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Silenced and Stuck in Squalor: Roma's Right to Fair and Equal Opportunity to Speak

Abstract

In December of 2010, local authorities evicted 56 Roma families to a dump in Cluj-Napoca, Romania. Though nearly seven years have passed since local authorities moved families from the center of the city to the outskirts of the city, these families still wait in squalor and in silence for justice at the dump known as Pata-Rât. Local, national, and international law have all failed to adequately address the housing crisis caused by the forced eviction. As demonstrated by the unjust process of the forced eviction itself and the inadequate responses to the housing crisis that followed, democracy alone will not result in justice for Roma. Thus, for moral and practical reasons addressing the housing crisis Roma face will require what feminist theorist and political philosopher Iris Marion Young calls “inclusive communicative democracy.” This model of democracy calls for Roma representation and participation in debate and decision-making, particularly at the local level. There is neither a simple nor an immediate solution to the housing crisis at Pata-Rât. Arriving at a fair solution, which considers the interests and opinions of all those involved, will require exhaustive discussions in which Roma have a fair and equal opportunity to speak and be heard.

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I will continue my study of the Roma beyond this course. With the support of Professor Eastwood and Professor Bell, I devised a project for summer 2017 to study forms of collective action and inaction at Pata-Rât. This project will take the form of an honors thesis in Anthropology and will hopefully prove useful as a form of advocacy for the Roma at Pata-Rât.

“I don’t want money... I just want us to be moved from here. People in other countries should find out the truth, the real truth of how things [are now], [and] all unite and help us somehow.”

- Claudia Greta,

Mother of three,

Former resident of Coastei Street since age nine,

Current resident of Pata-Rât since 2010.¹

Introduction: What happened?

Today nearly 400 minority group members live in squalor and in silence at the site of a dump where they are stuck.² This situation is not one of choice, but the result of a forced eviction. Local authorities in Cluj-Napoca, Romania gave Roma families, who had been living on Coastei Street for over twenty years, only one day’s notice prior to the forced eviction.³ Then on December 17, 2010, at 7 a.m., in the middle of winter, several hundred local authorities and law enforcement officers took 56 families from their homes in the center of the city to a dump on the outskirts of the city known as Pata-Rât.⁴ Authorities brought trucks and bulldozers.⁵ They demolished homes.⁶ They gave the land to the Romanian Orthodox Church.⁷

Coastei Street, where the Roma families previously lived, no longer exists. Following the eviction, the city changed the name of Coastei Street to Bishop Nicolae Ivan Street.⁸ Then, in

¹ Amnesty International, *Pushed to the Margins: Five Stories of Roma Forced Evictions in Romania*, (London: Amnesty International Ltd International Secretariat, 2013), 10.

² European Roma Rights Centre, “Romanian Roma Evicted to a Rubbish Dump,” *Taken from the City: A Report by the European Roma Rights Centre*, (European Roma Rights Centre, December 2012), 5.

³ Amnesty International, *Pushed to the Margins*, 10.

⁴ Pata-Rât is located “8km (about 5 miles or 1 h 20 min walking distance) from the city centre and has poor transport connections. Besides the school bus, the nearest bus stop is a 20-25 minute walk away from Colina Verde [the neighborhood at Pata-Rât].” *Ibid.*, 14.

⁵ Common Front for Housing Rights (FCDL), “FCDL Cluj,” Forum of Housing Justice (FCDL, 21-23 March 2014), http://www.desire-ro.eu/wp-content/uploads/FCDLRomania_housingjustice.pdf, see p. 4 for pictures of demolition.

⁶ *Ibid.*

⁷ According to the European Roma Rights Centre, “the land on Coastei Street was given to the Romanian Orthodox Church,” see, European Roma Rights Centre, *Taken from the City*, 7.

⁸ Fernoaga, Cosmina, “Coast [sic] Street campus captured by theological Nicolae Ivan,” *Ziua de Cluj*, September 21, 2012, accessed April 2, 2017, <http://ziuadecj.realitatea.net/administratie/strada-coastei-a-fsot-acaparata-de->

2012, a spokesman for the church announced plans to build a theological campus on the land Roma families once called home.⁹ By 2013, the theological campus appeared,¹⁰ and in 2016, a new nursery did, as well.¹¹ As the years pass and the construction progresses, Roma continue to wait for justice at the dump, while the city supports projects to benefit the general public. The city even gave 10 million lei (about 2.3 million USD) in support of the project to build the theological campus in addition to giving the land where Roma once lived to the Romanian Orthodox Church.¹² And, what is more, the European Roma Rights Centre reports that “the land on Coastei Street was given to the Romanian Orthodox Church shortly before elections.”¹³ While what motivated the eviction remains unclear, the timing of the eviction and the construction that followed the eviction lead some to believe that the eviction was politically motivated.¹⁴ My paper offers an argument in support of this assumption.

In this paper, I use the forced eviction from Coastei Street to Pata-Rât to show that the leading cause of the Roma housing crisis is the unfair distribution of power. Put simply, Roma voices have not been included in decision-making and debate. The exclusion of Roma voices from discussion shows that democracy alone is not enough to promote inclusion and protect all citizens from injustice. In part one of my paper, I review legal and local responses to the forced eviction from Coastei Street to Pata-Rât to show that past and current responses to the housing

[campusul-teologic-nicolae-ivan--98765.html](#). Coastei Street is referred to here as Coast Street. I am not sure of the proper spelling. NGOs use Coastei Street. I am assuming they gathered that information from former residents themselves, so I also use this spelling.

⁹ Ibid.

¹⁰ Romitan, Claudia, “Cluj November open the academic year on campus church.” *Transilvania Reporter*, September 24, 2013, accessed April 2, 2017, <http://transilvaniareporter.ro/esential/clujul-deschide-anul-universitar-in-noi-campusuri-bisericessti/>.

¹¹ Primaria Cluj-Napoca, “Nursery Wizard of Oz Opened for Kids Cluj,” Last modified June 3, 2016. <http://www.primariaclujnapoca.ro/comunicate.html?gId=2264>.

¹² Fernoaga, Cosmina, “Coast Street campus captured by theological Nicolae Ivan.”

¹³ According to the ERRC, “The land on Coastei Street was given to the Romanian Orthodox Church shortly before elections; because of this, the eviction is seen by some observers as a politically calculated move,” see European Roma Rights Centre, *Taken from the City*, 7.

