

Mircea George GHERASIM
University of Bucharest,
Faculty of Sociology and Social Assistance

THE ETHNIC REPRESENTATION IN THE COLLECTIVE MENTALITY – ROMA ISSUES

Theoretical
articles

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Abstract

The ethnic reputation has multiple consequences for the rule of law, security, stability and justice, and the arguments proposed under this article shall take into account some basic elements such as: the significance of labeling an ethnic group as being tilted towards "crime"; the complexity of the relationships that are established among marginalized groups; the legitimacy of the administrative measures and the reciprocity of the actions performed by each of the members of these groups. We will try to show that the labeling of various ethnic groups is not an independent phenomenon; it is related to several elements, factors and processes mutually influencing their developments, by their complexity, and generating multiple consequences in different areas of the private or public life of a community.

1. Introduction

Being different in a group comes at the cost of a label. The costs of having the distinct characteristics of the group are many and range from social marginalization and stigmatization (Moscovici & Markova, 1998) to criminalization and even extermination. Those who are "different" bear a greater proportion of social disadvantage and receive a smaller share of social benefits. It is, therefore, not surprising that they are motivated to change this unfavorable gain matrix, committing acts incriminated both criminally (Mitra M. 2015) and socially (Mitra, M., 2003, p. 78). In order to combat this "rod", it is necessary to understand the effects that the ethnicity has in relation to the presented phenomenon.

Critics argue that the way in which minorities are represented in the media, in general, tends to demonize the groups of other racial and ethnic origin and to identify them as "foreign" or as "external threats". The negative impact that these images of ethnic criminality may have on minority communities is evident in public opinion polls. A survey in France, for example, found that nearly half (45 percent) of all respondents believe that there is a strong relationship between ethnicity and crime. Of the respondents who hold this view, two thirds believe that the immigrants of Roma origin or the African Americans are responsible for most crimes (Henry B., Caspi A., Moffitt T. E., *et al* (1996), pp. 614 -623).

In 2007, following a highly publicized murder involving an Italian woman and a Roma abuser, the media began to make a direct link between immigration and crime violence. A popular columnist, for example, wrote that "our culture is not used to this kind of savagery" and that "this type of crime is the direct result of choosing too many lower quality immigrants". Another reporter claimed that "Italians are tired of these guys coming from outside their country, where they beat and kill them" (Momigliano, A. 2010).

Similar public statements regarding the relationship between immigration and crime have occurred throughout history in Europe, USA, Australia, and other regions receiving migrants frequently.

2. Considerations on the issue of crime among immigrant populations

The hypothesis that immigration causes crime is challenged by recent studies. For example, the renowned sociologist Robert Sampson argued that the drop in crime that began in the United States in the early 1990s can be partly explained by increased immigration. A particularly striking finding is that immigrants are even less likely to engage in criminal activities when they live in neighborhoods that are greater populated by other immigrants (Sampson, R. J., pp. 31;47-82). In other words, regardless of which

are the factors that lead to a reduction in crime among the newly arrived immigrants, they are more important in neighborhoods with a high concentration of immigrants. However, there is also evidence that, although the first generation of immigrants has the ability to adapt to criminal behavior and substance abuse, this flexibility may deteriorate with the time spent in the destination country. However, recent studies indicate that "second generation" immigrant populations do not have higher levels of crime than those residing in their host country for several generations (MacDonald J. M., Hipp J. R., Gill C., 2012).

In any society, crime manifests itself differently, depending on the factors that generate it. It has evolved, gaining more and more diversified forms. The classification of crime is very important because, according to these types, we can implement various measures in order to counter it. The reduction of crime requires a thorough knowledge of what we call the genesis of crime. In order to remove the effect, we must annihilate the cause (Marin, Marilena, 2014).

Roma crime involves arguments focused on political differences, moral attitudes, involving the legal criminalization of the conduct in order to argue their point of view. In order to understand the concept of crime in the population of Roma origin, we must understand the following contradiction: there is no consensus in identifying a negative behavior in order to make value judgments about a possible qualification of individuals as deviant or to expand certain conditions favoring the emergence of crime. At the intersection of these dilemmas, there are those who claim that they can determine the notion of deviance when faced to it. Similarly, as industrialization and urbanization have increased globally, the population became more sensitive about these phenomena, which is also boosted by the influence of the media (Comaneci, C. F., 2011).

