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Scholarship and the Politics of Romani Identity: Strategic and Conceptual Issues

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I. A LEGACY OF CONFLICTING TERMS AND AGENDAS

Every European and New World resident has a vague idea of what 'Gypsies' are. This idea is not necessarily based on any personal encounters or study of background material, but on a cluster of images that are transmitted through cultural productions, fiction, sayings, metaphors, and so on. Therefore, no *tabula rasa* is available when it comes to briefing politicians, media, or the wider public about Roma/Gypsies and their needs or aspirations. My purpose in this article is to examine how conceptions of Roma/Gypsy identity are entangled in the European political discourse today. I agree with Kovats, who stated that "the Roma are a particularly difficult social group to conceptualise accurately", and that "[o]nly when scholarship is sufficiently developed will it be possible to effectively counter the inaccurate and misleading assertions of policy-makers and thus contribute to the development of better

policy."[1] My aim is to identify some of the sources of confusion and to contribute to a more accurate and realistic conceptualisation of Roma.

A century-old debate still continues around the question of whether Roma/Gypsies constitute an ethnic minority or whether they are diverse populations who share a nomadic 'lifestyle'.[2] After surveying scholarly definitions, I review the emergence and self-ascription of the Romani political movement. I then examine the attitudes of European institutions and Romani activists toward three policy issues: political representation, migration, and the status of the Romani language. The first defines the Roma as a constituency. The second is often associated with their lifestyle and culture but has also proven to be a useful instrument in the political struggle to gain the attention of European institutions. The third is arguably the quintessential manifestation of Romani culture—although not all Roma speak Romani (some Romani populations, such as those in Britain and Spain and many in Scandinavia and in Hungary, have shifted completely to the majority language over the past two centuries—only Roma speak

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[1] Martin Kovats, "Problems of Intellectual and Political Accountability in Respect of Emerging European Roma Policy", 8 *JEMIE* (2001), 1-10.

[2] See a brief survey by Peter Vermeersch, *The Romani Movement: Minority Politics and Ethnic Mobilization in Contemporary Central Europe* (Berghahn, Oxford, 2006), 13-17.

Romani, and only Roma benefit from the promotion of Romani. The status of the Romani language therefore constitutes a test case for policies that purport to support Roma equality.

I conclude with a review of recent statements on national strategies for Roma inclusion submitted by EU member states at the end of 2011. They show that the European discussion is stuck in an impossible *cul-de-sac* as a result of a lack of fundamental agreement on what is Roma/Gypsy identity. The quicker such fundamental issues of conceptualisation are resolved, the easier it will become to identify policy priorities. For a realistic understanding of Roma interests, policymakers must accept the concept of non-territorial ethnicity. They must also cut loose this concept from the preoccupation with the fictional image of 'Gypsy' as a kind of generic vagrant.

II.   FROM ENLIGHTENMENT SCHOLARSHIP
TO CONTEMPORARY 'EXPERTISE'

Since the 1980s, an intellectual debate has emerged that is devoted to the roots of Roma/Gypsy images in the arts, in scholarship, and in politics and media. One of the first to take on the challenge was Martin Ruch in an unpublished PhD dissertation submitted to the University of Freiburg in

1986. Ruch discussed at length the positions of two intellectuals during the Enlightenment period, H. M. Grellmann and J. Chr. Chr. Rüdiger, and showed how their views and interpretations of Gypsy[3] culture and origin had left a long legacy in intellectual and political thinking well into the early twentieth century. Rüdiger was a humanist who regarded the Roma as an immigrant ethnic group and interpreted their destitute situation as the outcome of prejudice and social exclusion. Grellmann by contrast regarded them as a work-shy and anti-social population, unable and unwilling to conform to social order. He recommended their enforced re-socialisation and the eradication of their own customs and family structures. Rüdiger was scientific in his method of reasoning, relying on the study of linguistic data that he collected directly from a speaker of the Romani language and applying advanced contemporary methods of linguistic analysis, showing convincingly that the Romani language originated in India and hence its speakers must be descendants of Indian migrants. Grellmann relied on wholesale plagiarism from various published sources, including a series of reports from the journal *Wiener Anzeigen* as well as, ironically, the linguistic material discussed by

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[3] The original term used by both Rüdiger and Grellmann was the German *Zigeuner*.

Rüdiger (and a number of other contemporary colleagues).[4] In the end, it was Grellmann who was more successful in marketing his book-length composition and so in disseminating his ideas, and he remains more frequently cited than Rüdiger. The idea of a connection between the Roma and India is often attributed wrongly to Grellmann, whereas it was in fact Rüdiger who had published the claim first.

However, as van Baar[5] has recently argued, both Rüdiger and Grellmann have been influential in casting the foundations for alternative images of Gypsies that have found their way into contemporary scholarly and political discussion. Rüdiger's legacy, strengthened by two hundred years of historical-linguistic research, continues to regard the Roma (using the self-appellation of those who are *Romanes*[6] speakers) as a people who share an ancient origin in India and a history of immigration to Europe in early medieval times, as well as a language and a variety of customs, values, and beliefs. The adoption of the term 'Roma' in modern discourse is symbolic of this position. To the extent that it is politically motivated, it is driven by the norm that ethnic groups (as well as other minorities) deserve to be referred to by their own self-appellation (thus 'Inuits' rather than 'Eskimos', 'Beta Israel' for Abyssinian Jews rather than 'Falasha', and so on).[7]

Criticism of this approach was first formulated by Okely. In her view, the suggestion of a migration from India amounted to an attempt to exoticise Gypsies by assigning to them a remote place of origin. Okely juxtaposes what she calls the 'Indianist' position with the view that Gypsies descend from diverse, indigenous nomadic populations.[8] She dismisses the linguistic evidence with a number of *ad hoc* arguments, suggesting that 'Sanskrit words' may have been picked up on the trade routes and in this

[4] Cf. Yaron Matras, "Johann Rüdiger and the Study of Romani in 18th Century Germany", 5(9) *Journal of the Gypsy Lore Society* (1999), 89-116; Yaron Matras, "The Role of Language in Mystifying and De-mystifying Gypsy Identity", in Nicholas Saul and Susan Tebbut (eds.), *The Role of the Romanies* (University of Liverpool Press, Liverpool, 2005), 53-78.
[5] Huub van Baar, *The European Roma. Minority representation, memory, and the limits of transnational governmentality* (PhD dissertation, University of Amsterdam, 2011).
[6] *Romanes*—literally 'in a Rom way'—is the name given to the language by its speakers. The term 'Romani' evolved as a label for the language in academic publications in the nineteenth century. It is based on the adjective form *romani*, with reference to the 'Romani language' (*romani čhib*).

[7] Many authors who are not familiar with the Romani language have suggested that the term 'Roma' is a new invention, promoted by the political movement (see e.g., Vermeersch 2006). They seem entirely unaware of the fact that *Roma* has always been the natural umbrella term to refer to Romani-speaking populations in Romani. Being both bilingual and traditionally protective of their group identity, Roma have tended to use foreign-language terms such as 'Gypsy' when conversing with outsiders.
[8] Judith Okely, *The Traveller Gypsies* (Cambridge University Press, Cambridge, 1983).

way infiltrated the speech of Travellers.[9] It is not contested that Okely's comments in this regard constitute a rather marginal note in what has become one of the pioneer and most influential ethnographies of a Gypsy community in Europe. Criticism of Okely is nevertheless justified because of her wholesale dismissal of an Indian origin of Romani without any attempt to engage with the linguistic argument or the data presented in the historical-linguistic literature.

Okely's statements also contain a fundamental misrepresentation of what we might call the 'Rüdiger legacy'. For nowhere in the linguistic literature has the claim been put forward that all nomadic groups in Europe originate in India or speak an Indian language. Rather, this claim has only been made in relation to the Romani people, speakers of the Romani language and their descendants in communities such as England or Spain (where Romani has been abandoned during the past two centuries as an everyday community language). Thus, there is no contradiction at all between the Indian origin of the Roma and the indigenous origin of *other* populations viewed by outsiders as 'Gypsies'. There is, for instance, no dispute that the Irish Travellers, to name but one group, are of indigenous origin and have no historical connection to India and no linguistic ties with Romani. There is, however, no justification for the dismissal of the claim that groups such as the Sinti, Kelderash, Erli, Lovari, Gurbet, and Kale are all speakers of Romanes and share a historical origin in India.

This requires a distinction between two different signifiers.[10] The first is a rather vague group of diverse populations who share a nomadic lifestyle. The second is a specific ethnic-linguistic minority whose self-appellation is *Rom*. To the extent that there is any interface between the two it is that, historically, the Rom can be assumed to have been one of many populations of commercial nomads specialising in itinerant trades and services, and that some Roma communities continue to specialise in such trades. At best, this makes the Roma a sub-group of the over-arching category of 'travelling peoples', at least in the historical perspective.

The temptation to indulge in 'de-constructing' the Indian origin arose once again in the 1990s. Lucassen shows convincingly that eighteenth-century German authorities did not

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[9] See, Judith Okely, "Ethnic Identity and Place of Origin: The Traveller Gypsies in Great Britain" in Hans Vermeulen and Jeremy Boissevain (eds.), *Ethnic challenge. The politics of Ethnicity in Europe* (Göttingen, Herodot, 1984), 50-65; Judith Okely, "Some Political Consequences of Theories of Gypsy Ethnicity. The place of the Intellectual" in James Allison, Jenny Hockey and Andrew Dawson (eds.), *After Writing Culture. Epistemology and Praxis in Contemporary Anthropology* (Routledge, London, 1997), 224-243.

[10] See Matras, *op.cit.* note 4.

distinguish between travelling groups of different origins and cultures but labelled them all collectively as 'Gypsies' (*Zigeuner*). From this, he concludes that the wholesale reference to 'Gypsies'—be it by means of this particular term or through what he sees as a politically correct substitute, 'Roma'—is based on an undifferentiated lumping together of diverse populations. He proceeds to suggest that there is in fact no common Roma/Gypsy nation with shared interests or a shared political representation.[11] In effect, Lucassen uses the undifferentiated outsider perspective to deny the insider perspective: if outsiders fail to distinguish among what they perceive as nomadic groups, then there is no legitimacy for one of those groups to distinguish itself from the others on the basis of its language or culture.

Even more provocative is Willems,[12] who downplays the significance of Rüdiger's discovery of an Indian origin of Romani while simultaneously suggesting, following in Okely's footsteps, that Grellmann's pre-occupation with an Indian origin was an attempt to exoticise the Gypsies and provide arguments in favour of their social isolation and assimilation. For Willems, the suggestion

of a territorial origin in India is an attempt to control and subjugate Gypsies. Like Okely, Willems avoids any attempt to actually engage with the linguistic argument, limiting himself to the wildest of speculations that Sanskrit words may have been acquired by some Gypsies "as a group ritual".[13,14] Canut[15] goes further and suggests directly that the notion of a Romani language is an "historical fiction" designed to re-invent and "ethnicise" a group of diverse populations.

Scepticism about the relevance of Indian origins and language has also been expressed in recent years, albeit more cautiously, by various anthropologists studying Roma communities. Stewart[16] and Gay-Y-Blasco,[17]

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[11] Leo Lucassen, *Zigeuner. Die Geschichte eines polizeilichen Ordnungsbegriffes in Deutschland 1700–1945* (Cologne, Böhlau, 1996).

[12] Wim Willems, *In Search of the True Gypsy. From Enlightenment to Final Solution* (Frank Cass, London, 1997).

[13] *Ibid.*, at 83.

