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Discrimination, self-esteem, and Romania's educational system: suggestions for interventions regarding LGBTQ Roma youth and Roma youth

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Discrimination, self-esteem, and Romania's educational system: suggestions for interventions regarding LGBTQ Roma youth and Roma youth

1. Introduction

Ethnically, on a dating app for gay people, I was discriminated against by a person from the LGBT+ community. We kept talking, exchanged pictures and then told me that if I were a little whiter, they would date me, but not like this... because they don't like darker-skinned people. That was embarrassing and made me feel terrible. You can imagine that, after all these events, self-esteem starts to drop. (George's Story, a Roma gay man, accessed on 17.07.2021)¹

This paper's aim is to propose recommendations that would improve Romania's public policies in education regarding Roma youth and, in particular, Roma youth part of the LGBTQ community. Romanian society has the highest degree of mistrust and intolerance towards Roma and LGBTQ communities², which are also the most frequent targets of hate, racist and intolerant speech³. Members of the Roma and LGBTQ communities experience physical violence and abuse in Romania⁴. Their harassment, stigmatization and discrimination also occur in educational settings⁵, affecting the health and well-being of young people belonging to these communities.

¹ George's story, gay Roma man. Available at [https://www.crj.ro/wp-content/uploads/2021/07/George s-Story-EN- -web-version.pdf](https://www.crj.ro/wp-content/uploads/2021/07/George-s-Story-EN--web-version.pdf) accessed 17.07.2021

² National Council for Combating Discrimination, National Survey regarding level of discrimination in Romania and Current Perceptions on Hate Crimes, 2018.

³ European Commission against Racism and Intolerance (ECRI), ECRI Report on Romania (the fifth monitoring cycle), 2019.

⁴ Idem.

⁵ Centre for Legal Resources, [Non-discrimination in Education: An analysis of the current situation from a non-discrimination perspective in multiple sectors of the Romanian educational system](#), 2020, accessed in Romanian version at la 17.07.2021.

Starting from a brief analysis of the relationship between self-esteem, the educational system in Romania, and **the strong presence of discrimination and stigmatization** and their effects on young people, we propose through this paper a series of multi-level interventions aimed at combating discrimination and stigmatization of Roma and LGBTQ Roma youth and preventing the internalization of stigma.

2. Low self-esteem as a result of everyday discrimination and internalised stigma

Stigmatization contains the dehumanizing aspect of individuals. This type of everyday discrimination leads to humiliating the people concerned and leads to a low self-esteem which affects their overall development. Margareta Matache, Director of the Roma Program at Harvard University, USA explains in her interview for this paper:

In relation to self-esteem and discrimination, a difference that is rarely made in Romania exists between discrimination as a human rights violation and everyday discrimination, or everyday racism, or stigmatisation. All these three terms are intertwined. (...) many Roma individuals who are in positions of power will say that they have not been discriminated against. Through this, they mean that they did not experience the violation of a right or a clear incident where they have been discriminated against. But, if you look at how these authors define it (ed: D. Williams⁶ & M. Lamont⁷) everyday discrimination or stigmatisation, you will see that discrimination takes place through experiencing episodes that involve underestimating, over-analysing actions, ignoring or misunderstanding Roma, Roma students in the school environment.

By experiences episodes which contain underestimation, over-scrutiny, ignoring of or misunderstanding Roma people or Roma students in their academic environment, self-esteem is affected because those people feel disrespected. Through over-scrutiny, individuals develop a sense of not being as good as

⁶ For more resources, see 'Everyday Discrimination Scale', David. R. Williams, available at <https://scholar.harvard.edu/davidrwilliams/node/32397> accessed at 17.07.2021.

⁷ For more resources, see 'Racism and Stigma', available at <http://www.michelelamont.org/racism-and-stigma> accessed 17.07.2021.

the others, especially from a personal perspective. When it comes to underestimation, this refers to performance, whether academic or intellectual, and it is particularly reflected in the behaviour of teachers.⁸

Life opportunities for stigmatised individuals are reduced because of the difficulties they encounter⁹. A low position in society and reduce life opportunities for stigmatised people are confirmed consequences by authors Link Bruce and Jo Phelan, the same authors who connect a low position in wider society with forms of inequality¹⁰. Erving Goffman confirms, in his theories, that stigma can be passed from generation to generation, in cases where we talk about 'tribal stigmatisation of race, nation and religion'¹¹. This type of situation describes the Roma youth who, as shown above, are stigmatised because they belong to the Roma minority, even before they can develop their own identity. At the same time, generational stigmatisation can have effects on parents' behaviour who want to protect their children from such trauma, examples being parents who withdraw their children from school as a result of rejection and discrimination their children experience from other students or even from teachers. This is Dora's case who, as a non-binary Roma person, also experienced physical aggressions in the school:

At some point, they physically abused me. Because of this, I dropped out of school. I found some subjects difficult anyway and I was behind with learning, but on top of these, I had to endure other things¹².

