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**Holocaust Remembrance as Reparation for the Past: A Relational Egalitarian Approach**

**Adelin Dumitru**[[1]](#footnote-1)

**Abstract**

*In the present chapter I try to determine to what extent the public policies adopted by Romanian governments following the fall of the communist regime contributed to alleviating the most egregious past injustice, the Holocaust. The measures taken for memorializing the Holocaust will be analysed through the lens of a mixed reparatory justice – relational egalitarian account. Employing such a framework entails a focus on symbolic reparations, meant to promote civic trust, social solidarity, and encourage the restoration of social and cultural capital in societies affected by historical injustices. Such symbolic reparations can include public atonement, changing street names, establishing memorials, funding museums, including Holocaust study in the national curriculum, setting national days for the commemoration of the Holocaust, etc. The need for symbolic reparation has become increasingly clearer in the literature on Holocaust memorialization, and the present paper intends to go a step further, by providing researchers with a theoretical approach that can be used to make better sense of the effects of measures taken as part of the process of Holocaust remembrance. In the chapter I also address the issue of determining who the duty-bearers should be. I argue that there could be several indicators for reparatory justice, including in this case compensation programs and the establishment of institutions that would allow dialogue between descendants of the victims and descendants of the perpetrators, a* sine qua non *condition for restoring social trust in communities marked by violations of human rights, especially of such a scale as the Holocaust.*

**Keywords**

Duty-bearers; memorialization; relational egalitarianism; reparatory justice; symbolic reparations

**Introduction**

The history of the world is marked by instances of egregious injustices. Living in democratic societies, we often forget the horrors of the past, and we often ignore their consequences in present day’s inequalities between individuals. How can we prevent the recurrence of past atrocities? How can we ensure that victims will not be forgotten, that their suffering will not be neglected, that their descendants will be able to lead flourishing lives (no matter what interpretation of the concept of a flourishing life we embrace)? What reparations should accrue to victims or their descendants, and who should bear the burden of those reparations? These represent just some of the questions addressed by what has become known as reparatory justice, a branch of distributive justice concerned with alleviating past wrongs. Different conceptions of reparatory justice have been applied to study the investigation of the crimes committed during the Jeju Uprising in Korea (Yamamoto, Lee and Lee: 2012), the privatization of the nationalized houses in Romania following the collapse of the communist regime (Socaciu: 2014), the reintegration of Czech political prisoners in the post-communist society (David and Choi: 2006), the redress process for the Japanese Americans interned following the Pearl Harbor attack (Yamamoto: 2012), the measures that ought to be taken in regard to the African-American population in view of the centuries of slavery to which their ancestors have been subjected (Walker: 2006), and so on.

In the present paper I endorse an account of reparatory justice inspired by relational egalitarianism, which I then employ to frame Holocaust Remembrance as a series of actions meant to provide reparations for perhaps the most horrendous historical injustice. A secondary objective is to determine to what extent the public policies adopted by the Romanian authorities following the fall of the communist regime contributed to repairing the past. Although the conclusions will be that much more is needed in order for this to occur, I will also emphasize the developments that have been made in comparison to the meagre memorialization efforts made during the communist regime. Lastly, I explore the matter of who should the duty-bearers be in such cases. My argument will be that, although all of society is responsible for bringing about the aims of reparatory justice, it is through institutional channels that this duty should be discharged. There are both prudential and justice-related reasons for emphasizing the role that should be played by institutions in the process of symbolically repairing the past, both of which will be explored towards the end of the chapter.

The main research question (**RQ1**)thus concerns the extent to which the public policies adopted by Romanian authorities contributed to alleviating the Holocaust, seen as an instance of historical injustice. The chapter is structured following a series of secondary research questions. Responding to these will allow me to provide a proper answer to **RQ1.** In the first section, I present what reparatory justice is and I emphasize the reasons for focusing on symbolic reparations, as opposed to other kinds of reparations (although I will also delve into these other types of reparations throughout the paper). In the second section I present relational egalitarianism, choosing Elizabeth Anderson’s (1999) democratic equality as the prominent representative among other relational egalitarian theories, and I argue for an account of reparatory justice inspired by this approach. The third section presents the measures taken in Romania for memorializing the Holocaust before and after the fall of the communist regime, and analyses these from the standpoint of the theoretical framework mentioned above. Although I will focus mostly on the Jewish Holocaust, the Roma Holocaust will be featured more prominently in Section 4, in which I present the concept of enduring injustice (Spinner-Halev: 2007). The main reason why I discuss the two categories of victims of the Holocaust separately is because they present distinct challenges for the process of reparatory justice. Section 5 is dedicated to the question of who should be the duty-bearers in the process of rectifying the past. The 6th and final section is dedicated to providing an answer to **RQ1.** The present chapter offers a normative approach to Holocaust Remembrance, as I am concerned with evaluating from the standpoint of justice the public policies adopted in regard to Holocaust memorialization. Thus, it could be argued that the chapter represents an exercise in the normative analysis of public policies, in which one tests the desirability of certain public policies and puts forth recommendations concerning how future policies could be issued so that they can better fulfil the aims of a normative proposal. The normative proposal, in this case, is the dual reparatory justice – relational egalitarian account, first defended in Dumitru (2019) and further refined in the present chapter.

**What is reparatory justice?**

Reparatory justice is the name given to that branch of distributive justice that studies the specific ways in which societies try to make amends for past wrongs. The assumption that lies behind reparatory justice is that these reparations should act as a liaison between the harmful historical acts and a future that should at least partially make up for those acts. The specific reasons for which we need these reparations differ, however. In backward-looking versions of historical injustice (Morris: 1984, pp. 178-9), the focus is on benefits accruing to persons by virtue of the fact that they were victims of past injustices (Brooks: 2008). We could say that this constitutes a retrospective justification for the measures taken (Farber: 2006). In forward-looking versions, one is concerned with the contribution that reparations bring to the quality of life of their beneficiaries (De Greiff: 2006, p. 467). Under this conceptualization, the aim of reparations becomes not “getting even” but something more akin to “getting equal” (David and Choi: 2009). The second approach seems to be more widely accepted in the literature on reparatory justice, and thus I also opt for it.

 There are many forms that reparatory measures can take. Following Socaciu’s taxonomy (2014), we can have symbolic or rectificatory reparations. The latter can further be divided into non-restitutive measures (such as lustration or positive discrimination) and restitutive measures (either compensatory, which are based on monetary transfers, or in kind). Symbolic reparations refer to public acts of atonement, changing of street names, organizing national commemorative days, establishing publicly funded museums, organizing commissions that analyse past injustices, setting up meetings between former victims and former perpetrators, etc. According to De Greiff (2006, p. 452), such symbolic gestures are meant to promote civic trust, social solidarity, and even encourage the restoration of social and cultural capital in societies marked by past injustices. In my previous account of reparatory justice (Dumitru: 2019), symbolic reparations stand as the crux of reparatory justice programs. Such actions are seen as “required for recreating social capital, reinforcing the bonds between people, and re-instilling a sense of belonging to the same political community” (Dumitru: 2019, p. 74). As it will become clearer in the subsequent sections, this focus on symbolic reparations is a consequence of embracing a relational egalitarian approach to justice. For the time being, it suffices to say that symbolic reparations represent an important component of any reparations scheme. The justification for this is that symbolic actions are perceived as “mechanisms restoring the dignity of victims and survivors” and as instruments for “facilitating the process of remembering and commemorating the pain of the past” (Minty: 2006, p. 423).

 Nonetheless, compensatory programs can also be interpreted in a symbolic reparations key. According to Woolford and Wolejszo (2006, p. 873), “material compensation is often intertwined with symbolic reparations. Material compensation may be distributed to acknowledge their collective suffering and hardship”. Thus, to the extent that I will talk about other forms of compensation, I will consider them as extensions of symbolic measures. Another reason for focusing on symbolic reparations is that other forms of compensation have been poorly implemented in Romania. As it will be shown in later sections, there is only one normative act (Law no. 189/2000, last amended in 2017) that obliges the Romanian state to pay compensations to Holocaust survivors.

