



WE: WOR(L)DS WHICH EXCLUDE

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WORKSTREAM 1

ROMANIA NATIONAL REPORT

**INSTITUTUL PENTRU STUDIEREA PROBLEMELOR MINORITĂȚILOR
NAȚIONALE**

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Introduction

This report describes the results of research on housing policy in Romania, more precisely on the language of documents related to housing policy. First, it puts the documents into context and the territorial environment of the research. It describes the general housing condition of Roma in Romania, highlighting some of the most important trends and factors that seem to be responsible for the current situation of housing most of Roma have, and gives a general review of the institutions involved in this issue. Secondly, it presents the main sources of the research, namely the documents collected with the aim to analyse their language to see what type of stereotypes, prejudices inform them, and what are the possible causes and implications of framing housing policy in the way they are framed by documents. Nevertheless, firstly we briefly describe the housing, residential segregation as research topic as it has been approached for the special case of Romania.

Housing and segregation or spatial isolation has relatively recently been recognized as one of the major obstacles in Roma integration. Moreover, housing condition and living in ghettos has a special place in some of the mechanisms identified as being responsible for lack of employment or poor education in Roma communities. Despite recognition given to the relevance of the topic as significant variable in structuring the life-chances of individuals, rarely was housing or residential segregation addressed in scholarly literature. When addressed at all it has taken a secondary role. In most cases residential segregation and housing problems are seen as concepts explaining other issues or phenomena pertaining to Roma communities in Romania. In the language of

quantitative analysis, residential segregation and/or lack of proper housing is seen mostly as an independent variable that explains many other “hot issues” of social significance, for example, why Roma participation in the labor market is so low, or why educational attainment is so poor. In other words, the history and persistence of segregated communities and improper, low standard housing conditions falls in the background of the genesis maintenance of the segregated social and spatial configuration while the foreground of research is occupied by the implications of segregation.

Research done in this field in Romania reflects the way Romanian scholars understand to approach the topic, and therefore gives an idea about the structure of the research domain. Bibliographical search looked for keywords such as housing, residential segregation, exclusion and marginalization since these latter terms are more readily used in analysis. We looked also in specialized bibliographies on Roma for example the ones compiled by Feischmidt or Fosztó, among others. From all the sources used I selected papers, books, and book-length reports that explicitly address housing or residential segregation and more general studies that describe Roma communities. However, I left out several studies on exclusion, discrimination and even segregation as they tackled issues other than housing or residence (for example education or labor market).

Studies based on sociological surveys document the housing condition of the Roma. The general consensus is that Roma people, as individuals and as communities, live in precarious housing conditions. Households are overcrowded, they lack the necessary infrastructure, some dwellings are in fact improvised shelters, and many Roma live on

camps and ghettos in miserable conditions at the margins of urban or rural settlements without legal papers for the buildings they made or for the land they live on. (Bădescu, 2007; Berescu, Cătălin și Celac, Mariana (2006); Berescu, Cătălin. 2010; Burtea, Vasile. 1996 ; 1997 ; Goina 2009; Rughinis 2007, 2003 ; Cretan 2007; Zamfir 2003). Moreover, if the general picture on the national aggregate level shows that housing condition for Roma are worse compared to the housing condition of the majority population, surveys also show that Roma confront housing difficulties even in settlements when the general conditions are good, or they have the poorest conditions compared to the immediate environment in which they live (Fleck 2008; Sandu 2005, Tarca 2009). Finally, there are few historical studies (Achim 1998, 2004; Nastasa 2001) show that present day situation is not as new as it may appear.

1. Quantitative general view of collected documents

This first chapter presents and describes to some extent the types and distribution of the collected policy documents, the methodological rationale for choosing the sites and makes some incipient remarks on the future analysis regarding the content of the documents from the perspective of the main objective of the project, namely the stereotypes that exclude the Roma in Romania as they are expressed in policy documents regarding housing.

Method

The method is given by the contextual knowledge we have on Roma and policies in general and housing policies in particular. Given this situation, the best method we could think of in collecting the documents was a dual approach meaning that we identified documents both from starting from laws, strategies on local and national level, and starting from local measures related to an urban ghetto that has taken shape during the first decade of post-socialism near the landfill of Cluj. As such, we have documents that directly address the Roma (national legislation, including the strategy), documents that implicitly address the Roma (poverty, vulnerable groups), and documents explicitly targeting Roma communities without addressing them per se (regarding social housing, administrative measures of evictions, or urban planning measures). Although this latter type can be seen as more general-purpose policy measure, the most affected by it are the Roma, and implicitly it is designed for Roma, or having Roma in mind.

Methodology owes much and the particular status of Roma housing in Romania compared to Western countries that face immigration of Roma. The relation between Roma and space is not a novelty for public authorities and they have tried to integrate this issue in the general management of urban or rural settlements. Therefore, many documents relating in fact to Roma are not named as such. Consequently our methodology was to use contextual knowledge about Roma communities for searching for documents that refer to the territory where the communities live in addition to searching for documents targeting the Roma.

Moreover, putting documents about Roma in a historical perspective we observe that the period following the collapse of the state socialist regime it is more attentive to the so called Roma issue, or Roma problem. Public discourse, and indeed, political and policy discourse has somewhat flourished in the past twenty years. There are some, not so many, policies, and local practices that are documented and framed in a legal environment. To name or not to name in fact depends on how policies and the Roma question has been framed through time and to the fact that Roma are a historical domestic minority. Compared to other states that confront a new situation given the massive immigration of Roma, they do not have to name the ethnic target of policies.

Documents

Central administration elaborates designs, and issues all documents that set the frame for all policies, including social policies, ethnic policies, housing policies in general or policies that explicitly target Roma communities or individuals, among others. Institutions of central administration also designs and issues methodologies for the

elaboration, administration, management, and way of implementation housing policies at national and local level. The policies that find expression in national level documents, with a general, all-embracing scope serve as reference, guidance and in fact they provide a structured space within which local policies and projects can be framed and implemented. In other words, it sets the structure of possibilities for all initiatives on national and local level. No local housing policy can be designed without reference to some kind of document already elaborated that is generally valid for the entire administration. This relation between national and local documents shows at least two things: (1) it embodies a relation of authority between central and local administration, given the fact that local documents incorporate obligatory reference to relevant national level documents, and closer to our topic (2) it suggests that there are good chances for the language of local documents elaborated by local bureaucracy to replicate at least partially the language of national scope.