[14] In general, there is often confusion among non-linguists concerning the relationship between Sanskrit and Romani. Contrary to popular perception, often repeated by non-linguistic scholars, no specialist philologist has ever claimed that Romani descends directly from Sanskrit. Rather, it is most likely that Romani broke away from the lndo-Aryan language family sometime around the ninth or ten century CE, more than 1,500 years after Sanskrit ceased to be spoken. The historical comparison with Sanskrit is only useful because Sanskrit is the oldest attested Indo-Aryan language and so it provides a shared point of reference for the related languages that succeeded it, much like Latin does for the present-day Romance languages: see Yaron Matras, *Romani: A Linguistic Introduction* (Cambridge University Press, Cambridge, 2002).

[15] Cécile Canut, "La Langue Romani: Une Fiction Historique", 136 *Langage et Société* (2011), 55-80.

[16] Michael Stewart, *The time of the Gypsies* (Westview Press, Boulder, 1997).

[17] Paloma Gay-y-Blasco, "'We Don't Know Our Descent': How the Gitanos of Jarana Manage the Past", 7(4) *Journal of the Royal Anthropological Institute* (2001), 631-647; Paloma Gay-y-Blasco, "Gypsy/Roma Diasporas: Introducing a Comparative Perspective. Social Anthropology", 10(2) *Journal of*

for example, claim that collective historical memory is absent from the culture of Roma communities and that there is therefore no sense of ethnicity, either anchored in the notion of a common past or legacy or in a shared destiny or future. Jakoubek[18] argues that Roma settlements are archaic forms of social organisation governed by a kinship order and that as such, they stand in contradiction to the principle of ethnicity or nationality. For Jakoubek, the core feature of Romani identity, loyalty to an extended family, is not reconcilable with loyalty to an ethnic group or nation; hence, political activists have neither the right to claim to be speaking on behalf of a Roma ethnic or national minority, nor does it make sense to define such a minority in the first place.

Inspired by an international discussion context in the social sciences that specialised in the study of diverse populations of so-called 'commercial nomads' (tight-knit, socially isolated endogamous communities that specialise in itinerant trades and services), Streck[19] defines 'Gypsies' as a diversity of groups whose common

characteristic is occupying a socio-cultural niche in which they are economically and culturally dependent on sedentary society. Gypsy separateness or the maintenance of Gypsy identity is interpreted as deliberately contrastive to the majority culture. Taking even further steps toward dismissing any Gypsy cultural or ethnic particularism, Ries argues that there is no permanent feature of 'Gypsyness' save their identification through outsiders, which may or may not also be adopted by insiders (i.e., those who are thus identified). Being 'Gypsy' thereby becomes primarily an indexical matter. 'Gypsies' are, in other words, those whom outsiders consider to be 'Gypsies'.[20]

What Ries presents in a strictly academic context is not very remote from the writings of Liégeois, which have long served as the intellectual manual for definitions of Gypsies in European institutions. Liégeois's book written for and published by the Council of Europe defines 'Roma, Gypsies and Travellers' as an all-inclusive category that accommodates a diversity of peoples. Their sole common denominator is the fact that they are identified by outsiders as 'Gypsies' (or

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the *European Association of Social Anthropologists* (2002), 173-188.

[18] Marek Jakoubek, "Romové: konec (ne)jednoho mýtu". Tractatus Culturo(mo)logicus (BMSS-Start, Prague, 2004).

[19] Bernhard Streck, "Kultur der Zwischenäume - Grundfragen der Tsiganologie", Faian Jacobs and Johannes Ries (eds.), *Roma/Gypsy Cultures in New Perspectives* (Universitätsverlag, Leipzig, 2008), 21-47.

[20] Johannes Ries, "Writing (Different) Roma/Gypsies - Romani/Gypsy Studies and the Scientific Construction of Roma/Gypsies", in Faian Jacobs and Johannes Ries (eds.), *Roma/Gypsy cultures in new perspectives* (Universitätsverlag, Leizpig, 2008), 267-291.

equivalent terms).[21] Liégeois's definition avoids a partition between socioeconomic organisation in peripatetic communities and Roma as an ethnic-linguistic minority. At the same time, it institutionalises the traditional image of a fictional 'Gypsy' by taking it as the basis for a political category of a minority people in Europe.

III.   THE ROMANI POLITICAL MOVEMENT

The legitimacy of Romani political activism has sometimes been questioned on the grounds that there is no early history of Romani politics.[22] In the context of worldwide ethnic emancipation movements, such an argument is quite intriguing, because it is not uncommon for national initiatives to emerge in small circles of intellectuals, often in exile and out of touch with the day-to-day lives of the people they set out to represent. Disregarding isolated earlier efforts,[23] we can identify two principal sources of today's Romani political movement. The first is the campaign by German Gypsy survivors to gain resettlement, to regain citizenship, and for compensation as victims of Nazi persecutions. What began as a network of individual legal

cases turned eventually, in the late 1970s, into a public protest movement led by a small circle of Roma/Sinti[24] activists with the support of several established German NGOs.[25] The focus of the campaign was the protection of civil rights, the acknowledgement of historical injustice, and, perhaps most importantly, recognition that membership in the Roma/Sinti minority should not bring into dispute a sense of belonging to Germany. This aspect, a direct result of the trauma of exclusion, ex-patriation and genocide during the Nazi era, was to become a major argumentative and strategic dilemma for the political representation of German Roma/Sinti (see below).[26]

Parallel to events in Germany, country-specific initiatives emerged in the late 1960s and early 1970s all across Europe, east and

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[21] Jean-Pierre Liégeois, *Roma, Gypsies, Travellers* (Council of Europe, Strasbourg, 1994).

[22] See e.g., Werner Cohn, "The Myth of Gypsy Nationalism", in XXI(2) *Nationalities Papers* (1993); Gay-y-Blasco (2001), *op.cit.* note 17; Jacoubek, *op.cit.* note 18.

[23] Vermeersch, *op.cit.* note 2, 104-105.

[24] *Sinti* is the self-appellation of an ethnic sub-group of Roma living in Germany and adjoining regions. They speak a dialect of Romani that is heavily influenced by German and have a number of particular customs. The name *Sinti* was adopted by the group in the early nineteenth century (and so it has no connection to the Indian province Sindh, as claimed by some). Eighteenth-century sources cite their self-appellation as *Kale*—the same as Spanish, Welsh, Bohemian and Finnish Roma (see Matras, *op.cit.* note 4).

[25] Yaron Matras, "The Development of the Romani Civil Rights Movement in Germany 1945-1996", in Susan Tebbutt (ed.), *Sinti and Roma in German-speaking Society and Literature* (Berghahn, Oxford/Providence, 1998). 49-63; Gilad Margalit, *Germany and its Gypsies. A Post-Auschwitz Ordeal* (Madison, The University of Wisconsin Press, 2002).

[26] Yaron Matras and Gilad Margalit, "Gypsies in Germany – German Gypsies? Identity and Politics of Sinti and Roma in Germany", in Roni Stauber and Raphael Vago (eds.), *The Roma: A minority in Europe. Historical, Social and Cultural Perspectives* (Berghahn, Oxford, 2007), 61-82.

west. Most were focused on the documentation and promotion of Romani language and culture, often aiming at the creation of tools for Romani literacy. These initiatives included the work of Saip Yusuf in Macedonia, of the committee of Romani writers in Czechoslovakia, of the Romani language committee in Finland, of intellectuals such as Sait Balic in Serbia, the authors Leksa Manush in Russia and Matéo Maximoff in France, and others. Some were inspired by a missionary background, others worked closely with academics who had a research interest in Roma. Many took on the role of expert advisors about Romani culture to non-Romani professional audiences. Some served on official committees that dealt with the promotion of Romani culture. The focus on culture rather than human rights can partly be explained by the circumstances of working under communist rule. But some activists saw their work as part of an emancipation project: it would contribute toward enlightening the majority and its institutions about the Roma. At the same time, it would provide Roma with empowerment opportunities by strengthening their pride in their cultural heritage. Invariably, these activities were centred around the notion of a shared linguistic-cultural legacy and the desire to promote and protect it.

Key activists in this international scene came together at the First World Romani Congress in 1971 and formed what has since been known as the International Romani Union. Despite its self-presentation as an organisation, the IRU has always been in reality a loose coalition of individuals, with no binding statutory structures, no financial transparency or operational accountability, and no clear strategic political platform aside from the odd declaration adopted by a random assembly of participants at one of its occasional events. Nonetheless, as a discussion forum, the IRU promoted the agenda of its individual participants: to raise awareness of Romani culture and historical origins and to develop Romani language and literacy tools. It took this agenda one step further by putting into discussion the prospects of unification in all these domains: unification of symbols of Roma nationhood such as a flag and national anthem, unification of a historical narrative of Romani origins, unification of a standard literary Romani language (including spelling and terminology), as well as centralised representation. For the latter, the IRU took upon itself to lobby international organisations such as the United Nations and the Council of Europe.

In regard to the United Nations, the IRU had some impressive achievements. With support

from the Indian government, it obtained an official declaration by the Commission on Human Rights of the United Nations Economic and Social Council in 1977, which recognised that the Rom have "cultural and linguistic ties of Indian origin", and in 1979 granted the IRU consultative status. In fact, it has been argued that many more opportunities to act within the framework of the United Nations might have been open to the IRU but were left unexploited due to the very casual nature of the IRU's networking and organisational structure.[27] Nonetheless, the emergence of the IRU might be seen as the birth of 'Romani nationalism'.

Back in Germany, in the 1980s a growing number of Romani immigrants from Eastern Europe confronted established Roma associations with a new political issue: after labour immigration from southern Europe had been halted in 1973, the only prospect of immigration was to go through the political asylum procedure. Although individual Romani families from Poland and Hungary were able to complete the procedure successfully in the late 1970s, the authorities reacted to a growing wave of immigrants with a wholesale rejection of applications. After legal proceedings had been exhausted, many thousands were threatened with deportation

back to Poland and Yugoslavia. Sinti organisations in Germany typically refused to support Roma immigrants, arguing that their duty of representation was limited to German citizens. But a number of Roma associations took on the political campaign to defend the right of settlement of Roma immigrants.[28] The campaigning routine exercised by the Roma movement in Germany in the 1970s came back to life in the late 1980s with strong support from churches, trade unions and other civil society initiatives. It added to the quality of the Romani movement a commitment toward Europe-wide solidarity among Romani people belonging to different communities. It also introduced a new quality of political activism that was quite remote from the intellectual character of the IRU and affiliated activities.

A major turning point in the development of the Romani political movement is of course the fall of communism and the expansion of Romani NGOs in 1989-90. This period saw the first initiatives aimed at active political participation, both in the form of Roma participation in mainstream political parties and in the formation of separate Roma parties. The availability of funding from the Soros Foundation (Open Society Institute) as well as from missionary sources and later, from various other foundations, led to an expansion

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[27] Ilona Klimová-Alexander, *The Romani Voice in World Politics. The United Nations and Non-state Actors* (Ashgate, Aldershot, 2005).

[28] See Matras, *op.cit.* note 25.

of Roma NGOs as well as to their international networking and to the emergence of a trans-national community of thousands of Roma activists, many of them with a higher education degree or equivalent form of qualification, whose short- and even mid-term careers consisted of activism for the Romani cause. Although issues of culture remained on the agenda, they were largely overtaken by debates on human rights, political participation, representation and social inclusion.