Other authors define stigma as being 'a characteristic or attribute that passes onto a social identity which, in a social context, is devalued'¹³ or as a 'sign that ties a person to

⁸ Margareta Matache interview, July 2021

⁹ Goffman, E., 1963. Stigma: Notes on the management of spoiled identity, social theory.

¹⁰ Link, B.G. and Phelan, J.C., 2001. Conceptualizing stigma. Annual review of Sociology, 27(1), pp.363-385

¹¹ Goffman, E., 1963. 1991. Stigma: Notes on the management of spoiled identity, social theory.

¹² Dora's Story, Hungarian non-binary person. <https://www.crj.ro/wp-content/uploads/2021/07/Dora-s-Story-EN--web-version.pdf> accessed at 17.07.2021

¹³ Crocker, J., Major, B., Steele, C., 1998. Social stigma. In Handbook of Social Psychology, ed. S. Fiske, D. Gilbert, G. Lindzey, vol.2, pp.504-53. Boston, MA: McGraw-Hill.

unwanted characteristics'¹⁴. The definition of stigma also includes elements of labelling, stereotyping, segregation, loss of position and discrimination.¹⁵

The impact of stigma on mental health is continuous, particularly regarding low self-esteem and severe depression¹⁶. Another consequence of stigmatisation is identified by Goffman and is ambivalence, expressed through excluding an individual from the group, but at the same time denying their belonging to a stigmatised group, transforming 'repulsion in shame and then transforming shame itself into something to be ashamed of'¹⁷.

Stigmatised people react differently¹⁸, some fight back by working harder to prove that stereotypes attributed to them are incorrect. However, in most cases, stigmatisation leads to a disadvantage and a loss of position, more precisely, to inequalities¹⁹. Among the stigmatised people, there are a series of negative reactions, discrimination and devaluation, a lack of trust, they might feel uncomfortable in social interactions with potential people who stigmatise them, might lack self-esteem, might experience depressive episodes, and their quality of life can be compromised²⁰.

Responses to stigmatisation (not exhaustively listed) can be hostility with interactions where they are stigmatised – in response to denigrating treatment– or avoidance of confrontations when discrimination and stigmatisation situations occur – some individuals prefer to withdraw and manage their feeling inwardly. In the case of Roma people, they avoid encounters with non-Roma people that can be hostile towards the former²¹. Because of the lack of social activities,

¹⁴ Jones, E.E., 1984. *Social stigma: The psychology of marked relationships*. WH Freeman.

¹⁵ Link, B.G and Phelan, J.C., 2001. Conceptualizing stigma. *Annual review of Sociology*, 27(1), pp.363-385.

¹⁶ Williams, R.D. and Williams-Morris, R., 2000. *Racism and Mental Health: The African American experience*.

¹⁷ Goffman, E., 1963. 1991. *Stigma: Notes on the management of spoiled identity, social theory*.

¹⁸ Son Hing, Leanne. 2012. 'Responses to Stigmatization: The Moderating Roles of Primary and Secondary Appraisals'. *Du Bois Review*. 9(1): 149-168.

¹⁹ Link, B.G. and Phelan, J.C., 2001. Conceptualizing stigma. *Annual review of Sociology*, 27(1), pp.363-385.

²⁰ Link, B.G., Struening, E.L., Rahav, M., Phelan, J.C. and Nuttbrock, L., 1997. On stigma and its consequences: evidence from a longitudinal study of men with dual diagnoses of mental illness and substance abuse. *Journal of health and social behaviour*, pp.177-190.

²¹ Crețan, R. and Powell, R., 2018. The power of group stigmatization: Wealthy Roma, urban space and strategies of defence in post-socialist

the stigmatised people can suffer consequences which will only further exclude them from society. Margareta Matache talks about coping mechanisms - "leaving spaces in which (individuals) do not feel comfortable"²², including as we have seen above, through dropping out of school.

If we talk about intersectionality and the way self-esteem can develop itself in a child or in a LGBTQ Roma teenager, the factors that influence this development are multiplying. Because, if in a battle against racism, Roma people return home to a safe space where they can talk about these experiences with their families and with the community, this space may not always exist for individuals who identify both as Roma and LGBTQ – because it is difficult for them to express their belonging to the LGBTQ community in front of their families. Therefore, as the conflict between identities comes into play and we must analyse how we formulate answers at the school and family level to the questions that LGBTQ Roma youth have in their development²³.

