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EQUALITY AND DISCRIMINATION – ROMA SOCIAL EXCLUSION

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Abstract

Substantiating the idea of equality of all citizens, Ion Ghica shows the special value of this concept and its importance for the Romanian society, saying that "equality is a noble and good aspiration of the generous man, of the man endowed with a sense of justice and fairness; it is the urge and hope of the intelligent person, of the scholar and of the worker, of the one who wants to climb the social ladder, who aspires to the development of progress and civilization". The purpose of this study is to focus on the issues of the Roma minority and on the ethnic discrimination in this segment, which is not limited to Romania, becoming rapidly a center of interest and concern throughout Europe.

1. Introduction

The discrimination is any distinction, exclusion, restriction or preference based on race, nationality, ethnicity, language, religion, social status, belief, sex or sexual orientation, belonging to a disadvantaged category or any other criterion which has as purpose or effect the restriction or elimination of recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms or of the rights recognized by law in the political, economic, social, cultural or any other field of public life (Official Gazette 431 of 2 September 2000).

Discrimination implies the differential treatment of a person by virtue of belonging, in reality or supposedly, to a particular social group. It is an individual action, but, if the members of the same group are systematically treated similarly, this is also an aggregate social pattern of behavior. In social sciences, the term refers generally to injury treatment, with negative effects on the target. Discrimination is an individual action, but, if, by definition, the members of the same class are treated similarly, it is also a social model of collective behavior. Since it is of social nature, discrimination involves, at a certain moment, behavioral consequences on subsequent occasions. The patterns of inequality set in a generation are easily transmitted to future generations, as people mature reckoning them both morally correct and natural (Banton, M., 1998, p. 25).

Another phenomenon that is related to discrimination is the stigma, the stigmatized people becoming easier the target of differentiated treatments. The emergence and proliferation of the vindictive mythologies of the scapegoat are widely diffused and correlated with feelings of dissatisfaction, anxiety, lack of confidence and the desperate need to blame a specific group for all failures, a group appointed in terms of differentiation and of the alleged non-assimilation. For example, extreme nationalism combines the utopia of the ethnically homogeneous state with the myth of a foreign conspiracy determined to undermine the country (Shafir, A., 2002, p. 359).

2. Overview of Roma in Romania.

Who are the Roma? In the new edition of the Explanatory Dictionary of the Romanian Language (DEX), published in February 2012, the definitions of certain words deemed offensive as "Roma" ("rrom") or "Gypsy" ("tigan") were changed.

The changes were made due to a recommendation made by the National Council for Combating Discrimination (CNCD), by the Romanian Academy and by "Iorgu Jordan" Institute to change the way the word "gypsy" was defined in DEX.

The National Council for Combating Discrimination (CNCD) recommended the two institutions to insert before the definition of the word "gypsy," i.e. "epithet given to a person with

bad habits", the specification that this is a pejorative meaning.

The 2012 edition of the DEX complied with this recommendation and modified other definitions considered offensive or inappropriate for this ethnicity, around 30 in number ("balaoache", "baragladin", "buliba", "chivu", "corturar", "faraon", "gitan", "jude", "laie", "l ie", "lingurar", "puradel", "rom", "rudar", "s la", "igan", "ig na", "ig natic", "ig ncu", "ig ncu", "ig neal", "ig nel", "ig nesc", "ig ne te", "ig nie", "ig nime", "ig nos", "ig nu", "ursar").

Therefore, the new definition of the noun "Roma" is "term by means of which the members of an ethnic group originating in India and spread especially in Southern and Eastern Europe identify themselves, replacing the name Gypsy, considered pejorative". In addition, in the new edition of DEX, the two words "Roma" and "Gypsy" are not synonymous anymore. Now, one of the definitions of the word "Gypsy" is not "epithet given to a person with bad habits" but "pejorative epithet given to a person with uncivilized behavior".

What is their language? Roma speak Romani, whose roots are in the Indo-European language family, similar to Punjabi or Hindi. Depending on the country or the region where they established, the language was enriched with local terms.

What is the correct Romanian term: "rom", "rroma" or "tigan"? "Rrom" is the term used in Romani to refer to their ethnicity. Emanuelle Pons identifies the term "rroma" ("Roman") as coming from Sanskrit (original: Romans) meaning man, married man. In Romanian, the correct term is "rom" (DEX 2012).

As regards the term "Gypsy" ("tigan"), it does not exist in the Romani language and it is a negative form of hetero-identification, rooted in the Greek word "athiganos", describing the ethnicity of a group considered heretical, untouchable.

Where do Roma come from and when did they arrive in Romania? Regarding the Roma origins, we could say that Roma arrived in Europe as slaves from India, in the ninth-tenth centuries. Roma settled in the Balkan Peninsula but later migrated to Central Europe. In Romania, the Roma were used as slaves by the landowners, by the royal house and by monasteries.

The first documentary proof of the Roma slavery on the Romanian territory dates back to 3 October 1385. At that time, Prince Dan Voda confirmed the donation of "40 s laşe de aţigani" ("40 gypsy dwellings") given by Prince Vladislav to Vodi a Monastery, about 20 years before: "40 gypsy dwellings are free of all jobs and tributes to the income of my reign" (Alex. tefulescu, Tismana Monastery).

What do they have in common internationally? In 1971, between 6 and 8 April, there was held in London the first Congress of the International

Romani Union. On that occasion, the day of 8 April became the International Roma Day; there also were adopted "the two great symbols of the Roma cross-border nation: the flag of all Roma and the international Roma anthem "Gelem, Gelem" ("I went, I went").

