

by Alexandra Oprea¹

When I was approached to write about "child marriage and other abusive traditional practices," the hairs on the back of my neck stood on end. Whenever I am confronted with the issue of child marriage described via the language of culture/tradition, my defenses rise. Reflecting on this reaction, I realise that it is not that I approve of child marriage by any stretch of the imagination. Especially when voiced by a white European, I construe the culturally-phrased critique as an attack; after all, if they were so concerned about our welfare, they would not have undertaken centuries of oppression against us.

Revisiting these thoughts, I am able to pin-point the source of the discomfort: an insinuation of primitiveness. Code words such as "culture" and "tradition," when used to explain dysfunctional behavior, bring to the fore the "us" versus "them", "superior" versus "inferior" dichotomy. In child marriage discourses, the culture of the "other", in this case Roma, is portrayed as deficient- a manifestation of their degenerate nature.

On an international scale, seldom has this phenomenon been more pronounced (with regard to Roma) than in the media coverage surrounding the arranged marriage of Ana Maria Cioba, a 12-year-old Romanian Romani girl. News reports and the ensuing political discourse constructed Romani child marriage as a byproduct and defining characteristic of a homogenous and backward Gypsy culture, which was contrasted against progressive Western/white culture.² By implicating Romani culture as responsible for child marriages (a wrong) and positioning it against Romanian and European Union law (a right), the media constructed a dichotomy consisting of "primitive" Romani culture, on the one hand, and progressive, feminist, Romanian/Western/white culture on the other.

Romani rights organisations in Romania, such as Romani CRISS, embraced the view that child marriage is a centuries-old tradition;³ aiming to shield the already beleaguered community from depictions insinuating Gypsy savageness. The media portrayed the defense of the marriage by a few Romani non-profit organisations and Ms Cioba's family as the official stance of Roma, effectively homogenising Romani reactions to the practice. This constructed the sanctioning of child marriages- the antithesis of feminism- as the centerpiece of "authentic" Romani identity. Non-Romani politicians from Romania and the European Union were positioned on the other end of the spectrum, objecting to the practice. In contrast to the authentic Romani support for barbaric practices, white politicians represented the civilised, non-sexist West striving to bring this backward minority into the modern age.

The child marriage debate was formulated by ignoring signs of Romani resistance to the practice, thereby portraying feminism as the brainchild of the West/whites. No Romani feminists were interviewed by the media to express their position on the issue. Child marriage was portrayed as a black-and-white example of a (backward) practice consented to by Roma. Such a perversion of reality could only have been accomplished by erasing any sign of internal resistance on the part of Roma- a topic I will turn to shortly. Furthermore, in lieu of the racist depictions of Romani culture as deficient, Romani women who would have normally objected to the practice were placed between a rock and a hard place.⁴ They were prompted to condone juvenile marriages, reinforcing the discursive chasm between feminist ideals and Romani identity.

The debate was framed in the seemingly-benign terms of preserving tradition versus compliance

with the laws of the state.⁵ To this end, Anna Diamantopoulou, EU Employment and Social Affairs Commissioner, said,

... But there will be changes too if Roma ideals and principles are to develop hand-in-hand with European - indeed global - concepts of fundamental human rights...When fundamental human rights and certain past traditions collide...it is the traditions that must adapt and the human principles that must prevail."⁶

The implication is that the state's laws embody human rights standards and that Romani culture does not. This construction, placing European countries on such a high moral pedestal, is problematic for several reasons.

