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The Roma: During and After Communism

Abstract

The Roma are an interconnected ethnic and cultural group that migrated out of India more than ten centuries ago. In the Czech Republic, they may have been present since the 15th century. Although relations within Czech lands began honorably, they quickly disintegrated into enmity and within a century Czechs could kill the Roma with impunity. Legislation restricting Roma movement came about in 1927 with Law 117: the "Law on Wandering Gypsies," which stated that the Roma were now required to seek permission to stay overnight in any given location. In the run-up to World War II, parallel restrictions to those enforced upon Jewish populations were placed upon the Roma: the same references to their difference, and a belief in their sub-humanity. Though their numbers were smaller, the Roma of Central and Eastern Europe suffered the same fate as 6 million Jews. In camps such as Lety, Hodonin, and Auschwitz I, they were interned and murdered by the thousands. After the war only 583 of the Roma returned to Czech lands out of the more than 8,000 sent to Roma-specific camps. With the decimation of industrial populations in the Czech and Slovak lands after WWII, there was a window for rural Roma populations to enter. With historic knowledge of blacksmithing and tinkering, they were able to take part in the re-industrializing of the Czech lands. However, within a few years they were relegated to wasted ghettos and their children were routinely sent to schools for the mentally impaired.

Keywords

Human rights, Russia, Soviet Union, Eastern Europe, Central Asia, Roma

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The Roma: During and After Communism

By Florinda Lucero and Jill Collum

During Communism

The Roma are an interconnected ethnic and cultural group that migrated out of India more than ten centuries ago. In the Czech Republic, they may have been present since the 15th century. Although relations within Czech lands began honorably, they quickly disintegrated into enmity and within a century Czechs could kill the Roma with impunity. Legislation restricting Roma movement came about in 1927 with Law 117: the “Law on Wandering Gypsies,” which stated that the Roma were now required to seek permission to stay overnight in any given location. In the run-up to World War II, parallel restrictions to those enforced upon Jewish populations were placed upon the Roma: the same references to their difference, and a belief in their sub-humanity. Though their numbers were smaller, the Roma of Central and Eastern Europe suffered the same fate as 6 million Jews. In camps such as Lety, Hodonin, and Auschwitz I, they were interned and murdered by the thousands. After the war only 583 of the Roma returned to Czech lands out of the more than 8,000 sent to Roma-specific camps. With the decimation of industrial populations in the Czech and Slovak lands after WWII, there was a window for rural Roma populations to enter. With historic knowledge of blacksmithing and tinkering, they were able to take part in the re-industrializing of the Czech lands. However, within a few years they were relegated to wasted ghettos and their children were routinely sent to schools for the mentally impaired.

As Communism came over to Czechoslovakia, a chilling “solution” to the proliferation of the Roma came about: the uninformed and non-consenting sterilization of Roma women, often under the guise of caesarean sections and abortions, and under pressure from social workers who would get their uninformed consent with promises of cash and tangible goods. Though this practice is meant to have stopped with the downfall of the Communist government, there are indices that suggest otherwise.

In the eyes of some, the Roma benefited under communism. From a non-Roma point of view, it might have seemed as though life was well under communism, given a strong black market through their cultural ties in neighboring countries, and government funded land to be tilled for the collective. The loss of traditional work in favor of vast Soviet factories however, was considered by some to be a forced assimilation that was not welcome. Within Russia itself they fared little better, even though they fought in the Red Army against Hitler in World War II. In Russia proper the story was the same; marginalized, ridiculed, and abused, their poverty was enforced by the systemic racism surrounding them. In fact, textbooks still exist declaring it a health hazard to touch gypsies.

Research has indicated an enduring theme of violence and pervasive bigotry towards the Roma. Initially, researchers hoped they would uncover a lessening of discrimination against the Roma as history unfolded. Unfortunately this has not been the case. They even considered the possibility that things were better under Communism than they are today for Czech populations of Roma. Yet this was not the case either. Although it is true that under Communism the Roma were sometimes allotted lands or funds or social support, they were also coerced to be sterilized in alarming percentages. When considered in conjunction with the forced removal of Roma children to be raised and educated with non-Roma, it begins to have the shape and color of extermination.

