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## Education of Roma Women between Feminism and Multiculturalism Case study: Roma Women in Romania

In the present paper I analyse the way gender relations and women's rights are negotiated inside Roma communities in Romania. The paper highlights the intersection between ethnicity and gender, and the struggle between conserving the identity as well as norms and values of the traditional Roma communities. My main theoretical approach is based on Okin's (1998, 1999) view that there is an existent tension between feminism and multiculturalism, between collective rights and individual rights. I analyse the way the state's decision to protect the identity of a community (in order to give groups the total freedom to decide their private sphere of life) affects the rights of the individuals who are part of that community. The paper investigates how access to education is negotiated between traditional Roma communities and the Romanian state, and looks closely at how such negotiations affect the Roma women in their decision making. Concerning these issues, I analyse the situation of Roma women's rights in the context of the intersection between patriarchal societies and Romanian society in which gender inequalities have been minimalized and women have won rights and freedoms equal to those of men. Finally, I offer suggestions for public policies through which individual rights and collective rights should become compatible without harming the former.

## Keywords

Individual rights and group rights, intersectionality, multiculturalism, feminism

## 1 Introduction

Roma women in Romania live on the crossroads of gender, ethnicity, race and class discrimination and marginalization. Considering that social inequalities reproduce themselves over the generations, Roma women represent "the most deprived category of the Romanian population" (Surdu & Surdu 2006, 5) and "the most underserved social category of our society" (Vincze 2006). A United Nations Report describes the multiple and intersectional forms of discrimination faced by Roma women: "as a member of the Romani population, she (the Roma woman) has few advocates and is the target of constant hostility. She is marginalized within her community because of her minority status and within her family because of her gender" (UNDP 2001). They face multiple types of discrimination, especially in the field of education, health, employment, and participation in public and political representation.

Raising Roma women's level of education is therefore a key instrument to combat social exclusion and create social and economic growth. Considering that Roma women are among the social groups most vulnerable to poverty in Roman society (Iancu 2007, 139), the risk of extreme poverty could be decreased by raising the educational attainment of Roma women to a comparable level as the one achieved by the majority society.

In order to encourage Roma women to access educational opportunities, a series of new educational and social policies need to be created and implemented. Raising the educational level of Roma women might be a good state instrument for decreasing the dependency of Roma women on

both men and state financial assistance. Still, it must be investigated how education policies for Roma women should be formulated in the context of the existence of several cultural disparities between the majority of Romanian society and some of the traditional Roma communities. The differences observed pertain to social norms in particular, and these disparities are also reflected in gender relations and social roles.

Before going further with the investigation, it has to be mentioned that concerning the situation of Roma women and the gender relations in Roma communities in Romania, I base most of my analysis in the present paper on the results of the research presented in the work "Broadening Agenda. The Status of Roma Women" made by the Surdu and Surdu, 2006. The research consisted of both qualitative and quantitative parts: a survey of Romani women, between the ages of 18 and 73, based on an 80 item questionnaire; and a series of focus group discussions with Romani women, based on a 58 item interview guide. The quantitative research was conducted in 13 localities across Romania. The 717 respondents to the questionnaire were from different areas of Romania, both urban 61% and rural 39%, and were selected using the random route method. At the qualitative level, there were also fourteen focus group discussions conducted in the same localities. The respondents were Roma women who have at least one daughter. For the discussions, they were divided in groups of either 25-35 year olds or 35-55 year olds. For more information concerning the methodology please see: Surdu and Surdu (2006, 19).

## 2. Right to Education between Individual Rights and Collective Rights

In order to improve the socio-economic situation of Roma women their educational attainment has to be raised and adequate educational policies have to

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be made. The challenge appears when access of Roma women to education is considered incompatible with Roma traditions and with the values of Roma communities<sup>2</sup>. Further, I will analyze the situation of women's rights – especially rights to education – in the context of the intersection between patriarchal societies and societies in which gender inequalities have been minimized and women have gained rights and freedoms equal to those of men<sup>3</sup>.