Responsibility for elaboration and implementation on housing policies do not follow exactly the administrative-territorial structure of Romania. Although there are two mid-level administrative units in the administrative-territorial structure of Romania (namely county administration, which is the next larger unit after local administration referring to settlement administration, and developmental region, which is right below the national level and comprises several counties), they do not have any competencies in housing policies. Only national and local administrations manage the question of housing both in elaboration of policies and the implementation of policies or programs.

In line with the distribution of competencies and responsibilities regarding housing, the present country report takes into consideration documents on two levels: the national level, documents that mainly set the frame for more specific actions, and elaborate the principles of these actions, and the local level, which mainly address local problems and try to fit the envisaged solution to these problems into the principles and objectives of the documents of national scope. The number of documents under analysis is 99. They include national level policies and local level policies and measures. These are the types of documents:

1. National level

- a. government decisions,
- b. laws,
- c. decrees
- d. ordinances

2. Local level

- a. decisions of local councils
- b. local council meetings minutes
- c. project documentation

Figure 1. The distribution of documents according to their type

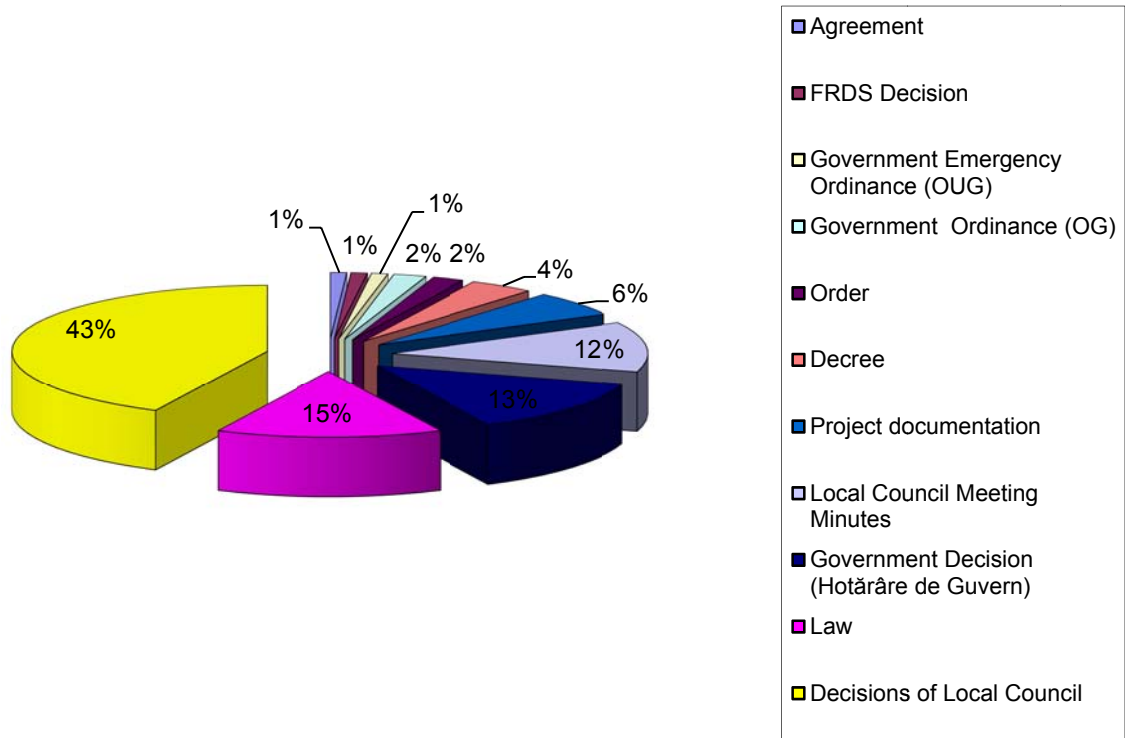


Figure 2. Distribution of collected documents by territorial level

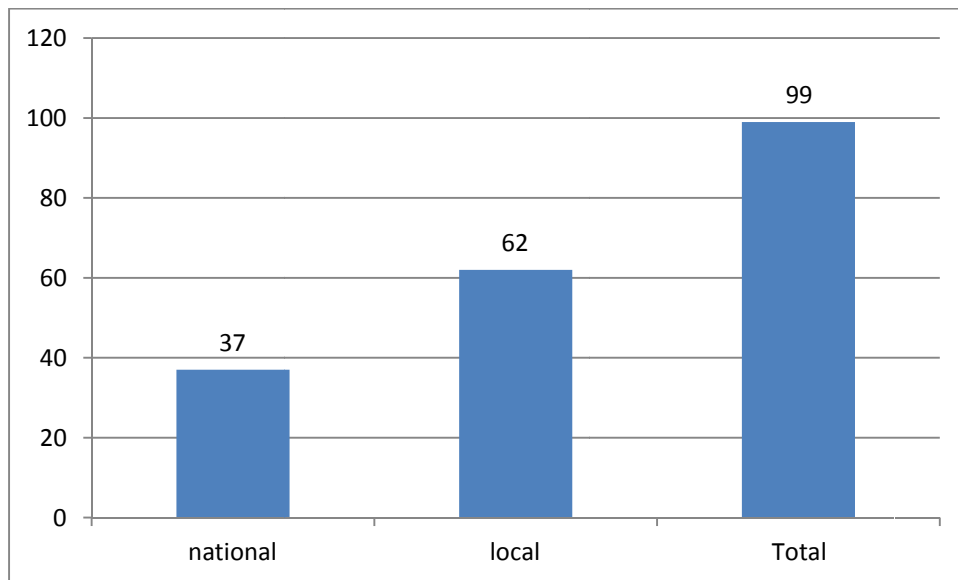
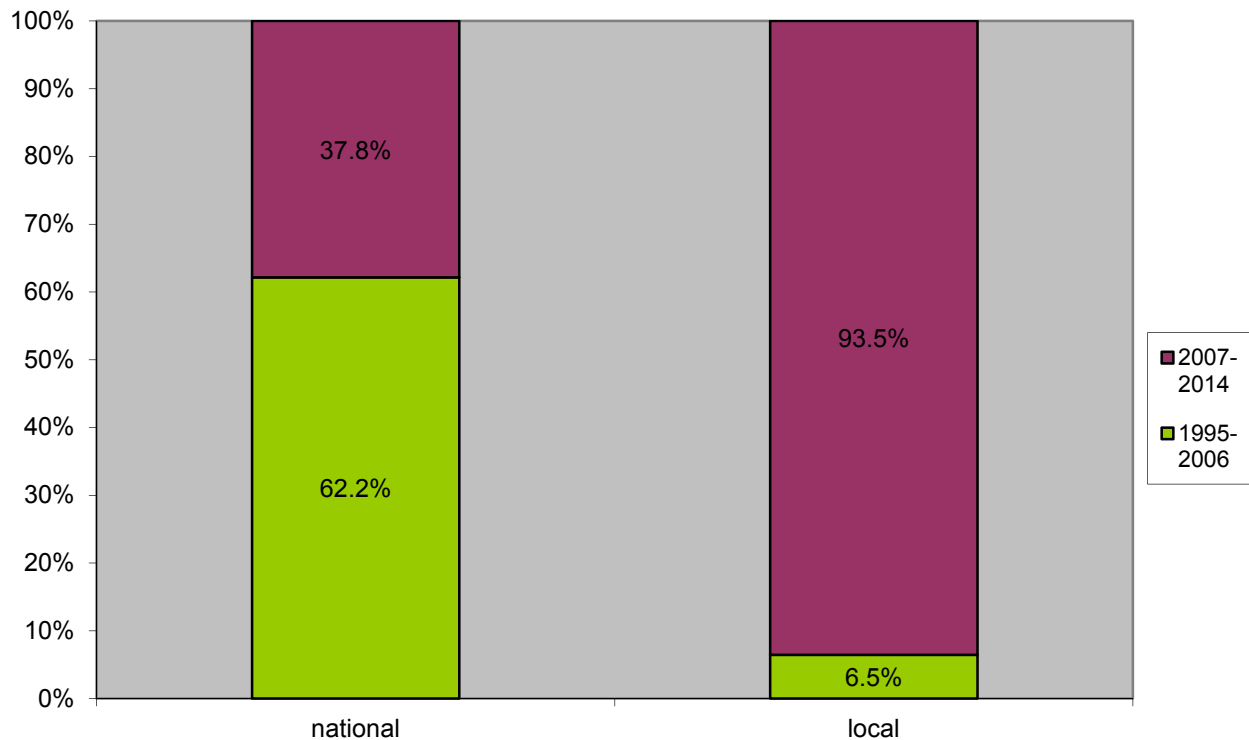


Table 1. Territorial distribution of collected documents by year

Date	Territorial level		Total
	National	Local	
1995	1	0	1
2000	0	1	1
2001	1	0	1
2002	3	0	3
2003	1	0	1
2004	4	0	4
2005	4	1	5
2006	9	2	11
2007	3	0	3
2008	1	9	10
2009	1	6	7
2010	0	15	15
2011	5	6	11
2012	1	9	10
2013	3	12	15
2014	0	1	1
Total	37	62	99

Figure 3. Distribution of documents by year and territorial level



These tables show that local level documents started to be produced in 2008, after the adoption of governmental documents in the process of joining the European Union. The importance of accession is also supported by the yearly evolution of the number of national policies, documents. All these argue for the relevance of conditionality in the elaboration and implementation of Roma policies. The implication is that policies, also for housing are top-down directed, which further have some consequences on language use, namely the use of the bureaucratic language of institutions in the European Union. The point I would like to make is that policies sometimes are passively circulating a language that contains stereotypes. This holds also for the practice of bureaucratic institution where the production of documents enters routine. Although, documenting

these two processes is rather difficult, awareness of them can better contextualize and also give further weight to document analysis.

