



The Croatian National Programme for the Roma: An Example of Gender Inequality?

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Introduction

In the wake of EU accession and pre-accession negotiations, Central and South–East European countries are creating *de jure* frameworks for protection of minority rights, edged on by the requirements of the Copenhagen criteriaⁱ. National programmes for Roma minorities are part of this regional strategy and are now being further developed in "The Decade of Roma Inclusion 2005 - 2015". This initiative was adopted by eight countries in Central and South–Eastern Europeⁱⁱ. It constitutes a framework programme for governments on monitoring progress in accelerating social inclusion of the Roma minority and improving its economic and social status.

This paper argues that there is a conflict between the interest of minority issues and that of gender equality in Central and South–East European countries. During the transition period in the post-state-socialist (and in a country like Croatia, post-war) era, majority institutions of the state and society have failed or neglected to protect the rights of individual citizens, and especially women, under the excuse of upholding multicultural policies. I will go into some crucial gender problems that are engendered or implied by some of the minority protection procedures and policies that were implemented by the Croatian government, by analysing both the draft and final versions of its "National Programme for the Roma"ⁱⁱⁱ. This analysis reveals how the Croatian Government has created the National Programme as part of its 'politics of multiculturalism', but disregards women by completely ignoring the complexity of women's issues.

Minority rights versus women's rights?

As female members of the Roma minority, Romani women are confronted with numerous problems that emerge from the dichotomy between the influences of Roma cultural values (and customary laws) on the one hand, and the majority cultural values (and laws) of the country they live in on the other. This dichotomy results in numerous injustices. Women from minority groups face a double burden in society, while existing gender relations between Roma men and women reveal hierarchies of power and the subordination of women within the Roma minority.

Social rights of Romani women are starting to be more articulated, both in minority and majority communities, which is taking place within the context of the emergence of a "Romani rights movement". Recently, Romani women started to enter the public sphere of the majority realm, and this constitutes a momentous change in the history of Romani women.^{iv} Romani women are starting to organise on an institutional level and speak about their problems, especially through extensive work in the NGO sector. Moreover, this work is intensified through international and regional networking, cooperation with majority institutions, and through the organisation of international conferences and workshops. The main dilemma for Romani women entering the public sphere, however, is the negotiation of a "path between the changes of modern society and the practices of their own communities", write the authors of *Bending the Bow*. "The crucial question remains: "Can they reconcile traditional beliefs about the role of women that are both a part of Romani identity and a source of inequality?"^v However, in countries like Croatia the process of entering the public sphere is still in *ab ovo* form, because of the poverty that shapes the everyday life of Romani women and their struggle for survival in today's antisocial transition period.

In this context, there are several issues regarding "The Decade of the Roma inclusion 2005 - 2015" concerning the gender aspect, when we speak about the protection of Roma minority rights. Some feminists argue that if we protect minority rights we could fail to protect rights of women because of the

fact that most minority cultures, like those of the majority, are patriarchal.^{vi} Many of the examples they cite regarding the oppression of women within minority groups are from developing countries and include examples of female genital mutilation, polygamy, forced marriage, et cetera. The assumption of feminist theoreticians who support this argument about the reinforcement or replication of patriarchal patterns is that the men are the ones who have the power of decision in most majority and minority groups. Therefore, if one protects the rights of minority groups, then one also protects a minority culture that is patriarchal. The main point of this feminist argument is that multicultural liberalism argues for protection of the rights of minority groups, but ignores the unequal relations of power within minority groups and the gender discrimination that exists within them. This dilemma resurfaces on several levels in the policies that have been drafted to protect minority rights in Croatia as well.