In the case of traditional Roma communities, access to education is negotiated inside the dilemma of choosing between individual rights and collective rights. In traditional Roma communities the education of girls beyond puberty is considered not compatible with the values and life style of the community – the social role of the young girls is to prepare for being “good housewives” “Not much value is placed on schooling, because the most important thing is the family and women must tend to the family twenty-four hours per day. Especially as a young girl one has to learn to tend to the household: to cook, to clean, to take care of husband and in-laws, to serve guests, to go shopping with the husband and through it all not to forget to smile” (Xhemajli, 2000). Inside such communities, formal education is perceived as being not useful for girls as men are supposed to be the only breadwinners. Secondly, attending school might stigmatize the girl because it is considered not good for a girl to be in the public space without the supervision of her family. Low educational attainment of Roma girls is often caused by the phenomenon of early marriage (Bițu & Morteau 2006, 83). School attendance is considered unacceptable in traditional communities after a girl is ‘promised’ or married<sup>4</sup>. This situation is encountered in most cases only by Roma girls. In the case of Roma boys, education expectations are higher, the marriage age is also higher, and they do not have household duties that could impede them from going to school (Surdu & Surdu 2006).

There were attempts<sup>5</sup> by leaders of several communities to invoke the need of implementing special rights for the Roma, on the grounds of their different cultural norms. Such requests came into the public sphere when the media showed cases of early marriages inside traditional Roma communities and, as a consequence, the leaders of those communities tried to explain that their communities need special laws that could enable them to maintain their ‘traditional values and life style’ – preserve marriage under the legal age<sup>6</sup> and having the right to not send their girls to school unless they want to. Moreover, on this issue: “Roma Organizations supported the (the value of) ethnicity and justified collective rights in disfavor of individual rights” (Bițu & Morteau 2006, 97). Nevertheless, inside the Roma communities the opinions are very diverse. There are also leaders who argue that the state laws concerning marriage and education should be respected, and there are Roma

women activists who promote the educational rights of Roma girls and argue that the marriages should be made only after the age of 18 years old (Bițu & Morteau 2006, 97).

The presence of the Roma population – in terms of non-negligible percentage inside the Romanian society – questioned the universality of law implementation concerning the obligation to attend formal education. In most cases, this discrepancy between the position of Roma men and women is interpreted to be a particularity of the Roma society, and the Romanian state has not so far applied the legislation that already exists:

Unfortunately, by invoking “tradition”, authorities do not intervene effectively and efficiently for preventing or eliminating the violations of the rights of the child which are constituted by early marriages. The lack of institutional response leads, in most cases, to the lack of social protection of the young couple and to the denial of protection offered to the family by the state. (Bițu & Morteau 2006, 40)

When state laws come in conflict with the laws of a minority group, a process begins that attempts to make the rules of different cultures compatible.

As Okin (1998, 667) observed, most cultures have among their goals the aim of men controlling women. When ethnic groups represented by this kind of patriarchal society exist inside countries more advanced<sup>7</sup> in terms of gender equality, an incompatibility between the way one sees the situation of a woman in ethnic groups compared to the majority is shown as an incompatibility between feminism and multiculturalism (Okin 1998, 664). This type of tension between feminism and multiculturalism can be identified in the case of some of the Roma communities living in Romania who claim to have specific rights and freedoms characteristic to ethnic cultures and may also invoke a particular legal framework to exercise a particular culture in order to conserve their identity.

Kymlicka (1995) considers that cultures are an important asset and serve as a context of choice. Individual freedoms demand that there should be options from which to choose and there are different cultures that can ensure the existence of these options. Starting from a liberal perspective, Kymlicka (1995, 105) argues that if we are to deal with representatives of minority groups as equals, then the majority of the population must provide a regulatory context in which the minority is able express their choices in the lifestyle they want to have. A number of commentators have criticized such a position, considering that the enlargement of collective rights would have a negative impact on individual rights. Considering that in some cases special collective rights may affect rights of women as individuals, an incompatibility can be identified between multiculturalism and feminism.