Link and Jo introduce, for the first time, power relations when defining stigma, explaining that '**power is needed in order to stigmatise**'. They show that, although for many categories/groups of people there are labels associated with negative traits, those who belong to a category that can access social, economic, or political power (politicians, lawyers, Wall Street investors, white people), they 'will not end up being a stigmatised group'²⁴.

We understand then that change must occur, first and foremost, within the group that is in power, while the stigmatised ones need support to develop their self-esteem and be empowered in society. In this sense, the recommendations made in this document are aimed at the education system and its representatives. We believe that the Romanian education system is a suitable area for intervention in combating and reducing discrimination against Roma children and Roma LGBTQ youth. Of course, the required changes must be 'multifaceted and on multiple levels'²⁵.

Romania. *International Journal of Urban and Regional Research*, 42(3), pp.423-441.

²² Interview with Margareta Matache, July 2021.

²³ Interview with Margareta Matache, July 2021.

²⁴ Link, B.G. and Phelan, J.C., 2001. Conceptualizing stigma. *Annual review of Sociology*, 27(1), pp.363-385.

²⁵ Ibid.

Increased attention "to developing families, communities, institutions and societies that can provide people with the resources they need to be resilient" is also needed to achieve results in improving self-esteem and managing both individual and structural discrimination.²⁶

By adopting appropriate policies, we can contribute to the reduction of individual stigmatisation – through mechanisms that would support each student in developing their self-esteem and empowering themselves as Roma and LGBTQ people – as well as to the combating discrimination against Roma people and adopting system-wide anti-racist education measures.

3. The Romanian social context and educational public policies

Belonging to the Roma minority as a social stigma

Stigmatisation of Roma people is a long-standing phenomenon, perpetuated over centuries. Roma people were slaves for 500 years on Romanian grounds²⁷, and then tens of thousands of members of the Roma community were killed during the Holocaust²⁸. A systematic oppression of anything related to the Roma identity continued during Communism. Therefore, stigmatisation of Roma people is a generational process applied to them throughout history, at different moments of life, which left a mark on the Roma communities. Roma parents and grandparents witness the same kind of treatment of their children. Stigmatisation of Roma people goes beyond social class and financial situation; stereotypes and preconceptions about them are deeply rooted and affects all Roma groups.

Roma are recognised as one of the most discriminated and oppressed minorities in Europe²⁹. At the European level,

²⁶ Son Hing, Leanne. 2012. 'Responses to Stigmatization: The Moderating Roles of Primary and Secondary Appraisals'. *Du Bois Review*. 9(1): 149-168.

²⁷ <http://sclavia-romilor.gov.ro/>

²⁸ O Samudaripen. Roma Holocaust in Romania, Deportation of Roma people in Transnistria – testimonials, documents, Bucharest, 2016. Available at https://ikultura.ro/wp-content/uploads/2019/08/Brosura_O_Samudaripen_Holocaustul_Romilor_20161.pdf

²⁹ Amnesty International UK, Roma Rights, 2021. Available at <https://www.amnesty.org.uk/roma-rights> accessed 17.07.2021

according to the most recent Eurobarometer, 20% of respondents would not want a Roma colleague at their workplace³⁰. In 2015 Romania, only 20% of Romanians would want a Roma friend and only 17% would want to work with a Roma person³¹. Recently, in the 'Atlas of Romanians' Values' survey, published in 2021, 61% young people from Timișoara would not want a Roma person as their neighbour, while the national average for this question was 48% in 2018³². A study published in June 2021 by the Roma youth organisation Phiren Amenca shows that the biggest concerns of Roma youth interviewed at the European level are racism and discrimination – 95% of them stated they noted discriminatory words, behaviours or acts against the Roma, an 68% experiences racism in the academic environment³³.

Anti-Roma feelings and anti-Roma racism persist in all areas of life, with examples of discrimination being in access to public life, in employment, in the public discourse, as well as in education. Stigmatisation of Roma children and youth is even stronger when they have already experienced group stigma, as members of the Roma ethnic group in society. Additionally, they encounter stigma in school where, at both individual and group level, episodes of rejection and discrimination by peers, parents, as well as by teachers have been regularly recorded. In 2018, a survey among Romania's teachers concluded that 42.5% of them did not want a Roma neighbour, while 13.1% (1 out of 8) believed that Roma pupils should be placed in different classes from the other students, 70.6% of them saying this is needed because Roma students have special educational needs.

These numbers and data are supported by examples of discrimination and stigmatisation of Roma students where they experience abuse, insults, marginalisation, and rejection within the school. In a recent study by the Centre for Legal Resources (CRJ), the case of a teacher from Theoretical High

³⁰ Agency for European Union Fundamental Rights, 2018. [A persisting concern: anti-Gypsyism as a barrier to Roma inclusion](#), Accessed 17.07.2021

³¹ National Council for Combating Discrimination, Perceptions and attitudes of Romania's population regarding the National Strategy for preventing and combating discrimination, 2015.

