WE HAVE A ROMANIAN PROBLEM (NOT A "EUROPEAN"ONE)

Applying

the EC recommended "model approach" on tackling the issues of local Roma communities, including the itinerant (mobile) Roma groups.

A statement by Nicolae Gheorghe

Presented at the "High Level Event - Contribution of EU funds to the integration of Roma, 12-13 October 2010, Bucharest.

Extracts:

- France does have the legal right to close those camps, which are illegal under French law.
- "Getting rid of the gypsies" has been part of the Romanian's psyche since the deportations in WW2.
- The Soviet authorities developed the term "nomad" to describe the itinerant Roma.
- I believe the top leadership of Romania is ready to re-invent the "nomad" label.
- I don't think the Romanian government should have a new strategy dedicated to the Roma. It should have an effective practise, a performing central and local administration that works for everyone.

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October 2010

Background: Nicolae Gheorghe was one of the few Roma sociologists at the time of the Romanian revolution in 1989. He worked with Romania's post-Communist governments in developing policies for the Roma and set up the leading Roma NGO: The Roma Centre for Social Intervention and Studies (Romani Criss) in 1993. He was the OSCE's¹ first Roma expert, advising on Roma policy all over Europe. Now he is a freelance consultant and activist based in Bucharest.

On the eve of the second European Roma summit held in Cordoba, Spain, on the $8^{\rm th}$ and $9^{\rm th}$ of April 2010, the European Commission published its first policy document (a "Communication Paper") on the Roma: The title of the paper was "The Social and Economic Integration of Roma in Europe".

In my personal reading of this, one of the strongest points of the paper was the acknowledgement of the diversity of the large Roma population in the EU in general, as well as in each Member State in particular. In terms of policy making there cannot be one single,top-down, "centralized" "Roma strategy" to improve ,on paper, the living conditions, for the various groups which make up the Roma people, numbering hundreds of thousands or millions in particular Member States, and the largest minority in Europe, indeed.

What is needed are appropriate <u>processes and working</u> <u>methodologies</u> to be designed at <u>the local</u> level, with full inclusion of local Roma groups, community organizers local civic associations, and local authorities. Sal we call such processe

The European Commission has proposed the so-called "Model Approach" which differentiates between the various groups. They identify four major types of Roma:

¹ The OSCE stands for Organisations for Security and Cooperation in Europe. It is an international organisation with over 55 Member States (including north America, Europe and former Soviet Union). Its mission is to promote democracy, military security and the respect of human rights in Europe.

- Disadvantaged Roma communities on the outskirts of major towns and cities (sometimes known as the "poorest of the poor");
- Segregated (and isolated) Roma communities in small towns and villages, far from the big towns and cities;
- Mobile Roma who are citizens of an EU Member State;
- Mobile or sedentary Roma who are not members of any EU Member State, or who request political asylum, or persons without citizenship, or refugees.

I have been motivated and intellectually stimulated by the Commission's Model Approach. However, over the last few months, the issue of <u>international mobility of some Roma</u> has exploded in the media and in the EU forums. If we take the Commission's definitions of the major types of Roma groups, it is clear that the group that has sparked the current scandal is the third group, i.e. Mobile Roma who are citizens of an EU Member State (in French: Les communautes roms nomads ayant la nationalite d'un Etat member de l'UE).

My contribution to this conference is to illustrate of how this group of so-called "nomadic" Roma have emerged in the social history of Romania; how the issue of "nomadic Roma" appeared repeatedly in Romania's modern history and has been "solved" several times - by deportation during WW2, by forced settlement during Communist time, and more recently by What?

The Commission's view is that we should "address the needs of the major types of Roma community". Let's imagine how we, citizens of Romania, can put into practice our responsibility to the so-called "nomadic" Roma, firstly by acknowledging them as our fellow citizens (not as some kind of aliens). And we must recognise that it is us, the Romanians, including those of us of Roma origin, who are primarily responsible for finding a solution to this. To succeed we must find our own processes and methodologies — we need our own Romanian version of the Model Approach — including the better use of EU funds and resources.