Figure 4. Distribution of documents by type and period

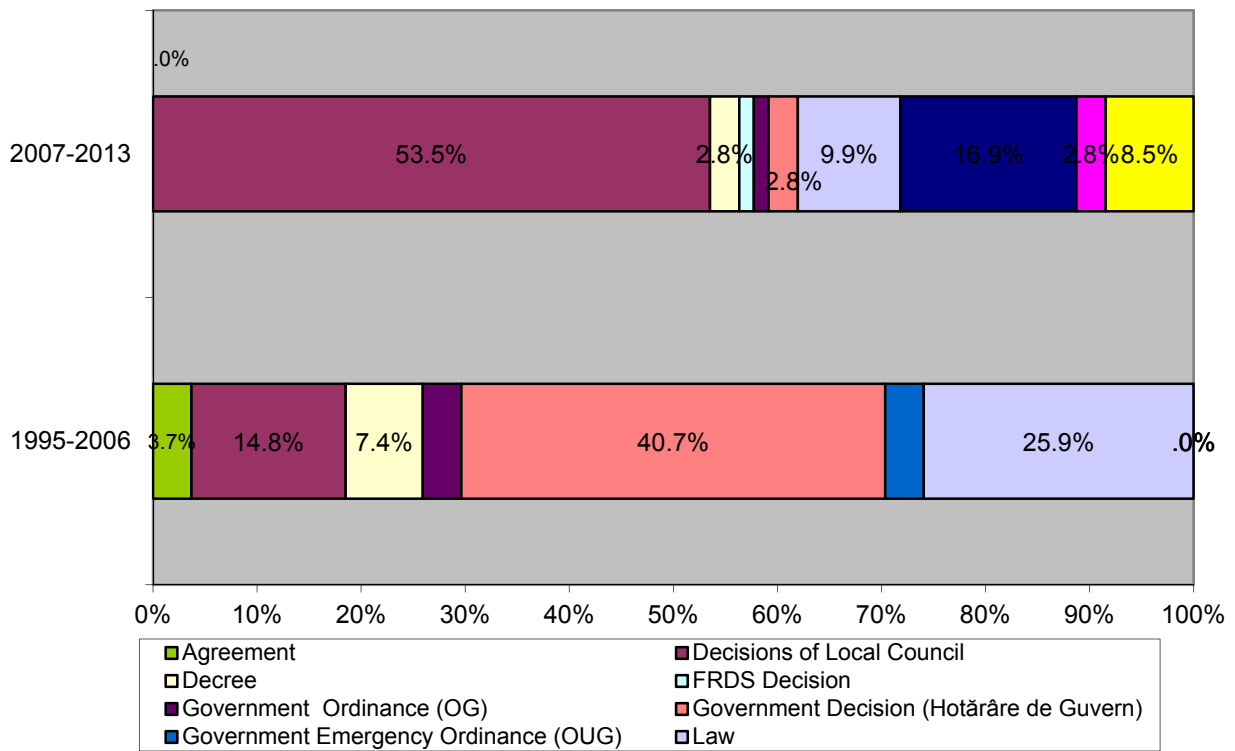
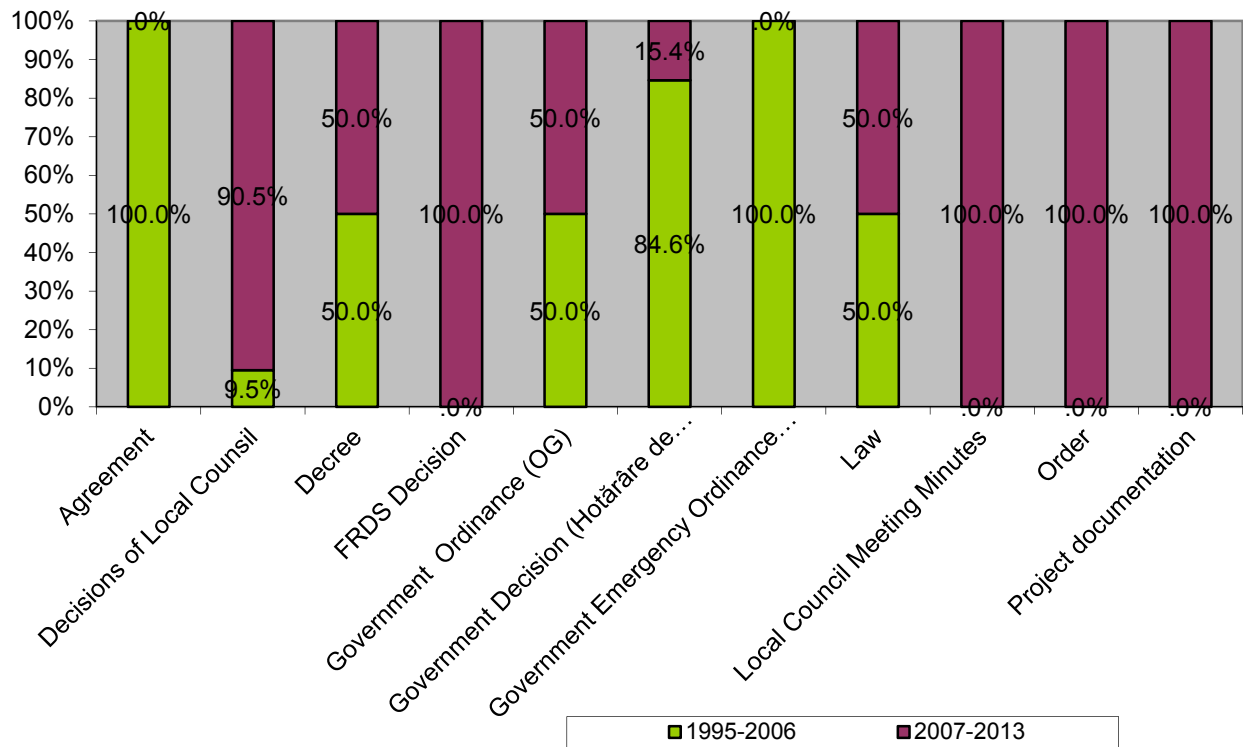


Table 2. Distribution of documents by time and period

Document type	1995-2006	2007-2013	total
Agreement	3.7%	.0%	1.0%
Decisions of Local Council	14.8%	53.5%	42.9%
Decree	7.4%	2.8%	4.1%
FRDS Decision	.0%	1.4%	1.0%
Government Ordinance (OG)	3.7%	1.4%	2.0%
Government Decision (Hotărâre de Guvern)	40.7%	2.8%	13.3%
Government Emergency Ordinance (OUG)	3.7%	.0%	1.0%
Law	25.9%	9.9%	14.3%
Local Council Meeting Minutes	.0%	16.9%	12.2%
Order	.0%	2.8%	2.0%
Project documentation	.0%	8.5%	6.1%

Figure 5. Distribution of documents by time and period



The condition of Roma in society and the status in the eyes of public administration. Public administration has a double standard regarding Roma communities. On the one hand, they try to mobilize them in electoral campaigns and promise them amelioration of their condition, which means better schooling for their children, jobs, and housing or infrastructural development. However, this promise is a rather quiet one, since “helping” Roma may hinder the chances of electoral success. In the general situation of Romania, and most of all, after the global financial and economic crises, more and more members of majority population feel that they need more help from the government and local administration. Framed in the language of budget constraints, improving the condition of Roma is decoded as taking something away from the majority population. Hence, there is a reticence to give voice, and indeed to act, on satisfying the needs of the Roma

population. (See Vincze, at all in press) This is another reason for the invisibility of Roma in much local documents.

The main process that describes the general context of housing in Romania is the privatization of real estate and the gradual retreatment of state as owner and manager of the dwelling stock. Because of this process, state owned housing facilities have severely dropped in the last two decades and the initiatives to compensate the privatization of housing have not succeeded in filling in the gaps created by privatization. Privatization unfolded in three distinct but related processes:

1. In the beginning of the nineties tenants of former socialist apartments, allocated to them during socialism had the opportunity given by law to buy the formerly rented apartments on a low price.
2. Restoration of properties confiscated or nationalized by socialist regimes. Many churches, institutions, and individuals reclaimed their properties they owned before nationalization.
3. The state abandoned the construction of dwellings. However, it has a program of building social dwellings, but this felt short of demand created by the privatization of real estate.

All these led to a drastic decrease of social dwellings managed by local authorities. For example in Cluj the number of social dwellings per 1000 inhabitants fell from 190 in 1990 to 10 in 2012.