The narrative of an Indian origin remains an argumentative cornerstone of the Romani political movement and appears regularly on websites, pamphlets and programmatic statements of most if not all Roma NGOs at some point or other. However, it is clear that the main purpose of this narrative is to provide an explanation for the extraordinary position of the Roma as a non-territorial, trans-national ethnic group rather than to foster any links with India or with other South Asian nations or diaspora communities. In making use of the Indian origin narrative, Roma activists are acknowledging the difficulties that mainstream European society has in accepting the concept of a nation or ethnicity without a territory and are providing an explanation for present-day circumstances. As Fosztó remarks, "The Indian origin thesis is not abandoned, only balanced by the awareness of centuries in Europe that could make Roma European."[29] Short of exoticising the Roma or constructing a makeshift or fictitious ethnicity, the Indian narrative provides an explanation for an historically rather exceptional situation of a scattered nation maintaining its language and culture in diasporic niche communities, a narrative that is based on a solid scientific interpretation that remains indisputable.

Nonetheless, a small minority of activist intellectuals have taken this narrative a step further. Activist authors Kochanowski, Hancock, Courthiade and Marsh construct various accounts of Roma as descendants of noble casts of priests, warriors, or lost kingdoms, subjugated, exiled and enslaved by foreign armies. Their essays portray the Roma as permanent victims of outside society.[30] The fact that mainstream scientific research does not typically share their views is often explained away as a permanent bias on the

[29] László Fosztó, "Diaspora and Nationalism: an Anthropological Approach to the International Romani Movement Regio", 1 *Regio - Minorities, Politics, Society* 2003, Research Institute of Ethnic and National Minorities Budapest, 102-120, p. 120, at <http://adatbank.transindex.ro/vendeg/htmlk/pdf4604.pdf>.
[30] Vania de Gila Kochanowski, *Parlonms Tsigane: Histoire, Culture et Langue du People Tsigane* (L'Harmattan, Paris, 1994); Ian F. Hancock, *We are the Romani People* (University of Herfordshire Press, Hatfield, 2002); Marcel Courthiade, *Sri Harsha. Dernier Empereur Bouddhiste de l'Inde* (590-647 après J-C) (L'Harmattan, Paris, 2008); Adrian Marsh, "No Promised Land" History, Historiography & the Origins of the Gypsies (PhD thesis, Greenwich University, 2008).

part of majority-society scholarship. In the short term, such publications occasionally succeed in diminishing confidence in mainstream scholarship and in elevating the position of these activist authors who present themselves as "revisionist" Roma scholars. Thus, many authors have now adopted the term *porrajmos* for 'Holocaust', proposed by Ian Hancock as a Romani parallel to the Hebrew *Shoah* (in most Romani dialects, *porrajmos* originally means 'rape').

Although the effect of these texts remains on the whole marginal, the core of the Romani political movement has certainly embraced academic insights into the early history of the Roma as an important component of its argumentative self-assertion as an ethnic group. However, the Indian origin remains of little consequence to the political agenda. Of importance is the notion of a shared destiny, shared values and language, and solidarity among scattered Romani diaspora communities. These themes accompany the more practical and immediate agenda items that target political participation, removal of discrimination and support for social inclusion. Only a few political representations have emerged that challenge this mainstream Romani movement. Among Albanian-speaking Roma in Kosovo and Macedonia, two separate movements formed in the 1990s, the Ashkali and the Balkan Egyptians, both of

which laid claims to Middle Eastern origins and both of which have been granted recognition as separate ethnic minorities.

In Germany, a split emerged between organisations run by immigrant Roma, whose declared loyalty was to a 'European Roma nation', and the Central Council of German Sinti and Roma, which was recognised by the Federal government as the principal representation of the Roma/Sinti minority in the country. Provoked by the growing importance of the European Roma discourse in the early 1990s, the Central Council released a political identity manifesto in 1993 that defined German Sinti and Roma as an 'ethnic-German minority', using the term *volksdeutsche Minderheit* usually reserved in German political discourse for ethnic-German minorities in post-war eastern block countries. The prevailing consensus regarding an ethnic definition is probably best exemplified by the European Roma and Traveller Forum (ERTF), which represents a wide coalition of Roma associations at the Council of Europe. In Article 1 of its Charter document released in 2009, the ERTF defines 'Roma' as follows: "Roma is; who avows oneself to the common historical Indo-Greek origin, who avows oneself to the common language of Romanes,

who avows oneself to the common cultural heritage of the Romanipe."[31]

"Indo-Greek origin" appears to refer to the recognition that the core of the Romani language contains, alongside a majority of Indic lexical roots and grammatical inflections, also a strong element of Byzantine Greek origin.[32] This element is shared by all present-day dialects of Romani, and so it points to a common phase in the early history of the Roma before their dispersion across Europe. This stands in partial contradiction to the definition of Roma that was being presented in official Council of Europe documents in 2011-12, which stated: "The term 'Roma' used at the Council of Europe refers to Roma, Sinti, Kale and related groups in Europe, including Travellers and the Eastern groups (Dom and Lom), and covers the wide diversity of the groups concerned, including persons who identify themselves as 'Gypsies'".[33]

First, the inclusion of the so-called 'eastern groups' (peripatetic populations of Indian origin living in the Middle East and the Caucasus regions) goes beyond the core of "Indo-Greek origin" groups alluded to in the

ERTF text. Second, the explicit inclusion of (indigenous European) Travellers found in the Council of Europe definition is missing from the ERTF Charter. Indeed, the inclusion of the word 'Travellers' into the Forum's title was reported to me by senior ERTF leaders to have been achieved as a result of pressure exerted by Council of Europe officials; it never represented the views of the Roma activists who make up the ERTF. For the official Romani title of the organisation, a Romani word denoting 'Travellers' had to be invented (*phirutnengo* literally 'of those who wander'). It might surprise some readers that there is no indigenous word in the Romani language for 'Traveller' or 'Nomad'.

Organisations representing national travelling groups have been active in Ireland, France, and Switzerland since the 1970s, and although sometimes seeking inspiration and encouragement from the relative cohesion of the Romani movement, their activities remain focused on issues of immediate interest to their own communities. By contrast, a recent initiative in Turkey called *çingeneyiz* 'we are Gypsies', has attracted much attention thanks to intensive electronic dissemination work on websites and discussion lists as well as local community projects and events in Istanbul and beyond. In its political philosophy, it appears to embrace the view represented by anthropologists such as Okely, Streck, and

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[31] Charter of the European Roma and Traveller Forum (ERTF), Art. 1, at <http://www.ertf.org/images/stories/documents/ERTF_ Charter_EN.pdf>.
[32] Matras, *op.cit.* note 14.
[33] See webpage of the Council of Europe, at <http://www.coe.int/what-we-do/human-rights/roma- and-travellers>.

Ries, defining their target constituency on their website as "Roma, Pavee, Yeniche, Rudari. People who identify themselves as Gypsy or who are identified as Gypsy", and explaining that: "Gypsies belong to various races and speak different languages. There is only one distinctive characteristic of Gypsies: they have lived on with commercial nomadism for thousands of years. If the ancestors of a Gypsy are commercial nomads, she/he is a part of the Gypsy community, whatever she/he does."[34]

Such nonethnic identity representations coming from 'Gypsies' themselves are certainly the exception to the norm.

IV.   POLITICAL REPRESENTATION

Various investigations have repeatedly raised the question of whether existing legal and constitutional frameworks, national and international, are sufficient to provide protection and guarantees for social inclusion for Roma, or whether special protection mechanisms are necessary.[35] By and large, the

consensus is that popular prejudice and deeply rooted practices of exclusion at all levels, social and institutional, tend to override existing legal safeguards and make it necessary to design special instruments that can ensure that inclusion and protection measures are applied to Roma as a collective. The emphasis on the collective[36] is there to underline that although legal safeguards are in place to protect the individual, Roma are typically denied access to such safeguards, not on an individual basis but by virtue of their belonging to a collective. A major contributor to efforts to achieve collective protection of Roma has been the web of civil society enterprises or NGOs,[37] such as the European Roma Rights Centre, the Open Society Institute and numerous associations that it supports, and more. These and others have taken up roles in monitoring and contesting human rights abuses, in promoting arts and culture and providing access to services and training. Nevertheless, a key demand raised by the Romani political movement is political participation and representation.

To date, several different models of Roma political representation exist. One of the first

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[34] See at *çingeneyiz* homepage, at <http://www.cingeneyiz.org/commercialnomads.htm>.
[35] Zoltan Barany, *The East European Gypsies. Regime Change, Marginality and Ethnopolitics* (Cambridge University Press, Cambridge, 2002); Marcia Rooker, *The International Supervision of Protection of Romani People in Europe* (University of Nijmegen Press, Nijmegen, 2002); Helen O'Nions, *Minority Rights Protection in International Law: The Roma of Europe* (Ashgate, Aldershot, 2007); Aidan McGarrry, *Who Speaks for Roma? Political Representation of a*

Transnational Minority Community (Continuum, London, 2010).
[36] See especially, *ibid*., O'Nions.
[37] Eva Sobotka, "Influence of Civil Society Actors on Formulation of Roma Issues within the EU Framework" in 18 *IJMGR* (2011), 235–256.

to be implemented was the Central Council of German Sinti and Roma (*Zentralrat Deutscher Sinti und Roma*) in Germany in 1982. Modelled in part on the representation structure of the Jewish minority community as well as other sector representations, such as the Christian churches and the trade unions, the Council consists of an umbrella organisation that represents its constituency toward the federal government. The umbrella organisation is mandated in turn by associations based in the individual federal states, which function as registered societies and have registered members. The federal executive is thus not elected directly by a membership but by a coalition of associations. Membership of the associations is in turn voluntary and individual. The federal government is committed by law to funding the Central Council and by political practice to consult it on matters pertaining to the Roma/Sinti minority in the country. The only institution that is run by the Central Council, however, is a research and documentation centre devoted to the Nazi persecution of Roma/Sinti, as well as press monitoring. There are no cultural facilities, media, or social services that are operated by the Council, although its state-based branches often take on consultation work on access to services and employment and mediation between Roma/Sinti and public authorities.

The Central Council remains probably the most stable, the longest serving, and the most generously funded Roma representation in Europe.

Although German authorities abide by the contract and consult the Central Council on matters of strategic policy pertaining to German Roma/Sinti, authorities have also negotiated with other Roma associations who are not members of the Central Council umbrella coalition and are not represented by its executive on matters pertaining to specific local issues such as campaigns for residence permits for immigrant Roma, access to services and employment, commemoration and anti-discrimination measures, and more. Integration projects for immigrant Roma have been run by Roma associations with no connection at all to the Central Council, based in Hamburg, Cologne, Frankfurt, Düsseldorf and Berlin, sponsored by local and state authorities.[38]

There does not seem to be any parallel to this model of a central representation for Roma in any other European country. On the whole, authorities deal with those associations and organisations that come forward and challenge them to engage in a dialogue. In several eastern European countries, Roma have formed political parties, which obtained parliamentary representation either through

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[38] See also, Matras, *op.cit*. note 25.

direct elections or, usually, by setting up alliances with other (non-Roma) parties.[39] In Sweden, a National Roma Federation has consultative status on issues pertaining to Romani culture. In Finland, a permanent commission involving experts and Roma community representatives manages issues relating to culture and language and consult on government-sponsored initiatives for Romani-language documentation, broadcasting, and teaching programmes. The other two models that regulate Roma political representation at the national level are the Romanian model, which guarantees parliamentary representation to an ethnic Roma political party, and the Hungarian model, which supports a Roma Self-Government that is recognised as an official representation of Roma in the country. The latter has been criticised for its mode of election: any citizen can vote for Roma representatives and votes are known to have been cast even in districts in which there is no known Roma population, thereby discrediting the legitimacy of the Self-Government as a genuine representation of Roma.[40] Further criticism has focused on the Self-Government's very narrow mandate and budget, which does not allow it to take

initiative except in areas of cultural productions.[41]

European organisations have often noted the absence of a legitimate, constituency-based Roma representation. The Verspaget, report presented to the Council of Europe and adopted by its Parliamentary Assembly as Resolution 1203 (February 1993) 'On Gypsies in Europe', calls on the Council to grant consultative status to "representative international Gypsy organisations".[42] However, the Council was unable to identify such an organisation. From 1993 onward, regular meetings were held with Roma activists who were involved in lobbying international institutions. The forum was referred to as the 'Standing conference of Roma associations in Europe' and included individuals who identified with the International Romani Union, with the Hamburg-based Roma National Congress, and others.