Both multiculturalism and feminism developed

from the desire to protect oppressed groups and thus, on the surface, it seems illogical that they should come into conflict. Okin has noted the existence of a tension between feminism and multiculturalism and has suggested that the overall interests of ethnic groups are not always compatible with the interests of women within the ethnic group (Okin 1998).

Before analyzing the tension that exists between feminism and multiculturalism there is the need to define the meaning of these concepts as used in this paper. Therefore, Okin's definition of feminism will be used, as will the belief that women should not be subject to gender-based discrimination—that women must be recognized as having equal dignity with men and that women should have the opportunity to live a fulfilling life and to have free choices the same as men (Okin 1998, 661). In the context of the discussion of this paper, I will refer to multiculturalism as being the way diverse ethnic groups live together within the parameters of a nation-state.

The conflict between feminism and multiculturalism has its origin in the perception that the members of ethnic groups have identical and homogeneous interests, while the gender dimension of that group is ignored. Okin (1998, 1999) has several critical reflections concerning the special rights for minority women, highlighting the fact that special rights for minority groups – group rights – should not destabilize women's rights. Okin criticizes the notion of special rights for minority groups because it overlooks the implications of the minority women. Spinner-Halev (2001) observes that special rights for minority groups appear at an abstract level as being fair and convenient, but on the practical level these rights in the end give rights mainly to the leaders of the groups. When patriarchal societies are taken into consideration, the leaders will be men with a traditional view on the world and the collective rights can be used to oppress the women. The claims of leaders of traditional Roma communities would generally affect the situation of Roma women. Claiming the right of the community to keep the children (mostly the girls) out of school – even when school is mandatory – would affect the rights of the children to education and their future as individuals. Claiming that a special group should allow early marriages would again affect the rights of the children and would have a dramatic impact on the girls' lives, limiting their possibilities of choosing their own way in life. According to a Roma NGO report, "Are the Rights of the Child Negotiable? The Case of Early Marriages within Roma Communities in Romania" (Bițu & Morteau, 2006): "most of the times early marriages impose especially on girls not to benefit of fundamental rights such as the freedom to choose, the freedom of expression, the right to a harmonious physical and mental development, to educational and vocational training, etc."

The main dilemma refers to the case of an ethnic group with different values and traditions: should the state impose upon the members of the ethnic group a legislation which is not compatible with the norms of the group or should it, on the grounds of

respecting special group rights, allow the group to benefit from a separate legal system? The main debate centers on the question whether the state should be sensitive to some of the voices<sup>8</sup> inside the Roma communities who consider that the Roma have different values and thus it should be acceptable and legal for the Roma women to have fewer rights than the majority of women.

Access to education has become one of the rights that Roma girls enjoy less fully than the girls who are part of the majority group; consequently, Roma girls are leaving school at rates generally higher than all other ethnic groups (Schultz 2003, 46). Roma women who do not benefit from education in the same way as women who belong to majority group are deprived of a right: they are denied the possibility to choose to leave their community when they come of age and the ability to integrate themselves into the majority group. This type of multiculturalism takes into consideration only the rights between the groups but not the rights inside the groups (Spinner-Halev 2001, 84).

The protection of cultural differences (as for example the tradition that girls should leave school at an early age) should not prevail over the individual rights of Roma women to have access to education. As Băluță observes, "putting an emphasis on cultural differences and overvaluing cultural diversity is against the value of individuals and it has created a disservice for girls and women" (Băluță 2007, 27). In the case of a patriarchal minority living in a country with a less patriarchal majority, the women in the minority are not enjoying the same rights and freedoms as the women in the majority. As a consequence, the women in the minority may be deprived by some rights offered to the majority group. Therefore, it can be argued that the public policies in Romania should be readjusted to show sensibility for respecting the traditions of Roma culture but without sacrificing the education of Roma women. Moreover, the latter aspect should prevail over the former.