 A distinction that is probably important to mention, especially considering the fact that I will focus on the Romanian context, is the one between reparatory justice and transitional justice. According to the definition advanced by the International Center for Transitional Justice[[2]](#footnote-2), transitional justice “refers to the ways countries emerging from periods of conflict and repression address large-scale or systematic human rights violations so numerous and so serious that the normal justice system will not be able to provide an adequate response”. Similarly to reparatory justice, it “is rooted in accountability and redress for victims, the recognition of the dignity of individuals, the acknowledgment of rights violations and the aim to prevent them from happening again”. The set of measures mentioned are criminal prosecutions, truth-seeking processes, reparations for human rights violations, and the reform of laws and institutions. Transitional justice encompasses all the processes that “take place after the transition from one political regime to another” (Elster: 2004). Although transitions from one regime to another had existed throughout most of history (Elster traces back such processes to Ancient Greece), it is in the second half of the twentieth century that transitional justice became a common endeavour. It was accompanied by efforts of “democratic activists and their allies to find new ways to address the past”, pursuant to the realization that “the process of assuming the dictatorial past represents the key to building a stable, legitimate democracy” (Stan: 2009, p. 2). We can thus see transitional justice as a more general approach, of which reparatory justice is a necessary part. It is for this reason that Teitel (2000), in one of the flagship books in the field, mentions in his efforts to build a theory of transitional justice that reparatory justice coexists alongside constitutional, administrative, and criminal justice. Furthermore, reparatory justice, at least in the literature to which I refer in this chapter, is more concerned with analytical political philosophy and justice than with democratization and state-building.

 It is in this key that I intend to read the efforts of Holocaust Remembrance. The need for symbolic reparations, for instance, has become increasingly clearer in the literature on Holocaust memorialization. Colwell-Chanthaphonh (2007, p. 25) mentions how remembering the past is “fundamental to reconciliation”, and that “before communities and individuals can resolve conflict, they must first confront what has come to pass”. As such, bringing to light the horrors of the past becomes instrumental in “achieving atonement and moving society forward”. Yael Danieli (2006) mentions in her account of some essential elements for the healing of survivors of massive traumas several factors that should sound familiar by now. Among these, Danieli (2006, p. 343) emphasizes “the reestablishment of the victim’s equality of value, power, esteem” or “repairing the nation’s ability to provide and maintain equal value under law”; such objectives can be achieved by “compensation, commemoration, apology, creating national mechanisms for monitoring, education, securing public records”. Collective memory plays a vital part in “leaving a legacy so that the victims and survivors of the Holocaust and other gross human rights violations will not be forgotten” (Danieli: 2006, p. 352). Cunneen (2006, p. 363) also mentions acknowledgement and public apology as representing the backbone of a process of reparations for the past.

 Why should we offer reparations? Walker mentions that “what is given to or done for the victim of wrong, however appropriate in light of the harm caused by the wrong, is not in itself what constitutes reparations, for it must be given or done by those responsible for wrong or its repair, and given in a certain spirit and with a certain intent” (2013, p.206). What relational egalitarianism does is to give us reasons for undertaking the efforts of reparatory justice. It provides us with the forward-looking justification for reparation schemes. In the next section I explore what relational egalitarianism entails and why its connection with reparatory justice seems to be a legitimate one.

**A relational egalitarian account of reparatory justice**

According to the relational ideal of justice, “a situation is just only if social relations have certain specific, desirable features” (Lippert-Rasmussen: 2018, p. 5). This ideal of justice has become widespread in political philosophy after Elizabeth Anderson introduced it in a 1999 article, which criticized purely distributive views on the ground of missing the point of what we should care about when it comes to the well-being of persons. According to Anderson (2004), equality should be conceived as a status relation among people, marked by the absence of oppressive relations, and ensuring that individuals can interact as equals in society. Injustice is traceable to instances of injury to somebody’s interests, freedom, dignity, equal standing, and security against harm (Anderson: 2010, pp. 16-8). The idea behind Anderson’s proposal is that all people are moral agents, endowed with the power to develop and exercise moral responsibility, to cooperate with others according to some principles of justice, to shape and fulfil a conception of their good (Anderson: 1999, p. 312). Distributions are still needed in Anderson’s ideal society, but they ought not to be fetishized, but done for the purpose of guaranteeing access to levels of functioning sufficient to stand as an equal in society (Anderson: 1999, pp. 317-8). Anderson’s particular version of relational egalitarianism has become known as democratic equality, given that it focuses on how social relations should be in order for everyone to function as an equal in a democratic society.

 It is not enough that citizens treat each other as equal – the state must also take measures showing that it treats each citizen equally: “Anderson assumes that in a community in which people stand in relations of equality to others, the state acts from principles that express equal respect and concern for all citizens, and to the extent that it does not, the ideal of democratic equality is unsatisfied” (Lippert-Rasmussen: 2018, p. 36). Any form of social relationship “in which some people dominate, exploit, marginalize, demean and inflict violence upon others” (Anderson: 1999, p. 313) should be excluded were a government committed to bringing about relational egalitarianism. To this is added what Lippert-Rasmussen interprets as a time-relative sufficiency requirement, that “no one should be excluded from or segregated within the institutions of civil society, or subjected to discrimination on the basis of ascribed social identities by institutions of civil society” (Anderson: 1999, p. 317, apud Lippert-Rasmussen: 2018, p. 38). Other relational egalitarians, such as Scheffler (2015), insist on deliberation as a means through which individuals show that they treat each other’s interests as “equally constraining in relation to resolving practical matters” (Lippert-Rasmussen: 2018, p. 64). Lippert-Rasmussen (2018, p. 118) also draws the conclusion that one important political implication of the relational ideal is that “in relating as equals it is important that a truly egalitarian society is an integrated one”, in which “its citizens are often confronted with the perspectives of others”. This will be especially important in societies marked by past injustices, in which there is a need for dialogue between perpetrators and victims, or between the descendants of both categories. In such societies another feature of relational egalitarianism that should not be underplayed is its expressive function, the fact that we can treat others with equal concern and respect only if we take measures and act on the basis of principles that themselves express equal concern and respect (Lippert-Rasmussen: 2018, p. 79).

 Why do we need relational egalitarianism if we are concerned with repairing past wrongs? Lofstrom (2011) presents the case of a monument erected in Helsinki to honour the memory of eight Jewish refugees deported to the Nazi-controlled Tallinn in 1942 by the Finnish authorities. Lofstrom (2011, p. 94) draws attention to the fact that a former Prime Minister of Finland, Paavo Lipponen, mentioned in his intervention that “…on behalf of the Finnish Government and all the Finnish people I apologize for it to the Jewish community… the new generation must be told about the Holocaust always when also the glorious history of the Fatherland is spoken of”. Lofstrom (2011, p. 98) considers that Lipponen’s discourse represents an instance of an exclusionary practice of cultural citizenship, as it amounts to saying that “if you wish to be part of the community of the Finnish people, you should feel morally obliged to partake in the apology, and if you cannot share this sentiment, you cannot be regarded as a member of this moral and cultural community”. The conclusion that I draw is somewhat more optimistic, and focuses on what Lofstrom (2011, p. 95) calls “the potential of historical apologies to generate symbolic inclusion and reconciliation within communities”. Historical apologies, as part of the wider set of symbolic reparations, ought to be provided *for a certain reason*.They must serve a purpose, and, taking into consideration the argument from the previous section, also have a forward-looking aim. Relational egalitarianism offers such a forward-looking justification for symbolic measures. In Dumitru’s (2019) account, measures such as public atonement, establishing memorials, publicly funding museums, etc., are meant to improve the status of the victims’ descendants, to the end that each citizen attains equal standing in a certain society. Given that the aim of the present chapter is to assess whether the actions undertaken by Romanian authorities have indeed been appropriate and desirable from a normative point of view, the relational egalitarian framework seems to be suitable to deal with such a subject, given the importance it attributes to the equality of citizens. The empowerment of victims amounts to a *sine qua non* condition of repairing the past (David and Choice: 2006), and relational egalitarianism provides us with the toolkit we need in order to assess the public policies adopted by Romanian officials. It is no wonder that relational egalitarians such as Schemmel (2012) insist on the purpose of establishing institutions that can carry out the aims of relational egalitarianism – discharging our duties towards others is fundamentally dependent on the existence of an appropriate institutional scheme in his account of relational egalitarianism. By insisting on expressive measures, an account of reparatory justice gaining normative traction from relational egalitarianism can account for the forward-looking function that should be reached by reparations, whether we consider that this is “increasing utility, deterring future wrongdoing or promoting distributive justice” (Posner and Vermeule: 2003, p. 692).

