12. Assessing racialized poverty: the case of Romani people in the European Union

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"Widespread deprivation is destroying Roma lives [in the EU]. Families are living excluded from society in shocking conditions, while children with little education face bleak prospects for the future," concludes a 2016 report by the European Union Agency for Fundamental Rights (FRA).[1]

Poverty is racialized in the European Union (EU). The Gross Domestic Product (GDP) of the European Union is the second largest in the world.[2] Yet, an average 80 percent of the Roma[3] people interviewed in an FRA study live below the at-risk-of-poverty threshold, compared to an average 17 percent of the dominant majority populations in each respective country.[4] This indicator signals not only income poverty, but more so, injustice and inequality.

With an estimated population of 10–12 million in Europe, of which around six million live in the EU, Roma are the largest minority of the European continent.[5]

International and national institutions operate with somewhat rigid but easily assessible frameworks, such as a multidimensional poverty index or an absolute poverty measurement, which enable these institutions to measure poverty comparatively. In this chapter, we discuss the extent of Romani poverty by using basic approaches to multidimensional poverty, including economic well-being, capabilities, and social inclusion. However, we see the need for more nuanced approaches that can capture additional determinants and dimensions of Romani poverty. We argue that poverty policy and research agendas must include justice and human-rights approaches if we are to adequately understand and address anti-Roma racism as well as the denial of social and economic rights. This is true not only at the individual level, but also for neighborhoods and communities.

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[1] "80% of Roma are at Risk of Poverty, New Survey Finds" (*European Union Agency for Fundamental Rights (FRA)*, 26 November 2016) <https://fra.europa.eu/en/press-release/2016/80-roma-are-risk-poverty-new-survey-finds> accessed 10 June 2020.

[2] Abby Budiman and Dorothy Manevich, "Few See EU as World's Top Economic Power Despite its Relative Might" (*Pew Research Center: FactTank*, 9 August 2019) <www.pewresearch.org/fact-tank/2017/08/09/few-see-eu-as-worlds-top-economic-power-despite-its-relative-might/> accessed 10 June 2020; 'GDP (current US$) – European Union, United States, China' (*The World Bank*). <https://data.worldbank.org/indicator/NY.GDP.MKTP.CD?locations=EU-US-CN> accessed 10 June 2020.

[3] The term "Roma" used at the Council of Europe refers to Roma, Sinti, Kale, and related groups in Europe, including Travellers and the Eastern groups (Dom and Lom). It covers the wide diversity of the groups concerned, including persons who identify themselves as Gypsies.

[4] "80% of Roma are at Risk of Poverty" (n 1).

[5] European Union Agency for Fundamental Rights, "The situation of Roma in 11 EU Member States - Survey results at a glance" *(Publications Office of the European Union, 2012)* <https://fra.europa.eu/en/publication/2012/situation-roma-11-eu-member-states-survey-results-glance> accessed 19 June 2020.

As researchers have already shown, income poverty provides a necessary but insufficient picture of poverty,[6] especially, in the case of historically oppressed and racialized peoples. Moreover, even a broad concept of economic well-being does not encompass the complex dimensions of racialized poverty and structural inequalities that the vast majority of Roma living in the EU face. Furthermore, anti-Roma racism, tied with the legacy of gadjo[7] economic, political, and cultural power, undermines Roma justice and their prospect to access fundamental rights and freedoms. These factors affect the job opportunities, incomes, dignity, and well-being of Romani people. Racism influences the way Roma respond and adapt, socially and collectively, to poverty or injustice.

To address the limitations of the traditional meaning of poverty, scholars have suggested a multidimensional approach to poverty as a more ample framework. This builds on the United Nations' Multidimensional Poverty Index, which encompasses three dimensions: standard of living, health, and education.[8] However, even such multiplex frameworks cannot encompass the legacy of oppression and the collective nature of racialized poverty and its determinants in racially segregated Romani neighborhoods and not only. Nor can they account for the overt and covert social and economic constraints facing individuals born in racilized neighborhoods: namely inadequate common resources, environmental injustice, and social isolation, among others. Moreover, the multidimensional approach fails to address wealth inequality[9] at either the family or group level, which is another phenomenon generated and perpetuated by the history of structural racism and economic exploitation from one generation to another in some countries of the EU. An example is the radical inequality[10] and economic and cultural exploitation that occured in the cases of the Roma enslavement in Romania.

Therefore in this chapter we discuss poverty through the connected lens of human rights-based approaches, structural injustice and racism, the wealth gap, and poor neighborhoods, which together contribute to the racialized poverty of Romani families. We call for a focus on various axes of racism (e.g., ideological, institutional, interpersonal) and injustice, intergenerational wealth, and racially segregated neighborhoods as fundamental elements in the research and policy agendas focusing on racialized poverty in the case of the Roma.

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[6] Dorata Weziak-Bialowolska and Lewis Dijkstra, *Monitoring Mulidimensional Poverty in the Regions of the European Union* (Publications Office of the European Union 2014) <https://publications.jrc.ec.europa.eu/repository/bitstream/JRC89430/mpi_report_online.pdf> accessed 10 June 2020.

[7] This term means "non-Roma" in Romani. Unlike Roma/Sinti/Kale, the term does not denote a people. This is the name which Roma apply to those outside their community, according to "Council of Europe Descriptive Glossary of Terms Relating to Roma Issues" (*Council of Europe*, 2012) <http://a.cs.coe.int/team20/cahrom/documents/Glossary%20Roma%20EN%20version%2018%20May%202012.pdf> accessed 10 June 2020.

[8] "What is the Multidimensional Poverty Index" (*UNDP*) <http://hdr.undp.org/en/content/what-multidimensional-poverty-index> accessed 10 June 2020.

[9] Defined as "accumulated assets owned by households" and "ensures that privilege and advantage are passed down from generation to generation." "Falling Through the Cracks: Exposing Inequalities in the EU and Beyond" (*SDG Watch Europe, Make Europe Sustainable for All, and Faces of Inequality*, July 2019) <www.sdgwatcheurope.org/wp-content/uploads/2019/06/FALLING-THROUGH-THE-CRACKS-JUNE-2019.pdf> accessed 10 June 2020.

[10] Thomas Pogge, "Poverty and Human Rights" (*OHCHR*) <www2.ohchr.org/english/issues/poverty/expert/docs/Thomas_Pogge_Summary.pdf> accessed 10 June 2020.

I. MEASURING POVERTY

Rather than grasping the full implications of wealth or poverty, the at-risk-of-poverty rate merely measures low income.[11] While a wide range of critiques have pointed out its limitations,[12] income remains an important indicator of poverty, as households living under the at-risk-of-poverty threshold lack, at least momentarily, the material means for a minimal level of well-being, access to education, or access to healthcare. Income poverty also stands as a critical indicator in measuring income inequality. It can help us to tackle wage gaps and advance economic justice.