Okin observed that from the desire to protect the wishes of minorities, it is consented for a community to manifest its culture but it is prevented the development of self-esteem and respect of the person itself, the capacity of autonomy, meaning the ability to decide or choose what kind of life is appropriate (Okin 1998, 664). The problem of education of Roma girls can come in conflict with ethnical traditions specific to the communities they belong to. The private sphere in this case comes into conflict with the interest of the public sphere, "the personal is political" (Hanisch 1969).

Taking into consideration that gender is a social construct, the way gender roles are distributed differs from one culture to another: "culture and gender are in a complex way interrelated" (Halev 2001, 84), being an important part of the identity of a group. Therefore gender inequality that exists in some ethnical communities is frequently perceived as a cultural and group identity characteristic: gender inequality is seen as a shallow particularity of most existing cultures (Okin 1998, 666).

The education that Roma women receive in the school system contradicts, to some extent, the tradition of some Roma communities that these women come from. Specifically, the private sphere enters into conflict with the interests of the public sphere. It can be argued that it is the common benefit of the majority – and also the individual interest of Roma women – for the Roma to be able to integrate themselves more easily into Romanian society through a high level of education and professional qualification. Because the Roma traditions prevent women from enrolling into the compulsory school system, the discrimination of Roma women – which exists within the traditional communities they belong to – is tacitly accepted and perpetuated. By ignoring the discrimination inside a community, it is not the individual who is protected, but the collectivity where the individual rights have no more justification (Băluță 2007, 25).

Cultural minorities have a highly developed gender dimension, thus it should be expected that not just the minority groups should be politically represented, but also the subgroups within those minorities. This situation emerges because the needs of that subgroup inside the minority differ fundamentally from the interests of the minority group as a whole. Therefore, it is desirable to hear the voices of minority women as well, and not just the voice of the general Roma community transmitted through their male representatives. Roma women are not present in the political arena<sup>9</sup> and civic involvement is very low: “only 26 percent of the Romani women surveyed said that they were involved in political, civic, or community-based organizations” (Surdu & Surdu 2006, 45). Nevertheless, many Roma women would like to be involved in politics and 48% of them believe that the increase of involvement of women in political life would change things for the better. The lack of presence of Roma women in the public sphere has also been observed by representatives of Roma women<sup>10</sup>.

However, in order to increase the political participation of Roma women, the basic needs of the minority group should be satisfied to a certain extent before public actors can effectively participate and achieve other significant goals (Lister 1997, 29). In this specific case, in order to ensure that women have representation in public life, their level of education needs to be high enough, considering that participation within public and political life is one of the most important citizen rights.

### 3 Education as a Citizen's Right

As far as citizenship rights are concerned, Lister identified that one of the most important approaches concerning “the accommodation of diversity and difference in the conceptualization of citizenship rights” is “to recognize that rights can be particularized to take account of the situation of specific groups” (Lister 1997, 29). Therefore, when it comes to Roma women's right to be involved in public life, it is not just the freedom to get involved in

public life that should be taken into account: Roma women must have the proper conditions to make use of this right, in this case to be properly educated. As Lister mentions, particularization of the rights means, among other things, to “counteract past and present disadvantages which may undermine their position as citizens” (Lister 1997, 29). In the case of participation of Roma women in public life, their past and present limited access to education should be taken into account.

### 4 How Much More Liberal Are Special Group Rights?

Arguments for special collective rights for group minorities are based on the liberal perspective, which considers that individuals should be allowed to live according to their specific traditional cultural lifestyle. The special rights for group minorities' point-of-view indeed gives powerful recognition to members of a minority from a legal and formal perspective (Shachar 1998, 287). The liberal perspective takes into consideration autonomy and equality, but when we talk about minority groups, this autonomy – especially on the legislative level – has to be limited in order to not affect the autonomy of a category of individuals who form another group, in this case the women (Spinner-Halev 2001, 84). It appears to be a paradoxical situation when collective rights that function illiberally in their interior are defended with liberal arguments.

