EXPLORING THE FAILURE TO PROTECT THE RIGHTS OF THE ROMA CHILD IN ROMANIA

MICHAEL J.R. BUTLER* AND LIDIA GHEORGHIU

Aston Business School, UK

SUMMARY

An important test of the progress of development management is its contribution to human rights, especially in transition economies. This article explores the failure to protect the rights of the Roma child in Romania, who are particularly vulnerable to abandonment and institutionalisation. 2008 witnessed the 60th anniversary of the Universal Declaration of Human Rights and several other related celebrations. Nevertheless, within EU borders, minority populations can still lead dismal lives. It is argued that although both the EU and the Romanian government made the Roma's social inclusion a top priority, they failed to bring about substantial improvement. The first contribution of the article is to reinforce the trend within development management of linking policy implementation to the specific needs of the local context. Contemporary policy reports and early empirical results from an exploratory study in Galati, mainly in the area of education, suggest several inter-related causes of poor implementation, including the national political context, specific issues affecting the Roma and local implementation capacity. The second contribution suggests that ideas from business and management, specifically the notion of organisational receptivity to change, could increase the pace of change. Receptivity provides a framework for understanding local issues and how to manage them. Copyright © 2010 John Wiley & Sons, Ltd.

KEY WORDS — human rights; Roma children; Romania; policy implementation; business and management and organisational receptivity to change

INTRODUCTION

An important test of the progress of development management is its contribution to human rights. This article explores the failure to protect the rights of the Roma child in Romania. Human rights are explored because 2008 saw three important anniversaries. It was the 60th anniversary of the Universal Declaration of Human Rights, the 15th anniversary of the Vienna Declaration and the 10th anniversary of the UN Declaration on Human Rights Defenders. The EU is proactive in articulating and delivering human rights, especially the rights of the child. The Commission has reinforced its European Instrument for Democracy and Human Rights, which now has an annual budget of nearly EUR 140 million (Council of the European Union, 2008).

The rights of the Roma child are explored because despite the EU's actions in human rights, within is borders, minority populations can still lead dismal lives. The Economist (2008b) recently highlighted the case of Europe's Roma and concluded that improving their plight is Europe's biggest social problem and pessimistically suggested that the problem would persist for the lifetime of the readers of the article.

Romania is explored because it has a mixed record when dealing with the Roma. A notorious example was reported by the BBC on 23 May 2007. The Romanian President, Traian Basescu, received an official reprimand for a discriminatory remark he made about a Romanian TV journalist. The Council against Discrimination said that his 'stinking Gypsy' remark was 'degrading' and it gave him a warning (BBC News, 2007). This is significant because Romania has a large population of Roma. In 2006, the World Bank estimated that in Romania there are between

---

*Correspondence to: Michael J.R. Butler, Aston Business School, Aston University, Aston Triangle, Birmingham B4 7ET, UK.
E-mail: m.j.r.butler@aston.ac.uk

1800 and 2,500,000 Roma (UNICEF, 2006). Basescu's comments are also significant because Romania only joined the EU in 2007 and progress in its alignment with EU policy, such as human rights, is critical to its full integration.

It is argued that although both the EU and the Romanian government made the Roma's social inclusion a top priority, they failed to bring about substantial improvement. The first contribution of the article to reinforce the trend within development management of linking policy implementation to the specific needs of the local context. Contemporary policy reports and early empirical results from an exploratory study in Galati, a town in South Eastern Romania, mainly in the area of education, suggest several inter-related causes of poor implementation, including the national political context, specific issues affecting the Roma and local implementation capacity. Together, they form a formidable cycle of institutional neglect. In short, Romanian welfare institutions are not working as well as they could when understanding and tackling Roma issues. Galati was selected because one of the authors worked there on Roma issues for both the local government and an NGO and so has specific knowledge of policy implementation and access to a range of policy makers.

The second contribution is derived from the empirical study which suggests that ideas from business and management, specifically the notion of organisational receptivity to change, could increase the pace of institutional change to address the needs of Roma children and their families. Butler's (2003) receptivity (strategic management) framework is selected because, amongst other reasons discussed later, it has already been used to explore change within EU institutions (OECD, 2008).

The article begins by briefly reviewing new literature on development management and policy implementation. The article then focuses on the Convention on the Rights of the Child (CRC) and education in order to reveal that EU and Romanian government policies are not being implemented effectively. The argument is further supported by introducing early empirical results from an exploratory study in Galati. After defining receptivity, the framework is used to reveal the complexity of locale in policy implementation and, as a consequence, the need for the selection of appropriate approaches to better understand and manage the dynamics of multi-level change in order to improve the conditions of the Roma child.