³² Romanian group for studying social values, [Atlasul valorilor românilor: Opiniile liceenilor despre toleranță](#) 2021, accessed 17.07.2021.

³³ Phiren Amenca, [Roma youth participation in Europe: Challenges, needs and opportunities – Research findings](#) 2021, accessed 17.07.2021.

School 'Marin Preda' in Bucharest who was sanctioned for repeated discrimination was presented. They made racist remarks of a discriminatory nature against Roma people. The 5th grade teacher was fined 1,000 lei for using, in front of the class, the words 'g***y, fat, I cannot stand g*****s'. She maintained her attitude before the National Council for Combating Discrimination (NCCD), adding: 'I refuse to work with them outside of the education system and it will always be like that. In the education system, I work with the students and not with their parents, but after my rules and not after g*****s' and cad rules, going by the 'police is siding with us' principle'.³⁴

Another recent case is from June 2021, illustrating the direct impact of stigma on Roma children. A child threw himself out of the window at George Bacovia School in Bucharest after he was, for an extended period of time, victim of insults made by peers and marginalisation based on their ethnicity:

*The child went through a very difficult time in primary school. His former teacher would marginalise him. She retired now, but what she did was not alright. She would work with some, she would isolate others. Even more, somehow she determined the parents to move their children to a different class, the ones she would consider undisciplined. **The children would never call him anything other than 'g***y'. He was very insulted by that name. He was suffering, you could see it. He reached a limit, he was burdened, angry. He would walk out of class, something would not be alright. The problem is complex. He did not manage to do it now, but if there is no psychologic intervention, he will try it again'** said one of the school's teachers³⁵.*

Many teachers fail to ensure an inclusive environment and are not ready to work in a non-discriminatory way. By taking stereotypes about Roma people encountered at the societal level, some teachers apply them in the classroom, through an 'exception' way of thought/ speech pattern when it comes to Roma children or in presenting their results in a negative way: 'If I would get a good mark, my teacher would say 'look, she can

³⁴ Centre for Legal Resources, [Nediscriminarea în educație. O analiză a situației actuale din perspectiva nediscriminării în mai multe sectoare ale sistemului educațional românesc](#), 2021, accessed 17.07.2021

³⁵ Fanatik NEWS, [Exclusiv. Drama elevului care s-a aruncat de la etajul unei școli bucurestene: „Nu-l scoteau din țigan”. Unul dintre profesori rupe tăcerea](#) 2021, accessed at 17.07.2021

have good grades, even if she's a g***y'³⁶. Non-Roma parents' and, consequently, of non-Roma children's attitudes towards Roma children contribute to the latter's stigmatisation, most of the time happening at school. These attitudes manifest, most of the time, through physical separation of non-Roma from Roma, due to the former's request, either by moving the majoritarian children to a different classroom/school³⁷ or through segregation of Roma children in classrooms/schools with only Roma population³⁸. As a reaction to stigmatisation, in some instances, Roma parents withdraw their children from school, to avoid harassment and their rejection from the group – both by peers and by teachers³⁹.

Stigmatisation of Roma pupils and students also occurs as a result of the implementation of some public policies that should support them. When analysing the implementation of the affirmative measures meant to allocate separate places for Roma pupils and students, as a way of helping them in continuing their studies, there are some signs of a faulty implementation. Firstly, the commonly used term 'special places' perpetuates the idea that Roma people are given an advantage, without explaining the context in which these are allocated. At the same time, the general understanding is that in order to reserve these places for Roma people, the number of seats for the other people is reduced, which is wrong. The stigma is also placed on individuals directly upon arriving at the education institution, in some cases these students having the letter „R” written next to their name - to indicate that they occupy one of the specially allocated seats, that they belong to the Roma community and is benefitting from the measures. Other young people say that they also felt different attitudes and behaviours coming from some colleagues or teachers⁴⁰.

³⁶ Matache M., 2014. Early development of Roma children – risk factors and protection factors. Publica Publishing.

³⁷ The 'white flight' phenomenon, Centre for Legal Resources, [Nediscriminarea în educație. O analiză a situației actuale din perspectiva nediscriminării în mai multe sectoare ale sistemului educațional românesc](#) p.73, 2020, accessed 17.07.2021

³⁸ Romani CRIS press release issued on February 16, 2012, [First day of school for Roma children - Lesson 1: Segregation.](#)

³⁹ Crețan, R. and Powell, R., 2018. The power of group stigmatization: Wealthy Roma, urban space and strategies of defence in post-socialist Romania. *International Journal of Urban and Regional Research*, 42(3), pp.423-441.