As Okin observed, “a liberal should be preoccupied especially about the well-being of individuals in communities and to assure that they can choose to go out of the community if the communities become oppressive” (Okin 1998, 673). When special rights and rules for minority groups are taken into discussion, it has to be taken into consideration that jurisprudence is one of the targeted fields as it concerns private sphere, including all the rules that concern marriage, divorce, the individual's control over his/her life. All of these laws have an important impact on the women from minority groups. The fact that women who belong to minority groups have their rights limited in terms of education, administration of their possessions, or divorce, show that women lack the possibility to choose to live outside the communities. Therefore allowing Roma communities – on the basis of special cultural particularities of the community – not to send the girls to school might mean offering more rights for the community, yet this would infringe on the individual rights of the girls. Not going to school would mean that those girls would have fewer opportunities to develop qualifications necessary to earn a living and become economically independent; there would be less likelihood that they would know their rights and thus fewer chances to act as citizens. Therefore, they would never have the possibility of choosing to leave the community.

Moreover, in the same way that the gender dimension should be taken into account by the supporters of cultural minorities' rights, the



environment in which cultural elements are transmitted should also be highly considered (Băluță 2007, 27). There are important implications. For example, the unequal treatment of girls and women within their communities probably makes them less prepared than men to leave their group of origin at the age of adulthood. Any theoretician of group rights should pay close attention to this inequality. The fact that certain individuals are not able to choose an alternative way of life, while other members of the group have the capability of doing so, represents a serious violation of the rights to equality of individuals (Okin 2002, 205).

##### 5 State Intervention in the Private Space for the Protection of Individual Rights

Always subordinated to a larger and nobler unit than herself (such as family, community, ethnic group or nation), a woman's legitimacy to question her subordination is disputed (Vincze - Introduction, in: Bițu & Morteau 2010, 8). Not applying the existing legislation in what concerns right to education is an effect of the fact that state institution interpret the discrepancy between man and women as a characteristic of the Roma society that has to be respected even if it harms a basic right. Family relations are often seen as an issue of the private space. Furthermore, when the family belongs to an ethnic group with its own practices (which imply certain inequalities between the family members), these practices are considered more of a cultural particularity of the group and are tolerated on the basis of the collective rights. However, this perspective reinforces the discrimination among the group members and accepts violations of human rights.

When we analyze the situation of women who are part of a minority group the formal constraints and discrimination are not the only elements that have to be taken into account. Gender is a construct which is formed on the level of the private sphere in the intimate space of every family and has to be considered even if it is rather not that visible in the public space as ethnicity is. In addition, we must consider proponents who - on the basis of liberal precepts - defend the rights of minority groups and thus act illiberally in their interior and neglect the private sphere of childhood and the processes of socialization. They create bigger problems from the points of view of both feminism and liberalism (Okin 1998, 665)

The context in which cultural elements are transmitted is represented in the largest proportion by the family and school. But constraints on making decisions concerning their own life characterize these (patriarchal) cultures (Băluță 2007). Not only are some Roma girls discouraged by their families from going to school, they are even forbidden from doing it. The research for *Broadening the Agenda* found that in many Roma families girls are raised to be hard working and obedient and to focus on domestic activities inside the household (Bițu & Morteau

2006, 38). There is a need for Roma girls to be encouraged to raise their education level by taking advantage of sources outside their community. Policies can promote the importance of education in today's society, and the communication between school, state institutions and Roma communities has to be improved. The state should find solutions so that the poverty would not prevent children to go to school, the discrimination of Roma girls in schools to be abolished and finally, after all these would be implemented, case functional constraints policies can be done, by means of which it should be made mandatory for Roma girls to obtain at least the compulsory level of education.

