Introduction

This set of policy papers is a direct result of the project "To Solve Our Problems Together", undertaken in partnership by the ECHOSOC Foundation—Romania and the Open University Subotica—Serbia. The papers aim at portraying the situation of the Roma minority in the two countries, in various areas of social life. Moreover, they bring forth a series of recommendations meant to contribute to the identification of feasible intervention means for solving many of the different problems presented.

Other organisations involved in the project:
- CATALACTICA Association, Bucharest;
- Phoenix Foundation, Bucharest;
- Agency for Community Development "Împreună" [Together], Bucharest;
- Aven Amentza Foundation, Bucharest;
- Ramses—Foundation for Social Development of the Roma, Dej;
- Cultural Democratic Union of Roma from Valea Jiului, Petroşani;
- Intercultural Institute, Timişoara;
- Rrominterpress, Belgrade;
- European Voivodina, Novi Sad;
- International Scientific Forum "Danube—River of Cooperation" (ISF "DRC"), Belgrade;
- The Modern Society Movement (MSM), Zemun.

We hope these materials contribute to a better knowledge regarding the situation of the Roma population in Romania and Serbia, as well as adequate support for needed interventions.

Agnes Medve
Sorin Cace

"...Gypsies gave us industrialists, artists, distinguished officers, good administrators, doctors and even parliamentary speakers."

(M. Kogălniceanu, 1891)

1. To whom is this *policy paper* addressed?

The target group that makes the object of the current analysis is formed of the active Roma and non-Roma population of Romania.

Potential beneficiaries include:

- Political decision-makers, representatives of local and central administration;
- Romanian civil society in general, and Roma NGOs in particular;
- Researchers interested in the field of inter-ethnic relations;
- Think-tanks from Romania, Serbia, and other countries in Central and Eastern Europe;
- Funders and/or donors for programs in Roma communities.
- General public.

2. Objectives

This paper analyzes the historical development of the Roma position in Romanian society, in order to establish a context for developing a coherent framework for actualizing Roma identity in a way which enables the Roma to find their way in this society while at the same time revitalizing the Roma identity.

3. Identification of the problem (Major Events in Roma/Romanian History)

a. *From the formation of the Romanian States to Liberation*

Documentary evidence from the offices of the Romanian States (October 3, 1385) show that the Roma population of Romania was treated in a way analogous with that of the Byzantine Empire with regard to its slaves (see N. Peretz, "Slavery in the Romanian History" (1934) in "Roma slavery in the Romanian States. Moldova" Aven Amentza, 2000).

In his study "On Romanians," C. Giurescu shows in his study "On Romanians" that between slavery and "Romanianship" or vicinity there was a great difference:

> *Not only that they never merged, but they didn't even mingle. They were two completely different states. For the slave, the Romanian or neighbour was a free person.*

Mixed marriages were prohibited: "No marriage will be concluded between free people and slaves" (Calimach Code, Chapter II), "If it will be proved, after the marriage, that one of the spouses is a slave, the marriage will be immediately broken, as if crime has been committed" (Charter of the Synod), although some documents from that period also show that such marriages occurred: "Since Profira accepted to marry Neculai, the gypsy of Mera and Lupascu, she is also to be called gypsy, and they all entered under the service of Mera and Lupascu." (N. Iorga, "Documents related to the Callimachi family", 1759).

Roma were considered the equivalent of movable assets; they could be exchanged, sold or given as gifts. The sale of a Roma could be even for "half" a slave, meaning half of the number of children that belonged to one of the spouses: *"So I sold only half a gypsy woman, with the number of children that belonged to her, for fifteen lei-old currency"* (document from 1724), and gypsies could be exchanged for other goods, even for food. Organized in settlements lead by gypsy judges, princes, bailiffs, grouped on territories, coordinated by voivodes (leaders of counties), subordinated to the hetman, the chief for gypsies, according to the country's laws (*"The gypsy is a person who depends on others, with all its fortune and family"* – Organic Regulation, chapter II),

In the first half of the 19th century, slaves were fed well because their sale value depended on their weights. A quantity of 3 lbs. of gypsy was sold with 2 ducats; woman slaves were worth 2/3 of the price of a man, and young children were worth half the price of a man. Even newborn babies were sold by weight. The most expensive were the "old gypsies". G. Potra estimated that, in the currency of the year 1939, the price of a slave was between 8,000-20,000 lei. Such a material state lead to a continuous state of poverty, so that the act of Vasile Lupu was stipulating: "The gypsy or his woman or child, if will steal once or twice or three times, hens, geese or other small things, will be forgiven; and if he will steal bigger things, will be judged like for any thief."