TRENDS WITHIN INTERNATIONAL DEVELOPMENT AND POLICY IMPLEMENTATION

Brinkerhoff and Coston (1999) note the seductive temptation of the view that globalisation leads to homogeneity because leaders are pushed to adopt dominant political, economic, social and technological practices. Dolowitz and Marsh (2000) suggest there is an increased dependency on policy transfer in public policy determined by technological globalisation which promotes fast communication.

McCourt (2008), however, points out that politics may be an exception, because the implementation of reforms in developing countries is more difficult than in developed countries due to corruption and low administrative capacity (Polidano, 1999). The state is no longer always the solution, but can be the problem (Brinkerhoff, 2008).

Brinkerhoff (2008) adds that even when there is a political will to implement external policies there are no guarantees of success. Although the policies might be beneficial to local stakeholders, implementation will only thrive if it draws on regional data and engages local stakeholders. Despite the external pressure put on the governments of developing countries, they remain 'masters in their own houses' (McCourt, 2008, p. 473). The European Commission acknowledges that each state has a different starting point and different traditions (European Commission Against Racism and Intolerance, 2006).

Brinkerhoff (2008) suggests that theory and practice in the field of international development could be more effective. In terms of practice, assistance is given based on clear eligibility criteria and the Council of Europe encourages NGOs to participate in solving the problems encountered by specific groups or at risk of being socially excluded.

Collaboration between governments and NGOs depends on aligning their strategic interest, but objectives and tools vary (Brinkerhoff and Brinkerhoff, 2002). Alignment is no easy matter (Batley, 2006). Thomas (2007) indicates that change values might be a way forward, values centred on people (Brinkerhoff and Brinkerhoff, 2005). McCourt (2008) targets improvements in education and health as the main strategy to decrease poverty, especially the provision of public services for poor people.

However, Thomas (1996) acknowledges a conflict often arises. NGOs define development as closely linked with democracy and human needs, whereas governments see development as a process of economic growth and industrialisation. In other words, development management is directed towards social goals outside the interests of government organisations (Thomas, 2007).

The conflict is exacerbated by policy makers crafting their procedures by taking advice from consultants. Consultants offer 'best practices', paying little attention to the context of application (Dolowitz and Marsh, 2000). Lipsky (1980) showed that context is vital because 'street-level bureaucrats' have a habit of re-inventing policy on the front-line and seeing this as normal behaviour.

Ralston (2007) coheres the debate over alignment and overcome the problem of addressing local context through crossvergence theory. Crossvergence theory argues that the progress of innovative and 'unique values systems in societies' (Ralston, 2007, p. 2) is determined by the interplay of the socio-cultural impact with the business philosophy. Crossvergence theory is the inheritor of Pressman and Wildavsky's (1973) work on equalising co-ordination and consent. However, when people are asked to co-ordinate, they might fail to enforce it through consent or coercion because 'Everyone wants coordination – on his own terms' (Pressman and Wildavsky, 1973, p. 134). There is a lack of synchronisation because people have different ideas of programme effectiveness. Reaching a high level of co-ordination is determined by following your own way, but learning from experience is itself a difficult process.

CONVENTION ON THE RIGHTS OF THE CHILD AND THE ROMA

Given the focus of this article is on the rights to of the Roma child, it is appropriate to track the implementation of the CRC and its application to the Roma. In this section, policy reports will be used. The key finding here is that EU and Romanian government policies are not being implemented effectively. Following Brinkerhoff (2008), there is a shared political will between the EU and the Romanian government to implement the CRC, but implementation suffers from corruption and low administrative capacity (Polidano, 1999).

Romania ratified the CRC in 1990 and its provisions are enforced in Law 272/2004 on the protection and promotion of the child's rights. The state has the obligation to ensure children's rights 'without discrimination of any kind' (United Nations, 1989).

The application of the CRC in Romania, however, is mixed. On the one hand, USAID state that with the US financial contribution 'Romania has gone from being a country notorious for mistreatment of institutionalised children, to becoming an Eastern European model for child welfare policy and practice' (USAID, 2006, p. 1). On the other hand, UNICEF view child protection differently, focusing on the overlap between weak governance, corruption, bureaucracy, lack of sufficient funding and the lack of education and poverty. This led UNICEF to describe children as being 'on the brink' (UNICEF, 2006).

