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## The Roma of Romania

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**The Roma of Romania**

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## **Introduction**

The Roma are an ethnic minority group, which is a group of individuals who identify themselves with each other on the basis of recognition of common ancestry and features such as religion, biology, culture, history and language and do not represent a majority in any one given society (Filipescu 2008). In accordance with this definition, the Roma constitutes an ethnic minority group, who has its own culture, history and language.

Since the eastward enlargement of the European Union (EU), a new emphasis was been placed on the social inclusion and fundamental rights of the Roma population. During the period of accession, the EU had repeatedly asked its member states to promote the social inclusion of the Roma population and to pass policies aimed at preventing discrimination and social exclusion of minorities. In order to achieve its goals, the EU imposed minority rights protection as a condition of accession. This condition of accession had a significant impact on the Eastern European country of Romania, which has the largest number of Roma residing within its boundaries. In June of 1993, the European Council created the Copenhagen Criteria for Membership, which included the protection of minority rights as a condition of ascension to the EU. Romania was determined to do whatever was necessary to oblige the European community and gain membership to the EU, which meant that Romania was forced to take actions towards the protection of the minorities residing within its borders. In 1993, Romania signed the European Agreement and began its ascension to the EU. After the Revolution of 1989 and the consequential fall of Communism, one of Romania's main objectives was to integrate into the EU. In 2007, Romania officially became a member of the EU.

Since minority rights protection was a condition of ascension, it is logical to conclude that Romania was successful in achieving this goal, along with other criteria, and gaining membership in the EU. Unfortunately, I will argue, this statement is not accurate, and the EU failed in achieving its goal of providing minority protection.

The EU enlargements of 2004 and 2007 brought between five and six million people of Roma origin into the European community and protecting their rights and addressing their social and economic problems became a European issue (Swoboda, 2011). The year 1993, when Romania began its accession to the EU, was a promising year for the Roma. It promised to bring about equality, protection of minority rights and the prevention of discrimination and social exclusion. In reality, the road to the EU has been unsuccessful in bringing about change and creating better living conditions for the Roma. The EU has offered Romania opportunities for social change with regard to the rights of the Roma minorities; however, due to a lack of pressure from the EU, the ways in which the Romanian government has responded to these opportunities has not always been consistent with the intentions and the hopes of the EU policy makers. In many cases, the EU initiatives that focus on the inclusion of the Roma fall short of their objectives. Furthermore, the privatization of the economy has not led to equality and stability.

The main problem concerning Roma minority rights is the strong anti-Roma prejudice prevailing in all European countries. In order to combat the prejudices, more effort, time and money were needed. Furthermore, laws dealing specifically with minority rights must be implemented and people's prejudices must be combated. Overall, a new policy on the Roma issue should be implemented: a policy of desegregation.

Furthermore, one of the biggest factors affecting the rights of the Roma is the lack of a clear definition, by the international community, of the term “minority”. Member states of the EU argue that minority rights are unnecessary in a system that provides equality and protection to all individuals. The states argue that the minorities are included in the terms “all”, however, individual rights, are not sufficient to protect a minority group's culture, language, and religious beliefs. As such, discrimination against the Roma is unlikely to be eliminated without reconsidering the role minority groups play in the international system, and redefining the ways in which they can be protected.

## **History/Origins of the Roma**

The Roma are found predominantly in Europe, especially in countries such as Romania, Macedonia, Hungary, Bulgaria, Slovakia, Greece, Spain and Serbia. Many Roma have migrated to countries such as the United States of America and North Africa, however the majority of Roma still reside primarily in Europe. In 1998, it was estimated that over 4 million Roma lived in Europe, at that time forming a substantial minority. By 2011 it was estimated that there were approximately 10 million Roma, with full rights as citizens, residing in Romania and southeastern Europe (Copenhagen Post 2011).

The history of the Roma is full of oppression, segregation and discrimination. Far from being integrated, the vast majority of Roma in Romania, as well as in all other European countries, are outcasts, denied the opportunity to integrate and be contributing members of the society. Stereotypes abound, and the media does nothing to stem the tide of discrimination. There is the tendency within state structures to view the Roma as a social problem and treat them as such (Rostas 1998). As long as this continues, the Roma will never be fully accepted by or integrated into non-Roma communities in Romania.

From the moment that the Roma stepped foot on European soil, they were almost immediately seen as a threat. Throughout Europe, the Roma are perceived, as a whole, to be untrustworthy, lazy, uneducated, conniving and mainly thieves that make a living from conducting illegal businesses. This mentality has been engrained in the minds of the European people, and it is very hard to change a mentality that has been around for generations. In order to understand the current situation of the Roma in Europe, it is important to understand their history and past.

It has often been said that putting together the history of the Roma people is like trying to put together a jigsaw puzzle. There seem to be many missing pieces in the history of the Roma. The Roma, also referred to as Gypsies, come from the region of northern India. The word *Gypsy* is an abbreviation of Egyptian, which is what the Roma immigrants were first called in Western Europe, because it was erroneously believed that the Roma originated from Egypt, not India (Kenrick 1998). Once it was determined that they originally came from India, the Roma were renamed. However, the terms *Gypsy* remained synonymous with Roma. The name Roma comes from the Indian word *dom*, which means man (Kenrick 1998). From having lived in Romania for the majority of my life, I can attest that the word *Gypsy* has very negative connotations. Being called a *Gypsy* is offensive and there is a certain stigma which comes with this title. It implies that the person is of a low social class, a thief and a cheat.

History places the Roma as moving out of the Indian region sometime between A.D. 800 and A.D. 950 (Hancock 1987). The Roma, by A.D. 1000, began their movement westward (McDowell 1970). Through the centuries, the Roma moved west through Persia and Armenia, all the way through Europe, until they reached the Byzantine Empire (Chronological History 2000).<sup>1</sup>

Originally, linguistic evidence was believed to show that ancestors of all Roma populations left India at the same time, constituting a single race who spoke the same language. This large group was believed to have subsequently diverged into two separate linguistic branches, both stemming from the same region of India (Hancock 1987). The

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<sup>1</sup> In A.D. 1100, a monk at Mount Athos in Greece wrote about people who seem to strongly resemble the Roma, and this monk's written record is believed to be Europe's earliest record describing the Roma (McDowell 1970). One such record stated that in 1290 in Greece the Roma were shoemakers on Mount Athos (Kenrick 1998).

two branches that were formed were the Nawar, Kurbat, Karaci and Helbi now found throughout Egypt and the Middle East, and the Bosa and Roma found throughout Armenia, Eastern Turkey and Europe (Hancock 1987). However, further research showed that it is very likely that each of the above Roma groups left India at different times and under different circumstances (Hancock 1986). Based on this new research, it was believed that the group that first left India is called the Domba, and they left as either prisoners of war or entertainers (Hancock 1987). Although many hypotheses exist regarding the departure of the Roma from India, one thing is for certain: the Roma originate from the northern region of India and the basic lexicon and grammar of the Romani dialect contains two thirds Indian features (Hancock 1987). Their language closely resembles the northern Indian group languages of Hindi and Punjabi (Kenrick, 1998:1). Generally, it is believed that the Roma emigrated from northern India and crossed into the Middle East and Europe. Some Romani stayed in the Middle East, while others continued their journey into Europe (Kenrick 1998).

In 1347 when the Black Death struck the Byzantine Empire and reached Constantinople, the Roma once again moved west. In 1348, the Roma reached the city of Prizren in Serbia. By 1362 they reached the city of Dubrovnik in Croatia and by 1378 there were reports of Roma living in villages near Rila Monastery in Bulgaria (Kenrick 1998). One of the greatest Romanian historians, Bogdan Petriceicu Hasdeu, translated and analyzed papers found in archives of monasteries of northern Romania, specifically the Tismana Monastery. In these archives, there were numerous papers found which

referenced the Roma population. Among these papers there were documents which gave historian more information regarding the Roma enslavement in Romania.<sup>2</sup>

From the moment the Roma entered the region, they governed themselves antithetical to the European majority. The Roma were a wandering group, who dressed, talked and behaved different than the European population. During the 14th and 15th century, many Roma migrated into Europe. They were mostly farm workers, blacksmiths, musicians, fortune tellers and entertainers (Kenrick 1998). In the beginning the Roma were welcomed into the European society. However it wasn't long before they attracted negative attention from the state, the church and the guilds. There were three main reasons why the Roma attracted negative attention. First, they were a nomadic group, which contradicted the desire of the state to see everyone settled at a permanent address and therefore able to pay taxes. Second the church was worried about the heresy of fortune-telling. Third, from an economic point of view, the guilds were worried that these newcomers would undercut their prices (Kenrick 1998). Furthermore, feelings of mistrust towards these newcomers were accentuated by the fact that the Roma were dark skinned. Some Europeans even went as far as to believe that the Roma were spies for the Turks (Kenrick 1998). To this day, the present-day hatred of the Roma in Europe is believed to stem from the conviction that the color of their skin, the blackness, denotes inferiority and evil (Hancock 1987).

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<sup>2</sup> One paper found at the Tismana Monastery dated back to 1387 and another paper found was signed by Mircea the Great, the ruler of Wallachia from 1386 to 1418. Both documents indicated that the Roma had been in the northern part of Romania for at least a century before (Hancock 1987). Among the items found in these archives there were receipts which show evidence that the Roma had been enslaved. One such document was a receipt for a gift of forty Roma slaves given to the monastery. Another receipt showed Roma slaves given to the monastery, as a gift, by the King of Serbia (Hancock 1987).