⁴⁰ Radio UBB Cluj, *Discrimination of Roma Youth in the University Environment*, 2019.

In the academic environment, at my first university, I was the only Roma person in my group. Some colleagues found out I got accepted into the allocated seats and one of them, who didn't like me and would make me feel bad, would always ask me why I got into this university, why I didn't get in based on my grade...⁴¹

LGBTQ Roma youth's situation

LGBTQ Roma Youth, as well as LGBTQ Roma young adults face multiple and intersectional discrimination in society, as well as within their community (Roma or LGBTQ). These feelings arise when the Romanian society is already highly homophobic. Homosexual individuals are seen as not trustworthy by 74% of the participants in NCCD's 2018 study⁴², followed by Roma with a percentage of 72%⁴³. In 2021, 'Romanians' Youth Values' shows that 61% high schoolers in Timisoara would not want their neighbour to be homosexual, while the national average was 51% in 2018⁴⁴. Although there is very few collective data on attitudes towards and discrimination of LGBTQ Roma people in Romania, several articles and interviews talk about multiple and intersectional discrimination, mentioning racist texts from online LGBTQ dating apps and the marginalisation of LGBT Roma within the Roma communities⁴⁵. In a story about LGBTQ Roma people's lives published as part of INTERSECT's project, Izabella – a lesbian Roma woman – recounts:

I've encountered more racism in the LGBT+ community than outside of it. Especially from gay men. Roma people are kind of excluded and marginalised in the LGBT+ community, but I have Roma friends, men, who were discriminated against because of their ethnicity. On

⁴¹ Daniel's Story, gay Roma man, accessed 17.07.2021. Throughout the story, the word 'Roma' is used with double 'r' per Daniel's request, who uses the term in this version. <https://www.crj.ro/wp-content/uploads/2021/07/Daniel-s-Story-EN--web-version.pdf>

⁴² National Council for Combating Discrimination, Survey regarding Discrimination Levels in Romani and Existing Perceptions on Hate Crimes, 2018

⁴³ Ibid.

⁴⁴ Romanian group for studying social values, [Atlasul valorilor românilor: Opiniile liceenilor despre toleranță](#) 2021, accessed 17.07.2021.

⁴⁵ Vlad Levente Viski, Vice Romania, 2017. [Am vorbit cu persoane roma LGBT despre cum este să fii dublu discriminat în România](#) Accessed 17.07.2021

*dating apps, some clearly write 'no g****s', 'no fat people'...*

In the last few years, a number of Roma human rights activists have increasingly addressed the topic of LGBTQ within Roma communities, and LGBTQ activists approaching anti-Roma racism. The need for information about minorities and about discrimination is significant, given the data which shows the increased level of racism, homophobia, and transphobia in Romanian society as a whole. At the same time, public policies must include intersectionality and the prevention and combating intersectional discrimination which affects the LGBTQ Roma youth to a great extent.

As it was identified in INTERSECT's project⁴⁶, the internalisation of stigma is even stronger among LGBTQ Roma and, consequently, their self-esteem may be much more affected. Participants in the INTERSECT meetings approached this topic repeatedly, drawing back to their communities and society as a whole and identified the need to be able to develop a good self-esteem which would allow them to assume their own identity.

In the data collection for the INTERSECT project, some life stories of Roma people who belong to LGBTQ groups talk about discrimination in schools, mentioning episodes when they were underestimated, ignored, misunderstood, or over scrutinised, experiences which lead to a low self-esteem, as seen in the following sections. Some of the episodes include instances when Roma students and LGBTQ Roma people were assaulted or wrongfully accused, or they were humiliated for their skin colour or for their gender expression which did not adhere to societal norms.

I kept trying to answer during class, because I knew the answers to some of the tasks. I don't usually perform in Maths, but at the time I was the only one who understood and wanted to answer. I kept putting my hand up and she said 'Somebody else, somebody else?'. And she didn't make

⁴⁶ As part of INTERSECT's project implemented by CRJ, 5 workshops were organised with students from 5 cities (Braşov, Bucharest, Cluj-Napoca, Iaşi and Timişoara) on topics regarding intersectionality between ethnicity (Roma), sexual orientation, gender identity, and non-discrimination. More details available at https://www.cri.ro/wp-content/uploads/2020/12/Comunicat-de-presa_workshopuri-07.12.20.pdf

*anyone answer, because no one wanted to, but she also didn't want to let me answer.*⁴⁷

