Dimensions of Antigypsyism in Europe

Edited by Ismael Cortés Gómez and Markus End

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CENTRAL COUNCIL of German Sinti & Roma

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Authors' Descriptions

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The Alliance against Antigypsyism is an occasional coalition of organisations that promote equality of rights for Roma. The aim of the Alliance is to advance a better understanding of antigypsyism as the specific racism towards Roma, Sinti, Travellers and other groups that are routinely stigmatised as "gypsies" in Europe's public domain.

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Margareta Matache is an activist and scholar from Romania. In 2012 she was awarded a Hauser Post-Doctoral Fellowship at the FXB Center for Health and Human Rights at Harvard University. For over a decade, Magda has been a powerful voice of the Roma in various grassroot, national and international contexts. From 2005 to 2012 Margareta Matache was the Executive Director of Romani CRISS, a leading Roma rights organisation that defends and promotes the rights of Roma. Previously, she served as a youth worker and trainer on cultural diversity and minority rights, using non-formal education tools. She has also worked as an election observer for missions in Western Balkans and implemented regional projects for the OSCE/ODIHR. She completed her Ph.D. in Political Sciences at the University of Bucharest. She holds a Master's degree in European Social Policies.

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Radmila Mladenova is a literary and film scholar based in Heidelberg, Germany. As a stipend holder of the Friedrich Ebert Foundation, she is currently in the final phase of her PhD research project *The 'White' Mask and the 'Gypsy' Mask in Film*, which she is conducting at Heidelberg University's Institute of Slavic Studies. In 2018 she joined the team of the Research Center on Antigypsyism in Heidelberg and coordinated the pilot project *The Stigma 'Gypsy'. Visual Dimensions of Antigypsyism*. Her research entitled *Patterns of Symbolic Violence: The Motif of 'Gypsy' Child-theft across Visual*

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Foreword
Soraya Post

Decades after the beginning of our fight for the official acknowledgement of the existence of anti-Gypsyism and several years after the institutional recognition of this form of racism by the Council of Europe and the European Union, we are still facing reluctance from Member State politicians and authorities to admit the existence of anti-Gypsyism and to take measures against it.

To this day, there seems to be some misunderstanding about anti-Gypsyism, as many associate it with discrimination. However, discrimination is only one of the varied faces of this complex, specific form of racism directed towards Roma, which was created by a social consensus centuries ago and has been practised in our societies – without exception – ever since.

Some people also question the importance of talking about anti-Gypsyism, pointing to the fact that poverty among Roma is so high that we should remedy poverty first, and not distract attention from it by putting emphasis on the need to fight anti-Gypsyism. While understanding the gravity of the situation, I still believe that poverty – or rather the fact that our society lets Roma people live in a situation which is otherwise unacceptable by European standards – is only one of the various manifestations of anti-Gypsyism.

Hundreds of years of systemic dehumanisation of the Roma made legal and unquestionable through royal decrees, state laws and church rules, have poisoned our societies.

Extensive and brutal forms of dehumanisation, almost completely missing from our history books, such as slavery, the denial of settling down, the systemic murders during World War II, forced sterilisations, educational segregation, mass evictions, over- and under-policing, discriminatory birth registration, the denial of citizenship, the institutionalisation of Roma children, hate speech and hate crime, the denial of participation, etc., have fed anti-Gypsyism, which is the belief that Roma are inferior, capable of less, do not

have the will to catch up with the non-Roma, are unfit to be good citizens of the countries in which they have been living for centuries; and the actions built on this belief.

The effects of this dehumanisation process are everywhere. They are present in governments' decisions not to spend their structural funds on the improvement of the life chances of Roma. They can be detected in the public messages of politicians using Roma as scapegoats to gain votes. And they are in the decision of ministries not to include Roma victims in school curricula on Holocaust teaching.

All these decisions – taken deliberately or due to lack of knowledge or care – have created a complete and mutual mistrust between the Roma and the non-Roma, which is very difficult to overcome.

I can see only one way to get out of this limbo – by starting the joint process of uncovering and recognising the truth, our common history and our common present together. We have to uncover and recognise together the atrocities and rights violations which the Roma were subjected to, and we have to jointly acknowledge the contributions of Roma to Europe. We have to talk to each other and start building bridges.

Of course, centuries of dehumanisation will not be forgotten by the Roma in a year, and most probably many members of the mainstream society will be reluctant to engage in a dialogue about these issues. However, I do not think that without this process, we can create a shared commitment for a better, united future.

Frankly speaking, my faith and my trust have also been seriously affected by anti-Gypsyism, and I am also struggling to keep the hope in myself alive that one day we can leave anti-Gypsyism behind us and live in a healthy and happy society which is not marred by hate. Yet, I have to keep believing just as much as I believe in the saying that...

There is only one race: the human race.
There is only one religion: love,
There is only one world: or none at all.

I am convinced that the present book will also contribute to uncovering the truth as it sheds light upon the different faces of anti-Gypsyism by sharing the knowledge and understanding of different scholars and activists. I am grateful for their hard work and their strong belief.

Have a good read.

Soraya Post is a Member of the European Parliament, from the Swedish Feminist Initiative. She was the Rapporteur of the European Parliament report on the fundamental rights aspects of Roma integration in the EU: fighting anti-Gypsyism.

Introduction: Contemporary Dimensions of Antigypsyism in Europe

Ismael Cortés Gómez and Markus End

This book comes at a critical juncture both for the future of Europe and the future of EU Roma policies. The post-Brexit EU crisis has normalised the political use of nationalist discourses, while Eurosceptic parties gained power in some major EU countries. This process is challenging and even threatening the idea of common citizenship, of being "united in diversity", articulated in the EU Charter of Fundamental Rights (Nice, 2000) and the different EU treaties (Maastricht, 1992; Amsterdam, 1997; Nice, 2001; Lisbon, 2007). Aiming to prevent dynamics of ethno politics / policies, the EU put at the core of its values the general principle of equal treatment between persons irrespective of racial or ethnic origin. In this sense, the Lisbon Treaty asserts a claim of equality for all EU citizens:

> Article 8: In all its activities, the Union shall observe the principle of the equality of its citizens, who shall receive equal attention from its institutions, bodies, offices and agencies. Every national of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to national citizenship and shall not replace it (Lisbon Treaty, 2007).

The emerging nationalism is based on the differentiation between the *demos* (political community) and the *ethnos* (cultural community). In this framework, the binding force of EU societies risks a shift from the commitment to universal human rights toward the belonging to a common "tradition" and "set of beliefs". This process of political disintegration of the EU project is built on the representation of the "other(s)" simultaneously as an economic burden for the welfare state and as a cultural threat to the survival of the genuine European peoples. As a result of this development toward ethnic-nationalism, the imminent political danger is the actual abandonment of fundamental rights protection and the legitimisation of a hierarchy of citizens based on cultural or ethnic ascription.

Normalisation of Antigypsyism

Regarding these tendencies, many Romani and other anti-racism organisations are extremely concerned about the wide acceptance of antigypsyism in Europe, even among high-level politicians.

In October 2018, for example, the president of the European Parliament, Antonio Tajani, shared his concern that a citizenship income discussed in Italy would only "end up in the pockets of Roma", thus building on one of the oldest and most common stereotypes of Roma as work-shy parasites (ENAR, 2018). Earlier in the same year Czech President Miloš Zeman said that slapping Roma who were not working was a "very humane method", while commenting on work duty in the Communist era (ERRC, 2018), thus dehumanising his fellow citizens of Romani background and using the same stereotype as Tajani. Yet another stereotype was employed by French President Emmanuel Macron when he suggested that Yenishe were not articulate and thus backward and primitive: "The guy, he does not have the words of a Gypsy. He does not have the words of a Gypsy boxer" (Jovanović, 2019). In addition, he utilised the racialised term "*gitan*", thus perpetuating centuries of stigmatisation. In June 2018 Italian Home Secretary Matteo Salvini commented on his plans to compile a register of the Roma living in Italy "that unfortunately we'd have to keep those with Italian passports" (Zentralrat Deutscher Sinti und Roma, 2018). The statement implicitly negates the Italian identity of these citizens, thus using the stereotype of everlasting nomads who do not belong anywhere. In addition, practices of top-down government databases on minorities as proposed by Salvini have long been criticised as a precondition of systematic persecution. Both Pavee Point and the Central Council of German Sinti and Roma agree on that in their papers in this book on how governments should deal with statistical data on minorities.

The statements of these politicians are merely a snapshot of the political developments of recent years. It is important to keep in mind that none of the quoted politicians faced massive rebuff; on the contrary, we have to suppose that their electoral success stems from the use of racist remarks. Strategies against antigypsyism have to take into account the fact that this is not a phenomenon only found

among extremists. The racist notion of the "gypsy" is common European knowledge, shaped by racialised discourses. Radmila Mladenova shows how film and cinema participate in the creation of this knowledge, and Markus End reflects on media images and their perception. Beyond the fields of culture and media, Eric Töpfer's and Bel Parnell-Berry's papers reveal the usage of such a stereotypical "gypsy"-concept in state policies. Töpfer analyses racialised police databases on a European level whereas Parnell-Berry shows how a specific government definition of "Traveller" is used to exclude whole groups from anti-discrimination policies.

This racialised discourse is the social basis on which discrimination, exclusion and persecution are built on. It also enables the increasing amount of hate crimes committed against Roma. According to the European Roma Rights Centre, in 2017 and 2018 at least 15 Roma were forcibly killed or died of mistreatment in European countries, many at the hands of police or prison officers. Of those 15 cases, none were treated as a hate crime and charges were brought against the perpetrators in only five cases (Lee, 2018). To better understand antigypsyist hate crimes and their social context, Gwendolyn Albert gives an analysis of hate crimes against Roma and antigypsyism in the Czech Republic as an example for other countries.

The Development of the Term Antigypsyism in Scholarly and Political Discourse

First used by Romani activists in the 1920s and 1930s in the early Soviet Union, the term "antigypsyism" has been rediscovered in European scholarly and activist discourse in the 1980s. Since then its use has broadened among activists and scholars even though it remains a controversial term. At the same time, the word is widely unknown in broader public discourses.

In recent years, the notion of "antigypsyism" has gained increasing attention Europe-wide both in political and scholarly fields. Different (and complementary) definitions have been produced:
a) "anti-Gypsyism is a specific form of racism, an ideology founded on racial superiority, a form of dehumanisation and institutional racism nurtured by historical discrimination, which is expressed, among others, by violence, hate speech, exploitation, stigmatisation

and the most blatant kind of discrimination" (European Commission against Racism and Intolerance, 2011);
b) The Council of Europe (2012) defined "'anti-Gypsyism' as a specific form of racism on a par with anti-Semitism (...). Back in 2005, the European Commission against Racism and Intolerance (ECRI) already acknowledged the specific nature of the racism directed towards the Roma: a) it is persistent both historically and geographically (permanent and not decreasing); b) it is systematic (accepted by virtually all the community); c) it is often accompanied by acts of violence";
c) "Antigypsyism is a historically constructed, persistent complex of customary racism against social groups identified under the stigma 'gypsy' or other related terms, and incorporates: 1. a homogenizing and essentializing perception and description of these groups; 2. the attribution of specific characteristics to them; 3. discriminating social structures and violent practices that emerge against that background, which have a degrading and ostracizing effect and which reproduce structural disadvantages" (Alliance against Antigypsyism, 2016).

The Alliance's full reference paper, in which they describe the context and perspective of the above-mentioned definition and elaborate on key elements and dimensions of antigypsyism is documented as part of the book. The debate about the term is still ongoing. A critique of the term – especially as defined by the Alliance – by Margareta Matache and Alexandra Oprea is included here to document this controversial discussion even though the editors do not agree with many of the presumptions made in this paper. At EU level, there have been salient commitments, at least at the discourse level, although policies and funding initiatives have not come through yet.[1]

The deployment of the need to combat antigypsyism, through policy documents, enables what we understand is a "paradigm shift" from a social inclusion approach to a comprehensive antiracist approach. Until now, on many political levels and in different policy frameworks, Romani inclusion has been treated as if there

1 See European Union Agency for Fundamental Rights, 2018; European Parliament, 2017; Council of the European Union, 2016; European Parliament, 2015.

was no opposing force, as if antigypsyism did not exist. The deprived socio-economic situation many Roma face has either been explained on the basis of "deviant" Romani traditions or as a mere "social emergency" issue, without any mention of antigypsysim as a deeply rooted, persistent and structural force of exclusion. A focus on the combat against antigypsyism would produce considerably differing approaches to Romani inclusion. First and foremost, this shift enhances the transition towards the reform of the EU Roma Framework for the post-2020 period (European Commission, 2011; Mirga-Kruszelnicka, 2017). If antigypsyism is understood as a major problem of European societies, then it becomes clear that social inclusion of Roma remains illusory unless antigypsyism is addressed on all levels. Angéla Kóczé and Márton Rövid show in their paper how the idea that Roma themselves are responsible for the racism they face is a product of antigypyist ideology combined with neoliberal structural racism. Sabrina Steindl-Kopf analyses how EU projects can reproduce marginalisation, through concrete cases. One example is a short video advertising for, among others, the Romani inclusion project that Steindl-Kopf analysed, produced by the European Commission, containing many statements of interviewees explaining that the Roma could learn a lot from their fellow non-Romani co-workers in terms of regular employment. As if the problem was the lack of work habits and not the forces of racism and exclusion (European Commission, 2010).

It is important to acknowledge that discrimination of Romani people is an ongoing and widespread phenomenon to this day, as various case studies show: Marek Szilvasi and Maylis de Verneuil describe the denial of the right to water to Romani people in France as a form of structural antigypsyism. Comparable cases are presented by Giovanni Picker and Elisabetta Vivaldi in their analysis of the Italian "*campi nomadi*". Evictions are also one of the fields Suad Skenderi and Deniz Selmani debate in their analysis of state policies in the Western Balkans, together with the denial of freedom of movement and school segregation. All aforementioned authors describe this situation as institutional or even state racism.

Strategies against Antigypsyism

This book offers a combination of academic and activist writings, based on practical experiences. Many Romani and other anti-racism organisations have been fighting against antigypsyism for decades. Their struggles to realise Roma Rights provide us critical knowledge, both on how antigypsyism affects access to fundamental rights; and how to counter exclusionary and discriminatory political discourses and projects. There are many ongoing discussions on how to tackle this complex phenomenon. Among many different opinions, there is one consensus: it does not help to address the effects of antigypsyism if antigypsyism itself is not addressed at all.

In the field of education, Simona Torotcoi and Marko Pecak analyse how discrimination affects Romani students' career paths; and how they navigate through the system to overcome racist barriers, to fulfil their higher education aspirations. In the area of political empowerment and building alliances, focusing on the Hungarian context, Anna Daróczi, Kinga Kánya, Szilvia Rézműves and Violeta Vajda provide guidelines on what to pay attention to when planning, building or participating in projects that bring Roma and non-Roma together. They underline that patterns of antigypsyism cannot be fully deconstructed during the lifespan of a project. But still the authors are optimistic when they affirm: "essentialism, hierarchical attitudes and the internalisation of racist labels are slowly changed as a result of Roma and non-Roma joining their forces".

Vicente Rodríguez reflects on his personal experience as an activist: he describes how superheroes became an inspiration and, even more, an essential tool for his work. The use of pop culture helps him to create and design methodologies of non-formal human rights education based on American comics, to deconstruct globally accepted antigypsyist stereotypes. Looking at the institutionalisation of Roma rights and the notion of antigypsyism, Jan Selling analyses the circumstances around an apparent Swedish momentum for confronting antigypsyism, by using state commissions for confronting the country's dark past, and how it differs from the Norwegian experience. To end, Ismael Cortés Gómez' article explores different political scenarios to enable pathways for Roma equality by

enacting processes of common citizenship. Through a case study, the article reflects upon the nature of citizenship and the process of constituting a complex political subjectivity: not on the basis of identity, but of a multiplicity of social groups fighting for justice and equality from the margins of the system.

Although there are strategies in place that have made an impact in the fight against antigypsyism, we have to admit that on a broader scale there is not much cause for optimism at the moment. Even though antigypsyism as a social phenomenon is slowly starting to be recognised in the political realm, on national and European level as well as in mainstream societies' discourse, the growth and spread of ethno-nationalist and racist movements all over Europe poses a real danger. If the intellectual and social achievements reached among others thanks to the work of Romani rights activists across Europe during the last years are not defended against these threats, antigypsyism is set to continue shaping European political discourses and practices on a broad scale; and thus negatively impacting on the lives of Roma and other groups and individuals who experience antigypsyism.

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Section I :

(De)constructing the Other

Questioning 'Gypsy'-Themed Films and their Technology of Truth Production

Radmila Mladenova

For the purposes of my research, I have compiled a large corpus of fiction and documentary films featuring imaginary 'gypsy' figures / Roma representations on the basis of which I want to abstract and describe dominant and counter-dominant aesthetic tendencies at work. The current paper provides an outline of the film corpus, comments on the relevance of the term "mask" (which I introduce and use in the analysis of films) and focuses on the first and most dominant aesthetic tendency in film, the tendency of authenticating the 'gypsy' mask. The main point of interest here is the technology of truth production, in the Foucault sense, employed in films about 'gypsies' conceived within the European cultural realm. The tendency in question is exemplified by a list of films which I call 'gypsy'-themed films; the identified titles, grouped around the thematic axis, are further divided into three sub-groups. Since 'gypsy'-themed films are a largely uncharted territory for media and cultural/post-colonial studies, there is a palpable need for an analytical approach that is tailor-made to evaluate their particular content and form. The current paper offers a scheme for such a methodology, an algorithm of questions specifying the different levels pertinent to the analysis.

1. On the Film Corpus

The findings in this paper are based on an intensive film-viewing which I did while compiling a relatively large corpus of films as well as other related materials. The film corpus itself consists of 119 titles, released between the years 1905 and 2016 within the European cultural zone (Europe and the USA) and forms a fairly representative body of works on the ambivalent topic of imaginary 'gypsies'/ representations of Roma. The earliest title in the corpus is the British short silent drama *Stolen by Gypsies* (1905) directed by Edwin S. Porter and Wallace McCutcheon. The latest title is the German feature-length documentary *And-Ek Ghes...* (2016) directed by Philip Scheffner and Colorado Velcu. The titles in between are distributed fairly evenly across time with a tendency to grow in number the more recent they are. Broken down by film form, the corpus contains 93

feature films (including 22 silent films, 3 television films, 4 television series, 1 animation) and 26 documentary films (including 1 television reportage, 2 silent shorts, 2 online video clips, 1 student film).

2. The "Mask" as a Working Concept

While developing my perspective on 'gypsy' figures in film, I assembled the somewhat clumsy term the "imaginary gypsy figure" to emphasise – both lexically and orthographically – the fact that the object of my analysis is a fictional artefact with origins in European literature and arts dating back to the 15th century,[1] but also to draw a clear line of distinction[2] between this fictional phantasm (which was conjured into existence at a time when the notion of ethnicity and ethnic minorities was non-existent) and the ethnonym "Roma", which denotes actually existing groups of people with a minority status. "Roma" is a relatively novel term: it has been in circulation internationally since 1971[3] but it should be pinpointed here that it has a much longer history as a self-designation.

In my present work, I introduce for the first time the notion of the "mask" as a main working concept[4] that should complement and

1 The first written records of 'gypsies' in Europe are to be found in late 15th century chronicles. As Bogdal wittily puts it in his ground-breaking work *Europa erfindet die Zigeuner*, in the beginning, it was the chronicles; and this is where the main problem lies: the chroniclers were not eye-witnesses and produced stories and illustrations for a public that was not interested in the actual existence of the Roma but in their representation (Bogdal, 2011: 23-25).

2 Other terms coined with the same intention are "screen gypsies" (Imre, 2003), "celluloid gypsy" (Dobreva, 2007), "als Rom_nja markierte Figuren" and "nation-ethno-kulturell markierter Figuren" (Kraft, 2014). In comparison, Homer (2006) does not make a terminological distinction between fictional figures and real people in his analysis using the terms "Roma" and "Gypsy" as synonyms. The author questions 'gypsy'-themed films and their claim to authenticity to encapsulate his findings in the title of his article: "The Roma Do Not Exist". So, while providing an insightful analysis of screen images, he erroneously disavows the existence of real-life Roma.

3 The self-designation "Roma" was adopted in 1971 at the First World Romani Congress which took place in Orpington (south-east London) with delegates from 14 countries (Kenrick, 1971: 101-108). Moreover, Roma are not a homogenous group, see the definition of the term published by the Council of Europe.

4 The term "mask" is used here in the sense developed by Belting in his book *Faces* (2013). The author operates with the concepts of face and mask and redefines their relationship in the context of representational arts by considering the original meaning of the mask in cult rituals where it was not so much an object but a requisite for a role. What was significant was not how the mask looked but where and how it was enacted (44-55). In modern times, the mask is back on the theatre stage, Belting argues, embodied by the face. In other words, the mask should be understood as a role performed with one's real face and entire body (63-83).

when possible supplement the notion of the "imaginary figure". For a number of reasons, the "mask" is a particularly fitting choice of concept. It is shorter, to start with, and serves as an ideogram for a "cultural construct" denoting a material object that both visualises and signifies artificiality. It also makes evident that representations are, among other things, a set of conventions applied to a concrete artistic medium and need to be considered as such, as a specific technology of manufacture. Representations are material objects produced in a certain way, following a certain production technology which I will attempt to outline here. In my analysis of film imagery, the concept of the mask is considered in relation to film lighting to draw attention to the materiality of light and its role in producing – in the very literal sense of the word – skin colour and 'racial' difference on the screen. Also, the notion of the mask makes it obvious that the deconstruction of the 'gypsy' mask is hinged on the deconstruction of 'whiteness', i.e. the representation of 'white' identity, which for the sake of parallelism I shall call the "white mask". In this line of thought, the notion of the mask facilitates the comparison between the set of conventions employed for the construction of "the universal human being as essentially European and white", a field of research which falls within the domain of Critical Whiteness Studies, and the set of conventions employed for the construction of "the imaginary gypsy figure as essentially non-European and non-white/ coloured/ black", a field of research which lies in the domain of Antigypsyism Studies. My central thesis is that the 'white' mask and the 'gypsy' mask represent the two sides of the European cultural consciousness, reflecting its two political regimes of seeing, or its two *modi* of exercising power. Moreover, the notion of the mask highlights the theatrical aspect of film. It makes apparent, to the point of tautology, that the 'gypsy' mask is not identical with the human being associated with it, that it is independent from the actual human face (which makes it akin to blackface minstrel shows[5]), and what is especially important, that it does not necessarily overlap with representations of the Roma. The autonomy of the 'gypsy' mask provides some explanation for its remarkable plasticity and also for its eager appropriation by various

5 For a discussion of blackface minstrel shows and their functions see Rogin, 1992; Saxton, 1975.

individuals or groups of people.[6] Finally, the notion of the mask focuses attention on the human face, the most important and carefully constructed artefact on the screen.

3. Lighting for 'Whiteness' and 'Non-whiteness' in Film: One Example

Die unterhaltendste Fläche auf der Erde
für uns ist die vom menschlichen Gesicht.
Georg Christoph Lichtenberg, "Südelbücher"

The stills below are from the Polish biographical film *Papusza* (2013), taken from the film's opening sequence introducing the Romani poetess, and are juxtaposed here to emphasise the role of lighting set-up in shaping the 'white' and the 'gypsy' mask in the medium of film. Fig. 1 shows an employee from the Ministry of Culture, a nameless female character who is peripheral to the story while Fig. 2 shows Papusza, the film's main character.

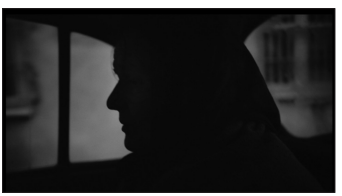

Fig. 1 and 2. Screenshots from Papusza's introduction scene: (left) a Polish woman (Maja Meissner) and a peripheral character; (right) the first close-up of the main character Papusza (Jowita Budnik), *Papusza* (2013).

The face of the nameless lady is handled in the modus of the 'white' mask: it is shown in full view with three-point lighting which makes it appear conventionally 'white', its colour emphasised by the frame formed by her dark hair and her equally dark fur lapels as well as

6 In the show business, for instance, where the 'gypsy' mask has a high selling value, it is eagerly claimed both by members of the Roma community and by members of national majorities. One example is the Macedonian Romani singer Esma Redžepova who takes pride in being labelled as "Queen of the Gypsies", or the Manhattan non-Roma musicians "Gogol Bordello" who stage themselves as a Gypsy punk band.

by the shady background. The woman's face receives 'normal', i.e. individualising, visibility and as such it does not draw special attention to itself; viewers will register it as the default way of staging and illuminating a protagonist. At the same time, the 'normal' face of the Polish lady provides an important touchstone for comparison[7] – not only in the scene discussed here but also in the entire film – for the camera never grants the privilege of 'normality' to Papusza. There is not a single close-up of her face in full view in daylight or with three-point lighting. The unfavourable treatment of the central character arouses even greater puzzlement when one recalls the fact that the role of adult Papusza is performed by Jowita Budnik, a popular Polish actress with a wide emotional range and a captivating face that has a lot to offer to the camera.

4. The dominant aesthetic tendency presented as a list of films

The main goal of my research is to isolate and describe dominant and counter-dominant tendencies in the production of 'gypsy'-themed films. Here, we shall consider the first and most dominant aesthetic tendency in deploying the 'gypsy' mask in the medium of film, and that is the tendency of authenticating the 'gypsy' mask.[8] This tendency manifests itself in a significant body of feature films produced within the European realm that work on the assumption that certain groups of people labelled as 'gypsies' are different in some intrinsic, objectively graspable way and that the said films have and can offer a direct access to this 'truth'. To gain an overview of these films and the intricate cinematic technology of truth production (Foucault, 1995: 42) they resort to, we will present entire segments of the film corpus, grouping film titles along the thematic spectrum to point out the core and the peripheral representatives of the dominant aesthetic tendency. Next, we will pay attention to the algorithm of questions which provides the basis for

7 Our approach draws on Dyer's discussion of movie lighting techniques and the construction of 'whiteness'. Dyer focuses on face lighting and articulates its functions stressing that "the face is seen as both the most important thing in an image, and also, as a consequence, the control of the visual quality of everything else." And also, "[m]ovie lighting of the face is at the heart of ordinary production" (Dyer, 1997: 88-89).

8 In addition to the dominant tendency of 'gypsy'-themed films, we have identified two counter-dominant tendencies: a list of films that redefine the 'gypsy' mask and a list of films that go beyond the 'gypsy' mask; the latter two, however, will not be discussed here.

the film categorisation and evaluation and which has been developed inductively during the process of film viewing. The algorithm of questions, or rather the answers to these questions, allows us to summarise the technology of truth production in five basic steps.

The first group of feature films which forms the core of the corpus includes films that have the world of the 'gypsies' as their primary topic, depicting it as a separate, autonomous universe with little or no contact to the given 'white' dominant culture. In this group of works,[9] the central dramatic conflict is set up within the 'gypsy' universe while 'white' characters are employed for the sake of contrast and are given peripheral roles. The mirror-inverted opposition between the 'gypsy' mask and the 'white' mask, which produces the effect of radical Otherness, is communicated here by implication. The following films (re-)produce the 'gypsy' regime of the European gaze:

The Gypsy Charmer [*Mustalaishurmaaja*]. Finland, 1929
Hot Blood. USA, 1956
I Even Met Happy Gypsies [*Skupljači perja*]. Yugoslavia, 1967
Queen of the Gypsies [*Табор уходит в небо*]. USSR, 1976
King of the Gypsies. USA, 1978
Angelo, My Love. USA, 1983
Time of the Gypsies [*Дом за вешање/ Dom za vešanje*]. UK | Italy | Yugoslavia, 1989
Gipsy Magic [*Циганска Магија*]. Macedonia, 1997
Black Cat, White Cat [*Црна мачка, бели мачор/ Crna mačka, beli mačor*]. Yugoslavia | France | Germany | Austria | Greece, 1998
Papusza. Poland, 2013

In the second group, we can list feature films in which the world of the 'gypsies', once again, presents the main spectacle, but the conflict here is staged between a 'white' and a 'gypsy' character. In these films, there is an explicit juxtaposition in visual and narrative terms of the 'white' vs. 'gypsy' mask and the mythological

9 This as well as the following film listings provide a selection of typical films. For a detailed discussion on the selection criteria and the resulting allocation of the films to these three categories, see my forthcoming dissertation *The 'White' Mask and the 'Gypsy' Mask in European Film*.

worlds they stand for. The dramatic encounter of these two worlds is purposefully used to affirm the film's overarching 'truth' about 'gypsies', that is their ethno-'racial' alterity; and this ideological message is also present in the few cases when the central 'gypsy' figure posits an exception to the group and is coded with positive qualities. With some variations, 'gypsies' are seen as agents of destruction, social discord and disintegration and as (metaphorically) 'non-white'. The following titles reveal the two *modi* of the European gaze, its bipolar structure:

The Adventures of Dollie. USA, 1908
A Romany Spy [*Das Mädchen ohne Vaterland*]. Germany, 1912
Zigeuneren Raphael. Denmark, 1914
Betta the Gypsy. UK, 1918
Carmen aka Gypsy Blood: A Love Tale of Old Spain. Germany, 1918
The Bohemian Girl. USA, 1936
The Vagabond's Waltz [*Kulkurin valssi*]. Finland, 1941
Madonna of the Seven Moons, UK, 1944
The Loves of Carmen. USA, 1948
The Gypsy and the Gentleman. UK, 1965
Pink Dreams [*Ružové sny*]. Czechoslovakia, 1976
A Roof [*Покрив*]. Bulgaria, 1978
Gucha [*Gucha!*]. Serbia | Bulgaria | Austria | Germany, 2006
The Hunchback of Notre-Dame (numerous film versions)

These two groups of films on the thematic spectrum make up the bulk of what we refer to as 'gypsy'-themed films and represent the main point of interest to our analysis. It is important to list all the titles and critically evaluate each of these fiction films for a number of reasons. Some of these films are celebrated for their truthful depiction of 'gypsy' culture, even as real ethnographic documents. A number of these films attained truly staggering popularity at the time of their release, many of them were distinguished with prestigious (inter)national awards, and are until today the object of praise and veneration in professional film circles as well as in popular culture. Also, significantly, most of the 'gypsy'-themed films indexed here continue to feature in festivals dedicated to Roma culture, forming part of the canon of 'gypsy' films accepted as genuine and inspired.

As such, they still have a strong impact on the self-image of Roma as well as on the current work of contemporary filmmakers.

The third and final group of feature films at the outer edge of the thematic spectrum and the largest in actual number encompasses works that use 'gypsy' characters in secondary roles, invoking through relatively short sequences the mythological world they are associated with, without making it their central point of appeal. These films are marginal to our research, and are therefore the least represented in the corpus.

Jánošík. Czechoslovakia, 1935
Chocolat. UK | USA, 2000
Snatch. UK | USA, 2000
Borat: Cultural Learnings of America for Make Benefit Glorious Nation of Kazakhstan. UK | USA, 2006

5. The Dominant Aesthetic Tendency Presented as a Technology of Truth Production

The titles listed in the film corpus have been subjected to a series of questions[10] that reveal the techniques truth production filmmakers resort to when staging the 'gypsy' mask in their works. These questions crystallised during the phase of film identification and assessment and can provide the backbone of a methodology for analysis and evaluation of 'gypsy'-themed films. The algorithm of questions highlight five important levels of analysis:

1) production set-up;
2) content of the 'gypsy' mask – character portrayal and plot;
3) form of the 'gypsy' mask – filmmaking devices and conventions, such as lighting and framing, *mise-en-scène*, colour, costumes, casting, music, cinematographic style;

10 The analysis proposed here relays the ideas and perspectives developed by Shohat and Stam in their seminal work *Unthinking Eurocentrism*. The authors emphasise the need for a nuanced and multi-level analysis of subaltern representations in film and discuss an impressive number of works featuring minority groups from all over the world (Shohat and Stam, 1994: 178-219). Yet, interestingly enough, there is not a single mention of 'gypsy'-themed films in their comprehensive book, a symptomatic sign that the 'gypsy' phantasm is a "blind spot" not only for European studies but also for post-colonial studies.

4) claim to truth – film's visual aesthetics, genre, and self-presentation in paratexts;
5) functions of the 'gypsy' mask in the given historical context.

For an example of a detailed film analysis that follows this five-step approach, see my article 'The figure of the imaginary gypsy in film: *I Even Met Happy Gypsies* (1967)' published in *Romani Studies* 26(1). What comes next is a sequence of questions addressing each of the five levels of analysis which is then followed by a summary of findings that, in very general terms, holds true for the 'gypsy'-themed films listed in section four. That is, not all but most of the characteristics described here are to be observed in these films.

5.1. Production Set-up

Questions on production set-up: Who has power to define the 'truth' about 'gypsies? Who is in a position to decide what their appearance, behaviour and lifestyle should be; what stories should they participate in and what qualities should they display as human beings? Who is responsible for the script? Is the script based on or influenced by other earlier texts or artefacts? Who directs the film? Who is behind the camera? Who selects actors? Who is cast in the leading roles? Who is cast as extras?

Summary of findings: The analysis of the production set-up throws light on the asymmetry of representational power. In the production of a 'gypsy'-themed film, all decisions concerning script, direction, camerawork, costumes and props, montage, music, etc. are taken by 'white'[11] professionals. The script is often based on a novel written by a 'white' writer. 'Gypsy'-themed films are usually *auteur* works in which the film director takes charge of more than one aspect of the film work, such as script, montage, music, etc. The leading roles are often given to national or international/Hollywood 'white' celebrities, which makes these films akin to blackface minstrel shows. At the same time, 'gypsy'-themed films often make use of Roma extras, a very widespread authentication strategy, which makes them akin also to human shows. In short, these films are produced

11 Here, in the context of production set-up, we use the term 'white' to denote actual people in position of power, i.e. who are non-Roma and who are more often than not representatives of a national majority.

by 'whites' for the entertainment of 'white' audiences featuring 'white' actors in the lead, frequently aided – for the sake of authenticity – by Roma extras.

5.2. Content Analysis of the 'Gypsy' Mask: Character Portrayal and Plot

Questions on character portrayal: How is the 'gypsy' mask coded in the film? Is it explicitly or implicitly contrasted to the 'white' mask? What qualities are ascribed directly (through speech acts) or indirectly (through actions and emotional states) to it? What aspects of human existence do these qualities reflect (personal integrity, social and professional integration, parenthood, sexuality, religious belief, language mastery and education, food, health, personal hygiene, etc.)? What kind of cluster do these qualities form? Is the 'gypsy' figure individualised? Does it have a name and how is it characterised through its name? How is it positioned with regard to time (day vs. night/ linear vs. circular) and space (light vs. shadow/ city vs. forest)?

Questions on plot: What kind of plot is the 'gypsy' figure set in? Is the 'gypsy' figure the main hero in the story and if yes, is there an option for him/her to complete the hero's journey, to transcend his/her limited circumstances and achieve a higher level of individuation? If the plot negotiates the relationship between a 'gypsy' figure and a 'white' figure, a member of the national majority, does it consider the possibility for coexistence (a love relationship or marriage) viable?

Summary of findings: Each film constructs its own 'gypsy' world and manufactures its own 'gypsy' mask in explicit or implicit opposition to the 'white' mask. To preserve this element of artistic uniqueness, our analysis will refrain from a taxonomic listing of 'gypsy' stereotypes[12] but will rather aim at abstracting the qualities and values ascribed to the gypsy 'mask' in several model films in the form of keywords. Thus, we will demonstrate that the 'gypsy' mask has several layers of signification that mutually reinforce each other and are activated *en bloc:* its mythological, social-cultural,

12 For a detailed study of 'gypsy' motifs in literature, see Brittnacher (2012); in photography, see Reuter (2014).

religious, ethno-'racial', etc. layers of meaning. This approach throws light on the plasticity and artificiality of the 'gypsy' mask, offering an explanation as to why almost anything deviant can be ascribed to it. At the same time, it demonstrates its universality, its simple grammar: 'gypsy' signifies either absence or insufficiency of a norm-setting value (e.g. the 'white' mask is coded with the value of 'cleanliness' which is absent in the 'gypsy' mask, the latter is coded with the value of 'dirtiness') or its misapplication (e.g. the 'white' mask is coded with the value of 'proper use of language/ good command of one's language', while the 'gypsy' mask is coded with 'improper use of language/substandard command of one's language'). All in all, the 'gypsy' mask is used to represent a cluster of heterogeneous values that stand in direct opposition, signifying absence or misapplication, to a set of heterogeneous qualities associated with the norm-setting 'white' mask.

Set in motion, the 'gypsy' mask enacts the myth[13] of human self-destruction. It represents the anti-hero who is unable to complete the hero's journey and who by failing to take control over one's nature dooms oneself to perdition. As such, the 'gypsy' mask is auxiliary to the individualised figure of the 'white' hero, its purpose being to deliver a cautionary message by staging the spectacle of punishment. When placed in a lead role, which is what happens in 'gypsy'-themed films, the 'gypsy' mask is at loggerheads with its conventional use. To overcome this contradiction in terms, filmmakers tend to de-individualise and thus de-centre the lead 'gypsy' character by delineating him/her as a generic figure that epitomises the entire group. The 'gypsy' hero is deprived of elaborate individuality both on the level of character portrayal and plot development. Just as in *films noirs*, this anti-hero is unable to transcend his/her nature/'blood', lifestyle or environment and destines him/herself to

13 Here, we use the term "myth" in the sense outlined by Lotman (1990): it is a text-engendering mechanism organised according to a cyclical time whose function is to create "a picture of the world". Mythological texts recount events that are "out of time, endlessly repeated, and in this sense, unchangeable" and thus provide information about the laws immanent to the world (152). In terms of their structure, myths can be reduced to the following basic series of events: "entry into a closed space – exit from it" (158). Lotman's schematic rendition of myth-plots corresponds to Campbell's (2008) description of the monomyth in which the hero's journey is broken down in six stages but is organised around the same two-step movement: entry into a closed, dark space and return to an open, lit-up space (28-29).

defeat and a foreseeable, non-tragic death. Films about a 'white' and a 'gypsy' character proclaim such relationships impossible, demeaning or even fatal; they often serve as a cautionary story for it is the 'gypsy' character who is shown to be the source of (lethal) danger.