One of the first assertions that merits scrutiny is the culpability of "Romani culture" in the practice of child marriages. The underlying assumption is that Romani culture exists in isolation from the larger society in which it is situated. However, cultures do not exist in a vacuum: they undergo constant change and are in perpetual dialogue with the state.⁷ Without an analysis of both the historic and present economic, social and political factors that impact Romani women's lives, an analysis of child marriages is incomplete. Valeriu Nicolae explains how the legacy of slavery factors into the practice of premature marriage,

During the 500 years in which Roma were enslaved in Romania, young Roma girls were frequently raped by their owners or the sons of their owners. After this, the girls and the 'half-breed' children they often bore were rejected by both the Roma and the non-Roma communities. The Roma found that marrying their daughters off while they were still very young was a good solution, as once married and no longer virgins, the girls were no longer 'clean' enough to rape. In fact, the same tradition of child marriage was practiced in the past in very poor Romanian villages, where the young girls were also targets for rape by the estate owners.⁸

Furthermore, the state has a stake in attributing premature marriages to an essentialist notion of culture and divorcing such practices from the larger social landscape in which they occur. Such an approach strategically serves to absolve the state from the guilt entailed in neglecting to take preventative measures. Case in point: the BBC reported that "The [Ana Maria Cioaba] case prompted EU Social affairs Commissioner Anna Diamantopoulou to tell Roma people not to plead for help in fighting discrimination while abusing the rights of their own people."⁹ Characterising such oppressive practices as purely cultural not only serves to justify the state's failure to intervene to correct a problem it helped effectuate, but it also bestows upon the state a carte blanche in terms of its treatment of Roma. Delineating juvenile marriage as an internal, Roma-on-Roma offense, and conceptualising it as disconnected from state-sponsored inequities excuses the state's disengagement with the matter.

As noted in Ms Diamantopoulou's troubling statement, construing early marriage as a quintessential example of unalloyed cultural/internal oppression facilitates the inhumane assertion that "they" do not deserve "help in fighting [external] discrimination." Such an air of moral uprightness is predicated upon the state not only ignoring its role as a catalyst deeply implicated in the "internal" problems of minorities, but also ignoring its own patriarchal shortcomings. After all, it is not only Roma that "abuse the rights of their own people" - mainstream European societies also maintain a hierarchy which cultivates power differentials between men and women, heterosexuals and homosexuals, and the able-bodied and disabled, to name a few, but would anyone make the argument that because they do so, they deserve to, let's say, be invaded and ruled by a tyrannical outside government?



By no means is this to imply that racism is solely to blame for oppressive practices or that Romani communities are free from patriarchy. My platform is that because Romani women, who lie at the intersection¹⁰ of race, class and gender, suffer from multiple burdens, premature marriages cannot be addressed without considering the interplay between patriarchy, racism and economic stratification. The crux of my argument is that child marriage is a product of several factors operating together: gender roles

within Romani communities, past and present state-sanctioned sexism and racism, and socio-economic instability.

Before continuing, it is imperative to note that arranged child marriages vary with the community in question: in Romania, arranged marriages are most common in Kalderash Romani communities, whereas they are seldom practiced by Cashtale Roma. Apart from comprehending that only some Roma arrange the marriages of their children, it is also important to differentiate between arranged marriages and child marriages; not all arranged marriages involve underage actors. There are many variations of arranged marriages, aside from the textbook cases of parents arranging the marriages of their unsuspecting children, who meet for the first time on their wedding day.

Children are often given varying powers to consent to their parents' choice of a mate, with males having significantly more power to reject proposed mates than females. There are also instances where parents do not initiate, but rather allow marriages to take place because "the kids like each other" or they have "eloped".¹¹ In cases of elopement, which often occurs when parents refuse to accept their child's choice of a mate, parents are subsequently forced to accept the couple as married because the girl is no longer a virgin and her prospects for marriage are severely diminished.¹² In this way, the children are able to exercise some level of authority.

There are also instances where the parents of the girl do not approve of a proposed marriage and the groom kidnaps¹³ the would-be bride in the hope that the family of the now deflowered girl will acquiesce to her becoming his bride. This speaks to the importance accorded to the woman's virginity.

