

**DRAFT: NOT FOR DISTRIBUTION OR CITATION**

**Brief Thoughts on “Coding” as a Driver of Anti-Romani Sentiment in Central and Eastern Europe**

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Romani activists have focussed extensively on the role the media and others have played in awakening, exacerbating, or -- in the view of some -- even creating from nothing anti-Romani sentiment in Europe, via the regular negative portrayal of Roma in the media, as well as because of periodic instances of extremely racist reporting. This paper agrees that there has indeed been a high degree of racist communication focussing in particular on Roma in European media in recent years. However, it argues that even after this very worrying problem is overcome, there will still be very serious issues to address, and in fact ones more difficult to extrude. This is because there are underlying issues involving coded anti-Romani messaging in the media, precisely because anti-Romani sentiment is already extremely widespread in Europe, and because this anti-Romani sentiment is deeply embedded. As a result, often little active anti-Romani speech is needed, when a coded nod to shared views and opinions is all that is required to convey an anti-Romani message and to affirm a common anti-Romani value.

**Incitement to Racial Hatred**

Material about Roma communicated in print, electronic and new media is often powerfully racist. A few examples here will have to suffice:

In March 2005, after a number of front page headlines whipping up public hostility to Traveller encampments in rural Britain, the UK daily The Sun launched, via an editorial on 9 March 2005, and repeated in subsequent editions, a “campaign” against Travellers. Headlines included one urging readers to “Stamp on the Camps”.

Media have abetted massive anti-Romani crimes in recent years. In one recent example, in February 2006, municipal authorities of Kaliningrad, Russia, sent bulldozers to demolish the houses of Romani families in the village of Dorozhny, Kaliningrad region. The forced evictions undertaken by the authorities have resulted in the homelessness of four Romani families, including children and women. This situation was aggravated by the severe weather conditions in the Kaliningrad region at this time of the year. Reportedly, before and after demolition, the local TV program “Kaskad” repeatedly described Roma living the Dorozhny village as “drug dealers” and “criminals”. Media have played an active role in the anti-Romani pogroms of the early- and mid-1990s in Central and Southeastern Europe, as well as the ongoing ones in Russia and Ukraine.

In other cases, media have shown a remarkable ability to reproduce the crudest possible folk hysteria about “Gypsies”. For example, during the 1999 ethnic cleansing of Roma from Kosovo – the single biggest catastrophe to befall the Romani community since the Holocaust, Italian media played shamelessly on popular anti-Romani sentiment in Italy, a country to which many of the expelled Roma were fleeing. For example, a front-page article in the popular Italian weekly Panorama of August 22, 1999, was entitled “Mama, the Gypsies are Coming!” The title-page

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photograph showed a rusted boat overloaded with Romani refugees from Kosovo. The primary focus of the article was on “difficulties” associated with returning Roma speedily to Montenegro, where the ports from which Kosovo Romani refugees were fleeing were located. Another article, which ran in the daily *Il Sole-24 Ore* of August 31, 1999, expanded on the difficulties of returning Kosovo Romani refugees and emphasised that “the Roma were able to pay the high price of their illegal transportation thanks to the dirty money they received by burying both Serbian and Albanian victims in mass graves.” The daily *Corriere della Sera* went so far as to complain in a headline on July 22, 1999, that “The United Nations is Against Italy” because it was not assisting with the rapid expulsion of Kosovo Romani refugees. Episodes of hysteria in the media have occurred in nearly every Western European country, often in the context of the arrival of several hundred Roma from Central and Eastern Europe.

Sometimes, media have acted as a conduit through which public officials have expressed extreme hatred. For example, during 1997 flooding of the Czech city of Ostrava, a local district mayor took the opportunity of catastrophic damage to a predominantly Romani quarter to urge that all Roma so desiring be assisted in going to Canada. The national daily newspaper *Lidove Noviny* responded by giving the mayor in question a front-page interview in which to air her views.

Similarly, Mr Evangelos Sisamakias, the Mayor of Nea Alikarnassos, Crete, was reported by the major Greek daily newspaper *Eleftherotopia* of 27 January 2003 as having stated:

"You cannot have a Gypsy settlement next to a basketball court, part of the Olympics 2004 facilities, because Gypsies blemish one's sense of good taste and, in addition, they deal in drugs... I do not deny that I do not want the Gypsies in our area."

One Romanian daily newspaper provided space for the police chief of Bucharest not only to express his views on “Gypsy gangs”, but also to publish a list of names and addresses of purported members of “Gypsy gangs”, including many persons who had never been convicted of any crime.