5.3. Formal Analysis of the 'Gypsy' Mask

Questions on cinematic devices: How is the 'gypsy' mask visually characterised in terms of lighting, framing, colour, make-up, hair-grooming, costumes and props? What qualities are ascribed to it? Is the film explicitly intent on producing difference on the level of skin colour? What aesthetic strategies does it pursue to achieve this goal? How is the 'gypsy' mask coded on the level of montage?

Summary of findings: The general tendency is to portray 'gypsy' characters as metaphorically or literally 'non-white'/ 'black' in a realistic mode which often alludes to and borrows the authority of ethnographic documentation reducing central 'gypsy' heroes to representative figures rather than endowing them with an elaborate individuality. But again, the cinematic devices here are so varied that it only makes sense to study their use in the context of individual films.

5.4. Claim to Truth and Authentication Strategies

Questions on genre and self-presentation: How does the film present itself and its relation to the historical world? Does it claim authenticity? If yes, what aesthetic strategies does the film use to attest its truthfulness? What paratexts are circulated in support of the film's truth claims?

Summary of findings: The advertised aim of the 'gypsy'-themed films is to reveal the 'truth' about 'gypsies' in general, corroborating the cultural expectation that this European minority is intrinsically, radically and irrevocably different. These fictional films turn 'gypsy' ways and lifestyle into their central point of appeal, staging authenticity by means of a strategic deployment of Roma extras, traditional Roma language, music, costumes, etc. Visually, 'gypsy'-themed films are invested in realism as effect, giving additional authority to their truth claims by borrowing themes, motifs, stylistic

devices and aesthetic techniques from ethnographic documentaries. The claim that these films are in position to reveal the otherwise inaccessible 'truth' about 'gypsies' is also promoted through various paratexts: from DVD blurbs and advertisement posters to the making of and interviews with the filmmakers.

5.5. Functional Analysis of the 'Gypsy' Mask

Questions on historical context and reception: What is the unstated purpose of staging the 'gypsy' mask in the film? What is the reception of the film? Who is praised and who profits directly from its success?

Summary of findings: The staging of the 'gypsy' mask shares the functions of blackface minstrel shows (see Saxton, 1975; Rogin, 1992): it may be used by filmmakers to stabilise the norm-setting 'white' mask by punishing deviance (disciplining function), to give vent to pent-up emotions and broach taboo topics (carnival function), to criticise the 'white' mask and suggest alternatives for social cohesion (subversive function). Finally, just as in blackface shows, the performance in the 'gypsy' mask may have a strong uplifting effect on the professional success and integration of the 'white' filmmaking crew, especially the film director and the lead actors (socially integrative function).

Our panoramic overview of 'gypsy'-themed films provides enough evidence in support of the claim that they represent highly complex artefacts with a specific internal structure that sets them apart from other film groups and with a specific role in the dynamics of national cultures. Drawing on the summary descriptions of 'gypsy'-themed films, we can also offer the reader some irony-loaded guidelines to pinpoint, once again and in a condensed form, the racial essentialism that lurks behind this aesthetic phenomenon:

6. How to Produce a 'Gypsy'-themed Film in Five Steps

Step No.1: Get a team of 'white' filmmaking professionals to script, stage, shoot and produce a film about 'gypsies', invite 'white' celebrity actors for the lead roles and, if need be, type cast a crowd of Roma extras.

Step No. 2: Shoot an entertaining and simultaneously instructive story that revolves around the demise and punishment of a 'gypsy' hero. Refrain from portraying this anti-hero in a tragic light, make clear instead that 'gypsy' 'blood' and way of life are to blame for his/her undoing. Associate him/her with the obverse mythological world (night time, shadow, cyclical time and forest) to achieve the effect of radical Otherness. If a 'white' character is unwise enough to socialise with the 'gypsy' hero, show their joint downfall. Individualise the 'gypsy' hero only partially, emphasise rather that he/she is a representative figure.

Step. No. 3: Visualise the 'gypsy' mask as an embodiment of darkness (= absence of light). Cement this archetypal perception by bringing the 'gypsy' figure in connection with shadow, night, vivid and/or black (costume) colours and 'non-white'/ 'black' skin colour.

Step. No. 4: Stick to realism as effect, mobilising lighting, make-up, costumes, props, Roma extras as well as Roma music and language. No matter the film genre, include sequences shot as if you were an ethnographer documenting life-cycle rituals (baptism, marriage, funeral) and details from daily life. Make 'authenticity' your film's main selling point.

Step. No. 5: Don't forget that you are using the 'gypsy' mask as a projection surface to address important (political, aesthetical, ethical, etc.) issues that are relevant to the 'white' majority but cannot be raised in public. All art requires courage and so does filmmaking!

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Discourses of Marginalisation and the (Re)constructing of Britain's Traveller Community

Bel Parnell-Berry

Introduction

> Values affect our selection and presentation of facts in every utterance...they lead us to attempt to alter the facts of our environment. That human design of behaviour which sets out systematically to impose values on circumstances, we call policy. We call policy informed in so far as it has taken realistic consideration of pre-existing facts (Acton, 1974: 271).

Travellers in England are identified and described with a toxic mix of disdain and contempt. A broad group of people that includes New Age and Travelling Show People, the term "Travellers" has historically been used most often to refer to Irish (Pavee) Travellers and English Romani Gypsies since at least the 1960s and 70s (Acton, 1974: 64). Those who have written extensively about Traveller identities note that people of Romani descent are likely to have Indian heritage, with their ancestors being part of a diaspora that arrived in northern Europe in the medieval era (Fonseca, 1996: 100; Reidy, 2017: 1). Such attention to a specific departure point and heritage for the various and varying nomadic groups of Europe could be an attempt to explain a perceived difference in cultural origins. On the other hand, this theory (established through linguistic evidence) can and has been used to emphasise a perceived foreignness of Roma(ni) groups, and to justify their marginalisation and oppression. At the time in England for instance, the authorities took the migrants to be "Egyptians", hence the origins of the term "Gypsies" (Kenrick & Clark, 1995: 19). This theory has been disputed over time, but what remains arguable to some is that Romani and Irish Travellers have distinct, noteworthy and polarising cultural practices, the most obvious being related to caravan-based accommodation. Non-racialised groups, such as New Age Travellers, who are nonetheless subjected to the same policy-based discrimination have not received the same anthropological and sociological scrutiny. Additionally, viewing Travellers in this way

ignores the fact that many – regardless of ethnicity – live permanently in houses and thus fails to get to the root of the discriminatory practices they experience in many facets of society.

Long-term, caravan-based accommodation choices have been criminalised by successive British governments (cf. Taylor, 2008). Of note is the Criminal Justice and Public Order Act (1994), introduced by the Conservative government in England and Wales, to establish stricter penalties for unauthorised caravan sites or camps on one hand, and to relinquish the obligation[1] of local authorities to provide caravan sites for Travellers on the other. This legislation re-emphasised an existing dichotomy within the caravan site policy making arena: that Travellers should be punished for trespassing and building on land without planning permission, but also that local authorities should not be expected to necessarily provide stopping places or permanent pitches for families, unless they really believe there is a need for it in their local communities. Due to long-standing discrimination towards Travellers and NIMBYism[2] regarding Traveller sites, local authorities invariably decide that there is no real need for increased site provision, regardless of the size of their Traveller population.

Advocacy groups have repeatedly highlighted the link between the unlawful establishment of sites and the lack of sufficient and affordable provision. Recently Conservatives have pushed for Travellers to buy, build and manage their own caravan sites, at the same time as stating "there will always be those travellers who cannot provide their own sites" (DCLG, 2012: 1). As examined below, this has been a significant departure from the work done by the New Labour administration (1997-2010), which sought to place caravan site provision back into the hands of local authorities using top-down methods, such as the *Regional Spatial Strategy*. Thus, local authorities have been encouraged since 2010, but not required, to provide social accommodation for caravan-based families. However, the Conservatives have effectively limited demand for local authority

1 This obligation was introduced by the Caravan Sites Act in 1968 (cf. Acton, 1974; Adams et al. 1975).

2 Not in my back yard is an ideology that reinforces certain localised policy making processes, seeking to exclude threats to a perceived existing community.

provision alongside providing a basis for increased eviction rates, involving the re-definition of who a Traveller can actually be, in terms of planning (DCLG, 2015a: 9).

Beginning with a discussion of this specific policy context and then by moving onto an interpretive critical discourse analysis (cf. Yanow, 2000; Wodak & Meyer, 2001) of the *Planning Policy for Traveller Sites* (2015), this chapter illustrates how contemporary normative policy practices construct a Traveller identity, which prevents effective, fair and respectful policy making in terms of inclusion and accommodation provision for individuals, families and communities. By placing Travellers outside of mainstream society and culture and not acknowledging their cultures and/or existing integral position within communities, they are viewed as merely a public nuisance and subjected to increased levels of law enforcement (i.e. fines, arrests and sentencing) and eviction. Conversely, the discrimination and lack of access to services faced by Travellers, is oftentimes ignored by policy makers, as well as by local and central governments.

This chapter concludes with a summary of the main arguments put forth, and some suggestions of the broader intentions and implications surrounding the strategies of this policy arena.

A Discussion on British Caravan Site Policy

In 2010, ahead of the general election that would see the Conservative Party enter into a coalition government with the Liberal Democrats, the Labour Party published *Guidance on Managing Anti-social Behaviour Related to Gypsies and Travellers* (2010). This document presented a discourse that repeatedly juxtaposed the Traveller community with a so-called "settled" (read: permanent and deserving) community, which is characterised by its so-called sedentarism and cohesiveness. The latter must be protected from the potential anti-socialism of the former, with very little to no recognition of the hate crimes and discrimination faced by Traveller families (cf. DCLG, 2010). This strategy fit in neatly with a historical emphasis on the management and preventative aspects of caravan site policy, rather than provision of pitches and plots (Ellis & McWhirter, 2008: 86). Meanwhile, as part of their campaign manifesto, the Conservative

party promised to be more rigorous in tackling unauthorised developments and encampments (Conservative Home Local Government, 2010). Shortly after the coalition was announced, the Conservatives moved to dismantle *Regional Spatial Strategies* (RSS), which were introduced in 2006, in order to replace them with the *New Homes Bonus Scheme* as part of the *National Planning Policy Framework* (Hargreaves & Brindley, 2011). The new measure was deeply rooted in localism ideologies by encouraging (but not obligating – as was the case between 2006 and 2010) local governments to provide more affordable housing – including local authority caravan sites – over a 10-year period, in return for financial incentives such as tax breaks (Wilson, 2014). Meanwhile at Dale Farm in 2011, a large-scale unauthorised development located in Essex, caravans were forcibly evicted by the local authority, Basildon Council. The move made scores of families homeless and was publicly supported by then Prime Minister David Cameron, who stated:

> Everyone in this country has to obey the law, including the law about planning permission and about building on green-belt land. Where this has been done without permission, it is an illegal development and so those people should move away (BBC, 2011a).

At the same time, *Planning Policy for Traveller Sites* (2012) was in consultation and upon publication, placed more emphasis on the Traveller community buying and building their own accommodation, while showing increased intolerance towards unauthorised developments. By 2014 the government had proposed the new definition of Travellers for the purposes of planning, which would no longer include any families permanently settled in one location. Previous definitions since at least 2006 (ODPM, 2006: 6) included all caravan-based families, recognising that certain families, due to ill-health, work, education or family obligations may still require local authority site provision without following a nomadic way of life. Furthermore, inherent in such a definition was the understanding that nomadism is not a prerequisite to adhering to any Traveller culture, be that Irish Traveller, Romani or New Age. Indeed, it has been noted in previous research in this field that the majority of "Gypsies and Travellers" in Britain live in bricks-and-mortar housing (Acton, 1974: 64; Kenrick & Clark, 1995: 32-33;

DCLG, 2007a: 7; Richardson, 2007: 8). Thus, the Traveller community recognised immediately the implications of the new definition. As Ryan Erfani-Ghettani noted, Travellers "cease to be Gypsies or Travellers, and therefore cease to have specific rights (and councils specific duties towards them in terms of site provision), if they cannot prove they follow a nomadic lifestyle" (2014: 1).

Since the publication of the *Caravan Sites Act* (1960), the definitions used for Traveller communities – albeit for planning purposes – have lent themselves to misuse. At the time the 1960 legislation stated it referred to the way of life of "persons of nomadic habit of life" (Kenrick & Clark, 1995: 148). By 1968, with an update to this policy arena, the definition was enhanced to "persons of nomadic habit of life, whatever their race or origin" (Ibid: 150). Thus, the focus of this definition (and thereby the policy itself) is on a presumed lifestyle choice of nomadism rather than cultural heritage, implying anyone can become a "traveller" so long as they are mobile, whilst people of Romani descent who are permanently settled in one place apparently lose this status of identity (Taylor, 2008: 189). In spite of their inclusion as an ethnic group in anti-discrimination policy since the Race Relations Act in 1976 (Kenrick & Clark, 1995: 148; ODPM, 2006: 17), planning policy continued – since the 1960s to the present-day – to define "Travellers" as nomadic caravan-dwellers, regardless of ethnic background. This of course ensures that policy making is inclusive of caravan-based individuals and families who are of all cultural backgrounds. Nevertheless, as racial discrimination and bias play a significant role in caravan site policy making, the deliberate omission of ethnicity should not be overlooked.

Furthermore, whilst the 1968 act compelled local authorities to plan and provide sites for Traveller families, the Conservative party revoked this responsibility in 1994 with the *Criminal Justice and Public Order Act*, which placed more emphasis on the criminalisation of unauthorised encampments than provision. The situation remained the same until 2004, when the Labour government published the Housing Act (2004), which once again stated that local authorities were as responsible for caravan site planning provision as they were for housing (Taylor, 2008: 190). In 2006 *Planning for*

Gypsy and Traveller Caravan Sites elaborated on the expectations of the *Housing Act*, by introducing the RSS, which set out specific guidelines and figures, per region and county, for caravan provision (cf. Brown & Niner, 2009; ODPM, 2006). It was with this new policy campaign that a 21st-century attempt was made to compel local authorities – using top-down measures – towards caravan site provision (DCLG, 2007a), and also included an update on how Travellers were defined in planning policy. According to the new strategy, individuals and families who have "ceased to travel temporarily or permanently" (ODPM, 2006: 6) should also be included in planning. This – to some extent – stepped towards a mainstream acceptance that mobility is not necessarily a key feature in Traveller cultures.[3]

On the other hand, the policy continued to state it was relevant to "persons of nomadic habit of life whatever their race or origin" (Ibid). It is arguable that by encompassing families and individuals that are both mobile and not, regardless of ethnicity, the policy arena became more open and inclusive, moving planning and decision making in a much needed direction. However, anti-Romani and Irish racism as well as anti-caravan NIMBYism remains very much a part of the planning system, affecting all caravan-based families (Ellis & McWhirter, 2008: 93; McDonagh, 2017). For example, former Secretary of State for Communities and Local Government Eric Pickles was found guilty of racism against Travellers by the high court in 2015. Pickles specifically pledged in 2013 to "stop caravans in their tracks" by offering stronger powers to local authorities to block planning permission for private developments and evict families (Gov.uk, 2013: 1). He proceeded to unlawfully discriminate against families by denying them the planning permission to build on their own land – hence the 2015 verdict on his decision making.

The broad and seemingly inclusive definitions used in the policy texts of 2006-2015 did little to tackle or challenge pervasive and damaging stereotypes associated with Travellers (Drakakis-Smith, 2007: 470-471). Hence, policies both contributed towards

3 Planning policies finalised and published in 2012 also made use of this definition (cf. DCLG, 2012).

a (negative) construction of "Traveller" identities, as well as effectively ignoring that certain Traveller groups and families do have ethnic minority status and heritage (cf. Garner, 2017). This can sometimes mean that discriminatory tendencies in the planning system go unpunished, as "race" – at least according to policy texts – is not named and thus considered a factor, even while racist ideas fuel the behaviour (cf. Michel, 2015 on "raceless racism" in the European context). Furthermore, when discrimination has been recognised (as in Pickle's case), little institutional change has tended to follow. After all, it was eventually Eric Pickles who introduced the proposal to revert the definition of who a Traveller is in planning policy (The Traveller Movement, 2015: 1), by removing the note referring to families who are permanently settled on their pitch or plot from planning considerations.

The motion initially failed in 2015 due to opposition mobilised by Traveller organisations who were politically supported by Liberal Democrat MP Andrew George (The Traveller Movement, 2015). However, when the Conservative party won an outright victory in the general election of the same year, the re-definition of Traveller people – to exclude those who are in no way nomadic – in planning was finally pushed through, via the *Planning Policy for Traveller Sites* (PPTS) strategy, issued in August 2015. In response to the change, journalist Matt Broomfield elaborated that:

> The government's own studies[4] show that "providing more sites would create better health and education outcomes" for the nation's most impoverished ethnic group. But rather than providing more sites, the Tory government is defining GRT people out of existence (2016).

This sentiment was shared across various Traveller communities, with *The Conversation* (2015) noting that the new guidance

4 The studies referred to here are from a 2007 policy guideline document by the Labour government, emphasising the legal and ethical responsibilities of local authorities to provide caravan sites for all families who required them (DCLG, 2007b). By 2016, when Broomfield is writing for VICE, the Labour party had been out of power for six years and the Tory government had firmly established a very different approach to managing site provision for Travellers.

ignores the various social issues already faced by certain Traveller individuals and families due to insufficient accommodation provision, and speculating that the new definition will only lead to worse welfare outcomes. Moreover, activist Shay Clipson highlighted the very dire, concrete outcomes that institutional discrimination already causes for Traveller families and that this policy is likely to exacerbate:

> The proposed amendment places Gypsies and Travellers in a very distressing catch-22: remain static and lose recognition of your ethnicity and with it your right to your traditional and cultural way of life, or take to the road and find yourself with no authorised stopping places, no access to education for your children and limited access to health care. This is a dangerous choice for an already vulnerable community facing higher levels of homelessness, elevated suicide rates, lower rates of life expectancy, and ongoing discrimination (2016).

A rather cynical assessment of the motivations behind this policy shift can be found at the heart of Clipson's statement – there are to be no sites whether a family is on the move or settled down. Sadly, these practices contribute to existing socio-political shortcomings for Traveller communities in the UK, which result in the worst outcomes for individuals and families in terms of education, employment, health and life expectancy (Templer, 2006; Drakakis-Smith, 2007: 481; Richardson, 2007: 9; Ellis & McWhirther, 2008: 78; Brown & Niner, 2009: V; EHRC, 2010, 2017: 1; Hargreaves & Brindley, 2011: 1; Ryder et al, 2011: 49-50; ENAR, 2018 ; Parnell-Berry & Lawton, 2018).

In 2018 the government announced a review in the local authority powers for evictions, in order to crack down on unauthorised camps and sites (*Travellers Times*, 2018). Advocacy organisation Friends, Families and Travellers have argued consistently that for less unauthorised attempts by Travellers to occur, more legitimate accommodation needs to be available, be that due to less discrimination in the planning system regarding private site permission, or local authorities providing more social/affordable plots (Friends, Families and Travellers, 2017, 2018; Bulman, 2018). Similarly, Leeds GATE (who have campaigned for roadside encampment solutions) argued

that this new approach would only lead to increased prejudice and discrimination towards Irish Traveller and Romani families living on unauthorised sites, yet without realistic solutions offered to them (*Travellers Times*, 2017c). Furthermore, strengthening eviction and management powers of local authorities will continue to narrow accommodation opportunities for Traveller communities that are respectful and truly inclusive of diverse cultural practices.

Arguably, the issue at stake in the planning system regarding caravan sites specifically is NIMBYism underpinned by pro-local and pro-rural ideologies. It is the distaste associated with the mere sight of a caravan site and the discomfort of a world-view challenging the status quo. Racial discrimination directed towards the Traveller community affects even those families living in conventional bricks-and-mortar houses via mainstream media smear campaigns, language suppression, erasure of cultural heritage and history, as well as the heavy management of cultural gatherings. Although the caravan site policy arena does not only have adverse impacts on people of Romani and Pavee descent, there is a necessity to call it "racist". This is because policy makers and politicians utilise a racialised notion of "traveller identities" when they implement strategies and enact enforcement, and this is partially evident in the government's re-definition plans, as we will explore below. On the other hand, oppression is not only expressed explicitly, but can also be located in the absence of articulation (Wodak, 2001: 2). In this context, it is notable that there is no elaborate explanation about what should happen to families who are not mobile but do live in caravans, whatever their reasons may be.

As the next section critically analyses the *Planning Policy for Traveller Sites*[5] (2015a) strategy, we can examine more closely the normative implications and intentions, before coming to some conclusions on how these political actions contribute to identity construction through policy making.

5 Planning Policy for Traveller Sites will henceforth be referred to as PPTS throughout the analysis of this paper.

Policy Analysis

When reviewing any contemporary policies around British Traveller Gypsy caravan site provision and/or management, an interesting observation comes to the fore. The texts (cf. ODPM, 2006; DCLG, 2007a, 2007b, 2010, 2015), often juxtapose so-called "settled" (house-based, non-Romani families) with so-called nomadic "traveller" families. This is especially telling due to the implication that Travellers cannot be permanent or meaningful members of local communities (McDonagh, 2017 ; Parnell-Berry & Lawton, 2018). Referring to a parliamentary debate entitled "Gypsies and Travellers and local communities" (House of Commons, 2017) Cassie Marie McDonagh[6] states that:

> Whenever politicians take an interest in my community, it is often to attack us and further division between us and the settled community. Just look at the title of the debate: the suggestion is that we are not a part of local communities (2017).

For instance, PPTS repeatedly refers to a need to "protect local amenity" (DCLG, 2015a: 3 and 7), i.e. local resources and infrastructures. In the context of viewing Travellers as peripheral to local communities, the implication here is that "local amenity" is established primarily with the "settled" (or house-dwelling / non-Traveller) community in mind. Travellers, meanwhile, are who the "local amenity" needs to be "protect[ed]" from – rather than equal recipients of services. Also, inherent in this juxtaposition is that once housed, families are not (or cannot) be nomadic, or a part of certain cultural communities, such as Romani, Pavee or Showman communities. Angela Drakakis-Smith's (2007) analysis of the 2006 *Planning for Gypsy and Traveller Caravan Sites* policy shows the problematic nature Traveller definitions can take on, as policy definitions used since at least 1968 highlight mobility on the one hand and downplay ethnicity (or culture) on the other. Indeed, PPTS concludes by finalising the new definition of who should henceforth be considered a Traveller, according to planning decision making:

6 Cassie Marie McDonagh is a campaigner and writer who is part of the Gypsy, Roma and Traveller Woman's Empowerment Network. She writes for *The Guardian*.

> [P]ersons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependents' educational or health needs or old age have ceased to travel temporarily (DCLG, 2015a: 9).

Unlike in previous strategies (ODPM, 2006; DCLG, 2012), the reasons a family may "cease to travel permanently" (rather than "temporarily") are no longer considerable with regards to their status, making caravan site planning applications on their behalf futile. For instance, a family who had in the past, decided to "cease to travel permanently" because someone within the family was ill and would need regular healthcare check-ups, would still have been eligible for local authority caravan site provision. However, according to the more recent strategy, such a family would be expected to move into a house rather than occupy a caravan plot, owing to their lack of "nomadism". Thus, the new definition literally decreases the number of plots local authorities need to supply. A clear statement in the document is never made with regards to what caravan-based families and individuals who are permanently living at a certain location, should do about their accommodation needs, since they are no longer considered "Travellers" according to the text. One argument could be that they are expected to simply move into houses. Therefore, the redefinition is akin to the government stating individuals and families who no longer travel are now a part of the so-called "settled" community (Garton Grimwood & Smith, 2017: 13), reducing Traveller cultural practices to mere optional lifestyle choices that can and should be challenged by the mainstream population (Clipson, 2016). Traveller support groups, activists and scholars widely discussed the opposition to the proposed PPTS definition, due to worries that families would be disempowered to establish permanent homes for themselves and would thus be pushed out of their communities (Erfani-Ghettani, 2014; Friends, Families & Travellers, 2015; Parnell-Berry & Lawton, 2018; The Traveller Movement, 2015; Broomfield, 2016; Clipson, 2016; Allen, 2017; *Travellers Times*, 2017a).

Moreover, the strategy states that local authority provision should "use a robust evidence base to establish accommodation needs" (DCLG, 2015a: 2). In response, Friends, Families and Travellers

released a pamphlet detailing how the community should interpret the new definition and emphasising how the difference in wording will lead to a change in decision making practices. Notably, the pamphlet stresses "it's best to start thinking about how you meet the new definition in case you are asked" in terms of families providing local authorities with "evidence of [their] 'Traveller status'" (Friends, Families and Travellers, 2015: 3). By pointing out that "evidence" of one's ethnicity may be required to qualify for accommodation, the pamphlet reveals how local authorities and governments play gatekeeper to who can or cannot be a Traveller, by imposing their own cultural markers and refusing to respect the complexities at hand (Erfani-Ghettani, 2014). The cultural marker asserted here is the racialised one of nomadism: a false qualifier for Traveller cultures that is increasingly used to enhance the "settled/traveller" juxtaposition noted above, and exclude certain members of society from local communities, as will be elaborated on below.

In addition to removing the right to self-determination for Travellers, reducing opportunities for safe and appropriate accommodation, and furthering stereotypes about Traveller cultures, the new definition negates the policy's role in working to end racial discrimination faced by people of Roma(ni) and Pavee descent. A recent YouGov poll revealed British parents are generally more likely to refuse a playdate with a child from a Traveller background, and "just over one in ten think that pubs and restaurants in the UK should refuse to serve Gypsies and Travellers" (*Travellers Times*, 2017b). PPTS does not comment on how it intends to protect Traveller families from abuse or discrimination (either in the planning system or society in general), as it does not acknowledge that this is part of a lived reality for these communities. This is despite government research demonstrating how racism operates to marginalise Travellers' involvement in mainstream society (ODPM, 2006: 4; DCLG, 2007a: 38, 2007b: 10). Thus, Travellers are discriminated upon based on a form of ethnic and/or racial categorisation on the one hand, but then are disempowered to combat such abuses by having their right to self-determination denied on the other. PPTS corresponds with a broader pattern of policy behaviour, rather than initiating a departure point. Each of the steps

taken by the Conservatives (2010-present) to remove explicit obligations of local authorities to provide adequate accommodation for Travellers (Conservative Home, 2010; Hargreaves & Brindley, 2011; DCLG, 2012; Pickles, 2013; DCLG, 2014; Wilson, 2014), seemingly ignored the role discrimination within the planning system plays in preventing families from establishing safe homes. The protection of green belt land is a common theme referenced in the caravan site provision and management policy making arena. However, this positioning of caravan sites as one of the biggest threats imaginable to nature and the countryside (DCLG, 2015a: 5), is at odds with historical stereotypes of Romani and Irish Traveller people as being inherently one with nature (cf. Parnell-Berry, 2015). The dichotomy of viewing Travellers as rural and nomadic, at the same time as being a threat to nature is unpacked by Carmen Baltzer, who explains:

> Hating and romanticising Romani stem from the same place. When Romani first arrived in Europe, their mere existence threatened the white man's belief system [...] The resulting effect? – extreme hatred that shows no signs of receeding half a millennium later. But also: a group representing the romantic dream of the freedom of the white man enslaved by ownership. Like the hatred, the dream still lingers on (2017).

Due to a presumed eternal rural and mobile state of being, the stereotype of an ever roaming Roma(ni) plays into policy making and implementation in ways that can be devastating. For instance, some years ago when called upon to discuss a dispute between Travellers and non-Travellers over a caravan site that was privately owned, but did not have planning permission for occupation, in a small town called Meridan, MP and former Secretary of State, Caroline Spelman stated:

> There needs to be a balance between the settled community, like the villagers here in Meriden, and the travelling community…The travelling community should be indeed travelling. The problem with our authorised site is people come and they stay, so it fills up the site (BBC, 2011b: 1).[7]

7 Spelman's comments echo those made by David Cameron in the same year regarding the aforementioned Dale Farm development in Basildon, Essex (BBC, 2011a).

As noted by McDonagh above, Spelman clearly sets out her perception of an otherised group of people who are external to "the villagers here in Meriden". In Spelman's point of view, "the travelling community should indeed be travelling" and as such, cannot be considered to also be the villagers that are her constituents and a part of the "settled community". She projects an inherent and ethnicised characteristic of nomadism upon Travellers when asserting her interpretation of planning policy. In addition to perceived social hazards (DCLG, 2010), the threat to the environment in general and to green belt specifically is often raised in these cases (DCLG, 2015a: 5); for instance, it became a primary reason for Pickle's pledge to curb Traveller sites. As for the Meriden example, Pickles himself upheld the decision to evict the Travellers from their homes, without any immediately available or stable alternatives (Quarmby, 2013). The harm that caravan sites and Traveller lifestyles are said to pose to the environment (either by developing green belt or through fly-tipping) is highlighted throughout various policy texts (ODPM, 2006: 12-13; DCLG, 2007b: 27-28, 2010: 16-18, 2012: 5), with it being stressed in PPTS that sites should not be established on green belt areas "except in very special circumstances", which are never specified (DCLG, 2015a: 5). It is arguable that the lack of specification here is deliberate, allowing planning officials the flexibility and subjectivity to decide for themselves whether or not a family, or group of families, can remain at a certain location.

In terms of the institutional and material consequences of PPTS for Traveller families, according to a review of government caravan counts in England between 2015 and 2017, the number of private sites continues to rise (despite evidenced discrimination in the planning system), while local authority provision for families with less income has not grown (DCLG, 2015b, 2015c, 2016a, 2016b, 2017; MHCLG, 2018). Additionally, a lack of local authority provision and increased eviction rates of encampments (Bulman, 2018), has potentially led to the consistent growth in the numbers of private sites. As of the summer of 2017 the number of caravans has risen by approximately 13 percent since 2015, and of the total 22,792 caravans counted an estimated 52% are located on privately owned, permanent sites (MHCLG, 2018: 3). PPTS immediately begins by establishing that the strategy is in line with previously implemented

policy on accommodation, namely the *National Planning Policy Framework* (2012) and the *Localism Act* (2011). Notes such as "authorities should make their own assessment of need" (DCLG, 2015a: 1) demonstrate clearly the alignment with the *Localism Act* in particular. The primary aim of the policy is stated "to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community" (Ibid). This statement identifies a requirement for local authorities to provide enough accommodation, but also to make enforcement more effective.

As noted by Friends, Families and Travellers (2018), increased evictions without adequate local authority provision can only lead to increased unauthorised developments and encampments; predictably this connection is not mentioned in the policy. Instead, PPTS observes the importance of "effective community engagement" and cooperation "with travellers, their representative bodies and local support groups" (DCLG, 2015a: 2). However, where anti-racism organisations and previous policy texts have explicitly noted the relationship between adequate site provision and access to public services (DCLG, 2007a; Hargreaves & Brindley, 2001; EHRC, 2017; Friends, Families and Travellers, 2017, 2018; Traveller Times, 2018a), PPTS is more vague in commenting on this: "enable provision of suitable accommodation, health, welfare and employment infrastructure" (DCLG, 2015a: 2). Therefore, without necessarily linking "suitable accommodation" with "health, welfare and employment infrastructure", the text does present the reader with a view on planning, which might be interpreted as socially holistic. However, the chasm between alluding to "effective community engagement" and actually explicitly addressing causality factors, reveals that the community has not been engaged and also leaves opportunity for an abuse of the power structures at hand. The document goes on to instruct that:

> Local authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites: a) the existing level of local provision and need for sites, b) the availability (or lack) of alternative accommodation for the applicants (Ibid: 6).

This recommendation implies that if the "level of local provision' is insufficient and/or if "alternative accommodation" is not suitable, then authorities should grant planning permission to families rather than evict them. The next point of recommendation claims "the locally specific criteria used to guide the allocation of sites… should be used to assess applications…on unallocated sites" (Ibid: 7). Ultimately, authorities are advised here to look to their own estimations of provision (i.e. their "Local Plan"), giving plenty of room to decide whether or not there is any real need for new caravan sites and/or plots. The government sets out clear instructions in the document regarding the drafting of a Local Plan (Ibid: 3), as well as suggesting future plans that would have Traveller accommodation needs taken into account "within the wider National Planning Policy Framework" (Ibid: 2), instead of as part of a specialised policy area. However, if we accept that NIMBYism influences decision making, placing Travellers at a disadvantage in the planning system, then giving local authorities more deciding powers may lead to more discrimination and less accommodation. Also, alongside the new policy definition, according to official numbers there will be less "Travellers" to actually provide for, whether that be separately or as part of a larger, inclusive planning framework (*Travellers Times*, 2017a). Moreover, empowering local authorities to this degree leads to an increase in forced evictions of temporary transit sites, even for those families who do adhere to a nomadic way of life and in doing so fit within PPTS' Traveller definition. As May Bulman reported for *The Independent*, "Injunctions have been obtained by 22 councils" since 2015, which is a "sharp increase" (2018) since previous years, exacerbating the provision issue. In other words, the policy offers multiple ways for authorities to avoid providing homes for certain citizens as they can simply decide that additional provision is not necessary in their county and then go on to evict families living on unauthorised land. The injunctions issued can also lead to fines and imprisonment (Ibid).

Therefore, this approach adds to the existing notions of criminalising Traveller cultures, through insisting that Travellers *should* travel and those who do not are unable to use caravan site planning for their accommodation needs. Even those families who are nomadic continue to rely on the political will of their local

authorities who can still decide not to provide adequate caravan site accommodation, without central governmental pressure to do otherwise. Furthermore, in either case (nomadic or settled) less provision increases the chances that Travellers will be forced to reside at some point on unauthorised land, leading to evictions as well as other means of enforcement (i.e. fines and/or jail time). Consequently, Travellers also become more at risk of homelessness and losing access to vital public services. Thus, the policy discourse of PPTS engenders socio-political marginalisation for Traveller communities.

Conclusions

Planning Policy for Traveller Sites (2015) engages with a specific rhetoric around Traveller communities, casting them as rural and nomadic, as well as socially, culturally and politically peripheral. The policy asserts that Travellers *should* travel, a normative suggestion of the *right* way to express culture, lending validation to harmful othering practices that racialise people of Romani and Pavee descent. Moreover, in line with broader NIMBYism attitudes, PPTS supports the idea that Travellers are a threat to nature as well as to society. This secondary normative view communicates Traveller cultures (diverse as they may be) as inherently deviant and therefore in need of controlling. PPTS positions caravan-based Travellers in an impossible scenario, whereby – nomadic or not – their right to self-determination and inclusion is stripped away. The redefinition of Travellers as wholly mobile (or alternatively, not Travellers at all) reinforces stereotypes about an already oppressed group, giving way to the embedding of racist decision making in the planning system. Those decisions contribute to the marginalisation of Traveller communities by offering precarious accommodation options and therefore, restricting how they can participate in everyday society. The measures employed to socially exclude Traveller peoples and repress their cultures are justified, not only because they are viewed as harmful and threatening, but also because they were never truly thought of as "belonging" in the first place. In fact, Travellers are thought of as the very opposite of local and settled.

In addition, constructing Travellers in this manner gives way to a higher tolerance of hate crimes directed at these communities. A

defensive apologist culture takes hold, placing blame back onto Travellers themselves, for not being "normal" enough on one hand, or not being "mobile" enough on the other. The widespread institutional discrimination faced by members of Traveller communities – be that in the job market, education systems, healthcare, as well as in the planning system – has dire repercussions in terms of well-being and life chances. Subsequently, governments and authorities can be reluctant to take responsibility for the extent to which their decision making prevents Travellers' access to suitable and stable accommodation. Instead, Tory ideology is utilised to place emphasis on providing for one's self, taking responsibility for one's own well-being and success, as well as failures.

Due to these rhetorical and literal constructions of Traveller identity, English caravan site policy cannot be trusted by the communities most affected by it. PPTS places Travellers in a vicious cycle of not cooperating with non-trustworthy officials and thus, not having a role in policy making that will have a significant impact in their lives. Conversely, when Travellers do try to speak up and participate as citizens in the policy arena, their perspectives and petitions are systematically ignored. In other words, Travellers are somewhat deliberately marginalised within public policy systems, even when the policy discourse at hand is about how and where they will call home. Unless officials make room for Travellers to make decisions within this policy arena, things will continue unchanged, as hinted at by the recent announcement for harsher measures against unauthorised encampments and developments. Having said this, important grassroots and institutional work is being done by various organisations such as Friends, Families and Travellers, the Traveller Movement, the Operation Traveller Vote campaign and the Traveller Times, to name a few. These efforts that continue to share and celebrate Traveller cultures, uncover and archive histories, advocate for and support families, as well as challenge marginalising policy making, should be amplified.

Travellers whether Romani, Pavee, Showman or New Age are a part of our communities. They always have been. They and their caravans are not going anywhere, either temporarily or permanently, and it is time our governments accepted this.

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Subtle Images of Antigypsyism. An Analysis of the Visual Perception of 'Roma'[1]

Markus End

In October 2014 *Der Spiegel*, Germany's leading weekly news magazine, published an article (Fleischhauer and Witsch, 2014) about the controversial political and scientific debates surrounding a study that analyses Germans' attitudes towards "Sinti and Roma" (Antidiskriminierungsstelle des Bundes, 2014). To illustrate the article, *Der Spiegel* chose an image that shows three people, supposedly an adult woman and two girls, walking towards the entrance of a residential building. At the lower edge of the picture, there is a text line that reads "*Roma-Familie in Berlin-Neukölln*" (Roma family in Berlin-Neukölln).[2] The image has been purchased from a commercial press photo database called the *Photothek*. According to *Photothek* it was taken on 18 April 2012 as part of a series of eleven pictures at the Harzer Straße 65 in Berlin Neukölln, where "about 400 Roma from Romania are living" (Koehler and Photothek.net, 2012a), a heatedly discussed media topic at the time.

It caught my attention precisely because, at first glance, it seemed to be neither stigmatising nor romanticising, but rather was ordinary and without obvious subtext. However, a deeper analysis can reveal racialised patterns and discourses that give a specific meaning to such a picture.