Indeed, one of the underlying rationales behind a family's arrangement of a child marriage is preservation of the girl's virginity and, by extension, the family's honour. Often, when a Romani girl is thought to be involved in prohibited activities (i.e., fraternising with boys), or if her body has developed rather quickly for her age, the parents' reaction may be to marry her off.¹⁴ However, these decisions always take place within a larger context where educational and employment opportunities are lacking for both parents and children. Parents' educational level correlates with when and whether they choose to arrange their daughters' marriages.¹⁵

Many point to the decision of some Romani parents to withdraw their daughters from school for fear that they will become sexually active. This is not only a result of patriarchy, but of structural inequalities experienced by parents which have deprived them of education. Economic concerns also figure into this debate. Patriarchy's fusion with poverty sometimes leads parents to remove their female children from school to care for siblings or to supplement the family's income. For many Roma living below the poverty line, sending children to school becomes a luxury, as opposed to a

right.

"Cultural" explanations for child marriages and school drop-out rates do not suffice. Even in cases where poverty is not an issue - as in the case of some middle-class Roma's refusal to send their children to school¹⁶ - we must also keep in mind that educational institutions are aimed at assimilating minorities. They constitute the backbone of the state's socialisation project. Educational institutions are not neutral. As elaborated by the term/s, institutionalised/ unintentional racism, institutions reflect the values, practices and preferences of the status quo. Accordingly, some members of minority groups, in an effort to preserve their distinct identity, object to sending their children to mainstream schools. This is not unique to Roma. (The establishment of Muslim, Jewish and Korean schools in the United States comes to mind.) What is unique is the lack of a stable economic base in the Romani community resulting from present marginalisation, the legacy of slavery, genocide and statelessness (or rather the obsession with attributing one identity per territory). From Romania's segregation of Romani children in schools for the mentally handicapped, to the erasure of Roma from Romanian history books, the state's message has been clear. These factors have affected child marriage practices directly as well as indirectly by limiting opportunities for Romani women while simultaneously making marriage seem like a sensible alternative to their parents (who are also education-deprived).

To address the root causes of child marriage, it is important to be aware both of the permeability and incongruent nature of culture, of Romani patriarchy's interaction with racism and poverty, as well as of the existence of Romani feminist resistance. Acknowledgement of resistance within Romani communities is crucial to dismantling the theory that feminism is an ideal borrowed from the West/whites. Coming to terms with this is a monumental step toward diffusing critiques of inauthenticity and "white-washing" leveled at Romani and other feminists of colour. The realisation that feminist dissent is not evidential of the erosion of Romani identity, but rather a natural outgrowth of it, is essential.

I present some anecdotal evidence to illustrate the existence of home-grown Romani feminist counteractions. I have witnessed my own Romani girlfriends rebel against authoritarian parents by refusing to marry the selected spouse and otherwise attempt to outsmart the system using its own rules. Several friends planned their escape by acquiescing to marrying the partner of their parents' choice only to separate within a couple of months or a year, after which, as non-virgins, they face less restrictions.

There are many different types of resistance. It does not always come in the extreme cookie-cutter "desert the community, never to return again" package, though some Romani women also "choose" this path. Obviously, these choices have to be looked at critically in their contexts and cannot be considered complete victories. The outcome can hardly be considered a triumph when one is forced to choose between disassociating herself from the people she loves (to face a racist and sexist world alone) and succumbing to virginity tests and early marriage. My point is to illustrate that Romani women are not passive ciphers. Whether by disassociating from community and family or by defiant participation, Romani women are actively resisting their subordination.

Some young men also refuse to let family members dictate their marriage choices. One male in particular, whose parents were married during their teens, has been actively resisting his parents' attempts to arrange his marriage. As a result of seeing his mother endure immeasurable suffering at the hands of his father - a consequence he attributes to his parents' incompatibility in lieu of marrying at such a young age - he rebuffs his family's match-making efforts. When shown pictures of potential mates, his phrase of choice is, "What am I, shopping for a car?" He is perceived as an anomaly for being a twenty-eight-year old bachelor; sometimes he is even taunted as being gay. I should also mention here that I am often asked by fellow community members if I am a lesbian. Their logic is that since I am attractive and there appears to be nothing wrong with me, being twenty-four years old and unmarried must mean that I am gay.