Among Roma in the EU, the at-risk-of-poverty rate remains very high; in 2016 the Fundamental Rights Agency (FRA) measured it at 80 percent, a decrease of only 6 percent from 2011.[13] However, this decrease was only observed in a few countries (the Czech Republic, Hungary, and Romania). In contrast, in most of the countries that the FRA surveyed in 2016, the percentage of Roma considered to be at risk of poverty had increased compared to 2011. In some countries, the percentage came close to 100 percent. In Spain it was 98 percent, up from 90 percent in 2011 (general population 22 percent). In Greece it was 96 percent, up from 83 percent (general population 21 percent). And in Croatia it was 93 percent, up from 92 percent (general population 20 percent). Such consistent and dramatic differences between the Romani and non-Romani populations point to racial inequality and injustice: the at-risk-of-poverty rate for the general population in the EU is still somewhere between 10 percent (2011) and 25 percent (2016).

Still, income poverty varies in intensity, incidence, and severity.[14] For instances, there are differences between those living below that threshold for one year and those who have been living in poverty for a longer period. Aiming to address the extent of poverty, the persistent at-risk-of-poverty rate measures one factor: the equivalized disposable income during the current and the previous three years.[15] Here we encounter a difficulty: there is no disaggregated data on ethnicity, as the European Union Statistics on Income and Living Conditions (EU-SILC) pointed out: "there is no information on ethnic status of respondents. So ethnic minorities, including the Roma, cannot be identified in EU-SILC."[16] Nevertheless, we know that the persistent at-risk-of-poverty rate is "the share of people who are currently poor and had also been poor for two out of three years prior to the survey."[17] We also know that, according

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[11] "Glossary: At-risk-of-poverty Rate" (*European Council: Eurostat*) <https://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary: At-risk-of-poverty_rate> accessed 10 June 2020.

[12] Starting with Amartya Sen in 1976. Amartya Sen, "Poverty: An Ordinal Approach to Measurement" (1976) 44 Econometrica 219.

[13] European Union Agency for Fundamental Rights (FRA), Second European Union Minorities and Discrimination Survey: Roma - Selected Findings (FRA, 2016) <https://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-eu-minorities-survey-roma-selected-findings_en.pdf> accessed 10 June 2020.

[14] Nanak Kakwani and Jacques Silber (eds), *The Many Dimensions of Poverty* (Palgrave Macmillan 2013).

[15] "Glossary: At-risk-of-poverty Rate" (n 11).

[16] 'EU Statistics on Income and Living Conditions (EU-SILC) Methodology – Definition of Dimensions' (*European Council: Eurostat*) <https://ec.europa.eu/eurostat/statistics-explained/index.php/EU_statistics_on_income_and_living_conditions_(EU-SILC)_methodology_-_definition_of_dimensions> accessed 10 June 2020.

[17] Eurostat, *Smarter, Greener, More Inclusive? Indicators to Support the Europe 2020 Strategy* (European Union 2016) < https://ec.europa.eu/eurostat/documents/3217494/7566774/KS-EZ-16-001-EN-N.pdf > accessed 19 June 2020.

to the FRA, 80 percent of the EU Roma participating in their study were living at that level from 2011 to 2016. Thus, we can speculate that many of the Romani individuals and families who were poor in 2011 remained poor five years later and have been consistently living at risk of poverty.

Seasonal poverty, or the temporary lack of a minimal income, due for instance to a factory closure, has different consequences—and requires different solutions—than having been born into or living much longer in poverty. This is what David Hulme and Andy McKay call chronic poverty. It is clearly explained by a woman from Entropole, Bulgaria in a World Bank study: "[i]f we knew that there would be an end to this crisis, we would endure it somehow. Be it for one year, or even for 10 years. But now all we can do is sit and wait for the end to come."[18]

Whatever the factors that drive chronic poverty, some dutybearers in charge of welfare—like those in the larger society—tend to see two separate categories: the "deserving" and "undeserving" poor. Somehow, often, those who belong to an oppressed group and are also born into poverty or living in poverty for a longer time are seen and portrayed as "lazy" and "guilty" of their inability to overcome their destitution.

Consider on the other hand those who live momentarily under that income poverty threshold, but have accumulated intergenerational wealth, such as land and other assets, are politically or civically engaged, and benefit from indiscriminate access to good schools and quality health services for their families. Those people may employ and require different responses and solutions than those who are deprived simultaneously of intergenerational wealth and of most of their basic rights for an extended period due to their skin color, Romani backgrounds, or other factors. Taking the example of Romania, the Romani people were stripped of any prospect of accumulated intergenerational wealth by a history of 500 years of economic exploitation through enslavement of the Roma, which lasted until 1856. Such a history of oppression leads not only to the oppressed being deprived of their rights but, as Thomas Pogge points out, also to a "huge inherited advantage in power" for the descendants of the oppressors.[19] Such inherited power continues to have an impact economically, socially, culturally, and ideologically, including in the form of white/gadjo normativity. The narratives, the policies, and the so-called "moral" justifications for the deprivation of minority groups, such as the Roma, are created and imposed ideologically, legally, and practically by the oppressors themselves or their descendants. At the same time, disempowerment forces members of the oppressed groups to identify individual and "collective strategies"[20] as well as social and "cultural adaptations"[21] to respond to racism and the white/gadjo norms.

Unjust wages are another important aspect to consider in looking at income poverty. When those in some job categories, such as teachers or custodial staff, have to work additional jobs to survive, it is not just a matter of low income, but also a matter of unjust pay.They may not

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[18] Deepa Narayan and others, *Voices of the Poor: Crying Out for Change* (OUP and The World Bank 2000) 46 <http://documents.worldbank.org/curated/en/501121468325204794/pdf/multi0page.pdf> accessed 11 June 2020.

[19] Pogge (n 10).

[20] Edna A Viruell-Fuentes, Patricia Y Miranda, and Sawsan Abdulrahim, "More than Culture: Structural Racism, Intersectionality Theory, and Immigrant Health" (2012) 75 Social Science & Medicine 2099.

[21] William Julius Wilson, "Toward a Framework for Understanding Forces That Contribute to or Reinforce Racial Inequality" (2009) 1 Race and Social Problems 3.

be counted as poor based on their monthly income but they can only increase their income by submitting themselves to exhaustion, and thus to poor health and well-being outcomes.

Finally, those who lack identity documents face an even more dreadful situation as they are not even counted. For example, in 2012, in Timisoara, Romania, up to 20,000 people, predominantly Roma, lacked identity papers. In the Kuncz neighborhood alone, 250 people did not legally exist and consequently could not obtain child benefits, health care, or welfare support. According to mass media reports, "they don't have money even for bread, so from where would they have money to start the necessary processes for establishing and 'recovering' their identities?"[22] Nevertheless, in 2019 the Romanian Parliament initiated discussions regarding legislation that would for a minimum provide health care and access to education for children regardless of their documentation status.[23,24] The legislative acts made access to health and education non-dependent on the existence of an official registration of children, removing, at least on paper, one of the challanges that Roma face.