The history of the Roma is not complete without a discussion of the two main events which shaped the lives of the Roma: their enslavement and the Holocaust. The enslavement of the Roma and the Holocaust, both which aimed at eliminating this race of people, are two of the largest and most violent pieces of the Roma's history. The history of the Roma enslavement is one which is both controversial and highly disputed. Three famous authors, Jirechek, Potra and Chelcea, all suggested that slavery, for the Roma, was a condition which was inherent in their history and culture (Hancock 1999). Another theory about slavery is developed by the authors Soulines and Gheorghe, who claim that the Roma sold themselves into slavery in order to pay their debts (Hancock 1999). Nicolae Gheorghe, a specialist in Roma rights, and the Consultant of the Roma people for the Security and Cooperation Organization in Europe, maintains that slavery was a result of the stringent measures taken by landowners, the regal courts and the monasteries to ensure that the Roma people would not leave the principality (Gheorghe 1998). The Roma provided free labor, and since their looks and lifestyle was different than that of the Romanian people, it was easy to turn the Roma into an unwanted "other".

The Romanian scholar, Hasdeu, argues that the Roma were in the Balkans and had started to be enslaved sometime prior to AD 1300. Around 1453 the Byzantine Empire and the Middle Ages came to an end, and the European Renaissance began. Other scholars argue that during the era of the Byzantine Empire, the Roma represented an oppressed caste, although at this time they were not yet considered slaves (Hancock 1987). As a result of the Crusades, the series of holy wars which lasted from 1099 to 1212, there were two routes which the crusaders took in order to get from Europe to Jerusalem. The first route was across northern Europe through Holland, Germany and

Poland. The second route was through Hungary and Wallahia, a route which also led to ports on the Black Sea (Hancock 1987). Meanwhile, between 1241 and the mid-1400's, due to the decline and eventual fall of the Byzantine Empire and the Mongol invasion in northern Europe, there was a strong anti-Islamic sentiment in Europe (Hancock 1987). Unfortunately, due to the harsh economic conditions which the Roma encountered upon their arrival in Europe, as well as the fact that the Roma were poor and in an unknown land, they were easily enslaved by the Romanian people.

The Roma were distributed in house slaves and field slaves. The field slaves were divided into three categories: the noble men slaves, the court slaves and the householders (Hancock 1987). The slaves that belong to private landowners were subject to the laws of those who own them, and although the churches and monasteries were governed by the law of the land the slaves that belong to these entities were treated with extreme cruelty. Various examples depict the cruelty that the Roma slaves suffered at the hands of the upper class:

"The boyars had a special Penal Code for Gypsies; beating on the soles of the feet until the flesh hung in shreds... When the runaway was caught, his neck was placed in an iron band lined with sharp points so that he could neither move his head nor lie down to rest. The boyars had no right to kill their slaves, by there was nothing said about slowly torturing them to death. No law forbade the boyar to take the most beautiful girls as his mistresses, or to separate wives from husbands, and children from parents." (Hancock, 1987: 20)

In Romania, during the beginning of the era of slavery, the Roma had no rights. There were no laws against selling/buying the Roma, or even offering them as gifts (Kenrick 1998). The civil code during that time stipulated that all Roma that come from outside the boundaries will be the property of the state and every Roma child born in the boundaries of the principality shall automatically become a slave (Liegeois 1968). The

rights of the Roma were actually fewer than the rights of the serfs. Unfortunately, because the Roma were so marginalized they were not able to put up any resistance (Hancock 2000).

During the late 1400's, as feelings of mistrust towards the Roma grew, it wasn't long before chain reactions, targeting the Roma minority, started to occur throughout Europe. In 1482 the assembly of the Holy Roman Empire passed laws which banished the Roma from the territory and Spain followed suit 10 years later (Kenrick 1998). The punishment for Roma remaining in the countries which passed this law was death. This law never took full effect and the policy failed due to the large number of Roma residing in the European states. If the policy would have gone into full effect it would have led to genocide. In many cases the Roma were deported or expelled from that region. Since these new anti-Roma policies failed, many countries were faced with the decision of trying a new policy.

During the late 1400's a chain reaction aimed at pushing the Roma out of the land took place all over Europe. The Roma were forced to move from one country to another. Wherever they went they were met with the same harshness and aggression. In 1492 Spain reviewed the first draft of a law calling for the expulsion of the Roma (Kenrick 1998). Meanwhile, other countries skipped over the stages of drafting the law and simple started adopting and passing the law of expulsion.<sup>3</sup>

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<sup>3</sup> In 1493, Roma are expelled from Milan, Italy. In 1498 the Holy Roman Empire and Germany ordered the expulsion of the Roma. In 1499 in Spain the above referenced law is passed and the expulsion of the Roma is ordered. In 1504 France joins the ranks of its fellow nations and orders the expulsion of the Roma. In 1510 Switzerland introduces the death penalty for any Roma found living in the country. In 1515, Bavaria Germany adds borders to protect against the Roma. In Portugal, in 1525, the Roma are banned and in the same year, in Sweden they are ordered to leave the country (Kenrick 1998). In 1544, the Roma from England are deported to Norway. In 1549, in Bohemia, the Roma are declared outlaws and are to be expelled when found living within the borders of the country. In 1554, in England, a law was passed which stated that Roma that do not willingly leave the country within one month are to be executed, which

During the 1700's and the 1800's the persecution of the Roma continued, and violence against an innocent group of people became more and more abundant.<sup>4</sup> The 1900's continue to be a period of mixed legislation, with some European countries beginning to recognize the fact that the Roma are a part of the land and they represent a large minority, while other countries continued to institute laws aimed at alienating and discriminating against the Roma.<sup>5</sup>

One of the cruelest laws against the Roma was instituted in Europe in 1926. A program called Pro Juventute was instituted. This program is aimed at the forced removal of Roma children from their families and their placement in foster care. The intent is to assimilate the Roma children into various households, therefore, removing that child from the Roma way of life and in essence erasing the child's identity. The Pro Juventute resulted in the 1930 Norway law of forced sterilization. The law came about as a result of a Norwegian doctor's recommendation that all travelers, which in reality meant the Roma, be sterilized.

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ultimately imposed the death penalty. By 1562 the above referenced law passed in England is broadened to include people who live and travel like the Roma (Kenrick 1998). In Portugal, by 1579, wearing traditional "gypsy" clothing was banned. In 1589 Denmark adopts the same policy as other countries, and it too imposes the death penalty for all Roma who refuse to leave the country. In Scotland, in 1611, under the law imposed in 1554 which stated that the death penalty shall be imposed on any Roma that refuses to leave the country, three Roma lose their lives.

<sup>4</sup> In 1714, two female Roma were executed in Scotland. In 1746, in Spain, the Roma are ordered to live in designated developments and not interact with the rest of the population, but by 1749 the law segregating the Roma is no longer taken into consideration and the Roma are round up from the designated housing complexes and imprisoned. In 1782 accusations against the Roma reach a peak when two hundred Roma men and women from Hungary and Slovakia are charged with cannibalism, imprisoned and tortured (Kenrick 1998). In 1783, in Spain, the Romani language and style of clothing is banned (Kenrick 1998). In 1802, in the France province of Basque, the Roma are rounded up and imprisoned. In Denmark in 1849, the laws prohibiting the Roma from entering the country become less stringent and the Roma are again allowed in the country. By 1875, Denmark once again barred the Roma from the country. During the 1870's and 1880's, countries such as Serbia, Bulgaria and Germany ban nomadism, the very foundation of the Roma communities (Kenrick 1998).

<sup>5</sup> In 1906, France issues identity cards for nomads, which causes many Roma to leave the country in search for better opportunities and less discrimination in other countries in Europe. In Germany the situation is not any better. By 1922 the remaining Roma of Germany are ordered to be photographed and fingerprinted. In 1924, another ridiculous charge of cannibalism is brought against a group of Roma men and women in Slovakia.

In Romania, during their period of enslavement, the Roma were faced with a violently oppressive regime. The laws regarding the Roma slaves were aimed at subjugating the Roma and during this time the death penalty towards the Roma was more often encountered. The separation between the Europeans and the Roma was harshly imposed through laws aimed at maintaining the segregation. At the end of the fifteenth century, any man, other than a man of the Roma ethnic group, who left a Roma woman pregnant and/or married a Roma woman, was forced to become a slave himself. In most cases, the punishment of the Roma never fit the crime. For example, theft of any item, regardless of how small or invaluable it was, by a Roma slave was severely punished through lashings or death. Furthermore, according to a law passed in 1652, a slave who was found guilty of having raped a non-Roma woman would be condemned to be burned alive (Crowe 1995).

As the economy began to grow, the hard work provided by the Roma became even more needed and as a result of this there were laws passed that were aimed at continuing this practice. Legislation passed which made it illegal to trade slaves, because the Roma were valuable due to their mastery of the crafts of woodworking, farming and crafting. Since the owners did not want to lose them, there were also strict laws to severely punish any slaves who attempted to escape (Crowe 1991). Throughout Europe, during the sixteenth century, the terms “servant,” “Gypsy” and “Roma” were synonymous with “slave”.