My analysis focuses on the visual representation produced by the image. The text of the article itself is referred to in the analysis, but the main argument is that the image itself reproduces the racialised knowledge for readers to 'understand' it as a 'gypsy' image. Accordingly, the focus of this article is an in-depth analysis of this image and its caption. Together they form the commonly shared knowledge about

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1 Reprinted with friendly permission by Routledge, Taylor & Francis Group Copyright and original publication: Markus End (2017) Subtle images of antigypsyism: An analysis of the visual perception of "Roma", Identities, 24:6, 668-683 DOI: 10.1080/1070289X.2017.1380265.

2 All translations from German to English by the author.

'the gypsy' that is at the heart of the contemporary visual regime of 'the Roma' (Benkö and Raatzsch, 2013). At the same time this paper illustrates how such visual representations are constructed and condensed into a single seemingly inoffensive photograph.

Scan of Der Spiegel, 41/2014, p. 42, by the author.

Theoretical Approach

The most extensive analysis of German media stereotypes of 'Sinti and Roma'[3] was carried out in the 1990s and it concluded that stereotypical media coverage had not shown any substantial changes for decades (Bohn, Hamburger and Rock, 1993: 4). Even though Bernáth and Messing (2013: 8-9) can show minor shifts in focus or language due to national and social contexts they also find core elements of antigypsyism that remain predominant in European media (Ibid: 46; see also Erjavec, 2001: 700; Tiefenbacher and Benedik, 2012: 215-217; End, 2014a: 19-20).

3 Throughout this paper, I use single quotation marks to designate the use of terms like 'gypsy', 'clan' or 'poverty migration' that communicate racialised stereotypes. If terms like 'Roma' or 'Sinti and Roma' that originated as self-designations are used in such a way, they are put in single quotation marks as well.

In light of the fact we already know that the media reproduces various stereotypical visual representations of 'Roma', the question is how exactly are such stereotypes continuously circulated? This article places importance on understanding media mechanisms (Bohn, Hamburger and Rock, 1993) along with an analysis of the wider socio-cultural context (compare Tiefenbacher and Benedik, 2012). The focus on just one image is justified by Reuter's (2014) approach of understanding the photographic construction of 'the gypsy' through the examination of the image's context and the analysis of mechanisms that produce a particular visual regime through repetitive stereotypical framing.

Drawing from Holz' groundbreaking study on the semantics of antisemitism, this paper analyses the abovementioned image as an expression of antigypsyist semantics and tries to uncover its abstract meaning as well as its function within a specific social and political context (Holz, 2001: 550-551; for an application to antigypsyism see End, 2014b). Accordingly, this paper is framed by an analysis of a specific system of knowledge (e.g. antigypsyism) in a dominant society that creates national identity through othering (Holz, 2001: 540-548; Reuter, 2014: 67-68). In other words, this paper tells us little about Romani people(s); rather, I am interested in how they have been constructed by others (Holz, 2001: 62-77; see also Hadziavdic, 2006: 5).

My use of the term antigypsyism is derived from such an approach. Recent research in this field widely agrees that the racialised image of 'gypsy' is at the core of antigypsyist ideology (for example Hadziavdic, 2006; Reuter, 2014: 49-84; End, 2015; Kyuchukov, 2015: xi; Leibnitz et al, 2015: 30; Loveland and Popescu, 2015: 3, 10-12; Mladenova, 2015; Selling, 2015) that motivates or legitimises discriminating structures and practices targeting Romani people and others, perceived as 'gypsies'. Terms such as anti-Romani racism or Romaphobia explicitly refer to the group that is mostly, but not exclusively, affected by this racism. The term antigypsyism on the contrary quotes the majority's projections of an imagined outgroup of 'gypsies'. Thus it emphasises the fact that the racially prejudiced majority defines who is perceived as 'gypsy' and that other groups like Pavee or Yeniche are regularly affected as well (see Alliance against Antigypsyism, 2016: 6).

This underlines the distinction between the ideological construct of 'gypsy' and the self-definition(s) of Romani people(s). In other words: "I am not looking at how ethnicity or group identity is experienced or expressed by people themselves, but how it is represented" (Tremlett, 2013: 6-7; see also Hadziavdic, 2006: 5-6; Surdu, 2016: 13-14).

The usefulness of such an approach can be demonstrated by analysing the discursive formation of an assumed 'poverty migration' ('*Armutsmigration*') from Romania and Bulgaria to Germany, which is also a central topic of this paper. 'Poverty migrants' – to quote the central media narrative – supposedly use the freedom of movement provided by their countries' membership to the European Union in order not to work, but rather to live off of social welfare money (DISS, 2015; Sommerfeld and Valeš, 2014). In the debate, the designations 'poverty migrants' and 'Roma' are used interchangeably. Hence there is not only a perception of poor migrants from Romania and Bulgaria as being 'Roma', but also vice versa. 'Roma' in general are thus commonly perceived as 'poverty migrants' in this debate (End, 2014a: 302-305; more generally see Tiefenbacher and Benedik, 2012: 216). Through the lens of the aforementioned approach of antigypsyism research, this is understood as a way of rendering plausible the narrative of "Roma living off of social welfare money". In a larger context this narrative is drawing from established antigypsyist semantics of 'parasitical gypsies' (End, 2014b: 86-87). Accordingly, the term "Roma" throughout this debate has to be understood as a racialised construct that has little to do with a self-definition as Romani; rather symbolic, systematic, and interpersonal discrimination affects primarily Romanian and Bulgarian citizens, "especially if they live in precarious socio-economic conditions" (Leibnitz et al, 2015[4]: 3). To describe such a situation as Romaphobia seems – to a certain degree – to accept the racialising narrative of equating a group of migrants with Romani people. Instead it is important to understand that when the German media used 'Roma' throughout this debate, they mostly communicated the stigmatising meaning of 'gypsy' (more generally see Surdu, 2016: 13-19).

4 This also contains a more general analysis of the social situation in Bulgaria, Romania, and Germany.

The discussion regarding terminology is ongoing. Scholars have argued for a variety of terms and approaches to describe the phenomenon precisely and without reproducing racially prejudiced connotations (compare End, 2015; Kyuchukov, 2015; Oprea, 2015; Randjelović, 2014; Westin, 2015). This paper makes use of the definition of antigypsyism proposed by the Alliance against Antigypsyism, a loose network of anti-racist and Romani organisations across Europe. This definition describes the "ideological construction of an alien other" that comprises a "homogenizing and essentializing" group construction and the "attribution of specific characteristics to" (2016: 5) this constructed group.

The Othering Gaze

Taking a closer look at our source material, it is the term "Roma" in the text line that establishes the connection between the picture and the article that follows. The article's topic is neither "families" nor "Berlin" nor the district "Neukölln", and not even Romani people; it is a survey analysing attitudes of Germans vis-a-vis 'Sinti and Roma'. We can conclude that the image has been chosen to symbolise the 'Roma'-aspect of the article. But what exactly is 'Roma'-specific in the image: "What is it exactly about the character that makes it representative of the Roma group" (Surdu, 2016: 240)?

The image certainly does not communicate information about the three people as individuals: as the observer is not even able to see their faces it would be hard to identify them. But the image is also not about an anonymous mass, as there are only those three people to be seen and they are clearly the focal point of the image. The text line describes the three people in the picture as "Roma". As such the picture belongs to a specific category of visualisation. This can be defined as a category of images labelling people not as individuals but according to their assumed group-belonging (see Bernáth and Messing, 2013: 39-41). A lot of media outlets tend to use this mechanism to depict groups, such as 'Bavarians' in *Lederhosen* or 'Muslim women' with a hijab.

Accordingly, the intention of the image under analysis is to visualise 'the Roma' symbolically as an archetype. This mechanism is at the basis of the photographic constructions of 'the gypsy' in general.

To show that a person belongs to a specific group, images reduce people to their assumed being 'Roma'. Most often they do this by staging preconceived group characteristics or markers, for example a supposedly traditional costume, specific clothing, or hair cuts as well as physical features such as hair colour or skin tone (Reuter, 2014; Surdu, 2016: 242-244). Individuals in pictures thus remain anonymous and interchangeable; they are obviously not shown because of their individuality but as an example, or rather exemplar of a group (Szász, 2015: 101-102).

Therefore, images in this category reserve an implicit claim to represent Romani people visibly by illustrating a general 'Roma'-ness. As Busch noted, "(t)he categorisation of people as Roma in the sense of a presentable, visually identifiable group on the one hand contains different homogenisations and on the other hand suggests a fundamental collective otherness […]" (2011: 224). Szász – analysing an ID photo series of Romani people – argues: "Within that context the portrayed subject's subjectivity is nothing but ethnic" (2015: 99). Accordingly, the 'facelessness' of the people portrayed here utilises this mechanism and contributes to a homogenised and essentialised group construction of "the 'typical Roma'" (Surdu, 2016: 231).

Moreover, as Busch (2011: 226-229) argues, this category of images contains an inherent mechanism of a binary othering: by marking the people visible on the image as 'Roma' they are defined as an identifiable group, separate from the 'normal'. Critical whiteness studies argue that the mechanism of marking always occurs together with an unmarked position that is the opposite position of the marked one. As Raatzsch and Klahn (2014) as well as Mladenova (2015) show, this approach turns out to be productive for understanding the marking process in antigypsyism.

Concerning the image under analysis, the described media mechanism of presenting one or a few individuals as "typical Roma" inevitably reveals the unmarked position of the recipient as part of the dominant norm. This relationship, "the gaze's power gap" (Holzer, 2008: 402; compare also Reuter, 2014: 32-33), can be understood as the visual process complementary to the ideological process of the

marking of a specific out-group, and as such setting the unmarked norm of the in-group.

Previous Knowledge: Analysing the Context of the Image

According to photo theorist Raatzsch "most people who present Romani in visual images or photographs in the media generally feel they are expected to come up with something 'typically gypsy'" (in Benkö and Raatzsch, 2013: 209). Concerning the picture under analysis here, the question of what the 'Roma' visual marker is in the picture is not easily answered. In his analysis of a typical construction of a 'gypsy' image, Reuter (2014) examines different elements, some of which consist of items whereas other markers can be described as photographic traditions. My interest here is the – varying degree – of "previous knowledge" (Raatzsch in Benkö and Raatzsch, 2013: 209) necessary to decode the marker in that interplay. For example, an image titled "gypsies move over land" that stages a group of people on a horse wagon might not necessitate much previous knowledge on the part of the recipient to conclude that 'moving' was 'typical gypsy'. The same might be true for some of the other items imagined as elements of a culture that Reuter mentions, like a 'violin' or 'exotic clothing' (2014: 98, 112-114). The photograph in question however does not present any of those obvious markers. The paper therefore pursues an analysis of anti-gypsyist photographic traditions, in other words, of the form and the content of the previous knowledge that leads to a perception of the three people as 'gypsies' even though the image is not linked to traditional markers of 'gypsy'.

This analysis shows that there is a whole variety of semantic and contextual elements that function as markers for 'gypsy' and that move beyond traditional cultural stereotypes into wider discourses of poverty and migration that are nonetheless still perceived as having a particular 'gypsy' theme. The 'correct' perception of the image is thus based on an "iconography of the 'other'", shaped by "trained patterns of imagination" as well as by "social discourses" (Reuter, 2014: 472-473). The intended meaning of the image cannot be perceived without the awareness of the racialised discourse of 'poverty

migration' nor without the internalisation of antigypsyist semantics and visual traditions.

"Neukölln" – A Symbolic District

Looking at the text line in more detail, it strikes the reader as a remarkable fact that a nation wide German news magazine not only mentions the city, but also the city-district where the photograph was taken. For non-German readers, it is important to note that the caption for the photograph under analysis names the Berlin district "Neukölln" which, since the mid-2000s, has become a German-wide symbol for a '*Problembezirk*' ('problem-ridden district'), a racialised idea of a district, supposedly plagued by unemployment, migration, crime, and drugs (see Friedrich, 2014). Moreover, starting in 2009 and adding to this general idea of "Neukölln" as a symbol for 'problem-ridden district', the district itself has become the locale to stage the discourse of 'poverty migration'. Members of the district council even featured prominently in the German media because of their supposedly innovative approach in dealing with this topic. Thus "Neukölln" has become a symbol that is understood across Germany. The caption "Berlin-Neukölln" when linked with the words "Roma family" in the text line has the power to invoke the racialised discourse of 'poverty migration' (compare DISS, 2015: 4). Like Tiefenbacher and Benedik show for other locations (2012: 219-221), certain geographic sites can become a marker for 'Roma'.

The Building

The presentation of the house equally recalls visual elements commonly used in the media discourse on '*Problemhäuser*' ('problem-ridden houses'). This trope has evolved as a core element of the media discourse on the 'poverty migration' in Germany (DISS, 2015: 62-63). It symbolises a house in bad condition and accordingly with low rents, inhabited by a large number of 'Roma'/'poverty migrants'. The terms 'problem-ridden house' and 'Roma house' were also used interchangeably in many newspapers (Graevskaia, 2013: 83).

Media coverage established and reinforced a set of images that have since been used to recall the topos 'problem-ridden house' visually. Images have focused on dirt, garbage containers, rats and destruction. Flats have been shown as overcrowded, with mouldy walls,

broken and dirty sanitary facilities, and washing draped or pegged out conspicuously. Such elements have established a symbolic visual regime that could be used ever since to signify the racialised discourse of 'poverty migration': in the mayoral election campaign in Duisburg for example, the conservative Christian Democracts (CDU) used an image of such a building featuring the slogan "End the nuisance! Duisburg can do better" (DISS, 2015: 23, 49).

As the picture under analysis here shows a backyard under construction with a site fence and a building in bad condition, its perception is shaped by the contextual knowledge and the visual stereotype of a 'problem-ridden house'. A carpet or blanket hung over the fence adds another symbolic element of a 'problem-ridden house' symbolising poverty and chaos (End, 2014a: 44-45, see also Tremlett in this SI). The image accordingly signifies 'Roma' through the attribution of socially less acceptable 'lifestyle', thus drawing on established antigypsyist semantics.

We can conclude that already by mentioning "Neukölln" as a specific symbolic district in addition to the setting of the scene in the visual context of 'poverty migration' the picture evokes a specific antigypsyist image of 'Roma': that of supposedly poor and poorly educated migrants, imagined as unwilling to work or to comply to 'German' norms. Those are implicitly communicated through the gaze (Bell, 2015: 151) of the recipient. In the context of the 'poverty migration' discourse, this position is occupied by 'German' (i.e. 'non-Romani') 'residents' ('*Anwohner*') of such houses, imagined as norm-conforming. According to the dominant narrative they are threatened by and suffer from this situation, especially from noise, rubbish, violence, theft, and sanitary problems (End, 2014a: 151-217). This is a variation of the more general media narrative of the 'Roma threat' (see Loveland and Popescu, 2015; for a close analysis in the media see Erjavec, 2001), again drawing on established antigypsyist semantics of the 'gypsy nuisance'.

Because of its symbolic power, a picture of such a backyard can actually evoke the meaning of a 'problem-ridden house' even without the text line (DISS, 2015: 62). This argument is supported by the context in which another copy of this press photograph is used. It is

placed above an article published in daily newspaper *FAZ* (Müller, 2014) with the above headline "abuse of social welfare in Europe". It does not explicitly mention 'Roma', however it recalls the discourse mentioned above in as much as it warns of the damage to the EU if the 'abuse' of the Member States' welfare system would continue. The notion of 'abuse of social welfare' ('*Sozialmissbrauch*') itself is at the core of this antigypsyist debate in Germany.

Hence an image of such a building is obviously able to symbolise and recall the discourse of 'poverty migration'. As this contextual knowledge is already racialised, the building itself functions as a marker to identify the image as a 'Roma'-image. At the same time, other images of 'Roma' become less identifiable and less imaginable to the German mainstream public: "the missing images of Roma are those depicting normalcy and banality" (Surdu, 2016: 246; see Bernáth and Messing, 2013: 37-39 for differing examples).

Women and Children

The picture under analysis shows three people. As their faces are not visible it is difficult to say, but to a viewer used to 'western' norms it would seem that there are two children and one adult, according to gendered visual markers such as hair length, hairstyle and clothes, all supposedly female. A common interpretation would be that the two girls are sisters and the adult could be their mother, aunt, or grandmother. Thus the picture shows the "mother-child-motive as a classical marker" of 'gypsy'-iconography (Reuter, 2014: 269; 112).

Especially but not exclusively in visual antigypsyist traditions, images of women and children have become an archetypical presentation of 'gypsy'-ness. Starting with the early paintings in the 16th century (Bell and Suckow, 2008; Bell, 2015) through the first 'gypsy'-photography by Ludwig Angerer (see Holzer, 2008: 403-406) up to today's photographic traditions (Reuter, 2014: 105-108) presentations of women and children composed an enormous part of antigypsyist visual sources.[5]

5 I want to thank Vera Messing for her hint to the Hungarian visual regime, mainly made up of 'violent' and 'aggressive' men. This difference in the visual traditions would be a compelling field of future research.

This topos is due to two semantic elements of antigypsyist ideology. First, images of women and children are often used as symbolic representations of 'gypsy'-ness (Eulberg, 2009; Pusca, 2014). In patriarchal societies, the ideal of a rational, controlled 'male' has evolved as an element of dominant social norms. Stereotypical images of 'women' accordingly contain the opposite of these norms; they are imagined as irrational and emotional. This is manifested in a variety of stereotypes. One possible strand – that is not represented here – is that 'gypsy women' become symbols of male fantasies and wishes (Hancock, 2008), but at the same time emanations of fear and threat (Mladenova, 2015: 17-18). A strand more relevant for the image under analysis is the symbolic relation of 'rational male grown-ups' and 'irrational women and children'. Non-Romani scholars and educators have described so called 'gypsies' as being 'child-like' and irrational throughout history. This also manifests in children being a central topic in the process of the photographic construction of the 'gypsy' (Reuter, 2014: 108-110). This semantic manifests itself in 'gypsy'-stereotypes and -images shaped by 'femininity' and 'infantility'. As an element of the structure of meaning, those stereotypes contain counter-images of the dominant social norm of 'male' rationality and serve as a tool for self-assurance and discipline (End, 2014b: 79, 87-88).

In addition, the image showing a woman and children contains a second connection to antigypsyist semantics and manifestations: women as well as children are often portrayed as symbols of fertility and reproduction. As in other racisms, in antigypsyist ideology 'Roma' are imagined to be more fertile than 'Germans'. Hence media images produce associations of a large reproductive potency, perceived as a threat (Busch, 2011: 245). There is a parallel of these stereotypes to those of 'Muslims' (Shooman, 2012: 56), but also a connection to images of 'underclass people' (Tremlett, 2014: 324-327). Concerning all three groups there exist prejudiced discourses that describe this imagined 'fertility' as a threat to an imagined self-representation of a white middle-class.

The image thus recalls subtle elements of the antigypsyist semantic of 'fertility', even though it depicts only two children. This is again

closely interlinked with the contemporary discourse on 'poverty migration' as the constructed abuse of the social welfare system is imagined to take place in the form of entitlement to child benefits (End, 2014a: 149-150). Together with the idea of a general 'irrationality' this creates a powerful antigypsyist motif that is at the basis of the German antigypsyist visual tradition of using the visual marker of 'women' and 'children'. Again, the social knowledge of the 'gypsy other' as well as the familiarity with its visual expression adds up to another 'gypsy' marking of the image.

Familial Structures? Familiar Stereotypes!

The imagined 'fertility' has close ties to yet another marker in the caption: the word "family". According to the description, the recipient sees a "Roma family". An interesting aspect here is that in 'western' heteronormative societies, a 'normal' family is usually perceived as consisting of two adults, male and female, plus a number of up to three children. Of course there are other concepts of families that are more or less accepted nowadays, but as mainstream media usually chooses stereotypical presentations, it is fair expectation. The picture on the contrary shows just one adult and two children. A typical description for this situation would be "mother with children" or "grandmother with grandchildren".

Hence it is argued here that the use of the term "family" in the caption is influenced by two aspects of prevalent 'gypsy'-stereotypes in the media: first there is the stereotypical imagination of 'gypsy' familial traditions. Unlike the modern norm of a heteronormative nuclear family, the 'gypsy'-stereotype contains the notion of 'clan'-structures, of 'kin' and of 'tribes' (see Bernáth and Messing, 2013: 44-45). Accordingly, the term "family" coupled with the notion of 'fertility' imposed by the 'mother with children' motif evokes the notion of huge families, even though only three people are visible. The 'missing' father figure as well as the ambiguity of the family position of the female adult leaves open space to imagine many more members of such a 'kin'.

As the norm of the patriarchal nuclear family becomes the dominant idea of how families should be organised, the idea of 'backward gypsies', still living in 'clans' with all their 'kin' becomes

a powerful negative counter-image to modern bourgeois cultural norms, and as such helps legitimise the norm of the majority (End, 2014b: 79). The antigypsyist semantic of 'backwardness' and an 'archaic lifestyle' thus crystallises in the described tradition of 'gypsy photography' in order to represent imagined 'fertility' that is supported by the notion of "Roma family".

The second aspect of evoking "family" consists of the fact that 'Roma' are rarely portrayed as individuals at all in the German media (Busch, 2011: 244f; DISS, 2015: 61; for ambigous developments in Hungarian media see Bernáth and Messing, 2013: 32-33, 39-41, 44-45). In the process of othering, Romani individuals are discursively stripped of their individuality and reduced to their 'Roma'-ness. Only very rarely is there coverage of Romani people as individuals. Moreover, reports, documentaries and newspaper articles on 'Roma' issues are usually cramped with people (Graevskaia, 2013: 84). This leads to a "visual dominance of the collective" as a marker for 'gypsy' images (Reuter, 2014: 110).

In combination with the othering gaze analysed above this supports a general perception of a de-individualisation. As shown before, this plays an important role in the racialised focus of the media, incorporated in the photograph. It creates "an essentialist identity in which the presented circumstances of a particular person stand not merely as descriptors of an individual identity, but by extension also as representation of a typified Roma group" (Surdu, 2016: 243). The category of "family" plays an important role here. It can be interpretated as one way to symbolise a collective in opposition to individuality (Bohn, Hamburger and Rock, 1993: 177). As it is able to combine the de-individualisation with the perception of 'archaic kinship' it is over-represented in coverage on 'Roma'. It thus provides another element of antigypsyist semantic operating as a marker for the perception of the three people as 'Roma'.

Phenotype as a Marker

Another element of the image relevant for the marking as 'gypsy' consists of the perceived phenotypical characteristics of the three people. Actually, the only characteristic really visible is the colour and, in the case of the children, the type of hair. All three persons

have darkish hair, the children's hair is straight. It shall be argued here that the hair colour is a relevant feature for the perception of being 'gypsy'.

Non-Romani scholars have attempted to fixate the 'gypsy' scientifically for centuries. In doing so, many have racialised 'gypsy'-ness through physical features. Accordingly, skin complexion and hair colour have been described as typical markers (Hadziavdic, 2006: 59-67). Whilst the racist notion of deducting group specific behaviour from phenotypical characteristics has widely disappeared from mainstream discourse, at the same time the concept of ethnic groups – in this case of 'the Roma' – with essential phenotypical traits is widely accepted in contemporary European public discourses. Moreover, as Aschauer (2010: 67-70) and Surdu could show in separate analyses of contemporary photographs: "A common visual characteristic of photographs […] about Roma is the identification of the subject by the phenotype of a darker complexion" (Surdu, 2016: 244-245). These results have to be taken into account when analysing the picture in question. In contemporary media discourses, as Tiefenbacher and Benedik argue, skin complexion is not perceived as a definite marker of 'Roma' but as an ambivalent hint (2012: 219). The same can be said for hair colour. Such ambivalent markers function in combination and reinforce each other (End, 2014a: 246-260). But on the contrary if one person had been visually presented with naturally blonde hair, this would have conflicted with the contemporary 'Roma' visual regime described by Aschauer and Surdu and thus with the mentioning of a 'Roma'-belonging in the text line. Accordingly, the visual presentation of 'dark haired' people is a precondition for the use of this picture, disclosing the racialised notion of 'Roma' still predominant in German media discourses and drawing from established antigypsyist semantics of essentialised 'gypsy'-ness.

Millions of Photographs, but Only One Image

The critique here does not conclude that the photograph in question is false, or was set up in a particular way, but rather that the choice of such an image is politically motivated and – in this case – already racialised: "All these photographic instances are certainly part of reality, but emphasising this particular part

of reality creates a deeply negative general image of the Roma group" (Surdu, 2016: 237). Hence it is necessary to analyse the choices of motifs that photographers, editors, and archivists make and how this narrows down the possible meaning (see Bernáth and Messing, 2013: 43-44; for this mechanism in TV-documentaries see End, 2014a: 118-134).

This can also be exemplified through a short overview of the other ten photographs of the series that the photographer, Thomas Köhler, took that day (Koehler and Photothek.net, 2012b): not a single of those pictures offers a different image. Demolished apartment letterboxes with numerous names are common visual symbols within this discourse and support associations of uncontrolled residency. The symbol of the 'problem-ridden house' is equally reproduced through photographs of scaffolding and of a shabby door. Other photographs reproduce the motif of laundry as a symbol for 'underclass' and 'poverty' (End, 2014a: 294).

More pictures show groups of unknown and unidentifiable people, all from behind, thus substantiating the visual othering process described above. Most interestingly, only one picture focuses on a single person, whose face is visible and whose name and title appear in the caption: the project manager Benjamin Marx who became a public figure through the renovation of this 'problem-ridden house'. As DISS has shown in their analysis of the 'poverty migration'-discourse, people marked as non-'Roma', like Marx but also politicians, social workers, police forces, or neighbours are displayed as active and able individuals in media coverage. 'Roma' on the other hand are portrayed as passive objects (2015: 18).

More generally we can rightfully assume that "isomorphic photographs" (Surdu, 2016: 243) shape the public image of 'Roma' through their predominance in academic and commercial photography archives and databases. If an image does not fit the predetermined semantic, "it won't find the way […] into the archive" (Reuter, 2014: 474). Together with the antigypsyist semantics and the recurrence of antigypsyist social discourses, Raatzsch has identified photography archives and databases as material conditions reproducing 'gypsy' images of fundamental otherness and

social deviance (in Benkö and Raatzsch, 2013). In other words: the choices of journalists and photo editors are already systematically confined through previous equally racialised decisions by photographers and archives.

Conclusion

The paper shows how the image in question can be understood as a representation of the contemporary 'poverty migration'-discourse in Germany as well as of long-standing antigypsyist semantics. On a micro-level it thus exemplifies how racist stereotypes are adapted and reorganised in order to racialise political and social events or developments – in this case the freedom of movement in the European Union. The approach of analysing abstract semantics and contemporary discourses as separate but highly intertwined elements of antigypsyism has proven fruitful concerning a better understanding of the meaning of images.

Furthermore, even though the analysis encompassed only a single picture, it explores underlying mechanisms of a racialised visual perception. The paper's topic thus extends far beyond its actual close analysis in order to understand the function of those mechanisms of antigypsyist visual representation in general. At the same time its abstract approach also creates potential for adaptation in order to research other racialised visual regimes.

The fact that such a subtle picture contains harmful and discriminating messages calls for further research in the field of potentially antigypsyist media representation that should not focus exclusively on right wing or populist media. Research in antigypsyism has to take into account that the core elements of the antigypsyist ideology – a concept of fundamental and essential otherness and an attribution of social deviance – are widely shared and deeply anchored in German as in most other European societies. Hence for the critique of antigypsyism it is crucial not to address antigypsyism as individual cases of prejudice, but rather as an ideological structure, a system of knowledge that constitutes an important element of national identity building in Germany and beyond.

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Section II :

Discussing European Policies

From the Principles of Tolerance and Equality to the Reproduction of Marginalisation – Discussing European Roma Policies

Sabrina Steindl-Kopf

> "We absolutely don't know why they do not respect us. Because we are black and the Gadje[1] don't like black people and that's just it. In the village there is absolutely no reason to be disliked."

It was a hot day in July when I paid a visit to one of the families in the village of Vel'ká Ida in Eastern Slovakia, where I did research on the effects of EU-funded projects supporting the integration of local Romani communities. The Horvath Family, with parents Kristina and Peter and their five grown-up children, had become not only important informants for my research but also good friends with whom I spent plenty of time chatting about life in Slovakia as well as their hopes and expectations for the future. The family lived in a small brick house marking the border between the Roma settlement and the houses of the Slovak majority in Vel'ká Ida village. Having lived in Germany and Belgium for some years where the family had sought asylum, the Horvaths had been able to raise their socio-economic status for a short period of time by entering the labour market and benefitting from educational opportunities. However, after having returned to Vel'ká Ida the members of the family were not able to transfer their work experience or educational achievements in Western Europe to the Slovak labour market. As a result, all members of the family were unemployed, living on social welfare benefits and temporary low-qualified work such as gardening, cleaning or road works provided to the local long-term unemployed by the village.[2] Reflecting on their serious difficulties to enter the Slovak labour market, the Horvaths agreed that structural discrimination was the biggest barrier to a better life. They explained that

1 The term *Gadje* is commonly used by Roma to refer to non-Roma.

2 Analysing recent changes in the Slovak welfare system, Huub van Baar shows how activation programmes tend to reinforce dominant stereotypes of Roma as lazy, useless, inadaptable and permanently "inactive" (2012: 1297).

as Roma they were disliked by fellow citizens and discriminated "everywhere" – in the labour market, in the education system, public institutions etc. Claiming that it was only their darker skin that marked them as different, 25-year-old Ladislav emphasised that there was "absolutely no reason to be disliked", neither by their neighbours in Vel'ká Ida nor by others. Instead, he felt that the family had shown that Roma were as hard-working and trustworthy as anyone else. However, the Horvaths were convinced that the rejection and discrimination of Roma in Slovakia was not going to improve in the near future.

Thus, the family remained sceptical when the implementation of two EU-funded projects was announced in Vel'ká Ida in 2005, aiming at the integration of the local Roma community into the labour market. Doubting that the projects would have any significant impact on their personal employability, the Horvaths, with the exception of Kristina, refrained from joining the projects. Kristina's motivation to join one of the projects that was designed for Romani women was, however, clear.

> What motivated me to go there was not the promise of any job later but it was the fact that there will be activation work and 1,900 SKK were enough to motivate me to go to study. If there is no money I don't go there. In this poverty every coin is needed and good.

Kristina was not interested in the literacy training offered for local Romani women since she had completed elementary school and was able to read and write. She rather participated in the project because the participants were given the opportunity to earn some money during the summer months.

The case of Kristina and her family can be viewed as an example of both antigypsyism in Europe and the inability of the European Union to improve the situation of Romani people. Reflecting on the tendency inherent in European policies to single out Roma as a minority in need of help and thus a priority group for inclusion policies, this chapter will discuss the underlying assumptions towards Roma as well as their inevitable effects on the "world of Roma

projects".[3] Analysing projects for Roma in Slovakia[4] which aimed to increase the employability of Roma, I will show how the implementation of measures was based on a conceptualisation of Roma as an internally homogenous group as well as on the assumption of absolute social and cultural difference. I argue that the perception of Roma as "the other" not only impedes the successful implementation of measures for Roma on the local level but is a central part of the EU's discourse on Roma. Consequently, the reproduction of a "Roma difference" by the EU gives way to prioritising the fight against poverty in projects instead of tackling the societal and political realities of antigypsyism. Thus, the EU's discourse on tolerance and equality quickly turns into a hegemonic approach within "Roma projects" that consequently reinforces the marginalisation of Roma.

1. The EU's Discourse on Roma as the "Vulnerable Other"

Since the enlargement of the European Union in the years 2004 and 2007, Roma[5] represent the largest ethnic minority within the EU with an estimated population of 10-12 million people. Many Roma are still forced to live on the margins of society, while their social advancement is impeded by a complex interplay of various factors. Structural discrimination and marginalisation of Roma and Sinti are not specific to the European Union Member States in Eastern Europe but

3 The term "Roma project" indicates the tendency to view Roma as a homogenous group in need of help while neglecting internal differences. Such a tendency reinforces the belief that Roma would benefit unanimously from inclusion measures regardless of whether they are educated, employed, well-integrated into majority society or not. Furthermore, the term "world of projects" has been coined by Steve Sampson (1996) who has illustrated how the proliferation of funding opportunities for NGOs in post-Yugoslav countries has contributed to the emergence of a new societal elite that is successful in applying for EU funding but not changing local realities. Similar observations have been made with regard to the development of a "Roma industry" in post-socialist countries (Trehan, 2001).

4 The data used in my analysis were collected in 2007. They are based on project reports, participant observation at various project activities as well as conversations with both project staff and members of the local Roma community in Vel'ká Ida.

5 The term Roma denotes a rather heterogeneous ethnic group; one that is marked by the existence of several subgroups, such as Sinti (Manouche), Traveller, Lovari, Kalderash, Calé, Romungre or Beash (Kovats, 2001: 113). Although a number of Romani groups emphasise their cultural autonomy, linguistic, historic and regional differences, there are some distinctive similarities of which their persistent discrimination, structural inequality and their collective exclusion from the majority societies in Europe are the most evident (for a recent summary on the problems surrounding the definition of Roma, see Leggio and Matras, 2018).

constitute a pan-European issue. In a recent report, the EU Agency for Fundamental Rights (FRA) stated that "despite several years of inclusion efforts" antigypsyism was still the biggest barrier to Roma inclusion (FRA, 2018: 10). The report confirmed that the persistence of anti-Roma prejudice as well as the number of incidents of harassment and hate-motivated violence against Roma was worrying, and called on the EU and EU Member States to take measures to combat antigypsyism. In particular, the report emphasised that law enforcement with regard to hate crime and hate speech against Roma was as important as the implementation of national Roma integration strategies and the fight against the social construct of the "Gypsy" (FRA, 2018: 10). Yet the findings of the report with regard to the precarious situation of Roma in Europe are not new.

The EU gained interest in Roma in several stages as Peter Vermeersch has pointed out (2012). First, Roma from Central and Eastern Europe were identified as potential asylum-seekers – an approach that was abandoned when the European Council and the European Commission stressed their joint responsibility towards Romani groups in the course of the enlargement process. Roma, Sinti (and Travellers) were then recognised as a "true European minority", which was said to have a special position among other minorities due to its dispersal all over Europe (Recommendation 1203[1993]). Consequently, the EU focused on the social inclusion of Roma and the fight against discrimination. Besides providing a legal framework to prohibit discrimination on ethnic grounds and to foster equal treatment irrespective of ethnic origin, the European Union supports the inclusion of Roma within the so-called EU Framework for National Roma Integration Strategies up to 2020. In order to support national efforts towards Roma inclusion the EU has provided various funding mechanisms, such as the European Social Fund (ESF) and the European Regional Development Fund (ERDF), to finance a wide range of national, transnational and locally-based activities. Within these, investments in the education of Roma and their integration into the labour market are defined as specific target areas. Furthermore, the European Union has established a specific unit for Roma-related issues within the European Commission responsible for the coordination of various programmes and actions targeting Roma.

The provision of considerable financial resources for the implementation of activities in EU Member States can be regarded as evidence of the EU's efforts to integrate Roma into the respective majority societies. However, it has been noted that the initiatives and projects have largely failed to make an impact on the daily lives of the majority of Roma in Europe (Brüggemann and Friedrich, 2017; Matache, 2017; Plaut, 2017; Vermeersch, 2012). Furthermore, several authors have highlighted how projects rather tend to reinforce the marginalisation of Roma and impede their opportunities to participate equally in the education system (Kyuchukov and New, 2016) or labour market (Maeso, 2015; Vrăbiescu and Kalir, 2017).

Analysing EU initiatives for Roma, Shayna Plaut (2017) and Vermeersch (2012) emphasised that the recognition of Roma as a "true European minority" runs the risk of "Europeanising" the problems of Romani groups. Instead of taking into account the diversity of Romani groups, of their local realities as well as of national and historical contexts which mark their living conditions, the EU treats Roma as one homogenous group. Consequently, this one-sided approach might "leave us with the impression that the situation of the Roma is very similar across Europe and that formula-like solutions can be implemented" as Vermeersch (2012: 1209) stated. Furthermore, the identification of Roma as a particular group among European minorities as well as the implementation of specific Roma initiatives conveys the idea of their cultural and social difference because it "argues that there is something in the category of 'Roma' itself which mandates special treatment" (Vermeersch, 2012: 1205). Not only does such a discourse on Roma strengthen the boundaries between "us and them" as Plaut (2017: 1062) has pointed out, but it also refers to existing "power differentials" (Thornton, 2014) between Roma and non-Roma. Romani organisations are hardly given a voice in the EU's considerations on how to foster inclusion and improve their living conditions. Rather, Roma are considered as a vulnerable group in need of help.

I argue that this particular discourse on Roma as the "vulnerable other" also characterises and affects the "world of Roma projects".

Drawing on my experience with EU-funded projects for Roma in Slovakia, I will discuss how the successful implementation of measures for Roma on the local level was impeded by this particular discourse in the following section.

2. EU Projects for Roma in Slovakia

The village of Vel'ká Ida is located near the Hungarian border in the rural Eastern part of Slovakia. It has 3,139 inhabitants of which 32% belong to the Romani minority. Living segregated from the Slovak majority on the outskirts of the village, Roma inhabit two settlements, which lack access to water, electricity and the sewerage system. From 569 people in Vel'ká Ida who were listed as unemployed according to the results of the 2001 census, the vast majority was unofficially said to belong to the Romani community.[6] Due to the high unemployment among Roma in Vel'ká Ida, the local community was chosen as a target group for two EU-funded projects, which were implemented by the Agency for Support of Regional Development Košice (ARR Košice) between 2005 and 2008. The projects were named Maxim and Ružena and aimed at increasing the employability of Roma by providing basic education, various short-term training courses and vocational counselling. While Maxim focused on the activation of Romani men through training courses and networking with potential employers, Ružena targeted the manifold disadvantages that Romani women face when entering the labour market. Alphabetisation and basic education were defined as the main areas of activity because Romani women were expected to lack the education or training necessary to enter the labour market, due to a high number of school drop-outs among Romani girls and an obligation for women to stay at home and take care of the household and children.