3. The Roma ethnicity and crime

The ethnic origin or the ethnicity is generally used in criminology as a variable to explain the differences between crime rates and types of crimes. In several descriptive studies of criminology, the national or ethnic origins are added to give a picturesque aspect to the variation existing within the underworld. The critical criminology believes that we can thus fall into a trap of ethnic mobility: instead of studying the structures that provide opportunities for crime, criminologists act as if ethnicity is an independent force influencing the pattern of crime. In essence, the criticism is fully justified, because ethnic stereotypes are favorable to crime, because it reaches a vicious circle based on deprivation, marginalization and denial of access to legal resources of cohesion around one common element (ethnicity) (Mitra Radu, M., Mititelu, C., 2013, pp. 84-96). Arising as a

result of globalization and multiculturalism, the minorities excluded and humiliated by social distance take over the role of representatives of a whole community for whose survival they battle. Criminologists often use culture and ethnicity to explain crime, and, *lato sensu*, the deviant phenomena. In defining the perception of crime in the Roma community, we will first try to draw attention to an important problem that we must have in mind, i.e. the relativity of a behavior considered criminal.

The representations of crime varied according to time, place and conduct. The examination and label of the conduct in the context of different cultures can significantly illustrate the importance of various cultures around the world. From this point of view, criminology is invariably multicultural. The criterion of the social reaction believes that deviance depends on the point of view of the public which defines it and which uses different definitions in characterizing an act as deviant or normal (Kitsuse, J. I, 1962).

Regarding crime, it is important to mention that it appeared – as a social phenomenon – together with the archaic structure of the first human communities. Earlier to this essential historical fact, we cannot prove the existence of crime, because "where there is no morality and norms, there is no crime" (Nistoreanu, G., P un, C., 2000).

The first defining feature of Emile Durkheim's theory is the view that crime is a normal social phenomenon that inevitably occurs in all societies. The inevitability of crime is due to the heterogeneity of the human condition. Since there cannot be a society where individuals do not deviate more or less from the collective type, some of those deviations inevitably present criminal features (Durkheim, E., 1974).

From this theoretical position, it results that crime is not caused by exceptional reasons but, primarily, by the socio-cultural structure to which it belongs. On the other hand, crime must be understood and analyzed not by itself but in close connection with a culture fixed in time and space (Pinatel, J., 1976, p.65; Gassin, R., 1990, p.163).

Crime, says Durkheim, is a public health factor, distinguishing between good and evil and drawing attention to the precarious social conditions of a nation (Amza, T., Amza, C. P., 2008, p. 167).

Although crime has been studied scientifically only relatively recently (in the last two or three centuries), a wide range of sources located across the temporal arc of human evolution reveals the interest in this phenomenon. As a legal phenomenon, it describes all human behaviors considered as crimes, incriminated and punished, as such, under certain conditions, under the rule of law.

Crime, "as any social phenomenon", is a system with its own properties and functions. In criminological terms, we are interested in the projection of the

phenomenon crime on a material, human, social and legal plan.

The transition period is that period required for the adaptation of the society, due to the transition from one stage to another, from one political system to another.

It is admitted that the society responds to change just like a body, that needs an adjustment period, and the transition does not occur only in the economic, legal and political fields but also in the social, moral and psychological ones.

Regarding the issue of the crimes committed by the Roma ethnics in our country and in countries where they migrate, it is revealed that, although there are no official statistics, the impression conveyed by the Romanian officials about the Roma in prisons is that the latter are overrepresented among the convicted prisoners. In the cells for the prisoners serving sentences for repeated offenses, more than 90% of inmates are Roma. While the public opinion claims that the Roma are overrepresented in the prisons in Romania, because they are criminals, the interviews with detainees indicate that two other factors play an important role in sending a large number of Roma in prison. First, the Roma are condemned several times because the Romanian judicial system tends to apply tougher sentences for recidivist offenders (Mitra Radu, M., 2014), even if the offense is relatively minor in social terms. Secondly, there are allegations of discriminatory tendencies in the Romanian criminal justice system. This means that the Roma are convicted and applied longer periods in prison; they accede harder to the benefits of conditional release because they are Roma (Mitra, M., 2007, pp. 32-45).

Based on the increasing phenomenon of crime and criminality among Roma, especially in the post-December period, it is very important to know the specific criminogenic factors, because only then can we talk about effective preventive activities in order to reduce or eradicate the socio-economic and cultural, educational and psychological factors triggering concrete crimes and their harmful consequences.