Dismissing signs of resistance and promoting the cultural impermeability myth serves to accentuate cleavages between Roma and gadje (non-Roma). Virginity tests and child marriages are both subject to reactive culturalism¹⁷ - the rigidification of certain minority practices as a result of inhabiting a hostile, racist environment. They serve to distinguish the two groups based on morality. In a type of feedback loop, these practices both reinforce and are reinforced by the existing dichotomy. With the gadje dominating the public sphere, Roma lay claim to the private sphere by controlling women's sexuality. Women bear the brunt of this war for dignity and distinction, national empowerment and cohesiveness. The rigidification of virginity tests and child marriage constructs (from the point-of-view of Romani patriarchy) the Romani woman as modest, pious, virtuous, faithful, and chaste while the gadji is depicted as licentious, promiscuous and morally-defunct. It is so ingrained as to have homage paid to it in the following song by the Romanian Romani singer Sorin Necunoscutul:

What have you to say? You're beautiful
 With lips and face made-up
 But to what use when all of your lives you've been whores?
 As black as I am, I love my husband
 Cause I'm black and ugly
 And my husband never listens to me¹⁸

Here, the obedient, ugly and modest Romani wife is placed in opposition to the promiscuous, beautiful and adorned gadji.

This dichotomy plays out on women's psyches as well as their bodies. Romani women are expected to cover their legs, arms and in some instances, their hair. Coiffed hair and painted faces¹⁹ (unless attending a wedding or baptism) are considered faux pas. Those not in compliance are censured for looking like gadjia and prostitutes. These delineations are facilitated by and facilitate philandering in some Kalderash communities, where the virtuous Romani wife is relegated to the private sphere, while the sexually-enticing gadji frequents public places, there for the Romani man's taking. Romnia are dehumanised and emasculated in this scenario, as they are frequently expected to physically fight off their husbands' mistresses.

Thus far we have examined the mutability of culture and its interaction with the state, as well as Romani women's subjection and resistance to oppressive practices. We have focused on the consequences associated with ignoring the implication of racism in practices perfunctorily attributed to a sexist culture. We must now analyse its counterpart: the repercussions of turning a blind eye to the role of patriarchy in oppression. An analysis of The Decade of Roma Inclusion ("the Decade" from hereon) will demonstrate the pitfalls of this approach.

The Decade is an initiative aimed at improving the economic status and social inclusion of Roma²⁰ through the establishment of specific benchmarks and National Action Plans (NAPs) for each country - Romania, Croatia, Montenegro, Serbia, Bulgaria, Hungary, Slovakia and the Czech Republic. Within each NAP, the following priority areas are targeted: education, employment, health and housing inequality. The rhetoric of the Decade's Concept Note centers on equalising the distribution of resources between Roma and non-Roma - a manifestation of the erroneous conclusion that racism is the only barrier to Romani empowerment. It is also what the Concept Note does not mention that is disturbing.

The Concept Note fails to mention addressing gender stratification within Romani communities as a priority area,²¹ opting instead to center on the elimination of racial barriers, treating Roma as a monolithic group. What is missing is both a multi-dimensional analysis of issues affecting both men and women, including education, health, employment, housing and an acknowledgment of oppression specific to Romani women, such as premature marriage, virginity tests, domestic

violence, prostitution and access to birth control. Failing to address issues such as education through an intersectional framework by ignoring patriarchy has resulted in malformed NAPs.

The underlying deficiency in the infrastructure of the Decade and, consequently, the NAPs is that gender is not addressed as a separate category nor incorporated throughout the priority areas. Hence, deeply rooted patriarchal practices such as child marriage and virginity tests are not addressed. The NAPs formulate futile plans aimed at improving education for Roma without thoroughly confronting the role played by child marriage. Some NAPs, such as those of Serbia²² and Slovakia²³, pay lip service to supporting the education of girls by briefly listing it as an objective, but fail to adopt a holistic approach to targeting patriarchy within the respective communities. Hungary devotes one page of its 6-page NAP to "Increasing Social Opportunities for Roma Women"²⁴ without paying attention to how gender shapes Romani women's ability to access education and employment. Without mentioning strategies specific to Romani girls in the "goals" or "target" or "indicator" columns, Romania lists "comparison between the participation of boys and girls"²⁵ under the separate category, "Links with Cross-Cutting Themes." Montenegro's NAP also contains a cross-cutting theme column with the ingenious footnote: "measures against discrimination and poverty, and in favor of gender equality," without fleshing out these measures.