Although the projects aimed to improve the situation of Roma in Slovakia by creating innovative and promising approaches to their integration into the labour market, the project realities proved quite

6 There is a lack of up-to-date data on the Romani population and its socio-economic situation in Vel'ká Ida. According to the Slovak Institute for Financial Policy (2014), the national employment rate of Roma aged 15-64 reaches approximately 17,7%, which is close to the World Bank's estimate of 15% (2012).

the opposite. Rather, the projects were marked by various shortcomings as the following episodes from the field will illustrate. Consequently, these shortcomings made it difficult to induce a sustainable improvement of the living conditions of their respective target groups.

It was early afternoon and I had been sitting in the elementary school of Vel'ká Ida for some hours, watching ten Romani women – participants of the Ružena project – while they were weeding the grass on the sports ground. During summer, the participants were able to earn some money by doing so called "activation work" on the grounds of the elementary school before their reading and writing courses resumed in autumn. Exhausted by their hard and monotonous work, they took a short break and sat down next to me. Talking about their life in Vel'ká Ida and their dream of going to work abroad, the women also revealed to me their disappointment and dissatisfaction with the project and its coordinators. Since that day was the day they were supposed to receive their salary and five women had not received any money the month before, the women were waiting for the local project staff to arrive with their salary. Not knowing why some of the women left empty-handed, Anna, one of the participants whose sister was among those five women, told me that this incident had aroused nervousness and jealousy among all the participants. Furthermore, the women had thought that they would be trained on how to apply successfully for a job and were thus very disappointed that Ružena merely offered alphabetisation measures. Since most of the women had learnt how to read and write in elementary school, they agreed that Ružena was only helpful for those who didn't have any education at all. The women were therefore convinced that the project was not going to help them find employment afterwards – which is also why only a few had decided to join Ružena in the first place.

The senior project manager of Maxim and Ružena gave me quite a different perspective on the projects just a few days before. Sitting in the office of ARR Košice, he confessed his disappointment about the performance of the projects with a rather unexpected frankness, telling me that they were "not really a success". In particular, he identified difficulties in mobilising participants for the various

activities as well as the necessity to constantly search for further interested persons due to the high drop-out rates during the project as the main problems. Searching for reasons for the projects' weak performance, he admitted that "the internal management was rather weak [...] and the focus of the projects was a little bit too ambitious, too vague and too broad". Nevertheless, he blamed Roma for all the problems that had occurred so far. Stressing their supposed lack of commitment and unreliability as the actual stumbling blocks, he believed that "it's generally the attitude, not only the weak commitment" of the Roma, which had caused problems during the implementation.

What becomes evident from these short episodes from the field is that the Slovak projects were a disappointment to the project staff and Roma alike – although diverging perceptions and experience prevailed within both groups. In fact, conflicts between Roma and non-Roma were at the heart of the two projects. I argue that these conflicts were caused both by a stereotypical perception of Roma as well as by existing power differentials between Roma and non-Roma which make their way into "Roma projects". In the following sections I will show how the implementation of the projects was shaped by power dynamics and stereotypes about Roma. In particular, I will discuss the role of the EU and its discourse on Roma in the day-to-day management of the projects.

2.1. Between Paternalism and Marginalisation

An analysis of the two Slovak projects and their shortcomings speaks volumes about the structural problems within EU-funded activities as well as the stereotyping of Roma. When looking at the performance of the projects, problems integrating Roma into the labour market, mobilising participants for the various activities as well as high numbers of drop-outs were the most evident issues. Instead of achieving improvements for the Romani community, the projects shattered the expectations of Roma and reproduced negative stereotypes and existing mechanisms of marginalisation. The EU's discourse on Roma as one homogenous group in need of help plays a decisive role in this regard since the EU funding mechanisms determine the guidelines for the development and implementation of projects.

To begin with, the exclusive focus on short-term activities and the integration of Roma into the labour market, which is viewed as the most important precondition for social inclusion within the European Social Fund, prohibited the implementation of a holistic and sustainable approach, which is necessary when working with marginalised and deprived communities. As Jeff, project worker in a Slovak NGO working with Roma, stressed, "complex problems cannot be addressed by short-term, piecemeal projects" and went to explain that "sometimes [such projects] can do more harm than good because they raise expectations, start having some success and then they end". This reflects the analysis of experienced Romani NGOs, Slovak academics and representatives of the Romani communities alike, who all emphasise the need for a holistic approach to improve the living conditions of Roma. As Dáša Frivalská, representative of the regional office of the Slovak Government Plenipotentiary for Roma Communities in Košice noted, "employment only doesn't solve the problem – there must be a complex solution including housing and education, to be accepted in society and then afterwards we can focus on employment".

The short duration of the projects, which was limited to three or five years, did not allow for much flexibility in the day-to-day management. Rather, the project staff was constantly under pressure to manage the project, from the search for the necessary infrastructure, the employment of staff members and the organisation of activities, to the writing of proposals for a follow-up project.

The procurement regulations of the ESF and national ministries turned out to be a further challenge in the projects. Since applying for ESF funding requires applicants to have capital resources as well as experience with the successful handling of EU-funded projects, small NGOs are clearly disadvantaged. Many NGOs working with Roma or led by Roma lack the necessary financial or technical resources to apply for EU funding, even though they are grassroots-based and have close contact to local Romani communities. Yet at the same time, neither knowledge about Roma and their situation nor experience in working with marginalised communities seem to constitute decisive criteria when applying

for EU funding. This became quite obvious in the case of the Agency for Support of Regional Development Košice which had implemented the projects Maxim and Ružena. Although AAR Košice had been successful in applying for and carrying out EU-funded projects, the organisation had never worked with Roma before. In fact, the senior project manager confessed that Roma did not represent a particular group of interest for AAR Košice but that the decision to apply for a "Roma project" was guided by the availability of EU funding.

Furthermore, the requirement of the ESF and national ministries to find new, innovative solutions for the integration of Roma into the labour market puts pressure on applicants to fully comply with the call for innovation. Not only did the organisations applying for EU funding have to demonstrate innovation in the measures planned for Roma but also with regard to the project title. The focus on innovation, however, seems reasonable only theoretically. In practice, it was nearly impossible for the project staff to rely on existing experience and successful solutions. Rather, they were forced to "reinvent the wheel" or at least find creative ways to formulate their project proposals – a challenge that cost them time and nerves.

Financial problems and a burdensome administration were a challenge to the staff during the implementation of the projects. Various members of the project staff complained about the workload that was connected to administrative matters and the communication with European institutions and the national managing authorities. For Silvia, the project coordinator in Maxim and Ružena, the never-ending paper work made it difficult to focus on the actual activities for Roma because "a lot of money was put into the bureaucracy and the papers for administration but the meaning of the project had disappeared in these papers". Moreover, she criticised the fact that the focus on administrative matters hampered the organisation of trainings and job counselling for the Romani community in Vel'ká Ida, which should have been the most important task: "Working with people is the priority and not the administration. [...] When we give priority to the administration we are not successful in the activities". These examples show

how organisational shortcomings that are not uncommon in EU project activities lead to negative or even discriminating effects for the Roma who were the "target groups" of such projects.

The requirements of the European Social Fund consequently fostered a paternalistic approach within the projects. For instance, the failure to conduct an analysis of the target group's needs and of the local realities as well as ignorance of the marginalisation of Roma and of the work of experienced NGOs in the design, implementation and evaluation of the projects hindered a sense of ownership of the implemented activities in the community. Instead, Maxim and Ružena were designed without paying attention to the target group's specific situation and implemented with a top down approach. The senior project manager explained the agency's approach in the following way: "We already knew that there was high unemployment and thought it would benefit the Roma to work. But the problem was that we decided what they [Roma] want to do and what kind of education they want to undertake in the project". When talking to the participants of the projects, it became quite clear that the paternalistic approach of the project staff members, their indifference toward the needs of the community and the lack of communication between both groups caused considerable distrust among the Roma in Vel'ká Ida. Anna and her sister Renata expressed skepticism about the benefits of EU-funded projects for Roma and explained why only few women in Vel'ká Ida wanted to participate in Ružena: "A lot of things were promised but these promises were not kept. This is why the women stopped going there. [...] There's a lot of money from the EU and if we saw at least one promise fulfilled, the women would stay in the project". Being aware of EU subsidies for Roma but having never seen any employee from ARR Košice in Vel'ká Ida, they assumed that a lot of money must have gone into the pockets of corrupt officials or members of the project staff.

The exclusion of Roma as well as the paternalistic approach within the projects were facilitated not only by the directives and guidelines of the European Social Fund but also by a stereotypical image of "the Roma" that prevailed among members of the project staff in Slovakia.

2.2. Reproducing a Stereotypical Image of the Roma

The image of "the Roma" among the members of staff was outspokenly negative, reflecting the more general attitude towards Roma in Slovakia. On the one hand, Roma were perceived as a "social problem group" by the project staff whose members were said to ignore prevalent social norms and values, while on the other hand specific cultural traits were ascribed to them and held responsible for the lack of integration into mainstream society. Especially, the alleged unreliability as well as the "backward" and carefree lifestyle were seen as the main problems during the implementation of the projects. When talking about the weak performance of Maxim and Ružena and the reasons for the low commitment of Roma, the senior project manager explained to me that they were too indifferent or not able to realise the necessity and importance of education. "They don't take responsibility over their life and fate and their future. They don't appreciate the education and the investment in their self-development. [...] Living for today you know and not for the future." Moreover, the alleged lethargy, laziness and unreliability of Roma in Vel'ká Ida were regarded as proof of their common image as a "social problem group" and the reasons for their weak socio-economic position.

Generally, Roma were perceived to have no motivation to work but to live exclusively off the state and tax payers. Tomaš, employee at the municipality of Vel'ká Ida and technical assistant in Maxim, remarked that "they live from what the social system will give them. There are some of them who want to be like white people. They want to achieve more but that's probably five percent of them." The prejudice that Roma could make a living from generous social benefits without having to work is widespread in Slovakia. Both Matej and Pavel, two social workers in Vel'ká Ida who had close contacts to ARR Košice shared this opinion and stressed that Roma "have no motivation to work; they stopped taking it seriously. They get social money, money for the children, housing money and medical care. So they have no need to work but we are working and don't get any money." The statement also refers to a further element of anti-Roma discourse which is based on the fact that Roma have been identified as a specific group in need of help by the EU. By arguing that Roma receive an extraordinary amount of attention and financial support,

while other deprived communities in Slovakia/Europe are being neglected, the former are singled out as a European exception that is different from the majority.[7]

The belief that Roma are not willing to contribute to society or "only suck from our breast or the state's" as Pavel noted, was presented by project staff as the actual reason why Roma were disliked in Slovakia. Accordingly, the senior project manager justified the exclusion of Roma with the following words: "It's not racism that people hate Roma, I think they hate this attitude". Such a perception, however, ignores the ongoing mechanisms of structural discrimination persisting for centuries and creating and reproducing a situation of structural disadvantage for Romani people. In particular, the supposed "mentality" of Roma was held responsible for poor education and high unemployment. "They have job opportunities but it's their mentality that they don't like to work", Matej and Pavel mentioned. Simultaneously, by stressing the lack of education and the indifference of Roma, the project staff managed to justify the paternalistic approach within the projects. "Why didn't we ask them? If we asked them they would not do anything for sure", explained Tomaš.

It was this supposed unwillingness of Roma to educate themselves and improve their socio-economic position that prevented ARR Košice from seeking cooperation with the local community in Vel'ká Ida, as the senior project manager claimed: "They are not willing to contribute. They are not willing to learn, to invest in their development".

The belief that Roma are caught in traditions that prevent them from "developing" themselves and from adapting to a "modern" world contributed to the stereotypical image of Roma as being lazy, carefree and indifferent. Silvia, the project coordinator, pointed out that "sometimes Roma are stuck in old traditions, which push them back, and we cannot force them to change when they don't want to". The supposed threat of a specific "Roma culture", which was described in terms of poverty, violence, alcoholism, drug abuse and

7 Peter Vermeersch has discussed this line of anti-Roma discourse as being part of a wider Eurosceptic citizens'resentment (2012: 1209).

lethargy, and the image of a so-called "culture of poverty" that was closely linked to the Romani community in Vel'ká Ida are widespread in Slovakia. Roma's supposedly nomadic lifestyle, lack of written culture and supposed life within extended families were seen as central elements of the "Roma culture" and were described as barriers to their successful integration throughout the projects. Explaining the difficulties to train Roma, the senior project manager stated: "Cultural reasons explain the education difficulties. Education was never a value among the Roma in the past because they were travelling".

Drawing from yet another stereotype – the supposedly high birth rate of Roma – many respondents feared that in 15 to 20 years Vel'ká Ida would be "overpopulated" by Roma who can neither read nor write. Therefore, Tomaš, Matej and Pavel emphasised the need to reduce the birth rate among Roma and supported special boarding schools for Romani children far away from their families. Otherwise, they were sure that Romani children would become like their parents and "will start to take drugs and drink alcohol". Reflecting on the problems during the implementation of the projects, Matej and Pavel were convinced that the voluntary segregation of Roma from the mainstream society was another central barrier to their successful inclusion. "Roma people always distanced themselves even though we tried to include them with us. But they would rather live on their own and care about their stuff and that's perhaps their specificity."

Of course, as the Slovak sociologist Michal Vašečka has argued, instead of blaming a fictional "Roma culture", the exclusively negative elements which coined the ethnic group's image in Slovak mainstream society have to be understood as the results of assimilation, marginalisation and interventionist policies. "Is there something like a Roma culture, which is causing problems? No, I don't think so. I strongly believe that this is caused by two hundred years of assimilation, losing of tradition, agony, alienation." (Personal conversation with the author, 30 October 2007).

The ascription of a stereotypical image of "the Roma" in the projects shows that the supposed way of life and attitude of Roma were

made responsible for the shortcomings and failure of the projects because they served as a projection screen for individual stereotypes, frustrations and disappointments of the project staff. Instead of reflecting critically on the shortcomings of the projects such as the short project duration, unrealistic expectations or the exclusion of experts and Romani associations, Roma were represented as one homogenous group which was resisting improvements to their living conditions.

Conclusion

The precarious living conditions of Roma in Europe have prompted the European Union to adopt measures to promote their social inclusion. Although the European institutions and the EU Member States have recognised their joint responsibility claiming to use "all the instruments and policies for which they have the respective competence" (European Commission, n.d.) to combat the poverty and segregation of Romani groups on a rhetorical level, few improvements have been achieved so far. By discussing local "Roma projects" in Slovakia, I have demonstrated that EU-funded projects have not achieved their goal of improving the living conditions of Roma but rather failed to live up to the expectations of the project staff and Roma alike, despite generous financial and personal resources. Tracing the causes for their weak performance, I showed that the projects were guided by a paternalistic approach which made it impossible for Roma to voice their needs, experiences and expectations. Instead of respecting the diverse living situations of Romani communities in the development of measures, the project staff reproduced a stereotypical image of "the Roma". In fact, Roma were being treated as one homogenous group that was in need of support and unable to help themselves.

I argued that the specific framing of Roma not only affected the development and implementation of the Slovak projects and hence their weak performance but was closely linked to a broader discourse on Roma developed by the European Union. By providing extensive funding opportunities for Roma projects, the European Union consequently sets the agenda on how Roma are to be defined and how they should be integrated into the majority societies of the Member States. The EU's contemporary discourse on Roma is

dominated by the idea of "Roma difference". Roma are identified as a specific vulnerable group whose position in the European Union is characterised by poverty, marginalisation and discrimination. The European Union consequently focuses on the fight against poverty to improve the living conditions of Roma in the Member States, while neglecting to tackle the social and political realities of antigypsyism.[8] Indeed, EU-funded projects tend to prioritise the integration of Roma into national labour markets because it is perceived as an important prerequisite for their social inclusion. Like the projects which I have presented in this chapter, the focus is centred on the presumed deficiencies of Roma (instead of their actual skills and agency). As such, projects that aim to increase the employability of Roma quickly turn into modernising and disciplinary efforts while concealing the fact that the fate of Roma in the European Union is not determined by themselves but by a non-Roma majority. Thus, I want to repeat a call that has already been made in research literature (see Maeso, 2015; Matache, 2017; van Baar, 2012) for quite some time but has not yet succeeded in entering the EU's discourse on Roma: we need to re-politicise the discourse on Roma and talk about how to tackle antigypsyism and power imbalances between Roma and non-Roma before developing future "Roma initiatives". Otherwise, the European Union will run the risk of producing another generation of ineffective Roma integration strategies.

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8 See the article by Ismail Cortés Gómez in this book.

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The Europeanisation of Racial Neoliberalism: The Case of "Roma" and "Refugees"

Angéla Kóczé and Márton Rövid

Introduction

This article is part of an ongoing reflection on what might be called the contradictory representation of Roma that manifests in a double discourse.[1] On the one hand, a pro-Roma global microcosm has emerged, promoting the "integration", "participation" and "social inclusion" of Roma. This complex network comprises non-governmental and intergovernmental organisations, various national and local bodies, activists, experts and politicians, as well as international policy frameworks, such as the Decade of Roma Inclusion and the EU Framework for National Roma Integration Strategies (Kóczé and Rövid, 2012; Voiculescu, 2017; van Baar, 2011). On the other hand, these efforts have not been able to challenge deep-rooted anti-Roma racist prejudice and unjust redistributive systems. Even honest efforts with good intentions can maintain deep-seated anti-Roma discourses and exclusionary social, economic and political structures that racialise and relegate Roma to inferior status.

The proliferation of equality and social inclusion policies indicate a growing recognition of discrimination of, and violence against, Roma. Various (local, national, international) actors pay lip service to "Roma inclusion", "anti-discrimination", "the rights of minorities", "protecting fundamental rights" and so forth without challenging the contemporary hegemonic ideology and structural injustice that has continued to the present and constitutes "enduring injustice" (Spinner-Halev, 2007). Some scholars have pointed out that "social inclusion" discourses may reinforce paternalistic policies (Rostas, Rövid and Szilvasi, 2015) and gloss over processes of racialisation, be it "brutal or subtle, destructive or reconstructive" (Fassin, 2011: 421). The so-called Roma integration strategies

1 This is an abbreviated and modified version of the article: Kóczé, Angéla & Rövid, Márton. 2017. 'Roma and the Politics of Double Discourse in Contemporary Europe'. *Identities*, 24(6): 684-700, DOI: 10.1080/1070289X.2017.1380338.

promise a short-term depoliticised, technical solution for decades of mental and material subjugation, structural oppression and racial violence.

In other words, the ambiguous problematisation of the so-called Roma issue after the fall of state socialism, alongside the development of new "European" forms of neoliberal governmentality, has masked, rather than challenged, the historic racialisation of "Roma" (Voiculescu, 2017; van Baar, 2011). Paraphrasing Goldberg's seminal book, the "racial Europeanisation" of "Roma inclusion" has been characterised by "avoidance as denial of, or at least failure to acknowledge, its own racist implication" (Goldberg, 2009: 162). A recent empirical study shows that Roma inclusion policies leave social structures that racialise and marginalise Roma intact (Szalai and Zentai, 2014).

It is tempting to overlay these discourses with such umbrella terms as "antigypsyism" (Hancock, 1997), "antiziganism" (End, 2014),[2] anti-Roma (Vidra and Fox, 2014) and "Romaphobia" (McGarry, 2013). Accordingly, scholars and policy makers have a recently growing interest in "tackling anti-gypsyism".[3] Thus, engagement with racialisation cannot be detached from the economic-political transformation of the last three to four decades, which the literature commonly describes as the expansion of "neoliberalism" (Birch and Mykhnenko, 2009; Bohle and Greskovits, 2012; Harvey, 2005; Collier, 2011; Brown, 2006).

Building on the work of scholars who have studied the relation between the racial oppression of Roma and the emergence of neoliberal regimes (Templer, 2006; Themelis, 2015; van Baar, 2011; Voiculescu, 2017), this article analyses the role of the media in the racialisation of Roma. Going beyond content analysis,[4] it studies

2 The German term 'antiziganism' recently appeared in English texts (see for instance van Baar, 2014).

3 For academic contributions, see Selling et al (2015) and van Baar (2014). Concerning policy response, the European Parliament adopted a resolution on 15 April 2015 on the occasion of International Roma Day – Anti-gypsyism in Europe and EU recognition of the memorial day of the Roma genocide during World War II (2015/2615(RSP)).

4 See, for instance, these two recently published articles: Yuval-Davis et al, 2017 and Varjú and Plaut, 2017.

the workings of "racial neoliberalism" (Goldberg, 2009), i.e. how discursive borders are created between worthy, entitled citizens and those who lack neoliberal market potential and are treated as less worthy, "dangerous", "criminal" subjects. In particular, by studying the representation of Roma in the recent "refugee crisis", the paper identifies and discusses three dimensions of contemporary neoliberal double discourse: racialised de-Europeanisation, neoliberal undeservingness and (dis)articulation of citizenship.

The Normalisation of Racialisation: "Roma" and "refugees"

In the summer of 2015 during the so-called European "refugee crisis", Romaphobia plunged to new depths. In May 2015 the Hungarian Minister of Justice asserted, "Hungary cannot take any economic refugees since we already have 800,000 Roma to catch up/integrate".[5] This was the first instance of the Hungarian government drawing a parallel between two undeserving, burdensome, imagined populations, namely "economic refugees" and "Roma to include in society". The media did not generate an interpretive frame but rather just silently transmitted and normalised the de-Europeanisation of Roma, who are perceived as non-whites, foreigners, alien to Europe's culture and values just like the seemingly unwanted "economic refugees".[6]

In September 2015 the Hungarian Prime Minister, Viktor Orbán, asserted that Hungary's historical lot is to live together with hundreds of thousands of Gypsies.

> Our situation is – irrespective of whether someone likes it or not, whether someone likes túrós csusza (a Hungarian dish), or not – the historic situation of Hungary is that it lives together with a few

5 See in Hungarian: http://inforadio.hu/belfold/2015/05/22/trocsanyi_a_balkanrol_ erkezo_menekultaradat_a_prioritasunk-728248/. See an English summary and the main reactions: http://hungarianfreepress.com/2015/05/22/hungarian-justice-minister-says-no-to-immigrants-because-gypsies-already-pose-huge-burden.

6 The term "economic refugees" is introduced by Viktor Orbán, who simply merged "refugees" and "economic migrants" into one unambiguous term. "Refugee" is the legal term according to the 1951 Geneva Convention. It refers to a person fleeing persecution and seeking protection and asylum in a different country. "Economic migrant" is a person who migrates from one country to another to seek better living conditions or job opportunities than in the migrant's own country.

> hundred thousand Roma. Someone, somewhere, has decided this sometime ago. We inherited this; this is our situation. This is a given. Nobody can object to this, either way.[7] At the same time, however, we cannot require others – in particular, others to the west of us – to follow suit, and demand that they should also live with a substantial Roma minority. What is more, when members of our Roma minority decide to leave for Canada, we want to make it very clear that we would like them to stay, and that we want to solve the formidable problems involved in our co-existence so that they can stay (Hungarian Government, 2015).

The Hungarian Prime Minister's consciously coded message on Roma and refugees was widely aired by both public and commercial television channels. By comparing Romani-Hungarian citizens to refugees, they became detached from the Hungarian nation and relegated to the category of disposable aliens.

In Hungary, television is still the main source of information for the vast majority of the population. Hungarian people spend almost 4.5 hours per day watching television on average (Messing and Bernáth, 2016). There were some media discussions about, and resistance to, the calculated equation/union between Roma and refugees that characterises the Hungarian government's pernicious de-Europeanisation and racialisation.[8] However, it did not trigger international outrage, and the most influential international media outlets remained silent.

In this widely aired public announcement, the Hungarian Prime Minister dehumanised members of the Roma community in the country, who represent roughly 10% of the population. The Roma are depicted as a historically inherited burden, internal aliens, with whom real (i.e. white) Hungarians have to live together. "Muslim immigrants/refugees" and "Roma" are both racialised strangers in

7 Please note that the official English translation of the first four sentences does not fully correspond to the demeaning Hungarian original so we replaced it with our own translation.

8 See for example the following articles on various media sites in Hungary and Slovakia: http://parameter.sk/ciganyok-migransok; http://nol.hu/belfold/orbanelvitatta-a-ciganyok-hazafisagat-1562025; http://gepnarancs.hu/2015/09/merkel-es-orban-ciganyok-es-menekultek-integraciok-es; http://index.hu/belfold/2015/05/22/a_ciganyok_miatt_nem_kerunk_a_menekultekbol.

a sociological understanding, perceived as unadaptable and alien to the imagined "native" culture. They are embodiments of a distributable and disposable population. Robert Fico, Slovakia's Prime Minister, used the same framing as Orbán, suggesting that it would be "impossible to integrate" Muslims, because they are the same type of "compact community" as the Roma, who are "self-isolating and dependent upon welfare" (Cunningham, 2016).

In October 2015 the Hungarian government even went a step further. The Minister of Justice maintained, "Roma could be a target for radicalization. [...] There is a risk Roma could end up in Syria as foreign fighters alongside jihadist or other radical groups". (Nielsen, 2015) Based on his suggestion, "Roma" and "Muslims" are not only non-European aliens, they are also prone to aggression and radicalisation. The Minister of Justice was speaking at a high-level ministerial conference about the challenges and the role of the European Union (EU), entitled "Criminal justice response to radicalization in the EU". As *EUObserver* reported, the Hungarian minister was among 18 justice ministers, but none of them challenged the notion of connecting Roma with potential terrorism.[9] When *EUObserver* (2015) asked the Hungarian Government's spokesperson "why a Roman Catholic Roma would choose to fight alongside radical jihadist groups in Syria?", he responded: "It is because they are deprived people and are usually more exposed to radical views". This calculated framing connected entrenched poverty with radicalism. Remarkably, it was not challenged or debunked either by *EUObserver* or by other international media outlets. Consequently, it remained unquestioned as an accepted explanation, even by EU bodies at the heart of the European Union. This silence in international fora implicitly acknowledges and politically legitimises the dehumanisation of Roma, and feeds into the well-known narrative of the "Gypsy threat" (Loveland and Popescu, 2016).

Hage observes, in relation to the "refugees", "not only are they transgressors of national and class borders and forms of area mobility but, they are seen as culturally ungovernable: neither assimilation nor multicultural governance works on them" (Hage, 2016: 7).

9 The plenary morning session is on the European Commission website: http:// ec.europa.eu/avservices/video/player.cfm?ref=I110613.

In other words, based on his explanation, the fear of the racial others is a fear of reverse colonisation.

> A feeling of being besieged by the very people whom one is actually colonizing is, paradoxically, part and parcel of the history of colonialism. [...] In such narratives what has been represented as the 'civilized' world is on the point of being overrun by 'primitive' forces. [...] In each case a fearful reversal occurs: the colonizer finds himself in the position of the colonized, the exploiter is exploited, the victimizer victimized (Ibid: 2).

The discourse on "refugees" requires a differentiation between "fake", "non-deserving" "economic migrants" and "real", "deserving", persecuted refugees. However, "Roma" and "Muslim refugees" are marked as "pre-emptive suspects", who are already untrustworthy. In a similar manner, when Eastern European Roma seek asylum in Western Europe or North America, they are often viewed as "bogus" refugees (Holmes and Castaneda, 2016: 8). Racialised groups, such as "Roma" and "Muslim immigrants/refugees", are always at the bottom of deservingness appraisals. They are not only seen as non-deserving poor but are also perceived as an economic and cultural threat to the white nation. Gábor Várady, the head of the Roma minority self-government in Miskolc, an industrial city in North-East Hungary noted: "These days, you hear ever-stronger statements about Gypsies, about migrants, things you would never have heard 20 or 25 years ago" (Escritt, 2015). The TÁRKI Social Research Institute substantiated the intensified hostility against people who are seen as alien in Hungary. They found that in Hungary in 2016, the proportion of xenophobes rose to a record 53%, an all-time high since 1992, whereas xenophilia had practically disappeared (Simonovits et al, 2016).

The apparent deficiencies of resistance and opposition against the emerging framework that lump "Roma" and "Muslim immigrants/refugees" into the same category provide political empowerment for politicians such as Viktor Orbán and Robert Fico. Racist statements, such as the ones cited above, are uncritically reiterated and transmitted by various media outlets. The silence and lack of resistance against the dehumanisation, de-Europeanisation and racialisation of

Roma in the media, and in other public fora, reinforce their position as "unworthy" and "harmful" second-class citizens. Pro-Roma actors, including the specialised bodies of the EU and other international organisations, should pay far more attention to such statements and react immediately, before they are relegated to the realm of the uncontested notion, of "common sense" about Roma. Racism is not an irrational, personal attitude; its hegemony is based on the consent of the majority.

Dimensions of Double Discourse

The case study illustrates three dimensions of double discourse: (1) racialised de-Europeanisation, (2) neoliberal deservingness and (3) (dis)articulated citizenship.

(1) There has been a growing literature on the Europeanisation of the so-called Roma issue (Kovats, 2001; Ram, 2010; van Baar, 2015; Vermeersch, 2012) which has downplayed discourses of de-Europeanisation. The cases demonstrate that the media often constructs "Roma" as a new collective de-Europeanised internal alien, on the basis of some historically recycled stereotypes that are attributed to Roma by labelling them as "lazy", "criminals", "dirty", "fake refugees", "poverty migrants", "underserving poor" etc. This skillful framing affects public opinion and is a result of the dominant new modality of racism, as coined by Balibar (1991), "racism without race" in our modern historical period. He outlined the transformation of the idea of race from biological, via a socially and politically constructed category, into "cultural differences", that are more sophisticated and subtle forms of racism.

Following numerous incidents in Europe, there is a traceable selective logic over which groups become racialised and de-Europeanised in the media. The racialised and de-Europeanised "others", such as Roma, Muslims and refugees, embody disposable populations. They are exposed as an anti-thesis of "Europeanness" by signifying a tacit formation of racial whiteness (New Keywords Collective, 2016). Subsequently, "Roma", "Muslims" and "refugees" have been discursively constructed in the public domain as racialised, corporeal, objectified "infra-humans" whose subordination is maintained by the superiority of the white European. The

media is using a variety of strategies – including reiteration and an uncritical transmission of a distorted representation of Roma – to strengthen the superiority of the white majority *vis-à-vis* racialised Roma (Kóczé and Trehan, 2009). The case provides ample illustration of the de-Europeanisation of Roma, i.e. their construction as aliens to European civilisation and prosperity. "The reproductive logic of Euro-racism ensures that those 'racially non-European' are never, nor can ever be, European, or at least European enough" (Goldberg, 2009: 183).

(2) The case study amply illustrates how Roma are portrayed as an undeserving population in the media. Through the neoliberal lens of workfare regimes, Roma are seen as non-deserving poor (van Baar, 2011). The media narrative about undeserving Roma legitimises the abandoning of their social rights and social protection.

In general, neoliberalising race entails "the increasing stress on individualized merit and ability in the name of racelessness [alongside] structural shifts in state formation away from welfarism and caretaker state" (Goldberg, 2009: 331). The neoliberal "became increasingly troubled with securing privatized interests from the projected contamination and threat of those deemed for various reasons not to belong" (332).

Going beyond Goldberg's note on the importance of "individualised merit" and "threat of those deemed for various reasons not to belong", Kymlicka offers three factors of perceived deservingness: (1) voluntariness, i.e. whether someone's misfortune or disadvantage is under their voluntary control; (2) identity, i.e. to what extent the person is seen as belonging to a shared society; (3) attitude, i.e. the extent to which recipients are seen as accepting benefits in the spirit of civic friendship; and reciprocity, i.e. the extent to which recipients are seen as likely to help others when it is their turn to do so (Kymlicka, 2015: 10).

Relying on these three factors, one can study how the media event contributes to positioning "Roma" at the bottom of deservingness judgements (Kymlicka, 2015: 10). First, the disadvantage of Roma is perceived to be under their voluntary control, since they

are portrayed as workshy, lazy, parasitic etc. Second, Roma are portrayed as internal aliens who do not belong to a shared society. They could be allocated to other countries just like refugees. Third, Roma are portrayed as thankless strangers who would never reciprocate benefits in the spirit of civic friendship. Based on Kymlicka's scheme, Roma can easily be constructed as scapegoats.

Neoliberal states remain silent about the racialisation of Roma and promote exclusionary social and political structures through economic restructuring, which punish, securitise, criminalise and disproportionately disadvantage Roma (Themelis, 2015; van Baar, 2011). When Roma inclusion initiatives are depicted in the media, the stories do not explain the enduring injustice to Roma, but rather it is coded and mis-conceptualised by non-Roma as yet more targeted support for "undeserving" and "over-supported" Roma (Bernáth and Messing, 2013; Marushiakova-Popova and Popov, 2015).

Themelis (2015) draws attention to the striking parallel between the racialisation of Roma in the current crisis of late capitalism (neoliberalism) and the Holocaust of the Jews in the late 1930s and early 1940s. He argues that the Nazi leadership constructed the Jews as the "evil within Germany society" to create a collective scapegoat. Nowadays, the Romani population has become a new collective scapegoat to mask structural inequality and injustice created by late capitalism (16). Subsequently, the false biopolitical border between the racialised undeserving Roma and the white deserving poor prevents class solidarity among subordinated precarious populations in Europe. Instead of solidarity, defending public institutions and demos, the system covertly promotes, with the assistance of the media, the racialisation and collective scapegoating of Roma to polarise revolt against neoliberal structural oppression.

(3) Lastly, the case study illustrates how the politics of double discourse (dis)articulate citizenship. Ong succinctly argues that "the concept of citizenship has been based on a binary opposition between the rights of citizenship rooted in a national territory and a stateless condition outside the nation state" (Ong, 2006: 15). The case of Roma refutes this conceptualisation of citizenship. As in the statements by Orbán and Fico, not only does race become coded

but the political citizenship of Roma also becomes (dis)articulated. Roma, who were born and have lived for many centuries in European countries, possess legal citizenship but, by being racialised and less worthy from a neoliberal perspective, their political citizenship is not recognised, but questioned and (dis)articulated.

Citizenship is "the right to claim rights" (Isin, 2013: 25). The case illustrates that citizenship in general, and EU citizenship in particular, is hierarchical and uneven. The media plays a key role in creating such discursive borders and – consequently – it has a prime responsibility to deconstruct and contest this racist and exclusionary rhetoric. The double discourse thus entails narratives about the protection and social inclusion of citizens of Romani origin, which are in sharp contrast with the above analysed media narratives.

Media consumers who encounter the usual stereotypical anti-Roma and exclusionary narrative are left to draw their own conclusions: Roma prefer to live as outsiders, it is their choice, it is their "culture", therefore they are responsible for their situation. Such hegemonic narratives become "common sense" – in a Gramscian sense – they obfuscate structural injustice and justify the exclusion of Roma.

These narratives resemble Hancock's (1997) explanation that Romani culture is depicted by some non-Roma as an essentialist, exclusivist and separatist culture to justify anti-Romani prejudice. Readers are given the option to select from a false dichotomy, like the one presented by *The New York Times* writer Dan Bilefsky, who is a regular reporter on Roma-related stories for *The New York Times*. In his piece, "Are the Roma Primitive, or Just Poor?" (Bilefsky, 2013), he creates a false dichotomy by depicting the Roma as either culturally unable or unwilling to integrate into European society, as an "inferior" racialised group.

Conclusion

Studying the media representation of Roma has gained prominence in the last years; however, it has mostly been restricted to quantitative content analyses. This article investigated how specific media events contribute to the ideology of racial oppression of Roma by reproducing hegemonic neoliberal discourses relegating "Gypsies"

to inferior positions. In particular, the paper exposes "the politics of double discourse" in relation to Roma. In limited fora, the integration, human rights and equal opportunities of Roma are promoted, whereas mainstream media tend to portray Roma as internal, subordinated others. This article argues that the politics of "double discourse" is itself a neoliberal approach towards Roma.

The coexistence of pro-Roma networks and policies on the one hand, and enduring structures of anti-gypsyism/antiziganism/Romaphobia on the other can only be understood by analysing the mechanisms of neoliberal structural racism. By studying the representation of Roma in the recent "refugee crisis", the paper identified and discussed three dimensions of contemporary neoliberal double discourses: racialised de-Europeanisation, neoliberal undeservingness and (dis)articulation of citizenship.

Along these dimensions, we related the literatures on the Europeanisation of the "Roma issue", on racial neoliberalism and on "anti-gypsyism". Through the case study, this paper demonstrated that these approaches cannot, and should not, be separated from each other. For instance, the role of the EU in promoting the "social inclusion" of Roma can only be understood in the context of racial neoliberalism in Europe.

Media representations, such as the example above, are still largely tolerated, with silence or minor reactions in the mainstream press. Think for a moment, about the reaction such comments would garner if the speakers were talking about African Americans or Latinos in the United States. The backlash would lead to resignations. In this respect, Roma are truly racialised and perceived as an "inferior other". This viewpoint gives support to, and fuels explicitly racist, Romaphobic political discourse, which is currently mobilising people in Europe around recycled and repetitive claims that the Roma are "socially unadaptable" and incapable of integrating into Europe. In such a context, the apolitical "social inclusion", "equal opportunity" rhetoric disguises the structural oppression Roma face.

As Bilefsky (2013) notes: "At a time of fiscal austerity, policy makers are raising a thorny question: after centuries of persecution and

living on the fringes of society, can the Roma ever integrate into Western Europe?". The author assumes that "Roma integration" lies solely in the hands of the Roma. It does not. Such questions lead the dominant, white majority to wonder, "What's wrong with the Roma? Why are they involved in all these illegal activities?". Broadly speaking, in recent reporting, difficult questions about social exclusion, racial discrimination, structural violence and social and political oppression are simply and obviously dismissed. Instead, society comes to a very familiar, easily understandable, socially palatable and politically translatable conclusion that the Roma do all of these things because they have preserved their century-old traditions, implying that Roma culture is inherently criminal and antithetical to the European social fabric.