The situation of the Roma living in other European countries was not much better than of those living in Romania. The Roma living in Hungary were going through similar struggles as those living in Romania. During the rule of the Austro-Hungarian Empire in

Hungary a policy of forced assimilation was initiated, and this policy was also forced on the Roma population by the communist regime. This forced assimilation forbade the Roma from speaking the Romani language in public or private and from practicing their traditional crafts (Helsinki Watch 1991). Any Roma who was caught speaking Romani received the punishment of 25 lashes with a whip. The Roma were also forbidden to wear their traditional costumes (Liégeois 1986). Furthermore, they were forbidden even to be called Roma. When the Roma would refer to their ethnicity they were required to call themselves *Uj Magyar*, which means Hungarian again. Words of disapproval against the Roma were widespread, and in Hungary they soon became scapegoats for all kinds of delinquent acts, from minor robbery to acts of cannibalism and vampirism. Penalties for the latter were particularly brutal.<sup>6</sup>

In the early nineteenth century, there was a change of attitude and new ideas began circulating throughout Europe. One such idea was regarding slavery and it argued that slavery is an act of barbarism and that it needs to be stopped. By the mid-century, in 1842, several slave owners in Moldova, the northern part of Romania, began setting an example by freeing the slaves (Helsinki Watch 1991). In 1844 the churches in Moldova and in 1847 the churches in Wallachia followed suit and freed the Roma, despite the fact that the laws had remained unchanged and in accordance with those laws, slavery was still considered legal. However, changing the law seemed imminent, and by 1848 a temporary alliance managed to reach the central government in the capital of Romania, Bucharest, and raise the deplorable issue of slavery, proclaiming the immediate release of

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<sup>6</sup> In 1782, in the Hungarian region, forty Roma men and women suffered one of the cruelest and most heart wrenching deaths. They were placed on a torture wheel and cut into wedges. The forty Roma had been accused of cannibalism, specifically of having eaten some Hungarian peasants. These accusations later turned out to be false accusation (Hancock 1987).

all Roma from enslavement. The movement to free the slaves came to a halt because in December of 1848 the two Romanian principalities were invaded by the Russians and Turks, who restored many of the abolished slavery laws and put an end to the abolishment of any new laws. Furthermore, the Russians and Turks gave back the nobles possession of their slaves. It was not until 1855, when Gregory Ghica took control of the Wallachia and Moldova region of Romania, that slavery finally came to an end. Although Gregory was not in favor of slavery, the process of abolishing it was proceeding slowly. Gregory finally capitulated to pressure from his daughter, a woman who wholeheartedly hated slavery, and on December 23, 1855, the Moldova Assembly voted unanimously to abolish slavery in the principality of Wallachia (Hancock 1987). The complete abolishment took place in 1864, when Prince Ioan Cuza, the ruler of the two principalities, fully released the Roma slaves, and gave them the right to live in the areas that they had previously worked in. It is estimated that at that time there were about 600,000 freed Roma slaves residing in Romania (Roma: Culture and History 2000).

Once slavery was abolished, many Roma left Romania and turned to Western Europe or North America. Those who remained in Romania soon realized that their situation was far from having significantly improved. The Roma were indeed free; however, they were not given any land or financial compensation. This situation caused them to turn to occupations that they had done during their period of enslavement, such as woodworking. Unfortunately, since they were forced to do the same things they were doing while under slavery, these occupations resulted in the Roma maintaining their status of poverty and discrimination. In order to survive, the Roma began to use modest resources (with low economic potential) such as purchasing and selling empty bottles or

marginal operations such as fortune telling and begging (Zamfir 199). Being dependent on the "masters" for such a long time caused the Roma to have no means by which to earn a living and maintain a standard of living (Hancock 1987).

The end of World War I and the peace treaties which followed the war resulted in the rise of the minority population, in Romania, from 10% before the war to over 28% after the war. Out of this percentage 133,000 were of Roma ethnicity and represented 0.8% of the total population (Crowe 1991). In exchange for acquisition of new territories, Romania was forced to sign international agreements on human rights. The Government was envisioning a unitary state, in which minorities would be included. However, after World War I, as industrialization started to gain ground, many people were hit hard by the harsh taxes which had been instituted by the government in order to help facilitate the transition to a unitary state. Deteriorating living conditions caused the people of Romania to unite among a common perceived enemy. The people found a scapegoat on whom to blame the high taxes and the need to shift to a Unitarian state. Since the Roma did not have a written history and culture, the people of Romania began to argue that the Roma should not have the same rights as other minorities in Romania (Crowe 1991).

During a brief period of time in the early 1930's, it seemed as if the situation of the Roma was going to change. A change in attitude towards the Roma started to take place when they began to organize and form communities (Helsinki Watch 1991). In 1933, the General Association was founded in Bucharest, and in the same year, a newspaper entitled the *Voice of Roma* emerged. The newspaper was published for only six years. However, this breakthrough paved the way for the expansion of the Roma community and other newspapers and organizations began to emerge.

One of the most important elements of minority identity is self-organization. This did not begin amongst the Romanian Roma until the 1930s, when increasing anti-Roma sentiment and a government who did not believe they deserved the same rights as other minorities moved them to act. The first Roma organization was formed in Clabor in 1926. The 1930's saw the establishment of the journal *Neamul Țiganesc (The Gypsy Clan)*, and three years later the General Association of Roma in Romania was formed. The latter was only in existence for a year, but during that time it produced two publications: *Glusul Romilor (The Voice of the Roma)* and another newspaper called *O Rom*. The Association also advocated the adoption of a national holiday to celebrate Roma emancipation. The Association began to discuss plans for a library, hospital and university for Roma. None of the goals, which the Association had, ever came to realization. The Gypsy World Congress of 1933 was also partially planned by the Association. The Congress advocated a program for raising ethnic awareness among Roma and demanding greater minority rights (Crowe, 1991: 69-70). In 1934 the General Union of Roma in Romania (*Uniunea Generala a Romilor din Romania*) was created in Bucharest. Led by Gheorghe Nicolescu, it pressed for an end to nomadism. The Second World War, however, ended the rise of Roma organizations throughout Europe (Liegeois 1986). The advent of communism in Romania ensured that Roma did not have another chance to establish their organizations until after the fall of the regime in 1989. Between 1934 and 1939 the General Union of Roma in Romania tried to promote equal rights for Roma of Romanian nationality, but the spread of fascism quickly put an end to this fight (Kenrick 1998).

In 1943, in Germany, the Nationalist Socialist Party came to power. At the time when Hitler became Chancellor of Germany, the Roma constituted a small minority with

approximately 26,000 living in Germany (Lewy 2000). The Nazis saw the Roma as a race and therefore made both the nomadic and the sedentary groups subject to the Nuremberg laws of 1935 (Kenrick 1998). Hitler saw the Roma as a danger to the purity of the German race, and much like the Jews, he attempted to isolate and ultimately destroy them (Kenrick 1998). From the 1930's on, the regime's plans for the prevention of crime started taking interest in the Roma and subjecting them to intense scrutiny. This included incarceration of the Roma in concentration camps (Lewy 2000). In 1939 the Gypsy population in Germany and Austria had reached 30,000. In May of 1940 over 3,000 Gypsies were deported to Poland (Kenrick 1998). For two years there was a halt in the deportation; however, in 1942 the Auschwitz Decree was signed and in the following year around 10,000 German Roma were sent to camps (Kenrick 1998). In the European countries occupied by the Task Forces, the Roma were massacred outside the towns where they lived (Kenrick 1998). In the occupied areas of the Soviet Union the Task Forces were given the order to murder the Roma, specifically to eliminate "racially undesirable elements," a category under which the Roma were included. It is approximated that the Task Forces murdered over 30,000 Roma men, women and children (Kenrick 1998).

Outside of Germany the conditions of the Roma were not improving. Yugoslavia was captured in 1941, and at that time Serbia also came under German military rule. The Roma were forced to wear a yellow armband with the word *gypsy* on it. Furthermore, public transportation, buses and trains were inscribed with the words "No Jews or Gypsies" (Kenrick 1998). The German army brought in mobile gas vans which were loaded with Roma women and children, taken into the forests, where they were gassed

and buried. The possessions of the Roma people who were murdered were sent to Germany to be distributed by charitable organizations to the civilian populations (Kenrick 1998).

There are numerous instances of Roma being persecuted by the Nazis. On May 10, 1940, the German armies invaded the Low Countries and France was defeated, which ultimately led to the reannexation of Alsace and Lorraine in June of 1940. In July, the Commander of Security Police in France ordered that all Jews, Gypsies, persons belonging to foreign races, criminals, beggars, and anyone that has "Gypsy – like itinerants" are to be treated like Gypsies "and expelled into the occupied zone of France" (Lewy 2000). Between 1933 and 1945, more than 200,000 Roma men and women were incarcerated in the first German concentration camp called Dachau, which was located just outside of Munich (Lewy 2000). The conditions in this camp were horrendous, the food was insufficient, there was no hospital on-site, and those people who collapsed from weakness were shot dead by the guards (Lewy 2000). The best records available are from the camp in Auschwitz, where Jewish prisoners kept secret notes. It is widely known and documented that experiments were conducted on the Roma prisoners. The Roma were used in the camps for experiments with typhus, saltwater and smallpox.<sup>7</sup>

It is estimated that over 200,000 Roma lost their lives in the Holocaust (Gross 1999). During the Holocaust about 2,000 Czech Roma were detained at camp Lety, which is about an hour's drive south of Prague. Out of those detained, one third lost their

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<sup>7</sup> The most horrifying of all experiments dealt with the attempts to find new and quick methods of sterilization, so that these methods can be used on all the races considered inferior (Kenrick 1998). From March 1942 until August 1942, at camp Dachau, Dr. Sigmund Rascher carried out experiments on reviving half frozen persons by exposing them to other human bodies. These were experiments which had been requested by the Air Force who was interested in this therapy for pilots who were shot down over the Atlantic and recovered after spending long periods of time in icy waters (Lewy 2000).

lives at Camp Lety, while the rest were deported to Auschwitz (Gross 1999). In order to hide the fact that the camp ever existed, and without any respect for the Roma who lost their lives in Camp Lety, the Czech authorities allowed a pig farm to be build on the site (Gross 1999). Despite numerous newspaper articles and outcry from the international community, the situation did not change and this camp continues to operate as a pig farm.

As is evident, the history of the Roma people was filled with constant challenges. The Roma people had to constantly fight in order to achieve the things which all other nationalities took for granted: freedom to live their lives without discrimination and prosecution. The Roma people came to Europe in order to build a better life; however, because their skin color, culture and traditions were different, they were seen as outsiders, outcasts, who were not worthy of the same lifestyle and rights as the people of Europe. The Roma suffered many injustices at the hands of the Europeans during the early years of their life; however, unfortunately, these injustices are still far from being over.