The NAPs of Montenegro²⁶ and Croatia²⁷ are the only ones that mention the marriage of minors as a barrier to education. However, they shy away from addressing patriarchy or virginity tests, both of which are intertwined with the issue of child marriage. In addition, though Montenegro and Croatia mention child marriage as an obstacle to education, they also counter-intuitively design plans aimed at preserving cultural traditions²⁸ (as do Serbia, Romania and Bulgaria).

Devising plans to reinforce cultural patterns is problematic in light of common perceptions of child marriage and virginity tests as cultural traditions. I am not saying that Romani culture should not be valued; rather, my point is that in light of the tendency to view patriarchal practices as an unquestionable part of culture, it is dangerous to aim at preserving culture without providing a caveat distinguishing between oppressive and non-oppressive practices. For example, when countries propose that Romani culture be taught in classrooms, the question remains whether children will be learning of virginity tests and child marriage without learning about resistance and the Romani Women's movement. The Decade of Roma Inclusion's portrayal of racism as the lone culprit in perpetuating educational inequities speaks volumes about who is to be included during this Decade.

In instances where the majority perceives oppressive practices as attributable to a primitive culture, the role played by racism is ignored and minority culture is demonised and rendered synonymous with sexism/patriarchy. In cases where the ill seems attributable only to racism, internal patriarchy is ignored because it is equated with culture, a facet that the guilt-ridden majority does not want to critique for fear of appearing racist. Because the political landscape in Europe is tainted with anti-Romani racism, efforts to elucidate the problem of juvenile marriage, as presently articulated, reinforce negative stereotypes of Roma and hinder Romani feminist resistance. In order to facilitate the remedying of such ills, it is important to deconstruct current portrayals of oppressive practices by differentiating between culture and patriarchy and showing ways in which the state influences such practices. Alternately, in cases involving mainstream race discrimination issues, such as access to education, it is important to take a multi-dimensional approach that looks beyond racism. In an effort to remedy marginalization, we must proceed from an intersectional framework where race, class and gender are acknowledged as factors that temper access and infiltrate both mainstream institutions and minority practices.

Endnotes:

1. Alexandra Oprea received her B.A. in Political Science from Vassar College and for the past three years has

been providing outreach to Romani immigrants in the New York City area. She has authored articles on various aspects of multiple oppression faced by Romani women which have been published in the Open Society Institute's EU Monitoring and Advocacy Program online journal, the Essex Human Rights Review and the European Journal of Women's Studies. She will be attending the School of International and Public Affairs at Columbia University in September of 2005, where she will pursue a Master's in International Affairs with a focus on human rights.