Some extremely racist acts have been undertaken via new media, such as through text messages to mobile telephones. For example, in 2003, Mr Ivan Hricko, Executive Director of the non-governmental organisation Roma Press Agency and a subscriber to the mobile telecommunications company Orange in Slovakia, received two “jokes” via his mobile telephone, as part of a “joke” service provided to Orange subscribers. The first such “joke” is as follows:

“What does a cow do? Moo. What does a dog do? Bark-bark. What does a Gypsy do? A Gypsy doesn't do anything.”

The second such “joke” depended on the accusation that incest is widely practiced and culturally acceptable in the Romani community. It was subsequently revealed that ninety similar expressions of anti-Romani hate speech were on the Orange Internet website and were readily available to everyone, not just Orange subscribers. As is widely known, the Internet has been a particularly fruitful area of development for extreme racist groups, such as “skinhead” vigilante or white supremacist groups often actively advocating violence against Roma, among others.

One of the most common forms of anti-Romani action practiced by media (above and beyond almost never hiring Roma) is the practice of emphasising the ethnicity of Romani perpetrators of crime, frequent in, for example, Bulgaria. The cumulative effect over time of the repeated and regular identification of the ethnic identity of Romani perpetrators of crime – a practice not

undertaken for any other ethnic group – is the imprinting of the idea of crime as such as Romani in the public imagination.

Most if not all of the acts described above are illegal. All or nearly all of the legal systems of continental Europe include criminal law bans on acts such as “incitement to racial hatred” or similar. In addition, the European Union’s Directive 43/2000 – the so-called “Race Equality Directive” defines certain categories of speech acts as discrimination. These include an “instruction” to discriminate, as well as “harassment” on racial grounds. Harassment, according to the Directive, “... takes place with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment.”

Criminal law and/or other sanctions have rarely if ever been applied in cases such as the ones described above. In some countries, however, media regulatory agencies have punished media for extreme acts of anti-Romani incitement and/or otherwise affirmed that racism has no place in democratic public discourse. For example, in Hungary, the public authority responsible for regulating media ordered TV2, one of the Hungarian national commercial television channels off the air for half an hour, and also ordered that the station broadcast a discussion of the problem of anti-Romani racism in Hungary, after the station broadcast an extremely offensive show called “My Big Fat Romani Wedding”, featuring repeated images and messages degrading to Roma.

## **Coding**

The texts above shock and offend. In some cases, that is their intent – some apparently believe that fomenting racism is a legitimate way of “stimulating debate”. In many places and with many persons, such expressions will create new anti-Romani views in persons who have never before entertained these. Unfortunately however, in most cases in Central and Southeastern Europe today, this is not the case. This is because anti-Romani hostility is already deeply embedded; anti-Romani views are very widely shared; and some combination of fear, suspicion, loathing and contempt of the “Gypsy” is close to universal.

In addition, there is another factor at play in Central and Southeastern Europe, namely the continuing legacy of half a century of totalitarian oppression on communication in the public sphere. The Communist crackdown on speech – and the direct implications for anti-Romani sentiment – has been brilliantly described by the Czech writer Ludvík Vaculík in a 1991 essay in the leading Czech literary journal *Literární Noviny*:

[...] We have put it into law and taken it as wish and necessity that all people are possessed with equal rights. Even Gypsies. In the first class the catechist taught us religion in the following way: "Love thy neighbour as thyself. Repeat it." We responded in unison. He levelled a finger at someone and asked "Even the Gypsy?" It was a trick question, but the pupil didn't get it. "No, not the Gypsy," he answered from out of his clean conscience. In the higher classes we already knew the proper answer, which did not however correspond to our regard for Gypsies.

Because of the obsessive zeal with which the Communist system went after any and all manner of expressed opinion, a public culture of subterfuge communication took root and flourished. Commonly held opinions were to be indicated, rather than expressed directly. A number of these practices endure to today. Some of them, such as using ones car headlights to indicate that there is a police officer ahead (“because I know we share the solidarity of preferring to avoid the law’s obnoxious impositions, I alert you – my unknown sister – of the advisability of slowing down a

bit”) are also to be found in long-established democracies. However, some – such as the thick use of sarcasm as a literary and journalistic form – are particularly powerful in post-Communism.

The combination of deeply embedded and widespread anti-Romani sentiment, combined with traditions of subterfuge public communication, has made the practice of “coding” anti-Romani messages in the media particularly widespread. Throughout the 1990s, it was standard for an otherwise neutral article reporting a skinhead attack on Roma to end with a line indicating that “the victim probably deserved it”, for example by providing some otherwise irrelevant detail to stir the contempt of the reader. Examples include “The victim has eight children” or “There have been a number of thefts in the area recently”.