## **A Historically Discriminated Group**

Throughout their history, the Roma have been constantly excluded, discriminated against and used as scapegoats for the economic and political downturns of the country of Romania. In 1989, after the fall of communism and the execution of the former president, Nicolae Ceausescu, the Romanian people were hopeful of a better tomorrow, full of new opportunities. Unfortunately, the Roma population soon realized that despite the drastic change of switching from a communist to a democratic regime, their situation did not improve. In some cases, the social and economical situation of the Roma worsened. While restricted educational opportunities and exclusion from the labor market have been constant, for the majority of the Roma in Romania, the socialist welfare states in the era of communism provided stable, if inadequate, jobs and social services. State socialism required a large labor force without a high level of education (Ringold, Orenstein, and Wilkens 2003). With the demise of the system and the transition towards a market economy, the Roma found themselves in social and economic limbo while suffering as a convenient scapegoat for the discontented mainstream labor force (Miskovic 2009).

In the 1990s, the country of Romania struggled both with the political transition as well as the transition to a market economy. One important factor that affected the Roma was the lack of education they had received during the Communist regime, which ultimately made many Roma men and women ineligible for employment, resulting in a high level of unemployment among the Roma population (Pons 1999). From an economic standpoint, the Roma who manage to find jobs were often unskilled, therefore they tended to undertake jobs such as helping around farms in local villages and street sweeping. Under the communist regime the majority of Roma were employed in

agriculture, forestry, building and construction and food processing. Post 1989, the collapse of communism and of a centralized economy the unemployment rate of Roma got larger and jobs were very hard to find.

In the village where my grandmother currently lives, Palos, and where I grew up, it was, and still is, common to hire the Roma in the summer to help out with the day to day tasks in the field. I remember my grandfather negotiating what the Roma men would receive for a days' work. The men would start their day early in the morning, around 5AM. As part of the days' work my grandmother would always give them three meals – breakfast, a packed lunch and dinner. The Roma were not picky about the food, most often they were just happy to have a decent meal. After a breakfast consisting, usually, of eggs and bacon, my grandmother would pack cold cuts and bread for lunch. In the evening, when they returned from the field my grandmother would usually give them for dinner some kind of soup and whatever else we happen to be having for dinner that evening. I distinctly remember that the Roma men would never sit with us for the meal; they would usually sit outside in the yard. Unfortunately, to this day in the village where I was raised there is still a very strong separation between the Roma and the Romanians. After dinner my grandfather would pay them the previously negotiated fee and they would be on their way. Since my grandparents lived on a farm, fresh farm eggs and meat were very abundant. Therefore, if my grandmother liked the work the Roma men did or she knew the men to be hardworking and trustworthy, she would usually send them home with some food for their families.

The Roma were very ingenious when it came to making a living. I also remember Roma women coming to our house to sell various items, such as brooms, rugs, jewelry

and berries. Whenever the women would come with the berries I would always buy them because I felt so bad for them. In order to sell those berries the poor women had to go out in the forest and handpick all of those fruits. The prices they were selling them for were very low, barely enough to buy a loaf of bread. Sometimes I remember they would not even ask for money, but rather for food. I remember one woman who came to our house and knocked on the door in the summer of 1998. She was carrying a small child with her and had two small pales of berries with her. I offered to buy them both because I felt so bad for her and that poor child who was with her. When I offered money she said she did not want money because her husband would take the money and buy alcohol. What she wanted was food, not for herself, but for her child.

The collapse of communism led to lower living conditions for the Roma (Rostas 2000). In accordance with the Romanian Constitution, regardless of ethnicity or religion, discrimination is forbidden. Unfortunately, despite the Constitution legislation regarding discrimination is severely lacking in Romania. Discrimination against the Roma is evident through things such as newspaper advertisement for jobs which specifically exclude all Roma applicants (Weber 1998). Political and civic Roma associations monitored and sanctioned these practices immediately, however, the discrimination and attitude towards the Roma remains evident and unchanged.

When the Roma do manage to secure employment if there is a downturn in the economy and it is necessary to lay off individuals, the Roma are the first employees to lose their jobs, despite the fact that they have the same constitutional rights as other Romanian citizen and in many cases work harder and better than many of the Romanian employees. This is not to say that there are not Roma who have done well for themselves

and have managed to build a comfortable lifestyle. Unfortunately, over 60% of the Roma residing in Romania are living on or near the poverty line. There have been some Roma cooperatives which have been formed and these have helped raise crops and produce tools and other metal products. Unfortunately, the Roma which are thriving and doing well for themselves tend to be the exception rather than the norm (Braham 1992).

During the past twenty-one years, from the Revolution to the present, the degree of discrimination against the Roma population has increased and on many occasions it has led to physical violence within the community. Examples of cruelty and discrimination against the Roma people includes the burning to the ground of their homes, being forced to leave the villages where they had set up their homes, and in some cases being severely attacked and killed (Szente 1996).

One of the most important events in the history of violence against the Roma took place in February of 1990, when the coal miners from Valea Jiului, Romania, were called to the capital of Romania, Bucharest, to "protect" the newly elected democratic government. The coal miners deviated from their duties and vented their frustration with the newly elected government on the Roma minority. A large number of miners attacked the Roma minorities, an act of violence which was by no means provoked by the Roma.<sup>8</sup> This case gained a lot of international attention and newspapers all over Europe were discussing the violence in this newly Democratic country. Unfortunately, despite the media attention, there were no actions which the international community forced

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<sup>8</sup> The coal miners stationed themselves in the center of Romania and protested originally against communism, then against the new government which had just taken office and which they were there to protect. The coal miners compared the new government to the previous communist regime and argued that they were both one and the same. The miners quickly became violent and caused damage in the capital and began attacking the surrounding area of the capital, where the Roma resided (Kenrick 1998). This act of violence resulted in a large number of Roma being injured.

Romania to take. The miners or the Romanian Government did not apologize to the Roma for the events which occurred.

The violence against the Roma continued. In March of 1990, in a region of Romania called Targu Mures, ethnic conflicts started to take place between Roma and non-Roma people. As a result of these conflicts, a large number of Roma were arrested and tried by local authorities. The Roma pleaded their innocence but no one was willing to listen to them. They were tried, despite records showing that the Roma being accused were unjustly arrested because they were nowhere near the scene of the conflict.

During the 1990s there were over 30 conflicts in Romania in which Roma were either injured, sometimes fatally, or driven from their homes. Such incidents typically began as an argument between one or several Roma and one or several non-Roma and often escalated to the point where whole communities became involved. Romanian authorities have consistently denied the inter-ethnic nature of such incidents, but the fact that no one was seriously punished for committing such a crime against a Roma clearly shows the attitude of the state of Romania (Weber 1998). Research conducted by Helsinki Watch in 1991 found that not only was there a lack of protection for Roma communities under threat of attack, but one of the most pressing human rights concerns at the time was the absolute failure of state authorities to prosecute non-Roma for crimes perpetrated against this Roma minority (Helsinki Watch 1994).

During the 1990s, Helsinki Watch reported that there was no political desire in Romania to combat racial violence against Roma and to afford sufficient protection to Roma victims of crime (Helsinki Watch 1994). They also observed several cases in which authorities displayed overtly anti-Roma sentiments, such as the assertion that the

burning of Roma homes is “in the public interest.” Statements such as this make the racial prejudice of authorities quite clear (Helsinki Watch 1994). The lack of action taken by authorities since 1990 to mitigate the threat and violence against the Roma has proven the stance which the authorities have taken with regard to the minority. Following the violence in the Transylvanian town of Targu-Mures on March 19 and 20 in the year 1990, Helsinki Watch observed that the prosecutor’s office seemed to be attempting to make scapegoats of the Roma who were present at that location during that time. According to the prosecutor’s office, of the thirty-one individuals under investigation following the violence (which began as an inter-ethnic clash between Romanians and Hungarians), twenty-four were Roma. A further number of Roma were arrested for offences such as the possession of weapons and disturbance of the peace. The latter were tried under Decree 153, dating from 1970, and directed against “‘parasites’ of the socialist order.” In addition to the fact that this decree was considered an extremely abusive tool invented by the Ceausescu communist regime, its use violates due process. The legal counsel representing seven of the Roma defendants stated that their trial began the day after they were arrested. In addition, there were witnesses present who testified to the innocence of the defendants, while one of the witnesses for the prosecution nullified his earlier statement by saying that he had been drunk and could remember nothing of the events of March 20, and then it emerged that the second witness had a long history of convictions and was himself in jail for his involvement in the violence. The Roma themselves gave testimony that contradicted their statements and were forced to sign the testimony, however, due to illiteracy many of them were unable to read and understand what they were being forced to sign. One of the defendants also claimed that he had signed the

statement under duress. Despite all of this, the defendants were given sentences ranging from three months of work and a monetary penalty to five months in prison. The legal counsel attested to the fact that she was threatened by the non-Roma after agreeing to represent the Roma. Furthermore, the other Roma arrested after March 20, who were not represented by counsel, received the maximum sentence of six months in jail (Helsinki Watch 1990). This case did not reach national status, however, it did reach the newspapers in Romania. The newspapers in Romania portrayed a bias encounter of the facts and all articles found sided with the Romanian majority.

In a 1993 report from the International Helsinki Federation for Human Rights (IHF), it was observed that Romanian authorities tended to brand the Roma as “criminals”. By categorizing these individuals as criminals, the police was fueling the misconceptions about the Roma. The report stated that the Romanian authorities even tended to make it seem as if crimes against the Roma are not committed by the authorities or non-Roma, but rather by other Roma. The shocking report even states that the Romanian government stated that rebuilding the Roma houses, which had been destroyed mostly due to racial attacks against them, was contingent upon the Roma not having any additional charges brought against them. This was practically impossible especially since the police would target the Roma and often unjustly charge them with whatever crimes they could. The IHF found the above information, coupled with the legitimization of crimes against Roma by stereotyping Roma communities as inhabited by criminals particularly worrying. Furthermore, the report made clear that sentiments expressed by individuals in authority positions served to encourage racist violence (IHF 1993).