Only in 2004 did the Council of Europe enter into a formal agreement with the specially formed European Roma and Traveller Forum (ERTF) with the understanding that the latter would form a pan-European umbrella organisation that would eventually seek a direct mandate from local Roma constituents

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[39] For example, with the Association of Free Democrats and Fidesz in Hungary, the Civic Forum in Czechoslovakia, and the Social Democratic Party in Romania.
[40] Vermeersch, *op.cit.* note 2, 83.

[41] Cf. van Baar, *op.cit.* note 5.
[42] Council of Europe, Parliamentary Assembly Resolution 1203 (February 1993) 'On Gypsies in Europe'.

across Europe. In practice, the ERTF remains a loose coalition of individual activists, supposedly representing Roma NGOs from different countries. The issue of representation is a delicate one, however, because many NGOs do not have a proven regular or wide membership. Many in fact consist of just a small number of individuals, often members of the same family, who engage in community activities and so have an occasional following within their communities. Most are supported by local authorities or charitable foundations of various kinds and are not directly accountable toward their community beneficiaries on the use of resources, let alone the drafting of policies. The election procedures within the ERTF draw on the assembly of participating activists, but these in turn lack any clear mandate from their local constituencies. Nevertheless, the signal that was sent out by the ERTF contract was that European Institutions should rely on the input of Roma in decisions that affect them. As Kovats had already remarked, this is indication of an ongoing shift of Romani politics into the public domain.[43] The new situation requires institutions to seek Roma endorsement for their activities, which in theory should allow for a more confident engagement.

The Council of Europe's initiative to include Roma in decision-making processes goes back to a history of extensive lobbying of the Council by Roma associations. The IRU had already sought recognition by the Council of Europe in the late 1980s. The Rom & Cinti Union (later known as Roma National Congress) led public campaigns in support of Roma immigrants in Germany in the late 1980s and early 1990s. During this period, it established close links with the Council of Europe's Justice Division. Via the Lau Marizel Foundation in Amsterdam, with which it collaborated closely, the RCU also had considerable input into the Verspaget report, which was the first document to raise the issue of Roma representation.

An interesting comparison is provided by the arrangements for Roma involvement in the OSCE. Already in its summit meeting in Copenhagen in June 1990, the first after the fall of communism, the then CSCE adopted a resolution that called attention to the plight of the Roma and warned of an escalation in ethnic tensions through exclusion of Roma and violence toward them. The resolution text was presented not by one of the European governments, but by the delegation of the United States. Involved in drafting it was Nicolae Gheorghe, a Romanian academic of Roma descent who had worked with the traditional Roma leader Ion Cioaba of Sibiu

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[43] Kovats, *op.cit*. note 1.

(also known as the self-appointed 'King of the Gypsies'). Gheorghe appeared at the CSCE summit as Vice-President of the IRU, having received the nomination at an IRU meeting only two months earlier in Warsaw. Gheorghe had obviously managed to secure links with the US government, which enabled the inclusion of Roma on the agenda of the summit's final documents.

A major trigger for this interest appears to have been the tensions between Roma and non-Roma following the Romanian revolution at the end of 1989 and the miner strikes that followed in the spring of 1990. The fear of rising ethnic tensions and possibly of popular Roma support for a return to communism amidst the almost immediate deterioration in the employment situation and safety and security of Roma is likely to have persuaded the US government to take a permanent interest and involvement in the Roma issue. In the following year, the Project on Ethnic Relations (PER) was founded with support from the US Department of State. It took on an active role in so-called 'confidence-building measures', organising encounters with government officials and establishing a dialogue between them and a small number of hand-picked Roma activists, who were sent to the US for training before returning to Europe to engage in discussions with officials regarding the prospect of Roma integration.

While giving high publicity to its seminars, PER consistently chose a low profile when it came to making programmatic statements about strategies for Roma inclusion. It refused to engage in either the building of civil society institutions or in charitable work in support of culture, education or social projects, in sharp contrast to the network of Roma foundations set up by the Open Society Institute, which for this reason was often viewed as PER's rival on the Roma scene. In their sole policy paper, leading PER Roma activists Nicolae Gheorghe and Andrzej Mirga distanced themselves from aspirations to set up Romani-language schools and a form of cultural autonomy.[44] They presented instead a vision of a European society in which obstacles toward the integration of Roma are removed, and the Roma in turn seek opportunities to immerse themselves in mainstream society led by an 'elite' of educated individuals whose ethnic background no longer stands in the way of their career prospects.

PER had a leading role in setting the agenda for the joint Council of European and OSCE Human Dimension Seminar—an international meeting with government representations at the ambassador level—dedicated to the problems of the Roma in Europe, which took

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[44] Nicolae Gheorghe and Andrzej Mirga, "The Roma in the Twenty-first Century: A Policy Paper" (Princeton, Project on Ethnic Relations, 1997).

place in Warsaw in September 1994. By then, it had recruited Ian Hancock, a professor at the University of Texas at Austin and veteran activist of the IRU. Hancock was offered a place on the official US State Department delegation. He arrived at the event and began distributing copies of a paper that he had prepared on the topic of Roma integration. In this paper, he warned against the view that social integration was the key to overcoming the problems that Roma face in Europe. He compared the Roma with African Americans, noting that the emergence of an African American educated and affluent middle class did not succeed in abolishing racism and discrimination again Blacks in the US. The paper identified its author on the cover page as a member of the US Department of State, along with other organisations. Hancock was summoned to a meeting with the head of the US delegation and was told he did not have permission to either distribute the paper or to deliver it to the plenary. The official US position on Roma obviously clashed with the views expressed by Hancock in the paper. Hancock resigned from PER shortly afterward.

The US interest in the Roma issue resulted in pressure to give attention to the Roma on the agenda of the OSCE/CSCE, the only European institution in which the US had full permanent membership and considerable influence. After the Council of Europe received and adopted Resolution 1203 in February 1993, the US tabled a motion to the CSCE in April 1993 to instruct the CSCE High Commissioner on National Minorities to compile a report on the Roma in the CSCE region that was released in September of the same year. Although the Council of Europe resolution called for the creation of the position of a Coordinator for Roma affairs at the Council of Europe, the CSCE High Commissioner recommended the establishment of a Contact Point for Roma and Sinti Issues (CPRSI) within the CSCE's Office for Democratic Institutions and Human Rights (ODIHR). The coordinator position for this contact point was given first to Nicolae Gheorghe, and after his retirement, to Andrzej Mirga. The office was officially named 'Contact point for Roma and Sinti', an oddity among European-level initiatives involving Roma, in an apparent attempt to win over support from the most established and most generously funded Roma NGO, the Central Council of German Sinti and Roma. The latter, however, remains reluctant to participate in European initiatives.

Two of the major European institutions had thus set up two very different models for Roma consultation. A further institution, the European Commission, was slower to show initiative, relying for many years on the

presence of the European Roma Information Office (ERIO), a small lobbying group, as an informal consultative body.[45] In 2011, the Commission launched a European Academic Network on Romani Studies,[46] which is not intended to represent Roma but rather to offer an academic perspective on issues of policy.

What stands out in the overall picture of representation is the absence of a clear definition of the constituency that is being represented. Implicitly, if one follows the definitions of Roma offered by some of the organisations or states (see below), it is understood that Roma consultative bodies are there to represent the interests of a Roma minority, and that affiliation to this minority is self-ascribed. So far, in the absence of the linkage of any privileges or rights to Roma self-identification, the issue of defining the constituency could be avoided.

A practical case arose in 1989 in Hamburg when a local Roma association, the Rom & Cinti Union, successfully campaigned for the granting of permanent residence permits to a contingent of some 1,500 Roma from Poland and Yugoslavia whose applications for asylum had been rejected. The treatment of Roma outside the normal legal regulations on the basis of a special ministerial decree (that

was kept secret for fear of public and parliamentary opposition) required authorities to be able to identify who was Roma. For this purpose, the Rom & Cinti Union was invited to issue membership cards to the relevant group of persons. Civil servants of the state immigration department were instructed to refer cases of aliens without residence status to a high-ranking departmental official if they had RCU membership cards that identified them as Roma. The high-ranking official had been briefed about the special regulation by the Minister and was instructed to issue permanent residence permits to the individuals concerned. In this way, the protection of Roma on the basis of a special governmental instruction was carried out in the form of an almost clandestine operation. Most important, it was the authorities who recognised the RCU as a legitimate representation of Roma interests, and who then delegated to the RCU the task of identifying who was Roma and therefore entitled to the special protection measures.

At the moment, then, it seems that three options for political representation are on the table. The first option involves recognition of a Roma consultative body. Such a body is either self-appointed or handpicked by the institution to which it is affiliated or a combination of both (self-appointed by approval). It remains unaccountable through

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[45] For more information about ERIO, see, at <http://www.erionet.eu/>.
[46] European Commission and Council of Europe European Network on Romani Studies, at <www.romanistudies.eu>.

any formal mechanism to a clearly definable Roma constituency. It is also powerless to implement any measures within a constituency because it lacks resources, an executive authority or an operational arm.

The second option would require Roma to register to gain access to specific rights or services that are offered to them specifically as Roma. Such a system would either remain vulnerable to abuse or it would require a tight set of administrative criteria to determine who was and who was not Roma, as well as a mechanism to verify these criteria at the very least by delegating the decision to an authorised body such as a Roma NGO (as in the case of the RCU in Hamburg in 1989).

The final option seems to be the continuation of an informal and pluralistic scheme in which those who wish to associate specifically as Roma can do so in the form of NGOs or political parties. This makes it difficult to reach a representative sector of the Roma population, either to gauge its view or to provide it with targeted measures of support or protection. Above all, none of the three options seems to provide the necessary safeguards for the Roma as a collective, called for in the works that critically examine gaps in existing mechanisms to protect Roma from exclusion.

A fourth option remains a distant utopia: it would involve setting up a regulated constituency that would elect a representative body that in turn would elect an executive accountable to it. The tasks of this executive would be to draft positions on policies for Roma inclusion, but quite possibly to take on direct responsibility in the field of training and research, promotion of culture and language, initiating and implementing development projects in the areas of housing, employment, health and more. This Romani representation would work under the auspices of European institutions, receiving its budget from them and using their authority to intervene in local settings. It might even have a vote within some of the European institutions on certain matters. In effect, it would represent the Roma as a non-territorial European nation, without sovereignty but with shared responsibility for certain aspects of the welfare of Roma in certain domains. Precisely this was the vision behind the launch of the ERTF. But beyond the practical challenges of such a scheme, the option of non-territorial representation has its critics both in government and in academia, some warning that if it materialised, governments would then be able to use the concept of a non-territorial nation to release themselves of the responsibility of protecting the Roma directly.[47]

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[47] Vermeersch, *op.cit.* note 2.