Both interpretations are probably right, because of the mismatch of policy intention and policy implementation. Three issues are highlighted here which are related to the national political context: the lack of transparency in Romania, its link to Romania's historical context and change in Romania being delivered on too small a scale. Romania's accession to the EU in January 2007 has put more pressure on the Romanian government to increase the standard of life of the Roma child. Despite this pressure, there is a failure to allocate resources effectively because of the high level of corruption or, at least, the non-reporting of negative data. Romania is still the country with the lowest transparency in the EU, according to Transparency International – the global coalition against corruption (The Economist, 2008a). In rushing to admit Romania to the EU, there was pressure from some EU members, for example France, to highlight only positive events (The Economist, 2008c).

Lack of transparency is linked to Romania's historical context. In Romania, continuing attitudes prevalent in the communist period, social problems are treated today as medical issues. During cold weather, for example, the number of babies abandoned in hospitals increases because poor families cannot afford fuel to heat their homes. Healthy children suffer from prolonged hospitalisation. In Timisoara, a shelter for newborns has just one nurse and three caregivers. They were mostly able to change and feed the babies. The lack of interaction with the children meant that they did not develop properly for their age (Mental Disability Rights International, 2006).

Change in Romania is being delivered on too small a scale. In 2004, the International Labour Organization (ILO) noted that in Romania there are examples of good practices regarding street children – Roma children are particularly vulnerable to living on the street. In 2001, the government allocated ROL 15 billion in a National Interest Programme for the 'Social Integration of Children Living in the Street'. Up to six new shelters were set up and another eight were improved. Eight hundred and sixty-two street children were assisted in social reintegration, especially the prevention of abuse and neglect. In 2002, allocation increased to ROL 50 billion (ILO, 2004). Romania, however, has 42 counties and the setting up of 6 new shelters could be interpreted more as a pilot study than full Programme implementation (United Nations and CRC, 2003).

EDUCATION

Both practitioners and academics believe education and health are priority policy arenas for development management (McCourt, 2008). The article now focuses on the Roma child and her relationship with education. Education echoes the key finding from CRC implementation that EU and Romanian government policies are not being implemented effectively. However, an additional set of reasons appears: Roma children face exclusion at three stages in their development (entry to school, experiences at school and early departure) and for three different reasons (poverty, discrimination and custom).

Roma children tend not to go to school due to their poverty. Eleven per cent of Roma children live in households where there is no income, Roma children are four times more likely not to attend pre-school education and 80 per cent of Roma children are not enrolled in any type of school. Instead, Roma children are taught that they have to help with the household chores (Badescu *et al.*, 2007).

When Roma children do go to school, they can suffer discrimination. Roma children are segregated by going to mediocre schools and can be put to the back of the class (European Commission Against Racism and Intolerance, 2006). As Oprescu Zenda (2007) points out, Roma identity is a key concern. The European Commission Against Racism and Intolerance (2006) found that just 10 per cent of Roma children are interested in studying Romani and history at school.

The maintenance of some of the Roma customs has enlarged the gap between different ethnicities in school success. The most striking example is represented by their custom of marrying very young and having children shortly after marriage. Seventy-four per cent of all mothers aged 15–19 are of Roma ethnicity (UNICEF, 2006). Therefore they fail to acquire either literacy skills or the skills to care for themselves and their families (Office of the OSCE, 2003).

Taken together, this data explain why 40 per cent of the Roma adults are illiterate (UNICEF, 2002). In 2006, 27 per cent of the Roma population finished just primary school and 33 per cent secondary school and 23 per cent did not attend school at all. Ninety-five per cent of Roma have no tertiary qualifications (Badescu *et al.*, 2007).

Resolving these issues will be difficult. In the last 10 years, however, there has been an increase in the number of Roma university students. In 2008/2009, the state allocated 493 places for Roma students. Nevertheless, school will only become a better option once poverty is alleviated. The easiest target for improvement is the school experience.

CASE STUDY – GALATI, ROMANIA

Clearly, there is a policy failure to protect the rights of the Roma child in Romania, notably in CRC implementation and education. The argument is now further supported by introducing early empirical results from an exploratory study in Galati. After defining the notion of organisational receptivity to change and summarising how it was operationalised, the receptivity framework is used to reveal the complexity of locale in policy implementation, especially poor implementation capacity. The contribution of this part of the article is to show that ideas from business and management, specifically receptivity, could reverse the cycle of institutional neglect by better understanding and managing service delivery.

Butler's (2003; Butler and Allen, 2008) receptivity framework is selected for three reasons: its relevance to the issue at hand, its integration of multi-level change and its links to development management. Receptivity is relevant

because of the consistency between how the framework was developed and how it is applied in Galati – they are both local government case studies. Although receptivity was developed in the UK, it can be used in a European context because the OECD has already made such an application when it used the framework to explore change within EU institutions (OECD, 2008).