Moreover, these stories generate a perception among white European and North American readers that "throwing money at the Roma is futile, unless they fully commit to integration" (Bilefsky, 2013). Even when the media is not overtly biased and twisted, they still rely on tired stereotypes of Roma difference, and descriptions of the "exotic" and undoubtedly non-European Roma "culture" as a way to invoke reader's subliminal fears and anxiety. What could compensate for these narrative devices? Accounts of Roma as leaders in their communities; Roma as caring parents; Roma as intelligent children; Roma as banal citizens, other than exotic others or wandering musicians and thieves. The media should follow closely anti-racist and social inclusion policies that combat structural discrimination, as well as challenge a neoliberal ideology, which sustains and reproduces racial hierarchy. The media must construct a new narrative about Roma as ordinary citizens, allowing us to imagine them as neighbours, friends, workmates, lovers and even family members.

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Section III :

Structural Discrimination

The Struggle for the Right to Water for Roma in France

Marek Szilvasi and Maylis de Verneuil

Introduction

On 22 October 2018 the European Parliament (EP) voted on a revised version of the Directive on the quality of water intended for human consumption (the Drinking Water Directive, adopted by the European Council in 1998). Among the proposed changes, the draft introduces a new Article 13 on access to water in which the European Union (EU) is "requiring Member States to improve access for all people, especially for vulnerable and marginalised groups, which currently have difficult access to drinking water" (European Parliament, 2018).

The introduction of this Article 13 is a significant change in EU water policy, which until 2018 exclusively focused on establishing and monitoring water quality standards. It is indeed the first time that the EU institutions recognise that European citizens face challenges in terms of access to water and that social exclusion is taken into consideration. Furthermore, the draft revision of the Directive adopted by the European Commission (EC) in February 2018, recognises Roma among the vulnerable groups, and makes reference to them multiple times. The revision of the 20-year-old Directive was a response to the European Citizens' Initiative "Right2Water", launched in 2012 to petition the EC to ensure that EU law protects water as a human right (EPSU, n.d.).[1] The explicit recognition of the situation of Roma in the Directive was in large part due to the EC's Directorate-General for Justice, which is responsible for coordinating Roma inclusion, and the advocacy efforts of the European Roma Rights Centre (ERRC).

By recognising that no person in Europe should be excluded from adequate water supply, EU bodies caught up with the United Nations (UN) framework obliging States to provide safe, good quality and

1 The Initiative urging EU bodies to recognise the human right to water was created under the leadership of the European Public Service Unions (EPSU) in November 2012. Their online petition collected more than 1.9 million signatures.

affordable drinking water as a matter of right. On 28 July 2010, through Resolution 64/292, the United Nations General Assembly (UNGA) had explicitly recognised the human right to water and sanitation, and had acknowledged that clean drinking water and sanitation are essential to the realisation of all human rights.[2]

Despite tangible progress achieved in improving water supply frameworks, water access remains a challenge for many European citizens who are socially excluded. According to the United Nations Economic Committee for Europe and to the World Health Organisation, 12% of the population (some 110 million people) in the pan-European region is still without access to safe drinking water (UNECE and WHO, 2012), and many of them are Roma (ERRC, 2017; United Nations Development Programme, 2013). The recent EC review of the implementation of the EU Framework for National Roma Integration Strategies (2011) reveals that EU Member States have achieved little progress in terms of providing access to water to their Roma communities. According to the European Union Agency for Fundamental Rights (FRA), 30% of Roma households in Europe remain without access to water and 38% of Roma households have no toilet, shower, or bathroom (European Union Agency for Fundamental Rights, 2018: 43-45). Moreover, the FRA data demonstrate that the situation has not improved since the EC Framework was established in 2011.

The legal and policy frameworks of EU Member States differ in terms of how they approximate the human right to water. In November 2016 Slovenia became the first country in Europe, and the fifteenth in the world, to enshrine the right to water in its Constitution (Szilvasi, 2018). France, considered a progressive country in terms of water policy, has been debating about doing the same. It is the third biggest bilateral donor of funds for water-related projects in the world and it also actively campaigned for the recognition of the UN right to water (France Diplomatie, n.d.). Many global water corporations and programmes have their headquarters in France, including two of the largest water companies in the world – Veolia Environment and Suez Environment (ETC

2 For more on the UN human right to water, see: European Roma Rights Centre, 2017.

Group, 2012). The UN Water Decade 2005-2015 headquarter and World Water Forum have their headquarters in Marseille.

Despite France occupying a strategic position in improving water supply in the world and advancing progressive legal frameworks, we find little evidence when it comes to public measures on water supply for Roma in France. The text of the French Government Strategy for Integration does not mention access to water as an area of intervention and the situation with regard to water access for Roma in France was not featured in the last FRA survey (*French Government Strategy for Roma Integration*, 2011). With no policy commitment, no specific legal framework, and no systematic evidence collected, it is difficult to get insight about the situation relative to access to water. However, some recent research and surveys on the situation of Roma in France reveal challenges in terms access to water, as elsewhere in Europe (European Commission, 2014).

In this article, we will first analyse the recent promising evolution of the French legal framework with regards to access to water (1.) We will then confront it with the reality of Roma living conditions (2.) and demonstrate the low level of implementation of the progressive legislation, as a consequence of antigypsyism in France (3.).

1. A Promising Evolution of the French Legal Framework

It is important to start with the positive example of the municipality of Roquevaire (Bouches-du-Rhône), which on 19 December 2011 adopted a decree stating that water was a "common good of humanity", and set up a new rate of one symbolic euro for three cubic meters (instead of 3 to 4 euros charged usually). The municipality of Roquevaire emphasised that "drinking water should not be a commodity source of unjustified profits", and it should be available for all its residents (Coordination Eau-bien commun, 2016).

French law contains many promising measures with regards to access to water for all, starting with the Constitution, then current legislation and finally draft bills to be voted in the Parliament. In the French Constitution, the protection of public health and the right to a decent accommodation is included in the 10th and 11th paragraphs

of the 1946 Constitution Preamble. The Constitutional Council had many opportunities to recall these constitutional obligations when dealing with access to drinking water or access to electricity.[3]

With regards to French legislation, there are different relevant paragraphs in various codes that could be evoked when focusing on access to water for Roma. Water management is stipulated in Article L.210-1 of the Environmental Code that reads: "Water is part of the common heritage of the nation (...) The use of water belongs to everyone and every natural person, for their food and hygiene, has the right to access drinking water in conditions economically acceptable to all". Articles L.2224-7 and L. 2224-7-1 of the Local Municipality Code then refer to water connection: "Right to connection to water – competence of municipalities – water distribution scheme determining the areas served, with obligation of connection if in the service area determined by the scheme". Article L.115-3 of the Code of Social Action and Families stipulates the access to public utilities in case of socio-economic difficulties: "Right to help with the provision of water, energy and telephone services in case of particular difficulties – prohibition of water breaks in a primary residence, including following termination of contract for non-payment of bills".

The Council of State (*Conseil d'Etat*), in its Study on Water Law, noted that although the right to water is not a constitutional principle *per se*, this right is "indirectly linked" to two constitutional principles (*objectifs à valeur constitutionnelle*): the right to decent housing (Constitutional Court, n° 94-359 DC, 19 January 1995) and the protection of public health (Paragraph 11, Preamble to the Constitution of 1946; Constitutional Court, n° 93-325 DC, 13 August 1993) (Conseil d'Etat, 2010: 41). These general constitutional "principles" are not directly enforceable in court without

3 La "Protection de la santé publique" (CC n°93-325 DC du 13 août 1993, cons. 70) et le "droit à un logement décent" qui s'appuie sur les 10ème et 11ème alinéas du préambule de la constitution de 1946 (CC n°94-359 du 19 janvier 1995 cons. 7 (diversité de l'habitat) ; CC n°98-403 DC (exclusion) ; CC n°2009-578 DC, du 18 mars 2009, cons. 12) (deux objectifs de valeur constitutionnel rattachables au droit à l'eau potable et à l'électricité) (sur le lien entre le droit à l'eau et l'objectif de valeur constitutionnelle de disposer d'un logement décent issu du préambule de la Constitution de 1946, voir ci-dessous CC, décision n° 2015-470 QPC du 29 mai 2015, cons. 6).

specific enacting legislation, but it is conceivable that the right to drinking water could be invoked as a necessary corollary of the existing legal right to housing and health.[4] The Council of State goes on to note that "the right to water excludes *de facto* the homeless who, for lack of being housed in decent housing, cannot, despite the terms of the law, access water for their hygiene and consumption" (Conseil d'Etat, 2010: 50).

The French law has specifically recognised a legal right to drinking water in Article L. 210-1 (2nd para.) of the Environment Code that provides: "Within the framework of laws and regulations, as well as previously established rights, the use of water belongs to all and each person has the right to access drinking water for their consumption and hygiene, under conditions which are economically acceptable for all".

Law No. 2013-312 of 15 April 2013, known as "*Loi Brottes"*, besides preparing the transition to greener and more sustainable sources of energy, also includes provisions on water pricing. It prohibits cutting the water of a primary residence even in case of unpaid invoices. Thus, water providers (public or private) cannot immediately cut the water supply to a dwelling when a customer no longer pays for his/her subscription and/or consumption. This law is based in particular on the right "to access drinking water in economically acceptable conditions by all" (Article L. 210-1 of the Environment Code).

1.1. The Water Laws Applied and Implemented

However, when it comes to the implementation of the above laws, there are significant shortcomings. In a number of cases, the courts have interpreted this right to water rather restrictively. In a 2010

4 Article L. 300-1 of the Construction and Housing Code provides: "*The right to decent and independent housing mentioned in article 1 of Law n° 90-449 of 31 May 1990 which aims to implement the right to housing, is guaranteed by the State to every person who, residing legally on French soil and with a degree of permanency defined by Decree by the Council of State, is not able to access or maintain themselves in housing within their own means*. [emphasis ours]." Article L. 1110-1 (para. 1) of the Public Health Code provides: "The fundamental right to the protection of health must be implemented by every available means for the benefit of all." Article L. 1110-3 (para. 1) of the Public Health Code also relevantly provides that "no person may be discriminated against in access to preventive health or care".

decision arising from a refusal by a local water authority to connect a private residence to the public water network,[5] the Nîmes Court of Appeal held that although Article L. 210-1 establishes "a right to water", "there is no general and absolute right for a person to require the connection of a construction to the public drinking water network". A second decision handed down by the Nancy Court of Appeal in 2013 found that a mayor, in exercising his or her discretion to cut the water supply to a private residence to abate a serious nuisance caused by flooding, did not infringe the right to water under L. 210-1. However, in a case handed down by France's Constitutional Court in 2015, the court explicitly confirmed the link between the right to decent housing and uninterrupted access to drinking water, even when water bills are unpaid (Conseil Constitutionnel, 2015).

An explicit reference to the "right to water" for Roma communities can be found in the 2011 Recommendation of the Human Rights Ombudsman *(Défenseur des Droits)* concerning access to water and electricity, in which the Ombudsman urged the Government not to disconnect encampments during winter.

Furthermore, on 13 July 2013, following the introduction of Ministerial Memorandum NOR INTK1233053C of 26 August 2012 concerning the evacuation of settlements,[6] the French National Consultative Commission on Human Rights issued a recommendation that, for as long as alternative housing cannot not be found, it would be preferable "to seek to improve the living conditions [of slum inhabitants] while the [social assistance] procedure runs its course, by guaranteeing, as for all citizens, fundamental rights, themselves conditioned by access to basic services: access to drinking water and to sanitation, rubbish collection and connection to the electrical grid" (CNCDH, 2013).

Similarly, on 10 February 2015 the French National Consultative Commission on Human Rights issued a second lengthy Opinion "concerning the respect of the fundamental right of populations living

5 No. 2010-015345, *Fraisse c/ Syndicat des Eaux de la Basse Ardèche*.

6 The 2010 Circular refers to "Roma settlements", the 2012 one mentions "illicit settlements".

in slums", which stated that: "Article L. 210-1 of the Environment Code provides that municipalities must guarantee access to drinking water for all people entering into their area of distribution" (CNCDH, 2015). In our view, this is an inaccurate summary of Article L. 210-1, which makes no reference to the obligations of municipalities, nor to their distribution networks. The Commission also restrictively pointed out that informal houses without planning permission or land title can legally be denied a permanent connection to the drinking water network. A caravan stationed in a halting site for longer than three months requires planning permission. This is at odds with the Council of State decision that the owner of a caravan may request a temporary connection if there is a particular reason for doing so, for a limited period of time (e.g. a temporary connection to amenities during the winter months to protect the family living in the caravan) (Conseil d'Etat, 2015).

In light of the language of these provisions and the secondary sources set out above, in our view the right of access to water is limited (for Roma) in the following ways:

(i) the right is a right of *access to water*, and not necessarily a right to a particular form (and amount) of *supply*;

(ii) the right is limited to such water as may be necessary for *consumption* and *hygiene*;

(iii) the right is not a right to *free* water – the right is to access water under *acceptable economic conditions for all*, including the economic interests of the water supplier (whether that be a private corporation or the State). This last point is implicitly called into question by the recent decision of the Constitutional Court (cited above), which effectively prohibits cuts to water to residences, even if water bills are unpaid.

1.2. Legal Recognition of Ethnic Minorities

The French legal system does not refer to national, racial, ethnic, religious or linguistic minorities. The reasoning behind this is that the State should only interact with the individual citizen, not with its community or group, in order to ensure equal treatment for

everyone. In a strict interpretation of one of the fundamental principles of "*Liberté, Egalité, Fraternité*", French authorities avoid targeted measures for ethnic, religious or linguistic groups. According to Gilbert and Keane (2016), "in practice this has rendered minorities invisible and brought systemic forms of discrimination".

Partly because of the reluctance to recognise the existence of ethnic minorities, it took French lawmakers a long time to implement the EU Racial Directive. The first law which transposed the Directive into French anti-discrimination law in 2004 had many shortcomings, to which the European Commission responded with an infringement procedure for failing to adequately implement the Directive. It was only in 2008 that a new law was adopted to properly implement the Directive.[7]

However, the French anti-discrimination law still contains a number of challenges. The burden of proof for being discriminated rests on plaintiffs. The law does not allow statistical evidence and evidence of a broader context than the individual case provided by plaintiffs. In case broader evidence or an expert analysis is necessary, the court can appoint the experts registered with the court. These are usually conservative (retired) experts who are unlikely to break with the status quo. It also requires that plaintiffs prove that they are discriminated by demonstrating that other people of different ethnicity but with a similar lifestyle, social status, or place of residence are treated in the same way.

1.3. Provision of Public Utilities for Travellers

The laws detailing the provision of public utilities in halting sites for Travellers are also relevant. Law n° 90-449 of 31 May 1990, known as "*Loi Besson*" requires departments to establish departmental plans providing for "specific reception conditions/halting sites for Travellers". It obliges the municipalities of more than 5,000 inhabitants to reserve some reception areas, or "halting sites" for Travellers. In the absence of constraints imposed on reluctant

7 Loi n° 2008-496 du 27 mai 2008 portant diverses dispositions d'adaptation au droit communautaire dans le domaine de la lutte contre les discriminations. Available at: https://www.legifrance.gouv.fr/affichTexte.do;jsessionid=A236ABB71B394B26623BA571BCB2F59F.tpdjo07v_3?cidTexte=LEGITEXT000018880606&dateTexte=20090107.

communities, the French Senate (2015) observed that years after the entry into force of this law, barely a quarter of the municipalities concerned had fulfilled their obligations towards Travellers.

The law n° 2000-614 of 5 July 2000, known as "*seconde Loi Besson*" relating to the reception and housing of Travellers, integrates in the town planning code the provisions of the first Besson law and strengthens municipalities' obligations towards the travelling community (school attendance for children, access to health care and exercise of economic activities, among others). In practice, these reception areas can be used in different ways: they can be grounds intended for long stays – even permanent, for short stays, or for temporary use linked to occasional gatherings. The second Besson law aimed at creating around 30,000 reception areas in five years. However, this objective was never achieved.

2. The Limited Access to Water for Roma in France

Denying access to water is among the first measures public authorities take when they do not want Roma to settle or when they decide to evict them from their municipality. Because they are denied a residence permit, renting contracts and property purchase, and also because of their socio-economic situation, many Roma resort to living in informal squats or *bidonvilles*, where they have restricted or no (formal) access to public utilities such as electricity, heating, waste disposal, water and sanitation. This concerns nomad, semi-nomad and sedentary Roma.

In 2014-2016 the ERRC (2017) conducted research on water access for Roma in seven countries, including France. The researchers examined access to water and sanitation in migrant Roma camps (*bidonvilles*) and halting sites for Travellers (Roma, Sinti, *Tsiganes, Gens du voyage,* etc.). Across France, the research identified that Roma (migrant Roma and Travellers) face significant challenges in accessing water for consumption and hygiene.

2.1. The Frequent Practice of Forced Evictions

The CNDH Romeurope (2018b) reported that there was at least one eviction every three days in France, and that no less than 37 squats and slums, some of them with several hundred inhabitants, were

demolished in Ile-de-France and other departments such as North, Bouches-du-Rhone, Loire Atlantique, and Haute-Garonne.

This cycle of constant and frequent evictions has undermined the official legal and policy frameworks, including those ensuring civil liberties, public health, physical safety and social protection. For example, some evictions were carried out in the middle of school enrolment and vaccination campaigns among Romani children, resulting in these children not being fully vaccinated (European Commission, 2014). In this context, civil society organisations defending Roma rights to basic public utilities like water and sanitation, are not able to call on responsible public authorities to respect their rights in a timely manner. When authorities conduct evictions frequently, it is difficult to collect evidence and to establish (in courts) that they failed to provide access to basic public utilities. The attempts to hold public authorities accountable for securing access to these basic utilities only accelerates the evictions cycle.[8] The evictions logic precedes respect for human rights as far as public authorities' treatment of Roma in France is concerned. The evictions cycle encouraged by public authorities and judges is only paused during the winter moratorium, from 1 November until 31 March.[9]

2.2. Roma Living in Slums

Since 2012 the Interdepartmental delegation on accommodation and access to housing (*Délégation interministérielle à l'hébergement et à l'accès au logement*, DIHAL) is in charge of "anticipating and accompanying evacuations of illegal encampments, in accordance with the inter-ministerial memorandum of 26 August 2012". In February 2018 DIHAL published an inventory of illegal encampments and slums, which shows a downward trend in the number of people living in camps. There were some 14,800 people living in slums in December 2017, compared to nearly 16,000 in April 2017 and almost 20,000 in March 2015, despite the fact that in 2017 more departments joined the census and declared slums in the area for the first time (for example, Ain, Doubs, Indre-et-Loire, Savoy and

8 ERRC interview with Médecins du Monde Lille, 2015, Lille.

9 Loi n° 2014-366 du 24 mars 2014 pour l'accès au logement et un urbanisme rénové. Available at: https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000028772256&categorieLien=id.

the Channel) (DIHAL, 2017). The number of *bidonvilles* however remains stable (around 570), which suggests a change in the size of sites towards smaller settlements or halting sites on average.[10] It should also be noted that there has been a significant drop in the number of people in camps in certain departments that have managed to set up proactive and partnership-based policies to support them. Thus, in Haute-Garonne, after a 25% decrease in the number of inhabitants of slums and squats between October 2016 and April 2017, the number of inhabitants decreased again by 49% (-300 people) (DIHAL, 2017).

In fact, often there is no obvious difference between the housing conditions these Roma endure in segregated neighbourhoods of Eastern Europe and in France. The camps are often built in difficult sites in industrial parks and close to highway exits, with no paved roads. Houses are usually made of scrap metal, plastic waste and waste wood. Some informal camps are built close to accessible fire hydrants or taps in abandoned buildings in the industrial zones of cities.

Although the DIHAL reports make no reference to access to water and sanitation in these squats, several recent cases reported by civil society and media provide insight into water supply availability in the Roma squats. In its annual report, CNDH Romeurope (2017) refers to the figures of the national programme on health mediation, which based on the collected data from 53 slums and squats in France, revealed that 77% of their inhabitants have no access to water. In 2016 the ERRC researchers reported on challenges in accessing water for Roma in Marseille and Lille (Zaharieva and Szilvasi, 2016). In August 2018 the municipality of Canéjan (Gironde department) closed down the fire hydrant that constituted the only access to water for the temporary Roma camp there, where some 300 people were living, in the middle of a heat wave (Dynameau, n.d.; BFMTV, 2018).

10 Although DIHAL reports transfers of people from *bidonvilles* to permanent housing on their website, this information lacks clarity on what housing has been provided. In addition, *Gens du voyage* are not included in their statistics.

The ERRC researchers also collected evidence in 17 randomly selected Roma squats in Paris, Lille, Marseille, Grenoble and Strasbourg. In none of these squats did Roma have tap water, a shower or a toilet in their households. There was also no temporary system – credit pumps or water provided in mobile tanks – established by authorities. A large number (100 and more) of people sharing one water resource was reported in 16 squats. In 13 squats, Roma had to walk long distances to fetch water and all 13 reported they needed to overcome significant obstacles (crossing highways, fences, and private property) on their way to water. In 12 cases, people used external self-made dry toilets or defecated in the open environment.[11] The ERRC research revealed that for many migrant Roma living in *bidonvilles* the only water supply available comes from the fire hydrants nearest to their squat, which are used by firemen. Sometimes firemen and neighbours tolerate Roma fetching water from these hydrants, but there were also incidents reported, for example in Lille in 2015, when they confronted and blocked access or deliberately damaged hydrants so that Roma could no longer access the water (Zaharieva and Szilvasi, 2016).

It is commonly accepted among Roma from *bidonvilles* that one has to walk to fetch water and to use toilets. Fire hydrants and public fountains are often several hundred metres away, sometimes several kilometres. This walk can be dangerous as one has to cross highways, climb over fences and lock gates, trespass closed public parks or private property, and try to avoid stray dogs. There are informal Roma squats in Paris, Lille, and Marseille with no water supply, where people have to cross busy highway exits (without lights or pedestrian crossings) in order to fetch water. Zigzagging between cars is significantly slower when carrying full canisters or plastic bottles.

Arguments can also arise with firemen, car wash owners, or neighbours having problems with Roma using fire hydrants, public taps at fuel and carwash centres, taps in cemeteries or public fountains as a permanent water supply. Even when the tap is located inside or near the squat, getting enough water for daily hygiene can be a

11 ERRC, unpublished research evidence collected for the *A Thirst for Justice* report. Available at the ERRC upon request.

challenge. One tap is shared with tens of people, at least; there is only cold water and no reservoirs available besides plastic canisters or large pots. Then comes the problem of how to heat water and where to find a place to wash oneself, including intimate parts. In these conditions, basic daily hygiene takes time and one thinks twice about having a shower outdoors during the winter months. The scarcity of water leads to compromising on personal hygiene. Unwashed food and hands lead to digestion problems, diarrhoea, colic or hepatitis; the lack of showers can provoke skin diseases like acne, eczema, scabies, impetigo or lice. The poor sanitary conditions due to lack of water are reinforced by being made to defecate in open or self-made pit latrines (which nobody comes to empty) in the surroundings of the squats and halting sites.

2.3. Roma Living in Halting Sites

Official halting sites for Travellers are either managed directly by municipalities or outsourced to private companies. The halting sites are equipped with public taps and public showers and the site managers charge daily fees as well as service fees for using these utilities. In most sites, there are common water meters and blanket fees are applied according to the number of people living in the caravan. In some halting sites, Travellers have to pre-pay their stay and utilities. Sometimes a halting site has individual water meters with pre-paid credit system locks. According to interviews conducted by the ERRC with *Gens du voyage* in Besançon, water access is terminated when Travellers fail to pay the fee.[12] As we will argue in the next section on the law, disconnecting people from water supply due to paying arrears is illegal in France, but it seems that halting sites for Travellers across France continue with this practice.

Although civil society organisations and volunteers supported Roma in making formal requests to local municipalities (for example AREAS in Lille, RomEurope 94 in Rungis, Ile-de-France and *Rencontres Tsiganes* in Marseille), these requests remain in the majority of cases unanswered. Instead, some camps have been demolished following the requests: "Yes, we have made requests, but the response of the municipality was always negative. The politicians

12 ERRC, unpublished interviews with *Gens du Voyage*, Besançon, April-May 2015.

make us understand that authorising the installation of water points in informal settlements is indirectly an encouragement for families to stabilise their lives in this settlement", said Gratiela Butaru, health mediator with AREAS to the ERRC consultant.[13]

2.4. The "Villages d'Insertion" Project: Opportunities and Challenges

In 2007 some French municipalities launched a project of "*villages d'insertion*" located in the suburbs of large cities. The idea behind "*villages d'insertion*" was to relocate selected Roma families from slums into permanent prefabricated low-cost housing. Supported by social workers, in return, the families committed to stop begging, send children to school, and enrol in job trainings.

This programme was a response to the criticism of EU bodies and French civil society. "It is just a way for municipalities to ease their conscience", said Laurent El Ghozi, co-founder of the collective Romeurope and fierce opponent of "*villages d'insertion*" (Legros, 2010). The "*villages*" were planned as a temporary solution for Roma before they become eligible for standard social housing programmes. The project has been co-financed by EU funds. Although the prefabricated houses with public utilities offered significant improvement of housing standards and safety for Roma previously living in slums, it has hardly had an effect on the overall situation of migrant Roma in France. "*Villages*" house only a marginal number of families as they are usually not larger than 10 houses. In Lille, there are five *"villages d'insertion"* and the largest one houses five families. Together they house some 130 Roma.

It is estimated that more than 90% of migrant Roma in France continue living in informal housing with limited access to public utilities and under constant threat of evictions. In Lille, for example, only about 300-350 Roma live in tolerated sites or sites created by the public authorities. The majority of Roma in Metropolitan Lille thus live in informal/irregular housing. This comparison highlights the fact that the *"villages d'insertion"* project is not a systemic

13 ERRC, unpublished interviews, Lille, April 2015.

solution, and does not solve problems of adequate housing or access to basic utilities for Roma in France.

3. New Perspectives through Legislative Bills and Case-Law: First Attempts, First Disappointments

There seems to be a paradox between the French legal framework for water supply that is rather progressive, and the concrete implementation when it comes to specific cases, such as access to water for Roma. We will see how some bill proposals and jurisprudence are tending towards establishing free drinking water for all, but still hit a glass ceiling when it comes to Roma.

3.1. Some Recent Bill Proposals on Access to Free Drinking Water for All

After the 2006 Law on the right to access drinking water under economically acceptable conditions to all ("*droit d'accéder à l'eau potable dans des conditions économiquement acceptables par tous*") was adopted, the logical next steps were to ensure that this law was effectively implemented. A new draft law was prepared for the effective implementation of the right to drinking water and sanitation, which is currently being debated by the French National Assembly and the Senate (Assemblée Nationale, 2016). This bill aims to establish the right to water as a fundamental right of the citizen and is the outcome of consultations with non-governmental organisations organised in the Water Coalition (*Coalition Eau*), coordinated by France Libertés (Coalition Eau, n.d.).

The policy contains nine articles, among which:
- the recognition and definition of the human right to water (Art. 1);
- the obligation for local authorities to provide free drinking water points, public toilets and public showers on their territory (Art. 2);
- the creation of preventive assistance for access to drinking water and definition of beneficiaries (Art. 3) and the introduction of a lump sum water allowance (Art. 4).

However, while it had been adopted by the National Assembly in June 2016, it was substantially changed by the Senate in February 2017. Indeed, a majority of senators opposed the right to water and sanitation for all, emptying the substance of all articles one by one.

Without proposing alternatives, they deleted proposals for concrete measures that would have allowed the provision of free water and sanitation equipment for poor households, homeless people and asylum seekers.

In parallel, the French Parliament also examined a proposal for a draft constitutional law aiming at making access to water an inalienable right ("*proposition de loi constitutionnelle visant à faire de l'accès à l'eau un droit inaliénable*"). The proposed text establishes that "water is a common good of mankind. Everyone has the fundamental and inalienable right to free access to the quantity of drinking water essential to life and dignity, as a priority for all other uses. The inhabitants' drinking water supply and sanitation are provided exclusively by the State or local authorities, directly and in a non-lucrative manner" (Assemblée Nationale, 2017).

The bill was proposed by left-wing members of parliament from *La France Insoumise* political party, and discussed on 1 February 2018 in the National Assembly. However, because of the right-wing and centre parties' majority composing the Parliament, the bill has been put on stand-by. Among the opponents' arguments, the draft law was criticised for its public costs and the infringement of local authorities' freedom as well as of freedom of trade.

3.2. Case-law: One Step Forward and Two Steps Back

In the meantime, there have been some interesting developments towards a recognition of access to water – and in some cases sanitation – for all in the practice of jurisdictions. Nevertheless, the sporadic case-law has not been consolidated yet.

3.2.1. Constitutional Council

The French Constitutional Council, consulted on 29 May 2015 by the Court of Cassation on a priority question of constitutionality raised by a water company, issued a decision guaranteeing that access to water was considered an essential need of the person. The court established that "Considering (...) that the legislator, thereby guaranteeing access to water that meets a basic need of the person, has thus pursued the objective of constitutional value which is the possibility for any person to have access to

decent housing". This decision validated the general ban on water cuts for primary residences, including when the user does not pay their bills.

We should however note that, since its decision of 19 January 1995 on the Law on Housing Diversity, the Constitutional Council regularly asserts the possibility for any person to have decent housing, as an objective with constitutional value. This might be where the weak point stands with regards to access to water, since it is considered only as part of the right to decent housing (a kind of sub-right or second step). Yet, public authorities are not willing or able to provide decent housing to Roma and/or Traveller families living in precarious conditions. They may fear that by providing water and sanitation in camping sites and *bidonvilles* they commit to provide at a later stage permanent decent housing. Some also prefer to refuse decent living conditions to avoid having families staying too long on "their territory" or even settling down.

3.2.2. Ombudsman/Défenseur des Droits

In response to the question of access to water and electricity during the winter period for people living in caravans on land that they own, the French Ombudsman issued a general recommendation for mayors, and for the Ministry of the Interior, the setting up of a winter truce system (Défenseur des Droits, 2011).

Indeed, the ombudsperson noted a difference of treatment from one municipality to another: if some Roma and Travellers in difficult economic situations have access to social benefits, the vast majority, including landowners, do not. In fact, if they pay their bills, they are not in a position to ask for help from social services and, in case they become unable to pay, they are at risk of power and water cuts. In the name of the principles of equality and humanity, the Defender of Rights demands that the winter break also applies to the inhabitants of caravans on private land and that "consistent rules are enacted at the national level" (Association des Maires de France, n.d.).

3.2.3. French Courts' Decisions

Since 2015, and thanks to the work of many NGOs and associations calling for the preservation of human dignity, the amended article

L.115-3 of the Code of Social Action and Families stipulates that from 1 November to 31 March the electricity, heat and gas suppliers may not, in a primary residence, be interrupted, including by termination of contract, for non-compliance, payment of bills, supply of electricity, heat or gas to individuals or families. Following this amendment, some tribunals cancelled water cuts that were illegally decided within the above-mentioned protective winter truce.[14]

Interestingly, the *Tribunal d'Instance* of Fontainebleau went even further and imposed to restore water supply for people occupying the premises without rights.[15] The *Tribunal d'Instance* of Limoges sanctioned a private company for reducing water debit in a building, therefore assimilating the reduction of debit to a mere water cut.[16] The *Tribunal d'Instance* of Avignon, on 18 March 2016, the *Tribunal d'Instance* of Puteaux, on 15 January 2016, the *Tribunal d'Instance* of Lens, on 13 June 2017, and the *Tribunal de Grande Instance* of Paris, on 21 February 2018, condemned Veolia for reducing water debit, also assimilating it to a mere water cut. The *Tribunal d'Instance* of Vanves, on 17 May 2018, the *Tribunal de Grande Instance* of Nanterre, on 17 August 2017 and on 15 January 2018 similarly fined the Water company SAUR for reduction of water flow (Drobenko, 2015).

Similarly, the Appeal Court of Versailles, on 4 May 2016, confirmed that water distributors can no longer cut the supply due to non-payment in the context of domestic use in a primary residence.[17] The Court of Cassation on 23 June 2016 judged that "the unilateral cut-off of the water supply to a house intended for habitation constitutes a manifestly unlawful disorder" even though the house was uninhabited at the time of the water cut and no one had been suddenly deprived of water.[18] Finally, the Court of Cassation on 16 May 2018 confirmed that, in the event of non-payment of invoices, the water

14 See for example: *Tribunal d'Instance de Soissons*, 25 September 2014 ; *Tribunal d'Instance de Bourges*, 12 November 2014 ; and *Tribunal de Grande Instance de Valenciennes*, 25 November 2014.

15 Référé 12 November 2015, No.12-15-000053.

16 Référé 6 January 2016, No. 15-001264. This was confirmed by the Appeal Court of Limoges on 15 September 2016.

17 No. 15-03339, Case: SAS Goussainville Water Companies (CEG).

18 No. 15-20338.

distributors cannot reduce the flow of water supplied, whatever the period of the year (unlike electricity providers who can carry out a power reduction) (Duhautoy and Smets, 2016).

Although the *Conseil d'Etat* on 28 April 1993 (Decision No. 95139) recalled the principle of equality in the public service with regard to water, on 27 June 1994 (Decision No. 85436) it cancelled a decision prohibiting connection in non-constructible land. On 15 December 2010 (Decision No. 323250) it stated that refusing a connection to the drinking water network, independently of the regularity or the irregularity of the place of residence (caravans), contravenes Article 8 of the European Convention of Human Rights (right to respect of private and family life).

In a *Référé Liberté* (an emergency legal proceeding intended to protect a fundamental freedom) on 2 November 2015 (Decision No. 1508747), the Administrative Tribunal of Lille judged that in the "new jungle" of Calais, where there was insufficient access to water and toilets and lack of waste collection, the authorities failed to provide basic hygiene and drinking water needs. It also judged that the camp population was exposed to a risk of insalubrity, which is a serious and illegal infringement of the right not to undergo an inhuman and degrading treatment. This decision was confirmed by the *Conseil d'Etat* on 23 November 2015 (No. 394540 and 394568) which ruled that it was not seriously disputed that "the current conditions of accommodation, food, access to water, sanitation and safety of the population living on the site of the Lande ... reveal a situation of 'urgent emergency' , considering ... only four water points are installed on the Lande, three of which have five taps, 66 latrines and 22 other latrines only recently added, that the distance to access these facilities can reach two kilometres; that access to drinking water and toilets is, in these circumstances, manifestly insufficient". On 26 June 2017 the Administrative Tribunal of Lille (Decision No. 1705379) ordered the "creation, in places easily accessible to migrants, outside the centre of Calais, of latrines and water points allowing them to drink, wash and wash their clothes".

Similarly, the *Tribunal de Grande Instance* of Orléans on 15 January 2016 (Decision No. 15/00552) condemned the local authorities who,

in order to expel travelling families from a halting site and avoid legal proceedings, cut off their access to water, including in winter. Furthermore, on 30 August 2017 the Administrative Tribunal of Lille (Decisions No. 1707194 and No. 1707250) refused to recognise the right to emergency accommodation for migrants but ordered provisional measures, such as equipment for access to water for drinking and washing, as well as toilets, and also to ensure the collection of waste and the cleaning of the site. Finally, on 17 July 2018 the Administrative Tribunal of Melun (Decision No. 1805797) ordered the prefect and mayor to set up a water connection and install mobile toilets for the inhabitants of a slum, most of them being Roma from Romania (CNDH Romeurope, 2018a).

Seized on the legal basis of the right to human dignity, respect for private and family life, prevention from inhuman and degrading treatment, and best interest of the child, the Administrative Tribunal of Bordeaux instructed the case of some 300 Romanian Roma squatting a field in the commune of Canéjan. The Tribunal rejected the demand for access to water and sanitation expressed in a *Référé Liberté* on 30 July 2018 (Decision No. 1803226), stating that the emergency criteria were not met. Then, in appeal, the *Conseil d'Etat* on 30 August 2018 (Decision No. 423240) judged that the plaintiffs were not in such a material and social distress to justify the *Référé Liberté*.

Therefore, although the French case-law seems progressive in condemning water cuts, it still needs to fully assert the right to water. Some tribunals avoid giving an opinion on access to water as a right. Some others imposed provisional, temporary or exceptional measures, which do not yet make access to water an inalienable right.

Conclusion

The article analysed challenges in access to water for Roma in France as a form of "antigypsyism", which is the term used in a narrow sense to indicate anti-Roma/Sinti/Travellers attitudes, the expression of negative stereotypes in the public sphere, or hate speech. However, antigypsyism includes a much wider spectrum of discriminatory practices, including many implicit or hidden manifestations. It is not only about what is being said about Roma and

done to Roma, it is also about what is or is not being done to combat structural discrimination and dehumanisation (European Network Against Racism, 2018).

Over the last years in France, authorities failed to invest in strategic Roma inclusion policies and have often used inflammatory rhetoric, adopted punitive measures, and inflicted constant hardship upon Roma through forced evictions. The negative focus on Roma is all the more extraordinary when one considers that in a country of 70 million people, Roma are estimated at 0,64% of the French population (Organization for Security and Cooperation in Europe, 2010). In fact, the number of people from Eastern Europe living in sub-standard housing conditions (squats and slums) in France is about 20,000, and the majority of these people are Roma. Yet, one has to remain cautious with these figures as they are only estimates. Moreover, they do not take into consideration the Romani population living in houses and apartments.

The ERRC research had revealed in 2016 that many Roma living in sub-standard housing conditions suffer disproportionately from the failure of public authorities to secure access to water and sanitation. The ERRC also found evidence that many Romani households remain without water and sewerage due to discrimination.

Although France has progressively become one of the leading actors in recognising and legislating the human right to water, we tried to demonstrate here that progressive legislation and case-law do not yet have positive effects on the reality and daily lives of lower-class Roma and other travelling communities.

Roma living in squats and slums, as well as Travellers at halting sites, are disproportionately affected by the difficulty to access drinking water and sanitation because local authorities do not want them to halt/reside in their municipality. Therefore, mayors avoid providing them with decent living conditions by cutting water, for example. When cases of municipal negligence or failure to provide basic public utilities are brought before French courts, they are often rejected or only obtain temporary measures. Even if it is likely that France will make progress towards recognising the inalienable

right to drinking water, antigypsyism within public authorities may remain a significant obstacle for Roma to enjoy the implementation of their rights.