At the moment it is obvious that we cannot deliver. There are too many obstacles. The keywords to illustrate these obstacles are special interests, suspicion, fragmentation, excessive competition among implementing agencies, secretiveness, conspiracy theories and rumours, failing NGOs, lack of capacity and accountability, accusations

about "EC Roma money" not reaching the grassroots, the blame game, and various forms of corruption.

To reverse this process we need a different set of keywords and a whole new approach: communication, leadership, trust, transparency, new organisational structures which can build on what we have achieved, can foster dialogue and partnership, and are able to facilitate transformation. We speak about transforming Roma but we don't talk enough about transforming ourselves - those who are supposed to design and implement the process, to act as facilitators, but sometimes act as real obstacle

And here I start with a historic reconstruction on how the itinerant, or mobile, groups appeared as a constituent part of Romanian society.

In the 1930s the Soviet Union started to ban the process of Roma craftsmen, and their extended families, from travelling around the country in search of work. The Soviet authorities developed the term "nomad" to describe the itinerant Roma and to justify their actions. In the 1950s, this process was repeated in the countries of Central and Eastern Europe, including Romania — and the "nomad" label was taken up all over Central and Eastern Europe.

In Romania, during World War Two, between 25 and 35,000 Roma were deported to the newly occupied region of Transnister and it is estimated that 11,000 died of cold and starvation. The so called "nomadic" Roma were collectively deported, whereas the settled (sedentary) Roma were only deported on an individual basis.

In the pre-modern Romanian principalities, the Roma were categorised as slaves, who were the property of the nobles (boieri) and the monasteries; and the itinerant craftsmen and commercial dealers², who were the property of "The Prince" (i.e. the monarch). This second group were the ones who came to be known as "nomads" in modern times. Slavery was unusual at the time as hereditary slavery, of a whole group, didn't exist anywhere else in nineteenth century Europe; even in the Ottoman Empire, slavery was only practiced in times of war and on individual basis. The word

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² The Romanian term is "tigani domnesti"

"tsigan/tsigani" (i.e. gypsy) had a socio-economicjuridical meaning, but not an ethnic one in the modern sense. The Roma slaves were the (collective and hereditary) property of the owner, and were tied to the person of the owner³. On the other hand the serfs ("rumani" in Romanian) were tied to the land; they had been the owners of their land but this right had been usurped by the landowners. Either you owned the land or you were tied to it4. The word tigan implies belonging to a caste characterised by poverty, subordination and the lack of property.

In the 1990s I was one of the Roma activists who tried to change the meaning of the word "tigan" by introducing into the public domain the word Roma, which in Romanilanguage means "man" and "human person". But in Romania this has led to semantic confusion with the word Romania, an issue that goes to the heart of Romanian's sense of identity, leading to questions like "Why do they steal our name?" and "Do foreigners think that Romania is the land of the Roma?"

Regarding EU membership, the pride of being Romanian is now tarnished and the idea of turning back to the "tigan" label is being debated by the Romanian media and politicians. In the European Parliament, the Romanian MEP Bodu is trying to introduce this idea as a motion. In September this year President Basescu said that the use of the name Roma should be recognised as a political error.

In the 1850s and 1860s the Roma slaves were freed in the Romanian Principalities⁶. Since then the division between itinerant and sedentary Roma has become more obvious: the itinerant Roma retained their travelling professions - like metalworking, woodworking, music and trading - while the sedentary Roma got plots of land and were connected to the rural way of life. All of us are a part of Romania's

³ In effect the Roma slaves in Romania were a caste. They were more like a caste than an ethnicity. ⁴ The term for this small landowner ("pamantean" in Romanian) means "someone belonging to the land"

and is the predecessor of the modern citizen; both Roma and the Jews were categorised as "aliens" because they were collectively deprived of the right to own land or being full citizens of the principalities. Romania was obliged by the Great Powers to give Roma and Jews full citizen rights in the nineteenth century as a condition for recognition of an independent Romania (an external imposition that led to the growth of anti Semitism in Romania).

⁵ The word "Romanian" is an intellectual elaboration of the word "rumani" which is the traditional word for Serf in Wallachia.

