaru is a dangerous person and that he is guilty. Most significant for the construction of the false image of the “guilty Bivolaru” are the tables of the contextual analysis in sections 4.4 and 4.5.
- Media generated a misrepresentation of the case that is based on mystifications, including false information provided by authorities - most relevant are examples in sections 4.3 and 4.5.

- There is a consecrated practice of attacking the defenders of Bivolaru. [Table 6](#) shows this phenomenon in the first years.
- The research hypothesis related to the ideology behind the media(ted) discourse also were verified as follows:
 - The media and mediated discourse has ideologic components that originated in the communist Securitate practices. Most significant is the analysis in section 4.1. The ideological components are also present in sections 4.2-4.4 and are again openly present in the 2016 campaign, section 4.5.
 - There is significant gatekeeping and manipulation of information in the case, both by media and authorities. Significant information is missing from the public discourse, and persuasive elements are a constant component of the discourse. See, for instance, the contextual analysis in section 4.4.
 - The media campaigns are not completely a self-constructed phenomenon, there is a power factor behind the media that generated and fueled them. Starting from first post-communist years (section 4.1) and until now (section 4.5) the secret services leaked information and fake documents to the media in order to keep the campaign going on. This is one of the most important dimension of the case, and is addressed in several examples.

6. Conclusions

During the last 11 years since Soteria International follows the Bivolaru-MISA case, a case that implies several human rights violations and discriminations against yoga practitioners in Romania, our organization noticed the lack of democratic mechanisms in Romania that could help solving the case. In addition to legislative deficiencies, the reaction of the civil society in a case where thousands of people are affected leads serious questions about the implementation of democratic values and principles in Romania. We consider that a first step towards a sane reaction of the civil society is the demystification of the case and the dissemination of correct information. Media sources should be carefully pondered in the case MISA-Bivolaru, as our large-scale analysis showed the mystification of the media discourse: the media sources are not at all reliable.

As other researchers of the topic (Andreescu, Dascalu), we consider that the resistance of the Romanian yoga movement and in particular that of Mr. Bivolaru is a remarkable phenomenon. This “verticality”, according to Andreescu, is related to the human qualities awakened by yoga practice. According to Dascalu, the direct experience and the sense of justice play also important roles. The yogis know that what media writes are lies and has no doubts about the legitimacy of the movement.

Teun van Dijk, theoretician of critical discourse analysis makes an important recommendation to researchers: “...modesty is mandatory: academic contributions may be marginal in processes of change, in which especially those who are directly involved, and their acts of resistance, are the really effective change agents.” [22] In this spirit, the authors of present research, although they declared from

the very beginning the objective of correcting a failure of Romanian democracy, acknowledge the struggle of the yoga movement and especially of Gregorian Bivolaru, which are indeed valuable contributions to the fight for democracy in Romania, during communism and after.

The history of the case is complex, with roots in the obscure communist period. Taking into consideration the mystification and hate speech in MISA-Bivolaru case, the lack of reaction of the Romanian civil society does not appear so striking as one might think. What makes the present situation so peculiar is the fact that the mystification of the Romanian authorities (when the Europol warrant for Mr. Bivolaru was requested based on false information) was obvious, but the media presented it as truth and nobody reacted. The history of the case shows that the present situation is just the continuation of a long-time policy of intoxication. The discourse analysis is a powerful scientific tool that helped us manage the huge quantity of material in the case, helping us understanding the mechanisms behind apparently different media campaigns and tendencies.

In our opinion, no study about the post-communist history of Romania, about democracy in Romania, about Romanian journalism, journalistic culture in Romania, deontology, journalistic practices and professionalism, gatekeeping in Romanian media would be complete that eludes the MISA-Bivolaru case. The media campaigns of mystification and hate speech do not offer a complete explanation of the lack of reaction of the civic society in Romania in this case. The threats and the calumnies towards all individuals and associations that had a moderate discourse, the official declarations and hate instigation, offering false information through media agencies, all these are symptoms of the state and quality of the Romanian media and Romanian democracy.

The main problem seems to be that the Romanian media fails to be “the watch dog of democracy”. On the contrary, media served as an instrument of power control exerted by obscure inheritors of former secret services. Therefore, the silence of different other actors of the public sphere is much costlier, on long term, for Romanian democracy. The MISA-Bivolaru case illustrates the dis-functionalities and failures of the Romanian democracy, and the lack of maturity of the civil society. Even though a heavy intoxication campaign contributed to the perception of the case discussed in this paper, the civil society should take action. A real debate around the case is still possible. The reconstruction of the public image of the MISA yoga school based on real facts is probably hard to obtain, but legal rights should be defended in first place.

In conclusion, the present study does not claim (and does not aim) to be a definitive analysis of the case, but an invitation to researchers and academics to approach the case with open mind and rigor, as one of the most significant cases of democracy failures in the former communist East European countries.

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APPENDIX. Media sources for the discourse analysis

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