Regarding building the design of policies for communities that discriminate towards their members, there appears the question of whether the state has the right to intervene in the private life of the citizens or not. To be more specific, should the state intervene in the private life of the families and communities in order to ensure that the basic rights of Roma women are respected? Or should public policy address situations in which women are abused inside the community and maintain that these situations should not be tolerated under any circumstances? Every intervention implies an unacceptable involvement in the private life of the community and family. Shouldn't the state impose policies and legislation and create mechanisms in order to ensure that girls of any ethnicity are not dropping out of school before the 10th grade?<sup>11</sup> Should the state ensure that Roma women are free and have access to qualify and to get jobs?<sup>12</sup> Should the state intervene in order to ensure that Roma women are not subjects of domestic violence, early or forced marriages? In most of these cases an abuse of authority can take place inside the family and intervention implies intrusion in the private sphere.

Indeed, the non-intrusion of the state into private life is an important liberal belief, but from a feminist perspective, "the non-intrusion of state is a way in which the state ignores the abuses and domestic violence. In this way, the state does not protect the individual as a person but protects a collectivity in which individual rights are ignored" (Miroiu 2004, 113). It may be argued that formal education obligativity is in the common interest of the majority but also in the individual interest of Roma women who otherwise will not be able to integrate themselves more easily into society due to the lack of formal education and of a professional qualification. By arguing that one has to respect the traditions that forbid women to follow the compulsory school classes, the discrimination of Roma women that exists inside the society in which they belong is tacitly accepted.

A dramatic infringement of individual and community rights that happens nowadays in the Roma communities is the phenomena of early/forced marriages; it has been estimated that 6.6% of school abandonment is due to early marriage (Surdu et al. 2011, 66). The girls are the ones who are most affected by this phenomena, as 10.99% of school abandonment among girls is caused by early

marriage (Bițu & Morțeanu 2010, 22). The gendered division of labor inside some Roma communities likewise has an important impact on school abandonment among girls: "the percentage of girls not attending school because they have to look after their younger brothers and sisters is 17.58%, while among boys the percentage is 8.09%, revealing how domestic duties are very clearly and unevenly divided between school-aged girls and boys" (Bițu & Morțeanu 2010, 22). The data show that gender roles in Roma communities have an important impact on preventing access to education for Roma girls.

Early marriages mainly affect the school attendance among girls, since the social norms of some traditional Roma communities forbid young girls to enter a public environment where boys can also be found. Invoking "tradition" in the case of early marriages, either done by Roma or by state institutions, is nothing but a violation of individual rights in favor of collective ones. Do individual rights (cultivating a lifestyle allowing the best physical, mental, spiritual, moral and social conditions, the freedom of expression and of choosing one's partner, or each individual's educational and professional development) have precedence over preserving the traditional aspects of a group? The Romanian legislation contains no specific provision regarding the condition of Roma girls and women, least of all regarding early marriages (Bițu & Morțeanu 2010, 42).

Under the comfortable umbrella of "cultural tolerance" the Romanian state institutions tolerated inequalities and discrimination against Roma women, an attitude of the state that has even criticized by Roma women<sup>13</sup>. The existing legislation and policies concerning the Roma people have turned a blind eye to the gender dimension. Also, the existing legislation has not been applied in many cases due to what has been called "intercultural understanding."<sup>14</sup> The most important source of the problem is that the Romanian government's policies treat the gender and ethnic dimensions separately and do not deal directly with the social exclusion faced by Roma women (Bițu & Morțeanu 2010, 38). Therefore, one may say that in Romania there is a noticeable indifference of the state towards issues such as early marriages, dropping out of school at early ages, or the absence of Roma women in the public sphere. In this context, the indifference of the state towards these problems was explained as a form of "cultural understanding" of the Roma lifestyle. It has been considered that Roma families rely on different values that have to be protected in the name of cultural diversity.