The receptivity framework is also selected because it locates individual action in the internal context of the organisation and the external context of governmental and other environmental pressures (Hartley *et al.*, 2002). This is particularly relevant to the Galati case because the literature review has shown the variety of pressures for and resistance to change in dealing with the rights of the Roma child.

Finally, the receptivity framework is selected because its change values are associated with development management, namely, values centred on people (Brinkerhoff and Brinkerhoff, 2005; Thomas, 2007) and linked with democratic processes (Thomas, 1996). Receptivity recognises the importance of delivering effective public services, helps to identify the factors driving high and low change and gives voice to all stakeholders including the marginalised.

Nevertheless, using the receptivity framework in an Eastern European social policy context is novel. Romania has tended to prioritise human rights frameworks through its legislative changes, which to date, have not resolved the Roma issue (for example, Law 272/2004). Given laws are implemented through institutions, receptivity is used to offer a new organisational perspective. The limitations of doing this are that the framework has not been used before to explore the Romanian cultural context and a social problem which is ethnically based.

Other change management perspectives were considered, for example Kotter (1996), but they did not address the issues of relevance, integration of multi-level change and links to development management. Kotter (1996) also offers a prescriptive view of change rather than a framework for understanding the dynamism of complex policy problems.

RECEPTIVITY FRAMEWORK

Receptivity attempts to reveal the factors which contribute to organisations being either low-change, non-receptive contexts or high-change, receptive contexts (Pettigrew and Whipp, 1991, 1992; Pettigrew *et al.*, 1992; Butler, 2003; Butler and Allen, 2008). Receptivity emphasises the dynamic character of organisations: 'they are more than means to produce goods and services – they are social and cultural systems as well' (Hartley *et al.*, 2002, p. 393). Central and local government are complex entities which do not function like a machine. The political, economic, social and technological environment changes rapidly, which demands an equal amount of responsive change from organisations existing in that environment, in order to deliver effective services (Hartley *et al.*, 2002). Some organisations are better equipped than others to adapt their behaviour.

Receptivity research reveals that high change organisations, which effectively respond to their specific context, interconnect five receptivity factors at two organisational levels of change (Butler, 2003; Butler and Allen, 2008). At the first level are four receptivity factors which are traditional features of organisations: leading change, institutional politics, implementation capacity and ideological vision. At the second level of change is the fifth receptivity factor which is an emergent feature of organisational behaviour – possibility (creativity) space. The two levels continuously interact and unless both sets of processes are considered during policy implementation, the management of change might fail.

Leading change characterises decision-making processes and analyses the actions of key decision-makers. Institutional politics explains how the decision-making processes originated and persist. Implementation capacity explains the location of decision-making in greater detail by going beyond structural relationships to explore critical incidents. Ideological vision critically reflects on the strategic decisions being made by evaluating their purpose. Possibility space captures the creativity in organisational processes, how existing behaviours adapt or new behaviours emerge.

Adaptation and emergence are brought about through four management processes: no universal Best Practice, organisational play, path dependency and choice. Butler and Allen (2008) suggests that there is no universal best practice in policy processes because of the role of discretion at the local level, taking the form of street level

bureaucracy. In other words, there is complexity, local self-organisation and the adaptive abilities of stakeholders in implementation processes. This means that local stakeholders need to decide on the future strategy for their organisations and this is the role of organisational play, which weighs up two factors: learning from the past (path dependency) and anticipating the future (choice).

Because of space limitations, an assessment of how the receptivity factors were generated and the contribution of the factors can be found in Butler (2003; Butler and Allen, 2008). The contribution here is to offer a new organisational perspective to explore the Romanian cultural context and the rights of the Roma child.

METHOD

The receptivity framework was operationalised by conducting 13 semi-structured interviews. The interviewees were selected because they have different strategic roles in the implementation of Roma policies in Galati. Table 1 shows the distribution of roles.

The authors sought to triangulate data from three categories of people (senior manager, front line worker and service user). Because of the symbiotic relationship between local government and NGOs in service delivery, representatives from both sectors were interviewed. Law 430/2001 specifies that both NGOs and the state's institutions have to implement the provisions meant to increase the standard of the Roma population. The NGOs represented are the Alliance for the Roma Unity, the Alliance of the Romani, Heart of the Child and Word Made Flesh. Eight interviews took place at the social centre created by the United Nations Development Programme, the rest in the offices of the interviewees.

Interview questions were derived from the receptivity framework and sought to answer two research questions:

1. What are the organisational drivers and inhibitors of the social exclusion of the Roma child in education in Galati?
2. Does the receptivity framework facilitate the identification of the drivers and inhibitors of change?

The interviews were recorded, transcribed and translated from Romanian to English. Nvivo was used to analyse the data. The selection of the 'nodes' were again derived from the receptivity framework.