Another way in which the Roma are discriminated against by the police is through the publishing of crime statistics. The police publish statistics which highlight specific offenses by the Roma, thus furthering the misconception that the Roma are nothing but criminals. The authorities also tend to make general comments about the criminal activity of the Roma minority as a whole, which fuels anti-Roma feelings and heightens the possibility of community violence. The Roma Association of Romania has spoken out against this practice; unfortunately, this did not deter the Romanian police from continuing with the practice and due to a lack of legislation enforcing a law aimed at dealing with this injustice, the police had no motivation or desire to stop this misrepresentation.

The period 1995-1996 saw many instances of police raids on Roma settlements. Despite the brutality suffered, many Roma are usually afraid to speak in public about these raids. The police, however, felt so confident that what they were doing, and how they were treating the Roma during the raids, was not only legal, but also morally correct, that they invited TV crews to join them on some of the raids. Through this millions of viewers saw the commandos as they broke into Roma houses, with the help of axes, without any prior warning. Therefore, the entire population was able to see how the police broke into the homes of the Roma, and how the Roma were thrown on the floor, handcuffed and never told why they were being arrested. The European Roma Rights Center noted in 1996 that such attacks by authorities had become commonplace and in many cases had replaced the vigilante violence so prevalent in the early 1990s. This was exacerbated by a 1993 agreement between Romania and Germany under the terms of which the latter deported Roma to Romania. Potential victims of racially motivated

violence were therefore sent to a state in which the authorities were often the aggressors (Szente, 1996: 10). The alleged purpose of police raids is to 'prevent' Roma from committing 'anti-social acts'. However, the reality is that these raids serve to frighten the Roma into submission (Weber 1998).

In several European countries, the Roma victims encountered significant obstacles in their efforts to secure legal redress for racial attacks. The country of Romania is one such country where the Roma have encountered numerous obstacles in their quest for redress against the violence committed against them. As previously mentioned, during the post communist era, between the period of 1990 and 1996, the Roma communities were victims of a considerable amount of serious incidents, as a result of which some Roma were killed, other were severely injured and the homes of many were burned and destroyed. In comparison with the amount of incidents, the police have arrested and prosecuted few people liable for those incidents. In the cases in which the police took action, only some of the people believed to have been involved in the attacks were ever charged and out of those charged, few were ever convicted.

Local law enforcement officials have facilitated attacks against Roma communities, both by encouraging the violence as it occurs, and by remaining silent and allowing it to happen. The local government has been known to frequently support acts of vigilante violence against the Roma. One of the most well known cases, in which a conviction was actually made, deals with a case known as the Hadareni.<sup>9</sup> This case

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<sup>9</sup> The Hadareni case is about the murder of three Romani men. On September 23, 1993, three Romani men were killed by a mob of Romanians and Hungarians in the village of Hadareni, located in the central part of Romania. The Romanian and Hungarians were avenging the death of a Romanian man, who was believed to have been stabbed to death earlier in the day by one of the three Romani men. The Romanian and Hungarian men clubbed to death two Roma brothers who were believed to have been involved in the fatal stabbing of the Romanian man. Then they burned the home of a third Roma man, killing the man inside his house. Later in the day a group of villagers, fueled by the events which had taken place earlier, set fourteen

received widespread media attention in Romania. Unfortunately, the attention which this case received was aimed at supporting the Romanian and Hungarian men which committed the horrendous crimes. The people of Romania did not see anything wrong with the actions taken by the men and did not believe that their sentencing was justified.

The Hadareni case shows a clear instance of hatred and discrimination, where the Romanian and Hungarian men felt entitled to take matters into their own hands and bring about “justice”. This very notion of bringing about their own justice is one of the fundamental problems of the Romanian. This case also shows the total disregard for the lives of the Roma. The sentencing passed down in this case was not to the full extent of the law. Three Roma men were killed, and many more were injured, however, only three men were charged with the murders of the Roma men and those who burned down the fourteen Roma homes and drove the Roma out of the Hadareni village were not charged with any crimes. This case received wide international attention and the EU community was enraged at this act of violence. The newspapers in France, England and Germany picked up the story, however, no action or pressure was placed on Romania. The Hadareni case, as well as other cases, was revisited by the Helsinki Watch in 1994, however, according to Romanian NGOs, the government now asserts that the statute of limitation prevents further prosecutions in most of the cases from the early 1990s (Helsinki Watch, 1994: 24). The Hadareni case took place only one year before Helsinki published its report, but the Romanian government in order to avoid any further

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Roma houses on fire and physically damaged other houses. That night 175 Roma, whose families had lived in Hadareni for more than seventy years, were chased out of the village (APADOR-CH, 1997). The three Romanian and Hungarian men were sentenced to seven years in jail, however, an appeals court reduced the sentences of two of the three men convicted from seven to six years.

persecutions, made the audacious claim that the statute of limitations expired, and the international community accepted this explanation without resistance.

One of the fundamental problems in Romania was that those in authority have perpetrated many of the actual attacks on Roma.<sup>10</sup> The politicians in Romania were just like the police; they strongly despised the Roma. In the public arena, extremist politicians expounded racist rhetoric against Roma without any censure. During the late 1990s one of the most vocal anti-Roma party leaders emerged. His name is Vadim Tudor and he is the leader of an extremist opposition party, the Great Romania Party. He also served as a Senator in Romania's Parliament. On August 16, 1998, Vadim Tudor announced a ten-point "program to run the country" (Institute of Race Relations 1999). This ten point program was one of the most radical and racist programs ever presented. The program included the isolation of all Roma "criminals" in special colonies. Vadim Tudor claimed

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<sup>10</sup> One such incident, where the police were the aggressors and the Roma the aggrieved, occurred in Bucharest in 1992 when Roma were attacked at a market, by military police. The Roma were beaten and property was damaged in revenge for a fight between a Sergeant Major from the military police and a Roma individual, which had occurred two days before, as a result of which the former had to be hospitalized. Following the incident, none of the policemen were disciplined, and no compensation was paid for the damage to property as it was ruled as 'unintentional' (Helsinki Watch 1994). Another incident which received widespread media attention took place on September 20, 1993, when a group of Roma men were waiting at a bus stop to get to a neighboring village. A Roma man had an argument with an ethnic Romanian man who approached them with a whip. After throwing the Romanian man on the ground, the Roma, fearing retribution by the Romanian man's three sons and others nearby, tried to escape. Unfortunately, the Roma man was not able to get away and a fight started, during which the Roma man stabbed the Romanian man in self defense. The Roma man immediately fled the site with his brother and their brother-in-law, and took shelter in a nearby house of a local Roma who was not at home at the time. A crowd subsequently gathered in front of the house. The police officers that arrived at the scene were not reacting quick enough for the angry crowd which had formed outside of the house. The impatient crowd then set the house on fire and beat to death two of the Roma as they attempted to escape the smoke and flames. The third man was later found burned to death inside the house. When more policemen arrived in the village, the crowd broke into smaller groups. These groups then set another thirteen houses on fire and razed to the ground another four homes, while the policemen allegedly did nothing to stop the destruction. The police stood by, watching to make sure that there were no traffic accidents, since the village is located on two sides of a major road. The government promised swift action after that incident. For a while it seemed that the government would be able to stop further incidents of community violence. However, optimism did not last long. No one was charged with the death of the three Roma men, nor with the destruction of private property (Helsinki Watch 1994).

that these “special colonies” would “stop the transformation of Romania into a Gypsy camp” (Max van der Stoel 2000). Unfortunately, this negative way of viewing the Roma is not isolated to this one politician. An official in Romania’s Ministry of Interior stated, when asked about authorities’ responses to programs against Roma in the early 1990s, that the conflicts between the Romanians and the Roma are “a reaction of the majority to the behavior of the Roma minority” and therefore, the Roma bring this type of attitude and behavior upon themselves and this is not a result of racism (Max van der Stoel 2000). These assertions capture the phenomenon of racial stereotyping that has long afflicted Roma. The official’s remarks apparently were based upon the behavior of specific individuals, whose conduct was generalized to describe that of the group to which they belong. This form of ethnic stereotyping is not only misleading, it is dangerous (Max van der Stoel 2000).

As has been discussed, the crimes against the Roma are not only brought on by other Romanian men and women, but by the very people who are supposed to protect and keep the community safe.<sup>11</sup> Despite the involvement of the international community, not

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<sup>11</sup> On August 11, 1997, five witnesses saw how a Roma man by the name of Liviu Cioc, was brutally beaten by four police officers and a civilian, and then taken in a car and left, in critical condition, in a forest. The reason this man had been so brutalized is because he had been confused with another Roma person who had robbed the civilian. The beating suffered at the hands of the police and civilian caused the Roma man to be hospitalized for ten days. According to the medical record provided by the Institute for Court Medicine, Liviu Cioc needed 22-24 days of medical assistance; however, due to inability to pay for medical assistance it comes as no surprise that the victim was released much earlier from the hospital. Upon release from the hospital, Mr. Cioc filled a complaint to the Military Prosecutor’s Office, however, his complaint was not even considered. Seeing as no action was taken, the Human Rights Office became involved in the situation. On April 9, 1998, the Human Rights Office of the PRO EUROPA League sent a letter to the Military Prosecutor requesting information about the case, and a cassette, which Liviu Cioc had managed to record while policemen were trying to make him repeal his complaint. Following the letter, and on the basis of the cassette - accepted as evidence - the case was reopened. Despite all of the evidence, in 1999, after two years of investigation, the Military Prosecutor’s Office ruled that the police officers had only made a ‘mistake’ by allowing the civilian to beat Liviu Cioc. Despite evidence of the contrary, the prosecutors argued that the police officers had not participated in the beating. The prosecutor also did not offer any explanation as to how Liviu Cioc had been forced into the car and how he ultimately ended up in the forest. On the basis of this ruling, the policemen involved were absolved of any criminal responsibility. In order to appease the Human Rights Group, it was decided that two of the four policemen would be

much changed for the Roma population. The international community failed to make the Romanian authorities and government change their views and opinions regarding the Roma. The international newspapers wrote about Romania's violence against the Roma, however, no actions, regulations, sanctions, etc. were imposed on the country of Romania for the way in which it was treating this innocent minority.