What does it take to forgive? Is there a set amount of time that must pass before an offense is softened? When the villagers in Salem three centuries ago were gripped by a mob mentality, how long did it take the survivors of the witch hunts to face their mad accusers in the market? For Eleonora Rostas, a Roma woman from a small village in Romania, more than a decade has passed since villagers torched her home, yet the pain lingers still. The reasons given for the attack were as murky as the punishment meted out in 1997, five years after Eleonora and her daughter fled into the Romanian winter night. Although a Roma man was killed and much property destroyed, only two attackers came to a faint justice of imprisonment—light sentences that were revoked within two years. This story of mistreatment, injustice, racism, and legalized persecution is a perfect example of the current state of the Roma people throughout Europe and specifically within the former Soviet bloc.

After Communism

The political and social upheaval that ensued after the fall of the Iron Curtain had profound effects on all members of the formerly communist states. There is no doubt that the changing politics of the region have altered the lives of its inhabitants, but in the case of the human rights of the Roma as a distinct social group, the question is, how much have things changed?

By all accounts, the change from communism to a free-market economy marked the beginning of a crisis period for the Roma, due to social and economic changes, and the loss of social programs and initiatives upon which many may have depended. Observers note a marked increase at hate crimes committed against Roma victims in central and Eastern Europe since the collapse of communism. Unprovoked assaults, fatal police beatings, and attacks on whole villages, in which houses are burned and people are lynched, are known to have occurred with frightening commonality. Although the Roma have always been a socially and economically marginalized population in Eastern Europe, now more than ever Roma communities and neighborhoods are often found lacking in electricity and clean water.

Statistics and trends speak volumes about the poor quality of life for the Roma people in formerly communist satellite states, as well as in Russia itself. In the Czech Republic two-thirds of Roma children are in special schools for dysfunctional students, unemployment among adult Roma is often estimated to be at 90 percent, and there has been a steep incline in racial assaults against Roma individuals since 1990. In Russia the estimated 150,000 Roma that live there are often denied health care, housing, education and employment. Racism against the Roma in Russia is acceptable enough to be called mainstream: Roma children sit at different tables in primary schools, textbooks warn to stay away from gypsies because they spread disease, and network TV documentaries describe them as kidnappers and slave traders.

In the legal arena, the Roma do not have an adequate voice. Notable court cases have been won, such as the instance in which a Czech Roma woman successfully sued a drugstore for not allowing her to apply for employment. Also, courts in the Czech Republic have fined bar and disco owners for excluding Roma, but these cases receive attention because they are exceptions to the rule. The Roma generally have little or no legal recourse when they are victims of violence or discrimination. Recently, a suit brought by 18 Czech Romany Primary students alleging discrimination in education lost in court.

Additionally, certain observers say, Roma Human Rights are negatively affected by the fact that they are often asylum seekers in the original E.U. member countries. They are therefore seen as a drain on Western European social welfare systems by Western Europeans, and as a scapegoat on whom to put the blame for a difficult or critical accession process by their fellow Eastern European citizens.

The Roma now hold the title of the European Union's largest ethnic minority. They are also Europe's most deprived minority. Racism against the Roma as a group remains deeply ingrained and surprisingly socially accepted in many parts of Europe. As the E.U. expands eastward, it brings with it several important pieces of policy on minority and Roma rights to Central and Eastern European countries. However, it also brings with it prejudices against the Roma which are just as deeply ingrained in Western Europe. Resources for a deeper understanding and further discussion of the plight of the Roma in Europe can be found in the following annotated bibliography.

During Communism

1998. "Ghettos for Czech Gypsies." *The Economist*, 30 May: 1.

Annotation: This article focuses on the difficulties facing the Czech Republic's gypsy population, in particular the reluctance of other Czechs to give them jobs, violence against gypsies, proposals to create ghettos to separate gypsies from other citizens, President Vaclav Havel urging his people to be kinder to gypsies, ghetto proposals rousing human-rights groups and politicians, and comparison of the ghettos to Nazi concentration camps.

2006. "Three Czech Romani Organisations Criticise Errc Prague: Balazova, Jarmila," in *Romano Vodi – Romany Information Service – News*, 14 November.
http://www.romea.cz/english/index.php?id=servis/z_en_2006_0300.

Annotation: This is a news article regarding criticisms of the European Roma Rights Centre, after three separate Roma organizations applied for help from the ERRC in legal cases and the ERRC failed to respond. The website is the first comprehensive site dealing with Russian Gypsies, even breaking them down into various intra-ethnic groups.