The Croatian National Programme for the Roma and the issue of gender inequality

The Constitution of the Republic of Croatia guarantees the equal treatment for all national minorities.^{vii} At present, the most relevant state institution for the protection of minority rights in Croatia is the government's Office for National Minorities. This Office recently also started to show more of an interest in the situation of the Roma minority, organising several seminars in co-operation with the Council of Europe. These seminars discussed the many problems the Roma minority in Croatia faces, resulting in the "conclusion that it is necessary to construct a whole system of measures to change the contemporary situation of Roma in Croatia".^{viii} The Croatian government therefore drafted and adopted a National Programme for the Roma in 2003, setting out policies "to help the Roma in a systematic manner to improve the life conditions and to become involved in the social life and the decision-making processes in the local and broader communities, while not losing their own identity, culture and tradition".^{ix}

The Croatian government took a next step following up on this conclusion by joining seven other governments, those of Bulgaria, the Czech Republic, Hungary, Macedonia, Romania, Slovakia and Serbia and Montenegro, in pledging its commitment to a "Decade of Roma inclusion 2005 – 2015". In so doing, it committed itself to reform Roma policy in four priority areas, in order to ensure that Roma acquire equal access to education, housing, employment, and healthcare.^x For this, a Roma Decade Action Plan has been drafted to complement and elaborate on the National Programme^{xi}.

In the outlines of "The Decade of the Roma inclusion 2005 - 2015", gender issues are emphasised as a cross-cutting theme.^{xii} However, it is questionable what will *de facto* be implemented in the context of the Decade in Croatia. A pitfall here is how the generalisation of measures in protecting minority rights can undermine efforts to combat gender discrimination and the protection of women's rights as equally relevant issue of human rights.

This is illustrated by the text of the "National Programme for the Roma". For example, chapter twelve of the National Programme, which is the chapter that mostly refers to Romani women, is dedicated to "The Protection of the Family, Motherhood and Youth". There is a clear conceptual contradiction between the choice of framing the issue in these terms and any goal of Romani women's empowerment. The same conceptual confusion plagues the individual policy goals that are outlined in the "National programme for the Roma minority". They are listed as follows:

- To inform of rights arising from the system of protection of the family and motherhood.
- Removal of stereotypes on male and female roles in the family
- Preparation and distribution of educational material in the Roma language on rights arising from the system of protection of the family.
- Creation of a program of affirmation of successful parenting
- Incentives for the implementation of the program of education of Roma women on gender equality and elimination of all forms of discrimination^{xiii}

It seems contradictory, even irresponsible for a plan to improve the social status of Romani women to list as goals, in the same package, both the education of Romani women on gender equality and the protection of the family and motherhood. The very concepts of 'mother' and 'motherhood' have been criticised for decades by feminist and gender sensitive individuals as a tool for manipulative discrimination on various levels.^{xiv} The concept of motherhood can furthermore be argued to be problematic in the 21st century, a century of homosexual marriages, in vitro babies and post-modern

nuclear families. Moreover, it seems that the authors of the “National Programme for the Roma” failed to consider the concepts of fatherhood or paternal leaves.

The contradictions within a proposed “system of protection of the family” that is to both ‘teach’ Romani women gender equality and ‘teach’ them about the relevance of family and motherhood also reveal a reality gap between such policies and real-life implementation. It is not clear what the referenced “system of protection” exactly entails. For example, what is meant by “the rights arising from the system of protection of family and motherhood” that the Roma need to be informed about. Are they referring to social aid or special governmental support that is provided for each child in the context of policies to encourage families to have more children?

All in all, the National Programme endorses multiculturalism, but in so doing ends up multiplying gender prejudices and inequalities that exist within majority and minority groups. It can thus be described, in the terminology Will Kymlicka suggests in his *Liberal Theory of Minority Rights*, as an ‘internal restriction’ of women’s rights within minority groups: restrictions that are imposed from the side of ‘traditionalists’ in the community who view the societal role of women primarily through concepts of ‘motherhood’.^{xv}

Conclusion

The issues of relations between minority and majority groups and the protection of the rights of minority groups are significant for contemporary societies because they are not mere philosophical debates, but political concepts that matter to the lives of every individual. From the gender perspective, however, the most relevant question is who is protected by group-differentiated rights of minority groups on a *de facto* level, men or women? Concerning the example of the Croatian “National Programme for the Roma”, it is clear how some general governmental strategies can come to disregard the relevance of gender issues, even as they set out with the best of intentions in their aim to protect human rights or minority rights. Therefore, gender perspectives should henceforth be more adequately acknowledged in the creation of national and regional strategies for the protection of Roma human rights. Any person who writes these documents should be aware of the complexities of minority groups, the subgroups that exist as social groups within these minority groups and the gender issues at play.