The Roma flag consists of two green and blue longitudinal strips, and in the center, there is a red wheel. The green symbolizes mother earth; the blue is the sky - father and God, and the wheel stands for the nomadic life, the symbol of the pilgrimage carried out for centuries by this nation.

When and how were they freed? 20 February is a milestone in the history of the Roma, representing the unleash from the slavery chains that oppressed the Roma community for centuries.

The Roma slavery (the Roma owned by the noblemen) was abolished by a law promulgated on 20 February 1856. The slavery had been lasting for over 500 years and its abolition was actually the first major social reform of the Romanian principalities.

On 22 December 1855, the Moldovan Civic Council adopted "the law to abolish slavery", based on a bill drafted by Petre Mavrogheni and Mihail Kogalniceanu.

At that time, the owners whose slaves were freed by the law were indemnified by the state or enjoyed a range of tax benefits (10 coins per each Roma released in 1856). For Roma, the law established the obligation to permanent housing. The Roma who left the noblemen's courts were sent by the local administration to towns or villages, taking into account their wishes. In the coming years, the freed slaves did not benefit of the measures of land allotment, most of them facing extremely difficult material situations, being forced to return voluntarily on the estates of their former masters.

3. Further considerations on the situation of the Roma people

In Romania, there are several excluded social groups and this exclusion process is evident. The Roma people suffering from serious processes of exclusion are one of these social segments. The unemployed, single parents, young people under 18 leave leaving the state institutions without any law or program to protect them are just some examples of excluded social segments. However, if unemployment as exclusion from the labor market is taken into consideration among its consequences, as the most serious form of social exclusion in the West, the situation of the Roma people in Romania is a specific form of exclusion, which requires even expanding the concept to its meanings in Western Europe. The lack of identity documents to a large number of citizens is a form of social exclusion much more serious than unemployment, these people being excluded even from the status of citizens, which would grant them a lot of rights: child allowance, social allowance, free education,

free health services for children and other disadvantaged groups, voting rights, etc.

Although the Roma history is the history of a people that has been European for centuries, the Roma are seen and mentioned as being nomadic, their lives being ruined by marginalization and the policies focused on the marginal parts of the society have traditionally fluctuated between "educational" positions and repressive positions, sometimes in combination, depending on the circumstances. Not only that the Roma are not fully recognized as part of the European society, but also they have now become an international issue (Signa, N., 2005). No less true is the fact that globalization has favored the mobility of the Roma groups worldwide, which inevitably led to the emergence of the breach of criminal rules by the ethnic Roma on the territory of the host Member States (Mitra, M. 2007, p. 141-170).

Most observers state that, within the Romanian society, although the corruption among public officials (Mitra, M, 2014), the crime among those in leadership positions and the embezzlement are widespread, these crimes are not usually reported or punished. The percentage of the Roma criminals would decrease greatly if the actual rate of crime were adequately represented in the official statistics because the Roma as a group are almost absent in all areas of the society where crime is found among those in leadership positions. Perhaps recognizing this, the police now state that not every third, but every fifth offender is a Roma (Preda, M., 2002).

Among the studies bearing on this issue, there are opinions according to which unemployment, poverty, ethnic segregation are the determining factors in the development of deviant behavior, which places the Roma population in a vicious circle, generating a legitimate question, namely whether the stigma generates offenses or whether the offenses generate stigma (Mitra, M., Mititelu, C., 2013).

Although the increase in the crimes committed by the Roma people, in relation to the rest of the population, is obvious, the figures are by far different from what is described as "a third of the offenders are Roma", a concept previously promoted by the police. On the contrary, the offences involving Roma (offences against property) (Mitra, M., 2015, p. 100) are less sophisticated and easier to reveal, investigate and punish, compared to the crimes usually committed by the members of other groups.

Much of the problem for the community members who are attached to traditional values is the threat of assimilation; however, a minority rights approach should avoid the compulsion to follow the majority rules and seek a balanced integration, by finding a way of cultural expression (Rugnis, C., 2010).

The specifics of Roma social exclusion consist precisely in sources of exclusion which do not exist

in the general population or which are rarely encountered; other sources are the lack of legal identity and the illegal housing situation (Marin, Marilena, 2014).

After a process of integration in modern life forms, the socialist regime, but with some clearly positive effects (school attendance, participation in legal economic activities), the Roma population has felt the toughest the shock of the socialist economy crisis and then the shock of transition. It is conceivable that in the last 20 years the situation of the Roma population has worsened much more than the rest of the population.

4. Conclusion

The vast majority of people facing extreme poverty in Romania are the Roma. The lack of legal identity, excluding any social right, affects a significant number of the Roma. They are completely excluded from all other rights derived from the citizenship status: social assistance, social security, the right of political participation, legal employment.

The data suggest that the social disintegration processes triggered by transition affected the young population more significantly than the older adult population, due to the lack of legal identity.

The guaranteed minimum income is required to support the segment that is experiencing the worst conditions of poverty. A significant segment of the Roma population has limited access even to this form of social support, due to a lack of identity papers and housing, including the issue regarding the protection of the right to life by state authorities (Mitra, M., 2008, p. 89).

Taking into account the above mentioned issues, we can conclude that, being different in a group comes at the cost of a label; the costs of having the distinct characteristics of the group are numerous, manifesting themselves inclusively by marginalization and social stigmatization (Moscovici, S. & Markova, I., 1998).

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