*I was in 6th grade and a girl hit her leg, someone tripped her or something and she hit herself. At the time, I was washing the board sponge. And they blamed me for doing that. Our tutor started insulting me when I hadn't done anything. I didn't even know her name or who she was. The next day, her father came to school and told me I come from g****s and that I am throwing a fit. When I had no idea who she was, I hadn't done anything. But they blamed me.. randomly. This was ethnically.*⁴⁸

*From an LGBT+ point of view, since primary school I had some... feminine gestures and the boys there would always call me 'little girl'.*⁴⁹

INTERSECT participants, Roma (and) LGBTQ people noted that there is a lack of visibility of LGBTQ Roma people both within, and outside of their communities and there is a need for accurate communication about LGBTQ Roma individuals – with focus on enhancing pride for belonging in the Roma / LGBTQ Roma minority, with participants talking about an "inability to be yourself, to assert your own identity being restricted by society".. Many participants declared themselves happy with the opportunity presented by the INTERSECT project which addresses intersectionality between ethnicity and belonging to the LGBTQ community, and they were willing to get involved in subsequent activities and felt that such discussions were much needed.⁵⁰

Public policies and legislation in the education field

The Romanian legislative and public policy framework includes specific provisions about access to education without discrimination for all children and a few provisions regarding Roma children and young people. We are mentioning some of them:

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ INTERSECT Timișoara meeting report

- Education Law no.1/2011⁵¹ which regulates the functionality of the Romanian education system, with its aim being ensuring access to education for everyone, without discrimination, therefore respecting the equity principle which it is based on.
- The Romanian Government's Strategy for Inclusion of Romanian Citizens Belonging to Roma Minority for 2014-2020, through Education action, is the main tool that establishes measures and indicators regarding the improvement of access to education for Roma children. A new strategy for 2021-2027 timeframe is under development.
- The MEN Order no.5115/2014 regarding the approval of the Regulation on the organisation and functioning of pre-university educational units, Order which provides the establishment, in schools, of a Commission for prevention and combating of discrimination and promoting inter-culturality.
- Order no.1529/2007 regarding the development of diversity issues in the national curriculum mentions that '*curricular policies will promote the promotion and development, within the national curriculum, of aspects regarding cultural diversity (ethnic, linguistic, religious, etc.)*' to adapt students to a culturally diverse society.
- Minister's Order no. 6.13/2016 regarding *the prohibition of academic segregation in pre-university educational institutions*⁵² constitutes, at the moment, the legal framework for prevention of academic segregation.
- School curriculum in Romania have been revised in the past few years (an ongoing process), starting with the European Parliament and Council of Europe's Recommendation 2006/962/EC with the aim of developing key competencies among students, such as social, civic, and cultural expression. As part of the process, in the History curriculum for 8th grade adopted in 2017, two extremely important subjects were introduced: the Holocaust and slavery. These topics however, when developed in the textbooks, are structured in case studies and present insufficient information about these events that are crucial in Roma

⁵¹ Ministry for Education, Law No.1/2011 from 5th January 2011, Law for national education.

⁵² Ministry of Education, Order no. 6.134/21.12.2016 regarding academic segregation in pre-university educational institutions.

people's history⁵³, which is not a significant progress compared to previous years' textbooks.⁵⁴

- Since 1992, The Ministry of Education has implemented affirmative policies in education by allocating separate seats at university for Roma individuals. Since 2000, a MEN regulation made this possible for the admission of Roma youth in high schools, professional schools, arts and crafts schools.⁵⁵
- Law no. 221 from 18th November 2019 amends and completes the National Education Law no.1/2011, by making clear mentions about the prohibition of behaviours consisting of psychological violent – bullying in educational establishments, as well as in all other spaces allocated to education and professional development and where it is defined what psychological violence– bullying entails⁵⁶. In June 2020, the Methodological Norms for application of provisions of art. 7 para. (1[^]1), art. 56[^]1 and point 6[^]1 from Annex to National Education Law no.1/2011, regarding psychological violence – bullying⁵⁷ were applied. This law aims to *facilitate the creation of a safe and positive environment within the education institution*⁵⁸, creating an 'anti-bullying action group' consisting of 10

⁵³ Ministry for Education and Research, Stan Stoica (coordinator), 2020, History – Textbook for 8th grade, CD Press Publishing

⁵⁴ CRJ, Analysis of history textbooks from an education for human rights perspective, 2016, available at <https://www.crj.ro/analiza-manualelor-de-istorie-din-pespectiva-educatiei-pentru-drepturile-omului/>

⁵⁵ Mariea Ionescu and Sorin Cace, 2006, Public Policies for the Roma. Evolutions and Perspectives, Expert Publishing, Bucharest.

