

Julian Stoian – on Transition and Minority Rights in Romania

Julian Stoian is a dedicated human rights activist, advocating for vulnerable groups such as LGBT and Roma minorities. He worked for several prestigious organisations and institutions such as the Romanian National Agency for the Roma, Council of Europe, Open Society Foundation, National Democratic Institute. He has in-depth expertise as program manager, trainer and researcher in working on issues such as Social inclusion, Anti-Discrimination, Trafficking of Human Beings, Roma political participation.

Interview taken by Irina Ilisei in 2016

What did the experience of the transition mean to you?

Let's say that, to me, the experience of the transition has been a very personal one, because along with Romania's transition towards democracy, I practically entered the real world after having graduated school. I graduated from high school in 1991, so I was a fresh graduate after the Revolution, and to me the transition meant a series of major experiences to which I felt like a spectator and sometimes like a Guinea pig. These experiments have somehow influenced my professional path, but also my personal life.

When I refer to the Guinea pig, I'm trying to express how I experienced almost all the possible changes that a pupil and university student could experience at the time, from the modifications to the legislative framework which, naturally, impacted us as subjects of education, but I also experienced a series of career-changing events. For example, I have always prepared, from the earliest school years, to become a chemistry teacher, and everything I've done in my teenage years, including school and university, has followed this career goal.

When I graduated in 1996, I realized that the social reality no longer reflects my childhood dreams, so I had to look around and search while leaving behind that childhood dream of becoming a teacher. Just like me, a whole generation of teenagers has had this opportunity to look for a different path on the labour market, as well as in career and life.

How did you feel these changes, were you aware at the time that you were a subject of a kind of experimentation of the society?

No, personally I've learned to take life for what it is since I was a child. I've learned to try to adapt to the new realities. And I can say that from this point of view I was quite privileged, in the sense that everything I've done in my life so far has been a part of what I wished and planned. I have pursued these personal objectives, unlike colleagues of mine who didn't have the same chance, who had to make compromises in choosing a university or a job along their career.

You mentioned that the transition period has affected you on a personal level through these changes on the labour market. Are there any other perspectives according to which the changes from the transition period have been felt by you at a personal level?

Yes, I can say that, for example, at the beginning at the 1990s, when I was close to my senior year in high-school, I had the chance to work for “Revista 22” [prestigious magazine on culture and politics] and that’s where I got in contact with what is called nowadays ‘the civil society’, with debates on democratic topics, on human rights, and I must confess that it was then that I realized that the career that I was about to pursue, or the one that I should have pursued in the first place, was in the field of human rights. I wanted to pursue a career in human rights because it was a new field, we were all learning and breathing democracy, and we were all eager to learn about what this new paradigm Romania had become a part of really means: Romania’s transition towards a democratic state, one that puts human rights at the core of its actions.

And did you perceive that the transition would bring a development in respect to democracy and implementation of human rights? Was there an expectation that this will take a specific time period? Or was there hope at all, at the time?

Obviously, we were all young and had all the best expectations, for the best. I won’t hide the fact that since my time in university, I and some of my colleagues had this image in our minds according to which Romania did not offer us all the opportunities we wanted. We had a major that really wasn’t in demand: we graduated the Faculty of Chemistry as part of the French-speaking department, and at the time there really weren’t career opportunities outside the perspective of working as teachers. Research was practically non-existent, and the chances of pursuing a career in the field of your studies were minimal. And for these reasons, some of my colleagues, me included, have tested our skills in order to migrate to Canada. At the time there was an opportunity for chemistry graduates who spoke French to pursue a career abroad. Sadly, as time passed, I didn’t complete the process. I dropped out in the last phase and decided to remain in Romania.

How did you regard the evolution of human rights or the legislation regarding human rights during the transition? You practically were both a witness and a participant to this process of change.

I believe that the evolution of the human rights is an on-going process: it’s a learning process for us all as a society, regardless if you were born and educated during the communist regime, or if you were born in this post-1989 framework. It’s an on-going process and I see it as a process of continuous improvement. It’s a learning process for all the social categories, and I also believe that we’re on the right path. During these 26-27 years there was a process of adapting the national legislation to various juridical systems Romania was aspiring to. For example, the vocation towards a democratic state and Romania’s ascension to the Council of Europe was a fact that produced a series of changes to our legislative framework: we abolished death penalty, we abolished article 200 from the Penal Code which would bring penal charges for homosexuality, and so on. Lots of such elements have been progressively adopted, but this came

at the cost of not educating the population properly during the process. Practically, we were all a part of a learning process, learning by doing if you may. Each of us has tried to understand about the functioning of democracy, rule of law, or the human rights we all aspire to, which are fundamental values in the Western societies we look up to.