Barany, Zoltan. 2000. "The Socio-Economic Impact of Regime Change in Eastern Europe: Gypsy Marginality in the 1990s." *East European Politics & Societies* 15 (1)

Annotation: Since the fall of Communism starting in 1989, poverty amongst Roma populations has increased dramatically. Although this can be said for the population at large, it is particularly pronounced amongst Roma communities.

Erlanger, Steven. 2000. "Czech Gypsies Knock Harder on the Closed Doors." *The New York Times*, 12 May, 3.

Annotation: This article discusses the problem of discrimination against the Roma, or Gypsies, in the Czech Republic, including the lawsuit of Monika Horakova, a Gypsy member of the Czech Parliament, against a club in Brno. Though she won a discrimination case in civil court, it may have been due to her status as a Parliamentarian, and not because of changing mores. The article also discusses the treatment of Gypsies during the Communist regime in the Czech Republic.

Fawn, Rick. 2001. "Czech Attitudes toward the Roma: 'Expecting More of Havel's Country.'" *Europe-Asia Studies* 53 (8): 1193, 1219.

Annotation: This article details the crimes against the Roma within the Czech Republic, including but not limited to several killings, a piece of anti-citizenship legislation, and the running of an industrial pig farm on the site of a Nazi run Roma extermination camp.

Miklusakova, Marta and Necas, Ctibor. 2000. The History of the Roma Minority in the Czech Republic [Website]. Prague: Radio Prague, 15 November.
<http://romove.radio.cz/en/article/18913>.

Annotation: Provides a detailed history of the Roma in the Czech state since 1242 CE, including a general history of the Roma. News feed updates with stories regarding Roma rights violations and current actions taken in [their] defense.

Vladimirova, Mara. 2005. *Anti-Gypsy Persecutions in Russia* [website]. Moscow: Antifa-Net.
http://www.romea.cz/english/index.php?id=servis/monitoring/m_en_2005_0046.

Annotation: Approximately 150,000 Gypsies live in the Russian Federation, who are regularly denied all forms of social acceptance and programs. The plight of the modern Gypsy is akin to that of European Jews in the intra-war years and WWII, and black populations in the American south prior to the Civil Rights act. Interestingly, persecution of the Roma is one area in which Russia herself did not initiate proceedings. As they migrated east, they did not reach Moscow and St. Petersburg until the 19th century, though there is information that they had been in Russia since the 16th century. Migrations out of the Asian Republics from 1992-1997 into Russia proper led to heightened xenophobia against the Roma and Luli tribes.

Weyrauch, Walter O. 1997. "Oral Legal Traditions of Gypsies and Some American Equivalents." *The American Journal of Comparative Law* 45: (2) 407-442.

Annotation: This article contains anthropological research into some traditions of certain Roma tribes including but not limited to "the power of Gypsy women," "objectives of studying Gypsy law," and "ethics of uncovering facts meant to be secret."

After Communism

1998. "Slovaks V Czechs on Gypsies." *Economist* 349 (8093): 52.

Annotation: This is a succinct and informative outline of the topic. It points out several somewhat surprising historical occurrences that show how the Slovaks have traditionally been slightly more accepting of the Roma than the Czechs. It briefly touches upon how both countries have passed laws or even created ministries in an attempt to demonstrate their progressiveness on the Roma question to the greater European community, and thereby speed up their acceptance to the E.U.

2004. "The Coming Hordes." *Economist* 370 (8358): 42-43.

Annotation: This article focuses more generally on the East-to-West European migration that accompanies European Union expansion. It suggests that rather than changing labor laws and limiting who receives state aid, a better way to prevent overwhelming immigration would be to invest in the poorest parts of Eastern and Central Europe to prevent too much emigration.

2004. "Those Roamin" Roma." *Economist* 370 (8361): 54-54.

Annotation: This article is a brief discussion on how older E.U. member states are altering labor and immigration laws in response to fears that the inclusion of Central and Eastern states will lead to a wave of Roma immigration. The article mentions both the racially prejudicial and "economically reasonable" bases for these fears, and gives an account of how the Roma are regarded all over Europe, in both their official and unofficial capacities.

Barany, Zoltan. 2000. "Politics and the Roma in State-Socialist Eastern Europe." *Communist and Post-Communist Studies*. 33 (4): 421-437.