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Hate Crimes and Antigypsyism in the Czech Republic

Gwendolyn Albert

Introduction: Antigypsyist Hate Crime in the Czech Republic – State of Our Knowledge

Over the past two decades the concept of what constitutes a hate crime within the Czech legal system has become steadily more refined. Civil society efforts have steadily pushed for and achieved increased statutory protections for victims and increased sentencing options for bias motivation. While use of the concept of antigypsyism is currently at the very early stages in Czech advocacy, there is no doubt of its potential utility. Romani people or those perceived to be Romani are some of the most victimised members of society and the most hated, as attested to by civil society research, official government reports, and public opinion polls.

In 2012 two different reports from the European Union Agency for Fundamental Rights (FRA) confirmed that hate crime is a daily reality for people in the EU, including different kinds of violence motivated by antigypsyism. One report specifically about hate crime (European Union Agency for Fundamental Rights, 2012a) noted the "us vs. them" nature of these crimes and contextualised how they relate to fundamental rights, noting that one problem with analysing hate crime trends over time is that the official guidelines for recording crime in general can be rather frequently adjusted. The Czech Republic was one of five different EU Member States that altered such rules in 2010, indirectly creating a rupture with data generated by previous reporting. Nevertheless, the Czech Republic has been categorised by FRA as a country where data collection about hate crime is "good", in that a range of bias motivations are recorded by the authorities regarding incidents reported to them and generally speaking, the information is made available to the public.

Police, prosecutors and the courts each separately collect information about hate crime in the Czech Republic, including about crime motivated by anti-Roma (antigypsyist) considerations. This

information is usually included as part of the Interior Ministry's "Annual report on the issue of extremism in the Czech Republic", and this framing raises certain dilemmas when it comes to the recording and reporting of those hate crimes that are not committed because of extremist ideological or political motivation, a type of hate crime that has been on the increase against Romani people specifically since 2011. Czech law does include enhanced penalties for crimes where bias motivation is found and also defines racist or xenophobic motivation as an aggravating circumstance.

The second relevant FRA report of 2012 (European Union Agency for Fundamental Rights, 2012b), on minorities as crime victims, found that Romani people in the Czech Republic report the highest rates of having been targeted for racially motivated, in-person criminal victimisation. On average, 18% of all the Romani respondents across the seven EU Member States surveyed said they had experienced at least one racially motivated crime during the previous 12 months. Roma from the Czech Republic were above-average in this regard, with 25% of respondents reporting their victimisation as having been so motivated. The overall victimisation rate of Romani people in the Czech Republic for any type of crime, irrespective of motivation, was the second-highest of the countries surveyed, at 46%. The very highest level of in-person crime perceived by the victims as racially motivated was recorded among Roma in the Czech Republic (32%), which tied with the rate reported by Somalis in Finland.

Selected Antigypsyist Hate Crimes, Analysis of Their Contexts and Official Responses to Them

The spring of 2012 was marked by a particularly egregious case of antigypsyism unleashing social unrest. A non-Romani teenager in the town of Břeclav experienced serious injury and claimed he had been assaulted by Romani people, launching a series of weekend demonstrations during which local, non-Romani residents attempted to storm the Romani neighbourhood there to attack Romani residents, repeating a pattern that had begun elsewhere in the country during the previous summer. Police investigation eventually revealed that the teenager had accidentally caused himself his own injuries and had been too embarrassed to reveal that fact to his

family, fabricating the story of an alleged attack by Romani perpetrators who turned out to be non-existent. By the time that fact was revealed, multiple demonstrations by hundreds of locals had repeatedly required police resources and resulted in the actual terrorising of Romani residents. Local civil society organised to defend the Romani neighbourhoods by organising their own events in those locations (ČTK, Steklá, 2012).

According to both civil society and government sources, antigypsyism in the Czech Republic in recent years has been a motivation for hate crimes committed not just in public, but also through cybercrime, which has come under increasing focus recently. Social media were a key organising tool of the anti-Romani unrest of 2011-2013, and this fact has, in turn, sparked various efforts to combat the incitement of hatred online, including against Romani people. One of the most prevalent such attempts has been the Czech Government's "Hate Free Culture" campaign, 80% of which was funded by Norway Grants, which over the years has itself become a political football for legislators and executive branch officials attempting to profile themselves as opposed to what they term "political correctness". Their critique is part of a larger set of ongoing arguments in the media casting doubt on the value of certain aspects of the non-profit sector (Jandáková, 2017).

Members of civil society have noted since 2014 especially that the Czech criminal justice authorities are failing to effectively respond to online hate crime. Incitement to racism and serious threats of violence are made with impunity online, especially on social networking sites, and leaders of Romani-related NGOs are targeted with such threats. Contacting the police in such cases involves bureaucratic obstacles that are time-consuming and do not result in prosecutions. One example is that of a Czech-language Facebook page launched on 17 February 2014 with hateful content and the title "We Demand the Public Execution of the Executive Director of ROMEA, o.s., Zdeněk Ryšavý". Facebook users posted their agreement with this sentiment and offered to murder not just Ryšavý, but his children, at which point he reported the page to Facebook as hateful and demanded it be removed. He received an automated reply a few minutes after submitting his complaint stating that the

page did "not violate our Community Principles." Afraid for his life and that of his family, the ROMEA director filed a crime report on 5 March 2014 that was dealt with by the authorities in a fashion that one commentator called an "absurd tragicomedy". The case was publicised and the perpetrators eventually deleted the page of their own accord, without the criminal justice authorities ever assessing the incident (Mrázek, 2014).

The ROMEA organisation was known at that time for openly discussing and reporting on hate crime, especially against Romani people. That same year the organisation and others convened a seminar on "Human Rights and Hate Violence in the Czech Republic – Civil Society and Policy" under the auspices of the Czech Human Rights Minister. One single legislator attended the event, which included a discussion of the segregation of Romani children into separate education and the fact that some media outlets publish either completely fabricated or simply unverified reports about minorities in general that are negative in their slant. The ROMEA director presented on the issue of inciting hatred through the media and the fact that a lack of reliable sources of information about Romani people leads to rumours being reported even by mainstream media outlets as if they were information, as the 2012 case from Břeclav exemplifies. The behaviour of the politician Tomio Okamura was also discussed as a clear example of inciting hatred against Roma that should be prosecuted.[1] Senior members of Romani civil society also noted on that occasion that lack of contact with Romani people in everyday life is amplifying the social distance that makes such hateful rhetoric possible and politically beneficial (Neuhöferová, 2015).

In 2015 the "Hate Free Culture" campaign (Office of the Government of the Czech Republic, 2015) involved 40+ public figures in the creation of public service announcements that ran on radio and television and attempted to stigmatise the online hate speech being produced against the members of various minorities. In addition

1 Tomio Okamura has made numerous antigypsyist statements over the last four years, including ones verging on Holocaust denial by repeating disinformation intended to cast Romani victims of the Holocaust as somehow less worthy than others. Members of his Freedom and Direct Democracy party have been prosecuted for hate speech and one of his supporters has been prosecuted for terrorism after allegedly causing railroad collisions.

to featuring the generally positively-received young Romani music celebrity Jan Bendig next to a hateful quote about "gypsies", the campaign drew attention to online hate speech against Muslim women, against various female intellectuals in Czech life (authors, actors, filmmakers), and against gay music celebrities and vloggers. The approach of the campaign was to attempt to humanise and normalise members of the various groups usually targeted for hate speech (and hate crime).

In 2016 the media reviewed the police procedure in five recent hate crime cases, finding that not one perpetrator had been apprehended in any of them despite CCTV footage or identikit data being available. In April 2016 there were synchronised graffiti attacks on multiple businesses in Prague openly sympathising with the "Hate Free Culture" project; CCTV cameras captured the vandals painting the slogan "Death to Hate Free" and Nazi symbols on storefronts (Gálová, 2016).

The operation of the "Hate Free Culture" campaign itself was called into question by the mainstream media in 2017, when the connection between a staffer working part-time for the Government on the campaign while also working part-time for an NGO that won a public tender to implement part of the campaign was raised as a potential violation with the Ethics Commission of the Office of the Government. While the employee was eventually acquitted of having done anything incorrect, the fact of the investigation (Baudyšová, ČTK, 2016) opened the door for the then Human Rights Minister, who was simultaneously an MP in the lower house and a regional-level councillor, to raise other doubts about the relevance of the campaign in general and indeed about his own cabinet-level position (which was subsequently removed after the next elections). The minister told the Czech media that he believed the entire Human Rights Section at the Office of the Government is unnecessary and that he found the "Hate Free Culture" campaign to be "shocking", saying: "To be fair, I must admit that I am not very satisfied with the work of Hate Free. I recognize their efforts to point to examples from the lives of elderly people, or people living with disabilities, or Romani people, and to do their best to include such people into mainstream society. […] I follow the Facebook

profile of Hate Free Culture rather frequently and sometimes I am shocked by what is posted there, I always get angry." The minister's specific concern was an English-language video showing a gay man explaining to his much younger brother his desire to marry another man. He stated that in the region he represents, "99 % of the people would be angered by that video" (Ryšavý, 2017a).

As for other actors in the Czech non-profit sector, the In IUSTITIA organisation is the only Czech non-profit group to comprehensively report on hate crime and assist hate crime victims since 2009. Their reporting combines their own records, which include cases never reported to the authorities, with official sources to create a fuller picture of the hate crime committed in the country. For the year 2011 the group recorded 57 hate crimes; in 2012 they recorded 38; and then in 2013 the number spiked dramatically at 211 cases. Of 58 victims whom In IUSTITIA established contact with that year, 22 of the incidents targeted Romani people. Fifteen of the incidents involved physical assault. The rise in hate crimes also included incidents happening around or during the anti-Romani demonstrations that occurred for a third summer in a row throughout Bohemia (*Romea*, 2014).

Together with the ROMEA organisation (until funding was recently cut for their part of the service), In IUSTITIA also has run a toll-free hotline for people affected by either discrimination or hate crime. In 2014 the groups reported receiving 105 calls through that hotline over the course of two years, mostly from Romani people, 41 of which were assessed as possible hate crime cases (*Romea*, 2014).

In IUSTITIA reported that during 2014 a total of 86 hate crimes were reported to them via different channels (in addition to the hotline, online reports, etc.), where the victims' actual or perceived ethnicity or religion were the most frequent motivations – specifically, Muslims and Romani people were most frequently recorded as having been victimised that year. In 2014 most recorded victims were males between the age of 25 and 45 with Czech citizenship. Most of the attacks recorded were verbal, including online, and two-fifths happened during the evening, night time and early morning. One-third happened in the capital. Perpetrators were eventually

identified by authorities in 40 of the incidents (less than half), and 17 of those perpetrators were members of the ultra-right (less than half). In IUSTITIA found that police "clearly explained the motivation" for the hate crimes in only half of the incidents and failed to identify 11 cases as hate crimes at all. Hate crimes perpetrated by individuals not linked to a certain ideology or political movement were reported as on the rise (Baudyšová, ČTK, 2016).

The larger context for these hate crimes is the deployment of public rhetoric motivated by welfare chauvinism. In 2014 politicians at all levels, according to In IUSTITIA, showed a tendency to propose solutions for problems using what they called "repressive measures", such as making it possible for certain kinds of national welfare programmes to not be distributed locally; in practice, impoverished Romani people disproportionately experience the negative impacts of these measures. In IUSTITIA has also reported that Czech academia does not research hate crime sufficiently and that too few civil society groups are involved in preventing it. Hate crime victims have limited access to justice in the Czech Republic given the unaffordability of legal services and what the NGO calls "legislative limits" on the provision of free legal aid.

One antigypsyist incident reported by In IUSTITIA in 2014 involved a Romani boy attending secondary school, which in the Czech Republic is not compulsory (compulsory education ends at age 15). He was the first person in his family to successfully be accepted to that level of education. During the first six months of the year, antigypsyist, threatening messages were sent to his Facebook profile; he did not recognise the senders, but the content made him believe the messages were from his schoolmates. His family helped him contact the police, who in turn contacted the school, after which the threats reportedly stopped. The experience was a traumatising one for the Romani boy (Kalibová, 2014).

Muslim people temporarily eclipsed Romani people as the main target of hatred on the Czech-language Internet in January 2015, following the highly-publicised Paris attacks, but the status quo was restored by the spring. Data from the Yeseter company, which was contracted by the "Hate Free Culture" programme to track the

intensity of Czech-language online hatred, revealed that it was very easy for "haters" to expand their outbursts to target more than one kind of group – indeed, it seems that the intensity of hatred expressed for one group does not reduce the kind of hatred expressed for others, but rather escalates the negativity expressed for all groups. During the spring of 2015, the Czech Government's approval of its "Romani Integration Strategy to 2020" and publicity around that policy event sparked most of the hate speech online against Romani people and involved accusations that members of the Romani minority are benefiting from "positive discrimination".

The hate speech featured antigypsyist stereotypes casting Romani people as criminals, as unable to take care of their living environments, and as unable to hold down jobs. The logically inconsistent scenarios reiterated in this hate speech – such as the untrue claim that Romani people who never participate in formal employment, social security and tax contributions will still be entitled to publicly-funded retirement – occupy a significant proportion of the posts. Roma are characterised as "destroying" housing, living in "filth" and "terrorising" their "decent" (understood to mean non-Romani) neighbours. This speech can go as far as recommending that Romani people should be confined to reserves or that "Gypsies" should be "sent to the gas chambers". The most impactful reproducer of such rhetoric is Czech President Zeman himself, who said in January 2015 that people living in ghettos – understood by all interlocutors in the Czech Republic to mostly be Roma – have no one to blame but themselves. In the fall of 2018 he repeatedly made the demonstrably false claim that 90 % of Roma in the Czech Republic are not employed.

Roma are also blamed online for being responsible for every imaginable social transgression – theft of all kinds, rape, using public transport without paying, tax evasion, readiness to commit assault or murder, failing to send their children to school and lastly, they are falsely accused of receiving non-existent "discretionary welfare" that non-Romani people allegedly can never access. The online descriptions of these benefits framed as "for Roma" are presented in great technical detail and have been repeatedly refuted by the authorities. (It is worth recalling at this juncture that Romani

people are estimated to constitute less than 3 % of the population.) As for the profile of the average online hater in the Czech language, Yeseter reported that such people have positive views of the Russian Federation and the kind of authoritarian, strong-arm government represented by Russian President Putin, are nostalgic about the pre-1989 communist regime, and follow the ultra-nationalist Tomio Okamura through his various political parties. They are typically populists with zero-sum world views who are easily taken in by demagoguery and who express mostly negative emotions online (Ryšavý, 2015).

More recently the In IUSTITIA organisation has begun to issue its hate crime monitoring reports on a quarterly basis. During the first quarter of 2017 22 hate crimes were reported to them, with Muslims and Romani people still among the most victimised groups recorded. Incidents occurred mainly online or in public in big cities, with nine of the incidents in the capital. Many of the antigypsyist online incidents were in response to media reports that Romani children had killed a flamingo in a zoo by throwing stones at it. Many different politicians also engaged in antigypsyist rhetoric on Facebook, including legislators and the son of a former President. Again, most of the victims were male between the ages of 26 and 45. Again, a Romani student reported a hateful verbal attack, this time in person from his teacher, who reportedly told him more than once that he will never pass his graduation examinations because he is a "Gypsy" (Maková, 2017).

In an interview for news server Aktuálně.cz in 2017, researcher Jan Charvát, an expert on extremism at Charles University in Prague, said the Czech online environment is apparently "reformatting" what is considered normal in society and what is not. According to him, there is a sense that Czech society is undergoing a fundamental transformation in that regard:

> People have learned they can be vulgar on Facebook, they can abuse others in the worst possible way, which was not possible before – on the one hand because there was no Facebook, but even if there had been, they might never have said such things back then because the impression predominated that such things are simply not said.

> [...] Solidarity through hatred is very strong, stronger than solidarity through positive affairs. By defining yourself as against a group that is generally condemned, you are able to demonstrate that you yourself are absolutely ok and that your values are the values of the larger society. (Ryšavý, 2017b)

The most recent significant example of hate crime was the 2017 online attack against a school in Teplice that published the photograph of its first grade class in the local paper. The group of mostly non-white children of Arab and Romani origin was targeted with vicious hatred online including death threats by dozens of social networking users. In this case the absolutely overwhelming innocence of the victims seems to have sparked a wave of online solidarity in response, including more than one fundraising drive to assist the children, their parents, and their school in recovering from the traumatic assault on their dignity and well-being; at the time of writing, only one of the many perpetrators of this abuse has been charged.

Conclusions

Czech society has yet to return to the low point of 2011-2013, when open civil strife targeting Romani people was a regular weekend occurrence during good weather. Be that as it may, hate crimes remain poorly prosecuted, including antigypsyist ones, and there is a great deal of room for improvement. Romani people have lived in this part of Europe for centuries, but they have rarely been tolerated, and as is obvious from these recent examples, acceptance of them as part of Czech society remains elusive and the hope that they can be driven away from a classroom, a school, a neighbourhood or the entire country apparently motivates a great deal of the behaviour described above. This systemic racism makes it difficult for all but the most overwhelmingly obvious bias crimes against them to be identified, investigated and prosecuted as criminal activity motivated by hatred.

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The EU's Fight against "Itinerant Crime": Antigypsyist Policing under a New Name?

Eric Töpfer

The stigmatisation and repressive policing of people labelled as "gypsies" can be traced back to the early days of the formation of modern territorial states (Lucassen, 1998). Though the attitudes of the authorities and the extent of persecution differed significantly in time and space, it is evident that the categorical suspicion has survived until the 21st century. In France, an investigation of the National Data Protection Commission (*Commission nationale de l'informatique et des libertés* – CNIL) into allegations that a special unit of the Gendarmerie for the "fight against itinerant delinquency" (the *Office central de lutte contre la délinquance itinérante* – OCLDI) operated a "Roma database" found in 2010 that the Gendarmerie is using the term "non-sedentary ethnic minorities" since 1992 and illegally operated a register with around 53,000 person files and several analysis tools. Although the CNIL did not find a structured database on Roma, the Commission concluded that it was a common practice of the Gendarmerie to label persons as "Roma" (CNIL, 2010). In Sweden, it was revealed in 2013 that a regional police department had kept a "travellers' register", a database registering around 4,700 men, women and children, most of them Roma who had never been convicted as criminals. The victims received a compensation of 14 million SEK (1.3 million Euro), and a Stockholm court ruled that the Swedish state was guilty of ethnic discrimination (Radio Sweden, 2016). In Germany, where police files on the "gypsy" population which had been collected since the late 19th century were crucial for the preparation and organisation of the genocide of Sinti and Roma under the Nazi regime (Fings, 2016: 56-57), the police continued to systematically collect files on "vagrants" after the end of World War II. It was estimated that the Central Office on Vagrants of the Bavarian Criminal Police had compiled a register of more than 20,000 Sinti and Roma, including detailed information on their family relationships by 1956 (Bauer, 2006: 228). Though most of the central office's files were destroyed

in 1970, the police practice to register persons as "gypsies" or "vagrants" survived until the 1980s. After critique, German police abandoned these labels but in some states they were simply replaced by new terminologies. In 2014 the state police of Baden-Württemberg, for example, had still flagged 12,350 persons who were registered in their police information system as "changing location frequently" (Landtag von Baden-Württemberg, 2014: 3). At the national level, the Federal Criminal Police Office (*Bundeskriminalamt*) ran a unit working on "travelling offenders" until 2001 that was systematically compiling information on families and social networks of Sinti and Roma, based on the assumption that in this "milieu" the kin of alleged offenders was more liable for criminal acts than elsewhere (Stephan, 2011: 280).

The shape of the term "gypsy", understood as a "historically constructed imago" (Selling, 2015) being projected mainly onto Roma but also on other persons, remained very stable for centuries. Lucassen (1996) showed that the police played a decisive role in the stigmatisation of the imagined "gypsy" community in 19th century Germany. The above mentioned examples indicate, however, "semantic shifts" (Stephan 2011: 256): the stigma "gypsy" is replaced by other labels such as "vagrants", "travellers", "non-sedentary ethnic minorities", "mobile ethnic groups", or persons who "change location frequently" whereas the stigmatising effect remains. In addition, End (2017) notes, antigypsyist stigmas also persist through the association of certain types of crimes or *modi operandi* with Roma.

Current manifestations of antigypsyism and Romaphobia, van Baar (2011) argues, must not be seen as isolated local or national phenomena. Rather, they need to be analysed alongside the transnational policies of enlargement and integration of the European Union, and processes of securitisation are crucial for their understanding. Van Baar notes, however, that "[a]nalyses of the role of problematizing the Roma in terms of security, particularly in the European transnational rather than primarily national context, are largely lacking in current scholarship on the Roma but sorely needed" (2011: 321). This chapter aims at contributing to fill this gap by looking at the European Union's fight against "itinerant crime", which became an issue in the years after the relaxing of border

controls in 1995, when the Schengen Agreement came into force. The question is whether "itinerant crime" signals another semantic shift, whereby the old stigmatising label of "gypsy" is replaced for the purpose of European police cooperation.

Agenda Setting: Making "Itinerant Crime" a European Issue

Whereas the dominant issues of the nascent European police cooperation from the mid-1970s to the 1990s had been counter-terrorism and combating drug trafficking, other issues of cross-border crime were put on the agenda after border controls were relaxed in 1995. Van Daele and Vander Beken (2010) report that increases in property crime, in particular residential burglaries, car and metal thefts, led to concerns among police forces in Belgium, the Netherlands, France and Germany in the late 1990s. Though the actual perpetrators showed a large degree of variation, police analysts perceived mobility and Eastern European background as key features.

In this context, "itinerant crime" emerged as a police concept in Belgium. Based on a limited number of case files, the Belgian police believed it had discovered a new phenomenon. After around five years of fine-tuning, the phenomenon was formally defined and recorded in the official Belgian criminal policy in 2004. Accordingly, "itinerant crime groups" were identified as associations of criminals who systematically commit residential burglaries or burglaries of commercial property, including ram raids, cargo thefts, metal thefts or thefts of construction vehicles and materials, originating mainly from the former Eastern bloc, operating or directed from abroad or from large conurbations in Belgium, committing a significant number of crimes over a large area, and possibly using minors to commit crimes (Van Daele and Vander Beken, 2010: 1-2). "Gypsy type groups" characterised as "criminal communities" with a "clan-wise structure" were seen as an essential element of the newly defined concept of "itinerant crime", even if they were Belgian, French or Dutch citizens living in trailer camps in the border regions (Van Daele and Vander Beken, 2010: 9-10). In 2007 the policy towards "itinerant crime" was updated to capture "the rise of sedentary criminals among itinerant criminal groups and the exploitation of minors to commit the offence" (Commissioner

General of the Belgian Federal Police, 2010: 3). The meaning of "sedentary criminals" was explained as following:

> Sedentary criminals are understood to be nomads, originally from the former Yugoslavian Republic, Romania, France or Belgium. These nomads are actually people without a real homeland. In historic terms this population group came to Western Europe in large migration waves. They now have Belgian nationality, are seeking asylum or are illegal. Despite the fact that a large part is settling down, the break between being sedentary and being mobile is not radical and never final. Sometimes they strengthen their apparent sedentarisation by purchasing land and properties. Families who no longer travel often still own a mobile home or some have a fixed address but move often. Sedentary groups can also start moving around again suddenly, especially when they are concerned about the police services, while everything seemed to indicate that they had permanently settled. When we look at the criminal segment of these population groups, these are often criminal groups which have made crime their way of life. They are usually very organised, operate at a national and international scale, minors and women actively take part in the criminality. This is how sedentary criminal groups explicitly distinguish themselves from other itinerant criminal groups (Commissioner General of the Belgian Federal Police, 2010: 10-11).

Although it seems that Belgian authorities differentiate between "criminal segments" and the rest of "these population groups" they claim that criminal offenders "do not exist in some kind of social vacuum but are part of wider criminal networks" and call for the "identification of the key figures in these 'family networks'" (Commissioner General of the Belgian Federal Police, 2010: 11-12).

When Belgium took over the EU Presidency in summer 2010, the Belgian authorities used the opportunity "to increase the recognisability of the phenomenon on an international level" and "make sure itinerant offenders are given the attention of international institutions, proportionally to the social impact they cause" (Commissioner General of the Belgian Federal Police, 2010: 30). The incoming Belgian Presidency circulated a questionnaire among the delegations of the Council of Ministers' Working Party on General Matters

(GENVAL), asking if other Member States are "faced with 'mobile' (itinerant) crime groups" while explaining that these "are offenders, which are not a part of the autochthonous population and who travel long distances to commit acts of property crime, both on a national and international level" (Council of the European Union, 2010d: 6).

The initiative fell onto fertile ground. The Stockholm Programme, i.e. the third multi-annual programme on the EU's Area of Freedom, Security and Justice, which was adopted by the European Council in December 2009 had already emphasised that "[f]ocus should not only be placed on combating terrorism and organised crime but also cross-border wide-spread crime that have a significant impact on the daily life of the citizens of the EU" (Council of the European Union, 2009: 40), and the Internal Security Strategy that was adopted by the European Council a few months before Belgium took over the EU Presidency claimed: "Cross-border crime, such as petty or property crime, often carried out by gangs, when it has a significant impact on the daily lives of people in Europe, poses a common threat" (European Council, 2010: 14).

The Justice and Home Affairs Council discussed the Belgian initiative at its informal meeting on 15 July 2010, and within a few months the GENVAL Working Party drafted Conclusions on the fight against crimes committed by mobile (itinerant) criminal groups which were adopted at the Council meeting on 2-3 December in the same year: "Aware that the principle of free movement of persons not only offers opportunities to citizens acting in good faith", the Council concluded "that it is necessary to take action against crimes committed by mobile (itinerant) criminal groups". These groups were defined as "an association of offenders, who systematically acquire wealth through theft of property or fraud, having a wide ranging area of operations and are internationally active" (Council of the European Union, 2010c). Member States were invited to improve police cooperation and information exchange and develop an administrative approach in order to tackle this type of crime, namely by closing premises serving as meeting and fencing places, imposing the registration of certain transactions such as the recycling of used metals, encouraging the registration and marking of precious objects. In addition, the Council called for drawing up

a "security picture […] of the phenomenon of mobile (itinerant) criminal groups, on the basis of which further operational action should be considered" (Council of the European Union, 2010b: 14).

Defining Threats: The Role of Europol

The role of Europol, the European Police Office based in The Hague, in particular was strengthened by the Council Conclusions. Europol was called on to draft a threat assessment and to examine the possibility of establishing a project on the subject of "itinerant crime" in the context of its existing Analysis Working Files (AWF). AWFs were databases used by Europol to analyse information delivered by Member States' police authorities and third parties and translate this information into both strategic reports and operational intelligence to support police investigations. Unlike other IT systems of Europol, the Analysis Working Files could be fed with data – including sensitive data on racial or ethnic origin – not only on suspects, convicted persons and persons seen as "potential criminals", but also with information on contact persons and associates, informants, victims and witnesses.

Since 1998, when the Europol Convention came into force, Europol has been tasked to collect information on cross-border organised property crime, and an AWF named FURTUM (Latin for "theft") was launched in 2004 to target "itinerant criminal groups involved in large-scale burglary and any associated crime" (Europol, 2009a: 10). In 2012 FURTUM was merged with other AWFs of Europol within a single database on organised crime, then storing information on almost 480,000 persons (Töpfer, 2012: 110). Today, so-called focal points, teams of Europol analysts, study this extensive pool of information, focusing on specific phenomena of crime. The project manager of the FURTUM focal point reported in 2014 that the work of her team focuses on mobile organised criminal groups (MOCG). These groups were characterised as operating in the areas of crime against the elderly, car and metal theft, burglary and robberies. In particular, residential burglary was attributed to criminal groups of "one nationality or ethnic group", often from South-East Europe (Checchinato, 2014).

The focal points' analyses feed into different products of Europol, among which the Serious Organised Crime Threat Assessment (SOCTA, until 2011 named OCTA) is most important to inform policy making in the area of European police cooperation. From the very beginning of their publication, these threat assessments draw a close, though not exclusive, connection between mobile criminal groups involved in human trafficking and property crime on the one hand and Roma communities on the other hand:

> Romanian OC [organised crime] groups have expanded their criminal activities in the EU. They have specialised in trafficking in women and minors for sexual exploitation, forgery of documents, extortion, debit card fraud and property crime. […] The number of property crimes involving Romanian OC groups, including pick-pocketing and distraction robberies, is increasing. Romanian OC groups appear to be very mobile when committing property crimes. […] This 'crime tourism' is done because it is difficult to tackle by law enforcement. […] Bulgarian OC groups have established themselves particularly in trafficking in women for sexual exploitation, various counterfeiting activities, especially euro counterfeiting, and debit card fraud. The OC groups involved in trafficking in human beings are highly mobile, making use of existing communities throughout Europe and moving both individual group members and victims across borders (Europol, 2004: 9-10).

> Eastern European women – often handed over to nomadic groups – are repeatedly raped (Europol, 2005: 28).

> In assessing the international dimension of Bulgarian OC groups it is necessary to consider that many OC groups labelled as Bulgarian are actually composed by ethnic Turks or Roma people. A possible explanation for the minor involvement of ethnic Bulgarians in international OC is that, due to social and economic factors, domestic crime is more profitable and less risky (Europol, 2008: 41).

> Romanian OC groups of Roma ethnicity dominate trafficking in children. Where child victims have been identified it has been observed that their willingness to cooperate with the authorities is almost non-existent. Reports of child victims exhibiting non-cooperative

> behaviour and taking every opportunity to escape from 'protective custody' indicates the level of control exercised by their traffickers. It is also suspected that the use of children has been determined as a strategy by the traffickers to disrupt the law enforcement response (Europol, 2009b: 21).

> Bulgarian and Romanian (mostly of Roma ethnicity), Nigerian and Chinese groups are probably the most threatening to society as a whole. […] Roma organised crime groups are extremely mobile, making the most of their historically itinerant nature. An attitude of detachment towards Roma communities by public authorities in some Member States has, in turn, left the most vulnerable members of these communities - children and young women - unprotected from exploitation by criminal groups. Given the size of the Roma communities in Bulgaria and Romania, the proposed accession of these countries to the Schengen Zone may prompt a further increase in THB [trafficking in human beings] by Roma organised crime groups (Europol, 2011: 26).

> Movement between the [criminal] hubs is a key feature of THB within the EU. Organised crime groups adapt their services to local requirements, providing seasonal workers and the necessary protection for clients of sexual services targeted by more stringent legislation. They also traffic victims within the EU in order to maximise profits. For example, Roma groups from Poland and the Slovak republic traffic unemployed individuals to the UK, where they are used to commit welfare benefit fraud. There are also reports of increasing trans-hub movements of exploited human beings from South East Europe (Bulgaria and Romania) to Germany and the Nordic countries by Roma organised crime groups, amongst others (Europol, 2011: 27).

Following the involvement of academics in reviewing Europol's organised crime threat assessments for the first time in 2013 (Europol 2013: 43), references to Roma suddenly disappeared from the reports. However, what we learn from these quotes is, first, that at least from 2004 to 2011 "Roma" – or synonymously "Romanian" and "Bulgarian" – was seen as a relevant category to describe crime, in particular in relation to trafficking in human beings and property crime. Though Europol's threat assessments formally differentiate

between Roma in general and criminal Roma groups, the "community" is, secondly, seen as an issue that can be used by its criminal elements for support or as a source of vulnerable members to be exploited. Finally, it seems that Europol ignored the possibility that intelligence and crime data delivered by the Member States could be biased due to discriminatory policing and, thus, corrupt the threat assessment. Otherwise, the agency would have considered other than merely "social and economic factors" as an explanation for the alleged "minor involvement of ethnic Bulgarians in international OC". However, despite methodological critique on its development (e.g. van Duyne and Vander Beken 2009; Zoutendijk 2010) and the lack of a clear definition of organised crime, Europol's OCTA 2011 became decisive in decision making on the direction of European police cooperation.

When the Council Conclusions on itinerant crime were adopted in December 2010, the EU was about to launch a new methodology for coordinating and synchronising the activities of the Member States' law enforcement agencies and relevant EU bodies. The Stockholm Programme had called for the adoption of an organised crime strategy, setting priorities under the umbrella of the Standing Committee for the Operational Cooperation on Internal Security (COSI)[1] that was newly established by the Lisbon Treaty (Council of the European Union, 2009: 43-44). The blueprint for the programming and implementation of this organised crime strategy was adopted by the Justice and Home Affairs Council in November 2010. In the framework of a so-called Policy Cycle, in the first stage, priorities are selected on the basis of Europol's organised crime threat assessment; secondly, multi-annual strategic plans are developed, which are, thirdly, broken down into annual operational action plans, the implementation of which is, finally, evaluated before the start of the next round of the cycle (Council of the European Union, 2010a).

Eight priorities for the fight against organised crime were selected by the Council in June 2011 for the first Policy Cycle from 2011 to 2013.

1 COSI consists of high-level officials from the national ministries of the interior or justice and representatives of the European Commission and the External Action Service who meet on a regular basis in Brussels to coordinate the efforts of national and EU security agencies.

One of the priorities was to "reduce the general capability of mobile (itinerant) organised groups to engage in criminal activities" (Council of the European Union, 2011b: 5), later referred to as "Priority G". The lead in implementing this priority was taken by Belgium, co-driven by France (Council of the European Union, 2011d: 3). In December 2011, the first annual Operational Action Plan (OAP) on "mobile organised crime groups" (MOCG) was agreed by the Standing Committee on Operational Cooperation in Internal Security (Council of the European Union, 2011c); around a month later a so-called European Multi-Disciplinary Platform Against Criminal Threats (EMPACT) was established at Europol to coordinate the activities (Council of the European Union, 2012c: 3).[2]

The EMPACT Platform: Pooling Data and Coordinating Operations

From the very beginning of its work, the EMPACT MOCG aimed for the recognition of its subject as a major problem in all Member States (Council of the European Union 2013b: 85). Moreover, the platform's members were keen to increase the flow of information among Member States and to Europol, both to improve the database to get a better intelligence picture and to enhance the capabilities to detect and investigate the targets of their collaboration. Claiming that crimes "committed by mobile and itinerant groups is a serious and increasing problem in Europe […] which yearly result in losses in the Member States adding up to billions of euros", the incoming Danish EU Presidency presented a "discussion paper on intelligence-led policing through closer cooperation with Europol in the fight against itinerant criminal groups" in the Law Enforcement Working Party of the Council a month after the EMPACT MOCG had been kicked off. The paper elaborated: "When considered in isolation most of the crimes committed by itinerant groups are minor offences. They are therefore generally not regarded as organised or serious crimes. However, when added up, such crimes committed by itinerant groups constitute a serious problem that in many instants appears to be organised and has a significant impact on

2 Europol took the role of the EMPACT's permanent secretariat and the responsible Europol officer was expected to be the "intellectual heart" of the EMPACT platform and, preferably, the project manager of a related focal point (Council of the European Union, 2011a: 14).

the daily life of many EU citizens". For these reasons, it was argued, Member States should make systematic use of the Europol Information System (EIS):[3] "[T]he more data on itinerant crime that is provided to the EIS the bigger are the chances that cross-checks will identify new leads for investigations or intelligence operations" (Council of the European Union, 2012b: 4). Four months later the Council adopted "Conclusions on the increased and more effective use of the Europol Information System in the fight against cross-border crime", underlining the need for effective information exchange on cross-border crime to "identify the criminals involved and reveal potentially organised structures behind". Member States were encouraged to facilitate access and increase the use of the EIS, among others by implementing the automated upload of data from national police information systems (Council of the European Union, 2012a). In June 2013 the EMPACT MOCG reported that the EIS entries related to "robbery" had increased by 75% since 2011 (Council of the European Union, 2013b: 88). National police authorities were also mobilised to transfer more data to Europol's analysis projects.[4] To summarise, in the context of the fight against "itinerant crime", Europol began to also pool data on minor offences. Although Europol was in fact only mandated to support the combat against organised crime, terrorism and other serious crime,[5] the new data collection was justified by the prospect that later cross-checks and analyses might show links to other crimes and prove its "organised" nature in the future.

In addition, the EMPACT MOCG convinced police authorities in the Member States to make use of the Schengen Information System

3 Unlike the Analysis Working Files which are a tool only used by Europol analysts and national liaison officers at Europol, the Europol Information System can also be fed with data and accessed by police authorities in the Member States. Identification data such as name, address, fingerprints or DNA profiles of suspects, convicted offenders and potential criminals are stored.

4 Whereas other EMPACTs were attached to specific AWFs or focal points, the EMPACT MOCG worked with information of three analysis projects, namely FURTUM, COPPER targeting "ethnic Albanians organised crime networks" and EEOC targeting "Eastern European organised crime", in particular groups from Lithuania and Georgia. However, at the end of the first policy cycle Focal Point FURTUM was appointed to support the EMPACT MOCG (Council of the European Union 2013b: 86).

5 Article 3 of the new Europol Regulation (EU) 2016/794 which came into effect in May 2017 expanded the mandate, now covering also "forms of crime which affect a common interest covered by a Union policy".

(SIS)[6] to "create a permanent feeling of discomfort" among alleged members of the targeted groups (Council of the European Union, 2013b: 89). In practice, authorities in one Member State enter an alert for "specific checks" on a suspected person in the SIS, an EU-wide police information system, which triggers stop and search if he or she encounters a police check in any EU Member State. In addition, information on the place and location of the check, the route of the journey and accompanying persons are reported to the authority that was responsible for the alert. From 2008 to 2017 the number of SIS alerts for "discreet and specific checks" rose from around 30,000 to 130,000 (Council of the European Union, 2018: 11; Hayes, 2008). How many of the alerts relate to persons who are suspected to be "mobile organised criminals" is unknown.