Was the transition period a continuous progress in regards to human rights, or did it have its ups and downs?

In the field of human rights, I can say that it's a continuous struggle. You can never say that you achieved a certain level without taking the necessary level of preventions, in order to make sure that you stop deviations from this road. Of course there have been obstacles and our society had a slow process of adopting certain values and norms, but I think we had steps in the backwards direction too. For example, I will present to you the case of fight against racism: racism towards the Roma community. It has taken various forms from the cases of violence in the early 1990s - inter-ethnic violence and all the way to more subtle forms of racism which become more and more refined by the day. People learn to refine, if you may, the way they express racism.

Also, I can bring to this discussion the influence of top politicians who, through their discourse which I may call foolish... or well-planned, it depends, they have done nothing but to set back a few years all that work for knowledge and awareness in regards to what can be done and what is forbidden in a democracy in regards to minorities, such as the Roma minority. Also, I can affirm that, as time went by, the public's knowledge of Romania's sexual minorities' rights has met an up-scaling evolution. Correspondingly in 2008, according to public opinion surveys, 8 out of 10 Romanians didn't want to have neighbours who were members of the Roma community or the sexual minorities. In comparison, today the number has decreased to 6 or 7 Romanians out of 10 who declare themselves openly against these unpopular minorities.

In regards to these statistics, I don't think that racism or homophobia have decreased too much, I do believe there is an influence regarding the self-censorship of survey respondents, because we have all learned that we shouldn't say certain things when we are being interviewed about sensitive topics such as these unpopular minorities. These surveys have created the decrease in terms of intolerance towards these groups.

What do you think would be required to grow the majoritarian population's acceptance in regards to ethnic and sexual minorities? What should be done in our society?

In regards to this topic, the reduction of intolerance in the Romanian society, I think that what is truly important is that each one of us knows these groups and the problems they face. We should also get used to the idea that we all have rights and should benefit from them equally and equitably as citizens. The major fault, if you may, for this high degree of intolerance in Romania is given by the communist regime itself, which used to try by all means to remove every difference

between social classes. That utopia of creating the new man who would fit perfectly in certain pre-determined patterns and in which we all had to fit in order to be accepted in society, so that the lack of exposure to diversity and the cultivation of these positive things every minority brings, in the last instance, has led our society to quite unpleasant phenomena. At least at the beginning of the 1990s, if we remember about the Hădăreni case, our society risked to escalate a form of inter-ethnic conflict between the Hungarian and the Roma minorities, which was somehow fuelled by the Romanian ultra-nationalism of that time.

In terms of evolution, where do you think the transition started and ended? Especially from the perspective of human rights, both in what concerns the legislation and taking the necessary measures to promote these rights?

I believe that the transition has started from the moment when the dictator's helicopter has left the roof of the Romanian Communist Party from Bucharest, from the days of the Revolution when we all wished for and had aspirations to be accepted by the international community, to become an occidental state like we used to see in movies and magazines when they would escape censorship... I think that's when it began and transition still continues to this day. We can't locate its end in January 2007 when we joined the European Union and say that the transition took place up until that point and from then onwards we start a new chapter. Once we adhered to the EU, we entered into a new form of historical, social, and economic reality. The process of European integration is on-going and requires the adaptation of legislation and norms to the national policies, as well as accustoming the population to these norms.

Could you localize the different stages of the transition? Did they follow this pattern in regards to the human rights: at the beginning of the 1990s, for example, were measures undertaken in regards to supporting human rights, or when did Romania start having a promotion in this direction?

Yes, I remember well... in 1993 Romania has adhered to the Council of Europe. I think that was, if you may, one of the milestones for our discussion: the fact that Romania has adopted a series of normative documents which came to consolidate the human rights dimension from the legislation, but also the efforts that we've made for the population to know and internalize these values. I think that was a first milestone. The next one, I think that was technically in January 2007, when Romania became a member of the European Union, which brought a series of elements regarding politics, social policies, economy and associated norms. These elements have been transposed to the national legislation and became compulsory for all citizens or legal entities in this country. And another stage, the next milestone we can talk about after January 1st 2007, is that Romania has to act like every other EU member state, and therefore respect EU law in all its fields of application that we are a part of. We have the obligation, through our member state status, to respect and comply to all these laws.