These examples prove once again that poverty is not just about income, and more importantly, the solutions are not just about jobs. As Alicia Ely Yamin and Paul Farmer put it, "the traditional view of poverty did not consider context or ability to convert income into access to food, education, housing, and health care."[25]

In the past few decades, researchers have shifted more toward exploring and measuring the multidimensionality of poverty, an encouraging direction but one that involves several challenges. Even experts from similar disciplines do not agree on the dimensions and the indicators to be measured.[26] Despite discussions about the multidimensionality of poverty, an interdisciplinary approach to measuring and addressing poverty has not become a broad reality. As Amartya Sen argues, it is hard

> to have an adequate understanding of the turmoil in the suburbs of Paris and other French cities in the autumn of 2005 only in terms of poverty and deprivation, without bringing in race and immigration. It would be similarly unsatisfactory to try to base a causal explanation only on race and immigration, without bringing in inequality and economic disparity.[27]

Moreover, the more dimensions we measure, the less comparative data (using similar methodologies or cross-national indicators) we can collect. Additionally, to measure capabilities and social inclusion, qualitative indicators and data are also necessary, and that presents a chal-

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[22] "They Live, but Do Not Exist! We Have Almost 20,000 People Without Identity in Timisoara" (*OpiniaTimisoarei*, 3 August 2012) <www.opiniatimisoarei.ro/traiesc-dar-nu-exista-avem-aproape-20-000-de-oameni-fara-identitate-in-timisoara/03/08/2012> accessed 11 June 2020. The original text in Romanian: "nu au bani nici de paine, daramite pentru deschiderea proceselor de stabilire si 'recuperare' a identitatilor."

[23] "Free Access to Medical Services for Children Without CNP" (*Formare Medicala*, 19 September 2020) <www.formaremedicala.ro/acces-gratuit-la-servicii-medicale-pentru-copiii-fara-cnp/> accessed 11 June 2020.

[24] The initiative regarding access to health care was approved by issuing Law no. 186 for amending and supplementing Law no. 95/2006 regarding the reform in the field of health and for the completion of the Law of patient rights no. 46/2003, while access to education was ensured through Decree no. 833/2019 of the President of Romania.

[25] Alicia Ely Yamin, *Power, Suffering, and the Struggle for Dignity: Human Rights Frameworks for Health and Why They Matter* (University of Pennsylvania Press 2017) 68.

[26] Kakwani and Silber (n 14).

[27] Amartya Sen, "Violence, Identity and Poverty" (2008) 45 JPR 5, 15.

lenge to consistency, comparisons, and data collection. "People, for example, may have either access to electricity or no access or they may be in a good health condition or not. How much better health condition is needed to undo the lack of access to electricity and vice versa?" asks Udaya R. Wagle, who analyzed qualitative indicators of multidimensional poverty.[28] Also, in the case of racialized poverty measures, legal challenges arise, as some countries' laws do not allow the collection of disaggregated ethnic data. Moreover, measuring racialized poverty requires an exploration of past and current structural racial injustices; it also requires a focus on the enablers of injustices, an intersectional approach, and a critical view of the norms and structures they have imposed based on their own realities, experiences, norms, standards, and interests.

II. ROMA MULTIDIMENSIONAL POVERTY: DATA

Multidimensional poverty has proved to be a more powerful framework than income poverty. For instance, when poverty is conceptualized through economic well-being, it adds the concepts of consumption and welfare to income: "consumption of food, clothing, shelter and other basic necessities—such as being able to afford adequate healthcare and being in good health."[29] The United Nations Multidimensional Poverty Index looks at poverty in education, health, and living standards as critical dimensions in measuring multidimensional poverty.

What we notice is that when we move beyond income and extend our analysis to other indicators and dimensions, the nature of poverty and inequalities between Roma and non-Roma become even more evident, thus the reference to the racialization of poverty.

A. Racialization of Poverty and the Multidimensional Approach

In the case of the Romani people in the EU, the FRA found that 30 percent of Romani children live in houses where someone went to bed hungry at least once during the month before the survey was conducted.[30] Also, 17 percent of the Roma in Croatia, 13 percent of those in Greece, and 11 percent of those in Hungary reported that they went to bed hungry. Moreover, according to a study of the European Commission across the Member States, 38 percent of the interviewed Roma were malnourished, compared to 5 percent among non-Roma.[31] At the same time, the food Roma consume is not the healthiest, as they eat fewer vegetables and less nutritious, higher fat foods. This leads to obesity and health problems.[32] A study published in 2018 by the European Commission, based on data collected in Romania between 2004 and

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[28] Udaya R Wagle, "The Counting-Based Measurement of Multidimensional Poverty: The Focus on Economic Resources, Inner Capabilities, and Relational Resources in the United States" (2014) 115 Soc Indic Res 223, 227.

[29] Weziak-Bialowolska and Dijkstra (n 6) (citing Wagle and Boulanger et al.).

[30] FRA (n 13).

[31] Matrix, *Roma Health Report: Health Status of the Roma Population: Data Collection in the Member States of the European Union* (European Commission 2014) <https://publications.europa.eu/en/publication-detail/-/publication/61505667-ec87-4a71-ba4f-845a4a510e11/language-en/format-PDF/source-105528596> accessed 25 September 2019.

[32] ibid.

2011, shows that "Roma have inferior diet diversity compared to the non-Roma."[33] The main factors limiting food consumption options are socio-economic factors and the discrimination Roma face in the labor market. The marginalization and segregation that Romani communities experience influence their access to diverse, sufficient, and good quality food.

Clothing is also an issue for the Roma, especially when they are preparing their children for school; teachers often ask for specific clothes or equipment, which can be expensive. This situation has been observed among Romani families in the UK,[34] as well as in Romania.[35]

The FRA EU Midis II study of 2016 also shows that 30 percent of the Roma in the EU countries surveyed live in households with no tap water and 46 percent have no indoor toilet, shower, or bathroom.[36] In all of the countries surveyed, the FRA researchers also noticed insufficient personal space at home. The average number of rooms per person in a Romani household is half that for the majority population.[37] Twice as many Romani families compared to the majority population have to squeeze into fewer heated rooms during the winter.[38]

In the nine countries the FRA surveyed, the Romani people interviewed are connected in general to electricity, but their living standards are still lower than those of the general population. In Romania, 68 percent of Roma live in households without tap water inside their dwelling; for the general population the percentage is 38 percent. In Hungary, the percentage is 33 percent for Roma, while the entire general population is connected to the water network.[39]

The percentages are even higher for Roma who do not have a toilet or a bathroom inside the house: 41 percent in Croatia, 44 percent in Bulgaria, and 79 percent in Romania.[40] For the general population, this percentage is highest in Romania (31 percent) and Bulgaria (12 percent); it is below 4 percent for the other countries.

Looking at the quality of housing, many Roma live in houses where the roof leaks, or where the floor, walls, or foundation are damp or have rot in them; the percentages range from 21 percent in Spain, to 44 percent in Hungary, and 66 percent in Portugal.[41] Of the Roma in Bulgaria, 29 percent did not have a cooking stove in their house, and only 13 percent had access to the internet.[42] Moreover, some 15,000 Roma in France live in the slums and shacks

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[33] Pavel Ciaian and others, "Food Consumption and Diet Quality Choices of Roma in Romania: A Counterfactual Analysis" (2018) 10 Food Security 437.