The pressure of the western abolitionism and the collapse of the feudal system, gradually lead to the abolition of "Roma slavery": Moldova (1844, princely and monastery slaves, 1855 boyar slaves), Muntenia (1847, princely and monastery slaves, 1856, boyar slaves)

b. *From liberation, to Holocaust*

Despite the abolition of slavery in 1856, gains in the position of Roma in Romanian society were limited. The reform programs of the governments of the time did not include a focus on the issue of the emancipation and social integration of the Roma.been abolished, While the status of the Romanian peasant was systematically improved, via property rights, institutionalisation of education, and other measures, the Roma were much less prepared to advocate for themselves. They lacked an elite which could effectively represent their interests, and they similarly lacked the material resources to enable such a representation. They were thus not included in public policy development, and their status in Romanian society did not improve. At the same time, the adaptive strategies which were developed by the Roma served as a mirror for the attitudes of the vernacular culture toward the Roma:

- *assimilation (mimesis)*, through ethnic de-solidarity and symbolic conversion to the Romanian standards, for the inclusion in the competition for resources, for the disadvantaged groups;

- *separation (counter-acculturation)*, through rejecting propose/imposed norms by the formative hegemonic institutions, for the groups which were in the possession of development possibilities;

Through the blockage of the social inter-generation mobility (emancipation), in the absence of their own modelling elements and normative-formative institutions which would allow the emergence of personalised values and norms, as premises of modernisation, the only possibility was assimilation (naturalisation). The effect was the inferiority of ethnic belonging, which lead to the construction of alternative institutions and models:

- a *"culture of poverty,"* in which ethnic identity was/is an opportunity for the exploitation of marginal resources, which created resistance to social changes and norms of modernity, proliferation of the antisocial states, etc.;

- *a "culture of shame,"* in which ethnic identity was/is the subject of behaviour cleavage (individual/collective stigma, existential side-slipping, etc.), which blocked the development of a sense of solidarity within the community and between the community and the wider society;

Marginalisation and social exclusion of the Roma, the "ghetto" status ("no man's land" of the camps and periphery, as a space in which civic and ethnic responsibility is abandoned) have created, in time, an important social-cultural gap between the majority population and the Roma community. Attempts at organisation were made after the liberation period, when the creation of structures on crafts was tried, but the industrialisation process at the beginning of the 20th century has made this endeavour useless.

In 1919, the demands of the Roma to the Romanian state were formulated as follows:

> *Equally, we pray to you that from now on, the official Romanian deeds do not use anymore to define us the word (nickname) of mockery "gypsy" and this, if it not entirely taken out of the official use, to be replaced with another name which will be found appropriate.*

During the period between the two World Wars, from 1934 to 1939, the General Society of the Roma published their own magazines, had 784,793 subscribers, and the premises of synthesising similarities and differences with the dominant culture, proposed by their leaders, Archimandrite Călin Pop-Şerboianu, Lăzurică and Gogu Rădulescu (the Florist) remain actual even today. Despite the "Treaty for Minorities" (1919, Paris), the provisions and regulations of the Society of Nations, meant to finalise the ethno-genesis of the Roma nation, the war, reaching its climax with the deportation in Transnistria (1942-1944) forced this organisation to self-dissolve (1948), making these endeavours useless, for a long period of time.

c. *The Holocaust*

A secret census carried out in 1941, found that there were 208,700 Roma individuals, who were viewed as contaminating the "Romanian race," according to the eugenicist anthropology. Anti-minority legislation was adopted in 1938 by the government Goga-Cuza, and was not abolished by later governments. In November 1940, the Ministry of Interior, at the recommendation of the Ministry of

Health, even prohibited the free movement of the "nomad" Roma, so that they would not spread typhus.