Policy context at national level

It is important to be aware of the continuing conditions of deprivation for the majority of the Roma:

> There is a neighbourhood in Galati, Balta Catusa, and there are awful conditions; people here do not have electricity, they do not have proof of ownership, they have nothing. They cannot receive an ownership certificate because they do not have an identity card... We have tried to do something but it just didn't work, nothing changed (Social Worker).

Table 1. Interviewees by role and organisation

Role	Galati County (local government)	NGOs
	Two Roma leaders	
Senior manager		Vice President Director
Front line worker	Health Mediator Legal Professional Roma Expert School Mediator	Social Worker
Service user	Three	
Other	Sociology Lecturer, Galati University	

It is also important to be aware of cultural memory. In particular, in 1942 there were massive Roma deportations in Transnistria. Most of them died from ill-treatment, starvation and disease. As a Roma Leader point out:

> It is not about the money, but about the *recognition* of the fact that there were old persons who had suffered and had been deported.

Law 430/2001 acknowledges that the Roma have been the subject of discrimination and slavery which led to social exclusion. The state seeks improvement in ten areas: administration and community development, housing, social security, health, economy, justice and public order, child protection, education, culture and communication and civic participation. Within education, there are a series of targets, for example school dropout projects (point 86), vocational training (point 87) and implementing anti-discrimination provisions within the classroom (point 89).

Galati follows a similar pattern to that revealed in the contemporary policy documents, in that there has been mixed success in the implementation of Law 430/2001. The Director notes overall success:

> In ten years we have managed to prepare 150 students. They stayed in school and we gave them the necessary recommendations; we took care of them, not necessarily financially, but we guided them and monitored their evolution.

However, segregation continues:

> I intervened. . . to leave the children there, in that school, even if what went on in that class could have been considered segregation. It was better than having the children abandon school. The children were frequently removed from the class and taken to different ones. . . One day, a parent came to see me: 'I won't let my child go to school anymore (Roma Leader).

By using the receptivity framework it is possible to explain the reasons for the mixed success.

Ideological vision

The interviewees share a common vision that education is the key to overcome poverty and social exclusion:

> We should try to educate the parents, the children. We have to send the children to school. . . We must teach them that, if they study they can have a better job and change their destiny, their lives (Director).

> Education is the key to overcome social exclusion, meaning that both workers and the population need to be better trained, informed to allow change to happen (Roma Expert).

Leading change

To put the vision into practice, there is a large number of people leading change which makes leadership diffuse:

> Today, we have so many Romani representatives that you can't even imagine (Roma Leader).

There is the Prefect who is the representative of the government at the local level. He is selected by the government and is responsible for the implementation of the Constitution, the legislation (and other government decisions about national policy) and European integration policy. An indication of his power is reflected in this statement:

When you receive an official letter from the Prefect as opposed to an official letter signed by me... people will ask 'Who is X?'... The Prefect has signed and the County Council can't say anything (Roma Leader).

Working inside the Prefecture are the Municipal Offices for Romani Ethnic Groups:

According to the Governmental Strategy 430/2001, the Municipal Offices for Romani Ethnic Groups are part of the Prefecture without having a legal entity... the institution cannot get funds for different projects and programmes... there has to be an NGO whose main responsibility is to coordinate the efforts of the Municipal Office (Roma Leader).

In order to facilitate policy implementation, the Municipal Offices need to collaborate with NGOs in order to raise finance. Inter-organisational teams are created to write proposals for national and international funds. As a consequence, two interviewees are employed both by the local government and are Presidents of different NGOs, and another interviewee is employed by the Romanian Fund for Social Development and is an NGO President.

The local context is further complicated by elected local representatives, the Mayor and local councilors, who shape policy in Galati. They are not held in high esteem, only acknowledging Roma needs during election periods:

The year of the elections, there are many promises made by the City Hall and the Local Council. They come with all their apparatus and try to talk us to vote them because they are going to give us something in exchange (Vice President).

The politicians lack the knowledge of what is happening in poor, remote localities:

During the election campaign... the phone rang... it was the ex-senator... He says: 'I'm in Liesti, in a Romani community, and these people say they have no electricity. I just can't believe it. We are in the 21st century and these people have no electricity? (Roma Leader).

In this arrangement, service users are marginalised in policy-making. Inequality persists because of poor staff professionalism:

Under Ceausescu... if you had a complaint, it was taken into consideration... I made no complaints and I don't know where to make it. If I complain about you, your colleagues go to your boss and tell him that what I am saying is not true (Service User).