¹⁴ Ibid.

crisis prove inadequate. In part two, for moral and practical reasons, I argue that addressing the Roma housing crisis at Pata-Rât requires what feminist theorist and political philosopher Iris Marion Young calls “inclusive communicative democracy.” More specifically, remedying the problem of Roma forced evictions will require Roma participation and representation, especially at the local level.¹⁵ In sum, Roma representation and participation proves necessary because Roma currently have little say in the processes that impact their lives. They have been told they do not matter. Thus, the greatest change moving forward requires listening to long-silenced Roma voices.

Part One: What has been done?

An unsophisticated understanding of the situation at Pata-Rât inaccurately locates the wrong of segregation as one of group clustering. This false assumption can lead well-intentioned actors to believe that the solution to the housing crisis at Pata-Rât requires providing Roma with social housing in a mixed neighborhood. While I do not deny the power of neighborhood effects,¹⁶ I side with Iris Marion Young and argue that this solution overlooks the wrongs of racial segregation by moving people rather than resources.¹⁷ To correct this false assumption, Young cites the wrongs of racial segregation as the unjust distribution of resources and power.¹⁸ I apply the concepts of both deprivation and “domination” – the unjust distribution of resources and power – to the housing crisis at Pata-Rât to better locate the wrong and to expose what problems need be addressed.¹⁹

¹⁵ Young, Iris Marion, *Inclusion and Democracy*, (Oxford: Oxford University Press, 2000), 132.

¹⁶ To learn more about “neighborhood effects,” see Sampson, Robert J., *Great American City: Chicago and the Enduring Neighborhood Effect*, (Chicago: The University of Chicago Press, 2012).

¹⁷ Young, *Inclusion and Democracy*, 227.

¹⁸ *Ibid.*, 205.

¹⁹ I put the word “domination” in quotes because while this word is widely used to describe the abuse of power, I later use this term as Young defines it, with “domination” meaning “arbitrary interference.” See, Young, Iris Marion, “Two Concepts of Self-Determination,” in *Human Rights: Concepts, Contests, Contingencies*, (Ann Arbor: University of Michigan, 2001), 25-44.

All accounts of the forced eviction to Pata-Rât I have read seem to suggest that the several hundred local authorities and law enforcement officers who carried out the eviction did not give those 270 adults and 106 minors impacted by the eviction a say in the process.²⁰ I cite the suggestion that local authorities silenced Roma voices as evidence of what Young calls “domination” or “arbitrary interference.”²¹ According to Young, “interference is arbitrary when it is chosen or rejected without consideration of the interests or opinions of those affected.”²² In the case of the forced eviction to Pata-Rât, it seems highly unlikely that local authorities actually took Roma interests and opinions into account prior to the eviction, during the eviction, and even after the eviction. Proof that Roma were not included in the decision-making process: prior to the eviction, local authorities gave Roma one day’s notice;²³ on the day of the eviction, local authorities relocated Roma in negative temperatures;²⁴ following the eviction, local authorities aided in the construction of buildings for the benefit of the general public while Roma needs went unmet. Further evidence for “arbitrary interference” includes the lack of a clear reason for the eviction. If the actions of local authorities were justifiable, one would expect to find a clear reason – perhaps made in the form of a public statement – for the decision to evict Roma from their homes on Coastei Street. No such public statement exists. According to the International Tribunal on Evictions, “no legal authorization for the eviction was provided.”²⁵ Thus, I argue that the absence of a reason to evict and the failure to consider Roma interests in the processes which led to and resulted from the forced eviction show that local authorities arbitrarily interfered with Roma.

²⁰ European Roma Rights Centre, *Taken from the City*, 5.

²¹ See, Young, “Two Concepts of Self-Determination,” 35.

²² *Ibid.*

²³ Amnesty International, *Pushed to the Margins*, 10.

²⁴ Amnesty International, *Pushed to the Margins*, 11.

²⁵ European Roma Rights Centre, *International Tribunal on Evictions*, (Milan, Italy, 9-10 October 2014).

Some may argue that this claim cannot be proven because what was said in the decision-making process cannot be known. While I acknowledge that what was said prior to and during the forced eviction cannot be known, what was done after the forced eviction cannot be denied. Current living conditions at the dump serve as the strongest evidence in support of the claim that local authorities did not take Roma interests into account. Following the forced eviction, local authorities only provided forty families with inadequate alternative housing.²⁶ The rest – around sixteen families – were given land and were instructed to build their houses at the site of the dump.²⁷ Even those provided with housing still lack access to cooking facilities, a private bathroom, and running water in the home.²⁸ The housing units are overcrowded, require residents to share a bathroom with over seventeen people, and provide no hot water supply.²⁹ Some residents at Pata-Rât even remain without electricity and heating.³⁰ As demonstrated by these poor living conditions, “domination” resulted in deprivation for Roma. Local authorities clearly did not take Roma interests into account and left them without access to basic resources and facilities.

The forced eviction from Coastei Street to Pata-Rât may come as a surprise to readers in other countries. When I first visited the site while working abroad as a human rights intern in Cluj-Napoca, Romania, I could not make sense of the situation.³¹ Now, I know that forced evictions are not uncommon and democracies do not protect all citizens’ interests and rights

²⁶ European Roma Rights Centre, *Taken from the City*, 5.

²⁷ While sources cite different numbers for those impacted, how many is not of great importance to my question. Whether it is one, 56, or 76, the act was still wrong and justice is still required from a normative point of view. I write the story of Pata-Rat to the best of my ability based with these two sources: Amnesty International, *Pushed to the Margins*, 10 and the European Roma Rights Centre, *Taken from the City*, 5.

²⁸ European Roma Rights Centre, *Taken from the City*, 10-12.

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ In June and July of 2016, I worked in Romania as a human rights intern to a non-governmental organization called the Equality and Human Rights Action Centre (ACTEDO). I visited the dump with a nonprofit called Thesaurus Training and Translations.

equally.³² According to Iris Marion Young, people value democracy because democracy is seen as “the best political means for confronting injustice and promoting justice.”³³ However, Young complicates this belief; she states, “Certainly many democracies have enacted unjust laws or sanctioned the performance of unjust actions.”³⁴ Such is the case with forced evictions. Amnesty International defines a forced eviction as an “eviction which is undertaken without legal protections such as genuine consultation with affected communities to identify all feasible alternatives to evictions; provision of adequate notice; and legal remedies, compensation and adequate alternative housing for those who cannot provide for themselves.”³⁵ By this definition, the eviction to Pata-Rât was forced.