⁵⁶ 6[^]1. Psychological violence – bullying – is the action or a series of physical, verbal, relational and/or cyber actions, in a social context that is difficult to avoid, done with intention, which implies a power imbalance, with the aim of damaging dignity or creating a context of intimidation, hostility, degradation, humiliation or offence, targeting an individual or a group of individuals and aims to discriminate and socially exclude, which can be tied to belonging to a certain race, nationality, ethnicity, religion, social category or to a disadvantaged community or tied to beliefs, sex, or sexual orientation, personal traits, actions or series of actions, behaviours that occur in the education units and in all other spaces allocated to education and professional development, per <http://legislatie.just.ro/Public/DetaliuDocumentAfis/219895>, accessed 17.07.2020.

⁵⁷ ORDER no. 4.343/2020 from 7th May 2020 regarding the approval of Methodological Norms for application of provisions from art. 7 para. (1[^]1), art. 56[^]1 and point 6[^]1 from annex to National Education Law no.1/2011, regarding psychological violence – bullying.

⁵⁸ According to www.educatiefarabullying.ro accessed 17.07.2021.

members.⁵⁹ Protection of LGBTQ people against discrimination is ensured through Ordinance no. 137 from 31st August 2000 regarding sanctioning of all forms of discrimination, as per article 2. This legal framework applies to individuals as well as to legal individuals from the public or private domain. Institutions are explicitly mentioned as the recipients of this law, including those in the education system. Ever since article 1, paragraph 2, it is guaranteed: the principle of equality between citizens, of excluding privileges and discrimination, especially in exerting certain rights such as **e)** economic, social and cultural rights, particularly: (v) the right to education and professional development. The Ordinance specifically includes sexual orientation among discrimination criteria and although sexual characteristics are not explicitly mentioned in the list of criteria, they may fall under 'any other criteria'⁶⁰. Romania has received recommendations and adhered to international calls regarding the inclusion of LGBTQ people in the education field, but in practice, there are no national action plans or policies that approach the LGBTQ youth people's situation in schools, bullying or discrimination⁶¹.

Interventions regarding multiple discrimination against LGBTQ Roma people or intersectionality of ethnicity with sexual orientation or gender identity in education have not been identified. The Ministry of Education expressed, per CRJ's request, that 'there is no centralised data regarding the students' ethnicity of their belonging to the LGBTQ+

⁵⁹ Among these, there will be the education unit's director, school counsellor teacher, three teachers specialised in the issue of violence, including psychological violence – bullying, two or more representatives for the students, a parents' representative, local authorities' representatives. The role of this group is prevention, identification and solving of bullying actions happening among students, through physical, verbal, relational and/or cyber actions.

⁶⁰ Centre for Legal Resources, p.89, 2020, [Nediscriminarea în educație. O analiză a situației actuale din perspectiva nediscriminării în mai multe sectoare ale sistemului educațional românesc](#) accessed 17.07.2021

⁶¹ CM Rec Recommendation (2010)5 of the Council of Europe's Ministers Committee, Resolutions 2097 and 2048 of the Parliamentary Assembly of the Council of Europe, UNESCO's Call for action regarding inclusive and equitable education for all students, in an environment free from discrimination and violence.

community'⁶². Other measures or policies for Roma students or for LGBTQ Roma youth are not mentioned.

4. Recommendations for intervention

The existing educational public policies in Romania provide a series of measures aimed at ensuring student's safety at school and an environment meant to encourage their development in educational units, in recent years being more open for minorities and groups vulnerable to discrimination. Law no.221/2019 regarding psychological violence – bullying and its application norms provide aspects about *'discrimination and social exclusion, which can be linked to belonging to a certain race, nationality, ethnicity, religion, social category or to a disadvantaged category or to beliefs, sex, or sexual orientation'*. The post-2020 Roma Inclusion Strategy, in its incipient form, mentions social stigma and intergenerational trauma suffered by Roma people which shows there is *'an urgent need to reconcile with historical past'*. Low self-esteem is also mentioned as a resulted of internalised stigma. As a measure to address discrimination and anti-Roma discourse and for reconciliation with the past, it calls for *'a review of scholarly programmes and university courses in which these intergenerational historical traumas are researched, studied and taught to the new generation'*⁶³. Existing legislation is not strong enough, and changes appear in practice late because of a superficial, deficient implementation of existing measures. Evaluation and monitoring of plans and measures provided by the law and educational policies have not been carried out so far, and the lack of results leads to the conclusion that their implementation is fragmented and insufficient. Policies addressing specific homophobic or racist and homophobic, transphobic situations are still missing from the education system.

In order to achieve real change, we recommend that existing education policies develop measures dedicated, directly and explicitly, to Roma youth/ LGBTQ Roma, by considering elements of intersectionality and elements specific to these groups, which are two of the most discriminated communities

⁶² Ministry of Education's response to CRJ's request, registered with number 91/BCC/14.06.2021.