[34] Brian Foster and Peter Norton, "Educational Equality for Gypsy, Roma and Traveller Children and Young People in the UK" (2012) 8 The Equal Rights Review 85.

[35] Laura Surdu, Enikö Vincze, and Marius Wamsiedel, *Participation, School, Absenteeism and the Experience of Discrimination in the Case of Roma in Romania* (Unicef and Romani Criss 2011) <www.romanicriss.org/PDF/RC%202011%20-%20Participare,%20absenteism%20scolar%20si%20experienta%20discriminarii%20%28ro%29.pdf> accessed 11 June 2020.

[36] FRA (n 13).

[37] ibid 32, figure 16.

[38] ibid 33, figure 17.

[39] ibid.

[40] ibid.

[41] ibid 35, table 4.

[42] Andrew Ivanov, Sheena Keller, and Ursula Till-Tentschert, "Roma Poverty and Deprivation: The Need for Multidimensional Anti-Poverty Measures" (2015) Oxford Poverty & Human Development Initiative (OPHI) Working Paper No 96 <https://ophi.org.uk/roma-poverty-and-deprivation-the-need-for-multidimensional-anti-poverty-measures/> accessed 11 June 2020.

on the outskirts of cities;[43] that figure includes an estimated 9,000 children and youth.[44] Other poor Romani families live in overcrowded households, shacks, and on the streets when pursuing better opportunities in EU countries.[45]

Across member states of the EU, some progress has recently been reported in the area of compulsory education for Romani children. Still, Romani children and youth are pushed out of school: seven out of ten Roma aged 18–24 years left school early.[46] At the preschool level, the gap between Roma and non-Roma was still very significant in 2016: 70 percent to 97 percent of non-Romani children aged 6–15 have attended preschool, as opposed to only 20 percent of the Romani children in Greece, and less than 50 percent of those in the Czech Republic, Portugal, Slovakia, and Spain.[47]

Across Europe, Romani people live for up to 20 years less than the general population.[48] In Belgium, the life expectancy of Roma is 55 while the life expectancy of the total population is 81.5[49]; in Romania it is 52.5 years for Roma compared to 68.8 for the majority population.[50]

The situation of the residentially segregated and excluded Roma is much worse; numbers from Slovakia show that mortality is two or three times higher for Roma living in these situations compared to those who are "integrated" living in mixed Romani and non-Romani neighbourhoods.[51] The child mortality rate is also higher for Roma compared to the majority. In Bulgaria, Roma infant mortality is twice as high as that for the general population; in Spain, it is three times that for other groups.[52]

The review of the poverty and inequalities along these multidimensional indicators help to reveal the racial element to poverty.

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[43] Myriam Allory, "Roma Children in France: Poor Children in a Rich Country" (Ann Green (trs), *Humanium*, 3 October 2016) < www.humanium.org/en/roma-children-in-france/#content> accessed 11 June 2020.

[44] Colectif National Droits de l'Homme RomEurope, « Ados en bidonville et en squats: l'école impossible ? – Etude sur la scolarisation des jeunes âgés de 12 à 18 ans » (*RomEurope, 2016*) <http ://romeurope.org/wp-content/uploads/2016/09/etude_cdere_ados_bidonville_ecole_impossible.pdf> accessed 11 June 2020.

[45] FRA, *A Persisting Concern: Anti-Gypsyism as a Barrier to Roma Inclusion* (Publications Office of the European Union 2018) < https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-anti-gypsyism-barrier-roma-inclusion_en.pdf> accessed 11 June 2020.

[46] FRA, *Fundamental Rights Report 2018* (Publications Office of the European Union 2018) <https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-fundamental-rights-report-2018_en.pdf> accessed 11 June 2020.

[47] FRA, *Roma survey – Data in Focus: Education: The Situation of Roma in 11 EU Member States* (Publications Office of the European Union 2014) <https://fra.europa.eu/sites/default/files/fra-2014_roma-survey_education_tk0113748enc.pdf> accessed 11 June 2020.

[48] Matrix (n 31).

[49] "Life Expectancy" (*For a Healthy Belgium*, 2018) <www.healthybelgium.be/en/health-status/life-expectancy-and-quality-of-life/life-expectancy> accessed 11 June 2020.

[50] "Closing the Life Expectancy Gap of Roma in Europe: Roma Health and Early Childhood Development" (*European Public Health Alliance (EPHA)*, December 2018) <https://epha.org/wp-content/uploads/2019/02/closing-the-life-expectancy-gap-of-roma-in-europe-study.pdf> accessed 25 September 2019.

[51] ibid.

[52] ibid.

B. Participation and Political Exclusion

While still recognizing the importance of resources, Amartya Sen argues that it takes more to capture poverty. He conceptualized poverty through the lens of human capabilities to function, focusing on freedom and well-being, and in later studies he included opportunities. These factors essentially set out the human development approach and policy agenda.[53] And some of the poor agree with him. The *Voices* report of the World Bank, which involves people living in poverty in various parts of the world, confirms that the poor seek not only food but also freedom, dignity, voice, and choice.[54] But reports such as *Voices* also raise questions about who should participate in policy and research discussions regarding what poverty is, feels like, and means. All too often, the voices of the poor are utterly ignored.

In measuring Roma poverty specifically, Ivanov and Kagin endorse a human development approach: "[t]he multidimensional nature of Roma poverty calls for a 'human development' approach … [that can] integrate the reduction of material deprivation with increasing *agency* and the achievement of fundamental civil rights."[55] And indeed, over the past two decades the United Nations Development Program (UNDP) has collected Roma-related data using such an approach. In 2002, the UNDP published the groundbreaking report, *Avoiding the Dependency Trap: The Roma in Central and Eastern Europe*,[56] which showed that Roma were socially, economically, and politically excluded in the five countries they surveyed.

On education, the most severe problem that UNDP found was segregation: on average, 19 percent of the households surveyed reported educational segregation, ranging from 12 percent in the Czech Republic to 27 percent in Bulgaria. Inclusive education, improving access to preschool education, and eliminating extra educational costs to parents (e.g., paying for school textbooks) were identified as mandatory to improve the access of the Roma to education.

UNDP has also found that informal work was the option available to many Roma in ensuring family income. Overall they found the unemployment rate was 40 percent, less than what was generally estimated. In some countries though, the rate was very high: for example, 64 percent in Slovakia. Roma participating in the study said the main reasons they were not employed were discrimination based on their ethnic background, the general economic depression in the country, and their lack of education.

The survey showed that the health of Roma was deteriorating, with high infant mortality and negative situations for women's health, such as inadequate nutrition or reproductive health. On household income, the report concluded that Roma "often fall into a vicious circle of marginalization."[57] High poverty and low levels of education and employment keep Roma in this

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[53] Amartya Sen, *Development as Freedom* (Anchor Books 1999).

[54] Narayan and others, *Voices of the Poor: Crying Out for Change* (n 18); Deepa Narayan, *Voices of the Poor: Can Anyone Hear Us?* (OUP and the World Bank 2002); Deepa Narayan and Patti Petesch, *Voices of the Poor: From Many Lands* (OUP and the World Bank 2002).