The forced eviction from Coastei Street to Pata-Rât serves as an example of an unjust action to which the law did not adequately respond. While Romanian law does place a “moratorium on evictions between 1 December and 1 March,” this rule clearly went unfollowed in the forced eviction from Coastei Street.³⁶ You will recall that local authorities evicted Roma from their homes on 17 December 2010. When such an injustice occurs, citizens expect the law to uphold victim’s rights; however, local and national laws have failed to protect Roma rights in the case of the forced eviction to Pata-Rât. Though the National Council for Combating Discrimination (NCDD) found that that the forced eviction from Coastei Street constituted an act

³² According to a report published by the United Nations, “Every year, millions of people around the world are threatened by evictions or forcibly evicted, often leaving them homeless, landless and living in extreme poverty and destitution.” See, “Forced Evictions: Fact Sheet No. 25 Rev. 1,” (New York: United Nations, 2014), 1. Further, Amnesty International released a report titled, “Romania: thousands of lives uprooted in forced evictions,” (Amnesty International, 18 June 2013), <https://www.amnesty.org/en/latest/news/2013/06/romania-thousands-lives-uprooted-forced-evictions/>.

³³ Young, *Inclusion and Democracy*, 27.

³⁴ Ibid.

³⁵ Amnesty International, “Housing is Our Human Right: End Forced Evictions in Nigeria,” (2013), 1.

³⁶ European Roma Rights Centre, *Parallel Report: By the European Roma Rights Centre Concerning Romania*, (United Nation’s Universal Periodic Review Submission, 2013), 3.

of discrimination,³⁷ this decision has been contested, has not been finalized, and has failed to adequately address the housing crisis at Pata-Rât.³⁸ To date, the city has not given former residents of Coastei Street any compensation or provided adequate alternative housing.³⁹

Even when national and local laws fail to protect justice, all hope is not lost. International law, or human rights documents, can serve as instruments in support of individual rights.⁴⁰ For example, in the case of the forced eviction from Coastei Street, the Convention on the Elimination of All Forms of Racial Discrimination (CERD), the European Convention on Human Rights (ECHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) can serve as critical tools to protect and promote Roma rights.⁴¹ However, it should be noted that these treaties will not prove effective if the political will to respect the provisions set forth by the treaties does not exist at the local level. In other words, the motivations of local actors matter most in the execution of justice. The same holds true at the national level. According to the European Roma Rights Centre, “national law does not regulate how municipalities should

³⁷ Amnesty International, European Roma Rights Centre, Cluj-based Working Group of Civil Society Organizations (gLOC), *Public Statement*, “Romania: Equality Body decision on discrimination of Roma by Cluj-Napoca municipality now final,” (EUR 2013), <https://www.amnesty.org/en/documents/eur39/007/2013/en/>, 1.

³⁸ Press releases published by Amnesty International and the European Roma Rights Centre in 2014 and 2015 suggest that the NCDD’s ruling was not final. See, Amnesty International. “Romanian Court Victory: Forced Eviction of Roma in Cluj-Napoca Illegal,” (Amnesty International, 7 January 2014), <https://www.amnesty.org/en/press-releases/2014/01/romanian-court-victory-forced-eviction-roma-cluj-napoca-illegal/> and European Roma Rights Centre and Amnesty International, “Romani Community is fighting forced evictions and housing segregation in Romania,” (ERRC, 17 December 2015), <http://www.errc.org/article/romani-community-is-fighting-forced-evictions-and-housing-segregation-in-romania/4440>. Still today, locals remain unsure of what legal action has been taken. One local informant told me that the court recently ruled the eviction legal.

³⁹ This is what I can discern based on research online and interviews with key informants in Romania.

⁴⁰ Johanna E. Bond, “CEDAW in Sub-Saharan Africa: Lessons in Implementation,” (*Mich. St. L. Rev.* 2014: 241-262),” 251.

⁴¹ Romania has adopted all of these treaties, though Romania may have reservations about specific articles in the treaties. Claude Cahn identifies the UDHR, ICERD, and ECHR as “three of the documents most fundamental to Roma rights work in Europe,” see, Cahn, Claude, “Appendices: Human Rights Standards,” *Roma Rights: Race, Justice, and Strategies for Equality*, (New York: The International Debate Association, 2002), 225. It should be noted that I do not cite the Universal Declaration of Human Rights (UDHR) as a treaty to use in support of Roma rights because Romania has yet to ratify the UDHR.

conduct forced evictions.”⁴² I highlight the limitations of national and international law to show that whether justice is protected relies in large part on actions taken at the local level.

In recognition of the influence local actors have on democratic processes, be they just or unjust, I argue for the need for Roma voices in debate and decision-making, especially in local government. In order to represent Roma interests, Roma need be included in discussions because the majority are unlikely to represent Roma interests. This is not always a product of selfishness, or even disinterest, but sometimes ignorance. Segregation, be it racial segregation or class segregation, prevents political communication between groups.⁴³ As a result, members of the majority are more likely to either remain unaware or unconcerned with the issues members of the minority face. Young words this practical point in a way that is easy to understand; she writes, “Those who lead relatively privileged lives in a segregated society see no injustice in their situation. Indeed, they often become indignant at the suggestion that they benefit from injustice, because they experience their lives as so average, normal, and full enough of troubles.”⁴⁴ One such example of the misunderstanding between the privileged and the disadvantaged is the case of Pata-Rât.⁴⁵ Because Roma individuals struggle on the peripheries of the city, it is unlikely that majority citizens understand the issues Roma face, let alone articulate Roma interests in decision-making and debate. If members of different groups do not come into contact with one another often, misunderstandings are likely to result. As evidence to support this claim, I now

⁴² European Roma Rights Centre, *Parallel Report: By the European Roma Rights Centre Concerning Romania*, 3.

⁴³ Young, *Inclusion and Democracy*, 205.

⁴⁴ *Ibid.*, 208.

⁴⁵ When I refer to “the case of Pata-Rât” or simply “Pata-Rât,” I refer not to the Pata-Rât area, which consists of four different communities, but the community evicted from Coastei Street in 2010. This community is also known as “New Pata-Rât,” as I refer to it later when discussing the four different communities, which constitute the Pata-Rât area. My focus in this essay is on the community most recently evicted to the site in 2010.

address “empty generalities and false assumptions” members of the general public commonly make about Roma at Pata-Rât specifically and Roma [whom they call gypsies] in general.⁴⁶

Members of the majority frequently claim that “gypsies are antisocial and destroy their dwellings.”⁴⁷ It is likely that members of the majority come to this false conclusion because Roma prefer to live among members of their own racial group. While this may be the case, this preference is not particular to Roma and it does not mean that Roma are antisocial. There is nothing inherently wrong with group clustering; in fact, this occurs quite often.