In other cases, the media have used misleading headlines for the purposes of coding. For example, in the late 1990s and into the new millennia, many Roma from Hungary went to Canada to apply for asylum, claiming to suffer persecution on ethnic grounds in Hungary. Their claims were entirely plausible and so, in somewhere between 30% and 40% of cases, these Roma were provided asylum in Canada. To both the Hungarian public and Hungarian media, the notion that Roma might indeed be persecuted in Hungary was not palatable, and so a number of journalists and major media organs deliberately provided misinformation to the Hungarian public, apparently in order to comfort the high regard Hungarians have of themselves, particularly when comparing themselves with others. One example of coding in this context was a Magyar Hirlap headline reading “In Canada, Even the Skinhead Receives Asylum”. Coded meaning: “Be reassured, gentle, abiding and kind-hearted Hungarians, Canadians are gullible and foolish, and their system is easy to rip off, which is why Gypsies are receiving asylum in Canada. The fact of Roma from Hungary receiving asylum in Canada has nothing to do with how Roma are treated in Hungary.” No information on skinheads being provided with asylum in Canada was provided in the article which appeared under the headline.

Coding has been the elephant in the room in all or nearly all of the European Roma Rights Centre’s work with media in Central and Southeastern Europe, because some aspect of anti-Romani sentiment almost inevitably enters play in the course of any effort to seek justice for extreme abuses of Roma. By way of example, I will recount some details of efforts to seek just remedy for Romani women coercively sterilised by Czech medical practitioners:

From the 1970s until 1990, the Czechoslovak government sterilised Romani women programmatically, as part of policies aimed at reducing the “high, unhealthy” birth rate of Romani women. This policy was decried by the Czechoslovak dissident initiative Charter 77, and documented extensively in the late 1980s by dissidents Zbynek Andrs and Ruben Pellar. Helsinki Watch (now Human Rights Watch) addressed the issue as part of a comprehensive report published in 1992 on the situation of Roma in Czechoslovakia, concluding that the practice had ended in mid-1990. A number of cases of coercive sterilisations taking place in 1990 or before then in the former Czechoslovakia have also been recently documented by the ERRC. Criminal complaints filed with Czech and Slovak prosecutors on behalf of sterilised Romani women in each republic were dismissed in 1992 and 1993. No Romani woman sterilised by Czechoslovak authorities has ever received justice for the harms to which they were systematically subjected under Communism.

During 2003 and 2004, the ERRC and partner organisations in the Czech Republic undertook a number of field missions to the Czech Republic to determine whether practices of coercive sterilisation have continued after 1990, and if they were ongoing to the present. The conclusions of this research indicate that there is significant cause for concern that until as recently as 2001, Romani women in the Czech Republic have been subjected to coercive sterilisations, and that

Romani women are at risk in the Czech Republic of being subjected to sterilisation absent fully informed consent.

In April 2004, the ERRC submitted the results of this research confidentially to the UN Committee Against Torture, on the occasion of that body's review of the Czech Republic's compliance with the International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Czech government reacted badly to this move, complaining that the ERRC had not presented the material to a domestic authority before internationalising it. Members of the Czech government urged us to work with the Czech Ombudsman to address the matter, suggesting that that authority was best placed to investigate the matter well.

In June 2004, the ERRC met with the Ombudsman and his staff to discuss proceedings. During the summer months of 2004, together with partner organisations IQ Roma Service (Brno), League of Human Rights (Prague and Brno), and Life Together (Ostrava), we gathered evidence for complaints to the Ombudsman. The first ten of these were filed in September 2004. Although we had not intended to publicise these complaints, information leaked, and in beginning in mid-September 2004, Czech media gave extensive coverage to the matter. With a few exceptions, this coverage was cautiously sympathetic to the victims. A number of women gave interviews to television and the press, with their faces blacked out and names concealed.

For the most part, the ERRC and partners worked only with previously identified, sympathetic journalists – persons with a track record of writing well on Roma rights matters. However, even while working with such persons, one matter repeatedly had to be managed: the question of money.

As a result of being coercively sterilised, as one Czech court ruling in one of these cases held, the victim experienced acts which have "seriously encroached into your most intimate sphere, and caused you durable physical and psychological harms". The victims therefore have a legal right to just remedy, generally provided in whole or in part in the form of monetary compensation. Thus, a court in the western Czech town of Plzen had awarded 100,000 Czech crowns in damages (approximately 2500 Euro) to a woman sterilised there in 1998. She had repeatedly explicitly refused to be sterilised. Czech doctors had performed the operation anyway.<sup>2</sup>

However, it is a deeply embedded view in the Czech public that Gypsies undertake fraudulent acts in order to derive undue benefit, particularly from the public. That is, the common view is that they have a propensity to try to "rip off the system". Thus, from the inception of the actions to challenge the coercive sterilisation of Romani women in the Czech Republic, a cloud has hung over the effort, namely the whispered accusation that the victims are "only trying to derive financial gain from their suffering", or, more colloquially, that the whole affair is "a Gypsy thing".