⁶ The liberation of the Roma was a part of the political process and negotiations with Britain and France, following the Crimean War, as a condition for the recognition of the two Romanian Principalities. In September 2010 the Romanian Senate rejected the proposal to celebrate the freeing of the slaves as a national day.

economy, culture and history with the same rights as the majority.

In the 1930s a debate was started about the "nomadic" Roma and the idea that they were contaminating society rapidly gained popularity. This debate took place within the context of the German-Romanian alliance (Romania was a full partner of Germany in WW2, not an occupied country), the fascist ideas of the day, and Romania's pride in the fact that, after 1918, it had finally gained recognition by the world powers that, as Great Romania, which includes Transnister, was a regional power.

This debate led directly to the deportations of Roma and Jews from Romania in WW2. Romania's deportations were different from those in other countries occupied by the Axis Powers: the Romanian Roma and Jews were not sent to concentration camps. The process was described as the "colonisation" of newly acquired lands in Transnister (land that had been acquired for Romania as part of Germany's southern thrust into the Soviet Union).

The newly acquired territories needed Romanians to work the land and populate it. The logic of the deportations was to send Roma "nomads" in the hope that they would become useful peasants, would get tied to the land, thus ending their status as nomads. Unfortunately the lack of organisation and supplies resulted in a third of them (about 11,000)⁸ dying of cold and starvation, and two years later when the war ended the survivors straggled back to Romania.

In the 1950s the newly installed Communist regime felt they still had a serious problem of "nomadism". The regime wanted to assimilate them, to "humanise" them and to turn them into a "new socialist person". The approach was social rather than ethnic and was imposed on the whole population, and was a repeat of what the Soviet Union had done in the 1930s.

⁷ In parallel with this debate about the Roma was an even more contentious debate about the status of the Jews in Great Romania of the time. A new category appeared during this time when you could go to a special "Romanian-isation Commission" where you could get a certificate to prove that you were a full member of Romanian society; and a new category appeared called "tigan romanizati". This phrase exists to this day as a self categorisation of some groups; and it was a way to avoid deportation during WW2.

⁸ The identity of the Laws in Transpirity is a second in much be the deportation during the interval and it is a self-categories.

⁸ The situation of the Jews in Transnister is a separate issue and is much better documented as it is considered part of the Shoah (holocaust).

Across Central and Eastern Europe the Roma were assimilated into industry and agriculture — and this policy was most successful in Hungary and Czechoslovakia. By the 1970s about 90% of the Roma of Hungary had been employed in low level types of jobs in industry, construction, agriculture and various other types of services. The process was less efficient in Romania and Bulgaria, countries that had not inherited the relatively more efficient Austro-Hungarian administration.

In Romania, the itinerant Roma managed to retain a measure of autonomy under Communism and not all the Roma were incorporated into agriculture and industry. Many kept the ancient clan practices, the family based trades and their traditional names. This was accepted at the local level. Many of the former "nomads" were able to prosper more than the sedentary Roma, as their survival skills were better suited to the environment; they managed to find their way into the cooperative schemes of the day.

After the Romanian revolution in 1989 there was a dramatic change in terms of income and social status: as huge state factories and farms downsized (and closed) the Roma employees were the first to go. Almost all the state farms were closed and this in particular resulted in mass unemployment amongst the Roma. One of the curiosities of Romania's welfare system is that payments are not made to the rural unemployed, as many villagers own land and are peasant farmers. But the Roma villagers (former agricultural workers of cooperative farms) do not own any land, nor do they have any experience as independent farmers. All this contributes to the Roma poverty.

In Hungary the mass unemployment made a very striking contrast with the situation of previous decades: after 20 years of post-Communist integration policies, the Hungarian majority have recently discovered that they have a rapidly growing population of Roma who don't work, and children who never see their parents go to work. The Roma practice of having many children, and marrying early, was seen as a stratagem for getting more welfare and the Roma issue came to be seen as a real social burden. It is these factors that are at the root of the success of the Hungarian extremist party Jobbik (including at the local elections on October 3rd 2010).