2. I discuss media bias, Romania's supposed monopoly on feminist ideals and the myth of a homogenous 'primitive' Romani culture in Oprea, Alexandra (2005) 'The Arranged Marriage of Ana Maria Cioaba, Intra-Community Oppression and Romani Feminist Ideals: Transcending the 'Primitive Culture' Argument,' European Journal of Women's Studies. (forthcoming).
3. 'Nunta Tiganiolor, Scandal Mondial', 2 October; at: http://www.evenimentulzilei.ro/topstory/?news_id=133075.
4. For example, Ana Maria Cioaba's aunt, Luminita Cioaba, who had originally criticised the marriage, defended it in the press saying, 'You've made us look like barbarians, criminals, rapists' We have our unwritten laws that no one is allowed to challenge.' ('Nunta Tiganiolor, Scandal Mondial', 2 October; at: http://www.evenimentulzilei.ro/topstory/?news_id=133075).
5. In Romania, a girl cannot marry until she is sixteen years-old.
6. World Bank Roma Conference speech (2003).
7. Volpp, Leti (2001). 'Feminism Versus Multiculturalism,' 101 Col. L. Rev 1181, June; available at <http://www.westlaw.com>.
8. Nicolae, Valeriu. 'A Problem Brewing: Media Coverage of Roma in Romania'; available at: <http://www.media-diversity.org>.
9. BBC News, 'Gypsy Child Couple Separated,' 2 October 2003; available at: <http://news.bbc.co.uk/2/hi/europe/3159818.stm>.
10. Intersectionality is explained in Crenshaw, Kimberlé Williams (1995). 'Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color,' pp. 357-83 in K.W. Crenshaw (ed.). Critical Race Theory: The Key Writings that Formed the Movement. New York: The New Press.
11. This usually means that the children have had intercourse.
12. If the girl's parents were reluctant to accept the union, they are more likely to do so now in light of her less desirable status. The boy's parents are also under renewed pressure to accept the couple, or else risk being sued in the community court (the kris).
13. The phrase used to describe this in Romanes is 'nashadea la,' which means that the boy/man has kidnapped the girl/woman and raped her.
14. It's also seen as a cure-all for boys who may be 'turning into hoodlums,' (dropping out of school, or lacking employment) but is not meant to control their sexuality in the same way that it is for girls.
15. This sentiment was echoed in the context of whites in Russia in Wang, Hongbo (2004), 'Impact of Family Background Upon the Timing of First Marriage in Contemporary China and Russia' available at <http://www.ccpr.ucla.edu/docs/Hewlett%20paper-Wang.pdf>.
16. I have noticed this in the United States American Romani community.
17. Shachar, Ayelet (2001). Multiple Jurisdictions: Cultural Differences and Women's Rights. Cambridge: Cambridge University Press.
18. Song by Sorin Necunoscutul on cassette titled 'Stau Singur Si-Mi Beau Paharul,' Romania, Voxstar 2000. Lyrics in Romanian: 'Ce spuneti sunteti frumoase, si machiate si rujate dar ce folos ca in viata ati fost doame bagaboante. Asa neagra cum sunt eu, imi iubesc barbatul meu. Ca sunt neagra si urita si barbatul nu ma asculta.'
19. It should also be noted that wearing cosmetics and primping your hair also became associated with gadjia because Romani women often lacked the means to pay for such services.
20. 'The Decade of Roma Inclusion: Concept Note' available at: <http://www.worldbank.org>.
21. The closest it comes to discussing gender inequality is referencing the need to connect the Decade's initiatives to the Millennium Development Goals, goal three of which entails promoting gender equality.
22. 'Common Action Plan for Advancement of Roma Education in Serbia (JAP),' p. 7, available at: <http://www.romadecade.org/en/download/AP/serbia.zip>.
23. 'National Action Plan of the Slovak Republic Regarding the Decade of Roma Inclusion 2005-2015,' p. 5, available at: <http://www.romadecade.org/en/download/AP/slovakian.pdf>.
24. 'Decade Action Plan of the Republic of Hungary,' p. 5, available at: <http://www.romadecade.org/en/download/AP/hungarian.pdf>.
25. 'Government of Romania Action Plan,' pp.1-3, available at:

<http://www.romadecade.org/en/download/AP/romania.pdf>.

26. ?National Action Plan for ?Decade of Roma Inclusion 2005-2015? in the Republic of Montenegro? available at: <http://www.romadecade.org/en/download/AP/montenegro.zip>.
27. ?Draft of Roma Decade Action Plan 2005-2015, ? <http://www.romadecade.org/en/download/AP/croatian.pdf>.
28. Preserving culture is mentioned in the NAP of Montenegro sections, 2.42-2.6.2; the NAP of Croatia, p. 13; the NAP of Serbia, pp. 16-17; the NAP of Romania, p. 4; and the NAP of Bulgaria, pp. 27-29.