V. EAST-WEST ROMA MIGRATIONS

Roma migrations from eastern into western Europe have been a political issue since the nineteenth century. Roma immigration from Transylvania and the Habsburg monarchy came to be viewed as a threat to national security in Germany in the late nineteenth century, and a law enforcement department with state-wide jurisdiction was set up in 1899 to monitor the movement of foreign Gypsies and to prevent their entry and settlement. In the early 1950s, many eastern European Roma arrived in the west, with a number remaining stateless for a considerable time.[48] As part of labour migration movements from southeastern Europe in the 1960s, many Yugoslav Roma established themselves in northern European countries such as Germany, Belgium, France and the Netherlands. When labour immigration was halted in the early 1970s, application for political asylum became the only legal immigration opportunity. The wholesale rejection of applications filed by Roma had triggered a pro-Roma protest movement in Germany in the late 1980s, with some success. The Hamburg settlement regulation for Roma was introduced in 1989 following

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[48] See, Yaron Matras: "Romani Migrations in the Post-communist Era: Their Historical and Political Significance", 12(2) *Cambridge Review of International Affairs* (2000), 32-50.

the promise of a similar model in Cologne, and in February 1990, the state government of Upper Rhine Westphalia announced that it would consider recognising Roma immigrants as "de facto stateless", implying that they are not safe in their countries of permanent residence (a promise that was withdrawn several months later). With the fall of communism, Romanian Roma became visible on the streets of major western European cities from the spring of 1990, triggering hostile press reports. A wave of violent attacks targeted Roma asylum seekers in Germany, Italy, France and Poland.

The presence of eastern European Roma had constitutional and political consequences in several countries. In Germany, a circle of Social Democrats led by Oskar Lafontaine refused to agree to a constitutional change of the right to political asylum. But in August 1990, a group of more than 1,000 Romanian Roma was referred by the central office for refugees operating in Berlin to temporary residence in the small town of Lebach, population ca. 20,000, in the tiny southwestern state of Saarland, whose serving premier was Oskar Lafontaine. Shops in the town closed down for several days in protest and public services were disrupted, not just in Lebach but also in neighbouring towns. Haunted by the image of near-hysterical reactions to the sudden presence of Balkan

Gypsies, Lafontaine changed his position on the asylum law within a few months, paving the way for a two-thirds majority favouring a constitutional amendment that was adopted at the end of 1992. In 1993, Germany signed a treaty with Romania that enabled it to deport people assumed to be Romanian citizens to Romania even in the absence of identification papers. In return, a significant sum was delivered as development aid to the Romanian government. The principle of 'safe entry countries' became adopted throughout the EU.

In 1997, a group of several hundred Roma from the Czech and Slovak Republics arrived in Dover, England, applying for asylum. Despite their relatively small number, press reactions were extreme,[49] prompting a direct intervention by the British government with the Czech government threatening that slower progress would be made in the European integration of the Czech Republic unless Roma were prevented from migrating to the UK.[50] For several years, UK immigration officers were stationed at Czech and Slovak airports, controlling the ethnicity of passengers heading toward the UK. Although such measures disappeared with the first EU

enlargement phase, the fear of Roma migration was one of the principal factors that motivated some countries to restrict the movement of Romanian and Bulgarian citizens after these countries joined the EU in 2007. Severe pressure and evacuation crackdowns against makeshift settlements of Romanian Roma became widespread in Italy, which did not restrict access, from 2008 onward. The French deportation action against Romanian Roma in the summer of 2010 triggered condemnation even at the level of the European Commission, and it was in the aftermath of this debate that the European Commission invited member states to submit documents outlining their national strategies for Roma inclusion by the end of 2011.

The vocal campaigns in support of Roma asylum seekers in Germany in 1989-90 and the fact that several state governments in Germany had given in to the political pressure and agreed to allow Roma to settle despite the fact that their asylum applications had been rejected, triggered a warning signal among governments and EU institutions fearing instability and a political backlash if administrations were perceived to have succumbed to the pressure of Roma NGOs and their supporters. An international dimension was created in 1990 through encampments of Roma refugees along the German-Dutch and German-Swiss borders, as

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[49] Colin Clark and Elaine Campbell, "Gypsy Invasion: A Critical Analysis of Newspaper Reaction to Czech and Slovak-Romani Asylum Seekers in Britain, 1997", 10 *Roman Studies* (2000), 23-47.
[50] Eva Sobotka, "Romani Migrations in the 1990's: Perspectives on Dynamic, Interpretation and Policy", 13(2) *Romani Studies* (2003), 79-121.

well as along the Polish-German border. In addition, Roma NGOs in Germany had begun to file constitutional complaints accusing Germany of non-compliance with the International Convention on Refugees. Finally, the status of Roma refugees from eastern Europe was brought directly to the attention of most international organisations through the lobbying work of Roma NGOs.

I have argued elsewhere that fear of the migration of Roma into western countries was a major trigger behind the involvement of international organisations such as the Council of Europe, the OSCE and the European Commission in the Roma 'issue'.[51] This fear was amplified by a lack of understanding of what was at the core of Roma migrations. Roma were seen by politicians and civil servants alike as 'Gypsy vagrants' or 'nomads'. Even Senior Council of Europe official Egbert Aussems, who was entrusted in the early 1990s with coordinating Roma-related policy (until the Council of Europe appointed a permanent Coordinator for Roma) and was well-known for his strong and enthusiastic support for the Romani political movement, referred to the Roma invariably in his informal conversations as "nomads". In 1993, the Czech Republic introduced its new citizenship law, requiring residents of Slovak descent to re-apply for Czech citizenship under strict criteria that were thought to exclude many Roma whose ancestors had immigrated from Slovakia, threatening to render them stateless. A communiqué by the RomNews information network operated by the Roma National Congress warned international organisations of an imminent massive exodus of Czech Roma to western countries. The report does not seem to have had any factual basis, and its main purpose appears to have been to capture the attention of these organisations. Indeed, it succeeded in doing this. The Council of Europe sent a fact-finding mission to the Czech Republic and expressed concern over the law, which was later relaxed. Following the arrival of several thousand Roma asylum seekers in Canada and the UK several years later, in 1997, the Council of Europe commissioned a report on this specific development[52] and staged a three-day international seminar on the social inclusion of Roma in Prague in early 1998 that included a tour of Roma settlements and meetings with Roma representatives and government officials.

The list of organisations who have commissioned expert reports on the situation of Roma migrants is long and includes the

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[51] Matras, *op.cit.* note 25.

[52] Yaron Matras, "The Recent Emigration of Roma from the Czech Republic and the Slovak Republic", Report submitted to the Council of Europe's Committee on Migration (CDMG) (Council of Europe, Strasbourg, 1998).

UNHCR,[53] the Council of Europe,[54] OECD,[55] OSCE[56] and the EU's Fundamental Rights Agency.[57] The analyses show an interesting trajectory. Whereas Braham[58] and Reyniers[59] had emphasized primarily so-called push-factors, concentrating on what motivated Roma to leave—issues such as discrimination, marginalisation and poverty—Sobotka[60] emphasized the role of pull-factors, such as the presence of Romani diasporas (formed between the 1950s and 1980s) in the target countries, the dependency of Western labour markets on migrant workers, the services provided to asylum seekers and, in the case of the UK only, respect toward Romani culture and children's success in schools.

My own report to the Council of Europe's European Committee on Migration, which was forwarded to the attention of the Council of Ministers, deals with the specific characteristics of Roma migrations.[61] It first distinguishes between 'nomadism' and 'migration', a difference that was hitherto not well understood in policy-making circles in which the prevailing notion was that Roma migrate because they maintain a travelling lifestyle. The report further identifies "non-confidence and non-identification with their country of residence" as a powerful motivation for Roma to choose the risks of migration over engagement with local hardships. Roma are generally prepared to take the risks of migration because they are supported by the social and economic network of the extended family, which in turn means that Romani migration is a migration of extended families and not of individuals. This makes Roma more conspicuous and, coupled with stereotypes, more vulnerable to exclusion and racist violence as well as economic and criminal exploitation in the target countries.[62]

[53] Mark Braham, "The Untouchables: A Survey of the Roma People of Central and Eastern Europe" (UNHCR, Geneva, 1993).
[54] Yaron Matras, "Problems Arising with the International Mobility of the Roma (Gypsies) in Europe", Report submitted to the Council of Europe's Committee on Migration (CDMG). (Council of Europe, Strasbourg, 1996); Yaron Matras. The Recent Emigration of Roma from the Czech Republic and the Slovak Republic. Report submitted to the Council of Europe's Committee on Migration (CDMG), (Strasbourg, Council of Europe, 1998).
[55] Alain Reyniers, "Gypsy Populations and their Movements within Central and Eastern Europe and towards some OECD countries" (OECD, Paris, 1995).
[56] Claude Cahn and Elspeth Guild, "Recent Migrations of Roma in Europe" (OSCE, High Commissioner on National Minorities and Council of Europe Commissioner for Human Rights, 2000).
[57] EU Fundamental Rights Agency (FRA), "Comparative Report: The Situation of Roma EU Citizens Moving to and Settling in other EU Member States" (FRA, Vienna, 2009).
[58] Mark Braham, The *Untouchables: A Survey of the Roma People of Central and Eastern Europe* (Geneva, Switzerland, UNHCR, 1993); Mark Braham and Matthew Braham, "Romani Migrations and EU Enlargement", 13(2) *Cambridge Review of International Affairs* (2000), 97-116.
[59] Reyniers, *op.cit.* note 55.
[60] Sobotka, *op.cit.* note 50.

[61] Matras (1996), *op.cit.* note 54; Matras (2000), *op.cit.* note 48.
[62] See also, Claude Cahn and Elspeth Guild, *Recent migrations of Roma in Europe* (OSCE, High

The body of reports and studies represented a consensus that issues of migration cannot be tackled simply through border controls and repatriation but that both the welfare of migrants and the causes of migration had to be addressed. Fear that EU-enlargement would encourage further immigration of Roma into western Europe led the core EU countries to include issues of respect for and protection of minorities in the Copenhagener Criteria for Accession to the European Union, adopted in June 1993. Coupled with less formal and more direct threats issued to candidate countries,[63] the criteria signalled the expectation that more should be done for the Roma in their countries of residence before the principle of freedom of movement can be applied. The joint Council of Europe and OSCE Human Dimension Seminar on Roma, held in Warsaw at the end of 1994, was devoted ostensibly to the situation of Roma in eastern Europe, but the concern of western delegations was clearly the need to prevent migration.

Ironically, then, it was fear of migrating Gypsies (the German newspaper *Der Spiegel* notoriously termed the arrival of Romanian Roma in 1990 the 'Gypsy Invasion', and other publications in other countries carried similar titles in subsequent years) that triggered a genuine interest in and commitment toward the position of Roma in post-communist countries. Moreover, this interest was driven by the concern that should Roma migrations continue, repatriation measures might be obstructed by a strong Romani political movement which had learned how to successfully direct public sympathy in support of the immigrants. It is my impression that the process of Roma inclusion in European institutions from the early 1990s onward—the 'Europeanisation of the Roma'[64]—owes much, if not indeed most of its impetus to the western fear of Roma migrations, coupled with the exploitation of this fear by Romani politicians such as Rudko Kawczynski (at the time, leader of the Roma National Congress and now head of the ERTF). In addition, it thrived on the fear that ethnic tensions surrounding the position of Roma could make entire regions and states in central and eastern Europe ungovernable over time if left unchallenged. This fear may have been conveyed more by the US than by European governments. It was accompanied

Commissioner on National Minorities and Council of Europe Commissioner for Human Rights, 2000); Lynne Poole and Kevin Adamson, "Report on the Situation of the Roma Community in Govanhill, Glasgow" (University of West Scotland, Scottish Universities Roma Network, 2009); Yaron Matras, Fabeni Beluschi, Leggio Giuseppe, Viktor Daniele and Eliška Vranová, "The Romani Community in Gorton South, Manchester", Report commissioned by the Manchester City Council Regeneration Team (South) (University of Manchester, 2009).
[63] Sobotka, *op.cit*. note 50.