There have been many policies regarding the Roma in Romania. In the Habsburg Empire, coercive assimilation was intended by Maria Theresa's 'Gypsy Decrees' 1758–73 ordering them to settle (and not leave their assigned villages without permission) while paying taxes and performing mandatory military service as well as services to churches and landowners. There was zero tolerance for Roma dress, language or leadership while children over five were sent to state schools and foster homes. The intent was to have the Roma settle down, raise families and most importantly pay taxes. The issues which the Roma were faced with in Romania were always downgraded to seem as miniscule and unimportant issues. Due to heavy data manipulation, Romania wanted to make it seem as if the Roma minority was small and therefore did not represent a problem. During the Ceausescu regime in Romania, it was evident that the communists favored coercive assimilation from the late 1940s onward. The lifestyle of the Roma was considered irreconcilable with the unified socialist nation that Ceausescu envisioned (Georgescu, 1988). Therefore, not only did Roma fail to benefit from the land reform of 1946, but the Romanian Workers' Party ( the Communist Party), which came to power in

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punished by having to work five extra workdays without pay. The punishment in this case, most definitely, did not fit the crime. (Max van der Stoel 2000). The entire process was seen as a joke and justice was not brought to poor man who was victimized.

1948, did not recognize the Roma minority. It was only in the 1977 census that the Roma were allowed to declare themselves as belonging to the Roma group (Turnock 2008).

Since the Roma minority was not officially recognized on the census until 1977, it was impossible to accurately track the exact number of Roma residing in Romania at any one point in history. There are two main reasons why it is very difficult to gauge the exact number of Roma living in Romania. The first reason is because, before and after the 1977 census, the Romanian government tried to conceal the exact number of Roma living in the country. The state tried to conceal this number because having a large number of Roma in the country was viewed by other nation states as a negative. In 1956 there was a report in Romania which claimed that there were 104,216 Roma residing in the country. By 1966 that number was reduced to 64,197. However, according to the Research Institute for Quality of Life, by 1998 the number of those identifying themselves as belonging to the Roma minority soared up to 1,452,700. As one author concluded, “this decrease has no other explanation than that of statistical manipulation” (Pons, 1999). In the census which took place in 1977, it was stated that 227,398 Roma were living in the country, however, it was later corrected to state that there were about 260,000. The World Congress of Roma challenged the Romanian government because they felt there were about one million Roma residing in the country. The response of the Romanian government was shocking, and stated that there were no Roma in the country at all. In reality, the Roma most likely represent the largest minority in Romania. In a 1992 census there were 409,723 Roma that identified themselves as belonging to the Roma minority (Helsinki Federation 1989).

The second reason it is so difficult to accurately state how many Roma are residing in Romania is because many do not identify as such on reports or are illiterate and unable to complete the reports. Estimating the Roma population accurately is extremely difficult because on census reports many Roma categorize themselves as Romanian or Hungarian on the census forms. The reason many Roma refuse to identify themselves as such is because of the negative connotation associated with the ethnic identity of the Roma. In addition, many Roma do not complete the forms at all due to high levels of illiteracy. Research conducted by sociologists from Bucharest University in 1993 estimated that the number of Roma still living the 'traditional Romani life,' or still abiding by the traditions of this way of life, was approximately 1,010,000 or 4.6 per cent of the total population (Zamfir 1993).

The Roma are both socially and politically disadvantaged. The Roma are always forced to live in the worst parts of the cities. For example, in a city called Timisoara, the poor Roma families are forced to live besides a river, which is prone to flooding, while the Romanians live on higher land, away from the river and consequently away from the potential flooding (ERRC 1998). Furthermore, land owners are often reluctant to sell building land to Roma families, which results in the Roma not being able to live in better/middle class areas. Furthermore, many Romanians do not want to live near the Roma or invest in areas where the Roma reside (Mehretu et al. 2000). Therefore, investors steer clear of Roma areas because of their perceived social or environmental contamination. Thus, despite low taxes there is no interest in investing in the areas where Roma reside. Similarly, the Romanian families do not want to reside next to Roma families. Roma are believed to harbor infectious diseases: a clear case of 'others' creating a sense of unease

and discomfort. The children of Romanians are often forbidden to play with Roma children, as they are seen as dirty and unhealthy (Cretan 2007).

From an economic standpoint, the Roma have always provided either free labor, during the period of enslavement, or cheap labor, as is the current case in Romania. Economic inequality arises not only through differences in access to employment, but also through the wage levels available. The Romanian Institute of National Statistics, published a report in 2006 which shows that while Romanian women earn 1200lei (about 250 Euro) monthly on average compared with 1500lei (about 300 Euro) for men, Roma women averaged below 500lei (about 120 Euro) compared with 800lei (about 140 Euro) for men. The Roma men and women are often discriminated against and paid less than the wage a Romanian man or woman would earn for the same job and the discrepancy between the rates was very large. During the period of ascension to the EU, one of the best practices which could have been imposed on Romania could have been a minimum wage for everyone or sanctions for discriminating against the Roma. If a minimum wage would have been imposed on all of the EU countries trying to gain membership, then that would have helped create equality among the Roma and the non-Roma population. Unfortunately, the only action the EU took was to ask that all ascending countries abstain from discriminating against anyone. This policy was too vague and carried no consequences, making it easy for Romania to ignore.

## **EU and the Roma**

It is only within the past few decades that minority rights have become central to the global discourse that stresses the need to protect and value both cultural and ethnic diversity. The EU is an example of a large international body which has attempted to change national and state behavior towards ethnic minorities (Vermeersch 2008). In order to be able to join the EU, post-Communist Central and Eastern European countries have been heavily pushed, since the early 1990s, to adopt the notion of minority rights (Vermeersch 2008).

During the early 1990s, in Europe, there were no specific initiatives devoted to dealing with the Roma. However, that is not to say that the EU did not pay any attention to the Roma during this period. The EU was concerned about the Roma due primarily to its enlargement policy and its engagement in developing a more thorough fundamental rights agenda (DeSchutter and Verstichel 2005). In 1991, at the initiation of Switzerland and Russia, the issue of “national minority” was addressed at the Conference on Security and Co-operation in Europe (CSCE) (Economist, July 1991). The Maastricht Treaty of 1992 and the Treaty of Amsterdam of 1997 were particularly important in the development of the minority rights agenda of the EU. These two treaties enabled European institutions to take measures to combat discrimination based on ethnic origin; this included the Roma. The Vienna Declaration of the 1993 World Conference on Human Rights states that each State has to “ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination” (Thornberry 1993). It further stated that those who belong to a minority have the right, without any form of discrimination, to “enjoy their own culture,”

practice their own religion and in a public place use their own language (Thornberry 1993). Most importantly, in 1993, the European Council included in its Copenhagen criteria “respect for and protection of minorities” as a political precondition for EU membership. It is important to note that the Council specifically avoided the term “minority rights” (Vermeersch 2008). In June of 1999, the Cologne European Council took the next step and drew up the Charter of Fundamental Rights, and this was followed by the adoption of the Racial Equality Directive 2000/43/EC in June of 2000. The Racial Equality Directive prohibited racial discrimination in the areas of employment, education, social security, healthcare and access to goods and services in all EU member states. The Directive gave victims of discrimination the right of redress, and it mandated member states to designate a special independent institution that promotes equal treatment and provides independent assistance to victims of discrimination in pursuing complaints. The Lisbon Treaty of December of 2009 and the Charter of Fundamental Rights are directly enforceable by the EU and national courts. Article 6(1) of the Treaty on the European Union provides that “the Union recognizes the rights, freedoms and principles set out in the Charter of Fundamental Rights.”

The Council of Europe was the first European institution to address the situation of the Roma in Eastern Europe. The EU stepped in when membership negotiations started to get under way with the new democracies that wanted to join the EU. The Roma issue was high on the agenda of the European Parliament and it became one of the regular topics in the debates about the progress of the countries vying for EU membership. Unfortunately, many of the commitments which were made by the European countries, at the time when they were trying to gain the approval of the EU, turned out to be just

empty promises. After EU accession, the governments, including the Romanian government, placed the issue of minority rights on the back burner and allowed other priorities to dominate the political battles. The structures put in place to deal with the problems of the Roma turned out to be weak and without sufficient political backing.

During the 1990's, due to the enlargement of the EU, special attention was starting to be given to the Roma. The Copenhagen criteria was adopted by the European Council at the June 1993 EU Summit. This criterion helped the EU influence policies targeting Roma in the accession countries (Cameron 2001). Since 1997, through its annual Progress Reports, the European Commission has reminded the accession countries of the need to improve the situation of their Roma populations (Cameron 2001). During that time, the theory of improving the situation of the Roma was a noble idea; however, there were problems and obstacles with achieving that goal. One such problem was that the usage of political conditionality was based on the assumption that introducing comprehensive conditions for EU membership would incite prospective members to align their policies with the standards set by the EU, but compliance was not demanded from existing EU members, and neither was it monitored in the existing EU member states (Hughes and Sasse, 2003). Secondly, the effective power of conditionality to change matters on the ground was fairly limited. Studies by the OSCE, the Council of Europe and the EU Agency for Fundamental Rights (FRA) have reported a perpetual lack of improvement and alarmingly high levels of discrimination in all areas of life. In some EU member states that have a significant Roma population, there was an increase in anti-Roma sentiment.