The importance of gender issues in post-state-socialist countries such as Croatia is still obviously underestimated, and that is why the role of gender critique in Central and South–Eastern Europe is now as crucial as ever when it comes to monitoring the implementation of governmental policy, including minority programmes.

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- ⁱ For more on the Copenhagen Criteria See <http://europa.eu.int/comm/enlargement/intro/criteria.htm>
- ⁱⁱ For more on the Decade of Roma Inclusion, see http://www.soros.org/initiatives/roma/focus_areas/decade or <http://www.romadecade.org>.
- ⁱⁱⁱ Government of the Republic of Croatia, Office for National Minorities, *National Program for the Roma: working material*, Zagreb, March 2003, http://www.hidra.hr/Dokumenti/SDRH/Nacionalni_porgram_za_Rome.pdf (in Croatian); Government of the Republic of Croatia, Office for National Minorities, *National Program for the Roma*, Zagreb, October 2003, <http://www.vlada.hr/default.asp?gl=200304100000003>.
- ^{iv} Isabela Mihalache, "Romani Women's Participation in Public Life", in *Roma Rights Quarterly*, 4/2003, at <http://www.errc.org/cikk.php?cikk=1359>.
- ^v Open Society Institute, Network Women's Program, *Bending the Bow: Targeting Women's Human Rights and Opportunities*, New York, 2002, Page 1, http://www.soros.org/initiatives/women/articles_publications/publications/bendingbow_20020801 (10/9/2003)
- ^{vi} Susan Moller Okin, "Is Multiculturalism Bad for Women?" and "Response", in *Boston Review*, 1997, reprinted with some revisions in Joshua Cohen, Matthew Howard and Martha C. Nussbaum (Eds.), *Is Multiculturalism Bad for Women?*, Princeton, Princeton University Press, 1999.
- ^{vii} According to The Constitutional Law for Human Rights and the Rights for national minorities or groups in the Republic of Croatia (1992, Article 5) ethnic and national groups or minorities have the rights to cultural autonomy. (The Constitution of Republic of Croatia, 15, p. 1; The Constitutional Law for Human Rights and the Rights for national minorities or groups in the Republic of Croatia, 1992).
- ^{viii} Government of the Republic of Croatia, *National Program for the Roma*, Zagreb, 2003, p. 1, <http://www.vlada.hr/default.asp?gl=200304100000003>
- ^{ix} Government of the Republic of Croatia, *National Program for the Roma*, Zagreb, 2003, <http://www.vlada.hr/default.asp?gl=200304100000003>
- ^x "European Governments Commit to Roma Integration", 2 February 2005, http://www.soros.org/initiatives/roma/news/roma_20050202
- ^{xi} Government of the Republic of Croatia, Office for National Minorities, *Draft Roma Decade Action Plan 2005-2015*, Zagreb, 2004, <http://www.romadecade.org/en/download.php?action=20&id=2>
- ^{xii} "What is the Roma Decade?", <http://www.romadecade.org/en/index.php?search=&action=10&id=0&jump=0>
- ^{xiii} Government of the Republic of Croatia, *National Program for the Roma*, Zagreb, 2003, p. 1, <http://www.vlada.hr/default.asp?gl=200304100000003>.
- ^{xiv} See Lauri Umansky, *Motherhood reconceived: feminism and the legacies of the sixties*, New York, New York University Press, 1996.
- ^{xv} Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights*, Oxford, Oxford University Press, 1995.