In response to members of the majority who claim that Roma destroy their dwellings, I call attention to the complex factors that result in decay and destruction. For example, it could be the case that Roma do not have the money to maintain their dwellings because they lack employment opportunities. It could also be the case that Roma do not maintain their dwellings because they lack a sense of ownership over their dwellings. If Roma do not have property rights and face the threat of eviction, it seems plausible that Roma would not care for their dwellings in the way they might if they owned these buildings. It would seem, then, that the way in which Roma behave is a natural response to their constrained circumstances.

The general population is quick to say “gypsies do not want to be integrated, to work or to live in a civilized way.”⁴⁸ This claim overlooks the fact that Roma do not have equal access to employment and housing opportunities due to widespread discrimination. Structural injustice influences human behavior. Consider, for example, the forced eviction from Coastei Street. As a

⁴⁶ According to Young, “While it sometimes happens that people know they are ignorant about the lives of others in the polity, perhaps more often people come to a situation of political discussion with a stock of empty generalities, false assumptions, or incomplete and biased pictures of the needs, aspirations, and histories of others with whom or about whom they communicate.” Young, *Inclusion and Democracy*, 74.

⁴⁷ Nicolae, Valeriu, *We are the Roma! One Thousand Years of Discrimination*. (London: Seagull Books, 2013), 8.

⁴⁸ Nicolae, *We are the Roma!*, 11.

result of the forced eviction, the unemployment rate increased from 29 to 49 percent.⁴⁹ Adults without access to employment opportunities currently “make a living by collecting the recyclable material from the garbage and selling it in bulk to a privatized recycling company.”⁵⁰ This form of illegal employment is not a choice because Roma adults likely do not have other legal employment opportunities.

In response to the claim that “gypsies do not want to be integrated,” I argue that forced evictions further prevent Roma inclusion.⁵¹ This proves true for the younger generation at Pata-Rât. The European Roma Rights Centre reports that the children at children at Pata-Rât “no longer have access to a suitable environment for exercising their skills and socializing with other young people.”⁵² Roma did not experience such extreme social exclusion prior to the forced eviction. According to the European Roma Rights Centre, the eviction “put the future of 270 people who had been living in a well-integrated and established community in Cluj-Napoca in jeopardy.”⁵³

Members of the general population think “gypsies live off other people.”⁵⁴ In actuality, few individuals at Pata-Rât receive social benefits. According to the European Roma Rights Centre, in 2014, 85 percent of inhabitants at Pata-Rât did “not benefit from welfare or from the free meals offered by the social canteen of the city hall;” only 6 percent benefitted from support allowance for families; and only 1 percent benefitted from “unemployment allowance.”⁵⁵ It

⁴⁹ European Roma Rights Centre, *Taken from the City*, 14. It should be noted that the official employment rate is not an agreed upon. For example, Boyd states that “the official rate of unemployment at Pata is almost 100 percent, [but this] does not include people who work illegally,” see Boyd, Christine, “Poverty and Health Care in the Context of Romanian PostCommunism,” (Washington D.C.: American University, 2008), 82.

⁵⁰ Ibid.

⁵¹ Nicolae, *We are the Roma!*, 11.

⁵² European Roma Rights Centre, *Taken from the City*, 13

⁵³ Ibid., 15

⁵⁴ Nicolae, *We are the Roma!*, 8.

⁵⁵ Tonk, et al. *Draft Outline to the De-segregation and Social Inclusion Action Plan for Pata Rat for 2014-2023*. (Cluj-Napoca: UNDP, 2014), 5.

should be noted that these statistics alone do not tell the whole story; “50 percent of those who were in receipt of social allowances before the eviction are no longer in receipt of such benefits.”⁵⁶ This is due to the stigma Roma fear will come with obtaining an identity card for their new address.⁵⁷ So while it may be the case that inhabitants at Pata-Rat are not representative of all Roma in their use of social benefits, as their ability to access social benefits changed following the eviction, statistics still show that the percentage of Roma receiving social benefits is comparable to the percentage of Non-Roma receiving social benefits. For example, in 2011, 44 percent of Romanian Roma and 48.9 percent of Non-Roma made their earnings from labor or economic activities; 2.1 percent of Roma and 2.6 percent of Non-Roma received unemployment benefits; 68.4 percent of Roma and 32.6 percent of Non-Roma received child allowance; and 26.8 percent of Roma and 6.9 percent of Non-Roma received social assistance benefits.⁵⁸ I offer these statistics as evidence in support of my claim that Roma, specifically those individuals at Pata-Rât, are not living off of other people; rather, these individuals are struggling to survive.

Some deny the need to respond to the situation at Pata-Rât by claiming “gypsies like to live in isolation and are a tightly knit, closed community.”⁵⁹ But, for many, if not all, the decision to move to the Pata-Rât area was not a choice. Among those surveyed, in response to the question, “How did you move to this area/which were the reasons of your moving here?,” 213/273 respondents speaking on behalf of their families responded to the open-ended question with, “The municipality moved us here, but without providing us social housing” or “The

⁵⁶ European Roma Rights Centre, *Taken from the City*, 14.

⁵⁷ European Roma Rights Centre, *Taken from the City*, 14.

⁵⁸ Rat, Christina, “Bare Peripheries: State Retrenchment and Population Profiling in Segregated Roma Settlements,” *Studia UBB Sociologia* 58.2 (2013), 163.

⁵⁹ Nicolae, *We are the Roma!*, 10.

municipality moved us here in social housing.”⁶⁰ Based on these responses, I conclude, that the decision to move to Pata-Rât was not one of choice. Those who did not cite forced eviction as a reason for being at the site, still gave other reasons that suggest the “choice” to move was the result of constrained circumstances, not personal motivations.⁶¹

In addition to the “empty generalities and false assumptions” cited above, the most frequently used arguments made by members of the general public in response to the situation at Pata-Rât can best be summarized with two words: (1) voluntary; (2) illegal. Local citizens said: (1) Roma live at the dump by choice; (2) Roma were living on Coastei Street illegally, which supposedly justifies local authorities’ decision to forcibly evict families. The first response is known as a “blame-the-victim” argument. A “blame-the-victim argument” points to the victim as the one deserving of blame for the causes and consequences of their suffering. The “blame-the-victim argument” is not an uncommon response in situations of environmental suffering.⁶² The second argument is motivated by materialism and racism. Land is valued over persons and persons are likely devalued because of their status as members belonging to a minority group. I do not address whether or not residents were living on Coastei Street illegally. My argument is a normative one that instead asks what structural processes unfairly distribute resources and power in a society and what should be done to address this. As suggested by the two most frequently used arguments cited above, locals are not likely to advocate on behalf of Roma, given their limited understanding of the situation at Pata-Rât.

⁶⁰ It should be noted that the social housing provided to Roma is inadequate and does not compare to the social housing provided to Non-Roma, see Rat, “Bare Peripheries: State Retrenchment and Population Profiling in Segregated Roma Settlements,” 165.