SOCIAL HOUSING

Social housing, allocating state-owned ones along with building new dwelling facilities, is the key policy that can solve the cumbersome problem of meeting the objectives set down in documents that refer to the fundamental human right to decent housing. International organizations have had and continue to their agenda infused more or less with legislation, recommendations, and declarations pertaining to housing, habitat, dwelling and the right to it.² Besides being addressed, documented and described by European and international organizations, be them governmental or non-governmental organisations, a concern that can be traced through conventions, recommendations, reports, and so on, the housing and specifically the relation on housing and minorities, mostly Roma, has become a key issue also for national legislation in the EU member states. The present sub-chapter of the country report describes Romanian legislation regarding housing and social housing in a short historical chronology and the dynamic of housing and social housing in post-socialist Romania. It also touches upon the emergence of urban and rural ghettos, populated mainly by Roma and the response of local administration and national government to this situation, which is mostly a post-1989 phenomenon in Romania.

² There are many such documents elaborated on international level. For reference we only present an indicative list of them: Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms, UN Universal Declaration of Human Rights, United Nations Habitat Agenda. Specifically for Roma and other minorities we can refer to Council of Europe Framework Convention for the Protection of National Minorities or Strasbourg Declaration on Roma adopted at the High Level Meeting on Roma or European Parliament Resolution on the EU Strategy on Roma Inclusion.

1. Romanian legislation on Roma and social housing

Most recently, following the *EU Framework for National Roma Integration Strategies* in 2011, Romania adopted the *National Strategy for the Inclusion of Romanian citizens belonging to Roma minority for the period 2012-2020*.³ This document might be qualified as the most important one regarding policies for Roma people, and it also sets the frame for key issues in the so-called “Roma problem”. As such it tackles four key domains like education, employment, health and housing and refers also to the domain of culture, and the prevention of and combating discrimination. The other important aspect of the Strategy, having in mind our main topic, is that it sets the language and the most widely used concepts and terms in relation to Roma and housing, among others.

Although it is the most recent one, and potentially a trend-setter in language use and also a frame for further measures and actions on local and national level, the Strategy is not the first neither the single one regarding Roma and housing or both. It follows the *Strategy of the Government of Romania for improving the condition of the Roma*, adopted in 2001, and the *Decade of Roma Inclusion 2005 – 2015*. The latter represents a political commitment of the Romanian Government in relation with other states, which agreed to elaborate a program for the inclusion of Roma. The main difference, in administrative and political sense, is that “Unlike previous programs dedicated to Roma inclusion, such as the *Decade of Roma Inclusion*, the *EU Framework Strategy*

³ In Romanian *Strategia Guvernului României de incluziune a cetățenilor români aparținând minorității romilor pentru perioada 2012-2020*.

addresses requirements (although by means of “soft” pressures) to older and new member states alike. In the case of Romania, *the design of the national strategy* (with its first version openly criticized by EC Commissioner Laszlo Andor) *represents an ex-ante condition for Romania in accessing EU funding for the 2014-2020 programmatic period*” (Cristina Rat, 2012). On other aspects, the national strategy is a clear continuation of previous programs, harshly criticized by various evaluators, as is also this current strategy.⁴

As already mentioned in the introduction, social housing programs and policies cannot be isolated from other programs. Although Law on Housing 114/1996, amended by Law 145/1999 provides the normative frame for granting or allocating social housing, other laws also regulate this field. In other words, the legislation on social housing is part of a larger set of laws, all of integrated to a certain extent and with a certain degree of complementarity. These other laws refer to poverty alleviation and other social programs designed for what is termed as vulnerable groups or people in need. Such programs are the National Anti-Poverty and Social Inclusion Promotion Plan (NAPSIPP), the Joint Social Inclusion Memorandum (JIM), framework programs that supplement the Law on combating social marginalization (Law 116/2002), and Law on guaranteed minimum income (Law 416/2001).⁵

⁴ For an overall assessment of the strategy see the analysis of the European Roma Policy Coalition “Analysis of the European Roma Integration Strategies” http://www.ergonetwork.org/media/userfiles/media/Final%20ERPC%20Analysis%2021%2003%2012_FIN AL.pdf

⁵ How well these laws are integrated, how their specific measures and possibilities of implementation articulate is another question that deserves further investigation.

2. Objectives and measures

“Lack of decent housing and utilities, of documents of property on houses and lands leads to social exclusion, blocking the access to social assistance, medical assistance, education and, in general, to all citizen rights.”

Starting from the acknowledgement that housing is essential to full citizenship status the National Strategy designs general objectives and measures to be followed and respected, respectively. Below, in Text Box nr. 1 we can see these as they are formulated in the text of the Strategy.

Text Box nr. 1

Social HOUSING programs target “vulnerable groups”, “disadvantaged communities” In the housing field, the social housing programs provide:

- Building of social housing for vulnerable groups;
- Financial support for local projects and programs aimed at ensuring normal living conditions in urban and rural areas for vulnerable groups (including Roma-populated areas);
- Full or partial support for the rehabilitation of houses or building projects for homes in the disadvantaged communities (including Roma communities);

Through the Ministry of Regional Development and Tourism, the Government of Romania implements the Program for Building Social and Necessity Housing, and the funds from the state budget for this purpose are approved by the law on the state budget for that year.

D. HOUSING AND SMALL INFRASTRUCTURE

Specific objective: Ensuring, by the central and local institutions, as well as the social partners, of decent housing conditions in economically and socially disadvantaged communities, as well as ensuring the access to public services and the small infrastructure.

In order to achieve the housing objective, MRDT identified the following priorities:

1. The pilot program “Social housing units for Roma communities” carried out via the National Housing Agency, according to Government Decision No 1237 of 2008, by which the building of 300 housing units is intended;
2. the program for the rehabilitation of cultural establishments in municipalities where there are no institutions of this type in the rural and urban environment; carrying out a pilot program for a Community Social Centre for inclusion and continuing education as a means of increasing trust in mixed communities;

These priorities are supplemented by the following directions for action, which are included in the plans of sectorial measures – Annex 1 to this Strategy.

Directions for action in the fields of housing and small infrastructure:

A. Developing the community infrastructure favoring the inclusion of citizens belonging to Roma minority and the access to continuing training.