The political impact of these changes was less in Romania because welfare payments here are so small and the rhythm of reform has been so much slower (and the differences in the Romanian economy are less sharp then they are in Hungary).

Thus the "tigan problem" of the 1930s and the "nomad issue" of the 1950s keeps re-appearing in different forms. The EU Accession period has made it more prominent because the improvement of the Roma situation was one of two political criteria that Romania was obliged to make progress on in order to accede (the other being child welfare).

This political pressure raised the profile of the issue considerably and things started to happen in rapid succession: a government strategy was developed for the sake of EU Accession in 2001; a National Agency for the Roma was set up, as well as a Roma political party with representation in Parliament; and Roma representatives were appointed to local government offices.

During the pre-accession period (Romania joined the EU in 2007) scores of Roma NGOs were set up, and a small Roma intellectual elite emerged, and they became vocal in their demand for human rights and minority rights. All this has increased the visibility of the members of the Roma middle class, people like me. We went to school and the literacy rate in Central and Eastern Europe, among the Roma, is far higher than it is in Western Europe - where the educational issue has generally been ignored. The paradox is that my generation (now the grandparents) are better schooled than young people in many Roma communities in Romania today.

The issue is hurting because of the millions labelled as "tigan" (gypsies) and seen as a burden on social welfare. The majority asks "how much do we have to pay for this?" And people have fantasies that the Roma population will soon outnumber the mainstream population in some regions and cities, in the context of a decreasing birth rate (and increasing migration) in the general population. There are now areas where the Roma are now the majority.

After EU Accession the issue of freedom of movement has arisen. The freedom to travel within the EU is the most

⁹ Roma are now the majority in areas in northeastern Slovakia, northeastern Hungary, eastern and south west Romania, south west and in the north (and SE) Bulgaria.

cherished gain for all of us since 1990. Many people took advantage and travelled to work and holiday. There was a continual flow of all types of people going west, and to Greece, which is a gateway to the EU for South East Europe. 10

Then came the trend of requesting political asylum. In the early 1990s thousands of Roma went to Germany and in 1992 a re-patriation agreement was signed between Romania and Germany - with the Romanian Roma as the main object. Tens of thousands were sent back from Germany in this so-called(by the Media)a"Zigeuner Protocol".

The Roma started to explore the new spaces of the EU and to look for new destinations, such as Italy, France, the UK and the Nordic countries. The most successful group at dealing with this new opportunity were the itinerant groups from Romania (the so-called "nomads"); they had experience of deportations and travel and they are much better suited to this type of adventure than sedentary Roma. They found niches to make use of social welfare as well as sympathy and tolerance. Initially this was a spontaneous appeal to the local authorities, populations and churches. For many it was like a paradise.

In Italy and France temporary camps and slums started to appear, and there was a tendency among left leaning local authorities to try and integrate them. In France the local authorities are very decentralised and there are many socialist mayors who are sympathetic to the Roma.

All this was spontaneous, many groups took advantage, and there were many success stories of those who worked, traded, farmed and learned new languages. The Roma are very adaptable and skilled. Many had worked on collective farms in the Communist period and experience in animal husbandry is particularly common. There are segments of the Roma population with a history of jobs and work discipline (which has been softened by the transition) who want to sustain this success by getting their children through school.

I think that what happened over time was that a spontaneous migration became a chain migration, in other words

¹⁰ It is estimated that over two million Romanians are now living in other EU Member States. This is according to Romania's Ministry of Labour estimates.

neighbours, extended families and whole clans got involved. In Romania, entire Roma villages have been emptied by this pattern. This chain migration phenomenon typically happens in all migration patterns in history.

In the west, the sympathy and tolerance that had existed for groups of Roma between 10 and 40 started to break down when the number of Roma requesting assistance increased to 400 or more, particularly during a time of recession, for example in the French city of Massy, a commune in the southern suburbs of Paris,. They started to be seen as a burden and fantasies of a mass influx begun to gain currency.