⁶³ Romania's Government's Strategy for Inclusion of Romanian Citizens Belonging to the Roma Minority for 2021-2027 Period (Draft no.4, from 5/11/2020).

in Romania. Interventions must also be adapted at different levels and implemented gradually. To this end, we formulate the following proposals:

Step 1: Acknowledging and improving the work context

- **Formulating and adopting a declaration against racism, homophobia and intersectional/multiple discrimination, at the education system level** – acknowledging these phenomena is the first step in achieving effective public policies at the level of education, as experiences of racism and homophobia tend to be denied in the education system in many instances. The experiences of Roma people and LGBTQ Roma must first be acknowledged and the response to these must be one of respect.
- In order to implement the first recommendation, **collecting data regarding Roma students and LGBTQ Roma teenagers** is necessary, with focus on: discrimination, segregation, intimidation, harassment and violence based on ethnicity, sexual orientation, gender identity/expression. For data collection in such situations, in addition to data collection through questionnaires and quantitative surveys, qualitative methods can be used - collecting life stories, conducting interviews and focus groups anonymously, where there is parental consent, or tailoring methods to the specific age and situation.
- Developing **collaboration mechanisms between representatives of the education system and representatives of Roma civil society (and) LGBTQ community**, to facilitate information and exchange of experiences.
- Plan and organise **information and factual communication activities in educational establishments on multiple discrimination, intersectionality, LGBTQ rights**, etc. Arranging **the actual, physical space in schools** in a way that reflects diversity and characters that students resonate with, including LGBTQ and/or Roma elements.
- Improving and increasing the number of **psychological counselling and information services** regarding concepts linked to gender and sexual identity at a school level for students, but also including counselling and informing the parents.

Step II: Public policy interventions/development of materials and working methods

- **Reviewing school textbooks and introducing information on Roma history and culture, antidiscrimination and minorities elements, interdisciplinary.** This review will consist of including correct and complete information about the above-mentioned themes, as well as elimination of elements that promote stereotypes and discriminatory information based on gender, ethnicity, disability, religion, sexual orientation and establishing an approving process for textbooks which will not allow the publication and usage of those textbooks that promote such messages.
- **Evaluating existing public policies and the plans and measures laid down in educational legislation** in order to identify areas of poor implementation of these policies regarding discrimination in the education system (e.g. evaluate and review the implementation of affirmative action for Roma pupils and students).
- **Introducing elements about intergenerational historical trauma in university courses and discussing topics such as reparations and affirmative measures** for minorities, including Roma students, in order to clarify motivation behind these measures and to eliminate the stigma that they can bring in some cases. It is necessary to develop a **focus on group stigmatisation at the school level and adapting materials and teaching methods** in a way that they include information about anti-Roma feelings and the impact of discrimination. In this sense, teachers need support in **developing competencies in the anti-discrimination field and combating preconceptions.**
- **Acknowledging Roma and LGBTQ Roma people's contribution to Romania's culture and history** – introducing, in the curriculum and in activities organised at the school level, information about important Roma personalities in history and historical episodes and cultural contributions made by the Roma and LGBTQ Roma minorities throughout Romania's history. At a societal level, it is recommended that this is done by naming of streets after Roma personalities and implementing such measures that would promote Roma culture and identity (other examples can be creating a

Roma museum, creating a Roma public theatre, creating commemorative plaques, known as *Stolperstein*⁶⁴, to commemorate Roma victims of the Holocaust).

Step III: Legislative measures

- **Law for combating bullying and its application norms:** including clear elements of non-discrimination, Roma history, the impact of stigma and discrimination on Roma and LGBTQ Roma youth. According to the methodological norms of the anti-bullying law, as a preventive measure for psychological violence, in each unit there will be an anti-bullying action group consisting of 10 members⁶⁵. It is important that this group includes (or invites on a regular basis) an antidiscrimination expert and a personality/ activist/ Roma NCCD representative and part of LGBTQ community.
- **Efficiency of legislation to accomplish a harmonious development of Roma children and LGBTQ Roma children, as Romania** took upon itself by adhering to international calls regarding the inclusion of Roma and LGBTQ Roma people in an educational context. Methods of intervention that can be introduced in legislation are realising national action plans and policies that approach the situation of Roma and/or LGBTQ Roma youth in schools, improving self-esteem and psychological counselling in this sense, addressing bullying and discrimination.

Translation from Romanian into English language by Amalia Tihon. The original version of the document, in Romanian language, is available at <https://www.crj.ro/intersect-altfel-despre-discriminare/>

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⁶⁴ <https://en.wikipedia.org/wiki/Stolperstein>. Accessed 17.07.2021

⁶⁵ See footnote 56.