Annotation: The information in this article is useful for its sheer volume, in that it attempts to portray the struggles of various Roma communities in their respective states. This leads to a multi-dimensional and less static understanding of the Roma as a persecuted European minority. Among its more interesting points is the fact that since governments in many Soviet satellites refused to grant the Roma official "national minority" status, they were often listed as members of other groups or nationalities, which wreaked havoc with statistical data. Also of interest is its mention of the work of Romani activist Miroslav Holomek, who attempted to promote gypsy identity and nationality during the Prague Spring of 1968.

Boeles, Pieter, and Franscoise Schild. 2002. "Case Reports of the European Court of Human Rights." *European Journal of Migration & Law*. 4 (4): 1-510.

Annotation: This deeply informative and thorough piece sheds a great deal of light on minority rights as they relate to law in Europe. It is useful in that the first case it explores, dealing with Belgium's forced deportation of a Roma family under false pretenses, shows some of the challenges faced by Roma both in their countries of origin and in countries to which they have fled seeking asylum.

Cahn, Claude. 2003. "Racial Preference, Racial Exclusion: Administrative Efforts to Enforce the Separation of Roma and Non-Roma in Europe through Migration Controls." *European Journal of Migration & Law*. 5 (4): 479-490.

Annotation: This article places contemporary European racism against the Roma in the context of historical European racism, invoking the Holocaust. It takes a critical look at laws and policies that affect the Roma all over Europe and explores how E.U.-based human rights organizations have approached the resulting problems. It is very useful in pointing out how many European states have laws facilitating the compulsory, collective expulsion of Roma groups, and failing that, their segregation. It shows that several local policies have their bases in racist stereotypes, such as the Roma as "nomads" and the Roma as "con-artists." Also, it looks at how many Western European countries have border and asylum policies that aim to exclude the Roma.

Castle-Kanerova, Mit'a. 2003. "Round and Round the Roundabout: Czech Roma and the Vicious Circle of Asylum-Seeking." *Nationalities Papers* 31 (1): 13.

Annotation: This article is a detailed exploration of the harmonization of immigration policies in European Union Countries, using the plight of Czech Roma asylum seekers to illustrate how the system is flawed. It discusses the view of the Roma as the "outsiders" of Europe and shows how immigration policy reflects this view. Perhaps most interestingly, it mentions how a right to migration, though misunderstood and feared by many Europeans, is necessary for future economic prosperity.

Dacombe, John. 2004. "Rights to Roma." *Economist*, 370: 17.

Annotation: Certainly not the most informative citation in this list, this reader's letter in the *Economist* points out the valuable fact that the European Union has consistently overlooked racism and racist policies against the Roma in their accession talks while vocally criticizing prospective member states that oppress other groups.

Edwards, Alice. 2005. "New Roma Rights Legislation in Bosnia and Herzegovina: Positive, Negative or Indifferent?" *International Journal of Human Rights* 9 (4): 465-478.

Abstract: *On 31 March 2003, the Parliament of Bosnia and Herzegovina passed minority rights legislation. This article reviews its main provisions and critically asks: to what extent does this law meet international and European standards? How effective will this law be in addressing the socio-economic and political crisis facing the*

Roma minority today? Apart from granting minority status to the Roma, a right they had enjoyed under the 1974 Yugoslav Constitution, this article concludes that the new law offers little by way of additional protections beyond those already available, albeit under-utilized, under the Dayton Peace Agreement and the State and Entity Constitutions. It further notes that the limited nature of minority rights legislation to cultural, linguistic and religious rights means that it fails to address many of the critical issues facing the Roma today, such as illiteracy, poverty, widespread discrimination and prejudice, and political disenfranchisement.

Fanadova, Linda. 2003. "Update on Czech Roma." *New Presence: The Prague Journal of Central European Affairs* 5 (2): 28.

Annotation: This article provides a brief summary of treatment of the Roma from 1918 to the present. It divides this time period into three sections: 1918-1945, post-war (1945-1989), and post-communist. It helpfully demonstrates how events and policies from one period were carried over into or influential upon the next. This article is very informative on the subject of this bibliography, but it tends towards implying that the Roma are responsible for their own problems and should be charged with the responsibility of uplifting themselves.

Goldston, James A. 2002. "Roma Rights, Roma Wrongs." *Foreign Affairs* 81 (2): 146-162.

Annotation: Coincidentally or not, when the European Union began considering further eastward enlargement, movements aimed at bringing rights to the Roma were also gaining ground. This article takes an optimistic line on the convergence of these movements and the E.U. accession process, predicting that it has the potential to improve the overall plight of the Roma people. Published in 2002, it recommends several courses of action to facilitate this improvement, many of which seem to have been followed to various degrees.