During the late 1990's and early 2000's, since the commitments made before accession were not legally binding, the EU could not intervene due to the lack of a legal basis, where the minorities are considered to be the responsibility of the member states (Wiersma 2011). The only time when the EU can intervene is when there is an infringement of EU laws (Wiersma 2011). A report of the EU Roma Taskforce stated that EU funds are often not fully used in an effective way, and after spending considerable sums of money on Roma projects and having produced tons of reports about the problems facing the Roma, the Roma problem has still not been resolved (Wiersma 2011). While the EU recognizes the need to fight discrimination against Roma and ensure their equal access to all fundamental rights, it fails to specify measures to combat discrimination, intimidation, or violence against Roma.

During the period of ascension, the EU responded to the issue of the Roma mainly from the viewpoint of its human rights agenda and its enlargement strategy. The underlying theoretical assumption was that the EU would be capable of fostering change through the promotion of human rights norms. For example, the EU brought pressure onto the acceding countries by stating that they needed to adapt to the common EU norms about adequate minority protection, and the countries which wanted to become a part of the EU, Romania included, were to use the norms as guidance tools and create policy aimed at addressing the issue of the Roma. The basis of the EU's approach was that acceding member states, having been committed to the larger common goals and standards of EU membership, would be likely to accept these norms (Schimmelfennig 2001). For the Roma, however, the effects of this membership conditionality and the EU's pressure on the acceding countries have been minimal. Membership conditions

relating to minority protection may have been successful in drawing the attention of domestic policy makers to the issue of the Roma, and it may have been a factor leading to the introduction of new government plans for action, but implementation seriously lagged behind. The EU developed a strong institutional policy regarding the Roma; however, it has not lead to much change regarding the Roma. For example, according to the 2009 EU Minorities and Discrimination Survey (EU-MIDIS) data gathered in various member states such as the Czech Republic, Hungary, Poland, Greece, Slovakia, Bulgaria and Romania, on average 47% of all Roma respondents indicated that they were victims of discrimination based on ethnicity in the 12 months before the survey.

The EU has provided a lot of funding to Romania, aimed at the improvement of the Roma situation. Between 1993 and 2004, the EU provided 35,654,736.00 Euros. The Romanian government provided another 6,230,000 Euros. The Romanian government only began contributing to the programs for the Roma in 2001 (Kovacs 2000).

## **Accession Criteria and Policy**

During the Communist regime, in Romania, the Roma were considered foreigners who needed to be Romanianized. The culture of the Roma was regarded as one of underdevelopment and poverty (Pons 1999). As a result of this, something needed to be done to destroy the specific culture of the Roma, as well as their distinct pattern of their life. The Roma represent one of the largest minorities in Romania, and in order for the country to achieve its goals it believed that the Roma needed to be assimilated into the Romanian way of life. The Roma group governed themselves antithetical to the political life of the modern sovereignty of Romania. Therefore, they were seen as a threat to the country, which was trying to destroy the very elements which characterized the Roma.

According to the principles of the communist regime, all occupations characterized as "privitized" had to be eliminated. This meant that all private factories, which belonged to private owners, had to be confiscated by the state. Since the majority of Roma at this time were working in traditional occupations of woodworking, metal working and jewelry manufacturing, they were forced to realign their skills. The Roma were integrated in agricultural activities. Those who were skilled in metalworking tried to continue using this skill. By the fall of communism in 1989, 48-50% of the Roma population had been forced to realign their skills and work in agriculture. The state wanted to control all aspects of the life of the Roma people. The Roma who continued to practice traditional crafts were not considered by the state to be legitimate workers. All illegitimate workers were exposed to a high risk of being punished by the communist regime. Punishments included being imprisoned or forcibly taken to work in the agricultural field (Pons 1999).

In the early 1960's, the communist regime, in order to assimilate the Roma population, undertook a number of policies and measures aimed at achieving the goal of consolidation. Unlike the Hungarians and German minorities that were residing in Romania, the Roma did not have the right to represent themselves as an ethnic minority and they were not free to promote their cultural traditions. Socialism or Communism destroyed many of the Roma traditional occupations and the specific elements of their lifestyle. Therefore, they were forced to start integrating in the life style that was being imposed on them. Under this phase of forced consolidation by the state, the Roma, like other Romanians, received jobs in the state-owned farms and factories. Although the Roma were forced into this lifestyle, some would argue that the policies and practices of forced labor imposed by the Communist regime created somewhat of an economic and social security, due to the fact that they were able to provide for their families. Along with being forced to work for the state, the Roma were also provided a secure home for themselves and their families (Pons 1999).

Throughout the 1980's, the Roma maintained a very high record of illiteracy. Following the assimilation policies promoted by the Communist state, Roma families were forced to enroll their children in school. The fact that the Roma children were forced to go to school was both a positive and a negative. It was a good thing, on the one hand, because Roma children were offered the opportunity to get an education. However, on the other hand, the Roma children's curriculum, unlike the curriculum of the Romanian children, was geared towards vocational and technical schools. Furthermore, due to the fact that there was a very high dropout rate among the Roma children, in an effort to demonstrate that these policies were working and the Roma children were being

assimilated into the way of life of the other inhabitants, the Communist state still forced the educational system to give the Roma children diplomas of completion. This ultimately led to an influx of unskilled workers who received diplomas simply because the state was forced to pass them out, and who were not prepared for employment. As a result of this, being unprepared ultimately meant that many Roma ended up unemployed. It has been argued that "these factors have violated the principle of equal opportunities in education and played a role in strengthening the negatives, such as a low level of school attendance, high levels of school dropout, a low percentage of those who have completed primary school" (Rostas 2000). Therefore, this forced process of assimilating the Roma ended up harming them more than helping them.

The violence against the Roma during the Communist regime was somewhat subdued. There were instances of violence, however, these instances were not routine. During the Communist regime police raids against Roma were claimed to be purely incidental. Furthermore, the possessions of the Roma, such as jewelery, were often seized and the authorities claimed that the jewelery did not really belong to the Roma, but rather that it came from transactions made on the black market (Kenrick 1998).

During the last ten years of communism, in Romania, there was an economic crisis which halted the process of modernization and the assimilation of the Roma population. Many Roma lost their jobs and this resulted in the loss of housing and the opportunity to send their children to school. Forced to survive, the Roma turned to any means necessary to survive. Some turned to illegitimate means of making a living, while others reverted to fortune telling and doing odd jobs on a daily basis for which they could earn a small monetary compensation. This led to further marginalization, poverty and

delinquency. Once again, the Romanian people felt they were justified in the negative stereotypes they possessed about the Roma and the hostile attitude towards them once again increased (Zamfir 1993).

The situation of the Roma was believed to be on the track for drastic change after the fall of Communism. When Romania took the next step and started its ascension to the European Union, its mistreatment of the Roma would finally come back to haunt it. Roma can be found in almost all Council of Europe member states and indeed, in many central and east European countries, they represent over 5% of the population. Although they have been in Europe for century, very often they are not recognized by the majority society as a fully-fledged European people. As a result of centuries of rejection many members of the Roma communities live in very difficult conditions, shunned by the members of the societies in which they have tried to integrate. From first hand knowledge, which comes from residing in Romania, I can attest that the society's rejection of the Roma is evident even by looking at the housing situation of this minority. The Roma are almost always located on the outskirts of the city/village. They are found in inadequate housing, in what is considered to be the poorest and worst area of the city/village.

In European countries, the participation of the Roma in public life is often very limited. Furthermore, it is very difficult for them to ensure that their contribution to European culture is not only acknowledged, but also appreciated. Since 1993, the Roma issue has been at the heart of three of the European Union Council's top priorities: protection of minorities, the fight against racism and intolerance and the fight against

social exclusion. The difficult situation facing numerous Roma communities ultimately represents a threat to social cohesion in member states.

Romania became a member of the European Union in 2007. The road to the European Union was a long road. During the late 1990's a number of positive changes began to take place, and many of the changes were fueled by Romania's desire to become a member of the European Union. A government decision adopted in 1997 established the Council of National Minorities, whose role was to advise the Department for the Protection of National Minorities on issues relating to minorities. The Council is composed of "representatives of all the organizations of the citizens belonging to the national minorities that were legally founded until September 27, 1992" (Max van der Stoel 2000).

To assist Romania in meeting the European Union's accession criteria, including in particular the political criterion of protecting minorities, the European Commission made available to the Romanian government a PHARE grant totaling two million euro. In August 1998 the government established an Inter-Ministerial Commission on National Minorities, chaired by the head of the Romanian Government's Department for the Protection of National Minorities (DPNM), to elaborate a national strategy. In November of 1998 the government created an Inter-Ministerial Sub-Commission for Roma Issues, which was co-chaired by the head of the DPNM's Office for Roma and a representative of the Working Group of Roma Associations (Max van der Stoel 2000).