⁶¹ In the case of “Dallas,” one of the four camps also known as “Old Pata-Rât,” individuals moved to the site due to circumstances which resulted in a lack of fair equality of opportunity, not choice, see Rat, “Bare Peripheries: State Retrenchment and Population Profiling in Segregated Roma Settlements,” 165.

⁶² Auyero, Javier and Débora Alejandra Swistun, *Flammable: Environmental Suffering in an Argentine Shantytown*, (Oxford: Oxford University Press, 2009), 76.

In sum, most citizens belonging to the general population likely do not understand the challenges Roma face and probably do not represent Roma interests in decision-making and debate. This should come as no surprise because segregation prevents communication between groups. While segregation may make it easier for citizens to ignore their shared responsibility to justice, Young does not deny that a responsibility to justice still exists. By highlighting the way in which segregation prevents communication between groups, Young demonstrates the necessity of her third criterion of responsibility for justice: interest.⁶³ In addition to power and privilege, interest matters, according to Young, because “victims of injustice have the greatest interest in its elimination, and often have the unique insights into its social sources and the probable effects of proposals for change.”⁶⁴ It might seem that Young’s third criterion of responsibility unfairly places the onus for change on the victim. While this may be a reasonable worry to have, I argue that the third criterion returns a sense of agency to victims and serves as evidence for the importance of Roma participation and representation. Including Roma in decision-making and debate proves the most pragmatic approach. Because Roma possess intimate knowledge of the problems they face, they are more likely to devise effective solutions to their problems than citizens belonging to the general population. Informed by Iris Marion Young’s application of critical theory, I argue that “aggregative” democratic processes, which currently exclude Roma voices from decision-making and debate, will not result in justice.⁶⁵ Addressing the social and economic injustices Roma face will require what Young calls a “deliberative” approach to democratic discussion and decision-making.⁶⁶

⁶³ Young, Iris Marion, “Responsibility and Global Justice: A Social Connection Model,” *Social Philosophy and Policy* 23.1 (2006), 127.

⁶⁴ *Ibid.*, 128.

⁶⁵ Young, *Inclusion and Democracy*, 19.

⁶⁶ *Ibid.*, 27.

Part Two: What should be done?

According to Iris Marion Young's model of "inclusive communicative democracy," justice requires Roma representation and participation in debate and decision-making. This is not currently the case at the local and national level. In 2012, Roma held 1 of 176 seats in the Senate and 2 of 412 seats in the Chamber, one of which is specifically reserved for a Roma representative.⁶⁷ While Roma representation at the national level matters, I call greater attention to Roma representation at the local level because local governments have a greater impact on citizens day-to-day lives. Young supports this claim; she states, "Metropolitan governments are even more likely to reduce democratic participation and accountability and increase the power of more privileged and affluent districts at the expense of the less privileged."⁶⁸ In Cluj-Napoca, Romania, specifically, the forced eviction increased the power of the privileged at the expense of the Roma. Thus, the forced eviction to Pata-Rât serves as an example of the great influence local governments have on Roma lives. To prevent future abuse and address past wrongs, Roma need a share of the local power. This is currently not the case. According to a community summary of Cluj-Napoca provided by the European Union Agency for Fundamental Rights, "the municipality does not have an employed Roma expert, nor does it have an elected Roma local councilor."⁶⁹ While voting also serves as a form of political representation and participation, I have good reason to believe Roma living at Pata-Rât are not represented in this process either. Though statistics on Roma voting rates do not exist, because the city does not collect data on

⁶⁷ Pajić, Catherine Messina, "Mechanisms to Improve the Political Participation of Roma in Central and Eastern Europe," *Roma Rights 2012: Challenges of Representation: Voice on Roma Politics, Power and Participation*, ERRC, 22 August 2013, <http://www.errc.org/article/roma-rights-2012-challenges-of-representation-voice-on-roma-politics-power-and-participation/4174/3>.

⁶⁸ Young, *Inclusion and Democracy*, 235.

⁶⁹ European Union Agency for Fundamental Rights (FRA), "Local Engagement for Roma Inclusion (LERI) Project," (FRA, 2013), 5, <http://fra.europa.eu/en/project/2015/local-engagement-roma-inclusion-leri-multi-annual-roma-programme>.

voting rates by ethnicity,⁷⁰ I do know that several adults at Pata-Rât do not have identity cards for their new address.⁷¹ Without identity cards, Roma cannot vote.⁷² As long as Roma continue to live at the site of the dump, Roma voting rates are unlikely to change, because Roma are unwilling to get new identity cards.⁷³ According to respondents, “the disadvantages associated with getting a new ID with their Pata-Rât address far outweigh the benefits of receiving social benefits . . . due to the discrimination they would experience.”⁷⁴ This barrier to political participation is cause for concern; without representation and participation in local decision-making and debate, either through voter participation or official election to local government, Roma will remain vulnerable to the majority’s political will. Thus, justice requires giving Roma a seat at the table and the fair and equal opportunity to speak.

Roma representation and participation is not only just but also both instrumentally and intrinsically valuable. Including Roma in policy implementation and development is instrumentally valuable because it is practically effective. That is to say, Roma are more likely to devise effective solutions to the problems they face. To make the case for the need for Roma to articulate their own interests, rather than have a member of the majority speak on behalf of Roma, I use Young’s way of grouping and refer to Roma as a “seriality.”⁷⁵ To refer to Roma as a “seriality” is not to say that all Roma share the same identity; rather, to refer to Roma as a

⁷⁰ See here for voting data. <http://prezenta.bec.ro/index.html>.

⁷¹ European Roma Rights Centre, *Taken from the City*, 14.

⁷² *Ibid.*

⁷³ I do not delve into complex questions of citizenship in this essay. Because Roma had identity cards for their previous address on Coastei Street, I assume they counted and still count as citizens. According to Romanian law on citizenship, “The proof of the Romanian citizenship is made by the identity card or, as applicable, by the identity bulletin, passport or the certificate stipulated by Article 19 paragraph 4,” see the Romanian Parliament, “Romanian Citizenship Law,” republished August 13, 2010, 8.

www.legislationline.org/download/action/.../Romania_Citizenship_law_2010_en.pdf.

⁷⁴ European Roma Rights Centre, *Taken from the City*, 14.

⁷⁵ Young, Iris Marion, “Gender as Seriality: Thinking about Women as a Social Collective,” *Signs* 19.3 (1944): 713-738.