Next to this is the issue of trafficking, an issue which is at one level entrepreneurial but on another is criminal. Trafficking involves middlemen, moneylenders, transport organisers, the selling of information, extortionate interest rates and the charging of rents. It involves the exploitation of men in all kinds of jobs, women into prostitution and children into informal work (begging being a part of this story)¹¹.

What is sad is that those who were successful at migration in the 1990s, and in the period before EU accession, are now organising the poor people from their kinship ring, from their clan, or from their local community; people who want to imitate the success of those who went before them. I'm sure there is no criminal intent from the part of the victim, but people get into situations which can make them seem like criminals. Their intent is almost always to just get a job or find a way of making a living.

This chain migration is becoming a mass phenomenon. It is better structured now. There is an interesting example of Roma migration in Naples, Italy. At one point almost the entire Romanian Roma community in Naples was made up of the Spoitori¹² clan, a former itinerant group of Roma from the Romanian city of Calarasi. It can seem like the whole Spoitori are shuttling between Naples and Calarasi.

¹¹See the Appeal: "*Putting Children Rights First: Say NO to the Exploitation and Discrimination of Roma Children*", circulated during the 2d European Roma Summit, 8-9 April. Cordoba. The text is drafted by Hvzi Cazim (Macedonia and Belgium), Lorne Walters (Canada and Belgium), Nicolae Gheorghe (Romania). The same document / Appeal has been circulated during the Warsaw OSCE Review Meeting, Working Session nr.7 on the Implementation of the OSCE Action Plan on Roma and Sinti, 6 October.

¹² Spoitori were traditionally the Roma whose trade was galvanizing metal pots.

To be gypsy in Western Europe is to be seen as being "nomadic", or a "traveller" and there are a lot of negative stereotypes that go with this status. In the UK they have dedicated camp sites and in France they have licences for Roma trades and special travel rights (these are known as Gens du Voyage). The French have a law (the "Besson Law") dating from the 1980s by which city authorities can specify campsites with utilities, but it is for a limited number of Roma; for those who are skilled, eligible and French. This is not an ethnic right (although it is perceived to be so by the French public) it is an administrative and employment right.

I continue to identify myself as a human rights activist. My mission is to defend the rights of the people but I have to recognise that at the moment there is a criminal part to the migration story; there are criminal networks that exploit women and children. And there is a reluctance on our part to discuss this as it might feed the prejudice against us.

We need to be vigilant about defending the human rights of those repatriated from France, and all the abuses that go with it, but we also need to enter into a friendly debate about the issue as there is a risk that the argument will be won by the extremists. The challenge for policymakers is to harness the skills and dynamism of the Roma into legitimate entrepreneurship in the formal economy - self employment, international trading in crafts, and other activities which will fit into the context of freedom of movement of capital, goods and services, and persons. If we fail to do this, my fear is that there will be a multiplication of the recent attempts to scapegoat the Roma as criminals and nomads.

What worries me are statements of politicians that indicate an attempt to re-define the Roma - politically and legally - as nomads, and to criminalise the whole Roma population. In the mind of President Basescu the Roma are basically nomads; he said this when he was mayor of Bucharest and since then he has seen Roma campsites in Western Europe and he's interested in organising similar sites in Romania.

Mr Basescu is a prejudice person. He is very outspoken and authoritarian and his personal approach can have a big impact on policy making. Imagine a talk on this issue between Basescu and Sarkozy! There is a political dimension to this issue that we could only imagine before. It has become so high level.

I am particularly worried by this high level visibility, amidst such confusion and rumours, within the context of Romania and Bulgaria joining the Schengen space which is scheduled to take place by the end of March 2011. As the issue is so controversial I believe that France is capable of informally lobbying to constrain Romania's rights within the Union. By spring 2011 we could have a crisis on our hands as a decision needs to be made: Will Romania and Bulgaria be accepted into the Schengen space? Will Bulgaria ask to be de-coupled from Romania over this issue? Will the Roma issue be pushed into the front of the Schengen debate?

Are the French authorities discriminatory? Some people say yes. Sarkozy is certainly a populist leader but this is not the whole story. It's much more complex, and more serious than many people assume.