An added benefit of embracing relational egalitarianism is perhaps more obvious when we refer to the literature on Holocaust Remembrance. Stone (2004, p. 509) discusses the struggle between those who “sought to incorporate the Holocaust into traditional forms of commemoration and those who have sought to find ways of commemoration that in themselves embody a fundamental uneasiness or mistrust of the possibility of Holocaust commemoration”. The main advantage of my approach will be that whether an act is a traditional or a non-traditional form of commemoration does not matter in itself. What matters is the extent to which such acts contribute to attaining the goals of the normative proposal I endorse throughout the paper. Furthermore, this allows me to treat material forms of reparations (monetary compensation for instance) on par with symbolic reparations, as all would be equally important within the Andersonian framework. With the normative framework outlined above, in the following section I will turn my attention to the series of measures that have been adopted by communist and democratic authorities in Romania with regard to Holocaust memorialization and analyse whether or not they fulfil the aims of reparatory justice as conceived in this paper.

**Holocaust Remembrance in Romania before and after the 1989 Revolution**

One distinction that should be made from the outset is the one between Holocaust Remembrance prior to and after 1989. While the (limited) actions of memorializing the Holocaust taken in Romania before 1989 had been made under a communist regime, the ones after 1989 have to be judged in a distinct way. Given the fact that Romania became a democratic country in the 1990s, there are other standards to which we should hold the authorities for their action or inaction in this regard. That is, although the lack of reparatory measures prior to 1989 should be considered problematic from a moral standpoint, the failure of the authorities to implement an appropriate reparations scheme after 1989 should weigh more heavily, given the existence of democratic institutions. Moreover, after 1989, a further variable was introduced in the already complex equation of Holocaust Remembrance: the fact that, during those transitional years, the victims of the communist regime also had to be remembered. This led to a peculiar and problematic stance of the Romanian authorities, in which many perpetrators of crimes against humanitycame to be seen as victims of the communist regime. This dual identification of figures associated with the legionnaires (*i.e.* members of Romania’s interwar fascist movement) and Ion Antonescu led in some cases to *regress* concerning Holocaust memorialization. Florian (2018) explains this by resorting to Todorov’s concept of competing traumas during the previous century: the Holocaust and the Gulag. Similarly, in post-communist Romania two competing agendas can be said to operate: one meant to promote the memory of the victims and another one focused on rehabilitating the perpetrators*:*

 *“this second agenda is supported by public expressions nurtured by the view that in Romania there were 2 totalitarian regimes, and the communist one was longer and had terrible consequences for the Romanians. The Holocaust is more or less acknowledged, but many position it in second place in the hierarchy of twentieth-century human tragedies. Meanwhile, Romanian fascists who were morally or juridically convicted after 1945 are publicly acclaimed by some social actors.”* (Florian: 2018, p. xxix)

Operating with such hierarchies of victims could be problematic, especially if one embraces a relational egalitarian account. This is one of the main reasons why the Romanian institutions will be found lacking when it comes to bringing sufficient reparations for the past.

*Holocaust Remembrance during the communist regime*

Florian (2018) mentions how until the fall of the communist regime “the only victims commemorated on public monuments were antifascists who, following the ideology of class struggle, were sometimes described as representatives of the working class” (p. xii). The communist authorities tried to conceal the Holocaust, to the extent that only one book concerning the suffering of the Romanian Jews was published in Romania until 1989, Matatias Carp’s *Black Book* (1946-1948). As early as during the trial of Marshal Ion Antonescu and his collaborators, it became obvious that the communist regime would perpetuate “a tendency to distort the nature of the crimes being prosecuted…Jews [being] eliminated from the role of main victims” (Final Report: 2004, p. 337). The most influential history textbook of the time, Roller’s *History of Romania*, went even further, by “replacing Jews and Roma with communists and Romanians”, no reference being made to anti-Semitism as “a defining trait of Antonescu’s dictatorship” (Final Report: 2004, p. 338). As time went by, Roller’s approach started being more criticized, but the subsequent approaches to historiography that followed shared Roller’s neglect of anti-Semitism.

 The trials of the war criminals showcased the unwillingness of the communist regime to acknowledge the systematic efforts made by the Antonescu regime to exterminate Jews and Roma (the following presentation is largely based on the Final Report: 2004, pp. 313-331). First of all, it should be mentioned that the laws condemning war criminals adopted until the communists came to power in March 1945 were very loosely formulated, so that “many war criminals evaded incarceration or escaped with negligible punishment” (p. 316). With the inauguration of the Groza Government in March 1945, the regulations had been hardened: “under the [new] sanctioning, politicians in responsible offices, officers or soldiers of the armed forces, the gendarmerie, and public officials, as well as those who had spread the fascist and legionary ideas were included” (p. 318). During the most notorious trial, of Marshal Ion Antonescu, the Holocaust was scarcely referenced: only 23% of the indictment and the corpus of evidence referenced the Holocaust, to the effect that “the trials did not present a clear picture of what the public could find out about Transnistria after 1989” (p. 321). It is during that trial that one of the false myths concerning the Antonescu regime that was propagated after 1989 emerged. As the Final Report mentions, Ion Antonescu claimed that the deportations of the supposedly 170,000 Jews to Transnistria (although the real number was much higher) were carried out in order to “save the allegedly pro-communist Jews from the population’s wrath” (p. 321). To make matters worse, he claimed that this had been done in order to ensure their safety. In later trials, there was an obvious tendency to redirect the responsibility to the army, and to morally safeguard the gendarmerie. This was in line with the efforts of the communist authorities to downplay the anti-Semitic aspects of the Antonescu regime:

 “*The low priority of the fate of Jews is evident, and while most of the crimes were committed against Jews, they are addressed last, after the Soviets and communists, as if the Antonescu regime had the same policy toward the communists as they did toward the Jews. The trial against those accused of crimes against the population of Iași – in fact, the trial of the accused of the Iași pogrom of June 1941 – had the same characteristics. This situation was characteristic of the postwar trials, where the details left no doubt as to the identity and fate of the victims, but the political jargon of the era prevented open discussion about the victims, Jews, killed because they were Jews.”* (Final Report: 2004, p. 328)

 This is not to say that the crimes committed against the Jews and the Roma had not been mentioned during the trials – only that the propaganda of the day precluded the crimes of the Antonescu regime from being framed as primarily oriented against ethnic groups:

 *“The communist analysis of the nature of fascism, the elements of class struggle and the constant references to the Soviet Union should not obscure the fact that at the time of the trials, when the whole picture was not clear and data was still missing, the various atrocities against the Jews – the killings and the deportations – were there to see.”* (Final Report: 2004, p. 330)

 As the Final Report makes clear, later on, the rare occasions in which the Ceaușescu regime made any kind of reference to the Holocaust was when this served the interests of the regime. The following case is illustrative of this aspect. Chief Rabbi Moses Rosen was allowed to commemorate the Iași pogrom starting with 1986. The only publication which was permitted to report about the commemorations was *Revista cultului mozaic [The Journal of the Mosaic Cult]*,widely circulated abroad. Accordingly, “this managed to create outside Romania a cosmeticized image of how the Holocaust was being treated under Ceaușescu’s regime” (Final Report: 2004, p. 346). Thus, even the little gestures made by the communist regime were conditioned by the effects they would have on those in power, and not on their effects as reparations for a past wrong. Not only was the communist regime marked by an absence of symbolic reparations (let alone other forms of reparations), but it set the stage for preparing a generation willing to negate the Holocaust or the role played by the Romanian authorities and citizens in the persecution of Jews. The Final Report mentions that the systematic efforts to hide the atrocities committed against the Jews, and the transformation of the crimes against humanity committed by the Antonescu regime into a form of class warfare had a pernicious effect exactly for this reason: “most post-communist Romanian negationism has roots in communist-era historiography of the Holocaust. The victimization and lionization of Romanians, their substitution of Jews in the posture of main victims of Nazism, the deflection of responsibility, the minimization of the real scope of atrocities, self-flattering exceptionalism, the rehabilitation of Antonescu as well as many other manifestations were to reproduce themselves in various forms in post-communist negationism” (Final Report: 2004, p. 348).