Thus, it is considered that the most important criminological exogenous and endogenous factors that determine, favor or facilitate crime among Roma are poverty and promiscuity, unsanitary conditions and insufficient nutrition, alcoholism and human degradation, difficult access to qualitative education, to health care and to other social services, the lack of employment under legal work conditions and lack of decent incomes, poor access to housing and public utilities such as water and electricity, confinement in the traditional ways of life and resistance to change, cultural differences, different types of values, language differences, their different life style from that of the majority population, and self-isolation, segregation, feelings of inferiority, discrimination, exclusion and social stigmatization.

All these factors and the decrease in social control have made the Roma ethnic group to behave like a closed group and aggressively, which led to an explosion of crime among them, which tends to become more organized, worse and more violent.

4. Conclusion

At the end of this study, we show that deviance takes many forms, and the literature is ambiguous regarding which of the behaviors qualifies as a deviant act. This ambiguity is evident when some people approve a behavior seen by others as reprehensible. This case finds its applicability in our situation, where the Roma community is apparently governed by other rules of social conduct, which hinders, on the one hand, their integration into the active structure of the population and, on the other hand, encourages the perpetuation of the same mentality about the members of this group.

5. References

- [1] Amza, Tudor, Amza, C. Petronel, *Criminologie, Tratat de teorie și politică criminologică*, Ed. Lumina Lex, București, 2008
- [2] Comaneci, C. F., *Imaginea imigrantilor români în presa internațională: mit sau realitate?*, *Sfera Politicii*, 2011, 19(12).
- [3] Durkheim, Emile, *Regulile metodei sociologice*, Ediție științifică, București, 1974
- [4] Henry, B., Caspi, A., Moffitt, T. E., et al (1996), *Temperamental and familial predictors of violent and non-violent criminal convictions: from age 3 to age 18. Development Psychopathology*, 32
- [5] Kitsuse, J. I., *Societal Reaction to Deviant Behavior. Problems of Theory and Method*, in "Social Problems". no. 9, 1962
- [6] MacDonald, J. M., Hipp, J. R., Gill, C., *The Effects of Immigrant Concentration on Changes in Neighborhood Crime Rates*, Springer Science+Business Media, LLC 2012
- [7] Marin, Marilena, *Human Rights Between Abuse And Non-Discrimination (Drepturile omului între abuz și nediscriminare)*, Managementul Intercultural, Volumul XVI, Nr. 2 (31), 2014, pp. 209-213, Brașov, 2014
- [8] Mitra, M., "Noiunea de valoare socială în dreptul penal", in *Analele Universității „Ovidius” Constanța, Seria Drept și Științe Administrative*, 2003
- [9] Mitra, M., "Liberarea condiționată ca mijloc de individualizare a executării pedepsei privative de libertate – un beneficiu acordat condamnatului sau un drept al acestuia?", in *Revista Ars Aequi*, ediția toamnă 2007.
- [10] Mitra Radu, Mariana, Mititelu, Cristina, *Migrația și omajul – factori criminogeni*, in Volumul Conferinței Naționale „Exodul Tinerilor – migrație, omaj, consiliere”, Constanța 22-24 decembrie 2013.
- [11] Mitra Radu, Mariana, "Condiții care nu atrag starea de recidivă / Interdisciplinary aspects on the convictions which do not attract replese", in *Analele Universității Ovidius, Seria Științe Economice*, ISSN 1582-9383, mai, 2014.
- [12] Mitra, Mariana, *Caiet de seminar. Drept penal, partea generală*, Vol. I, Editura ProUniversitaria, București, 2015.
- [13] Momigliano, A. 2010, *In Italy, local politics appears to drive latest round of Roma Gypsy expulsions*, Boston, Mass., United States, Boston, Mass.
- [14] Moscovici, Serge, Markova, Ivana, 1998. *Presenting Social Representations: A Conversation. Culture Psychology*, 4 (3).
- [15] Nistoreanu, Ghe., Păun, Costică, *Criminologie*, Editura Europa Nova, București, 2000
- [16] Pinatel, Jean, *La société criminogène*, Paris, Dalloz, 1976, p.65; Gassin, R., *Criminologie*, Paris, Dalloz, Ediția a II-a, 1990
- [17] Sampson, R. J., *Race and criminal violence: a demographically disaggregated analysis of urban homicide. Crime Delinquency*, 1985