“seriality” is to say that Roma share a set of similar constraints.⁷⁶ This fact becomes clear once the history of Roma is taken into account. Roma are a people with a history of persecution and enslavement,⁷⁷ who have faced over one thousand years of discrimination.⁷⁸ Due to their shared history, Roma best understand the unique obstacles they face. “Serialities,” then, are important in the political, not the individual, sense. According to Young, the purpose of grouping is not to reduce the complexities of individuals but to “politicize” the category and “change power relations . . . in some respect.”⁷⁹ Thus, apply the concept of a “seriality” proves useful as a pragmatic political move to better address the problems Roma face.⁸⁰

Bringing Young’s concept of “seriality” to bear on the situation at Pata-Rât exposes the difficulty involved with politicizing a group for two reasons. For one, the Roma who live in the center of the city do not see themselves as similar to the Roma who live at the dump on the outskirts of the city. These Roma individuals who live in the city see Roma who live at the dump as the “scum of the earth.”⁸¹ They blame the Roma at the dump for their situation and feel resentment toward them for “making a fool of the Roma people.”⁸² It is important to note the opinion Roma who live in the city have of Roma who live at the dump to show that giving a Roma person a seat at the table, one who does not live at the dump, does not necessary mean the interests of Roma individuals at Pata-Rât will be represented. And, what is more, even if an individual from Pata-Rât is given a seat at the table this is not to say that the interests of each

⁷⁶ Ibid., 724.

⁷⁷ McGarry, Aidan, *Who Speaks for Roma?*, (New York: The Continuum International Publishing Group, Inc., 2010), 15.

⁷⁸ Nicolae, Valeriu, *We are the Roma! One Thousand Years of Discrimination*. (London: Seagull Books, 2013).

⁷⁹ Young, “Gender as Seriality: Thinking about Women as a Social Collective,” 737.

⁸⁰ Ibid., 713-714.

⁸¹ A key informant, who is a local in Romania, shared this insight with me.

⁸² Ibid.

individual at Pata-Rât will be represented accurately.⁸³ I now offer a brief overview of the history at Pata-Rât as support for this claim.

Today there are nearly 2,000 individuals living at the site of the dump known as the Pata-Rât area.⁸⁴ This number is growing, but the demographic of the population is not changing. Based on population estimates from Romania's National Institute of Statistics, over sixty percent of Cluj-Napoca's Roma population lived at the dump in 2011.⁸⁵ The Pata-Rât area consists of four different camps, each with their own histories. While the dump has only been in operation for about 20 years, the histories of the camps in the Pata-Rât area date back to the 1960s.⁸⁶ The history of each camp matters because whether or not Roma see their situation as a problem in need of remediation depends upon how the camps themselves formed. As evidence in support of this claim, I distinguish between Roma who were forcibly evicted to the site by local authorities and Roma who moved to the site due to structural constraints. Around forty-two percent of Roma at the dump belong to the former group; that is, local authorities forcibly evicted them to the site.⁸⁷ This percentage consists of individuals belonging to two camps: "Cantonului Street" and "New Pata-Rât." "New Pata-Rât" consists of those 56 families whom local authorities forcibly evicted from Coastei Street in 2010, and "Cantonului Street" consists of 130 families whom local authorities forcibly evicted in 2002.⁸⁸ Dwellers at the other two camps – "Old Pata-Rât" and the

⁸³ This insight does not undermine Young's concept of "seriality" because she differentiates between "speaking for" and "speaking as." See, Young, *Inclusion and Democracy*, 127.

⁸⁴ Cluj-Napoca City Hall, Local Council, and Cluj County Council, "East of West: Cluj-Napoca 2021," *European Capital of Culture, Candidate City, Selection Phase*, (Cluj-Napoca: 2021 European Capital of Culture Association, August 2016), 45. See, <http://www.capitalaculturala2021.ro/Files/bidbook/ClujNapoca/Bid%20book%20Cluj-Napoca%202021.pdf>

⁸⁵ European Union Agency for Fundamental Rights (FRA), "Local Engagement for Roma Inclusion (LERI) Project, Community Summary," (FRA, 2015), 5. See, <http://fra.europa.eu/en/project/2015/local-engagement-roma-inclusion-leri-multi-annual-roma-programme>.

⁸⁶ Hannah Hughes, September 12, 2013, posted on *Amy's Blog*, "Small Steps Project Goes to Romania," <http://smallste.nextmp.net/small-steps-project-goes-to-romania/>.

⁸⁷ Vincze, Eniko, "Socio-Spatial Marginality of Roma as Form of Intersectional Injustice," (*Sociologia* 58.2, 2013), 227.

⁸⁸ *Ibid.*, 228.

“Refugee-Camp” – moved to the dump at the end of the 1960s, likely as a result of constrained circumstances. In 2013, around 250 persons lived at the “Refugee-Camp” in 50 improvised barracks, and around 320 persons lived at “Old Pata-Rât” in 70 improvised barracks.⁸⁹ I distinguish between those who settled at the dump and those who were relocated to the dump to show that these communities likely want different outcomes. For example, individuals living at “Old Pata-Rât,” are “totally disconnected from the city and from the society, without the capacity to even imagine any alternative.”⁹⁰ Without the ability to imagine an alternative for their lives, individuals at “Old Pata-Rât” accept their lot and might not want change. This is not the case for individuals at “New Pata-Rât” who see themselves as different from the individuals at “Old Pata-Rât.” Individuals at “New Pata-Rât” claim that “they [individuals at “Old Pata-Rât”] deserve living here near the landfill because they cannot do anything else, but we are integrated Roma, our place is not here.”⁹¹ These divisions between camps matter because they can deter individuals from collectively organizing to improve their situation. While language used to describe the physical spaces at Pata-Rât, with the different settlements referred to as “camps” and the housing structures as “barracks,” creates an undeniable link to the genocidal persecution of Roma during the Holocaust,⁹² and thus serves as evidence of the history Roma share, the different histories at each of the four camps expose obstacles to politicizing a “seriality.”⁹³ Young does not overlook this difficulty in her understanding of how “serial collectivities” work; she finds that on their own, “serialities” are passive, rather than active like groups, and result in forms of inaction rather than collective action.⁹⁴ “Serialities” do, however, have the potential to

⁸⁹ Ibid., 227.

⁹⁰ Ibid., 228.

⁹¹ Ibid., 227.

⁹² McGarry, *Who Speaks for Roma?*, 20.

⁹³ This point raises interesting questions about collective action among minority group members, which I do not address here, but intend to pursue this summer.

⁹⁴ Young, *Gender as Seriality: Thinking about Women as a Social Collective*, 725.

become a unifying denominator for group action.⁹⁵ This potential serves as reason enough to give Roma a seat at the table as a minimum requirement for justice.