1. Setting up social centers, especially in rural areas, aiming at providing integrated social services, focused on training and employment in the areas / communities inhabited mainly by citizens belonging to Roma minority;

B. Improving housing quality and ensuring the observance of citizens’ rights for

citizens belonging to Roma minority

2. Elaborating and implementing programs for building housing units in areas inhabited mainly by population belonging to Roma minority. The objective of the construction activity is to build condominiums at European standards regarding the housing quality and, secondly, to involve the population in the respective area as labor force who will train in this field of activity;

Institutions

Several types of institutions are involved in social housing. First of all, there are national institutions such as the Government and the Ministries. The government adopts and issues general regulations, laws, programs, plans regarding social housing and other projects pertaining to social policies. Apart from the Government as a whole, there are certain ministries responsible for social housing or related social programs. Their specific role, attributions and competencies are allocated by the Government. The involvement of ministries depends on the type of program it supposes to manage.

As social housing has many ramifications and it is touched upon not only in programs specifically designed for this question but also in programs related to social security, social inclusion, poverty amelioration, and Roma, its dimensions are approached in a more or less integrated manner by the following two ministries: Ministry of Regional Development and Tourism, Ministry of Work, Family, Social Security and Elderly People. However, social housing, poverty alleviation and Roma programs share many objectives that are allocated to different other ministries. For example, the National Strategy for the Inclusion of Roma enumerates more than ten ministries that are responsible for managing specific parts of the program.

The Ministry of Regional Development and Tourism acts in building and rehabilitating social and necessity houses and infrastructures. It has a particular office – the National Agency for Housing – that manages all activities in the domain of social housing. On the other hand, the elaboration of principles of allocating social housing is the duty of the

Ministry of Work, Family, Social Security and Elderly People. This state organ develops the principles of inclusion through its special Department on Programs of Social Inclusion. However, this ministry can only allocate funds for certain, well delimited social housing units, namely those that are dedicated to particular categories, defined as vulnerable. These categories are, among others, young people who leave institutions, single mothers, or physically impaired individuals, or people with low income. Roma are not among vulnerable people according to this definition. However, the Ministry of Regional Development and Tourism takes over these principles and applies them to the Roma. As such, there are at least two competing principles local administrations face when allocating social houses, one for vulnerable groups whether they are Roma or not, and one for Roma people who are included in the category of vulnerable groups. In other words, social housing is both targeted and mainstreamed, which might cause some confusion in local administration.

Although principles are decided on national level by the Government and the involved ministries, the specific criteria they define for people to be eligible for social housing are neither ranked nor exclusive. This means that local administration, namely local councils decide what weight they should attribute to different criteria and include supplementary ones or not. This is why different local councils manage to highlight some criteria over the others and as such to allocate houses to different categories of people.

Topics in documents: explicit and implicit

The entire analysis could be, with few amendments, very well be entitled *Strategic presence and local absence* referring to the fact that Roma are present in national level strategies and legal frames but rarely so in local documents or positive measures. The title could also be *Centrally named solution for locally unnamed targets*, meaning laws, regulations, decrees, governmental ordinances, local authority documents and plans that solves a problem without addressing directly or openly its beneficiaries. These add up to a divergence in national plans and local implementations, meaning also that there are different stakes on national level to meet some requirements imposed by the European Union, and on local level where solving problems on the ground are intricate matters of local politics and economy. Nevertheless, overall, Roma are the great absentees of several documents that implicitly address problems related to them. This is true both for some of the local and national level documents and for the public meetings' minutes of local councils who rarely if at all names Roma as the target or subject, or topic of the discussion, debate, or meeting.

It is not surprising that Roma or Gypsy communities and their spatial location within urban settlements are the great absentees in regulations about them throughout socialism and most of the first two decades of post-socialist transition. The reasons are manifold but the main one is that from the beginning of the post-socialist transition the so-called Roma question or problem has been defined as a social problem that requires social solutions (in the sense of quality of life, education, employment and so on). As such, the ethnic dimension is rarely present, especially before 2005 and in

administrative documents. When it is nevertheless mentioned, it is about what others have termed conditionality, meaning targeting Romanian Roma due to external pressures. This is one dimension that has structured our methodology in collecting data, as we already mentioned above. Another one is related to the administrative, territorial organization in Romania and competencies attributed or held by different authorities at different level. Although regulatory levels in Romania are national, regional, county and local (municipal) we do not have to follow this structure since regional and county level administration has no competencies in housing.

The issue of naming is an important one since it discloses the way authorities frame Roma in general, and the relation between themselves, Roma, and housing in particular. What is said about Roma when explicitly referred to and what is implied when Roma are not explicitly mentioned, but there are great chances that they are the main targeted community. The question of naming is also important because of latent prejudices against Roma, prejudices that recently surfaced again exactly in a debate about the official naming of Roma. This debate about the proper name for Roma is at least 20 years old. In these two decades several Romanian politicians have repeatedly tried to introduce the term “Gypsy” in the political, legal and everyday usage: first in 1993, then in 1995, and 2000. Silviu Prigoana, member of the Romanian Parliament has launched the latest such attempt in September 2010. All these proposals were refused on the ground of being against European regulations. However, as others have already noted, the debate discloses general arguments in favor or on the contrary,

disapproving the change the substitution of Roma denomination with the term Gypsy, which is a racial stigma.⁶

Supporting arguments for the term Gypsy referred to the confusion the term Roma could bring in relation to Romanians; Roma is a neologism, an artificial name; Gypsy is the term they use when they refer to their own group. Supporters of the term Roma came up with the arguments that Gypsy is racist and does not comply to European standards; official documents using the term reinforces negative categorization and stigma, Roma should have the right to choose their own name. (Plainer, 2013)

Whatever the arguments to support or disapprove changing ethnic denomination from Roma to Gypsy, what we think is important, is the fact that denying someone to choose the name for self and other identification is a sign of asymmetric power relations in the public sphere. Moreover, questioning an ethnic denomination is in fact a sign of domination, at least a symbolic one. Naming is a struggle between state authorities, Roma representatives, Roma communities and supranational entities such as the EU. Although in this case, certain politicians have failed to introduce the term “Gypsy” as the official ethnic denomination instead of Roma, the latent pressure in the political field cannot be denied and the dominant tendency to dominate is always present. Although there is much talk about the negative or prejudicial connotation of the term Gypsy, since there are voices that consider this term anything but stigma, there is also great probability that behind the term Roma there are ideas about Gypsies as stereotypically constructed by the majority and sometimes by themselves. (see several reports on ethnic stereotypes). Being constructed as stereotypically dissimilar is just the overt form

⁶ For an extended scientific debate on this problem area see Horvath and Nastasa 2012.

of symbolic exclusion, while “cultural racism” based on acknowledging and debasing cultural particularity and distinctiveness is a covert form of exclusion.

