

Abstracts

Corneliu-Liviu Popescu, Romanian courts competent to request advisory opinions from the European Court of Human Rights

Abstract: The High Court of Cassation and Justice and the Constitutional Court, as the two supreme courts in Romania, are the highest national courts and they are included in the declaration addressed by Romania to the Secretary General of the Council of Europe at the time of signing Protocol no 16 to the European Convention on Human Rights, and in the list established by the law ratifying this treaty, so they are competent to address requests for advisory opinions to the European Court of Human Rights. Courts of appeal, on the other hand, have no such competence, despite their inclusion in the declaration deposited when Protocol no 16 was signed, although a second declaration, eliminating them, requested by the ratification law, was never deposited, because they do not meet the conventional requirement of being the highest courts at least in certain matters, the European Court of Human Rights having jurisdiction to verify compliance with this condition and to declare, where appropriate, inadmissible a request for an advisory opinion from a court of appeal

Key words: European Court of Human Rights, Advisory opinions, The highest national courts, Declaration addressed to the Secretary General of the Council of Europe.

Corneliu-Liviu Popescu, Les juridictions roumaines compétentes à solliciter des avis consultatifs à la Cour européenne des Droits de l'Homme

Résumé: La Haute Cour de cassation et de justice et la Cour constitutionnelle, en tant que les deux cours suprêmes en Roumanie, sont les plus hautes juridictions nationales et elles figurent dans la déclaration adressée par la Roumanie au Secrétaire général du Conseil de l'Europe au moment de la signature du Protocole no 16 à la Convention européenne des droits de l'Homme et dans la liste établie par la loi de ratification de ce traité, donc elles sont compétentes à adresser de demandes d'avis consultatifs à la Cour européenne des Droits de l'Homme. Par contre, les cours d'appel n'ont pas cette compétence, en dépit de leur inclusion dans la déclaration déposée lors de la signature du Protocole no 16, tout en sachant qu'une deuxième déclaration, en les éliminant, demandée par la loi de ratification, n'a jamais été déposée, car elles ne remplissent pas la condition conventionnelle d'être les plus hautes juridictions au moins dans certaines matières, la Cour européenne des Droits de l'Homme ayant la compétence à vérifier le respect de cette condition et de déclarer, le

cas échéant, irrecevable une demande d'avis consultatif provenant d'une cour d'appel.

Mots clés: Cour européenne des Droits de l'homme, Avis consultatif, Les plus hautes juridictions nationales, Déclaration adressée au Secrétaire général du Conseil de l'Europe

Cristi Danileț, The judicial system in Moldova: findings and proposals

Abstract: The justice system in the Republic of Moldova reflects both similarities and notable differences from that in Romania, influenced by the geographical and cultural proximity. The Moldovan judicial system has gone through multiple crises and reforms in recent decades: the post-Soviet transition, accusations of politicization and corruption, major scandals such as the “Robbery of the Century” and attempts to align it with European standards. In recent years, accelerated reforms, such as code amendments and vetting procedures, have aimed to increase the efficiency and transparency of the system, but especially the integrity of judges and prosecutors. However, challenges remain: the length of court proceedings, low case resolution rates and the political influence on the justice system. Recent progress, supported by European pressures, points to a positive direction, with initiatives on digitalization, continuous training of judges and the fight against corruption. These efforts are essential for strengthening the rule of law and public trust in the judiciary.

Key words: judges, prosecutors, European standards, rule of law, corruption, vetting, Superior Council of Magistracy, Republic of Moldova

Liliana (Ene) Ceacîru, The interest of Romanian eugenicists in the interwar period for social hygiene, eugenics and biopolitics: a terminological analysis of the periodicals *Buletin Eugenic și Biopolitic (Eugenic and Biopolitical Bulletin)* and *Revista de Igienă Socială (Journal of Social Hygiene)*

Abstract: I undertook a terminological analysis of the publications *Eugenic and Biopolitical Bulletin* and *the Journal of Social Hygiene* that promoted the ideology of eugenics in the interwar period. I obtained the classification of the terms eugenics, social hygiene, race, gypsies, Jews, sterilization and biopolitics through the methods of hierarchical agglomeration: the Minkowski method and the Bray-Curtis difference. The optimal number of clusters was determined using the average Silhouette index. The clusters captured the relationships between the social and biological terms and concepts that nourished the racial and eugenic ideologies of the period 1927-1947.

I showed that the term most frequently mentioned in the journal *Eugenics and Biopolitics Bulletin* was that of “race” and I interpreted the result as reflecting the influence of racial and eugenic ideologies from the interwar and World War II periods. I highlighted the repeated references to “social hygiene” in the *Journal of Social Hygiene*, proof of the centrality of public health concerns in the period 1931-1944. Cluster 1 highlights the intersection between race, social hygiene and eugenics, and cluster 2, the importance of

social hygiene, which became a distinct category of public policy in the interwar period.

Key words: Roma, eugenics, race, sterilization, biopolitics, cluster, Interwar period, Eugenic and Biopolitical Bulletin, Journal of Social Hygiene

Delia Grigore, The Romanian Roma – a historically stigmatized identity

Abstract: By using the specialized bibliography on the history of Roma in Romania, previous and current field research, collections of Romanian folklore about Roma and Roma folklore about the Roma identity marked by racism, the article aims to identify the causes and manifestations of the stigmatization of Roma ethnic identity and of the internalization of this stigma.

The results of the research led to the statement that history has fundamentally influenced the structuring of the self-image of the Roma, and therefore the contemporary Roma ethnic identity, which is found both in the Romanian folklore about the Roma and in the Roma folklore about identity and racism.

The conclusions of the article include a recommendation to make cultural and educational public policies more accountable through the adoption of reparative measures in order to destigmatize and reconstruct the contemporary Roma ethnic identity in the spirit of reparations law and transitional justice.

Key words: Roma, Gypsy, ethnonym, exonym, racism, stigma, self-esteem, ethnic identity, collective mind, folklore, transitional justice

Gabriel Andreescu, Some observations on Delia Grigore’s study, “The Romanian Roma – a historically stigmatized identity”

Abstract: The article is constructed as a dialogue with Delia Grigore’s work, “The Romanian Roma – a historically stigmatized identity”. I started my analysis with a brief description of the historical leaders of the civic movement who dedicated themselves in the 1990s and early 2000s to the modernization of the Roma identity project. I discuss, critically, some of the researcher’s major theses, among them: that researchers’ choice to ignore Roma history until recently, the choice to limit studies on Roma, for a long time, to ethnographic aspects, and the almost total distortion of historical truth are forms of a racism of exclusion towards the Roma; that it is necessary for research on Roma to be organically attached to the identity of the Roma, a condition for the establishment of a theoretical base that would be useful for the progress of the field; the argument that the correct spelling of the word “Roma” is with a double r, to emphasize the nasalized pronunciation of the term; considering Roma social integration policies as “cultural ethnocide”; ignoring the Roma in the Treaty on Minorities signed by the Romanian state in 1919; the persistence, in the ancestral Roma collective memory, of the slave identity; romanticizing identity issues, instead of treating them in terms of social psychology and using research methods specific to the latter.

Key words: Roma, scholaractivism. scholarship, emic approach, ethical approach, Black Lives Matter, Nicolae Gheorghe, Vasile Burtea, Delia Grigore