A royal decree in 1942 drew the lines of the spoliation (impoverishment) and determining the criteria for the deportation of Roma. They then proceeded to the confiscation of goods, through the national Centre for Romanianship. Food was rationalised for Jews and Roma. Then, Roma judged amoral were sent to public works in Transnistria. The "nomad" Roma were the first to suffer from these measures. The President of the Council of Ministers ordered their deportation in groups. Another category of half-nomads was selected for being deported. On August 11, the general inspector informed the minister the interior that the deportation of nomad Roma, ordered on the 1st of May, was been almost complete; as 84 percent of the total had then reached Transnistria. At the end of the month, 30,000 deported persons were going to find out their destination. According to a study, 11,440 nomad were deported, including 2,352 men, 2,365 women and 6,714 children.

The Roma group that followed was the "sedentary" Roma. One of the criteria for their deportation was the absence of property, but the property of land or a house did not protect them from being deported. Roma serving in the military service received a pass for staying, in order not to be deported. Some soldiers deserted in order to follow their families. Corrective measures were proposed, but they were not applied.

The eviction started on September 12, 1942. A commander was accompanying each train, and the guards had received orders to shoot. Nine trains were prepared to transport them from different regions. They were only allowed hand luggage. What was left behind, was confiscated. Over eight days, 30,176 sedentary Roma were taken to Transnistria. Other 18,260 Roma, considered to be less dangerous, were scheduled to reach Transnistria in the spring of 1943, but the unexpected advancement of the battle field made this impossible. The arrival of the "sedentaries" amplified the disaster. On November 25, 1942, 309 Roma had died. Death by inanition was not rare, as food distribution was insufficient. Thousands of deported persons contracted typhus. In the winter of 1942-1943, 3-4,000 Roma died of typhus. Some died of cold, being poorly dressed or undressed. Others, but data are still contradictory on that, had been shot.

On August 23, 1944, Romania declared war against Germany. Archives had not yet provided documents regarding the liberation of Roma from Transnistria.

Confronted with the advancement of the Russian front, the Romanian authorities, withdrawing, recommended that the Roma run away. On September 13, 1944, the Ministry of Foreign Affairs was requesting the Roma to resume their activities.

The Romanian commission for the victims of Holocaust declared 36,000 deaths, but other estimates are higher. In the '70s, 36,000 survivors submitted compensatory claims, without the Romanian state officially admitting the deportation to Transnistria.

d. *The communist period*

As a paradox of ambiguity, according to the soviet model, until the '60s the equalitarianism of the communist period allowed minimal identity representations (music in Romani, books etc.), a relatively equal access to resources and social services, which led to a significant improvement in the social-economic status of the Roma. Social mobility created the premises for the establishment of an elite which, on the one hand, was integrated in the majority culture and, on the other hand, represented, tacitly, models of reference for the ethnic group. At the same time, between 1950-1970, against the "deviations" from imposed social conformity, a series of measures were taken. Such as forced sedentarisation, prohibition of nomadism and of practising certain itinerant crafts. However, limitation of resources for local development has imposed internal migration, as a survival strategy, for an important part of the Roma population. In the '80s, the national program of the Romanian Communist Party (PCR), "Integration of the Gypsies," implemented through the Ministry of Interior, did little more than targeting their delinquency, as well as carrying out a "preventive" unofficial census.

After this period, in a general policy context with regard to minorities ('regardless of nationality"), the Roma minority disappears, even as "implied" minority. Similar to the Ottoman law principle ("devsirme"), in order to accede to a superior status, the only modality was individual social mobility ("naturalisation") This meant abandoning one's own ethnic identity and turning to symbolic affirmation of the majority culture, which lead to an accentuation of racial prejudices. From a cultural and social point of view, Roma were considered a parasitic "under-culture," a marginal social group. In this context, for individuals with "identity marks," the "clause of the most favoured nation" could be given or withdrawn, depending on the degree of usefulness and social conformity, at the level of the inferior layers of the power and state (teaching staff, military staff, doorkeepers, dustmen etc.).