[64] Vermeersch, *op.cit*. note 2; van Baar, *op.cit*. note 5.

by the position that socioeconomic integration and the support of a Roma elite would allow large parts of the Roma population to gradually assimilate, a prospect cultivated by PER spokesman Nicolae Gheorghe.

In fact, the EU accession of the Baltic and Central European states may have motivated some Roma from these countries to emigrate, but this movement was certainly not on a scale that proved alarming, any more than the immigration of ethnic Poles, Lithuanians and others. It is interesting therefore to note that hostile reactions continued toward the arrival of Romanian Roma in Italy, Spain, France and the UK following the accession of the southeastern European states in 2007. A report by the EU Fundamental Rights Agency[65] notes the role of media in heightening tensions between residents and Roma migrants and criticises existing policy and practice, pointing out that an incorrect application of the conditions of the Free Movement Directive affects the Roma's ability to access social benefits. The report took what turned out to be a key initiative when it argued that a fundamental change in the situation of Roma across Europe was needed and when it called on the EU to develop a Framework Strategy on Roma Inclusion. In the summer of 2010, the Sarkozy government defied international condemnation and proceeded to remove thousands of Roma EU citizens from the country. In response, the European Commission called on member states in the spring of 2011 to deliver a set of policy measures toward the drafting of an EU Framework Strategy on Roma by the end of that year. Once again, political complications arising from the migration of Roma triggered a major European policy drafting exercise. Ironically, the stereotype of the wandering Gypsy and the revival of century-old pattern in which authorities react to the arrival of Gypsies by expelling them now prompted institutions to seek a genuine understand of the needs and interests of Roma.

VI.   ROMANI LANGUAGE

The use of Romani as a vehicle for the purpose of ideological mobilisation of Roma began in the Soviet Union during the liberalisation period of its nationalities policy in the mid-1920s. In a way, it is also mirrored by the activities of Christian missionary organisations, which have been active since the second half of the nineteenth century in translating parts of the Gospel into Romani in the hope of converting Roma to various church denominations. Behind these attempts is the realisation that the Romani language, like any other ethnic or national language, not

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[65] FRA, *op.cit.* note 57.

only has practical communicative functions in the settings in which it is used on an everyday basis (mainly as a family language and the vehicle of informal communication in Romani settlements), but also bears strong symbolic and emotional functions. This symbolism of language was adopted early on by the community of Romani activists across Europe, with the exception of Germany.

As was previously alluded to, most country-based Romani activism in the 1960s-70s was based around the design of a local or national spelling system for Romani and attempts at literary productions in the Romani language. In Germany, not only was the focus of civil rights activities different (see earlier discussion), but community engagement also operated under the taboo of bringing internal cultural issues of the Roma community out into the public domain. The declared reason was and continues to be the alleged experience in war-time Germany, when Sinti who had entrusted their language to government researchers were betrayed and included in 'racial assessment' charts that often proved to be death sentences because they served as a basis to register Gypsies and to deport them to concentration and death camps. In practice, the evidence that there was any organised misuse of linguistic knowledge is anecdotal at best. The Sinti clans, like many other western European

Roma populations, have always been secretive and clandestine about their culture, preferring not to appear as foreign yet at the same time, cultivating a Gypsy image for certain traditional professions. This dilemma of how to maintain cultural invisibility while still insisting on official recognition continues to accompany the political doctrine of the Central Council of German Sinti and Roma. It is expressed in its definition of the Sinti as an "ethnic-German minority within Germany" (see the earlier discussion), as well as in its insistence that the Romani language be recognised by the German state in accordance with the European Charter for Regional or Minority Languages, but that no measures be taken to protect or promote it, because it must be confined to the "family context".

This notorious attitude of the German Roma associations is often cited in connection with Romani, but in fact, it is rather unique to the Sinti clans in Germany and the neighbouring regions (Austria, the Netherlands and South Tirol). The pre-occupation with language was one of the key agenda items from the early beginnings of Romani activism in both eastern and western Europe. It is noteworthy that, despite emerging international networking already in the late 1960s, the promotion of literary Romani took on largely a regional or national character, with each local activist group adopting its own dialect

of Romani and a spelling system based largely on that of the respective state language alphabet.[66] The notion of 'standardisation' in the sense of the creation of a unified literary language with a prescriptive set of spelling norms and terminology began to surface in the consultations of the International Romani Union. Inspired by post-colonial national movements and the role of national languages as a symbol of emancipation and independence, the IRU added the creation of a standard language to its list of symbolic gestures that mimicked a nation-state in the making: a president, an anthem, a flag, a national celebration day, and international recognition.

Clearly, the process of creating a standard language proved much more laborious. One of the major disadvantages was and remains today, the fact that, by the time IRU activists began to engage with the idea, diverse and pluralistic literary activities had already been underway in various countries for quite some time. The IRU never had and never would gain the authority to impose a system of its own to replace these regional and national conventions. Nevertheless, from the mid-

1980s onward, the unification of Romani became the IRU's major project, driven by the engagement of the French language activist Marcel Courthiade. In the early 1990s, it proved useful to raise funds from European institutions and the language project proved to be the principal source of income funding IRU political activities. A vote taken at the IRU's Fourth World Romani Congress in April 1990 confirmed a so-called "standard alphabet" drafted by Courthiade. However, in a short period of time, there were already countless other initiatives to write and publish in various forms of Romani and the standardisation project found few supporters, the one notable exception being the Romanian education ministry, which adopted a version of the Courthiade script in its large-scale Romani language education programme.

A further factor that put the project of standard or unified Romani at a serious disadvantage was the fact that, contrary to popular perception, Romani dialects are actually not so remote from one another and their written versions (as well as their oral versions, in face-to-face communication) are largely mutually comprehensible, even if written in slightly different forms (consider the resemblance between the Scandinavian languages or even between languages such as Portuguese, Spanish and Catalan, or Czech, Slovak and Polish). This removes the

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[66] See, Yaron Matras, Romani: A Linguistic Introduction (Cambridge, Cambridge University Press, 2002); Yaron Matras, "The Future of Romani: Toward a Policy of Linguistic Pluralism", 1 *Roma Rights Quarterly* 2005a, 31-44; Yaron Matras, "The Status of Romani in Europe" (Report commissioned by the Council of Europe's Language policy Division, October 2005, 2005b).

necessity for an over-arching standard and reduces the standard to a mere symbol. The caveat here is that, although the symbolic value of a written form of Romani is much welcomed by activists, against the specific background of communication in Romani (which is mainly oral, informal and limited to the family domain), *any* form of written Romani already serves the purpose of symbolism sufficiently well, making *the* uniform standard redundant even for symbolic purposes.

An important facilitating factor was the availability of funding grants for Romani language activities. In the early 1990s, support was given via the Soros Roma Foundation and later from the Open Society Institute's 'Roma Cultural Programme' to a large variety of cultural NGOs, many of which engaged in literary or media production in Romani. Between 2002-07, the more specialised Romani Publications project launched by the Next Page Foundation based in Sofia (and funded mainly by the Open Society Institute, but also by other sources) awarded more than USD 120,000 in grants to more than 35 projects based in 11 central and eastern European countries, all of which were concerned with Romani language publications of various kinds (electronic and printed) and of various content types (folklore, dictionaries, teaching materials and media).

The programme's explicit policy was to avoid a unified standard and to support qualified regional initiatives in their choice of Romani dialect and spelling systems. An important signal in support of online linguistic pluralism was sent out by the creation of the multi-dialectal online dictionary RomLex,[67] hosted by the Romani Project in Graz and developed by a team of researchers at the universities of Graz, Manchester and Aarhus, which was set up initially with support from the Open Society Institute and Next Page Foundation.[68]

Yet another aspect that has played a massive role in the expansion of Romani language usage into new domains has been the emergence of electronic communication. Users of email, blogs, chat forums and text messages are accustomed to a lax form of written communication in which the user takes the liberty to be creative without the imposition of external norms or sanctions and in which users experiment with spelling conventions. Variation and pluralism are not seen as an obstacle to communication in this context. Indeed, the symbolic worthiness of the written phrase is often increased if it is an individual or tight-knit group creation. The expansion of written Romani on websites and

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[67] For more information see, at <http://romani.uni-graz.at/romlex/>.

[68] Dieter W. Halwachs, Barbara Schrammel and Astrid Rader, "ROMLEX - A Multidialectal and Multilingual Online Lexicon", 67/68 *Grazer Linguistische Studien* (2007), 117-131.

in various other electronic media means that pluralism rather than uniformity prevails.

The success of the concept of linguistic pluralism[69] is an interesting and valuable observation not only about language and language use, but also about the process of identity formation in general. In the Romani context, there is much scope to reconcile the symbolism of asserting one's ethnic identity with de-central pluralism and variation in form and procedure. Romani identity is in this respect not just theoretically trans-national; it is genuinely cosmopolitan because it allows a variety of context-bound manifestations.

Much of this process was not yet understood when European institutions began issuing statements in support of the Romani language. The Council of Europe's first statement on Romani dates back to 1981, when its Standing Conference of Local and Regional Authorities adopted Resolution 125 on the "Role and responsibility of local and regional authorities in regard to the cultural and social problems of populations of nomadic origin", calling on member states to grant them "the same status and advantages as other minorities enjoy, in particular concerning respect and support for their own culture and language". The use of the term 'nomadic origin' here indicates that there was little evidence-based background for this part

of the text because most nomadic communities are not linguistic minorities in the strict sense (despite the frequent presence of in-group vocabularies for the purpose of certain, limited communication modes). We have a good example here of policy drafting that lacks basic background research.

In 1983, the Council of Cultural Co-operation recommended that "the Romany language and culture be used and accorded the same respect as regional languages and cultures and those of other minorities", speaking explicitly of "Romani", but in 1989, the Council of Ministers of Education voted to promote teaching materials that "give consideration for the history, culture and language of Gypsies and Travellers". In the European Charter for Regional or Minority Languages of 1992, Romani (Romany) is mentioned explicitly as an example of a non-territorial language, to which some parts of the Charter may be applied. Since then, more than a dozen member states have recognised Romani as a minority language within the Framework of the Charter.

The first genuinely informed document about Romani was the Verspaget report, which led to the Council of Europe's Parliamentary Assembly Recommendation 1203 calling for the establishment of "a European programme for the study of Romanes and a translation bureau specialising in the language", and

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[69] Matras, 2005a, *op.cit.* note 66.

recommending that "the provisions for non-territorial languages as set out in the European Charter for Regional or Minority Languages should be applied to Gypsy minorities".[70] In February 2000, the Committee of Ministers recommended to the member states that "in countries where the Romani language is spoken, opportunities to learn in the mother tongue should be offered at school to Roma/Gypsy children", and that "the participation of representatives of the Roma/Gypsy community should be encouraged in the development of teaching material on the history, culture or language of the Roma/Gypsies".[71]

Thus, by 2000 at the latest, a consistent position had been established within the Council of Europe, recognising a coherent language (called variably "Romani", "Romany", or "Romanes") and recognising the need to give it consideration, especially within the education system. Implicitly, despite continuing resolutions that address the needs of "Gypsies and Travellers" or of "people of nomadic origin", this direction of statements also grants recognition to the Romani minority as a linguistic minority in Europe and so to Romani as the symbolic and emotional expression of collective identity.