 In their analysis of history textbooks published during the communist regime, Bărbulescu et al. (2013, p. 46) find that “even when the authors mentioned the victims’ ethnic identity, Jews were in the background, the specific nature of their tragedy being minimized or completely distorted”. It is no wonder then that after the 1989 revolution, it took more than 25 years for Romanian citizens to accept that crimes against humanity had been committed against the Jews. During that time, “the Romanians have recovered the Jews as their fellow citizens and also acknowledged their status as victims of discriminatory legislation and deportation policies”, without accepting that the blame was not an external one, but an internal one (Bărbulescu: 2015, p. 151). This is perhaps one of the greatest offenses of the communist regime concerning Holocaust memorialization: that it stifled the very possibility of remembering the past. With a diminishing number of Jews, and an impoverished Roma population, the absence of memory spaces had become under the communist regime “the new normal”, and the absence of symbolic measures can be explained by the absence, in turn, of any reference to the Holocaust in the public sphere (Geissbuhler: 2016). Borrowing an argument made by Mitroiu (2016) regarding the remembrance of the victims of the communist regime in Romania, the institutionalization of memory failed to commence until 1989. From the standpoint of relational egalitarianism, no steps in the right direction had been made under the communist regime. Furthermore, the reluctance of the authorities to condemn the legionnaires and Antonescu for their deeds against the Jews and the Roma set the ground for a resurgence of a nationalist, pro-Antonescu movement in the early 1990s. Seeking the truth regarding the traumatic experiences of the victims of the fascists in Romania has not been a priority for the communist regime, and neither would it be for many years for the newly established democratic authorities. As Cioflâncă (2004) mentions, also the post-communist negationism can partially be traced to the communist historiography of the Holocaust.

*Holocaust Remembrance after 1989*

In the 1990s, plain negationism had been mixed with what the Final Report (2004, p. 334) identifies as “deflective negationism”, whose proponents “admit the existence of the Holocaust, but channel the guilt for its perpetration in several possible directions”. Until 2004, the “key institutional memory characterized the Holocaust as something that was done to the Romanian people, rather than something in which many Romanians were actively or passively complicit” (Kelso and Eglitis: 2014). The authors also highlight that Roma survivors and their descendants have been largely absent in the field of memory politics – a feature which is still valid today (although some steps have been taken in the right direction).

 Shafir (1994) mentions how in 1991 the Romanian Parliament held a minute of silence in the memory of Marshal Antonescu. Together with numerous political declarations highlighting the merits of Antonescu, newspapers such as *România Liberă [Free Romania]* or *Ziua [The Day]* conducted editorial policies meant to rehabilitate the war criminals who had led Romania during World War II. In the early 2000s, under Western pressures, the Romanian Government issued Government Emergency Ordinance no. 31/2002[[3]](#footnote-3), which officially condemned Holocaust denial, fascist propaganda, and the public cult of persons convicted for crimes against humanity (Climescu: 2018, p. 73). In 2004, the International Commission on the Holocaust in Romania concluded that the Romanian authorities had indeed been responsible for the persecution and execution of Jews and Roma. It became the first time in modern Romanian history when the blame was finally put on the real perpetrators of the Holocaust in Romania, and not externalized:

“*The Commission concludes, together with the large majority of bona fide researchers in this field, that the Romanian authorities were the main perpetrators of this Holocaust, in both its planning and implementation. This encompasses the systematic deportation and extermination of nearly all the Jews of Bessarabia and Bukovina as well some Jews from other parts of Romania to Transnistria, the mass killings of Romanian and local Jews in Transnistria, the massive execution of Jews during the Iași Pogrom, the systematic degradation applied to Romanian Jews during the Antonescu administration. A portion of the Roma population was also subjected to deportation and death in Transnistria.”* (Final Report: 2004, p. 381).

The Commission also made a series of recommendations concerning Holocaust Education, the way in which the Holocaust should be commemorated, or reversing the rehabilitation of war criminals. Unfortunately, most of these recommendations have either been disregarded, half-heartedly implemented, or have not resulted in significant improvements for the victims or their descendants. In 2004, the Romanian government decided that October 9th would become the National Holocaust Commemoration Day. In 2005, the Elie Wiesel National Institute for the Study of the Holocaust in Romania was founded. In 2009, a memorial dedicated to victims of the Romanian Holocaust was built with the support of the Romanian state. However, the City Hall and several environmentalist groups in Bucharest (more precisely, legionnaire sympathizers posing as environmentalist groups) opposed the construction of the monument. To make matters worse, no Roma representatives were on the memorial selection committee and Roma were not initially included among the people represented in the winning design (Kelso and Eglitis: 2014). Although an optional subject on the study of the Holocaust was introduced in the educational curriculum, many of the teachers remained poorly informed about the topic, or held legionnaire sympathies themselves. In 2018, responding to an interpellation[[4]](#footnote-4), former Minister of National Education Ecaterina Andronescu mentioned that only 1860 pupils had chosen the optional class regarding the Holocaust. In 2019, the President of Romania Klaus Iohannis promulgated the draft bill[[5]](#footnote-5) concerning the establishment of the National Museum of History of Jews and the Holocaust in Romania. In his official statement[[6]](#footnote-6) regarding the establishment of the Museum, President Iohannis mentioned that the mission of the museum was to “preserve and protect the memory of the victims”. He also referred to the forward-looking mission of the museum, in that “the museum should be an institution of the future, an ally in the fight against ignorance, a force of solidarity and civic patriotism against intolerance, discrimination and antisemitism”. He highlighted the fact that “the sacred mission of this institution will be to reaffirm the right of all humans to live in dignity”. The statement above portrays a function that is closely related to the relational egalitarian account of reparatory justice defended in this paper. Furthermore, a draft bill regarding the establishment of a Memorial Day of the Roma Holocaust – Samudaripen – is at the time of writing being debated in the Romanian Parliament[[7]](#footnote-7).

The Romanian state seems to lag behind others however when it comes to measures involving material compensation. For instance, in July 2019 the German authorities announced that they would provide monetary compensation amounting to subsidies worth $225 per month to Israeli survivors of the Holocaust originating from Romania. The descendants of those Holocaust survivors born after 1910 and deceased prior to June 1st 2002 will also be eligible for these reparations[[8]](#footnote-8). Meanwhile, the former Prime Minister of Romania Viorica Dăncilă announced in March 2019 that the Romanian state would promote three important laws for the Jewish community, including granting Romanian citizenship to Jews who had left the country under the communist regime, pensions for survivors of the Holocaust, and facilitating access to state archives to the experts of the Federation of Jewish Communities in Romania[[9]](#footnote-9). Of these three announced draft bills, at the time of writing only one has entered the legislative process, the draft bill concerning easing the access of researchers to state archives[[10]](#footnote-10).

Although here is not the place to discuss in detail the evolution of the educational system in Romania with regard to Holocaust teaching, it is important to understand why Holocaust education is important for both relational egalitarianism and reparatory justice (and thus, implicitly, for an account that employs both approaches). Carrington and Short (1997) emphasize the fact that, if properly taught, Holocaust study can make an invaluable contribution to the development of skills and attitudes associated with maximalist notions of citizenship – such an instance of a maximalist notion can be even the relational egalitarian conception of what it means to be a citizen: to relate to others as an equal, without “paternalistic coercion, contemptuous pity, condescension, envy, demeaning and intrusive judgments of people’s capacities to exercise responsibility” (Lippert-Rasmussen: 2018, p. 36). Cowan and Maitles (2007) mention how Holocaust education helps pupils understand concepts such as justice, stereotyping and discrimination. What happens when the official stance is that the Holocaust in Romania should be seen in a “third-person style” (Waldman: 2004), when it seems to be something that was done to Romanians, and not by Romanians? What happens when the historical truth is obscured, responsibility is avoided and blame is externalized? Can such a form of Holocaust education really achieve its goals? Denial and dismissal are the words that can best express how most of the Romanian historiography has treated the matter of the Holocaust (Clark: 2012), and why Holocaust education failed to represent a genuine reparatory act is easily comprehended in this context. Learning about the Holocaust is about much more than simply learning about history: it has much to do with the development of those skills that can help bridge the gaps between descendants of perpetrators and descendants of victims. With the passage of time, it becomes increasingly more difficult to ascertain who are those descendants, and it is for this reason that more stringent measures are required as soon as possible.