After the economic collapse in the 1980s, the exclusion of the Roma from the labour market has generalised. Internalised by the Roma population, this practice, assimilated at the level of public policies and discourse, has created a tacit confrontation, of re-negotiation of the status, of the "social contract." Forms of "civic disobedience" (abandoning of civic responsibility, antisocial behaviour, etc.) were opposing exclusion and racial prejudices of local institutions and communities, which deepened the gap between the Roma and the majority population and lead to the proliferation of racial behaviours.

The dominant attitude and policy of the society with regard to the Roma was that of "cultural assimilation"; it was believed that the Roma could only be become civilized if they ceased to be culturally Roma and became Romanians.

The practice of cultural assimilation of the Roma has made it possible for specific individuals with advantages in terms of training and qualifications to raise their own standards of living and positions in society. Particularly in cases of mixed marriages, these Roma have succeeded in being absorbed by the majority population. Most Romas could not use this strategy, for obvious reasons. Their cultural assimilation was that promoted for the group as a whole, via administrative methods. This meant:

- forced sedentarisation during the '50s and the '60s of groups of Roma craftsmen, who were practising itinerant crafts (nomads);

- prevention of practising certain traditional crafts and activities, situation which lead either to unemployment (interpreted as "social parasitism") or the unauthorised undertaking of the respective crafts (interpreted as "dealership");

- destruction of neighborhoods inhabited by Roma, complete neglecting of some communities – measures taken within the process of systematisation of towns and villages; measures of "spreading" compact collectivities, in order to "get rid of the gypsies," which generated, in combination with other factors, the rise in tensions between Roma and the other inhabitants, increase of deviance etc.

e. *The post-communist period*

After 1989, there was recognition of the Roma as a national minority. This implied political and civil rights, but instead a profound deterioration occurred in the economic and social situation of the Roma, as a consequence of institutional neglect, and in some situations of discriminatory laws (the Land Law, Social Support Law, Education Law etc.) but also because of the state interventionism in the process of crystallisation of the Roma movement.

In the context of a learning democracy, blocking access to social rights and exclusion from resources for individual/community development have lead to a violent recrudescence of racism and discrimination, and to a weakening of the status of citizen. Absence of affirmative public policies has reiterated and amplified the ancestral surviving techniques:

- *acculturation/assimilation*, as an option for non-involvement/individual rescue and equal access to social treatment and resources;

- *counter-acculturation/normative integration*, as an option of the civil society (of the "national minority"), as affirmation and reconsideration of one's own normative culture.

The third way, *migration*, interpreted either as cultural pattern, either as extension of the area of exploitation of marginal resources, in the context of the new order of Europe, of considering the Roma as a "European minority, a "non-territorial nation, is, at present, a stimulus for reflection of European and national institutions on the "social pact" concluded in 1919, through the Treaty of Paris.

4. Conclusions and recommendations

Roma in Romania in the 3rd millennium – integration and subsidiarity

In the context of emerging values and rapid social innovations, both the majority population and the Roma are in a process of re-composing their representation models. The ethno-centrist, nationalist concept of the homogeneous culture has ceased to hold sway with the advent of the globalisation of identity models. However, the educational system of the Romanian society offers, as a unique model of reference, the values of the majority community. In the context of this policy, based on the criterion of the number and of the inflexible autarchic "prototype," and the majority holds all the power instruments and representation institutions. This allows it to impose its own ethnocentric model on ethnic minorities and on the spiritual ideal of the individual and collective ethnic personality.

Perceived as deviant and subjected to stigmatising stereotypes, the axiologic system of Roma spirituality, remote from its own representations and prisoner of intransitive "state" policies, has as an only solution the mimesis of the adoptive culture, the abandon of "Romanipen" (Romani law), the dissolution of its own identity and the cultural assimilation. Starting from the necessity to find its own identity values, the promotion of multi-culturalism values and cultural self-determination are imposed as necessities. Such an approach can (re)crystallise norms and relevant structures, by synchronising identity/ethnic marks with the values of modernity.