Given the general discursive context of politically correct usage of the term, one can hardly find any negative reference to Roma in this dimension of naming in policy documents. They are identified by the standard ethnic denomination recommended by international organizations and accepted finally by the Romanian authorities. Policy documents constantly and consistently use the term Roma in social housing issues, in supporting documentation for policy planning, in legal documents or in third party agreements regarding programs elaborated and implemented for Roma. Any meaning attached to the use of the term can only be approached from the context within which the term appears and/or in comparison with other similar types of use.

Program for priority interventions (Hotarare 3/2008)

„Roma population confronts multiple social problems, and to solve them requires adequate approach, counting for available resources. Through PIP, FDRS aims to contribute to reduce the difference between the living condition of Roma communities and the neighbouring communities, and to create the conditions for developing these communities. This is why interventions will concentrate on solving specific needs. ”

„based on available information, two months before the organization of a tender for projects NAR sends FDRS or, as the case requires, updates the list of communities which should be aided in this program. The list contains a maximum of 120 communities inhabited mostly by Roma and mentions all necessary data for the identification of

eligible communities for the program (county, town, commune, neighborhood, village, the name used by local inhabitants for identification of the community, placement, number of households, number of inhabitants, etc.)."

Apart from ethnic categorization through denomination or naming, classification is also a good indicator of the majority point of view on Roma. For example, the National Strategy for the Inclusion of Roma classifies its own action as being part of the general frame of poverty alleviation and aiding people in need for help. Therefore, ethnicity is included in other social categories. However, this kind of classification enmeshes social categories for which inclusion or non-discrimination rests on different grounds since there are the products of different social mechanisms.

"The social inclusion policy of the Government of Romania is based on a proactive approach aimed at increasing the overall standard of living of the population and stimulating earnings from employment by facilitating employment and promoting inclusive policies with addressability to all vulnerable groups: Roma minority, disabled people, women, street children, 18 years old young people leaving state protection institutions, elderly people." (NRIS)

The main topics of programmatic documents as the NRIS and also of more particular programs are inclusion, modernization and assistance. People and spaces, areas of urban and rural settlements are to be included in society and in the more or less coherent space of the towns and villages in question. Roma and the places, spaces they inhabit have to be modernized in order to fit into the social and geographical space of majority. This is mostly evident in discussions about marginal, segregated

communities living at the outskirts of towns and villages. Modernization as the means to inclusion seems to be the most important way to inclusion and also seems to be the tool surrounded by a large consensus. Educating, providing jobs, housing and infrastructure serve to modernize Roma and spaces they inhabit and hence include them in the orderly communities and residential milieus of Romanian society.

Inclusion appears in all programmatic documents as the main objective of the policies. This is obviously the case of the National Strategy, but also of local project such as the Memorandum of Cluj signed by UNDP and the City Council, the urban development project, or the projects elaborated in Sfatu Gheorghe for the segregated community in Orko. It is a term that appeared relatively recently, and has been borrowed from programmatic documents issued by supranational authorities such as the European Commission and the Council of Europe. In the Romanian Government's Strategy for improving the condition of Roma in 2001, inclusion was a secondary importance and until then public discourse circulated predominantly the term integration. Given that integration as a term was debated along the term assimilation and the introduction of inclusion in other contexts (see for example the Decade of Roma Inclusion), integration and improvement has been gradually replaced by inclusion. The meaning of it however remained the same. It connotes integration and improvement or integration by improvement.

The National Strategy of 2013 starts with the definition of social inclusion stating that "Social inclusion is defined as a process that ensures that people at risk of poverty and

exclusion gain the opportunities and resources necessary to fully participate in the economic, social and cultural life and that they enjoy a standard of living and welfare considered to be normal in the society in which they live. Social inclusion ensures increased participation of these people in taking the decisions that affect their lives, as well as their access to fundamental rights.”⁷ Although this sets a comprehensive objective that should permeate all of the social life, the Strategy favors education and occupation. Housing has a secondary role evident also in the space dedicated to measures of housing. More importantly, the approach taken up by this document refers to a report elaborated at the request of the Romanian president, a report that squarely identifies the main problem in “the priority issues of the Roma remain the access to education (including the elimination of segregation cases), maintaining pupils inside the system of education on the secondary and superior cycles (especially in the case of girls from traditional communities), the access to training in modern professions and the access to employment and housing and decent living conditions”.

It seems that the key word in this phrase is traditional. Although it does not refer to housing, it nevertheless sets the contours of the primary image of Roma communities and the general frame within which the majority perceives them in documents, other types of discourse, and in everyday life. Traditional have at least two meanings: one is about cultural distinction, particular traditions, which deserve to be preserved, while the other refers to backwardness, not being modern, lagging behind ones one time. Apart from customary, traditional is an umbrella term that encompasses qualifications of the

⁷ Taken over from the Joint report by the Commission and the Council on Social Inclusion, 2003

“particular way of life of Roma” in the sense of poor hygiene, settling for lower jobs, lack of education, or being satisfied with miserable housing conditions. Documents do not elaborate on the meaning of tradition, but the reference to the second meaning described above makes more sense when interpreting different measures.

For example, in setting responsibilities for the implementation of the National Strategy is stated that “Although the main responsibility for the social and economic inclusion of Roma minority citizens belongs to public authorities, Roma inclusion is a dual process, which involves a change in the mentality of the majority, and also in the mentality of the members of Roma community, a challenge that requires firm actions, developed in an active dialogue with the Roma minority, both at national and EU level.” Besides delegating part of the implementation to civil society it is worth mentioning the envisaged social context in which inclusion might occur. Change in mentality is qualified as one key to solving the problem of Roma inclusion. However, in the context of the whole document it is clear that majority have to change in the sense of being patient until the Roma catches up in education, labor, and proper attitude to habitat, while the Roma have to improve, to de-traditionalize (in the pejorative meaning of the term) and to catch up with majority. This way it is implied that not becoming modern is a choice of the Roma, which resembles to a discursive move of blaming the victim.