The PHARE program's goal was to first have the government work in close partnership with Roma representatives and come up with a national strategy to improve the situation of Roma. The second stage, in close consultation with Roma representatives,

entailed the design and implementation of innovative pilot projects (Max van der Stoel 2000). Some representatives of Romania's Roma community claimed that government officials responsible for developing the initial European Union proposal or terms of reference for the PHARE did not consult them. To address concerns about their exclusion from this process, a Congress took place in Southern Romania from January 22-23, 1999, at which representatives of thirty-six Roma NGOs met and decided to form a Working Group to negotiate with the Romanian government on the expansion of its national strategy with regard to minorities. At the Congress, eight Roma experts were elected to represent Roma on an ad hoc basis during a meeting with government officials that took place on January 28-29, 1999 (Max van der Stoel 2000). The meeting between the Roma and the Romanian government officials was organized and mediated by the U.S.-based Project on Ethnic Relations (PER), in the hope that it could contribute to the resolution of outstanding issues. At this meeting, which was also attended by representatives of the European Commission and the Council of Europe, the Roma negotiators proposed a plan for ensuring Roma participation in various stages of elaborating the national strategy (Max van der Stoel 2000). No concrete resolution was established, therefore, further meetings were needed. The next meeting took place a few months later, in February of 1999, in the city of Sibiu. This meeting was attended by fifteen members of the Working Group of Roma Association, each of whom were selected by a broad coalition of Roma leaders to represent them in further discussions with government representatives. This group, in turn, developed a list of twenty-seven Roma specialists in areas relevant to the national strategy, of whom eight would hopefully be able to participate in the meetings of the government's Sub-Commission on Roma Issues. In mid-March, 1999, the

government agreed to their participation in meetings of the Sub-Commission, and this commitment was formalized through a protocol signed by the Working Group and the DPNM on 3 May 1999 (Max van der Stoel 2000). Roma representatives had participated in recent meetings of the Sub-Commission, whose other members included representatives from key government ministries. As noted, this body had essentially advisory powers; it made recommendations to the Inter-Ministerial Committee, but it is the latter body, the Inter-Ministerial Committee that would make the final decisions in respect to the elaboration and implementation of the government's national strategy on Roma. The Roma leaders participated in the decisions made by the government in order to develop a national strategy (Rostaş 2000). While Roma representatives have thus succeeded in their efforts to get a seat at the Sub- Commission's table, the ultimate effectiveness of this consultative process will turn on the degree to which their views are reflected in Romania's national Roma policy (Max van der Stoel 2000).

Post-1989, in the newly democratized countries of Central and Eastern Europe, the Roma found themselves in a unique situation. On one hand, they rapidly became the primary victims of discrimination and hate crimes. Roma also faced severe unemployment with the erosion of protected accommodation systems and the transfer of low-rental housing from the state to municipalities. In consequence, many relocated to the slum ghettos of major cities. Meanwhile, during the 1990's the EU started focusing its social agenda toward the issue of minority protection.

To help prepare Central and Eastern European (CEE) countries for accession, the EU offered financial and technical aid with many projects geared specifically at promoting the greater integration of the Roma. After the 2004 and 2007 EU

enlargements, a large portion of the current Roma community could finally boast EU citizenship and enjoy the supposed protection of the human rights of the Copenhagen criteria. But many of the strategies implemented to fulfill the Copenhagen criteria were badly executed and consisted of vague solutions that did not address the deeply ingrained issues that the Roma were facing, the economic and democratic requirements of accession, leaving the fight toward social inclusion to be determined by the acceding states. Without a clear policy framework and effective initiatives, the programs largely failed to improve the situation and in some cases even worsened it. As José Manuel Eresno, adviser to the EU Commission on Roma issues and head of the Spanish government's Race and Ethnic Equality Council stated to the New York Times, "The fact is that gypsies in some countries have lower living standards today than 15 years ago."

One of the most important ways in which the EU became involved in the issue of Roma is through the PHARE program, which provided money for the Roma in Romania. Between 1993 and 2003, the PHARE program provided 10.66 million Euros: 16.0% of the 66.56 million for East Central Europe as a whole. In 1997, the European Commission 'Agenda 2000' noted that integration of minorities in countries ascending to the EU was generally satisfactory, except with regard to the Roma. Further pressure was placed on candidate countries and continuing EU activity was seen through a Monitoring and Advocacy Program (EUMAP), which reported in 2001 and 2002 on the position of Roma in Central and East European Countries.

The European Roma Rights Centre (ERRC) has argued that the key to reducing discrimination against Roma lies in the level of education they are receiving, the schools, and calls for an end to the practice of putting Roma children in different schools than

would be attended by the general population. Poor families with several children cannot afford to buy the books and uniforms needed to attend school, which goes a long way to explaining low Roma enrolment rates.

The ERRC has used several techniques aimed at reducing discrimination against Roma, including sending matched Roma and non-Roma testers to apply for jobs and housing, and then charging employers and landlords who do not treat the applicants equally with discrimination. In September 2000, a Romanian Government ordinance was approved that prohibited discrimination by public and private companies on the grounds of nationality, race, ethnicity, age, gender, or sexual orientation, and set out a schedule of heavy fines for violations. Unfortunately, despite these techniques and Government ordinances, there was no follow on action which would result as a consequence of not abiding.

Despite the EU's argument that it is doing everything it can to help the situation of the Roma minority, the reality is that other EU member states did not want to deal with the issue of Roma. For example, as the number of Romanian asylum-seekers increased in the 1990s, many EU countries signed re-admission agreements with Romania under which Romania promised to accept the return of its nationals who were refused asylum abroad. Between 1992 and 2000, Ireland received about 5,500 asylum applications from Romanians (mainly Roma), most of which were refused (Straubhaar 2002). In some EU countries the Roma were deported and forced to return to Romania. For example, in Italy the Roma were offered a stipend in order to leave the country. Likewise in Spain, France and England, the Roma were forced to leave the countries because none of these countries wanted to deal with the issue of minorities and especially the Roma minorities

which had such a bad reputation throughout Europe. At the time when all of these exportations were taking place, the EU did not step in to take any concrete action to defend the Roma. The EU simply condemned the actions of its member states, but took no economic or political actions against them.

## **Conclusion**

As one author stated, "being marginalized and oppressed, subject of forced assimilation and discrimination for centuries, the Roma have developed their own strategy of survival, which differentiates them from the non-Roma." (Rostas, 2000). Everywhere that the Roma have lived they have been badly treated, discriminated and abused. In this paper, I dedicated a section to the history of the Roma. A history filled with discrimination, obstacles and emotional and physical pain, against a group of innocent people who simply left their home countries of India in search of a better life. Instead of finding a better life, the Roma found a continent, Europe, which at first seemed inviting, but it within a short period of time turned the Roma into a much hated and discriminated against group of people. After the Roma's entrance in Europe, it is not long before the Roma are enslaved. Once slavery is abolished, discrimination against the Roma continues and during World War II. The Roma continued to suffer cruelty and discrimination during that period of enslavement. Due to the fact that the Roma are so unique in their language, appearance and culture, they are immediately seen as a threat to the possibility of having a unified Romanian state. The colorful clothing that the Roma wear, the fact that they move around (nomads) and their rich culture of traditional folk songs and dancing, all run antithetical to the political life of the modern sovereignty of Romania. As a result of this, a strong anti-Roma violent and repressive regime emerges. The Roma are first enslaved in Romania. Then during World War I, the Holocaust against the Roma took place. Over 200,000 Roma men, women and children lost their lives as a result of the Holocaust.

Since the fall of communism in Romania there has been a considerable increase in nationalism and ethnically motivated incidents. While several minorities have been targeted as a result of this, Roma, as the weakest members of society, have been singled out as scapegoats by authorities and the majority population alike (Helsinki 1994). Between 1990 and 1995, community violence against Roma was a feature of life in Romania. There have been numerous instances where attacks were sparked by a crime committed by a Roma against a non Roma person (Braham 1992). As numerous examples have shown throughout the paper, almost any action by a Roma person can turn the non-Roma population against them and trigger acts of violence and retaliation. A small action can typically turn the non-Roma population against the local Roma population, as happened in Hadareni, and in several other cities and villages in Romania. Non-Roma individuals are rarely, if ever, brought to justice for these attacks, even in cases where Roma have been fatally injured or even killed.

In Romania, the Roma population suffers from a broad spectrum of social disadvantages, and the population is subjected to social exclusion and marginalization as a result of racial discrimination, which is three times higher than the national average. (Toma 2011). A World Bank report revealed that approximately 70 percent of the Roma population lives on less than US\$4.30 a day (Toma 2011). After the fall of Communism there was an outburst of racial hatred and a sweep of collective violence and abuse against the Roma. Despite some positive changes, such as the recognition of minority status, establishment of political parties and cultural organizations, and the publication of books and newspapers in their language, the Roma's problems in Romania have been

particularly severe since the fall of communism, and the ascension to the EU has not done much to mitigate the problems or elevate the status of the Roma minority.

After the Revolution of 1989 and the consequential fall of Communism, one of Romania's main objectives was to integrate itself in the EU. In 1993, Romania signed the Europe Agreement. Meanwhile, in June of 1993, the European Council identified the Copenhagen Criteria for Membership. Romania and all candidate countries submitted their official application for membership in the EU. Along with its official EU application, Romania also submitted a document of support entitled the "Snagov Declaration", which was signed by the political parties of Romania, declaring their support for EU membership. (Melescanu 1996). When the former Communist countries began their ascension to the EU, the EU imposed minority rights protection as a condition of ascension and as a way to prevent discrimination and social exclusion of minorities.

In order to meet the strict conditions of EU membership, Romania was required to undertake drastic reforms in its political and economic systems. European Council in Copenhagen, in June 1993, identified as the Copenhagen Criteria for Membership. Romania and all the candidate countries had to fulfill the Copenhagen Criteria for Membership: Political Criteria, Economic Criteria and Ability to assume the obligations of membership. However, what the EU failed to do is guide the Eastern European countries along in the process of how they were to fulfill the Copenhagen Criteria. During the accession process, the international community started to look down upon Romania for the way in which it is treating the Roma population. During the accession, Romania was forced to allow some liberties for this oppressed minority in order to appease the EU and improve its chances at gaining EU membership. Unfortunately, this

change in attitude toward the Roma is being enforced by fellow European Union nation states, and it does not come as a result of the Romanian nation state's desire to change, the likelihood of change was very slim.

The situation of Roma in Romania deteriorated sharply after 1991. In a climate of change which left other minorities hopeful about the future, Roma have faced discrimination, poverty and in some cases, death. Minority rights have failed to defend the Roma. Their situation is one of poverty and discrimination. The Roma children are not given the same opportunities as the Romanian children. The Roma are robbed of the very basic elements that each and every one of us takes for vantage each and every day: housing, access to health care, opportunity for a good education and the right to be treated with respect and dignity. If the EU wanted to be a true vehicle for social change, it should have focused more on persuading the Romanian government and exerting pressure on local government to implement and follow through with initiatives.

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