Institutional politics

Despite being diffuse, the different groups of leaders are co-ordinated by formal and informal structures. Some of the formal mechanisms have been discussed in the last section. The informal system is just as effective, which operates in three ways: placing Roma in key positions within the formal structure, creating a local network and the Internet.

A Roma leader selects reliable people, trains them and helps them get into key positions:

We've got people of Romani origin who work at the public local authority, *our people* (Director).

I managed to get them jobs at the Town Hall; I sent the people who worked seriously, as voluntaries, to training courses for health mediators, school mediators and Romani language teachers... I know that if I phone them and ask them to go somewhere, at a certain date and time; they will definitely be there as promised (Roma Leader).

Because Galati is a small city the vast majority of experts in the Roma field know each other. An NGO President consolidates his local network by inviting representatives of local organisations to his own when it holds an event. At such events, people are informed about new legislation being adopted.

The Internet simplifies access to information, for example the existence of EU legislation, grants and reports, but it also establishes informal relationships between allies:

> Really I don't need information... with the internet and all that... If I need anything, I have X, X has her own access tools (Roma Leader).

Implementation capacity

This is a critical receptivity factor. The Director calls into question the competence of those leading change:

> Romania does not lack funds. It has got external funds, but lacks the competent people who now how to find them. It also lacks passionate people who really want to do the job.

This is compounded by the different groups of leaders each having specific weaknesses. The Roma representatives are not able to work together:

> We irritate eachother. We quarrel between us and the winners are the institutions who say they want co-operate with the Romany minority but they don't know with whom because Gypsies fight among themselves (Roma Leader).

Indeed, they compete to be the overall leader:

> All the Roma want to be the boss, if it's possible one higher than another, and if you don't call them boss, they are not happy (Roma Leader).

Roma service users rely on their representatives, which gives the representatives relative power, for example:

> When they go to an institution... They don't know how to say what they want; they don't understand the terms the staff are talking (Roma Leader).

When service users do engage with local government, staff lack customer care skills:

> There should be a *human* law to oblige this intellectual to adapt himself and be able to explain to a less prepared person what the vaccine is, the purpose of the vote... explain to everyone what he is doing. It doesn't matter you went to university and I am a simple worker. This man has to justify his wage (Service User).

In the classroom, staff training can be ignored so that some teachers still segregate the children, though this is changing:

> From the moment we have implemented the project, classrooms were no longer divided but mixed, as there were a lot of Romani children in the school... There were some people who said they had enough of them [Roma] and of all those facilities and projects (School Mediator).

Possibility space

This is also a critical receptivity factor. There does not appear to be the capability to innovate to improve implementation capacity:

> The mistakes are done all over again... There is no continuity. We only get temporary results in the work we do (Director).

This leads to a lack of will to carry on:

This place depresses me, a lot. Sometimes I fell like I have no air. . . the state makes it worse in a way, because it doesn't help or support you in any way (Director).

In the end, there is a tendency for the Roma to remain dependent on the welfare system:

And we no longer help them be responsible but we help them be dependent on us, on the institutions (Social Worker).

This has the effect that a cycle of Roma deprivation continues:

He does not afford to keep his child clean, he does not have money to buy him shoes. . . He doesn't have a job. . . Because he didn't want to go to school or because he couldn't afford either. And we go round a vicious circle (Roma Leader).

DISCUSSION AND IMPLICATIONS

Returning to the first research question, what are the organisational drivers and inhibitors of the social exclusion of the Roma child in education in Galati, the receptivity framework reveals that despite a common vision of the importance of education and a sophisticated network of structures which has delivered some change, the system contains two flaws.

First, the competence of those leading change is questioned, because the different groups of leaders each have specific weaknesses. The Roma representatives are not able to work together, service users rely on their representatives which gives the representatives relative power and when service users do engage with local government, some staff lack professionalism.

Second, there does not appear to be the capability to innovate to improve implementation capacity, which leads to a sense of hopelessness and the continuous cycle of Roma deprivation and welfare dependency.

The data presented here supports Polidano's (1999) view that low administrative capacity is a problem. Following Ralston's (2007) analysis, when crossvergence cannot be achieved, that-is-to-say, the interplay of socio-cultural factors with an organisational philosophy, divergence can take hold. More specifically, those leading change seek co-ordination of Roma policy implementation on their own terms (Pressman and Wildavsky, 1973) and there are no mechanisms to ensure cohesion. Street-level bureaucracy currently dominates the policy process (Lipsky, 1980). The relationship between local government and NGOs is too cosy which means the problem is likely to persist (Brinkerhoff and Brinkerhoff, 2002). Indeed, more goal conflict between the two institutions might help (Thomas, 1996, 2007).