As a result, even while working with sympathetic members of the media, advocates had repeatedly to urge that journalists not harp excessively on the issue of financial compensation, since this was likely to be the only message heard by broad swaths of the Czech public. For the most part, these efforts were successful. However, not all were. Here for example is a Radio Prague article of 22 February 2005:

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<sup>2</sup> Further information on actions to challenge the coercive sterilization of Romani women in the Czech Republic, as well as in Slovakia and Hungary, is available on the ERRC website at: [www.errc.org](http://www.errc.org)

### “Romany woman first to sue hospital over alleged forced sterilisation

“A Romany woman from Ostrava in north Moravia is set to be the first Czech woman to sue a hospital for damages after allegedly being sterilised against her will. The daily Lidove noviny reported on Tuesday that Helena Ferencikova, who is 22, is seeking compensation of between 100,000 and a million Czech crowns (author’s note: almost 45,000 US dollars). The paper says around 60 women say they were sterilised either against their will or without the operation being explained sufficiently.”

One of the three sentences of the article above concerns levels of compensation purportedly sought. The figure stated is not accurate – advocates have not sought these levels of compensation which, although possibly merited, are extremely high by Czech standards. Almost nothing is said about the actual practices to which the women were subjected, which are still for most part broadly unknown in the Czech Republic. Since it is a widely shared view in the Czech Republic that Gypsies are “out to rip off the system”, a coded message was communicated in this article: “these issues are not serious; this is a Gypsy thing.”

### **Challenging Coding**

Coded anti-Romani messaging depends on presumed agreement among the population at large as to “what Roma are like” (in this case, “out to rip off the system”, “possessed of an unholy covetousness of money to the exclusion of more edifying forms of value”, “aiming to procure money by illegitimate means (i.e., without working)”). It often relies on or builds upon popular distrust of “official information” and “political correctness” fostered under Communism. It is triggered by code (hence “coding”) (effectively “nudge, nudge, wink, wink”), frequently in the final line(s) of an otherwise neutral or sympathetic article (often with mild sarcasm or with the provision of otherwise irrelevant information).

Coding of the type described above is particularly difficult to challenge with legal means, since in no sense does it meet the standard of incitement to racial hatred. Nor would it amount to an infringement of media regulations. One is faced with practices at once both powerfully harmful, and at the same time almost entirely beyond the reach of legal sanction.

The most apparent antidote to the coded promotion of anti-Romani racism would seem to be through the media itself – that is, through active doses of anti-coding. One example of what such anti-coding might look like appeared in the Czech weekly Respekt – itself unfortunately also an occasional practitioner of coded racist messaging – in the run-up to the Czech Republic’s accession to the European Union:

When? Respekt publishes a summary of the week’s events large and small in the Czech Republic on its back page. In one of these summaries, Respekt reported in the penultimate sentence of the summary on the publication of a report by the European Union critical of the Czech Republic’s efforts to improve the situation of Roma in the country. In the final sentence of the summary, it reported on an assault by skinheads on a Romani woman in her home in Breclav, occurring the same week. Communicated to the reader (almost uniquely in Central and Eastern Europe) is the idea that external assessment finding Czech government action deficient in this case has merit, and should be acted upon.

Another response to coding is to simply expose it wherever it may be practiced, as this article is, in its modest way, seeking to do. Others propose heightening focus on areas in which the media is

generally silence, such as on positive examples of Roma contributing to economic growth and development.

Whatever measure adopted, it is particularly important to challenge coding for several reasons. First of all, possibly to an even greater extent than explicit incitement to racial hatred in the media, coding is a key driver for perpetuating anti-Romani racism, precisely, as noted above, because racist attitudes are already deeply entrenched.

Secondly, coding powerfully facilitates the oppression of Roma because it is individually disempowering. That is, it sets Roma under pressure to renounce goods which they may have by right. Thus, in the example brought above the victims of coercive sterilization are set under pressure to renounce due compensation for the extreme harms they have suffered, because to claim this compensation – which is their right – would “perpetuate or inflame stereotypes”. Thus are the victims urged to undertake the degrading public performance of the idea “we are not who you say we are”. This is indeed the ultimate humiliation of the pariah: to be forced to forego a good to which all are entitled via a theatrical renunciation of the self.