I stress the importance of Roma representation and participation because even those acting in good faith are likely to devise ineffective policies in an attempt to solve the issues Roma face. One such example: The Decade of Roma Inclusion 2005-2015. This multinational project aimed to “close the unacceptable gaps between Roma and the rest of society.”⁹⁶ To close the gaps, twelve European countries – Romania among them – focused on the following four priority areas in their Decade National Action Plans: education, employment, health, and housing. Despite the priorities the Decade of Roma Inclusion set, life for many Roma went from bad to worse.⁹⁷ In terms of housing specifically, the gap between Roma and non-Roma actually grew and is still widening.⁹⁸ By how much remains unknown.⁹⁹ According to advocacy officer for the European Roma Rights Centre Dr. Bernard Rorke, data is not needed to identify “one of the most worrying signs at the end of the Decade of Roma Inclusion.”¹⁰⁰ He cites forced evictions as “an increasingly popular policy option, and a sure way for populist mayors and politicians to strengthen their standing in their local constituencies.”¹⁰¹ Rorke’s observation, while insubstantial evidence on its own, acts as another piece of evidence in service of my larger

⁹⁵ Ibid., 726.

⁹⁶ Decade of Roma Inclusion Secretariat Foundation, “Decade Declaration,” 1-2 February, 2005. It should be noted that in the mission itself the use of “us” versus “them” language or “Roma” and “the rest of society” is cause for concern.

⁹⁷ Jovanovic, “Why Europe’s ‘Roma Decade’ Didn’t Lead to Inclusion,” Open Society Foundations, 21 September 2015, <https://www.opensocietyfoundations.org/voices/why-europe-s-roma-decade-didn-t-lead-inclusion>.
<https://www.opensocietyfoundations.org/voices/why-europe-s-roma-decade-didn-t-lead-inclusion>

⁹⁸ Rorke, Bernard, “Somewhere Between Hope and Despair: Whatever Happened to Roma Inclusion Between 2005 and 2015,” *A Lost Decade? Reflections on Roma Inclusion 2005-2015*, (Budapest: Decade of Roma Inclusion Secretariat Foundation, 2015), 53.

⁹⁹ Baseline data for most indicators are not available, see Friedman, Eban, “Progress Under the Decade.” *A Lost Decade? Reflections on Roma Inclusion 2005-2015*, (Budapest: Decade of Roma Inclusion Secretariat Foundation, 2015), 17.

¹⁰⁰ Rorke, “Somewhere Between Hope and Despair: Whatever Happened to Roma Inclusion Between 2005 and 2015,” 53.

¹⁰¹ Ibid.

argument. In asking, why the Decade of Roma Inclusion failed to make Roma lives go better, I point to the absence of political will and the lack of Roma representation and participation as potential reasons.

Political will must be present for policies to have any real impact. Romania's lack of commitment to the Decade of Roma Inclusion 2005-2015 at the national level serves as evidence in support of this claim. The proof: following the Decade's first year, Romania failed to adopt a National Action Plan;¹⁰² following the Decade's second year, Romania did not yet adopt a National Action Plan;¹⁰³ following the Decade's close, Romania "never approved the Decade Action Plan during the entire program period."¹⁰⁴ Romania's failure to adopt a plan demonstrates a lack of political will at the national level; thus, it should come as no surprise that the Decade of Roma Inclusion 2005-2015 did not improve Roma lives at the local level where commitment matters most.

While policy makers did not highlight the importance of Roma political representation in the Decade of Roma Inclusion 2005-2015, policy makers did not entirely overlook the importance of Roma participation in the plan's formulation. In fact, the Decade's slogan was "Nothing about us, without us."¹⁰⁵ The slogan stressed the need for Roma participation in policy-making.¹⁰⁶ Though policy makers stressed the importance of Roma representation in the plan's model, co-founder of the Decade Initiative George Soros acknowledged that the "Nothing about

¹⁰² Bercus Coastel, and Georgeta Radulescu, "Romania Country Report" in *Decade Watch: Roma Activists Assess the Progress of the Decade of Roma Inclusion 2005-2006*, ed. Mona Nicoara (Decade Watch, 2007), 42.

¹⁰³ Mandache Marian, and Nicu Stoica Ion, "Romania Country Report" in *Decade Watch: Roma Activist Assess the Progress of the Decade of Roma Inclusion 2007 Update*, ed. Sevlina Danova (Decade Watch, 2008), 37.

¹⁰⁴ Matache, Margareta. "Nothing About Us Without Us: Roma Participation, Gender Equity, and the Decade of Roma Inclusion." *A Lost Decade? Reflections on Roma Inclusion 2005-2015*. (Budapest: Decade of Roma Inclusion Secretariat Foundation, 2015), 33.

¹⁰⁵ Rorke, Bernard, "Introduction," *A Lost Decade? Reflections on Roma Inclusion 2005-2015*, (Budapest: Decade of Roma Inclusion Secretariat Foundation, 2015), 8.

¹⁰⁶ Ibid.

us, without us” approach failed in its implementation. Proof of its failure: “only 2 percent of Roma in Romania had ever heard about the program.”¹⁰⁷ In acknowledgement of the plan’s shortcomings at the close of the Decade of Roma Inclusion in 2015, Soros called for Roma representation in “international organizations, national governments, and municipalities” in order to both give “real meaning” to the Decade motto “Nothing about us, without us” and to address real needs.¹⁰⁸ Soros has “been a prominent international supporter of democratic ideals and causes for more than 30 years. His philanthropic organization, the Open Society Foundation, supports democracy and human rights in more than 100 countries.”¹⁰⁹ Given Soros’s experience working with Roma and studying democracy, his call for Roma representation serves as strong evidence in support of my argument for Roma representation and participation in decision-making and debate.

Even if giving Roma a seat at the table proves as ineffective as the Decade of Roma Inclusion 2005-2015 in devising effective policies, Roma representation and participation on its own would not prove pointless. Including Roma in decision-making and debate is intrinsically valuable. The focus, then, is on processes, not outcomes. Roma participation is intrinsically valuable because if given a seat at the table Roma are treated as autonomous agents despite their disadvantaged historical and social positions. In other words, giving Roma a seat at the table can empower Roma. In addition to empowering Roma, giving Roma a seat at the table has the potential to promote inclusion. For these reasons alone, Roma participation and representation is a good in its own right, even if the policies devised prove ineffective. In sum, including Roma in

¹⁰⁷ Matache, Margareta, “Nothing About Us Without Us: Roma Participation, Gender Equity, and the Decade of Roma Inclusion,” *A Lost Decade? Reflections on Roma Inclusion 2005-2015*, (Budapest: Decade of Roma Inclusion Secretariat Foundation, 2015), 34.