There's a lot of talk about the fact that practically, Romania before entering the EU, has started to break down from its progress regarding human rights. How do you regard these matters and to which extent have the pre-EU adherence changes been kept afterwards, when Romania became a EU member state?

As a human rights activist, I knew from my colleagues from countries that adhered during the previous wave that since the adherence takes place, the state's interest in regards to the human rights dimension will decrease dramatically. It also happened in our case, in the sense that it was assumed that as long as we adopted all the legislation required for Romania to be compatible with the other legal systems from EU member states, we would also respect it. In practice, things weren't this way and they aren't today either. There are a lot of European norms which, when transposed to national law, aren't applicable and even though the legislation is proper, the big problem we notice for years is the wrong application or the lack of application of this legislation.

I believe that here, a large role is played by the fact that we don't make sufficient efforts in order for the population, the economic agents, and the institutions to get informed on these topics of human rights, and I think that the lack of sanctions even when the infringements are obvious encourages the others to think that this is the normal state of affairs.

Do you believe that civic education, education for citizenship and political education could improve the degree of knowledge for the population in regards to the degree of human rights respect, but also make the population empathize with the rights of minorities, be them ethnic or of other kinds?

Civic education and education for citizenship should be, in my opinion, the central component of Romanian schools, not only because we are a country that lost its start as compared to other states that became EU members before us, but also given the fact that Romania has had one of the most oppressive dictatorships from the former Communist Bloc, and this fact cancelled the civic spirit. This made citizens associate civic education with the kind of education they would receive before 1989: patriotic education, combined with lectures from the speeches of the former State Secretary of the Communist Party. Therefore, at the level of the collective mind set there is a sort of rejection for what civic or patriotic education means. Because I will say it again, those of us who lived in that period and had our formative years then, subconsciously associate civic education with patriotic labour because it was a kind of forced labour which served the common interest and we would regard civic education or education for citizenship as something where you don't put human rights in the centre. Because, in essence, that's what it's about: the rights we all enjoy and we should apply and promote to the others.

Are there visible changes of mentality that can be observed from a generation to the other, in regards to human rights? I mean, is the older generation more conservative than your generation, and we can hope that the next generation will become more and more open?

It's hard to appreciate if my parents' generation or my grandparents' generation is more conservative than the one of today's youth. Empirically speaking, it's clear that they were about 45 years-old during the Revolution and they are pensioners now, so it should be understood why they internalized these values a lot harder. They hung onto the past and the values and norms they would respect strictly in the past, so we can safely affirm that the younger generation which was born after the Revolution is much more sensitive to subjects like human rights and minority rights.

However, I realized that at least in the case of my generation, the ones who graduated from high-school when the Revolution was taking place or were still in school at the time, I noticed among university graduates a very hard to explain conservatism. A kind of conservatism which manifests itself through racism and homophobia, sexism, ultra-nationalism, maybe, and anti-Semitism. These things come packaged together and can sometimes be discovered in people with an education that would surprise you.

Accordingly, it's less complicated to analyse and discuss just through a simple phrase what we have accomplished. It's clear that we're heading towards an area where acceptance towards diversity is higher than what it used to be in the communist period or in the first few years after the Revolution. I think that the fact that we enjoy free movement within the EU space for quite some years and see what is and what isn't done abroad, but also have access to information (television, internet)... we all enjoy the right to free expression and right to free information so that we learn about these topics on the go, while doing.

Do you feel like the transition period has had an impact on the daily lives of people who are part of ethnic or sexual minorities?

Well, it depends and we have to make a little distinction: on the subject of ethnic minorities, we can affirm that there is this widespread perception... for example, among the Roma minority, according to which the situation was much better before 1989 in terms of finding a job or having a decent housing, as well as the chance to study if there was a desire for it... of course all these things came with another series of drawbacks and inconveniences, such as the lack of a right to free speech, no right to free assembly, or the absence of the right to speak or use the maternal language. There are pros and cons that somehow make the discussion a lot more difficult, but there's an important aspect: Roma people, to my knowledge, have been the big losers of the transition. They were the first to lose their jobs, the first to be pushed towards poverty, the first to sell their homes due to poverty (and they would be sold at ICRA - The Romanian Real-Estate Fund Administration), and lots of them have migrated to rural areas or poor urban ghettos. They were literally and practically marginalized from society.