[55] Andrey Ivanov and Justin Kagin, *Roma Poverty from a Human Development Perspective* (UNDP 2014) 4 (emphasis added) <www.eurasia.undp.org/content/rbec/en/home/library/roma/roma-poverty-human-development-perspective.html> accessed 11 June 2020.

[56] UNDP, *Avoiding the Dependency Trap: The Roma in Central and Eastern Europe* (United Nations 2002) <http://hdr.undp.org/sites/default/files/avoiding_the_dependency_trap_en.pdf> accessed 11 June 2020.

[57] ibid.

circle where more than half of their income is directed at obtaining food (e.g., 69 percent for Bulgaria); it also noted the high number of undernourished Romani children.

The UDNP also found that social interaction between Romani and non-Romani communities was usually determined by survival needs but also by children when they played together (the lowest registered percentage for playing together is 51 percent in Hungary). On political participation, it noted the need to involve more Romani representatives at the level of public services. People wished for more contact and more responsibility on the part of those in governmental structures, while they mostly trusted the local structures for help.

Thus, while the report looks at education, employment, health, and household income, it also includes political participation, which Wagle places into a specific dimension of social inclusion. Wagle argues that something "is missing from this operational push." He calls social inclusion, "the relational resource that also has both constitutive and instrumental values in securing well-being."[58] Having the choice to form fair, meaningful, dignified, and unbiased relationships with others can indeed increase social capital and networks; consequently, it opens doors to better jobs, education, and health as well as information, credit, support, and power.[59]

In the case of the Roma, relational resources, in the sense of social interactions and commitments with the majority groups, are often very poor. Despite sporadic improvements in some countries regarding Roma participation in elections, the overall situation remains dire, especially Roma representation on ballots. Mainstream political parties show reluctance to include Romani members on their lists.[60] Romani women are particularly under-represented in political life. Looking at the percentage of Roma among political candidates, we must conclude that the minority is insufficiently represented across Europe: in Spain's municipal elections in 2015, only ten Romani candidates were elected as councilors.[61] However more successfully, in Spain's 2019 Parliamentary election, four Roma were elected, including two women.[62] Latvia had only two Romani candidates in its 2014 parliamentary elections; none took part in the local elections in 2017.[63] The involvement of some Roma in consultative and advisory organizations has become a focus point for the member states in the EU, under the umbrella of the EU Framework for Roma. However, OSCE notes in its Third Status Report, "again, the varied outcomes serve as a reminder that the mere existence of formal consultation mechanisms does not guarantee effective public participation of Roma and Sinti."[64]

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[58] Wagle (n 28) 228.

[59] ibid.

[60] Alexander Nitzsche (ed), *Annual Report 2013* (OSCE 2013) 51. <www.osce.org/files/f/documents/7/4/116947.pdf> accessed 11 June 2020.

[61] ERTF, "Fact Sheet on the Situation of Roma in Spain", (Strasbourg, January 2016) <www.presenciagitana.org/The_situation_of_Roma_in_Spain_06012016.pdf) accessed 20 June 2020.

[62] Gwendolyn Albert (trs), 'Spain: Two Romani Men and Two Romani Women Elected to National Legislature, an Historic Succcess' (*Romea*, 4 May 2019) <www.romea.cz/en/news/world/spain-two-romani-men-and-two-romani-women-elected-to-national-legislature-an-historic-success> accessed 11 June 2020.

[63] *Third Status Report: Implementation of the Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area* (OSCE Office for Democratic Institutions and Human Rights (ODIHR) 2018) <www.osce.org/files/f/documents/6/8/406127.pdf> accessed 11 June 2020.

[64] ibid.

C. Toward a Roma Multidimensional Index

Finally, to measure Roma poverty specifically, Ivanov, Keller, and Till-Tentschert suggest a Roma Multidimensional Index, which looks at human capabilities (basic rights plus specific dimensions on education and health) and material well-being (housing, standard of living, employment) through twelve indicators. This framework is much more comprehensive and targeted to measuring Roma poverty than the at-risk-of-poverty threshold or the UN Multidimensional Poverty Index.

As these authors show, by using the 12-indicator approach it is possible to differentiate between "multidimensionally poor" and "severe multidimensionally poor."[65] While researchers found some improvement in the share of Romani families across the EU who live in poverty, the "severe poverty" share has only dropped significantly in a non-EU country: Bosnia and Herzegovina.[66]

The "basic rights" dimension developed by Ivanov et al. includes only one indicator of discrimination. The criterion of deprivation and the threshold of this indicator is that the "HH [household] member lives in a HH where a member has been discriminated against while looking for a job."[67] Yet, Ivanov and others also underline that "[u]nemployment, social exclusion, and marginalization are linked with (and mutually reinforcing) discrimination, anti-Gypsyism [anti-Roma racism], limited access to justice, and segregation."[68] And indeed, the inclusion of one single indicator on discrimination, namely discrimination on the job market, is simply not enough.

Non-discrimination in education also constitutes a necessary condition for knowledge and "the realization of other fundamental rights."[69] In 2016, the FRA showed that the percentage of educational segregation for Romani children has increased worryingly from 10 percent in 2011 to 15 percent in 2016 in the countries surveyed.[70] A segregated educational facility for the Roma is usually an institution that focuses on combating illiteracy, not on enhancing children's attainments.

Discrimination in access to health also needs to be measured, for instance, as it affects the chances that Romani women will seek treatment during pregnancy, which lowers life expectancy rates at birth for Romani people. An analysis from 2017 that included Bulgaria and England shows that pregnant Romani women are often denied or given poor treatment at medical facilities; some reported segregation within the hospital, racial slurs, and verbal abuse.[71]

Regardless of how we measure their situation, from economic well-being to human capabilities and relational resources, we cannot avoid finding that the income poverty, as well as the multidimensional poverty of individual Romani people and their households, is much worse than those for the dominant majorities in the EU. Moreover, Roma face a worse situation than their non-Romani peers in terms of access to basic rights such as education, employment,

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65 Ivanov, Keller and Tentschert (n 42).
66 ibid.
67 ibid.
68 Ivanov and Kagin (n 55).
69 Ivanov, Keller and Tentschert (n 42) 27.
70 FRA, *A Persisting Concern* (n 45).
71 Helen L Watson and Soo Downe, "Discrimination Against Childbearing Romani Women in Maternity Care in Europe: A Mixed-Methods Systematic Review" (2017) 14 Reproductive Health 1.

health, and housing. This suggests that discrimination and, more so, structural racism on top of poverty and a worse socio-economic situation compound the problem, resulting in racialized poverty.