Last but not the least, access to education is one of the basic human rights. The difficulties of Roma women to access education have to be discussed inside the framework of human rights discourse. By limited access of Roma girls and women to education, not only individual rights, women rights and children rights but also human rights are hindered<sup>15</sup>. On the surface, the right to education is guaranteed to everyone in Romania, as in most parts of the world. However, the tacit acceptance and the unquestioning of patriarchal cultural practices

represent an infringement on the right to education. Further, it has to be mentioned that if we look through a gender perspective on the access of Roma to education, as mentioned in a position paper of the United Nations Children's Fund: "Roma education gaps also have an important gender dimension" (2011, 16). In what concerns the educational attainment, the ration of Roma girls to Roma boys is 0.94 for primary education and 0.72 for secondary education. These gender differences are not simply related to the socio-economic situation, as the girl-to-boy ratios for the population living in close proximity to Roma are 1,00 for primary education and 1,06 for secondary education (UNDP 2005, 55). Several Roma activists and Roma women organizations signaled that Roma girls and young women encounter much more difficulties in order to access education than boys do: "The boys have it somewhat easier in their schooling and professional training than the girls. They don't have to abruptly interrupt their studies at marriage, but because they are neither encouraged nor supported, few finish high school" (Xhemajli 2000). While boys and young men encounter other pressures, such as the one to become "real man," to be the breadwinners and take decision about their family members (Xhemajli 2000), their gender roles inside the community do not conflict with going to school. On the contrary, they are the ones expected to have better education in order to "uphold their roles as family leaders" (Surdu and Surdu 2006, 46). Moreover, both the qualitative and quantitative studies done by Surdu and Surdu show that there are higher educational expectations for boys than for girls (2006, 47): "Romani girls are generally expected to complete lower levels of education than Romani boys. The percentage of Romani women who believe that basic, primary school education is enough for girls (21 percent) is two and a half times higher than the percentage of those who share the same opinion for boys (8 percent)" (Surdu & Surdu 2006, 11). Moreover, viewpoints towards boys are different than for girls: "Most of the Romani women surveyed also expected boys to have finished school and learned a profession by the age of 21, thus enabling them to financially support their families" (Surdu & Surdu 2006, 35).

This shows in what measure the patriarchal values are present in Roma communities. While the state can hardly control the preferences of a community in what concerns educational expectations, it has the institutional instruments to disentangle this educational disadvantages that Roma girls face by rejecting any form of request to tolerate collective rights that would hinder Roma women's access to education. One important aspect is that many of the difficulties faced by Roma women are interpreted as a cultural particularity of the Roma community and not a problem in itself, and that Roma women are subsumed within the larger ethnic group and are treated by state authorities just as Roma belonging to communities with different norms and not as women with equal rights. Such situations should no longer be tacitly accepted or encouraged by state authorities. The conservation of identity of a

community should not infringe upon individual rights.

In conclusion, when the protection of an ethnical/cultural minority through special legislation and special collective rights is discussed, the gender dimension must not be neglected. Women living in democratic societies should all enjoy the same rights and liberties, despite differences in ethnicity. Furthermore, policies have to be implemented to encourage women who are part of minority communities to make use of their rights and to be an active part of society in what concerns education, access to the job market, and political participation.

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#### Endnotes:

- <sup>1</sup> Beneficiary of the project "Constructing and implementing an interdisciplinary innovative doctoral programme concerning Roma issues", co-funded by the European Union through the European Social Fund, Sectorial Operational Programme Human Resources Development 2007-2013, National School of Political and Administrative Sciences, Bucharest, Romania.

<sup>2</sup> Concerning gender roles in Roma families, researches through focus groups showed that Roma girls „are raised to be obedient and to focus on domestic activities inside the household” This training is considered to be necessary for becoming a good wife (Surdu and Surdu 2006, 38).

<sup>3</sup> The research data showed that, as compared to the majority of women in Romania, the Roma families follow a more patriarchal model, in which the man is mostly the breadwinner. Thus, men are the ones who have the power and are the decision makers inside the families (Surdu and Surdu 2006, 42).

<sup>4</sup> The age at marriage differs from one community to the other, being divided between traditional and modern. If in the case of modern communities we can say that girls get married at the age of adolescence or first youth (17-21 years old), in the case of traditional ones girls get married at as early as the age of early adolescence (12-14 years old) (Bitu and Morteau 2006, 22).

<sup>5</sup> During the Round Table on "Early marriages within Roma communities: rule of law, cultural autonomy and individual rights" leaders of Roma communities have divided opinions. Referring to the early marriages, some participants argued that Roma traditions have to be kept (Bitu and Morteau 2006, 114-119).