Although the crimes against humanity committed against Jews and Roma by the Romanian authorities had been on par with those committed by Nazi authorities, Romania has implemented only one normative act concerning compensations for Holocaust survivors. To make matters worse, the adopted normative act was a Government Ordinance amending a previous act that only referred to compensations for the victims of the communist regime. Law no. 189/2000[[11]](#footnote-11) amended Law-decree no. 118/1990 and included subsidies for those Romanian citizens who had been deported, imprisoned in concentration camps, survived the death trains, or were the spouses of persons assassinated or executed because of ethnically-motivated reasons (with the caveat that this did not apply to those who had remarried). Unfortunately, even this restrictive legislative piece has not been properly applied. Not only was the sum provided to Holocaust survivors meagre, but many Roma survivors have not been able to benefit from the law for various discriminatory reasons[[12]](#footnote-12). For instance, state authorities requested from some survivors archive documents confirming the fact that those persons had indeed been deported, or invoked the reasons that some survivors could not *prove that they had returned from Transnistria!* Furthermore, the value of the subsidies has been consistently low in comparison to average prices in Romania. Relational egalitarians can only criticize such an approach to the matter of compensations. Not only would the Romanian public policies be considered a failure from the point of view of the compensations themselves, but from a symbolic reparations standpoint, they mistreat the victims and add further insult to injury. Reparations should not be conceived as an optional feature and they should not depend on the whim of bureaucrats for being offered. In 2017 the Law was amended through Law no. 126/2017[[13]](#footnote-13), which slightly increased the amount of money received by survivors. According to the Memorandum of Reasons, written by one of the initiators of the legislative proposal, Member of the Parliament Silviu Vexler, “the formal condemnation of the Holocaust in Romania must be transcended, and providing material reparations for the moral and physical prejudice committed against the victims represents a step in that directions”[[14]](#footnote-14).

 There are three other main problems that can be identified from the standpoint of the mixed reparatory justice – relational egalitarian account put forth here: the fact that in Romania “forgetting [triumphed] over remembering in the construction of a national narrative” (Kelso and Eglitis: 2014); the fact that Roma continue to play a marginal role in the discourse on the victims of the Holocaust in Romania; and the fact that not enough has been done to inoculate young people against false narratives of history, which largely ignore the responsibility for the Holocaust of the legionnaires and the Antonescu regime. The following sub-section treats this latter problem, by focusing on the case study of street names.

*From simple gestures to achieving equal standing: the case of street names*

Street names can be true “vehicles of commemoration” (Azaryahu: 1996), as they convey powerful messages to the citizens. They represent easily accessible means through which one can cherish the memory of victims, reaffirm it indefinitely, and make them known to the general population. Nonetheless, it is for this reason that street names can also become what we could call *vehicles of discrimination*,when, instead of honouring the memory of victims, they cherish the memory of war criminals; when instead of bringing solace to the descendants of the victims, they contribute to making them feel inadequate and unwelcome in a society. The crux of the problem is that Romanians are still reluctant to accept the blame for the Holocaust, in spite of the conclusions drawn by the International Commission for the Study of the Holocaust in 2004 and the activity of organizations such as the Elie Wiesel Institute.

 In the literature on reparatory justice, changing street names is considered a form of symbolic reparation, which “assists in restoring dignity and public recognition to the victims” (Swart: 2008, p. 106). Swart (2008, p.120) mentions how acts of persecution can become more easily entrenched in people’s memories if they are marked in the cityscape, commemorative street names “representing concrete manifestations of change and remembering”. Furthermore, they represent acts through which “they announce a nation’s new heroes and in so doing they reflect new power structures and officially sanction a particular version of history” (Swart: 2008, pp. 120-1). In Romania, the cult of Antonescu and the more or less undisclosed sympathy for legionnaires or their supporters among the politicians sent the signal that Romania’s heroes were the very people who had engaged in acts of mass murder. When between 280,000 and 380,000 Romanian and Ukrainian Jews were murdered by Romanian authorities and when 11,000 of the 25,000 Roma deported to Transnistria lost their lives (Final Report: 2004, pp. 381-2), choosing to name streets after Marshal Ion Antonescu is a painful harbinger of the indifference of the Romanian post-communist authorities to the plight of an important category of citizens. Ion Antonescu is still an honorary citizen of the Târgoviște municipality[[15]](#footnote-15). Numerous street names have been named “Ion Antonescu”. They have been subsequently renamed only after the Elie Wiesel Institute made interpellations to county and local councils regarding this matter, such as in Beiuș[[16]](#footnote-16). In other cases, such as those of the “Ion Antonescu” streets in Mărășești (Vrancea county), December 1st 1918 (Ilfov county), Predeal (Prahova county), or Constanța, the process of changing the street names is still not complete. More recently, the Urbanism Direction of the Buzău City Hall mentioned that changing a street name could happen only after consultation with the citizens living there[[17]](#footnote-17). This aspect is problematic considering the aforementioned lack of familiarity of the Romanian citizens with the crimes of the Antonescu regime. Furthermore, such symbolic gestures should not necessarily leave room for inaction.

 Choosing a name street might not seem as powerful an act of symbolic reparation as establishing a museum or erecting a memorial. Nonetheless, the failure of the Romanian authorities to accomplish even this less costly form of reparations tells us a lot about how the public policies in Romania score according to a reparatory justice account. Matters are further complicated when historical injustice becomes enduring injustice. The case of the Roma represents an additional example of why equal standing – the *telos* of the relational egalitarian project – has not yet been achieved in Romania.

**From historical to enduring injustice – Memorialization of the Roma Holocaust**

Sher (2005, p. 192) argues that an additional reason for reparations is the empirical observation that “unrectified wrongs of previous generations are systematically correlated with certain wrongs done within the current generation”. That is, the wrong ceases to be only the injustice committed in the past, but “the subsequent failure to rectify it”. Injustice becomes, in Spinner-Halev’s (2007) words, “enduring”. The concept of enduring injustice was put forward explicitly to show that the effects of past wrongs are sometimes noticeable in the present, and that we might not trace the poor social-material conditions in which some individuals live only back to their exercise of responsibility, but to past wrongs that had a negative effect on their life chances. Dumitru (2019) draws the conclusion that both Sher and Spinner-Halev prove that there are in fact two distinct types of blameworthy acts here: the wrongs of the past and the subsequent failures to rectify those wrongs. While the first kind of wrongs can only be redressed through symbolic reparations, the second require reparations that are more concrete.

In Romania, the situation of the Roma people represents an enduring injustice. Injustices against the Roma people had already been committed by the 1940s, but the deportations to Transnistria launched by the Antonescu regime added another layer of injustice. The numerous wrongs against the Roma also interfered with their capacity to publicly commemorate the Holocaust. As Kelso and Eglitis (2014) mention, “for communities characterized by economic deprivation, public commemoration may be an economic luxury that they forgo to focus on immediate needs” (p.506). Although the number of Roma victims in Romania had been smaller than the number of Jewish victims, it is also true that the Roma were the only other ethnic group singled out for extermination by the Nazi regime and their associates (Lutz: 1995). The failure of the Romanian authorities to address this problem is closely intertwined with the failure of the Romanian authorities to implement policies that would help the Roma improve their socio-economic status and thus be able to take on their own measures that would transform the Roma Holocaust from an “invisible genocide” (Stewart: 2011) to a visible one. In the previous section, I presented the problems associated with Holocaust education in Romania. It is small wonder that, when it comes to teaching the pupils about the Roma Holocaust, even less is known among history and civic education teachers in Romania. Kelso (2013, p. 67) writes that “Romanian historiography silences the Romani genocide, a silence that is perpetuated even by the majority of Romanian scholars of the Holocaust […] the lack of references to Roma is part and parcel of institutionalized racism”.