"Itinerant crime" has been a top issue of European police cooperation for almost a decade. The two Policy Cycles 2014-2017 and 2018-2021 also made "organised property crime committed by mobile organised crime groups" a priority again (Council of the European Union, 2013a: 5; 2017: 7). EMPACT MOCG was renamed EMPACT OPC [Organised Property Crime], and additional players such as the European Police College (CEPOL) or the European Crime Prevention Network (EUCPN) were involved to develop training material and collate findings of criminological research (see among others Dehbi and Verleysen, 2018). The European Commission funded multilateral projects to foster police cooperation (European Commission, 2013: 418) or to advance the "administrative approach" to complement actions under criminal law (Spapens et al, 2015). "Legal loopholes" were mapped, e.g. to combat metal theft by tighter regulation of scrap dealers (Council of the European Union, 2013b: 93). Nonetheless, the Council adopted an additional "conclusion on organised domestic burglary" in October 2016, which was pushed by Germany and France, calling for more efforts in the face of an "increase in the number of domestic burglaries [which] is attributable to itinerant crime groups originating mainly from South-Eastern and Eastern Europe, which belong to the field of organised crime or are considered one step away from organised crime" (Council of the European Union, 2016: 1).

6 The Schengen Information System is a large IT system of the European Union that, unlike Europol's databases, can be searched also by common border guards or policemen on the beat.

Only bits and pieces are publicly available on the impact of all these activities on the ground. The most obvious are large-scale international "joint action days" that are coordinated by the EMPACT platform. In 2013, for example, more than 58,000 persons, 50,000 vehicles and around 7,500 scrap dealers were checked during such a "joint action day" on metal theft that took place in 18 Member States. In addition, 12 "action days" were organised in the context of major investigations, and three regional "action days" took place in border regions, among others targeting "Irish Travellers" in the harbours of Ostend and Rotterdam (Council of the European Union, 2013b: 90). A more recent example was a "joint action day" in June 2018: led by the Italian police, authorities in 12 EU Member States checked around 55,000 persons, 42,000 vehicles and almost 8,000 scrap dealers, resulting in the arrest of 117 suspects and another 1,300 people who were only temporarily detained due to minor offences (Europol, 2018). One of the goals of such exercises is to put pressure on the targeted groups and generate new intelligence on their social networks. Less tangible for the groups affected are massive datamining exercises: in 2015, for example, around 80,000 datasets from lists of passengers and vehicles using Baltic Sea ferries were cross-matched with databases from Europol and national police forces in the context of the "Operation Turnstone" to investigate patterns of "organised property crime" (Europol, 2015: 40).

Conclusion

Even if direct references to "gypsies" or "Roma" are today largely absent from the reports on the pan-European fight against "itinerant crime" and "mobile organised crime groups", the clean picture cannot hide the antigypsyist roots of these concepts. The reports on nomadic or mobile criminals who go on the prowl under the protection and with the support of their "community" pick up on the more or less subtle conceptual codes that have been used over the past decades to conceal police discrimination against people perceived as Roma. Even though "itinerant crime" is a heterogeneous concept that seems to cover a broad spectrum of target groups, from Irish Travellers to alleged "thieves-in-law" from former Soviet republics, it is obvious that the concept has been used by the bodies of EU home affairs and police policy in particular to equate deviant behaviour that is accompanying migration from the Balkan states – often

sweepingly depicted as "poverty migration" of Roma – with organised crime, and to portray it as an existential threat to European security. The flexibility of the term "organised crime" provided space for an extensive scope of criminalisation. Europol, in particular, has opened up new opportunities by significantly expanding its core business of collecting and processing information. It is true that the size of Europol's databases and the Schengen Information System are still modest compared to national police data collections. However, with the growing number of people who are classified as belonging to "mobile organised crime" or its wider social context, the probability for those affected of becoming subjected to police measures increases: the more data, the more hits! There is no doubt that the investigations, action days, raids and specific checks which are common instruments in the fight against "itinerant crime" show successes when it comes to arresting offenders who are the actual targets. But the spraying width is significant, and as these instruments particularly aim to disrupt and investigate a milieu stigmatised as criminal, the risk of innocent people being harassed is significant. The fact that in this context, the detection of minor criminal or administrative offences or violations of immigration law is sold as success shows that different outcomes are being pursued in the shadow of combating "mobile organised crime".

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Racial Segregation: Camps for Roma and Slums in Italy

Giovanni Picker and Elisabetta Vivaldi

Introduction

This chapter explains why the camps for Roma and the slums where Roma live in Italy are places of racial segregation, marginalisation and stigmatisation. In the first part, the chapter traces a comprehensive history of the policies enabling the construction of camps from the late 1970s to the early 1990s. It then shows how the ideologies underpinning those policies informed subsequent decisions and strategies in governing camps for Roma until the late 2010s. In the second part, the analysis focuses on contemporary experiences of Romani people residing in camps – their constraints, desires and demands. In the conclusion, we outline some of the major problems behind camp governance and life today and suggest that, in order to stop racial segregation, anti-racism should become a key priority in political agendas at both grassroots and policy levels.

Campland: Racial Segregation of Roma in Italy is a research report published by the European Roma Rights Centre in 2000 (ERRC, 2000) and focusing on the situation of Roma living in camps in Italy. Four years earlier the first book in Italian on the same topic was published – *The Urban Planning of Dismay: Nomad Camps and Italian Society (L'urbanistica del disprezzo: Campi nomadi e societa' italiana*, 1996). Hence, by the early 2000s the situation was known to both Italian and international publics. The segregation of Roma in Italian cities was a systemic and racial issue, evident in the presence of camps, namely policy-driven housing infrastructures in which only Roma families lived, typically fenced and located at the extreme peripheries of large and mid-size towns, disconnected from the public transport system, dilapidated and with highly precarious living conditions.

In its 2017 annual report, the NGO *Associazione 21 Luglio* (2017) estimated that about 26,000 of the *circa* 150,000 Roma and Sinti living in Italy reside in camps and slums across the country; of them,

16,400 live in formal or "authorised" camps, while the rest live in informal and improvised slums. Slums are usually abandoned areas equipped with shacks, at times with caravans, and generally without running water, heating and sewerage systems. Formal camps can be made illegal and consequently abandoned by local authorities and civil society groups, thus leading to a worsening of living conditions. About 43% of formal camp residents hold Italian citizenship, while almost all Roma living in slums are from Romania (about 86%) and Bulgaria; the life expectancy of the residents of both camps and slums is on average ten years less than the Italian population living outside the camps.

Racial Segregation as Structure: Genesis and Persistence of the Camps (1970s-2010s)

In the aftermath of World War II, Italian Romani and Sinti families could enjoy regional and inter-regional mobility, which was the condition for carrying out some of their occupations such as craftsmen, horse traders and merry-go-round operators. The first informally organised settlements in which basic services including education and healthcare were provided emerged between the late 1960s and the early 1970s, on the outskirts of a number of Italian cities; services were typically offered by local NGOs and Catholic groups. It is important to mention that in 1969 the Council of Europe issued a recommendation (563/1969) urging Member States to construct "for Gypsies and other travellers […] caravan sites […] with sanitary installations, electricity, telephones, community buildings and fire precautions, as well as working areas, and should be situated near to schools and villages or towns" (Council of Europe, 1969).

By the early 1970s, in Italy and across Western Europe, demand for itinerant jobs started to decline, largely due to the gradual termination of a three-decade long high economic growth, and a slow move towards reducing social provisions of the welfare state became coupled with increasing police control of non-sedentary life. While differing across regions and cities, this phenomenon severely affected people living in caravans, i.e. first and foremost Roma and Sinti. Another coinciding and significant phenomenon was the arrival of adult Romani men from Yugoslavia from the mid-1960s onwards, later joined by their families, after Tito, then President of Yugoslavia, lifted emigration restrictions.

In this context of tightened socio-spatial control, increased urban policing, and diversification of the demographic profile of mobile populations, the informally organised settlements of Roma and Sinti that appeared in the early 1970s became institutionalised by the early 1980s. The first of these institutionalised camps was the "Sangone camp", opened in 1979 near Turin, and named after the river where Sinti families used to stop and let horses drink. The official rationale for setting up the Sangone camp is fundamental, because it introduced a normative practice, among decision makers and local authorities, of building camps exclusively for Romani people. The rationale behind the construction of the camp was twofold. On one hand, it aimed to insure the possibility for Roma to carry on their "nomadism" and keep travelling across the country; on the other, it aimed to offer a place where Romani people could stop during their itinerant life and have access to some basic services, including primary education for children.

The Sangone camp also illustrates another fundamental element, which has been present in all subsequent decisions about camps for Roma across the country: local authorities' and NGOs' dominant representation of Roma and Sinti. This representation was only about "nomadism", meaning that Roma and Sinti were considered to be "nomads" above any other possible characterisation such as "workers", "families", "socially marginalised", "Italians", "foreigners", etc. Nomadism, however, was not simply regarded as a lifestyle. Rather, it was considered to be a hereditary and psychosocial trait that all Roma allegedly bore: a socially deviant trait which inexorably triggered unpredictable behaviour outside the usual social and legal norms. This characterisation of Roma was sustained not only by policy makers and NGO activists, but also by very influential scholars in the fields of education and psychology.[1]

It is fundamental to understand this particular representation of Roma in the context of the first camp policies, and the reason for

1 A significant number of academic works have recently shown that during the 1960s and 1970s expert knowledge, including academic knowledge, characterised Roma as intrinsically (i.e. psychologically and/or morally) deviant or potentially deviant. This characterisation influenced policy making, especially policies concerning camps. See for example Bravi, 2009; Picker and Roccheggiani, 2014. This did not only happen in Italy, but also in the United Kingdom: see for example Picker et al, 2015; Acton, 2016.

this is threefold. First, this representation influenced subsequent policies for Roma to this day and is likely to continue to do so. Second, without this representation, it would be hard to imagine fenced camps in urban peripheries as housing solutions – only once the problem had been defined in terms of an allegedly innate and potentially deviant trait, could camps be seen as adequate housing solutions. Third, the assumption of nomadism as a psychosocial trait unequivocally precluded the option of engaging in constructive and sustained dialogues with Romani families about their needs and desires for prospective housing solutions. Indeed, camps for Roma have been conceived as axiomatically proper by exclusively consulting with non-Roma "experts", without involving those directly affected by camp policies in the decision making process.

By drawing on this dominant representation of Roma as "nomads", from 1984 to 1992, 12 Regional Councils (out of a total of 21) passed as many laws ordering the construction of camps as the only housing solution for Romani families living in caravans and in other temporary accommodation. The 12 regions were those in which itinerant housing was considered to be a public order issue, as well as an issue of social exclusion, and both issues were to be tackled by a combination of caring and repressive policies. These 12 laws, or subsequent elaborations of them, are still in force, and they strictly resemble one another, both in terms of objectives and measures.[2] In the name of an ambivalent "right to nomadism", the Regional laws ordered the construction of camps for both "sedentary" and "itinerant" "nomads"; they foresaw camps as temporary housing solutions, in view of a future and permanent sedentary way of life and inclusion in the mainstream society.

Such an ambivalent twofold rationale, i.e. "the right to nomadism" and "sedentarisation", became the condition for camps to slowly permute from temporary housing solutions to permanent, overcrowded, unhygienic, and ultimately marginalised and segregated urban areas. Indeed, while on average, material and hygiene conditions inside the camps during the late 1980s and early 1990s were

2 Sigona (2011) has empirically demonstrated this fact, and explained the relations between public discourse, policy and institutional practices vis-à-vis Roma in Italy from the 1980s to the 2000s.

bearable, after the beginning of the Bosnian war in 1992, and later the Kosovo war in 1997-2000, the number of people, including Romani families, fleeing war and seeking refuge in Italy increased exponentially. This directly led to an increase in the camp population, leading to worse hygiene conditions, more precariousness and an increase in internal conflicts inside camps, as well as more repressive institutional measures.

This was indeed the situation that European Roma Rights Centre researchers witnessed in the late 1990s:

> Roma live segregated from non-Romani Italians. […] They can be evicted at any moment, and frequently are. A racist society pushes these Roma to the margins and hinders their integration. […]. Where Italian authorities have expended energy and resources on Roma, these efforts have in most cases not been aimed at integrating Roma into Italian society. Quite the opposite: as the third millennium dawns, Italy is the only country in Europe to boast a systematic, publicly organised and sponsored network of ghettos aimed at depriving Roma of full participation in, or even contact or interaction with, Italian life. These Roma, in Italian parlance, live in "camps" or squalid ghettos that are "authorised" (ERRC, 2000).

It can be said that the expression "racial" in the ERRC's research report's title – *Racial Segregation of Roma in Italy* – is related to the fact that the institutional camp system, so meticulously engineered, was ultimately predicated on a racial designation of Roma as subjects characterised by a hereditary psychosocial abnormality, that is, nomadism. This is to say that rather than an "ethnic" or "cultural" peculiarity, nomadism was being considered by decision makers as a fundamentally racial characterisation. Fundamentally, such a dominant characterisation still persists.[3]

3 As Picker (2017) has empirically shown, the racial characterisation of Roma as intrinsically "nomad" – and, as such, "deviant" – is still widespread and very pervasive among local authorities in Florence, Turin and Pescara in the 2010s, and such a significant characterisation translates at times in institutional decisions and practices predicated upon racism and bearing racially exclusionary effects. The second part of this chapter empirically accounts for the effects of this (mis)representation on the lives of Roma living in camps.

Concomitantly, since the late 1990s the national political landscape underwent a series of fundamental transformations, including an increased consensus for conservative and populist sentiments, especially following Berlusconi's 1994 Premiership and his coalition government that included the former fascist party, *Alleanza Nazionale* (AN), and the xenophobic and secessionist *Lega Nord* (LN). In 2002 the leaders of LN and AN, Bossi and Fini respectively, signed a new immigration law, which for the first time criminalised undocumented migration. Perhaps unsurprisingly, it was at this point that camps for Roma and slums where Roma were living became criminalised in political discourses – first only locally, later also nationally – as emblems of social deviance and moral decay, for the purpose of legitimising repressive governance measures.

From the late 2000s to the late 2010s criminalisation grew steadily, and in order to understand how nomad camps were governed in this period, it is important to consider a number of key events. While inflammatory political discourses against Roma had been circulating since 1945, the first time that slums where Roma lived were mentioned in a political programme at the national level was in early 2008, one year after the accession of Romania and Bulgaria to the European Union. La *Casa delle Libertà*, the party headed by Berlusconi, who back then declared "zero tolerance" for Roma, illegal immigrants and criminals, included in its programme "[…] the fight against illegal settlements and the eviction of whoever does not have adequate means of subsistence and the right to reside in the country". This claim gained strong support due to its implicit reference to what happened in Rome a few months earlier.

In winter 2007 Ms Reggiani, the wife of a Military Navy Officer, was attacked and her bag stolen in the outskirts of Rome. As a consequence of the attack, the woman died. The only suspect was Mr Mailat, a Romanian man who was said to be living in a makeshift settlement not far from the location where the woman was attacked. As national headlines on the event broke out, the left-wing Mayor of Rome, Walter Veltroni, announced his plan to deport Romanian citizens back to their country, in clear breach of EU freedom of movement legislation. Moreover, in the aftermath of what the media called "the Mailat case", Roberto Maroni (*Lega Nord*), the

just-elected Minister of Interior, signed a decree establishing "a state of emergency in relation to the settlement of nomads" and ordering the collection of fingerprints in all "nomad camps", in order to create a record of camp residents.[4] Disregarding the subsequent European Parliament resolution (2008) stating that "collecting fingerprints of Roma […] would clearly constitute an act of direct discrimination based on race and ethnic group", Maroni did not stop the fingerprinting. Antigypsyism also took hold among citizens, and in May 2008 a mob set a camp on fire in Ponticelli, a suburb of Naples (La Repubblica, 2008).[5]

In this context, it was no surprise to read the 2008 UN Committee on the Elimination of Racial Discrimination (CERD) report on the situation of Roma in Italy:

> The Committee […] recommends that the State party develop and implement policies and projects aimed at avoiding segregation of Roma communities in housing, to involve Roma communities and associations as partners together with other persons in housing project construction, rehabilitation and maintenance. The Committee further recommends that it act firmly against local measures denying residence to Roma and the unlawful expulsion of Roma, and *to refrain from placing Roma in camps* outside populated areas that are isolated and without access to health care and other basic facilities. […] The Committee, while noting the initiatives adopted by the State party to combat racial discrimination and intolerance, is concerned about reported instances of hate speech, including statements targeting foreign nationals and Roma, attributed to politicians (CERD, 2008).

During the 2010s the governance of camps largely followed the antigypsyist trend of the late 2000s. However, until the call for a Roma census by deputy Prime Minister Salvini in summer 2018, political antigypsyism largely remained at the municipal level. The 2009

4 In his research in Rome, Daniele (2010) has provided solid evidence that shows that the government decision to collect fingerprints in "nomad camps" was a racist policy. For an overview of the fingerprinting policy, see Report on Marco Cappato and Viktoria Mohacsi's visit and meetings in Rome, 17-18 July, 2008, available at: http://www.statewatch.org/news/2008/jul/italy-roma-meps-report.pdf.

5 Sigona (2002) documented a similar attack on Roma in Scampia (Naples), which occurred in 1999.

"nomad plan" in Rome, for example, a municipal policy, which was promoted within the framework of the national "state of emergency", fostered segregation by institutionalising existing camps and constructing new camps under high surveillance. Also, in 2015 a massive eviction of 26 Romani families happened in Turin and brought the European Court of Human Rights to order an end to the evictions. In Milan, 214 evictions of Romani people were carried out in 2010 alone, provoking the displacement of thousands of families, and the relocation of a number of them in institutionalised camps for Roma, some of which subsequently closed down without providing alternative and adequate housing to the evicted families.

In conclusion, we can say that since their institutional creation in the late 1970s, camps for Roma in Italy have shared and continue to share the following key features:

- They are the results of specific public policies;
- Their rationale combines social inclusion and allowing mobility;
- They were planned (in the 1980s and 1990s) and are still legitimised by drawing on a racist representation of Roma as mainly characterised by an alleged "nomadism", largely intended as a racial trait leading to deviancy;
- They are typically in the periphery of large and mid-size towns, equipped with dilapidated housing, with sub-standard conditions, and badly connected to the city centre by public transport;
- They are usually governed with a combination of repressive (police) and social inclusion (social services) measures;
- Since the mid-2000s, local and national political authorities have increasingly criminalised them.

Experiencing Racial Segregation: Camp Residents' Thoughts and Feelings

The second part of this chapter is based on records provided by Romani people who wanted to share their personal experiences as residents of "nomad camps" in the city of Naples.[6] In particular, research participants from former Yugoslavian communities

6 Elisabetta Vivaldi has gathered data mentioned in this part during her doctoral research at Buckinghamshire New University-Coventry University. See Vivaldi, 2017.

expressed concerns about the negative impact on their personal "health and well-being" of living in Italian camps.

Most of the participants, born in former Yugoslavia (particularly but not exclusively Serbia), affirmed that although they are Roma, and thus equated in public and policy discourse with narratives of "nomadism", their daily reality and former lives have no direct connection to "nomadism". Both older generations (born in former Yugoslavia) and younger individuals (born in Italy or other EU Member States) affirmed that their families travelled mostly for leisure or seasonal work but they had no direct remembrance of "being nomads". They also said they were aware that Italians often call them "nomads" but underlined that in Romani language they call themselves "Roma".

Romani youths, born during or after the collapse of former Yugoslavia, explained that their most significant "travelling" move was their first migration trip, the one that they embarked upon to flee to Italy from conflict areas in their homeland. Some individuals declared they were born in Italy and have rarely travelled abroad or within Italy, due either to lack of proper personal documentation allowing for international mobility or to scarce financial resources. Other youths acknowledged that they knew the geography of the neighbourhoods situated near the camp very well, but they never (or rarely) had a chance to leave the camp and to experience life "outside", as they were born "in camps".[7] However, the majority of them wished for "a better future and a happy life" (see also Barsony, 2009).

Adults' stories often started with an explanation of the reasons behind attempting a relocation abroad, accompanied by vivid descriptions, not only of war related memories, but also of the traumatic "arrival" in the Italian "nomad camps". Romani "asylum seekers", who escaped from conflict zones in former Yugoslavia, described their first memories with words of profound disappointment and frustration.

7 The participants in the research were born in local hospitals, but in their discourses they use the nomad camp as a reference point to position who or what is "in"/"inside" and what is "out"/outside" the settlement, in view of a personal perception of a social separation determined by the location.

A mother, who fled with her children to join her husband and avoid the 1999 bombings in Serbia, explained her sense of disenchantment when she realised that her relocation place was an illegal settlement, where there was no humanitarian aid (see also Vivaldi, 2014):

> When I arrived, I came directly here; I did not even have a bedsheet. I asked what is this? Not even electricity, I was without electricity there [in war-zone] for three years and here too! What is this?! Here, not only did I not have electricity, but also nothing to cover myself. Nothing at all!

Sead Dobreva, a trade unionist, who was a war child refugee of Romani heritage from Kosovo who resettled in Scampia, a municipality of Naples, where his family once lived, shared an important childhood memory during an interview. His story gives an idea of the impact that living in the nomad camp had on him, and probably also on many children and adolescents, who were extremely vulnerable and totally unfamiliar with this new reality and the harsh living conditions:

> I was happy [to escape], I believed that all would have been beautiful in Italy, but when I arrived in Scampia I saw the Roma camp and I started crying. Only thanks to my auntie who was already there in that camp [living] in a trailer, I found a way to distract myself because she gave me a remote-controlled car.[8]

Participants clarified that they all came from a "settled" background, often but not exclusively, from rural areas of former Yugoslavia. In particular, an elderly lady said:

> We are not Čergari (Čerga means "tent" in Serbian)...We do not pitch tents [...] I was born in Yugoslavia when it was still a big country, in Šabac, Serbia... quite a big town, a mixed city, where Roma and other Yugoslavs lived together. It was an industrial town...where there were "the poor" and "the capitalists"... My family was rich, they were selling in the markets, travelling and trading everything: pots, pigs, plastic goods, curtains. They used to travel all over Yugoslavia

8 Dobreva, escaping from Kosovo, in Clemente 2015.

> to sell, but mainly in Bosnia and Dalmatia. They used to put the pigs on the trucks to transport them, but before they used wagons or carts.

As described by several inhabitants who were used to living in proper housing before their relocation in a "nomad camp", this change of lifestyle caused a sense of constant disorder and disorganisation. This perception may result from the physical environment of the settlement and correlated difficulty of managing the living space (see also Albert, 2012) but also the isolation, intended both as a geographic distance and a separation from mainstream society.

Inhabitants shared their feeling of instability and anxiousness linked to the impossibility to plan their future, while waiting for pending documents and surviving only with an intermittent income, often insufficient to fulfill the daily needs of an entire family.

One example of having to change their lifestyle to "adapt" is provided by Gloria's story. Gloria is a Bulgarian Romani woman who migrated to Italy for economic reasons and only later married, according to customary law, a former Yugoslavian Rom who was already in the camp. Gloria, who had a high school degree, was in her twenties when she arrived in Italy. She dropped out of a course to become a Romani pupils school assistant to follow her siblings who were already living and working in Naples, one as a carer and the other as a carpenter. The reason she gave is that the financial support to study outside her village was not sufficient and she could not convince her family to invest in her education and professional training, so she gave up her aspiration to move abroad.

Gloria also criticised the camp and defined it as "an ambition killer where you rarely get a chance to emerge". She explained that she came from a Bulgarian village where her parents lived in a cottage. At home, she "had everything" but she "had to leave everything behind" and learn "to adapt". In Bulgaria she had running water, electricity, a stove and an oven to cook food, and a proper bathroom. In the nomad camp *everything* was "intermittent": the water was not clean and drinkable, the bathroom was arranged as a "hole" in the ground, she had to heat the water on a handmade stove-burner before having a bath but before that she had to collect and cut wood. All these

activities were physically exhausting. Furthermore, as the electric voltage was so slow, appliances worked only intermittently, making the use of the washing machine rather difficult. In addition, there was no proper place to hang clothes, because the burner was incinerating all sorts of materials, included varnished wood and emitting fumes, while outside dust and particles were thrown up by passing cars in the proximity of the shack, or from vehicles passing overhead on a flyover. Similar problems arose with fridges and freezers because intermittent voltage increased food preservation risks.

Gloria explained that she did not expect to end up in a nomad camp: "I can't say that I feel well here but I got used to it". She was aware of being a European Union citizen, with the rights and duties of EU nationals: "I am only waiting to be given a chance to achieve a better life for me and my family" but she underlined that "it is more difficult if you live in a nomad camp, because potential employers are biased and discouraged to hire someone from such an environment". Furthermore, her economic resources were very limited and insufficient to pay rent and utility bills, every month, without a permanent stable job in order to exit the camp. "You need economic power to attempt a family relocation and to take both husband and child, on my shoulder…Who will rent a house to a Romani family, foreigners and broke?".

In sum, according to several respondents, living in nomad camps (either illegal or official) has an impact on individuals' well-being, arising from having to get used to a lifestyle based on "coping" with different degrees of "deprivation", but also having to adjust in order to tackle unpleasant situations, risks and instances of direct and indirect discrimination that Romani people had to learn to deal with, to get used to "camp life". Coping mechanisms and resilience to overcome challenges included handling feelings associated with remaining in a long-term situation of deprivation of basic services and tolerating the frustration provoked by spatial segregation and discrimination.

Inhabitants not only lack facilities to maintain and take care of their items (as Gloria mentioned) but they also live with the instability, the constant fear of imminent changes, determined by eviction

orders. This results in being obliged to be constantly vigilant and, at the same time, being reluctant to invest money in resources and possessions that cannot be easily relocated from one place to another.

> You must be more effective in how you handle your moves…You must understand that accumulating material objects will only stress you out when you will have to relocate, because you will have to leave things behind…The most fundamental things you carry with you are…essential to meet your daily needs. What you really need is the support of people who can help you with that, such as your family. All the rest is unnecessary and replaceable, so learn to cope without it.

Camp residents complained not only about the original allocation in the nomad camp, as an under-serviced space, but also about the lack of improvements during the decades that followed the arrival of Romani families from former Yugoslavia. Several participants in the research mentioned the fingerprinting operation carried out in 2008 during the declared "state of emergency in relation to the settlement of nomads" – mentioned in the first part of this chapter. They explained that they agreed to be fingerprinted in the hope of regularising their documents and of accessing services and "privileges" such as housing. Their intention was to reduce the gap between them (including the new generation born in Italy) and the "outsiders" (the non-Roma living outside the camp) by accessing services that were generally available only through the support of NGOs that often act as mediators and guarantors between service providers and semi-documented local community members. As reported by the Romani writer Ronald Lee (Montesi 2002) after a visit to the Casilino 900 camp in Rome in the late 1990s, Roma are forced to live in "Kalisferia", a sort of "limbo" where they are left in alienation by the institutions. This description does not differ from the ones provided by the Roma in Naples two decades later.

As shown in the following testimony by a stateless (*de facto*) woman collected a few years after the fingerprinting took place, the camp conditions remained similar or even worsened:

> Nothing related to living conditions got better [since the fingerprint collection], even more dirtiness – and now they even placed a rubbish plant in the middle of the *Gypsies [Zingari]*. They will make us die and our children too…They never cleaned up, even though we have been living here for twenty years and they did not clean because they do not want to say that we are clean…They throw the rubbish near us and then accuse us of being the ones that scatter it all over, but this is not true. No. These big black plastic bags are not thrown by us. They [i.e. the non-residents who fly-tip] come at 4.00 am, at 5.00 am, discharge their trash here and blame it on us.

Romani community members of all ages provided numerous heartfelt testimonies about racist incidents and bullying which occurred outside the camp, by both individuals and even institutional representatives (e.g. when accessing services).

Conclusion: Evicting Racism – How?

In its 2009 research report on the housing of Roma in Italy, the EU Fundamental Rights Agency observed that:

> There is a widespread conviction in Italy that Roma, Sinti and Travellers are nomadic populations whose cultures revolve around a nomadic lifestyle. This perception of the Roma as 'nomads' permeates all aspects of public policy towards these groups and in particular, housing policies. At the centre of housing policies targeting the Roma is the idea and practice of 'camps for nomads' or simply, Roma camps. These camps are frequently located far away from city centres, often close to motorways, railways, or an industrial area not inhabited by non-Roma groups; in some cases, they are even found on former waste dump sites. They are policy-induced segregated structures, often overcrowded and lacking in services and basic infrastructure. Roma camps are often targets of social alarm and hostility from nearby residents, and the decision to locate one in a city's district is quite often submerged in political controversy (European Union Agency for Fundamental Rights, 2009: 4).

This set of observations is testimony to the persistence, from the 1960s to 2009, not only of the "nomad" stigma as such, but also of its prominence in driving contemporary policies for Roma in Italy

beyond camp policies. This chapter has explained why this stigma is a racial stigma and how its serious consequences – in particular, the existence of camps for Roma and slums – are currently being experienced by Roma people. The dominant experience of being a stigmatised population, largely marginalised and left in highly precarious living conditions seems to pervade many experiences of camp life.

This chapter has also explained that the conditions of racial segregation experienced by approximately 26,000 Roma in Italy are the direct consequence of public policies, and not – as it is often suggested – the choice of Roma. The exclusion of Roma people from decision making processes since the very beginning of camp policies has had the consequence of creating places of segregation that were initially driven by an ambivalent rationale consisting in, on the one hand, providing social inclusion, and, on the other hand, curbing social deviance tendencies.[9] This ambivalence was ingrained in the racial stigma of "nomadism", which is still pervasive and carries with it the dominant idea that there is no need to get rid of racism, because the problem lies in Roma's alleged characteristics, not in institutional approaches and assumptions shared by the majority society.

This chapter has shown that this history of shared assumptions and related policies is fundamental to understand where the problem lies and – therefore – how to tackle it. Racism is intrinsic to how Italian authorities, media and the general public have addressed the problem of "camps"; in other words, it is part of an established, dominant and pervasive tradition of policy making, whereby there would be nothing to gain in considering Roma more than de-personalised "nomads", lumping them together irrespective of their own views, histories, claims and aspirations.

In order to address the racial segregation of Roma in Italian camps, therefore, we argue that anti-racism should be a priority in both policy and grassroots interventions. In particular, fighting

9 Article 30 of the United Nations "General Recommendation No. 27: Discrimination against Roma", signed in 2000, invites governments "to develop and implement policies and projects aimed at avoiding segregation of Roma communities in housing; to *involve Roma communities and associations* as partners together with other persons in housing project construction, rehabilitation and maintenance" (article 30; emphasis added).

antigypsyism – rooted as it is in the belief, borne out of Christian values and colonialism, that white Westerners are morally superior to Jews, Muslims, Blacks, Roma, and other discriminated groups – should become priority number one when it comes to thinking about possible solutions. Understanding antigypsyism as a set of opinions or prejudice confined to the mind of certain individuals or specific (so-called "extreme") groups, as it often is, cannot serve as a valid starting point. Rather, antigypsyism, as this chapter has thoroughly demonstrated, is part of a structure, a long-term camp system that keeps thousands of families trapped in very degrading conditions, humiliating them by imposing a life on the outskirts of urban peripheries; an enduring camp system that was legitimised by notions of psychosocial abnormality and social deviance.

Therefore, in order to counter this system, in order to reverse the trend of segregation, antigypsyism needs to be challenged as a structure, not as a set of individual or group verbal/physical expressions. This may translate into initiatives that would promote knowledge about the deep-rooted racial stigmatisation of Roma, the production of their alleged abnormality and the consequences of this stigmatisation, including the camp system. Initiatives may also involve training for teachers, policemen, journalists, healthcare professionals and politicians not only about the deep-rooted and long history of antigypsyism in Italy, but also about the very nature of antigypsyism as a specific form of racism. In addition, and perhaps subsequently, any future housing projects should put the interests and needs of Romani families currently living in camps at the core of the decision making process.

All these initiatives will have no results unless they are supported by political will. Political parties, grassroots organisations, and interested citizens cannot ignore that antigypsyism, as much as racism in general, are profoundly political forces, which can only be challenged on political grounds. The fashionable technicalities of the social inclusion policy framework – not least across the various National Strategies for Roma Inclusion – are doomed to fail if they are not supported by political decisions, primarily by acknowledging and listening to Romani communities. Pushing an engaged anti-racist political agenda with and in support of Romani communities

is the only way to reverse the trend of racial segregation which has been ongoing for decades. Evicting racism from policy making, actions and cultural assumptions requires political interventions.

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Sugar-coating Antigypsyism? Subtle Forms of Disciplining Roma in Spanish Welfare Services

Sarah Werner Boada

Introduction

State administrations have been policing and disciplining minorities for centuries, and the measures through which they do so can take many forms. The compulsory registration of Romani residents, often under the pretence of handling work occupations or non-sedentary lifestyles deemed problematic for the cohesion of society, has for instance built the ground for major episodes of antigypsyist persecution in European history. While some states are – tediously – starting to take some responsibility for these traumatic periods of history through public acts of apology, it would be a mistake to consider them as extraordinary events that belong to a shameful past and have no connection with the more subtle, covert forms of state control Romani minorities are often subjected to today. Welfare programmes in particular, as has been repeatedly shown in social policy scholarship, are "systems of stratification" (Esping-Andersen, 1990) which classify populations into reified and hierarchical categories of beneficiaries and nudge them into certain lifestyles, occupations or social statuses. This chapter explores the sometimes surprising ways in which welfare policies may be used to control minority groups, by showing how a language of economic, but also cultural and gendered emancipation was adopted in welfare services in Spain, ironically in order to maintain forced assimilation and rule out discussions on institutional Antigypsyism.

The Spanish state has long followed an assimilationist model of governance which, in line with the French colour-blind ideology, approached Romani minorities through welfare-based policies centred on socio-economic integration rather than on minority rights (Cortés, 2016). Under the guise of equal treatment for all citizens, the granting of national minority status has traditionally been rejected unless territorially-based (Laparra and Macias, 2009) and, specifically, social programmes targeted at Romani communities

have been aimed at their assimilation into dominant society, notably through education and employment. Interestingly enough, however, a shift towards cultural recognition was recently operated at the political level, as manifested in the official recognition of the Romani flag and anthem, *Jelem Jelem,* as well as the declaration of 8 April as "Day of the Gypsy[1] People" (*Día del Pueblo Gitano*) by the Council of Ministers in April 2018 (Consejo de Ministro, 2018). This new political move crystallises the discourse celebrating Romani culture and, in particular, Romani women as community leaders, that has been increasingly used in social policies drafted by state authorities and implemented by NGOs working with Romani women: the so-called "Gypsy women associations" (*asociaciones de mujeres gitanas*). The Spanish state, which was already praised at the international level as a successful model of "Roma inclusion" (Maya and Mirga, 2014), is now enjoying a particularly good reputation for empowering Romani women through its partnership with those NGOs which, in turn, are often celebrated as examples of grassroots Romani feminism (Caro Maya and Werner Boada, 2018).

However, despite the emancipatory language found in policy documents and institutional communication, the practices among NGOs to which part of social services' activities are now outsourced remain centred around the same paternalistic and controlling logics as before. What is more, the fact that multiculturalism and feminist politics are now put forward at the political level is regularly used as an argument to claim that Spanish Roma live in a post-racial, emancipated society where Antigypsyism is a thing of the past, and that they only owe their situation to themselves and their allegedly backward traditions, particularly in terms of gender relations. This paradox raises questions: how is it that these practices persist, despite an apparent departure away from the French assimilationist model? What might explain the discrepancy between discourses that brandish Romani women's empowerment, both from cultural assimilation and patriarchy, and welfare schemes aimed at disciplining them

1 I use the term "Gypsy" solely in literal translations to remain faithful to the Spanish wording. Although the Spanish equivalent, "Gitano/Gitana" has been re-appropriated by Spanish Roma (most of whom are from the Kalé group), it was coined by majority society, bears racist connotations and is often used as a racial slur.

only further and teaching them the "Gadjo[2] way of life"? Rather than an issue of poor implementation, what I observe is a strategic instrumentalisation of emancipatory politics on the part of institutional actors in order to cover up racism and the gendered forms it takes in social services. This manifests itself in the organisational restructuring of social work, in the framing of welfare activities, as well as in communication efforts.

The primary data upon which this research is based was collected through participant observation and semi-structured interviews in 2016 and 2017 in Madrid. I spent about eight months in a well-established *asociación de mujeres gitanas* – hereafter simply referred to as NGO – which was founded in the early 1990s under the impetus of new state subsidies, as was the case for several other organisations across the country (Caro Maya and Werner Boada, 2018). Officially presided by a Romani woman, the NGO answers to the Community of Madrid regional authorities and is expected to implement welfare programmes aimed at Romani women, who are sent in by their local social assistant as a precondition for receiving their social benefits. It is run on a day-to-day basis by Gadje social workers and Romani mediators, and projects are designed according to regional funding rules. I took part in daily activities several times a week and in monthly "excursions" (*salidas*), generally institutional events which are widely publicised, such as roundtables, presentations, or political demonstrations which beneficiaries were required to attend in return for their benefits. I conducted interviews with all staff members, as well as social workers employed in other institutions dealing directly or indirectly with Romani women. I also conducted several formal group interviews with NGO beneficiaries, complemented by informal discussions we had during our socialising outside of the NGO premises. All research participants were aware of my position as a researcher, but power dynamics varied significantly depending on the settings we found ourselves in. At the NGO, although my role mostly consisted in observing activities, I was perceived as a staff member that was here to teach beneficiaries or, at the very least, was not subjected to mandatory attendance as they were. My "Gadjo-ness" (Matache, 2016) was

2 "Gadjo" (masc.), "Gadje" (plural), "Gadji" (fem.) refers to non-Romani people in Romani language. Spanish Roma more often use the terms "payo/paya" or "jambo/jamba".

most probably felt as a mark of power or complicity with Gadje social workers, both among staff and beneficiaries. Outside the premises on the other hand, and particularly with the women – mediators and beneficiaries – who became my friends, the "teaching/learning" hierarchy often faded or even reversed. That being said, the privileged position I benefit from, as a white woman, a highly educated researcher, and someone who, unlike the underpaid staff and the NGO beneficiaries, was here on a purely voluntary basis and could come and go as she pleased, must be borne in mind in the reading of this chapter.