It is plausible to state that operating a clear demarcation, distinction between traditional and modern, articulated as strange and modern equals with operating a clear demarcation in the social and geographic sense too. Being traditional is being out of

place both socially and spatially, and hence segregation, eviction and relocations become legitimate states or measures in the name of modernization. This general view is reflected also in the very first book length study of Roma published after the collapse of communism. This book represents a first in many respects and carved a path for future studies of Roma, especially studies that rely on survey data and quantitative methodology. More importantly, it launches an image of Roma as they are tearing apart by modernization and keeping tradition. It defines the “Roma problem” as a social problem stemming from poverty and not as an ethnic problem; although in their interpretations of different aspects of Roma communities the authors often build on cultural traits, or the culture of poverty perspective. The study contains a chapter on housing and dwelling conditions. It uses three dimensions or indicators to describe housing conditions in Roma communities: density of dwellers, house quality and comfort, and care for housing condition mostly for furniture. The third indicator has been an exceptional one ever since (Zamfir 1993.)

Local allocation of housing owes much to this view of Roma not deserving because they are traditional, meaning that they do not able to take care of their living environment. Of course, documents do not address this issue directly, but by ranking criteria for allocation and attributing different values to different criteria. This is why, I think, education and the length of request submitted are considered in allocating social housing, besides other criteria such as income, number of children, having a job and so on. This makes me believe that allocating social housing is not a matter of a technical, administrative decision but more a moral dimension of evaluating deserving. Since,

Roma are in general viewed as non-deserving because improper behavior attributed to traditions the allocation of social housing will avoid them and favor others that are more educated and more persistent in submitting applications for a social dwelling.

Contexts of research

We collected documents in two Romanian settlements: Cluj-Napoca and Sfântu Gheorghe. In the following we briefly describe the two contexts.

Cluj-Napoca

Cluj-Napoca is the center of Cluj county. It is a multiethnic town which makes pride of this situation whenever it is given the occasion. It is also a university center, and the university also holds to the multicultural character of the town and of its own institution. Apart from Romanians there are Hungarians, Roma, Germans, Jews and other national minorities living in the town. The three most important nationalities are however, Romanians, Hungarians and Roma. Hungarians make up around 17 percent of the population, which numbers approximately 300 thousand individuals. The number of Roma is not known for sure, because census data – that can give us an idea about the ethnic belonging of an individual – is collected using auto-identifications, which means that the person declares to which ethnic group he/she feels to be attached to.

Nevertheless we have many Roma compact communities in Cluj, as well as dispersed Roma population. Compact Roma communities live in different parts of the town such as Byron street, NATO block of flats in Gheorgheni district, Hangmans' House or in the basements of houses in Manastur.⁸ However the main, most largest and most controversial Roma community lives at the margins of the town near the landfill of Cluj,

⁸ For a full map of Roma communities see Vincze (2012)

an area called Pata Rat. The history of this community begins in the sixties when four families there were living there. Today the population of Pata Rat is about 1500 persons to some estimation, and more than 2000 according to other ones. It is hard to estimate the population since it varies according to season. Some of them make a living on collecting and recycling garbage.

Roma living here live in substandard conditions, many of them having improvised barracks. The number of inhabitants of this place recently increased because Roma living in other places of the town have been evicted and relocated to this place. In fact, evictions and relocations have been the main measures of local authorities in Cluj and other places, inasmuch as some analysts have raised the question about this being the only one policy that local authorities can come up with. Local authorities have had two projects for this area. One is about making the landfill ecological, meaning that at the request of EU local authorities had to make some improvements regarding the collection of garbage and its management. The other one is a joint project with the UNDP, a Memorandum of Understanding between the Municipality of Cluj and UNDP, which aimed at regulating the situation of Roma near the landfill. However, none of them changed this situation until now.

Sfantu Gheorghe

Sfantu Gheorghe is the center of Covasna County. It is populated by Hungarians, Romanians and Roma, Hungarians being the majority of the population of the town. This ethnic structure determines also the feeling of belonging of Roma individuals, who

at the latest census in 2011 declared they belonged to Hungarian ethnic group. Roma of Sfantu Gheroghe live in the Ciuc district, a district that was populated with Roma during the socialist regime in the seventies. Other part of the Roma live in a segregated area called Orko, at the margins of the town just under the forest. Until recently, some Roma lived in a block of flats being the property of the Municipality and dedicated to social housing. This block of flats, called colloquially Sing-Sing, has been recently renovated, the dwellers evicted. For re-entering the dwellings, former tenants have to resubmit they request for social housing. Consequently, many of them will remain without any place to live in.

The most problematic area is that of Orko, which is a segregated area of all-Roma inhabitants as we have already mentioned. A recent survey shows that there are around 2000 persons. However, in this case too, numbers are disputed. NGO representatives and journalists estimate that there are more than 5000 persons living in Orko. This discrepancy might be explained by the tendency of majority and local administration, as well as NGOs to exaggerate the number of Roma, albeit for different reasons. Majority's exaggeration can be explained by the fear of overpopulation of Roma communities, the local administration's tendency to present the problem as being more difficult and requiring radical measures.

The projects for this community have been implemented by the catholic church. They established in 1992 an informal school, teaching Roma children from the community how to write and count. Later, in 1999 it was recognized as an educational institution.

Another project was implemented by the ERSTE foundation, aiming to help Roma from this community to improve their living conditions. Local administration has recently commissioned a survey, which is said to be the most comprehensive study of the situation of Roma in Orko. Based on this study, the city council of Sfatu Gheorghe intend to apply for European funds in order to regulate the situation in Orko. However, the intentions of the Mayoralty are not very clear, since there were some contradictory suggestions formulated by the mayor after the results of the research were published. The mayor declared that he wants to make a kind of open air museum, in which Roma will live a traditional life, exercise traditional crafts, and so on. The declaration was quickly retracted, and the second intention is to modernize the built environment of the area.

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