Thus, racial inequality persists. And the discrimination against Romani people in the access to fundamental rights intersects tremendously with what we today call poverty. Moreover, as Amartya Sen argues:

> [p]urely economic measures of inequality, such as the Gini coefficient or the ratio of incomes of top and bottom groups, do not bring out the social dimensions of the disparity involved. For example, when the people in the bottom income groups also have different non-economic characteristics, in terms of race (such as being black rather than white), or in immigration status (such as being recent arrivals rather than older residents), then the significance of the economic inequality is substantially magnified by its "coupling" with other divisions, linked to non-economic identity groups.[72]

Most would agree that education, health, employment, and food are all dimensions of poverty, and that access to them constitutes a fundamental human right. If so, then poverty should be indeed accepted as "a denial of human rights and human dignity."[73] As the Office of the United Nations High Commissioner for Human Rights (OHCHR) underlines, "[i]n a fundamental way, therefore, the denial of human rights forms part of the very definition of what it is to be poor."[74]

To illustrate this point, take the case of a Romani family from Romania we met while working with destitute migrants. The parents were born into poverty and have lived all their lives in a small hut with one window and no electricity in an impoverished and residentially segregated neighborhood with their five children. The parents could not obtain jobs at home, so they migrated abroad to make a living collecting scrap and recycling plastic bottles. While they were abroad, they became homeless, as they could barely earn enough to send money home to their children for food. Once a year when school starts, they make an effort to buy their children clothes and school supplies. Yet, the children continue to experience the same poverty from an early age, and they also end up missing out on school and on the chance to form strong networks with their peers. The family has lived their entire life separated from gadje, including at school, where most children are poor Roma – similar to the neighborhood where they live, the school is also segregated. This cycle of poverty, injustices, and discrimination has led to their further exclusion, including in terms of housing. These experiences would not allow them to escape the cycle of poverty. It is in this sense that failing to ensure human rights and to combat discrimination (e.g., in the labor market and schools) leads to maintaining poverty for those who are part of marginalized communities, in our case the Roma.

Another example of poverty as a denial of human rights is the Romani families in the village of Jarovnice, Slovakia. More than 5,600 Roma live in a slum there, in very poor and unhealthy conditions. While 97 percent of the population there is unemployed, even the few

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[72] Sen, 'Violence, Identity and Poverty' (n 27) 15.

[73] See among others, Linda Jansen van Rensburg, "A Human Rights-Based Approach to Poverty: The South African Experience" in Nanak Kakwani and Jacques Silber (eds), *The Many Dimensions of Poverty* (Palgrave Macmillan 2013); Yamin (n 25).

[74] OHCHR, "Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies" (2017) UN Doc HR/PUB/06/12 <www.ohchr.org/Documents/Publications/PovertyStrategiesen.pdf> accessed 11 June 2020.

who have a formal job cannot imagine saving enough money to move out of the slum. One assistant teacher explained how he and his wife and children live in the same house with his wife's parents, and how difficult it is to afford moving out. In Slovakia, the Roma minority has a history of rights violations in all areas of life. As the European Roma Rights Center (ERRC) noted, Roma "endure racism in the job market, housing and education fields and are often subjected to forced evictions, vigilante intimidation, disproportionate levels of police brutality and more subtle forms of discrimination."[75]

The authorities have not yet addressed the injustices that the Romani communities have suffered over the years; this contributes to maintaining the Romani people in a situation of extreme poverty, where they cannot access jobs or education. The Jarovnice community is just one such example. Abandoned by authorities and rejected by society where they face discrimination in all aspects of public life, Romani people in Jarovnice have been robbed of their human dignity and condemned to a life of poverty. This affront to their dignity has led some of them to give up the will to fight. As the director of the local school in Jarovnice explains, he no longer feels able to create change, because he does not believe anything can be changed.

As the examples show, the poverty that affects Romani communities, with the complex history of oppression and racism, should not be measured only in terms of disposable income. Taking an approach based on human rights, we must use new tools and innovative dimensions and indicators to measure access to fundamental rights, particularly within the Roma multidimensional poverty framework suggested by Ivanov and others. To start, a Roma Multidimensional Poverty Index should add at least discrimination in education and health as an indicator, intergenerational poverty, and wealth gap.

Romani people in the EU have far less opportunities to realize their social and economic rights compared to those in the dominant population. What obstructs those rights is structural racism, every-day discrimination, and an unaddressed legacy of oppression. That the EU has the second-largest GDP in the world should inform the measurement of the "progressive realization" of Roma social and economic rights. That principle is rooted in the rationale of available resources, which are not scarce in the EU. Romani people in the EU must be guaranteed access to their fundamental rights now.

III. CANONS AND MEASUREMENTS OF RACIALIZED POVERTY

The in-power groups in the EU or dominant majorities have established most of the canons on poverty in the EU. Based on their experiences and realities, issues related to income and to individual violations of rights indeed constitute significant problems. But the experiences of racialized groups present additional challenges; if all those in the EU were to truly understand and address their opression and histories, Roma would become equal partners with non-Roma in revisiting, challengeing, and reimagining those canons. All too often policymakers, advocates, and academics discuss "Roma communities" as "integreation" or social inclusion, alluding to biased notions of what they understand as affecting Roma. But that is a trap that

[75] Patrick Strickland, "Life in Slovakia's Roma Slums: Poverty and Segregation" (*Aljazeera*, 10 May 2017) <www.aljazeera.com/indepth/features/2017/04/life-slovakia-roma-slums-poverty-segregation-170425090756677.html> accessed 11 June 2020.

narowly put the focus on the oppreesed, rather than recognizing and addressing the collective features of racialized Roma poverty. There is a clear nexus between racialized poor and segregated neighborhoods, wealth gap, and an unaddressed collective history of oppression and exploitation.

Efforts to measure Roma poverty solely through indicators related either to social and economic dimensions or to individual human rights cannot possibly encompass the collective and intergenerational facets of racialized poverty. Given the length and severity of their shared experience of destitution based on ethnic grounds, realizing the social and economic rights of the Roma will require more than evaluating only income poverty or individual human rights; it will require recognizing and implementing social justice, racial justice, reparatory justice, economic justice, and environmental justice.

Addressing Roma poverty is a matter of social and racial justice. While the multidimensional poverty and human-rights approaches focus merely on households and individual rights, Romani people have historically been, and continue to be, targeted by collective structural violence, which generates collective dimensions of racialized poverty. One example of such racial discrimination is the segregation of a large portion of Romani children in special schools based on a false and racialized diagnosis of mental disability, which has stripped them, along with other children, of educational and job opportunities and transformed them into unskilled and poor workers. The opportunities taken away from these children and their plight cannot be measured, justified, and addressed solely through the poverty lens. Roma and pro-Roma national and international organisations have advocated and used litigation as a mean of raising awareness on the issue of segregation of children in special schools. After years of work, the European Commission responded by starting infringement proceedings against the Czech Republic,[76] Slovakia,[77] and Hungary.[78] This was a consequence of the fact that those states have failed to implement the European frameworks and anti-discrimination legislation.

Living in racially segregated Romani neighborhoods is likely to result in poverty. In unpacking the influence of neighborhoods on education, David Harding et al. examine their subjects' geographical location, physical proximity, spatial mismatch, neighborhood resources, social isolation, social organization, and local incentives.[79] In this paradigm, which examines the poverty in individual neighborhoods, the researchers found that Romani students are even more underprivileged than their non-Romani peers. For instance, residential segregation, which often also involves a lack of political will and investment from the local authorities, affects 38 percent of the Roma surveyed across 11 EU member states, and 20 percent sur-

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[76] "ERRC Hopes that EU's Proceedings against the Czech Republic Sends a Strong Signal to All Member States that Discrimination Will Not Be Tolerated" (*ERRC*, 24 September 2014) <www.errc.org/press-releases/errc-hopes-that-eus-proceedings-against-the-czech-republic-sends-a-strong-signal-to-all-member-states-that-discrimination-will-not-be-tolerated>, accessed 20 June 2020.