The situation could improve in the future, at least when it comes to policies endorsed by the state. In the Romanian Parliament there is currently a draft bill concerning the establishment of a Memorial Day for the Roma Holocaust, which would be on August 2nd. The memorandum of reasons mentions that such a draft bill could “contribute to a better knowledge of the history of the Roma by the Romanian citizens and to the fight against anti-Roma attitudes”[[18]](#footnote-18). The quoted part is of utmost importance, as the neglect of the Roma Holocaust memorialization, the discriminatory attitudes against the Roma, and the poor socio-economic conditions which still characterize the lives of many Roma are all interconnected and show a failure of the Romanian authorities to enact sufficient reparations for the Roma people. For a relational egalitarian preoccupied with matters of reparatory justice, the Romanian state fails when it comes to the three requirements associated with attaining the objectives of democratic equality: the no disrespect requirement, the no-ranking requirement, and the time-relative sufficiency requirement (Lippert-Rasmussen: 2018, pp. 36-9). The first requirement refers to the absence of demeaning and intrusive judgments concerning people’s capacities to exercise responsibility. Many of the Roma are badly off not because of their decisions, but because we can talk about enduring injustice and about the failure of the Romanian institutions to properly integrate them in educational systems and in the job market. The second requirement mentioned by Lippert-Rasmussen posits that no social hierarchies should exist. The last one looks at the distributive part of a relational egalitarian project. As this does not represent the focus of the paper, I should only mention that it entails that all citizens achieve levels of functioning sufficient to stand as equals in society (Anderson: 1999, pp. 317-8). Anderson considers that democratic equality ought to guarantee effective access to a package of capabilities, and that people ought to function as equals over the course of their entire lives. The purpose is that all have enough resources to avoid being oppressed by others (Anderson: 1999, pp. 319-20). The Romanian authorities, however, poorly satisfy all three requirements. From this perspective, the measures that successive Romanian governments have taken failed to deal with the real problems affecting the Roma population, which in turn had a detrimental effect on the memorialization of the Roma Holocaust.

Roma memorialization poses distinct challenges especially because “the erection of memorials will not be helpful to the Roma unless the mechanisms of the Roma’s exclusion and marginalization are addressed simultaneously” (van Baar: 2011, p.12). As Kelso (2013) mentions, the negative perception of the Roma contributes to a great extent to excluding “the Roma as a victim category of the Holocaust”. As mentioned in the previous section, Roma survivors of the Holocaust are further discriminated by the Romanian authorities when it comes to accessing their rights to monetary compensation from the Romanian state. Mixing the historical discrimination against the Roma, the refusal of the communist regime to acknowledge their status as a national minority, and the failure of the post-1989 public policies to respond adequately to the challenges faced by the Roma led to an unfortunate situation in which the efforts for memorialization of the Roma victims of the Holocaust have been scarce in Romania to date.

**Who should be the duty-bearers?**

So far, I held accountable the Romanian authorities for their lack of achievements in the field of Holocaust Remembrance. Nonetheless, are they the ones that should actually belong to the portfolio of reparatory justice? This section seeks to provide an answer to the question of who should be the duty-bearers: is it individuals, governments, civil society? This becomes an important question in the context of Holocaust Remembrance, as it is often unclear how the moral imperative of “never forget and never again, standard in the repertoire of Holocaust commemoration” (Popescu and Schult: 2019) can actually be realized. Whose moral responsibility is it to realize this moral imperative? My argument is that it is through institutional means that we should instantiate the principles of reparatory justice and ensure that something like the Holocaust will never be possible again. Furthermore, this deserves a more proper explanation.

 We have both prudential and principled reasons for favouring an institutional conception of reparatory justice, which asks that reparatory duties be discharged through institutional channels; at the opposite pole are interactional conceptions, which regulate the conduct of individuals (Pogge: 1992, pp. 48-50). The prudential argument sounds as follows: people might be reluctant to stand out as descendants of aggressors. This is especially a plausible concern in the Romanian setting, given that survey results show a tendency to ignore the fact that the Romanian authorities were the ones who committed the Holocaust and that the Romanian citizens were complicit in their silence. Furthermore, phenomena such as collective action problems or shirking from one’s responsibility make an institutional route seem more accessible (Nussbaum: 2005, p. 213, *apud* Dumitru: 2019). Institutional measures are bound to be quicker to implement, easier to encourage compliance, and would have associated negative sanctions that would dissuade potential violations or punish the instances in which people would not comply with the stipulated measures. For instance, the changes brought in 2015 to the Government Emergency Ordinance no. 31/2002[[19]](#footnote-19) criminalize activities which promote the cult of organizations or persons guilty of crimes against humanity and genocide. The Law no. 217/2015 mentions that the Holocaust refers to the systematic persecution and annihilation of Roma and Jews and singles out the legionnaires as the political movement with a fascist character that is guilty of war crimes. It must be mentioned, however, that the text of the law is quite lenient when it comes to attributing responsibility for said war crimes. For instance, it mentions that the Romanian institutions “endorsed” the Holocaust, and not that they were the ones responsible for committing it (Article 4, paragraph E). Laying aside this shortcoming for the moment, it is worth mentioning that Articles 12 and 13 of the aforementioned legislation forbid commemorative gestures toward war criminals, including “*giving their names to streets, boulevards, parks, markets and other public places”*.There is a noticeable gap, however, between the text of the law and actual practice, as the previous paragraphs showed. Nonetheless, the inclusion of concrete sanctions for such actions (prison term from 6 months up to to 3 years or a fine) is bound to provide further reasons for would-be violators to comply with the legislation.

 The principled reason is that the ends of relational egalitarianism are better fulfilled if we consider that the duty-bearers are the institutions. Only this way can we bring together descendants of victims and descendants of aggressors, and place them on positions of equal setting. This does not mean that individuals are not the ultimate bearers of moral duties, only that the most efficient and fair way of discharging those duties is through institutions.

This is why we need to set up channels for dialogue between descendants of victims and descendants of perpetrators. Such a measure has been blatantly missing from the set of measures adopted in Romania. An open dialogue would serve multiple purposes: it would allow descendants of perpetrators to come forward and acknowledge the role played by their ancestors in the crimes committed against Jews and Roma; it would show to the descendants of victims that they are not forgotten; it would encourage cooperation at a level that is not possible if the truth is obscured; it would help restore social capital in communities; ultimately, it would help instantiate reparatory justice. The National Museum of the History of Jews and the Holocaust can be an important institution in this regard. Accorded to the adopted form of the relevant bill[[20]](#footnote-20), its purpose is to protect the memory of victims of the Holocaust and to promote the fight against antisemitism. The collection of documents and statements regarding the history of the Jews and of the Holocaust in Romania is listed among its attributions. There is no reason why this objective could not be accomplished by organizing such dialogues between descendants of perpetrators and descendants of victims. Moreover, I believe the essence of such an institution should be to soothe the wounds created by historical injustice and to help bring about a society in which everyone stands on equal positions, in which citizens are aware of the crimes committed and willing to actively participate in the efforts to repair the past wrongs. One of the prerequisite conditions for such dialogues are, however, other institutional measures, such as securing public records indicating who had been the perpetrators of the Holocaust, and more rigorous enforcement of the legislation condemning the endorsement of legionnaires and their collaborators.

Lastly, even if it were more difficult to acknowledge who belongs in the category of descendants of victims and who in the category of descendants of perpetrators, what we can do is acknowledge the fact that the collective guilt for the Holocaust requires publicly funded compensatory programs. Whether these take the form of symbolic reparations as in the case of museums or memorials, or affirmative action programs like encouraging Roma participation in higher education through reserved places, all such measures serve the purpose of redressing the past. Furthermore, following such an account it would appear advisable that the Romanian state should distribute even more money to Roma education, in order to show that it acknowledges its moral debt towards the descendants of the Roma victims of the Holocaust.