On sexual minorities, I think that they have faced an improvement in terms of perception, in the sense that we can observe that 2 weeks ago they had a march against the Christian-conservative

“Coaliția pentru Familie” (The Coalition for Family), the organization that wants to limit the right to equality for all at the expense of sexual minorities’ rights: the right to marriage or the recognition of family life, which is an universal right. We see an increasing number of young people who become sensitive to the problems of this minority and decide to participate actively to associative movements by signing petitions, taking part in marches, manifesting themselves on the internet in favour of human rights and diversity of every kind. Therefore, I believe that in this area we can say that we have made a series of progresses.

Of course, in regards to the Roma minority, she also enjoys supplementary rights since 1989, rights that it did not have and benefit from before: education in the minority’s language, courses on the language, civilization and history of the Roma, special distinct spots for the Roma youth in high-schools and universities, a series of professions that were created in support for this minority (such as sanitary mediators, school counsellors who bridge the communities with the local administration). It would be worth emphasizing here on the jobs I’m talking about: the expert in Roma relations from city halls, sanitary mediator, and the school mediator who maintains the connection between the community and the local administration shouldn’t exist in a normal society because the local administration should be inclusive enough to be able to discuss with the citizens of Roma ethnicity in their language, but also deliver to them high-quality services that are comparable with the services the other citizens receive.

On the transition topic, I would say that yes, these jobs and these facilities are transitory. We need to understand that they are not unlimited in terms of time and come to compensate for historic injustice: we’re talking about the slavery from Romania which took over half of a millennium, as well as the measures for historical reparation that help the community fill in the cleavage between the Roma minority and the majoritarian population.

Would you please tell me about how civil society has organized to support minority rights?

On the emergence of the Associative Movement Society from Romania, I remember that after 1989 there was an explosion of forces that were trying to coagulate at the level of political parties, NGOs, foundations, in order to improve as quick as possible the problems that existed in our society. I remember that at the time there were many functioning foundations and associations which attempted to help children from orphanages, and it took quite some time. Even today we’re looking at a problem that wasn’t completely solved, but the situation of those children from that period is absolutely difficult to describe, it was a very sad episode from a social perspective.

But ethnic minorities and minorities of every kind have tried from the very beginning to express their identity. I know that the Roma minority has benefited since the first days after the Revolution, after the first free elections from the existence of a deputy in Parliament by coagulating a movement and the establishment of an association that gathered together the

members of the Roma community at the time. Of course these efforts have been increasingly more diverse. The Roma Associative Movement has faced a breakup at some point, in the sense that activists who had political aspirations have left to pursue their political careers, and the ones who fought for human rights have remained on this path, and this generated an explosion of national and local NGOs that militate for the rights of the Roma minority.

Also, on the topic of sexual minorities, I can say that I was witness to the establishment of the Accept association since I was attending the Group for Social Dialogue, as we had our headquarters in the same building. However, I've joined the Associative Movement sometime in 1999 or 2000, once the first PHARE program for improvements of the Roma situation I have worked for has been implemented, and I have had the chance to meet a very large palette of NGOs, a series of social actors who worked in this area, and to which I was somehow trying to appeal too.

I have been involved in civil society, and Roma society, and the one supporting the rights of sexual minorities since the early 2000, and as an evolution I can say that we have had ups and downs, just as we mentioned at the beginning of the interview. I think we are much more prepared right now than we were in the early 1990s, when Romanians would only see certain realities for the first time.

Were people ready at the time? There was a lot of need for a human resource that had the right kind of knowledge, was sensitive towards the issues, knew legal matters, but also had abilities to organize communities. You simply didn't have all these things in the communist period.

It often happens that the civil society functions primarily on the foundation of good intentions: in the sense that maybe you weren't the best prepared in a certain field, but if you had the particular interest to work in that area and you were the only one offering these services, then it was clear that those entities, associations, and foundations that were established around the time could function and deliver services. It went on like this until the integration within the European Union, when it all began to be much more specialized and exchanges became easier to do. The quality of the services provided, however, is questionable. It was a learning process for all of us.