The flaws are intriguing given that the policy context is favourable. The legislation for reform already exists at both the EU and national levels and central government is limiting its role to setting strategic aims and objectives, refraining from imposing best practice solutions. It would be surprising if knowledge about how to tackle the issues found in Galati does not already exist within the Romanian policy process (Butler and Allen, 2008).

However, this freedom to manage is not encouraging innovative managers in education to tap into their knowledge about local practices, to move available resources around the key services to meet high priority demands and to use informal and formal structures to achieve preferred goals. As Dolowitz and Marsh (2000) explain, in a policy environment which favours best practice solutions from consultants, there is little incentive to search out local solutions to local problems.

Although the findings emphasise the importance of management skills in the policy process, underlying poor local implementation capacity is the wider issue of increasing Roma motivation to engage with local government and NGO initiatives. As a Roma Leader explains:

There is no point in the State or the EU trying to help them, because it will never happen. And it's not possible because they don't truly want that. In order to allow change to happen, the changes must take place inside the community.

This explanation is consistent with the findings from our review of education policy documents. Poor policy implementation is linked to specific issues affecting the Roma. Roma children face exclusion during most stages in their school experience for three reasons: poverty, discrimination and custom.

Our review of CRC policy documents revealed that placing too much faith in the State or the EU might be misguided. Three issues were highlighted which indicate a national political context that possesses its own problems: the lack of transparency in Romania, its link to Romania's historical context and change in Romania being delivered on too small a scale. As Brinkerhoff (2008) observes, even when there is a political will to implement external policies there are no guarantees of success.

In response to Brinkerhoff's (2008) suggestion that theory and practice in development management could be more effective, and to answer the second research question, the data suggest that the receptivity framework has revealed the reasons why organisations in Galati are low change (Butler, 2003; Butler and Allen, 2008). In particular, the actors in Galati have been embedded in their political, economic, social and technological systems (Hartley *et al.*, 2002). This is expressed succinctly expressed by the Roma Expert:

> Until you put things in practice, until you talk to the people who deal with such situations, it is impossible to pass a law. You cannot create a law simply because of what you heard. We mustn't try to copy the American and English laws, they are not applicable here.

The key limitation with the data reported here is that it is a single exploratory case study. Although the data did not suggest that the receptivity framework excluded relevant information, ongoing data analysis of this exploratory study might reveal new receptivity factors. More generally, future research needs to clarify how the policy process in Romania currently works and how receptivity might improve those processes. In depth case studies are required across a range of services and in a variety of locations, starting with education. Implications for theory development, the policy process and organisational practice need to be disseminated to all the relevant interested parties: academics, practitioners and Roma figureheads.

CONCLUDING REMARKS

The fulfilment of human rights requires reform which it is widely endorsed, implemented and monitored. There is a consensus amongst European institutions that the Roma are socially excluded and lead dismal lives. This is especially true of the Roma child, notably in education. If the test of the progress of development management were to stop here, it would pass.

Unfortunately, implementation of the CRC and education reform is weak, though there are signs of encouragement. This study suggests several inter-related causes, including the national political context, specific issues affecting the Roma and poor local implementation capacity. In this test of development management, there is room for improvement.

REFERENCES

Badescu G, Grigoras V, Rughinis C, Voicu M, Voicu O. 2007. *Roma Inclusion Barometer.* Open Society Foundation: Bucharest.
Batley R. 2006. Guest editor preface. Symposium on non-state provision of basic services. *Public Administration and Development* **26**: 193–196.
BBC News. 2007. Basescu Chided for 'Gypsy' Remark. http://news.bbc.co.uk/1/hi/world/europe/6684261.stm [29 July 2009].
Brinkerhoff DW. 2008. The state and international development management: shifting tides, changing boundaries and future directions. *Public Administration Review* **68**(6): 985–1001.
Brinkerhoff JM, Brinkerhoff DW. 2002. Government-nonprofit relations in comparative perspective: evolution, themes and new directions. *Public Administration and Development* **22**(1): 3–18.
Brinkerhoff D, Brinkerhoff J. 2005. International development management: definitions, debates and dilemmas. Institute for Global and International Studies Working Paper No 3. George Washington University. *The Handbook of Globalization, Governance and Public Administration*, Pinkowski J, Farazmand A (eds). Marcel Dekker: New York; Chapter 36, 821–840.
Brinkerhoff DW, Coston JM. 1999. International development management in a globalized world. *Public Administration Review* **59**(4): 346–361.

Butler MJR. 2003. Managing from inside out: drawing on 'receptivity' to explain variation in strategy implementation. *British Journal of Management* **14**(Special Issue): S47–S60.