**Conclusion**

In the present chapter I put forth an account of reparatory justice in which symbolic gestures represented the main focus. This account was based on relational egalitarianism, which considers that all citizens should attain equal standing in a society and that this is a requirement for calling that society a just one. Using this account, I analysed the measures taken by the Romanian authorities regarding Holocaust Remembrance. The main research question of the paper asked to what extent the public policies adopted by Romanian authorities contributed to alleviating the most tragic historical injustice, the Holocaust. After investigating the measures taken during the communist regime and after the 1989 revolution that involved a transition to democracy, my conclusion is that not enough has been done in order to achieve the ends of the mixed relational egalitarian – reparatory justice framework.

 The most significant obstacle seems to be the reluctance of the authorities to acknowledge the role played by Romanian institutions and citizens in perpetrating the Holocaust. All the shortcomings of Holocaust Remembrance in Romania that have been mentioned in the chapter stem from this propensity to obfuscate and downplay the responsibility of the Romanian state. As Niven (2007, p. 42) mentions, the “memorialization of the Holocaust presupposes a preparedness to acknowledge national complicity”. Implementing measures such as the organization of dialogues between descendants of victims and perpetrators can, in this context, be difficult. In Germany, Dresler-Hawke (2005, p. 145) mentions how individuals were reluctant to perceive their grandparents as perpetrators, tending to “view their own grandparents as victims or opponents of the regime, and to absolve them from responsibility”. Nonetheless, a difficult task is by no means an impossible one. A better educational system, a more coherent curriculum that includes mandatory classes on the Holocaust, a better system of trainings for preparing teachers for dealing with this subject, the condemnation in public of any anti-Semitic acts, gestures or comments on social media platforms are all steps that have to be taken prior to such ambitious forms of symbolic reparations. Although Romania is far from realizing the ideal of the dual reparatory justice – relational egalitarian account, steps have been taken in the right direction. While it is the duty of institutional actors to implement public policies regarding the remembrance of the Holocaust as reparation for the past, it is the duty of every individual and civil society organization to put pressure on the authorities to adopt such measures. Only this way could one at some point in the future respond positively to the research question of the chapter and affirm that reparations for the past have indeed been undertaken in a manner that could be considered adequate even by such a stringent conception as that of relational egalitarianism.

**References**

Anderson, Elizabeth. 1999. ”What is the point of equality?” *Ethics* 109, no.2, pp. 287-337

Anderson, Elizabeth. 2004. “Rethinking equality of opportunity: comment on Adam Swift’s How not to be a Hypocrite”, *Theory and Research in Education* 2, no.2, pp. 99-110

Anderson, Elizabeth. 2010. “The fundamental disagreement between luck egalitarians and relational egalitarians”, *Canadian Journal of Philosophy* 40, no.1, pp. 1-23

Azaryahu, Maoz. 1996. “The power of commemorative street names”, *Environment and Planning D: Society and Space* 14

Bărbulescu, Ana, Degeratu, Laura and Gușu, Cosmina 2013. “The Holocaust as reflected in Communist and post-Communist Romanian textbooks”, *Intercultural Education* 24, no.1-2, pp. 41-60

Bărbulescu, Ana. 2015. “Discovering the Holocaust in our past: competing memories in post-communist Romanian textbooks”, *Holocaust Studies* 21, no.3, pp. 139-156

Brooks, Thom. 2008. “A two-tiered reparations theory: a reply to Wenar”, *Journal of Social Philosophy* 39, no.4, pp. 666-669

Carp, Matatias. 1946-8. *Cartea neagră. Fapte și documente. Suferințele Evreilor din România în timpul dictaturii fasciste 1940-1944* [*The Black Book. Facts and documents. The suffering of Romanian Jews during the fascist dictatorship 1940-1944*], Bucharest: Socec

Carrington, Bruce and Short, Geoffrey. 1997. “Holocaust Education, anti-racism and citizenship”, *Holocaust Education* 49, no.3, pp. 271-282

Cioflâncă, Adrian. 2004. “A Grammar of exculpation in communist historiography: distortion of the History of the Holocaust under Ceaușescu”, *Romanian Journal of Political Science* 2, pp. 29-46

Clark, Roland. 2012. “New models, new questions: historiographical approaches to the Romanian Holocaust”, *European Review of History: Revue Europeenne D’histoire* 19, no.2, pp. 303-320

Climescu, Alexandru. 2018. “Law, justice and Holocaust Memory in Romania”, in *Holocaust Public Memory in Postcommunist Romania,* editor Alexandru Florian, Bloomington: Indiana University Press, pp. 72-96

Colwell-Chanthaphonh, Chip. 2007. ”History, justice and reconciliation”, in *Archaeology as a tool of civic engagement,* edited by Barbara Little and Paul Shackel, Lanham: AltaMira Press, pp. 23-47

Cowan, Paula and Maitles, Henry. 2007. “Does addressing prejudice and discrimination through Holocaust education produce better citizens?”, *Educational Review* 59, no.2, pp. 115-130

Cunneen, Chris. 2006. “Exploring the relationship between reparations, the gross violation of human rights, and restorative justice”, in *Handbook of restorative justice. A global perspective,* edited by Dennis Sullivan and Larry Tifft, New York: Routledge, pp. 355-369

Danieli, Yael. 2006. “Essential elements of healing after massive trauma: complex needs voiced by victims/ survivors”, in *Handbook of restorative justice. A global perspective,* edited by Dennis Sullivan and Larry Tifft, New York: Routledge, pp. 343-355

David, Roman and Choi, Susanne. 2006. ”Forgiveness and transitional justice in the Czech Republic”, *Journal of Conflict Resolution* 50, no.3, pp. 339-367

David, Roman and Choi, Susanne. 2009. “Getting even or getting equal? Retributive desires and transitional justice”, *Political Psychology* 30, no.2, pp. 161-192

De Greiff, Pablo. 2006. ”Justice and reparations”, *The Handbook of Reparations,* ed. Pablo de Greiff, New York: Oxford University Press, pp. 451-478

Dresler-Hawke, Emma. 2005. “Reconstructing the past and attributing the responsibility for the Holocaust”, *Social Behavior and Personality: an International Journal* 33, no.2, pp. 133-148

Dumitru, Adelin. 2019. ”Reparatory justice reconsidered. On its lack of substance and its epistemic function”, *The Philosophical Forum* 50, no.1, pp. 59-86

Elster, Jon. 2004. *Closing the books. Transitional justice in historical perspective,* Cambridge: Cambridge University Press

Farber, Daniel. 2006. “Backward-looking laws and equal protection: the case of black reparations”, *Fordham Law Review* 74, no.4, pp. 2271 – 2299)

Florian, Alexandru. 2018. ”Memory under construction”, in *Holocaust Public Memory in Postcommunist Romania,* edited by Alexandru Florian, Bloomington: Indiana University Press

Geissbuhler, Simon. 2016. “The struggle for Holocaust memory in Romania and how Ukraine can learn from it”, *Israel Journal of Foreign Affairs* 10, no.3, pp. 471-480

International Commission on the Holocaust in Romania. 2004. *Final Report,* editors Tuvia Friling, Radu Ioanid and Mihail Ionescu, Iași: Romania

Kelso, Michelle. 2013. „And Roma were victims, too. The Romani genocide and Holocaust education in Romania”, *Intercultural Education* 24, no. 1-2, pp. 61-78

Kelso, Michelle and Eglitis, Diana. 2014. „Holocaust commemoration in Romania: Roma and the contested politics of memory and memorialization”, *Journal of Genocide Research* 16, no.4, pp. 487-511

Lippert-Rasmussen, Kasper. 2018. *Relational egalitarianism. Living as equals,* New York: Cambridge University Press

Lofstrom, Jan. 2011. “Historical apologies as acts of symbolic inclusion – and exclusion? Reflections on institutional apologies as politics of cultural citizenship”, *Citizenship Studies* 15, no.1, pp. 93-108

Lutz, Brenda. 1995. “Gypsies as victims of the Holocaust”, *Holocaust and Genocide Studies* 9, no.3, pp. 346-359

Minty, Zayd. 2006. “Post-apartheid public art in Cape Town: symbolic reparations and public space”, *Urban Studies* 43, no.2, pp. 421-440

Mitroiu, Simona. 2016. “Recuperative memory in Romanian post-Communist society”, *Nationalities Papers* 44, no. 5, pp. 751-771