<sup>6</sup> "In traditional leaders' view, increasing children's sense of responsibility by conferring them the status resulting from marriage, within the community, is the only way to preserve the healthy moral, unaltered traditions and live spirit of the community, as well as the sure way to resist to the <<ills of the modern society>>" (Bitu and Morteau 2006, 11).

<sup>7</sup> "The challenges that Romani women face often differ from those of Romani men, and from those of majority women. Romani women and children are disproportionately affected by the poverty that shatters the lives of many Roma; Romani women usually work longer hours than Romani men, and for significantly less pay. The gap between Romani women and majority women is significant in respect to employment, education, reproductive health, and general well-being" (Surdu & Surdu 2006, 24).

<sup>8</sup> The research consisting of interviews and focus groups with Roma women sustain that most of the Roma women consider that girls inside of the community should benefit of their individual rights considering education and choosing a partner: "Qualitative data from the current research is consistent with these findings. Most respondents stated that girls should marry when they are older than 18. The main reason why Romani women think this is an appropriate age for a girl's marriage is that they expect her to finish school by then, be able to get a job, and secure relative financial independence" "Some Romani women noted that traditional gender roles exert pressures on women to stay home and take care of the children, and thus prevent them for seeking work outside the household" (Surdu & Surdu 2006, 33).

<sup>9</sup> There has been no (declared) Roma woman in the Romanian Parliament in the last 21 years since fall of socialism.

<sup>10</sup> Letiția Mark (President of the NGO Association of Gypsy Women for Our Children) declared that the problems of Roma women result from the fact that Roma women, compared to women of other minority groups, are not represented in the political space. She added that there are not enough and not at all Roma women in the political space. [<http://www.mediafax.ro/social/femeile-rome-discriminate-nu-se-afirma-politic-din-cauza-complexului-elena-ceausescu-7755778/06.2011>]

<sup>11</sup> According to research conducted through interviews and focus groups "Romani women in generally wish for a higher level of education for their children than what the data show they can actually expect. The evidence of high aspirations for school achievement contradicts the widespread stereotype that Roma do not want to receive education (Surdu & Surdu 2006, 45).

<sup>12</sup> "Some Romani women noted that traditional gender roles exert pressures on women to stay home and take care of the children, and thus prevent them for seeking work outside the household" (Surdu & Surdu 2006, 45).

<sup>13</sup> Joint Statement of the European Romani women activists, Bucharest, May 3rd, 2006, with the occasion of the European Conference on Harmonizing the Policies on Roma: "There is no sole absolute definition of what a genuine Romani woman is. Roma women are diverse throughout Europe. The concepts of genuine Romani woman and not Romani woman enough do not exist. We are aware of our differences and we accept and appreciate them as such; We wish to preserve our Romani culture but at the same time we acknowledge that there are practices in breach of human rights in the case of Romani women; We, Romani women activists, acknowledge the fact that these practices harm both young women and men and need to be eliminated. These practices are not "Roma practices" exclusively, but they exist and have existed in all patriarchal societies/communities. Although these practices are present in the midst of the Roma community, it does not bear the exclusive responsibility to surpass them. We, human rights defenders for Romani women, believe that the law should take precedence and that culture should not be used as an excuse when these practices are used."

<sup>14</sup> The Parliamentary Assembly of the Council of Europe expressed in Resolution 1468 on Forced marriages and child marriages 2005 the concern about the violations of human rights and the rights of the child which are constituted by child marriages. The attention is drawn on the fact that, under the cloak of respect for culture and traditions, there are authorities who tolerate forced marriages and child marriages, although they violate the fundamental rights of those involved (Bitu & Morteau 2010, 39).

<sup>15</sup> "One of the most significant achievements of the global women's movement over the past decade has been to convince the countries of the world that women's rights are human rights. This recognition has made it imperative that women's concerns be part of any national development agenda" (Shultz 2003, 12).