Other European institutions have at times taken a much more practical approach to Romani, viewing it as an instrument that can facilitate access to services and so, as a key to integration rather than a token of political particularity. Thus, the European Commission's European Anti-Discrimination Law Review, 6/7 2008 states that "Measures aimed at women from majority groups do not service Roma women, because they do not take into account Roma language and culture".[72] The European Parliament resolution on "The social situation of the Roma and their improved access to the labour market in the EU" of 11 March 2009 even formulates explicitly its opposition to the idea of cultural autonomy formed around the notion of the linguistic community, stating that it: "Considers that preserving the Roma language and culture is a Community value; does not, however, endorse the idea that the Roma should be members of a stateless 'European nation' because this would absolve Member States of their responsibility and call into question the possibility of integration".[73]

Nonetheless, the Romani experience provides one of a few examples of an emerging

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[70] Council of Europe: Parliamentary Assembly Recommendation 1203 (1993) "on Gypsies in Europe".
[71] Committee of Ministers, (Recommendation 2000/4) "On the education of Roma/Gypsy children in Europe".

[72] European Commission: Anti-Discrimination Law Review, 6/7(2008), p. 44, at <http://www.migpolgroup.com/public/docs/145.EuropeanAnti-discLawReview_6_7_en_11.08.pdf>.
[73] See, European Parliament, Resolution of 11 March 2009 on "The social situation of the Roma and their improved access to the labour market in the EU", Conclusions, par. 51.

language planning and language policy process at the transnational level. The European Parliament resolution of 9 March 2011 on the EU strategy on Roma inclusion called for practical measures, such as "increasing the number of Roma teachers and ensuring the protection of the language and identity of Roma children by making education available in their own language".[74] Having been lobbied for more than a decade and a half to lend its support for a project on the standardisation of Romani, and after hosting a series of hearings on the topic, the Council of Europe changed direction in 2005, handing over the issue from the Directorate of Education to the Language Policy Division. A report commissioned by the Language Policy Division recommended support for the prevailing trend toward pluralism of form and structure.[75] The author was invited to share the report at a special meeting of the European Charter for Regional or Minority Languages Expert Committee (Min-Lang 2006), together with representatives of the ERTF. Taking the process further, the Language Policy Division invited an expert group to consult on the creation of a European Curriculum Framework for Romani, modelled on previous documents created for a number of other languages. The Framework was completed and released in 2008, and at least two EU-funded implementation projects took on the preparation of teaching and learning materials for Romani on its basis in 2010: RomaniNet (2009-12) and QualiRom (2011-13).

Perhaps the most interesting lesson that can be learned from Romani language policy is how initiatives can be shaped by local needs and preferences, yet given a momentum and encouragement at the level of transnational policy of European institutions. Another lesson is that pluralism of form and content is not regarded as an obstacle to empowerment or self-assertion, and that centralised uniformity in the guise of standardisation is not a pre-requisite for the engagement with language. Language activities contribute to communities even in the absence of unification, while 'Europeanisation' adds value to these activities by offering standards of implementation and opportunities to share good practice. We thus have an example for a productive balance between transnational and local initiatives.

VII. WHOM DO GOVERNMENTS IDENTIFY AS 'ROMA'?

Recalling that the earliest involvement of European institutions in Roma/Gypsy issues surrounded provisions for caravan sites and

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[74] See, European Parliament, Resolution of 9 March 2011 on the EU strategy on Roma inclusion, par. 4.
[75] Matras, 2005a, *op.cit.* note 66.

access to education for nomadic communities as recommended by the Council of Europe in a series of resolutions in the 1960s, it appears that the agenda pursued by these institutions in recent years has changed considerably. A combination of fear from unmanageable situations in the domain of migration and settlement, ethnic tensions and marginality and more than two decades of intense lobbying equipped with funding and political support from civic society institutions[76] have shifted the focus of attention from the infrastructural needs of nomadic communities to the social and political aspirations of the Roma as an ethnic-linguistic minority. How do European governments view their role when challenged to provide an outline of their strategies to promote Roma inclusion, and how do they define the Roma as the target group of the measures they plan to enact?

A comprehensive survey of the national strategies submitted by governments in December 2011 in response to the European Commission's call is beyond the scope of this article. But I will make use of this opportunity to provide what is in all likelihood the first comparative commentary on some of these documents.[77] My interest is in the way governments identify Roma, how they define

them as potential constituencies, and how these definitions relate to the measures proposed to promote Roma/Gypsy inclusion. The differences in defining the target group are striking. The French strategy paper states that 'Rom' is an ethnic denomination.[78] Therefore, no strategy can be drafted in which the subject is the 'Roma' because French law does not recognise ethnic entities.[79] The document does, however, offer various measures targeting the *gens de voyage* ('travelling people'), a completely different population. By contrast, the Scottish government recognises Roma as an ethnic group and states that most Roma in Scotland are from Slovakia. The Scottish document also addresses 'Gypsy/Traveller' groups, defining them as "distinct groups, such as Romany Gypsies, and Scottish/Irish Travellers, who regard the travelling lifestyle as being part of their ethnic identity."[80] Ireland, similarly, identifies 'Roma' as immigrants from central and eastern Europe.

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[76] Sobotka, *op.cit.* note 37.
[77] All archived at <http://ec.europa.eu/justice/discrimination/roma/national-strategies/index_en.htm>.

[78] European Commission: "An equal place in French society: French government strategy for Roma integration within the framework of the Communication from the Commission of 5 April 2011 and the Council conclusions of 19 May 2011", Strategy Paper, France, at <http://ec.europa.eu/justice/discrimination/files/roma_france_strategy_en.pdf>.
[79] *Ibid.*
[80] European Commission, Council Conclusions on an EU Framework Strategy for Roma Integration up to 2020: United Kingdom of Great Britain and Northern Ireland", Strategy Paper Great Britain, p. 10, at <http://ec.europa.eu/justice/discrimination/files/roma_uk_strategy_en.pdf>.

Its document focuses on the "Traveller community", defined as: "the community of people who are commonly called Travellers and who are identified (both by themselves and others) as people with a shared history, culture and traditions including, historically, a nomadic way of life on the island of Ireland".[81]

Greece, conversely, defines Roma as "a particular social group".[82] The Greek document includes an annex with precise statistics about numbers of individuals and individual households in settlements, but no indication can be found as to the basis on which these individuals are identified as 'Roma'.

Italy recognises an umbrella category of 'Roma, Sinti and Caminanti', but carefully lists the various sub-ethnic groups as well as emphasising the differences between Roma (of Indian origin), who speak Romani, and Caminanti, a population of indigenous origin. It admits that "in Italy, the main issue refers to the lack of recognition, by a comprehensive national legislation, of Roma, Sinti and Caminanti people as a minority".[83] The document proposes to move away from a policy of emergency measures and crisis management and on to a medium-term planning strategy which should include fighting against discrimination, awareness raising, and training of mediators.[84]

The government of the Netherlands is much more reserved with its proposed measures, emphasising that Roma are included in general measures to improve housing, education and employment and are not subject to any special programmes. At the same time, the government of the Netherlands finds it appropriate to single out Roma for a series of negative generalisations, frequently associating them with crime and seeking to respond with crime prevention measures:

> Some [Roma] parents believe it is not necessary to send their children to school to learn to read and write. […] Municipalities report problems with crime and socially unacceptable behaviour, such as begging, shoplifting, pickpocketing and domestic nuisance. […] A program is being launched to fight crime in general and the exploitation

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[81] European Commission, "Ireland's National Traveller/Roma Integration Strategy", Strategy paper Ireland, p. 9, at <http://ec.europa.eu/justice/discrimination/files/roma_ireland_strategy_en.pdf>.

[82] European Commission, "National Strategic Framework for Roma", p. 3, at <http://ec.europa.eu/justice/discrimination/files/roma_greece_strategy_en.pdf>.

[83] European Commission, "National Strategy for the Inclusion of Roma, Sinti and Caminanti Communities", Strategy Paper of Italy, p. 17, at <http://ec.europa.eu/justice/discrimination/files/roma_italy_strategy_en.pdf>.

[84] *Ibid*.

of Roma children by members of the Roma community. It will also target the new influx of Roma from other EU countries. […] Criminal activity will be tackled comprehensively by means of law enforcement, discouragement and putting up barriers. This problem has an international dimension, too. As a supplement to national policy, the Netherlands would like to work more closely with other EU member states, and see more cooperation among them, which is why the Netherlands has included this issue in this document.[85]

Germany defines Roma as an umbrella term for groups that share cultural traits such as language, culture and history. It emphasises the Romani language as a defining feature of the community, while claiming that the Romanes spoken in western Europe and especially among the Sinti is distinct from that spoken elsewhere in Europe. Having established a linguistic demarcation between German Sinti and European Roma, the document goes on to state that German Sinti and Roma are integrated into German society and therefore do not require an inclusion

strategy. At the same time, foreign Roma who have immigrated to Germany enjoy the same integration opportunities as other migrants and therefore do not require a special inclusion strategy either. Thus the German statement acknowledges the presence of an ethnic-linguistic minority of Roma/Sinti, yet it denies them the status of a constituency in the sense of representation and participation or even of a population with special protection needs.[86]

The Austrian statement goes into great detail in explaining the linguistic and historical basis for the recognition of various groups under the cover term 'Roma', which is recognised as one of the country's minority groups. Much of the Austrian document dwells on measures to support Roma culture and education and the resources invested in the development of training, teaching materials, and research in support of Roma culture.[87] The comparison with the German document is compelling. The two countries

[85] European Commission, "Policy Measures in the Netherland for the Social Inclusion of Roma ", Strategy Paper The Netherlands, p. 1, at <http://ec.europa.eu/justice/discrimination/files/roma_nl_strategy_en.pdf>.

[86] See, European Commission, "Report from the Federal Republic of Germany to the European Commission. An EU Framework for National Roma Integration Strategies up to 2020 – Integrated packages of measures to promote the integration and participation of Sinti and Roma in Germany", Strategy Paper, Germany, at <http://ec.europa.eu/justice/discrimination/files/roma_germany_strategy_en.pdf>.

[87] See, European Commission, "An EU Framework for National Roma Integration Strategies up to 2020. Political and legal measures", Strategy Paper, Austria, at <http://ec.europa.eu/justice/discrimination/files/roma_austria_strategy_en.pdf>.

share a history of the most extreme persecution of Roma/Sinti, and the present-day profiles and diversity of Roma/Sinti groups in the two countries are quite similar (established Sinti clans, some established Roma, and a large population of Roma immigrants from southeastern Europe). The overall socioeconomic position of the Roma/Sinti minorities is comparable in the two countries, as is the potential for research expertise on the language and culture of the community. Yet, distinct constitutional concepts lead the Germans to deny the Roma/Sinti a distinct status, whereas the Austrians place the emphasis on cultivating language and cultural heritage.