France does have the legal right to close those camps, which are illegal under French law. Morally it is illegitimate but it is legal. The other issue is repatriation to Romania; juridically it is not expulsion or a deportation. France pays 300 Euro to each adult to go home voluntarily. This is the French approach to discourage massive migration. It is the centre right's approach and Sarkozy is aiming to take voters from the far right.

This is a Romanian problem, not a European one. "Getting rid of the gypsies" has been part of the Romanian's psyche since the deportations in WW2. The mass Roma migration since EU accession serves a similar purpose of getting Roma out of the community. This approach tolerates the idea of the Roma "becoming European" on the assumption that the Roma will leave, the westerners will take the burden and will then "understand our bitterness". All this makes me worry. The Roma as an EU citizen is a subtle argument but the solution has to be found here, in Romania.

Western Europe wants to see more control, a slowing down of migration from east to west. Will Romania keep its freedom of movement? Will we be accepted into Schengen? This is the issue at stake now. I am afraid that the Roma issue could be a pretext for the tightening of this freedom, an

argument that would be acceptable to the public and politicians in the west, as well as some political groups in the European Parliament. We may see this tendency in the coming years and it makes me anxious.

I believe the top leadership of Romania is ready to reinvent the nomad label as a bargaining chip. They will say "we have a sector of nomads who don't like to work but who do like to travel - and we call them Roma". The problem is when you generalise, when you develop an ideological view and put it into administrative practise.

When journalists cover the "Roma story" they go for the most visible sites. But there are virtually no "nomads" in Romania anymore, although you can always find groups who are mobile and living in poverty. The Roma in Romania have been settled. Journalists try to meet the mobile Roma as it makes it much easier to do their job - to reproduce the stereotypes about nomads and to show the contrast between poverty and wealth

I don't think the Romanian government should have a new strategy dedicated to the Roma. There is no need for the type of political strategy we adopted in 2001. We need an effective system, a public administration that works for everyone. If the Romanian social services would work according to its own laws it would be much more beneficial – for everyone – than any specific Roma strategy could be. If they develop a new strategy it will probably be aimed at producing a few helpful headlines and it will be used as a bargaining chip in the Schengen deal. It is highly unlikely that a new Roma strategy would ever be implemented, if only because the institutional capacity to do so does not exist.

These "rhetorical" strategies don't help - on the contrary. The majority will say "again you have positive discrimination for the Roma" as well as the negative public perception of vast sums of money being allocated to hopeless Roma problems. We just need effective public administration, run by properly trained civil servants in senior positions, some of whom could be Roma, that will quarantee access to public services.

The social inclusion of the Roma in Romania is essential. To "Europeanise" the problem, of the itinerant Roma in particular, is misleading. For example a local policeman might encourage a local Roma citizen to leave the

community, to go west, as this gets the problem off his plate. This is not a solution.

We have to make this country more effective; we must bring Romania up to standard: that is the way to "Europeanise" the situation. The so-called "Roma problem", including the "EC funds and Roma" debate, could be an entry point for the raising of public service standards in Romania generally.

But this is hard for some Roma too (including some of the Roma activists and opinion leaders): "we are travellers, we are free" they say. These stereotypes are used by some Roma to justify themselves, and those who traffic them use the nomadic logic to justify it.

The "nomadic" Roma is now a myth but, like all myths, there is some reality. There are some mobile Roma groups, and those who use the myth to legitimise their strategy, and while that is their right to do this it is not acceptable to project this mythology onto the whole population, to promote the image of the "eternal nomads", the "children of the wind", the "people without a state".

The fact is that the vast majority of Roma in Central and Eastern Europe are settled, and citizens of their respective countries, and they have nothing to do with these nomad stereotypes. Meanwhile I can foresee the emergence of a European wide Roma culture(coherent, carried formalized, carried on by folk habits as well as by intellectual elites, similar with processes which led to mainstream modern "national cultures"), the bedrock of which would be a diverse Roma population, across Europe, each of whom has the confidence of strong individual citizenship—and, in addition, the possibility of living in large Roma communities which enjoy municipal services and various levels of self governance.

Edited by Rupert Wolfe Murray

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