Butler MJR, Allen PM. 2008. Understanding policy implementation processes as self-organizing systems. *Public Management Review* **10**(3): 421–440.

Council of the European Union. 2008. *Annual Report on Human Rights 2008*. Council of the European Union: Brussels.

Dolowitz D, Marsh D. 2000. Learning from abroad: the role of policy transfer in contemporary policy-making. *Governance* **13**: 5–24.

European Commission Against Racism and Intolerance. 2006. *Third Report on Romania*, Adopted on 24 June 2005. Council of Europe: Strasbourg.

Hartley J, Butler MJR, Benington J. 2002. Local government modernization – UK and comparative analysis from an organizational perspective. *Public Management Review* **4**(3): 388–404.

International Labour Organization (ILO) Subregional Office for Central and Eastern Europe. 2004. *Good Practices in Social Services Delivery in South Eastern Europe*. ILO: Budapest.

Kotter JP. 1996. *Leading Change*. Harvard Business School Press: Harvard.

Lipsky M. 1980. *Street-Level Bureaucracy. Dilemmas of the Individual in Public Services*. Russell Sage Foundation: New York.

McCourt W. 2008. Public management in developing countries. *Public Management Review* **10**(4): 467–479.

Mental Disability Rights International (MDRI). 2006. *Hidden Suffering: Romania's Segregation and Abuse of Infants and Children With Disabilities*. MDRI: Washington.

Organization for Economic Co-operation and Development (OECD) Public Governance and Territorial Development Directorate Public Governance Committee. 2008. *Managing Change in OECD Governments: An Introductory Framework*, June 16, 2008. OECD: Paris.

Oprescu Zenda D. 2007. Another Decade, Another Inclusion. . . A few Words on the Decade of Roma's Inclusion; A Personal Perspective from Romania. In Studia *Universitis Babes-Bolyai-Studia Europaea*, 3.

Office of the OSCE High Commissioner on National Minorities, the Council of Europe's Migration and Roma/Gypsies Division, and the European Union's European Monitoring Centre on Racism and Xenophobia. 2003. *Breaking the Barriers-Romani Women and Access to Public Health Care*. Council of Europe: Vienne.

Pettigrew AM, Whipp R. 1991. *Managing Change for Competitive Success*. Blackwell: Oxford.

Pettigrew AM, Whipp R. 1992. Managing change and corporate performance. In *European Industrial Restructuring in the 1990s*, Cool K, Neven DJ, Walter I (eds). MacMillan Academic and Professional: Basingstoke, London.

Pettigrew AM, Ferlie E, McKee L. 1992. *Shaping Strategic Change – Making Change in Large Organizations: The Case of the National Health Service*. Sage: London.

Polidano C. 1999. The new public management in developing countries. *Institute for Development Policy and Management*. IDPM Public Policy and Management Working Paper No. 13, November; 1–38.

Pressman J, Wildavsky A. 1973. *Implementation*. University of California Press: Berkeley, CA.

Ralston DA. 2007. *The Crossvergence Perspective: Reflections and Projections*. University of Oklahoma Press: Norman, US.

The Economist. 2008a. Corruption in Eastern Europe. Talking of Virtue, Counting the Spoons. Retrieved on May 22, from the Economist.com. http://www.economist.com/world/europe/displaystory.cfm?story_id=11412918.

The Economist. 2008b. Bottom of the Heap. Retrieved on June 19, from the Economist.com. http://www.economist.com/world/europe/displaystory.cfm?story_id=11579339.

The Economist. 2008c. The European Union Conceals Romania's Backsliding Corruption. Retrieved on July 5, from the Economist.com. http://www.economist.com/world/europe/displaystory.cfm?story_id=11670671.

Thomas A. 1996. What is development management? *Journal of International Development* **8**(1): 95–110.

Thomas A. 2007. Policy arena. Development management – values and partnerships. *Journal of International Development* **19**: 383–388.

UNICEF, MEC-Romanian Ministry of Education and Research, ISE-Institute for Education Sciences and ICCV-Institute for the Research of Life Quality. 2002. *Participation to Education of Romani Children*. UNICEF: Bucharest.

UNICEF Unite for Children 1946–2006. 2006. *Children on the Brink. A Focused Situation Analysis of Vulnerable, Excluded and Discriminated Children in Romania*. UNICEF: Bucharest.

United Nations. 1989. *Convention on the Rights of the Child*. United Nations: New York, NY.

United Nations and CRC. 2003. *Convention on the Rights of the Child Romania*. Committee on the Rights of the Child. New York, NY.

USAID. 2006. *USAID and Child Welfare Reform in Romania: Challenges, Successes and Legacy*. USAID: Washington, DC.