Morris, Cristopher. 1984. ”Existential limits to the rectification of past wrongs”, *American Philosophical Quarterly* 21, no.2, pp. 175-182

Niven, Bill. 2007. “War memorials at the intersection of politics, culture and memory”, *Journal of War& Culture Studies* 1, no.1, pp. 39-45

Nussbaum, Martha. 2005. "Beyond the social contract: capabilities and global justice", in *The political philosophy of cosmopolitanism,* eds. Gillian Brock and Harry Brighouse, New York: Cambridge University Press, 196-218

Pogge, Thomas. 1992. "Cosmopolitanism and sovereignty", *Ethics* 103, no.1, 48-75

Popescu, Diana and Schult, Tanja. 2019. “Performative Holocaust commemoration in the 21st century”, *Holocaust Studies,* online first, doi: 10.1080/17504902.2019.1578452

Posner, Eric and Vermeule, Adrian. ”Reparations for slavery and other historical injustices”, *Columbia Law Review* 103, pp. 689 – 748

Scheffler, Samuel. 2015. “The practice of equality”, in *Social Equality,* editors C. Fourie, F. Schuppert and I. Walliman-Helmer, Oxford: Oxford University Press, pp. 21-44

Schemmel, Christian. 2012. “Distributive and relational equality”, *Politics, Philosophy& Economics* 11, no.2, pp. 123-148

Shafir, Michael. 1994. “Marschall Ion Antonescu: Politik der Rehabilitierung”, *Europaische Rundschau* 22, no.2, pp. 55-71

Sher, George. 2005. “Transgenerational compensation”, *Philosophy& Public Affairs* 33, no. 2, pp. 181-200

Socaciu, Emanuel. 2014. *A cui este casa mea?* Bucharest: All

Spinner-Halev, Jeff. 2007. “From historical to enduring injustice”, *Political Theory* 35, no.5, pp. 574-597

Stan, Lavinia. 2009. *Transitional justice in Eastern Europe and the former Soviet Union: reckoning with the communist past,* Oxon: Routledge

Stewart, Michael. 2011. “The Gypsy problem: an invisible genocide”, in *Forgotten genocides: oblivion, denial and memory,* edited by R. Lemarchand, Philadelphia: University of Pennsylvania Press, pp. 137-156

Swart, Mia. 2008. “Name changes as symbolic reparation after transition: the examples of Germany and South Africa”, *German Law Journal* 9, no.2, pp. 105-121).

Teitel, Ruti. 2000. *Transitional justice,* New York: Oxford University Press

Van Baar, Huub. 2011. “Cultural policy and the governmentalization of Holocaust remembrance in Europe: Romani memory between denial and recognition”, *International Journal of Cultural Policy* 17, no.1, pp. 1-17

Waldman, Felicia. 2004. “Holocaust education in post-communist Romania”, *Studia Hebraica* 4, pp. 88-102

Walker, Margaret Urban. 2006. “Restorative justice and reparations”, *Journal of Social Philosophy* 37, no.3, pp. 377-395

Walker, Margaret Urban. 2013. “The expressive burden of reparations: putting meaning into money, words and things”, in *Justice, responsibility and reconciliation in the wake of conflict,* eds. A. MacLachlan and A. Speight, Dordrecht: Springer, pp. 205 – 225

Woolford, Andrew and Wolejszo, Stefan. 2006. “Collecting on moral debts: reparations for the Holocaust and Porajmos”, *Law and Society Review* 40, no.4, pp. 871-901

Yamamoto, Eric. 2012. “The evolving legacy of Japanese American internment redress: next steps we can (and should) take”, *Seattle Journal of Social Justice* 11, no.1, pp. 77 - 87

Yamamoto, Eric; Lee, Sara and Lee, Yea Jin. 2012. “The United States’ role in the Korea Jeju April 3rd tragedy and its responsibility for social healing through justice”, *World Environment and Island Studies* 1, pp. 49-57

1. The Elie Wiesel National Institute for the Study of the Holocaust in Romania & The National University of Political Studies and Public Administration. [↑](#footnote-ref-1)
2. <https://www.ictj.org/about/transitional-justice>, accessed on November 15th, 2019. [↑](#footnote-ref-2)
3. <http://legislatie.just.ro/Public/DetaliiDocument/34759>, accessed on November 16th, 2019. [↑](#footnote-ref-3)
4. <http://www.cdep.ro/interpel/2019/r7924A.pdf>, accessed on November 16th, 2019. [↑](#footnote-ref-4)
5. <http://www.cdep.ro/pls/proiecte/upl_pck.proiect?cam=2&idp=18010>, accessed on November 10th, 2019. [↑](#footnote-ref-5)
6. <https://www.presidency.ro/ro/media/discursuri/alocutiunea-presedintelui-romaniei-domnul-klaus-iohannis-sustinuta-in-cadrul-ceremoniei-publice-de-promulgare-a-legii-privind-infiintarea-muzeului-national-de-istorie-a-evreilor-si-al-holocaustului-din-romania>, accessed on November 2nd, 2019. [↑](#footnote-ref-6)
7. <http://www.cdep.ro/pls/proiecte/upl_pck.proiect?cam=2&idp=17703> , accessed on November 2nd, 2019. [↑](#footnote-ref-7)
8. <http://www.ziare.com/international/israel/mii-de-evrei-romani-supravietuitori-ai-holocaustului-vor-primi-compensatii-din-partea-germaniei-1570447>, accessed on December 7th, 2019. [↑](#footnote-ref-8)
9. <https://www.digi24.ro/stiri/actualitate/politica/dancila-cetatenie-romana-pentru-evreii-ce-au-parasit-tara-sub-comunism-si-pensii-pentru-supravietuitorii-holocaustului-1102958>, accessed on December 5th, 2019. [↑](#footnote-ref-9)
10. <http://www.cdep.ro/pls/proiecte/upl_pck.proiect?cam=2&idp=17668> , accessed on December 7th, 2019. [↑](#footnote-ref-10)
11. <https://lege5.ro/Gratuit/gi3dknjx/legea-nr-189-2000-privind-aprobarea-ordonantei-guvernului-nr-105-1999-pentru-modificarea-si-completarea-decretului-nr-118-1990-privind-acordarea-unor-drepturi-persoanelor-persecutate-din-motive-politi>, accessed on December 7th, 2019. [↑](#footnote-ref-11)
12. <https://faraura.ro/index.php/portfolio-item/romii-vorbesc-despre-holocaust-doar-pentru-a-primi-despagubiri/>, accessed on December 7th, 2019. [↑](#footnote-ref-12)
13. <http://www.cdep.ro/pls/proiecte/upl_pck2015.proiect?idp=16264>, accessed on December 8th, 2019. [↑](#footnote-ref-13)
14. <http://www.cdep.ro/proiecte/2017/100/70/5/em126.pdf>, accessed on December 8th, 2019. [↑](#footnote-ref-14)
15. <https://www.stiripesurse.ro/institutul-elie-wiesel-retragerea-titlului-de-cetatean-de-onoare-maresalului-ion-antonescu_951013.html>, accessed on October 10th, 2019. [↑](#footnote-ref-15)
16. <https://www.gandul.info/stiri/strada-maresal-ion-antonescu-dispare-de-pe-harta-beiusului-si-se-transforma-in-strada-spitalului-17390110> , accessed on October 10th, 2019. [↑](#footnote-ref-16)
17. <https://www.news.ro/social/institutul-elie-wiesel-solicita-modificarea-denumirii-strazilor-intitulate-ion-antonescu-in-romania-legea-se-aplica-prin-referendum-1922400627452019091419126198>, accessed on October 10th, 2019. [↑](#footnote-ref-17)
18. <http://www.cdep.ro/proiecte/2019/100/00/5/em124.pdf>, accessed on November 16th, 2019. [↑](#footnote-ref-18)
19. <http://legislatie.just.ro/Public/DetaliiDocumentAfis/170057>, accessed on November 16th, 2019. [↑](#footnote-ref-19)
20. <http://www.cdep.ro/proiecte/2019/300/50/6/se522.pdf> , accessed on November 16th, 2019. [↑](#footnote-ref-20)