[77] "European Commission Targets Slovakia over Roma School Discrimination" (*Open Society Foundations*, 29 April 2015) <www.opensocietyfoundations.org/press-releases/european-commission-targets-slovakia-over-roma-school-discrimination> accessed 11 June 2020.

[78] "European Commission Launches Another Infringement Proceeding" (*The Budapest Beacon*, 26 May 2016) https://budapestbeacon.com/European-commission-launches-another-infringement-proceeding/ accessed 11 June 2020.

[79] David Harding and others, "Unpacking Neighborhood Influences on Education Outcomes: Setting the Stage for Future Research" in Greg J Duncan and Richard J Murnane (eds), *Whither Opportunity? Rising Inequality, Schools, and Children's Life Chances* (Russell Sage Foundation Press 2011).

veyed live in slums or ruined houses.[80] The only educational facilities for the Roma are poorly equipped and lack laboratories or libraries. Many even have toilets outside of the school in small cement buildings that might also be used by other people; this is the case in Bulgaria.[81]

The quality of education in Roma-only educational facilities is far lower than that for the overall population.[82] Some Romani communities have no kindergartens, especially those in rural areas. This is the case for the Roma in Pata Rat, Cluj (Romania) who have been forcibly moved by local authorities to an area near the local landfill and where they have no access to kindergarten for their children.[83] Given this situation, what are the choices for a Romani child living in an impoverished racially segregated neighborhood? What can they do to maximize their chances to well-being to meet the chances of a non-Romani child who grew up in a privileged community, with access to adequate housing and quality pre-schooling?

In some cases, politicians purposefully segregate Romani neighborhoods. Sometimes, walls separate the neighborhoods from those of the majority population. Examples in Romania include Baia Mare, Tarlungeni, Brasov, Sfantu Gheorghe, Covasna, and Mehedinti. In Slovakia, Košice and Ostrovany have two of the 14 such walls around the country.[84] One in the Czech Republic is Ústí nad Labem.[85] Along with the fact that these are severe violations of human rights, the walls create many other negatives: the Romani children "behind the wall" continue to be discriminated against and dehumanized before their non-Romani peers, and their interactions are dramatically reduced. Thus, when we measure poverty through the lens of social and racial justice, other issues— residential segregation, segregated education, and institutional racism—become relevant.

The poverty of the Roma is also a matter of environmental justice. Environmental justice has been defined as "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies."[86] Environmental justice can be achieved when everyone is equally protected from environmental and health hazards and when everyone is equally involved in the decision-making process to have a healthy environment in which to live, learn, and work.[87] Environmental injustices disproportionately affect people

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[80] FRA, *Roma survey* (n 47).

[81] Jennifer Tanaka, "Parallel Worlds: Romani and Non-Romani Schools in Bulgaria" (*European Roma Rights Centre (ERRC)*, 03 October 2000) <www.errc.org/roma-rights-journal/parallel-worlds-romani-and-non-romani-schools-in-bulgaria> accessed 11 June 2020.

[82] FRA, *Roma survey* (n 47).

[83] Fotis Filippou, "Solidarity with the Roma from Miercurea Ciuc Seeking Justice Seven Years on" (*Amnesty International*, 3 August 2011) <www.amnesty.org/en/latest/campaigns/2011/08/solidarity-with-the-roma-from-miercurea-ciuc-seeking-justice-seven-years-on/> accessed 11 June 2020.

[84] Dan Bilefsky, "Walls, Real and Imagined, Surround the Roma" (*The New York Times*, 2 April 2010) <www.nytimes.com/2010/04/03/world/europe/03roma.html> accessed 11 June 2020; "Slovakia: Activists Demolish Part of Segregation Wall, Ignoring Local Romani Opinion" (*Romea*, 16 September 2014) <www.romea.cz/en/news/slovakia-activists-demolish-part-of-segregation-wall-ignoring-local-romani-opinion> accessed 11 June 2020.

[85] Adam LeBor, "Czech Cities Wall off Gypsy Ghetto" (The Independent, 27 May 1998) <www.independent.co.uk/news/czech-cities-wall-off-gypsy-ghetto-1157495.html> accessed 11 June 2020.

[86] "Environmenal Justice" (*United States Environmental Protection Agency (EPA)*) <www.epa.gov/environmentaljustice> accessed 30 September 2019.

[87] ibid.

of minority ethnic or racial backgrounds and marginalized communities.[88] Therefore, environmental injustice (such as the one related to mining, waste dumping, and pollution) becomes a matter of social inclusion, participation in decision-making, and recognition.

One case of environmental injustice involves the Romani community in Pata-Rat (Cluj-Napoca) in Romania; in 2010 the authorities forcefully evicted and then relocated 250 Romani people. To this day, they live 800 meters from a landfill and 200 meters from a former dump of pharmaceutical waste. They have no access to hot water, and connections to cold water are shared between four homes. Some dwellings have no sanitation or cooking facilities. Some households hold up to 12 people. Because transportation to the city is inadequate, people have lost jobs and children have no access to education. Meanwhile they live surrounded by health risks: exposure to toxic substances, leaks from the landfill, and constant smoke from burning waste.

A similar case of environmental injustice can be seen in Romani neighborhoods in Bulgaria, where people feel they are "treated like dogs" because they are left to live in polluted areas, without garbage collection or other communal services.[89] The Roma quarter Fakulteta in Sofia has not seen waste collection, potable water, or sanitation in 70 years.[90] However, authorities plan to build a wall[91] to separate the community from the railway and have no intention of remediating the situation of the estimated 30,000 people living in Fakulteta, most of them Roma.

Local municipalities often pair forced evictions with the relocation of Roma into toxic areas. Families, including children, are not provided with adequate shelter but are knowingly placed in inadequate conditions. This is the case in areas near landfills as in the Pata Rat case above, or in toxic areas, such as in Miercurea Ciuc, Romania.[92] In the latter, in the summer of 2004, around 100 Romani persons were forcibly evicted from the already poor buildings they were living in into containers next to the city garbage dump.[93] For almost 15 years,[94] adults and children lived in very unsanitary conditions. This was described and analyzed in many reports by Romani CRISS and Amnesty International. Authorities have continued to neglect this community and people are still living in an area where signs read "toxic danger."[95]

In another more recent example from early 2019, the mayor of Voyvodinovo village in Bulgaria came to the Romani community to announce that almost all of them had to leave

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[88] "Falling Through the Cracks" (n 9).

[89] World Bank, Consultations with the Poor, National Synthesis Report Bulgaria (May 1999) <www.participatorymethods.org/sites/participatorymethods.org/files/Bulgaria-National%20Report.pdf> accessed 11 June 2020.