Public policies for the Roma in Romania must have in view the historic status of the Roma (slavery) and the derived mentalities, the significant number, as population, the emergency of policies for minorities, from the historical tendencies of assimilation to the legal protection, according to international norms.

As a first emergency, *internal colonialism* must be blocked, as being a source of proliferation of the institutionalised assimilation practices. The only solution for the (re)creation of social/national cohesion seems to be an approach which follows the demands of modernity, by the synchronisation with the new forms of inter and intra-community dialogue, within the Romanian society. Both for the traditional communities and for the poor ones, the creation of logistic support can lead to an increase of the degree of participation to the improvement of their own living conditions, to the consolidation of the community structure and of partnerships with local authorities (civic and anti-racial education in institutions and schools; legal and medical assistance; raising awareness and strengthening the role and

responsibilities of Roma mothers within the family; information and consulting for the continuation of studies; identification of jobs; support for obtaining identity papers; rediscovery of collective memory-oral history).

Social change, through the improvement of the "material culture" (combating the poverty of Roma), in the socio-economic context of the present Romania, is an ideal of the future. In such a situation, the vision of the involved social actors (international institutions, governmental institutions, external donors, Roma associations) must focus on programs which attenuate the effects of discrimination and target the "spiritual culture" of improvement of the behaviour patterns of the Roma, as well as change of the stereotypes regarding them, starting from a potential for change, the "minimum point of resistance," through influencing those social attitudes and practices which are possible of being changed. The establishment of channels of communication and dialogue among central, county and local authorities and the Roma communities would make possible the formulation of certain measures for sustainable development, the multiplication of formative experiences and models, the empowerment of the community for the improvement of their social-community status. In the same context, the construction of a partnership network could be the beginning of a system which allows equality of chances, non-discriminatory access to resources for individual and collective development, etc.

The sine qua non condition for social solidarity, without which the construction of the rule of law itself is endangered, is the elimination of all forms of discrimination against Roma, in view of protecting their civil, political and social rights (see the theology of freedom and poverty) and. Complementarily, the promotion of public policies for the affirmation and reconsideration of the normative Roma culture (see ideology of freedom and documents of EU, OSCE, EC). Far from being the "black people of Romania" or the "Amerindians of Romania", although they share many common elements with those, the particular status of the Roma derives from their common destiny, spiritual unity, trans-border nature etc.

The mobilisation of influence networks for the development of programs of identity (re)construction and of campaigns for combating racism and discrimination would impose the redefinition of the special status of the Roma in Romania and the correct perception of the historic socio-cultural gap that exists. A program for the development of the Roma population in Romania, according to the cultural differences and layers of this group, elaborated and implemented at all the administrative levels, in collaboration with the Roma associations and

communities, would create the premises for the integration of the Roma in the rule of law (similar to Romania's integration into the European Union). Stop the identification of "gypsies with the poverty, unemployment and delinquency through programs addressed to socially disadvantaged categories, being in a situation of social marginalisation and exclusion. Stop the "colonisation" of the minds and personalities of the Roma, by cessation of the hetero-identification practised by state institutions, politicians, "experts" etc., through the involvement of Roma at a decision making level, in view of the self-determination of priorities and options. Other key-words: equal access to resources, equality of chances, non-discriminatory treatment.

Leading principles:

1. sectoral and partnership-based approach to options, priorities and opportunities of the Roma communities, through the inclusion, funding and replication of them in the circuit of public policies and programs of state institutions, at the level of central/county/local structures, depending on the specific of the communities, in view of obtaining social solidarity and harmonisation of the public space with European standards.

2. Initiation of specific formative-normative alternatives, envisaging the synthesis of identity marks with the values of modernity, of occupational opportunities for the development of qualified human resources, including through the revaluation of traditional crafts of the Roma, in the context of the modern market, and the development of an exchange circuit.

3. Establishment of public institutions for identity formation/representation and community development, as a network of information, dialogue, consulting, expertise, assistance, monitoring, prevention and elimination of discrimination towards the Roma, in view of establishing communication and cooperation bridges with local and central institutions, of enhancing direct/active participation of the Roma to the decision making process and empowering the communities for the improvement of its own living conditions.