¹⁰⁸ Matache, Margareta, “George Soros Looks Back On the Decade,” *A Lost Decade? Reflections on Roma Inclusion 2005-2015*, (Budapest: Decade of Roma Inclusion Secretariat Foundation, 2015), 14.

¹⁰⁹ “George Soros,” Accessed April 10, 2017, <https://www.georgesoros.com/>.

decision-making and debate puts different groups in contact with one another, which can facilitate conversations and encourage understanding between groups. However, there are no guarantees. Even if Roma are given fair and equality opportunity to speak, their opinions may not be heard and their interests may not be taken into account.

Conclusion: Where do we go from here?

In response to the housing crisis at Pata-Rât, some have called for social housing in a mixed neighborhood, while others have called for outside intervention. I call for neither. My argument sets Roma representation and participation as a minimal requirement for justice. Affording Roma fair and equal opportunity to speak does not infringe on others' basic liberties. While giving Roma a seat at the table comes at little to no cost, those currently in power will likely resist this inclusive approach to decision-making and debate. These individuals overlook the fact that giving Roma a seat at the table to articulate their interests does not guarantee that those interests will be granted. According to moral and political philosopher John Rawls' notion of "public reason," determining just policies and practices requires deliberation among well-informed citizens and endorsement based on politically shared values.¹¹⁰ Put simply, justice requires contentious political debate, of which Roma must be a part. Roma representation is a necessary, but not a sufficient, condition for justice, because giving Roma a seat at the table to express their opinions and interests does not guarantee that those opinions and interests will be heard and weighed equally.

I would be naïve to think that Roma will rise from a position of subordination to a position of power in a relatively short amount of time. Thus, for practical reasons, I tier my argument. To increase the inclusion of Roma voices, even if not at the level of official

¹¹⁰ Rawls, John, "The Idea of Public Reason Revisited," *The Ethics of Citizenship: Liberal Democracy and Religious Convictions*, ed. J. Caleb Clanton, (Baylor University Press, 2009), 33.

representation in local government, I recommend creating a new public forum for Roma to air their complaints. Such a forum could take the form of a Civilian Review Board.¹¹¹ I offer this recommendation because current complaint systems do not offer Roma substantial opportunities to express their concerns. According to a Roma advocate who works with individuals at Pata-Rât, Roma can express their concerns: (1) through a complaint system with city hall, though many do not; (2) through a community facilitator, who delays action by telling Roma “nothing can be done;” (3) and, through direct address at city hall meetings, but there is currently little dialogue between Roma and city hall.¹¹² Roma are unlikely to represent their interests at city hall meetings because they are embarrassed by their situation. When asked, “Why aren’t you going to city hall?” by a local Roma advocate, one woman from Pata-Rât responded, “Look at me. I’m filthy. I smell. I don’t know how to speak properly.”¹¹³ In recognition of these barriers to communication, I recommend providing Roma with (1) access to a clean water source at the site of the dump so Roma can shower, (2) clothes to increase the likelihood that Roma will feel more comfortable presenting themselves in public, and (3) transportation so Roma can get to the city hall meetings should they want to attend.

In this paper, I do not offer a solution to remedy the situation at Pata-Rât. Offering a solution as an outsider would undermine my argument. In order to find a solution to the situation at Pata-Rât, I have argued that Roma ought to speak for themselves and stakeholders ought to listen. Justice in cases of forced eviction will require not a specific “one-size-fits-all” policy but the fair and equal opportunity for Roma to speak. This is not to say that Roma interests should be

¹¹¹ In Pittsburgh, creating a Police Civilian Review Board offered an effective public forum for citizens to air their complaints, see Young, *Inclusion and Democracy*, 3.

¹¹² I received this information from a key informant in Romania. According to another key informant, Cluj-Napoca, Romania does not currently have a Civilian Review Board. This form of public forum was foreign to the individual I asked.

¹¹³ Again, I received this information from a key informant in Romania who works with the Roma at Pata-Rât.

placed above majority interests. It is to say that Roma interests should be equally considered. As I have tried to show, with Young's model of "inclusive communicative democracy," addressing the deprivation and domination at Pata-Rât will require that Roma have a say in political discussion and in policy formulation among other stakeholders. For now, the best stakeholders can do is engage in contentious political debate informed by moral arguments. I offer Roma participation and representation not only as a morally permissible, practically effective, and politically feasible solution but also as a recommendation made in good faith that stakeholders will be compelled to care and come to a compromise if informed of the unjust situation at Pata-Rât. The challenge now becomes facilitating those discussions within the context of a segregated society.

While my discussion has focused on the need for deliberation among adults, I do not overlook the fact that recognizing the rights of Roma children may require a different approach. Until Roma representation and participation, or "inclusive communicative democracy," becomes an uncontroversial part of the mainstream approach to democratic discussion and decision-making, it remains up for debate as to what form of intervention the situation at Pata-Rât requires, especially given the number of children who live at the site of the dump. In fact, more than forty percent of the population at the dump consists of children below the age of fourteen.¹¹⁴ Some of these children have been raised at the dump. Some of these children have been born at the dump. Some of these children have died at the dump.¹¹⁵ Unfortunately, due to no fault of their own, these children remain vulnerable to the negative effects of inadequate housing. As the

¹¹⁴ Tonk, et al. *Draft Outline to the De-segregation and Social Inclusion Action Plan for Pata Rat for 2014-2023*, 3.

¹¹⁵ The UNDP reports that "an 11-year-old girl died after being hit by a garbage truck." UNDP, "Roma resettlement and housing and inclusion programme in Pata Rat is needed," *Press Release*, (Bucharest: UNDP Romania, July 13, 2012), 1. See,

<http://www.undp.ro/libraries/Roma%20resettlement%20and%20housing%20and%20inclusion%20programme%20in%20Pata%20Rat%20is%20needed.pdf>

years continue to pass, these children wait in silence and suffer harmful health effects. It is these children whose futures and faces I cannot forget.¹¹⁶ With these children in mind, both Roma and Non-Roma adults should engage in respectful debate in an attempt to arrive at an effective solution to the housing crisis at Pata-Rât. This is the best we can do for now.¹¹⁷

¹¹⁶ As you will recall, I worked abroad in Romania as human rights intern and visited the site in summer 2016.

¹¹⁷ I conclude with “we” because I begin this essay with the words of Claudia Greta, a current resident at Pata-Rât, who asks for help from other countries. It is my hope that this paper will inform others and increase the likelihood that together we can devise a solution to the situation at Pata-Rât. While others can help, Roma voices matter most to deciding what step we should take next.

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