[90] 'In Roma Quarter Fakulteta Waste Collection Denied. Separation Wall Proposed, Sofia, Bulgaria' (*Environmental Justice Atlas*, last updated 29 August 2019) <https://ejatlas.org/conflict/in-roma-quarter-fakulteta-waste-collection-denied-separation-wall-proposed-sofia-bulgaria> accessed 11 June 2020.

[91] ibid.

[92] Marius Wamsiedel, "Roma Access to Housing" (*Romani CRISS*, 2016) <http://drepturile-omului.info/wp-content/uploads/2015/06/Accesul-romilor-la-locuire-Romani-CRISS-2016.pdf> accessed 11 June 2020.

[93] ibid.

[94] From consultations with the organization Romani CRISS from Romania, at the time of 2018 the people were still living in the same containers.

[95] "Romania: Dumped by a Sewage Plant" (*Amnesty International*) < www.amnesty.org/download/Documents/40000/eur390032010en.pdf> accessed 11 June 2020.

their small houses that same evening.[96] The town provided no eviction notice and offered no alternative housing; people simply had no options in the sub-zero temperatures. Soon, the town began to demolish their houses. In Bulgaria, a member of the EU since 2007, 399 out of 444 housing demolitions between 2012 and 2016 involved Romani families.[97]

Thus, when measuring Roma poverty it is important to adopt the lens of environmental justice and consider the nexus between Roma housing, evictions, and pollution, toxic areas, and dump waste.

Finally, Roma poverty is also a matter of reparatory and economic justice. As Thomas Pogge emphasizes, a "morally deeply tarnished history should not be allowed to result in radical inequality."[98] In the case of Romanian Roma for example, the social and economic power of the majority population over the Roma has been established for centuries, beginning with the 500 years of exploitation of enslaved Roma[99] and continuing with continuous racism and representation of Roma as inferior in policies, arts, culture, and attitudes. Upon abolition, 250,000 Romani people gained freedom, but that freedom was not backed up by reparations for the formerly enslaved.

Instead ironically, as in other countries, compensation went to the enslavers. As a result, many generations of Romani children have been born in poverty, lacking wealth, land, assets, and rights.[100] But the Romanian Orthodox church, along with the state and the descendants of the enslavers, inherited huge wealth from the legacy of enslavement. Part of the wealth gap in Romania stems from this history of economic exploitation. Given the wealth gap between Roma and non-Roma, we argue that states must envisage monetary redress and wealth redistribution to minimize the gap, and in this way, address poverty.

Present-day state-sponsored injustices also deepen Roma poverty. In former Czechoslovakia the placement of Romani children in special schools since 1927 has also left Roma behind. In the late 1920s, hard measures were adopted against the Romani population, culminating in 1927 with the Parliament approving Law No 117, "*O potulných cikánech a jiných podobných tulácích"* ("On the fight against G*psies, vagabonds, and those unwilling to work").[101] This law established the practice of identifying Roma in the country by fingerprinting them and requiring them to fill out a special form of registration. Such measures opened the way for the continuous monitoring of Roma, with frequent arrests that often included confiscating their properties.

Paragraph 12 of Law 117/1927 made it very easy to separate Romani children from their families. Since they could not be placed with foster families and the regular institutions refused to accept them, the only solution imposed by the government was to create special institutions for the Romani children. The practice of placing Romani children in segregated

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[96] "Forced Evictions, Discrimination Continue to Afflict Bulgaria's Roma" (*VOA*, 13 February 2019) <www.voanews.com/europe/forced-evictions-discrimination-continue-afflict-bulgarias-roma> accessed 11 June 2020.

[97] ibid.

[98] Thomas Pogge, *World Poverty and Human Rights* (2nd edn, Polity 2008) 209.

[99] Viorel Achim, *The Roma in Romanian History* (CEU Press 2004).

[100] Margareta Matache and Jacqueline Bhabha, "Roma Slavery: The Case for Reparations" (*Foreign Policy in Focus*, 22 April 2016) <https://fpif.org/roma-slavery-case-reparations/> accessed 11 June 2020.

[101] Victoria Schmidt, "Eugenics and Special Education in the Czech Lands During the Interwar Period: The Beginning of Segregation against Disabled and Roma" (2016) 14 *Social Work & Society* 1.

special schools/institutions has taken place ever since 1927; Law 117 was the beginning of this phenomenon. Since then, generation after generation of children have not benefited from equal opportunities in education and chances for higher education. Today, in the Czech Republic and Slovakia a very high proportion of young Roma between ages 16 and 24 are categorized as NEET (Not in Employment, Education, or Training). The figures for 2016 are, respectively, 51 percent, compared to seven percent for the general population, and 65 percent and 12 percent.[102]

Thus, this Law secured the privilege and wealth of the majority population. To address this wrongdoing, which als takes the form of racialized poverty, will require reparations, including compensation, but also acknowledgment, truth telling, accountability of the offenders, apologies, and guarantees of non-repetition. To address the wealth gap between Roma and non-Roma, which we can measure, requires monetary redress.

And thus, to address poverty through the lens of justice, we see that systematic economic inequality and injustice require reparations. Conceptualizing poverty in a justice framework requires reckoning, redress, and repair, much more than simply welfare. It also requires a shift in the canons we use to understand, measure, and address poverty, inequality, and the history of oppression and racist policy measures.

IV. CONCLUSION

Genuine democracies are based on values, laws, and practices encompassing human rights and justice. Yet in most EU countries, in spite of existing policies and measures to overcome the inequality of income, wealth, or status, Romani populations continue to have unjustly limited access to social and economic rights. Many factors—including structural racism, every-day discrimination, the accumulated social and economic power and privilege of the non-Roma, and the unrepaired historical oppression of the Roma—have generated, deepened, and maintained the huge structural inequalities between the European Union's Romani and non-Romani populations.

Poverty—or rather structural inequalities and injustice in access to education, labor market, health care, environment, housing, wealth, wages, and income—is deepened by the social and economic contexts in which Roma live today, including poor, racially segregated neighborhoods, and environmentally toxic areas.

Public discourse and policymaking must be built on the concept of justice if they are to work towards dismantling racialized poverty. Many policy actions have failed and the solutions have been drawn through the eye and the norms of the gadje. We need to have the courage to imagine justice focused solutions with the Roma. Universal basic income, just wages and economic justice, healthy environments and environmental justice, racial and reparatory justice, and reparations to address the wealth gap and economic and cultural exploitation—may better address poverty, racial injustice, and structural inequalities.

Academics and policymakers need new, interdisciplinary, courageous ways to think and act on poverty. The various axes of power and racism (ideological, institutional, or interpersonal) as well as racialized poverty, intergenerational wealth, and impoverished neighborhoods, con-

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[102] FRA, *Fundamental Rights Report 2018* (n 46).

stitute fundamental elements in the research and policy poverty agendas that affect the Roma. Thus, what is most needed is a focus on developing a vocabulary, concepts, measurement, and a practice of justice for the Roma. That practice must include social justice, racial justice, reparatory and redistributive justice, economic justice, and environmental justice.