The Bulgarian document recognises Roma as an ethnic group and speaks of "preserving and promoting Roma traditional culture", although with reference specifically to "Roma amateur arts". The only other reference to Roma culture in the document is a rather blunt and generalising judgemental statement about "the patriarchal norms of excessive control of the behaviour of the girls and women in some Roma subgroups". Wholesale pejorative condemnation of Roma culture can also be found in the Romanian strategy paper, which states that: "Roma culture is quasi-oral, a consequence of no effective training structures and self-referential representation, allowing the leap from a low-literate folk culture to a modern culture, integrating into the set of contemporary values".[88] At the same time, the Romanian report identifies the promotion of Romani language and culture as a priority.[89]

The Hungarian statement explains the procedure for Roma self-government and its consultative status and stresses that although the problems of Roma are tightly integrated into a general fight against poverty, the problems facing Roma require a national strategy and are not merely part of a policy against poverty. An even more nuanced explication of issues of exclusion is found in the Slovak government report, which carefully distinguishes between economic, cultural, symbolic and spatial dimensions of exclusion of Roma, exclusion from services and political participation, and more. Apart from the Slovak document and the Austrian strategy paper, the Czech statement is the only one that directly defines the Roma as a national minority and defines the purpose of the inclusion strategy as a means to ensure that Roma have the opportunity as a collective to meet their cultural needs and to remove barriers and conflicts.

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[88] European Commission, "Strategy of the Government of Romania for the Inclusion of the Romanian Citizens belonging to Roma Minority", Strategy Paper, Romania, p. 13, at <http://ec.europa.eu/justice/discrimination/files/roma_romania_strategy_en.pdf>.
[89] *Ibid.*

Even this selective (by country) and much abbreviated (by content) description of extracts from the combined national inclusion strategy documents shows an odd and inconsistent mixture of statements that address an array of fundamentally different issues:

– Roma (defined as various groups who identify as Roma and are related via language and culture); alongside various other groups defined by their own origin, social status, or lifestyle;

– Measures of support for folklore, art, and other forms of culture, including the provision of education in the Romani language, alongside judgemental and prejudiced statements about the need to change or modernise Roma culture;

– Issues of minority self-government and representation and the allocation of resources to the Roma minority alongside reliance on general mechanisms applicable to all citizens and residents;

– Refusal to identify the group for the purpose of any statistic-demographic evaluation alongside detailed figures without obvious criteria for the inclusion in the sample beyond outsider subjective perception (of the subjects as 'Gypsies');

– Denial that a targeted strategy for Roma inclusion is necessary while singling out Roma as allegedly involved in crime and social negligence (such as, voluntary unemployment and refusal of education).

The inconsistency in the content and subject matter of the reports is not difficult to comprehend when one takes into consideration the remit on which they are based. The Council of the European Union's communication 8727/11 on "An EU Framework for National Roma Integration Strategies up to 2020" from 6 April 2011 defines the term 'Roma' as follows:

> The term "Roma" is used—similarly to other political documents of the European Parliament and the European Council—as an umbrella which includes groups of people who have more or less similar cultural characteristics, such as Sinti, Travellers, Kalé, Gens du voyage, etc. whether sedentary or not; around 80% of Roma are estimated to be sedentary.[90]

Although an effort can be recognised here to confront stereotypes through emphasising that the majority of Roma are sedentary, the definition is self-contradictory in referring, on the one hand, to completely separate populations such as Sinti/Kale, the Gens de Voyage and the vague notion of 'Travellers',

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[90] Council of the European Union, "EU Framework for National Roma Integration Strategies up to 2020", p. 2 footnote 1, 6 April 2011, at <http://register.consilium.europa.eu/pdf/en/11/st08/st08727.en11.pdf>.

and on the other hand, to "similar cultural characteristics". There are, empirically, no similar cultural characteristics that can help identify the groups named in this definition. Instead, the definition simply returns to the popular, fictional notion of 'Gypsy' as a 'generic vagrant', inserting two corrections: the first is the incorporation of non-nomadic populations ("80% of Roma are sedentary") into the definition that is otherwise based on a generalisation about nomadic groups. The second is the adoption of the label 'Roma', which is acknowledged as a self-appellation and hence, as a politically 'correct' term associated with the emancipatory aspirations of representatives of an ethnic minority group. A 'Europeanisation of the Roma', as Kovats, Vermeersch, and van Baar all suggest,[91] may have taken place in the sense that European institutions have identified the Roma as a priority issue. But this certainly does not imply that a uniform conceptualisation of Roma in any operational sense has been adopted at the European level. If we compare the Council of the European Union's communication from April 2011[92] with the CSCE High Commissioner's definition of Roma as presented in 1993, "[i]n addition to a Romani cultural heritage, including a strongly itinerant tradition that is both cause and effect

of their history, the Roma also share the use (or the remembrance) of a common, though highly variant language, also known as Romani or Romanes",[93] we find that neither has language continued to serve in the documents as an identifying feature of the targeted population, nor has the view about the prevalence of itinerant traditions continued amidst the realisation that the majority of Roma are in fact sedentary.

Yet, another document seems to admit to both inconsistency and ambiguity. In "The Situation of Roma in An Enlarged European Union", released by the European Commission's Directorate-General for Employment and Social Affairs in 2004, we find:

> At a number of points in this study, the term "Roma" or "Romani" is used as shorthand for the broad umbrella of groups and individuals. In no way should this choice of terminology be taken as an endorsement of approaches aimed at homogenising Roma and other groups perceived as "Gypsies" in Europe or at eliminating the rich diversity among Roma, Gypsies,

[91] Kovats, *op.cit.* note 1; Vermeersch, *op.cit.* note 2; van Baar, *op.cit.* note 5.
[92] Council of the European Union, *op.cit.* 90.

[93] CSCE Communication No. 240, Roma (Gypsies) in the CSCE Region, Report of the High Commissioner on National Minorities. Meeting of the Committee of Senior Officials 21-23, September 1993, par. 2.

Travellers and other groups perceived as "Gypsies". [94]

Here, the reluctance to specify a particular target group is presented as a tolerance of diversity rather than as absence of focus.

An interesting approach is presented in a recent report titled 'Human rights of Roma and Travellers in Europe', published by the Council of Europe's Commissioner for Human Rights in late February 2012. The authors are Claude Cahn and Gwendolyn Albert—both activists with a long track record of involvement in Roma civil and human rights issues in central Europe. The report is careful to define 'Roma' and 'Travellers' separately and to devote separate sections to the diverse issues of social inclusion that face these individual populations. Rather than search for the common denominator of 'Roma and Travellers' in either lifestyle, origin, culture or any other inherent feature, the authors acknowledge the diversity implied by the shared label, and relate the use of an umbrella term explicitly to outsider perception of the groups: "The minorities labelled "Roma", "Gypsies" and "Travellers" in fact comprise a multitude of ethnicities and distinct linguistic communities, heterogeneous groups that are viewed as a unit primarily by outsiders."[95]

Apart from the existing remit of the Council of Europe to deal with these populations under one single heading, the authors skillfully identify a further, practical justification for an integrated approach to Roma and Travellers: "As a result of the particular depth and strength of the stigma associated with Roma and Travellers, no European government can claim a fully successful record in protecting the human rights of the members of these minorities."[96] What Cahn and Albert are doing is thus, in effect, redefining the agenda as the public struggle against anti-Gypsyism (which is also the subject of the very first chapter in the report). Since anti-Gypsyism targets a multitude of groups, the fight against it must be inclusive. Rather than reconceptualise 'Roma/Gypsies', Cahn and Albert relate directly to the outsider, popular image of 'Gypsies' and the discriminatory practices that go with it and attempt to tackle those head on. The key to inclusion, following this view, is to eradicate the wholesale exclusion of various populations stigmatised as 'Gypsies': "Above all, authorities in Europe must tackle, once and for all, the underlying

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[94] European Commission, "The Situation of Roma in An Enlarged European Union", (Directorate-General for Employment and Social Affairs, 2004), 6.

[95] Council of Europe, Commissioner for Human Rights, Human Rights of Roma and Travellers in Europe, February 2012, p. 32.
[96] *Ibid.*

prejudices and stereotypes—anti-Gypsyism—driving discrimination and violence against the Roma and Travellers in Europe."[97]

The report certainly renders an important service to the discussion about the need to combat discrimination, exclusion and marginalisation. However, it leaves open the question of what Romani identity is, how it is best represented, and how it can be maintained in a position other than marginality. For this to be addressed, the following questions require closer consideration: in the absence of a territory, how is a sense of belonging to the group maintained and expressed among Roma? What is common to Romani populations other than their perception through outsiders? What are the population's own feelings toward its identity and cultural values, and what can be done to support the group in cultivating these values without jeopardising their chances of inclusion into mainstream society?

VIII. CONCLUSION

By and large, European institutions have failed to adopt a realistic and politically practical conceptualisation of 'Roma'. In the absence of a clear concept, proposals for intervention strategies are doomed to be incoherent in themselves and inconsistent among governments and institutions. Existing scholarship has so far failed to provide sufficient clarifying input into the political process at the European level. Parts of it have even contributed to the confusion by emphasising contradictory agendas and by failing to project a clear cross-disciplinary consensus on which a new conceptualisation, one that would replace the fictional 'Gypsy', might rest. Particularly disturbing in this connection are repeated reflections on the concept of Roma ethnicity as if it were a mere 'construction' lacking a basis in objective features such as language, culture, history and a traditional sense of mutual affinity felt by group members.

Despite these failures, the past two decades have also witnessed the productive interplay of scholarship and policy-making. Drawing on older roots laid in the Enlightenment period, modern research has continued to expose the historical, linguistic and sociocultural conceptual framework within which Roma communities, despite their dispersion and the cultural differences between them, can be regarded as an ethnic minority. Some states, especially those with a strong research tradition, such as the Czech Republic and Austria, have taken this framework on board in their approach to their Roma population as an ethnic, linguistic and cultural minority.

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[97] Council of Europe, Commissioner for Human Rights, Human Rights of Roma and Travellers in Europe, February 2012, p. 223.

Recent research has also recognised that existing global mechanisms for the protection of human and individual rights are insufficient to protect the Roma as a collective, and that special measures are therefore required. Moreover, studies have pointed out that institutions are stronger and more confident in their actions when they act together with Roma, and that there is therefore a mutual interest to involve Roma in managing their affairs and in promoting inclusion and self-confidence. Furthermore, in some areas, there is evidence from research that measures to support Roma can be implemented successfully at the transnational level, through the adoption of principles of pluralism. Such insights are as applicable to language and literacy as they are to media and political representation. Finally, research has illuminated problems that motivate Roma to migrate, allowing international organisations to gain a realistic view of Roma migration as a reaction to situations rather than a predetermined 'lifestyle'.

For these issues to be addressed effectively, a clear definition of the constituency of beneficiaries is needed. This will also enable self-representation and genuine participation in problem-solving measures. It is therefore essential to disentangle the political definition of Roma from the traditional, fictional image of the nomadic Gypsy. It seems like the main obstacle toward accepting Roma as a nation is the fact that they cannot be associated with a particular territory and that their historical socioeconomic profile does not revolve around a settled, agricultural tradition. This sets the Roma apart from other European nations and national minorities. At the same time, some participants are reluctant to accept a pan-European framework for Roma inclusion on the grounds that it might weaken the position of Roma in individual countries. Globalisation and the rising relevance of transnational networking and transnational forms of governance offer an excellent opportunity to overcome such fears and preconceptions. The Roma deserve global recognition as an ethnic, linguistic, and cultural group, lacking a territory but sharing ancient historical roots and with an increasing sense of shared destiny. The presence of an enthusiastic young generation of Roma activists provides a unique opportunity to replace destitution and despair with empowerment and ambition. Therein, along with collective protection from discrimination and exclusion, lies the key to overcome both local and more universal issues of access to education, health, housing, and employment.