Henrard, Kristin. 2003. "The Building Blocks for an Emerging Regime for the Protection of a Controversial Case of Cultural Diversity: The Roma." *International Journal on Minority & Group Rights* 10 (3): 183-201.

Annotation: This relatively optimistic work focuses on prejudice, stereotype, and racism as the root causes of Roma marginalization in Europe. It identifies an emerging "Roma protection regime" and discusses theoretical issues of race and identity, as well as cultural aspects of Roma communities that should be understood and respected.

Hepple, Bob. 2004. "Race and Law in Fortress Europe." *Modern Law Review* 67 (1): 1-15.

Annotation: Hepple focuses on what he sees as the two major impediments against human rights for minorities in contemporary Europe: the lack of rights guaranteed to non-E.U. citizens (as many Central and Eastern European Roma were at the time of writing) and the lack of policy offering positive discriminatory practices, popularly known in this country as affirmative action. He uses the Roma as an example of a European ethnic minority affected by these two factors.

Klimova-Alexander, Ilona. 2005. "A Help or a Hindrance?" *Transitions Online*: N.PAG.

Annotation: This article provides a good depiction of the gap between policy and reality regarding the Roma in the European Union. It points out that there is often more pressure on candidate states to improve their policies on the Roma than on old member states. It is critical of the policies in both candidate and member states, on the grounds that ideas for improvement of Roma communities are usually heavy on theory and light on action, and that Roma are often uninvolved in the planning and implementation of these policies.

Pogany, Istvan. 2004. "Refashioning Rights in Central and Eastern Europe: Some Implications for the Region's Roma." *European Public Law* 10 (1): 85-106.

Annotation: This article provides a summary of many of the problems faced by the Roma in Europe: unemployment is high in Roma communities while the cost of living keeps going up; Europe's minority rights legislation is ineffective where it actually exists; Roma individuals are often the victims of racially motivated violence; and they are often failed by the criminal justice system.

Ram, Melanie H. 2003. "Democratization through European Integration: The Case of Minority Rights in the Czech Republic and Romania." *Studies in Comparative International Development* 38 (2): 28.

Annotation: This lengthy article looks at the multiple ways the European Union influences its candidate and new member states. It makes clear that not only is E.U. policy largely dependent on the state in which its being enacted, but policies that deal with minority rights are shown to be linked to the status and activity level of the minority group in question.

Roberts, Andrew. 2001. "Asylum for Asylum Laws." *New Presence: The Prague Journal of Central European Affairs* 3 (3): 17.

Annotation: This article points out problems at many levels of the asylum process. It shows racist policies carried out by the British, and problems faced by Roma seeking asylum in the UK. It also demonstrates the burdens that overwhelming numbers of asylum seekers put on a system. This provides a clear and succinct summary of the racism faced by the Roma outside of their countries of origin, and the solutions suggested at the end are worthy of further discussion.

Rybkova, Eva. 2004. "Czech Republic: A Breakthrough." *Transitions Online*: N.PAG.

Annotation: This article reports one incident where a Roma woman was discriminated against and later legally compensated. She was helped by a Czech Civic organization in pursuing the issue, and when she won her case against the drugstore that had not allowed her to apply for a

job it was the first time such a case had been won in the Czech Republic. The attention the case received shed light on both racism against the Roma and weaknesses in Czech law.

Tesser, Lynn M. 2003. "The Geopolitics of Tolerance: Minority Rights under E.U. Expansion in East-Central Europe." *East European Politics & Societies* 17 (3): 483.

Annotation: This article is an interesting exploration of how imported norms, dealing with minorities' identities and rights, can interact with the society into which they have been imported. It demonstrates the possible negative impacts of even the best intended norms when they are brought into a new culture. This article would be useful for a longer, deeper and more theoretical approach to the subject of Roma rights in Europe.

Wesolowsky, Tony. 2001. "British Checks Hit Czech Minority." *Christian Science Monitor* 93 (168): 6.

Annotation: This article recounts an example of the kinds of blatant discrimination the Roma face all over Europe. British immigration officials conduct "random" interviews with UK-bound passengers at the Prague airport looking to weed out asylum seekers. The vast majority of those interviewed and pulled from their flights appear to be Roma.