With a view to fully understanding the dynamics at play within Spanish welfare programmes targeted at Romani people, I first provide a short overview of the theoretical debates on welfare reconfigurations in neoliberal Europe and the attention paid to its racial dimensions, or lack thereof. I argue that the depoliticising discourse under neoliberal ideology, which urges us to celebrate individual achievements so as to obscure structural hierarchies and violence, cannot be approached from a "raceless" perspective (Goldberg, 2006), as is often the case in European debates. To back this up, I explore in a second part how the celebratory tone that is characteristic of neoliberal welfare reengineering takes shape in the "Roma inclusion" State-NGO partnerships that many have a high opinion of in Spain, whereas the framework in place actually seals or reinforces inequality. First, I show that the outsourcing of welfare programmes targeted at Romani women to NGOs, and the hiring of Romani social workers as mediators there, feed an illusion of representativeness in structures that are still marked by racial hierarchies. Then, I look into their empowerment-themed activities which, ironically, are made mandatory for welfare recipients and urge them to conform to Gadjo society. Finally, I analyse the ways in which these programmes are advertised, and argue that the tokenisation of Romani professionals and claims of cultural recognition and self-representation hinder the possibilities of openly addressing and combating Antigypsyism.

Re-engineering Welfare under Neoliberalism

The paradigm shift in approaching social services in Spain must be resituated within a broader political context, where neoliberal logics

of governance at the global level, and EU integration in particular, led to the adoption of so-called "activation policies" focused on achieving full employment and reducing welfare dependency. The main features of the activation paradigm, according to Ámparo Serrano Pascual (2007), are a special emphasis on individual responsibilities, a priority given to integrating beneficiaries into the labour market, as well as the establishment of contract-based relationships between welfare agencies and beneficiaries. In other words, whereas the traditional welfare state as described by Gøsta Esping-Andersen was geared towards "decommodification", i.e. the State's responsibility to provide a safety net against market forces (Esping-Andersen, 1990), now work is framed as a "civil duty" for all citizens (Serrano Pascual, 2007: 19) and it falls upon them to find employment and adapt to market needs. According to this new understanding of welfare, the State fulfils an "enabling" role (Ibid: 17), designing personalised employment plans and providing training and employment opportunities to beneficiaries, in exchange for their full availability to work and commitment to abide by the contract rules. To its proponents, the aim is to move away from welfare schemes which trap beneficiaries into dependency and passivity, and instead, to empower them with the kind of support that could enable them to take their situation into their own hands. It is expected that the contracts set up between welfare agencies and welfare recipients would foster reciprocity and offer programmes tailored to individual needs, as opposed to the impersonal bureaucratic hierarchy that prevails in traditional welfare. Propelled by policy developments at the EU level, Spain reformed its legislation in 2002 and 2003, arguably to improve job-seeking through personalised plans, with a special attention to disadvantaged groups (Aragón et al, 2007: 180-181). In their analysis of these reforms, some authors argue that while they are convincing on paper, they are actually dysfunctional due to discretionary practices. Beneficiaries are reportedly required to sign their employment plan before it is drawn up, and follow it afterwards regardless of its content (Ibid: 184), and, in addition, despite the law's emphasis on equal opportunities, social workers continue to treat beneficiaries arbitrarily, notably when it comes to Romani welfare recipients (Ayala Rubio, 2012). Still, this line of argument implies that albeit poorly implemented, those were necessary legal changes which did open up opportunities for welfare beneficiaries.

On the other hand, important critiques of this paradigm have been put forward. Denouncing a turn towards more punitive measures, many see it as a continuation of the US-born "workfare" ideology which, in spite of the language of emancipation it uses, aims first and foremost at dismantling welfare redistribution rather than addressing poverty (Peck, 2001), and forces welfare recipients into precarious or free labour through a system of economic sanctions (Burnett and Whyte, 2017). Rather than greater autonomy, the emphasis on individual responsibilities and moral behaviour serves a depoliticising purpose by shifting public attention away from the role of institutions, and justifies disciplinary measures for those unwilling to take part, or paternalistic programmes aimed at "curing" beneficiaries' irrational shortcomings (Serrano Pascual, 2007: 296-297). The above-mentioned Spanish legislation thus requires all recipients of welfare benefits to sign a contract with employment agencies, which commits them to accept any job offer and partake in any activity considered necessary for their employment-seeking endeavours. Failing to make oneself available is punishable by a temporary withdrawal of benefits or the total loss of the right to claim them (Aragón et al, 2007: 187). In that sense, state intervention into people's lives and coercion are tightened rather than loosened, and one can barely speak of empowerment.

Since the Spanish welfare state has been historically weak in comparison with other European regimes (Ibid: 193), and EU integration, at least in its early years, enjoyed a positive image in the country in the wake of the Francoist dictatorship, welfare reforms might have been easier than elsewhere. Nonetheless, Aragón et al (2007: 195) and Serrano Pascual (2007: 292) argue that suspicion towards punitive measures and welfare cutbacks, as well as tolerance for fraud, are also greater among Spanish people. The argument that Spanish society shows sympathy towards all welfare beneficiaries might be questionable, however, as claiming this ignores the racist stereotypes that prevail on Roma and other people of colour as welfare burdens, fraudsters and parasites, not solely among social workers, but within society in general. After all, it is no coincidence that the official dictionary of the Spanish Royal Academy listed "cheater" (*trapacero*) as one of the definitions under *Gitano*. Either way, there is no doubt that even critics of these new welfare configurations tend to disregard the role that racism and institutional whiteness play in them.

Welfare as a Tool of Racist Governance

Indeed, welfare reforms have racialised implications – and even motivations. A strong case made by US scholars, and frequently neglected in European academia and policy making, is that the adoption of measures that tighten the disciplinary grip over welfare recipients while reducing their rights to benefits has a lot to do with governing people of colour in a less explicitly discriminatory way, notably as it coincides with the post-civil rights period where racial discrimination is in principle banned (Fording, Soss and Schram, 2011). Loïc Wacquant (2009) shows a convergence between welfare and carceral policies, whereby disproportionately racialised poor people are dispossessed of their entitlement to benefits, constructed as "social detritus" and redirected towards prisons instead. This trend towards punitive welfare, he argues, finds its roots in US policies, but has largely spread to European countries. In the United States, a strong emphasis is laid on the tendency to criminalise men of colour, as racialised masculinities are perceived as intrinsically violent. Meanwhile, it must also be noted that women of colour, who are overrepresented among welfare recipients, regularly fall under the "Welfare Queen" trope, which constructs them as irresponsible mothers and lazy, parasitic welfare beneficiaries (Cammett, 2016). It not only translates into patterns of tougher surveillance and sanctioning in social services, but also justifies paternalistic understandings of welfare programmes (Fording et al, 2011), which increasingly infantilise beneficiaries and focus on teaching them how to reform their behaviours in order to "become somebody". This has striking parallels with the way Romani women are treated by welfare services in Spain, who live in the fear of losing their rights to benefits or even custody of their children, should they fail to comply with administrative rules, regardless of their arbitrariness.

Whereas much of the literature on workfare and activation policies continues to point at class inequalities from an unfortunately colour-blind perspective, even scientific and policy projects that are attentive to the situation of Romani beneficiaries still seem to neglect structural racism in their analyses. In line with the age-old argument of a "culture of poverty" (Lewis, 1966), the solution that is offered to exclusionary practices in public administrations often remains focused on the targeted population's culture, as opposed to addressing

systemic racism. Angéla Kóczé (2019) shows for example how mediation projects promoted by European institutions exempt public authorities from reflecting on institutional whiteness and structural inequality. She argues that they rely upon the idea that intercultural mediation would reduce Romani people's "dependency" on social services and continue putting the responsibility for addressing social marginalisation on Romani people's shoulders. In the case of Spain, Ariadna Ayala Rubio (2012) provides a detailed account of the paternalistic practices to which social workers subject Romani women, and goes as far as criticising culturalist stereotypes among practitioners – however, she fails to challenge the inherent racism upon which the whole institutional framework is based, and the enthusiastic discourses around intercultural communication that are used to conceal it. It is precisely this celebratory language that I intend to unravel, now that I have laid out the ideological context in which Spanish social policies and their implementation have been unfolding.

Restructuring Social Work: Outsourced Welfare Programmes for Romani Women in Spain

At the heart of the general enthusiasm for Spain's policy towards Romani communities are the partnerships which state and regional authorities have established with some NGOs working with Romani women. In the French context for instance, where it would still be unthinkable to see members of minority groups representing themselves at the policy level, and the institutionalisation of community mediator positions remains the exception rather than the rule, some look up to the Spanish framework with great admiration.[3] It is usually believed that these NGOs are grassroots organisations made up of women from the communities working to provide protection against potential racism perpetrated by public administrations. Nevertheless, as Patricia Caro Maya and I (2018) have argued elsewhere, they are in fact professionalised entities with hired social workers, and were practically set up at the initiative of the State in the early 1990s, with the aim of implementing social policies targeted at Romani people – through Romani women more specifically. We refer to these organisations as "pro-system", in an effort

3 Interviews conducted with social workers in Marseille, France, in 2017.

to counter the myth built up around their creation, but also to distinguish them from other, more critical initiatives led by Romani women in the country – which do exist, but benefit from far less visibility at the political level.

In Madrid, "pro-system" NGOs are organised into an institutionalised network which trains Romani mediators and "implants" them into each of its member organisations. Despite the solid reputation that this institutional arrangement enjoys in Spain and beyond, it is hardly exceptional under neoliberal governance. If anything, it is rather symptomatic of an international trend towards outsourcing social programmes to NGOs and co-opting civil society in an attempt to discipline possible dissent (Ibid).[4] Indeed, their work consists in implementing semi-privatised welfare programmes (Ayala Rubio, 2012) set up by regional authorities, to whom they are expected to regularly report. Romani women, who usually are the ones dealing with social services and receiving welfare benefits to provide for their families, are mandated by social assistants to register with the NGO and partake in its activities, in return for the so-called *renta mínima*, or basic income, which can amount to 400 euros a month. Day-to-day operations are run by Gadje social workers, as well as Romani mediators who, despite often seeing the position they occupy as prestigious, feel they are given a lesser status than their colleagues and that they are underpaid for the work they provide. In other words, in the daily work of the NGOs, and in stark dissonance with the *asociación de mujeres gitanas* title these proudly bear, Romani women come into the picture either as "second-rank employees" (Kóczé, 2019) or as welfare recipients under the economic control of regional authorities. Hence, still marked by racial hierarchies – and even racial segregation, to refer back to Kóczé's (Ibid) critique of the creation of Romani mediator positions as separate "neoliberal racialized institutions" – the NGO form does not seem to redefine former institutional practices. On the contrary, it provides a structure through which public administration can continue to control Romani people while offering less resources, transparency and accountability than before (Ayala Rubio, 2012).

4 On attempts to tame women of colour's activism through professionalisation and institutionalisation under neoliberalism, see also Andrea Smith's critique of the "Non-Profit Industrial Complex" (2007), and Akwugo Emejulu and Leah Bassel's analysis of a phenomenon they call "enterprising activism" (2017).

Redefining Social Work: Welfare Activities and the Ideology That Lies Behind

The hierarchical relationship between social workers and beneficiaries also takes shape in the discourse adopted in the NGO's daily activities. In line with the activation paradigm which claims to be providing an empowering boost to beneficiaries to set them free from welfare dependency and help them become better economic actors, these activities fall under project categories such as "employability", "social abilities", but also "gender empowerment". Yet, what appears to be a positive understanding of social work, whereby beneficiaries would be offered resources in a reciprocal learning environment to make a living on their own terms, in reality becomes a disciplinary system urging them to espouse a Gadjo lifestyle.

Whereas women, despite showing up out of welfare obligation, may still come in the hope of learning to read and write, pass their driver's licence, or improve their sewing skills for business purposes, their expectations are rarely ever met. Contrary to the focus on employment in the project guidelines, practical activities are limited to one workshop per year, in which only a handful of women may participate. Moreover, literacy classes no longer exist, under the argument that – to quote the staff – "women don't want to learn, because that would mean getting a job, which they don't want to do". When I asked beneficiaries what they thought of the activities on offer, and what they would actually like to do, they overwhelmingly complained of wasting their time and said they were desperate to learn to read, write and count, despite having been attending the NGO's activities for a decade for some of them. My attempts to set up a literacy class as a response mostly failed and met with resistance from social workers, who told me I was "messing up with the group dynamics". Rather, "employability" here is understood as the need to drop economic activities traditionally taken up by Romani communities, and consider instead work positions which are considered more suitable to the Gadjo market. Meetings with so-called "Gypsy role-models" *(referentes gitanos)* whose jobs are perceived to be "successful" – such as police officers or lawyers – are held within the premises of the NGO as well as in schools attended by many Romani children and youth. Meanwhile, the most common activity among Roma, self-employed street-selling, is belittled as not being proper work, and regularly repressed by law enforcement.

The programmes in place go far beyond employability workshops, however. In the words of the staff themselves, the focus on employment is mostly on paper, while they try to empower women "in a more transversal way". Activities are set up in a very hierarchical and infantilising school-like atmosphere. Beneficiaries are taught by social workers and external facilitators how to better behave and communicate in society ("social abilities" workshops), as well as how to abandon their cultural customs that are considered patriarchal, to follow in the footsteps of Gadje women who, it is claimed, "have successfully fought for their emancipation" ("gender empowerment" workshops). Women who are registered as beneficiaries of the NGO consider they are attending compulsory school, as shown by the terminology they use to refer to it: the NGO becomes the "course" *(el cursillo)*, staff members are "teachers" *(profes)*, they are "students" (*alumnas*), and the NGO premises are "classrooms" (*clases*). They are regularly scolded for "missing class" or showing up late, called "irresponsible", and threatened of being reported to social services if they continue doing so. It is particularly striking to see older women, who are normally due special respect within Romani communities, being intimidated like children in this setting.

Once again, it must be recalled that this is a punitive framework, where partaking in activities is compulsory, and failure to do so is sanctioned with the withdrawal of welfare benefits. Women who attend these activities are not there on their own initiative. Many of them would rather continue working on the markets, if only street-selling had not become so monitored and sanctioned by state authorities. They never asked to be "empowered" in whichever way. While Serrano Pascual (2007: 294-299) distinguishes "disciplinary", "adaptive skills" and "therapeutic" approaches to activation policies, we can see here that all are jointly mobilised towards one goal: forcing another lifestyle upon the Roma. Romani women are economically coerced (disciplinary approach) into attending activities focused on promoting economic activities considered relevant to market needs (adaptive skills approach) and on reforming their moral, but also cultural behaviour (therapeutic approach). In radical opposition to the cultural pride that this institutional framework claims to foster, Romani culture and customs, or what is understood as such, are presented as problematic in daily interactions with

beneficiaries. The focus on cultural change and individual self-reformation serves the double purpose of continuing to engage in forced cultural and economic assimilation, while masking the inequality that prevails under racialised neoliberalism.

Representing Social Work: Institutional Communication and the (Im)possibility of Resistance

Although this new understanding of social work is representative of a more international trend towards increased surveillance and paternalism in welfare policies, the communication around welfare programmes targeted at Romani communities in Madrid bears certain specificities. The recent shift towards Romani cultural recognition at the political level can indeed be seen, at best, as contradictory with the practices of social workers in public administrations, and at worst, as a strategy to maintain them "in disguise". Indeed, more or less high-level institutional events and public ceremonies are regularly organised in Madrid to promote the work of "pro-system" NGOs and present them as an example of "Gypsy women leaders" (*líderes gitanas*) asserting themselves and fostering positive change within their communities. As for the daily activities, attendance at these events is mandatory for beneficiaries, who are mostly there to fill the seats and smile for the cameras. They are however not the only ones who are objectified for image purposes. The tokenisation of Romani women who were encouraged to create and lead those organisations, but also, and perhaps even more so, of Romani mediators, is a way for Gadje institutions to stay in control while ruling out accusations of institutional Antigypsyism. The overall assumption is that the programmes in place could not possibly support racist policies, if they are implemented by Romani women. Surely, Antigypsyism must be an aberration of the past, or merely peripheral in today's society, if Romani culture and Romani women are repeatedly put on a pedestal by public institutions. This impossibility to name racism is particularly manifest when Romani feminist activists attempt to voice criticism in public, or simply in the NGO premises, when beneficiaries complain about the episodes of everyday racism they are experiencing. Repeatedly, I witnessed social workers and other professionals shut down those claims, on the ground that they were rooted in a remote past, encouraged victimisation, and even, that they constituted racist verbal attacks against Gadje people.

All the same, it is important to nuance the positioning of social workers within this framework. In her research on social work with Gypsy and Traveller girls in Scotland, Geetha Marcus (2019) points at the "gatekeeping" role of charity workers, who make sure information coming in and out gets carefully filtered, allegedly in order to protect beneficiaries. As shown by the NGO staff's numerous efforts to discredit discussions on Antigypsyism – including when I was initiating them, they most certainly act as gatekeepers to safeguard the institutional framework in which they are working. However, when they are critical of institutions, their room for manoeuvre is tight. Undoubtedly, the ambiguity is stronger among Romani mediators, who are keen on keeping their job, while also weary of their relatively precarious position and the institutional violence they too have experienced. Often forced to adopt a scolding position with beneficiaries, they nevertheless use a more complicit tone, more often than not speak with them more privately, and discretely arrange informal literacy classes as well as discussions on discrimination and ethnic persecution. Similarly, Gadje social workers can feel affection for the women beneficiaries, and show reluctance to abide by the rules they are required to work with. The relative discretion they benefit from in their daily work is a clear form of power over welfare recipients, but they also use it to resist social services. For instance, one of them once refused to communicate housing situations to regional authorities. Disobeying was worth the risk, she thought, as many families live in illegally occupied flats and uncovering this would result in the suspension of their benefits. Yet overall, social workers and mediators alike have to work in a political economic setting where third sector activism is reconstructed as a "cut-throat competition" between various organisations in order to be awarded – usually scarce – funding and, with that in mind, are forced to fit their projects into categories which are deemed acceptable (Emejulu and Bassel, 2017). The tension between their values and the guidelines that they are expected to implement, combined with a low salary which is often paid with significant delays, leads many of them to quit. The official discourse celebrating these NGOs as role-models for the rest of Europe and the political benevolence that Romani people are supposedly enjoying in Spain most probably makes it difficult for bitter staff members and beneficiaries to express their disagreement with the

system. Might one even assume that, paradoxically, Antigypsyism is easier to resist in an institutional context which is known for rejecting recognition?

Conclusion

Based on qualitative research conducted within an NGO that provides welfare services to Romani women in Madrid, this chapter aimed to address the apparent contrast between a political communication increasingly centred on Romani cultural recognition on the one hand, and welfare programmes that continue enforcing assimilationist practices on the other. I argued that the language of emancipation that is mobilised in Spanish welfare policies directed at the Romani minority is a strategy to simultaneously obscure and maintain institutional Antigypsyism. The outsourcing of social services to NGOs that are advertised as representing the interests of Romani women feeds an illusion of autonomous community work, while the programmes in place are still run by regional authorities and marked by stark racial hierarchies, only in a less transparent form than before. The activities that are claimed to valuably "empower" beneficiaries under reciprocal terms are in fact made mandatory for welfare recipients through a system of economic sanctions and used to stigmatise Romani culture. All the while, this institutional framework is publicly advertised as an exemplary recognition of Romani people's culture and right to self-representation, making it practically impossible to name and resist the (gendered) forms of structural racism that prevail within it.

This research contributes to European policy and scholarly debates on welfare reconfigurations under neoliberalism, and calls for a closer attention to not only gendered, but also racialised dimensions of welfare regimes. The main conclusion that should be drawn from my analysis is certainly not that cultural recognition is problematic in itself, or that hiring Romani professionals is a pointless effort towards representation. Arguably, the presence of Romani social workers within the programmes I observed does make a positive difference, both for beneficiaries who find allies in places where they may often feel alienated, and for Gadje professionals who have the opportunity to unlearn their racist stereotypes through socialising with Romani colleagues. However, in a "Gadjo-centric"

(Caro Maya and Werner Boada, 2018) framework that rests upon a tacit Gadjo norm while claiming to be post-racial, change is doomed to remain very limited and superficial. Worse yet, Romani mediators become tokenised to support the unfounded claim that Antigypsyism has been practically eradicated in Spain, while they continue to be professionally exploited.

Critical Race Theory argues that institutions were built upon whiteness and therefore, that racism is inherent to them, rather than an occasional mistake in state agents' practices. When analysing Antigypsyism in Europe, adopting a Critical Race angle helps us see the continuity between institutional frameworks which at first seem at odds with each other. While the Spanish state's policy towards Romani citizens has indeed operated a shift away from the French assimilationist model and towards a more multicultural approach, the fact that discourses and practices among social workers remain stigmatising and paternalistic is hardly surprising. So long as it is not recognised that the Spanish welfare state relies on a Gadjo norm and constructs Romani culture as a monolithic, problematic other, institutional racism will still prevail. Addressing the discursive and material racial hierarchies that are at the core of institutional systems – as opposed to, again and again, how to help state agents "cope" with "Romani culture" – is the only way forward if we really hope to achieve social justice.

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Institutional Antigypsyism in the Western Balkans: The Case of Albania, Serbia and Macedonia

Suad Skenderi and Deniz Selmani

Introduction

In the last several years, the concept of antigypsyism has received broad academic attention. However, institutional antigypsyism in the Western Balkan countries has not been analysed. Therefore, this article analyses how institutional antigypsyism plays out in the context of the accession process of Western Balkan countries (Albania, Serbia, Macedonia) to the EU. It is based on case study methodology and analyses one case per country. For Albania, we analyse institutional antigypsyism in the field of housing. In the case of Serbia, we analyse institutional segregation in the education system, while for Macedonia, we analyse the issue of border controls and not allowing Roma to leave the country.

According to the Roma Integration 2020 project (n.d.), around one million Roma live in the Western Balkan countries. All Western Balkan countries are currently trying to fulfil the Copenhagen criteria in order to become Member States of the European Union. Chapter 23 of the *acquis* relates to the Judiciary and Fundamental Rights, and includes respecting the rights of minorities. In this context, the EU has sent a clear message to the Balkan countries on several occasions that the rights of Roma community must be respected.

The treatment of the Roma community in candidate and potential candidate countries from the Balkans is continuously addressed by the European Commission, not only in their annual Progress reports on the integration of the Roma community, but also in the Progress Reports for each country.

Country	Data year	Total pop. (official)	Roma	%	Average estimate	x best	Average %
Albania	2011	2,800,138	11,669	0.42%	115,000	10	4.11%
Bosnia and Herzegovina	2010	3,837,732	16,771	0.44%	76,000	5	1.98%
FYR Macedonia	2002	2,022,547	53,879	2.66%	197,000	4	9.74%
Kosovo	2011	1,739,825	35,784	2.06%	37,500	1	2.16%
Montenegro	2011	620,029	8,305	1.34%	20,000	2	3.23%
Serbia	2011	7,186,862	147,604	2.05%	600,000	4	8.35%
Turkey	2008	71,517,100	700,0002	0.98%	2,750,000	4	3.85%
Total		89,724,233	974,012	1.09%	3,795,500	4	4.23%

Table 1: The size of the Roma community in Western Balkan countries. Regional Cooperation Council/Roma Integration 2020.

Despite the recommendations of the European Commission, the candidate and potential candidate countries have not taken any serious steps to improve the situation of the Roma community. According to the results from the Regional Roma Survey (UNDP, 2018), the school completion rate among Roma children is still very low compared to the majority. The same survey concluded that the unemployment rate of Roma in the Western Balkans is twice higher than for non-Roma. The situation of young Roma (18 to 24 years old) who are not in employment, education or training is alarming – ranging from 73% in Serbia to 86% in Bosnia and Herzegovina.

The Path to the EU

All three countries covered by this article started their accession process by signing the Stabilisation and Association Agreements, which set the basis for relations between the Western Balkan countries and the European Union. Albania signed the agreement on 12 June 2006, but the agreement entered into force on 1 April 2009. Albania officially applied to join the EU on 24 April 2009. After one year, EU interior ministers decided to introduce visa liberalisation

with Schengen countries for Albania. On 27 June 2014 the Council of the European Union granted Albania candidate status. However, at the fifth "High Level Dialogue meeting" between the EU and Albania in 2015 Johannes Hahn, the EU Commissioner for Enlargement, stated that Albania still needed to work on reforms in five key areas: rule of law, public administration, corruption, organised crime, and fundamental rights (Top Channel, 2015). On 9 November 2016 the European Commission (2016) recommended to start negotiations, which have however not yet started.

Serbia signed the Stabilisation and Association Agreement in November 2005, but the agreement was ratified on 19 January 2011. On 19 December 2009 the visa requirement was ended and Serbian citizens could travel freely within the Schengen area (BBC, 2009). On 22 December 2009 Serbia applied for EU membership. On 12 October 2011 the European Commission welcomed the rapid progress of Serbia and recommended that Serbia become an official candidate. The Council of the European Union on 28 February 2012 accepted the recommendation by the European Commission and Serbia became an official candidate. In January 2014 the accession negotiations started. Serbia is considered as a leader in the region in terms of the European integration, along with Montenegro, and so far has opened 14 chapters and closed two.

The Republic of Macedonia signed the Stabilisation and Association Agreement on 9 April 2001. Macedonia submitted its application for EU membership on 22 March 2004. On 9 November 2005 the European Commission recommended to grant Macedonia candidate status. The Council of the European Union granted candidate status to Macedonia on 17 December 2005. The visa obligation for Macedonian citizens was lifted on 19 December 2009. One of the country's biggest problem in launching negotiations with the EU is the name dispute with Greece. However, on 27 June 2018 following the withdrawal of the Greek veto as part of the Prespa Agreement (The National Herald, 2018) to change the country's name to the Republic of North Macedonia, the EU approved the start of accession talks, which are expected in 2019.

Conceptualisation

Several terms are used to explain the long historical struggle of Roma with discrimination, marginalisation and poverty (Feischmidt, Szombati and Szuhay, 2013). According to Martin Holler (Selling et al, 2015), one of the first terms dating from the late 1920s was "antitsyganism", but current use emerges from academic debates between the 1970s and 1980s. The term also started to be used by some institutions in the early 2000s to describe the specific form of racism towards Roma and associated groups. The terms "anti-Romani racism" or "Romaphobia" have also been used.

In 2005 the European Parliament (2005) for the first time used the term "Anti-Gypsyism", which encouraged many other institutions to use the same term when referring to the specific racism towards Roma. The term "Anti-Gypsyism" was also used in the European Parliament's 2015 progress report on the implementation of the EU Framework for National Roma Integration Strategies. However, the Alliance against Antigypsyism (2017) proposes using the term "antigypsyism" instead of "anti-G(g)ypsyism" because "the latter would inadvertently give the impression that something like 'gypsyism' exists".

The human rights activist Valeriu Nicolae was one of the first authors who proposed a definition for antigypsyism. In his paper, *Towards a Definition of Antigypsyism*, Nicolae (2007) underlines that dehumanisation is at the core of antigypsyism. The Alliance against Antigypsyism (2017) goes beyond the idea of dehumanisation and defines antigypsyism as:

> …historically constructed, persistent complex of customary racism against social groups identified under the stigma 'gypsy' or other related terms, and incorporates:
> 1. a homogenizing and essentializing perception and description of these groups;
> 2. the attribution of specific characteristics to them;
> 3. discriminating social structures and violent practices that emerge against that background, which have a degrading and ostracizing effect and which reproduce structural disadvantages.

We believe that this definition covers all the dimensions of antigypsyism and explains this complex concept adequately.

In the Western Balkan countries, expressions and manifestations of antigypsyism are not as visible as in some other EU Member States. The institutions of the Western Balkan countries try to conceal antigypsyism by proposing and adopting policies and laws that promote social inclusion and equal rights. However, these policies and laws are not implemented, due to lack of human and financial resources and lack of coordination. In addition, the governments of Western Balkan countries often deny the existence of institutional discrimination in their countries. Therefore, the EU frequently turns a blind eye on it and does not react or take any measure to stop such events.

It is therefore of crucial importance that the EU pays attention to the antigypsyist rhetoric in the Western Balkan countries and encourages Western Balkan institutions to work on inclusion of Roma and ensure equality for all minorities. Another way is to trigger EU conditionality, i.e. make Roma inclusion a precondition for joining the EU. This would mean Western Balkan countries would have to "effectively deliver equality, non-discrimination and fundamental rights to Roma individuals" (Carrera, Rostas and Vosyliūtė, 2017).

Case Studies of Institutional Discrimination

In order to explore the institutional antigypsyism that represents a barrier for Roma inclusion in the Western Balkan countries, the article will present three cases of institutional antigypsyism in Albania, Serbia and Macedonia. The decision to use case studies as a research method is based on Robert K. Yin's (1984: 23) approach: when the limits between the context and phenomenon are not clear enough, the best solution is to look into empirical cases within their real-life context.

Selita Case – Albania

According to the 2011 population census in Albania, there are 8,301 people declared as Roma, which is around 0.3% of the total population (Simon, Galanxhi and Dhono, 2015). However, different international and national organisations estimate that 40,000 to 120,000 Roma live in Albania (Ibid). There are different estimations because of the

long-standing census cycles that did not include division of national minorities in the country (Mejdini, 2017). Having said this, Roma only in 2017 had the opportunity to self-declare as people of Roma ethnicity (Council of Europe, 2017). Roma in Albania are a dispersed group which lives in all parts of the country, but Tirana has the highest density of Roma, followed by smaller cities such as Shkodra, Fier, Gjirokaster, Berat, Korca etc. (De Soto and Gedeshi, 2002).

Roma in Albania face serious housing problems. International organisations have repeatedly warned about the segregation and the conditions in which Roma are living in the last couple of years. According to the 2011 census, around 15% of Roma households have sub-standard living conditions (Simon, Galanxhi and Dhono, 2015). These dwellings usually do not have drinking water, asphalted roads, public lighting and many other characteristics that define a decent standard of living.

Albania has also had several cases of forced evictions as well demolition of settlements which are mainly inhabited by Roma. Since the 2014 law on the legalisation of property, which allows the state to demolish illegal constructions, state authorities have continuously targeted Romani settlements. Although Roma have been living for more than 15 years in some settlements, state authorities forcibly evict Roma living in these settlements (UNDP, 2013). One of the most recent and visible cases was the Selita settlement in Tirana. In October 2014, around 200 Roma were forcibly evicted from the neighbourhood by the municipal authorities of Tirana (Cela, 2016). As the area was to be used to build a new road according to the urban plan, these families were asked to leave the area although they lived in the neighbourhood for more than 20 years (Cela, 2017).

As a result, Roma and pro-Roma organisations launched advocacy campaigns, petitions and protests for more than a year, targeting state authorities, the government and international organisations, including the European Union (Ibid). The government claimed that the eviction was lawful and the demolition was in accordance with the law on the legalisation of property. However, Roma activists highlighted the failure to respect fundamental human rights, national laws and international treaties.

The European Commission, using the progress reports as an instrument to underline the shortcomings of the country during the accession process, continuously highlighted the Roma housing issue. Its last report stated: "In 2016, the government developed a social housing strategy but the budget allocated for (social) housing programmes is limited and does not provide for all proposed actions to be carried out" (European Commission, 2018a). Although the government has significantly increased budgetary allocations for housing of Roma, they remain insufficient to address their needs (Ibid).

Despite the recommendations from the European Commission, the state authorities continued to implement the law on legalisation, urbanisation and integration of illegal constructions, ignoring Roma's fundamental right to housing. Authorities attempted to solve the Selita case with temporary solutions such as a two-year minimum compensation for the families (Cela, 2017). Families protested the decision and the case is still pending. Some houses have already been demolished while the rest remain due to pressure from NGOs' advocacy and legal action (Ibid). Roma remain vulnerable to forced evictions. NGOs, activists and the inhabitants are still calling for a long-term solution for the families living in Selita.

Vuk Karadzic Primary School Segregation – Serbia

According to the 2011 population census, there are 147,604 Roma living in Serbia, amounting to around 2.05% of the total population (Statistical Office of the Republic of Serbia, 2017). However, estimates from different international and national organisations range from 250,000 to 500,000 Roma living in Serbia (Council of Europe, 2012). The population has had a dynamic trend due to several factors including the conflict with Kosovo, migration to western European countries and the fact that part of the Roma population is registered as internally displaced persons (European Roma Rights Centre, 2012). Roma in Serbia are a widely scattered group living across the Serbian territory. The southern and eastern parts of the country are the most populated by Roma, in the municipalities of Kostolac, Bojnik, Vranjska Banja etc. (Statistical Office of the Republic of Serbia, 2015).

In Serbia, a lot of attention has been paid to segregation cases in education in the last years. Roma who completed primary education progressed by 4% from 2002 to 2011, from 29% in 2002 to 33% in 2011. However, completion of secondary school was only 11% in 2011 (Tsiklis, 2016). The percentage of Romani children in schools or classes for disabled children is around 30%, which is excessively high, and Roma children are still over-represented in these "special schools" (Open Society Institute, 2010). Moreover, segregation of Roma children still occurs, especially in poor urban primary schools where the situation has worsened significantly. This phenomenon has resulted in a "white flight" following the school reform in 2008/2009 which allowed parents to choose their local school (KROS, 2017).

In the context of Serbia, segregation was the practice of keeping Roma separate from Serbs and treating them differently because of the colour of their skin, identity, tradition, heritage, culture and other characteristics (Study, 2018). Among some of the school segregation cases in Serbia, the Vuk Karadzic primary school case is one of the most alarming. The school is located in Nis and the classes are composed of approximately 98% of Roma (KROS, 2017). Although there are several other schools in the nearby area, they only have a few Roma children from families with a better socio-economic status attending. Generally, the Vuk Karadzic school is considered as a "gypsy school" with lower quality education compared to the other schools due to the over-representation of Roma students (Ibid). The school administration of Vuk Karadzic has never challenged the issue of over-representation of Roma children but rather highlights the school conditions in which pupils attend education. Students from the Vuk Karadzic school barely continue to secondary education, as they are less prepared to advance to secondary education in comparison to students from the mainstream, non-segregated primary schools (Ibid).

Several international and national NGOs raised the alarm on the situation of the school, highlighting the unacceptable reality of Roma students and the lack of action by state institutions. The case was taken on by Praxis (2018), a human rights NGO, which initiated a legal action and advocated for the elimination of systemic

obstacles in access to education. The NGO filed a complaint to the Commissioner for the Protection of Equality against the Nis City Administration, Department of Education, Culture, Youth and Sport, and against the Headmaster of the Primary School "Vuk Karadzic" (Praxis, 2012).

The European Commission has repeatedly underlined that Serbia has a serious problem with segregation in its yearly progress reports, and that it should be adequately addressed by state institutions in order to fulfil the criteria needed to join the European Union. The Commission in its last report warns: "Segregation in education needs to be addressed" and "Some progress was made in increasing the participation of Roma students in all levels of education. The implementation of measures to reduce the Roma drop-out and segregation should be strengthened, in particular on the local level" (European Commission, 2018c). Nevertheless, the government has made little progress in taking measures against segregation, and the school remains segregated with low quality education for Roma.

Although international organisations and the European Commission have alerted about this situation, especially with regard to Vuk Karadzic, solutions have not been found. Following the complaint by Praxis, the Commissioner for the Protection of Equality responded with an opinion which called for investigation of the segregation case and stated that in this specific case the problem is more complex than segregation (Praxis, 2012). She put forward recommendations which included a set of measures that would hold the primary school, and the department for education, culture, youth and sport of the Nis City Administration accountable for the implementation of these measures. However, the opinion and the recommendations by the Commissioner did not have any effect (Ibid). Segregation still exists, and the reform of the law on the education system, which gives parents the freedom to choose their children's primary school, results in non-Roma parents avoiding enrolling their children in the "gypsy school".

The Case of Emra Kurtisova – Macedonia

The last census in Macedonia was conducted in 2002. Since the data is older than 16 years, the relevance of the census data is debatable.

According to the 2002 census, there were officially 53,879 Roma, i.e. 2.6% of the total population of the country (Statistical Office of the Republic of Macedonia, 2002). National and international organisations estimate a range from 80,000 to 134,000 Roma living in the country, i.e. 9.5% of the total population (European Commission, 2014). Similar to other countries in the Western Balkans, Roma in Macedonia live in all regions of the country, but are mostly present in Skopje, Prilep, and Kumanovo (Statistical Office of the Republic of Macedonia, 2002).

Since December 2009 citizens of the Republic of Macedonia are allowed to travel visa free to the Schengen area (Ministry of Foreign Affairs, 2009). Since the introduction of the visa liberalisation in 2009, many asylum seekers from Macedonia were registered in western EU Member States. In this regard, the Prime Minister of Belgium and the State Secretary for Migration of Sweden were the first to underline the increasing number of asylum seekers from Macedonia (Shakjiri, 2014).

The European Commission's progress reports from 2010 to 2014 raised the issue of Macedonian nationals seeking asylum in EU countries. Several recommendations in the progress reports obliged the Republic of Macedonia to take measures to reduce the number of asylum seekers and motivate people to remain in the country (24, 2014). Following these recommendations, there were repeated cases of Roma being prohibited or denied travel to the EU. Roma were the most common cases of asylum seekers and authorities usually used ethnic profiling at border controls. The Macedonian government was using Roma as scapegoats for all the asylum seekers from Macedonia (Ibid).

The government started to launch local campaigns in Roma neighbourhoods to explain that they cannot claim asylum in EU countries because Macedonia was considered safe and prosperous. In addition to these efforts, ambassadors started visiting Roma neighbourhoods with the aim of decreasing the number of asylum seekers from the country (Ibid). However, the number of asylum seekers continued to increase, and the government adopted repressive measures for potential asylum seekers. Among many of the Roma who were

denied travel was Emra Kurtisova (Akademik, 2014), a Romani actress employed at a youth theatre. In 2014 she claimed that an employee at the passport control cancelled her ticket and prohibited her from travelling. Although she had all the necessary documents, including a confirmation letter from her work and a guarantee letter together with 500 euros in cash, the passport control employee sent Emra to take her baggage and leave the airport (Ibid). The Ministry of Interior stated that she did not fulfil the formal requirements to travel in accordance with Article 15, paragraph 4 of the Law on Border Control. The statement also underlined that Emra had insufficient funds for the planned stay, as well as an inadequate guarantee letter (Ibid).

This case was assessed by many lawyers and NGOs which started to raise public awareness of the targeted denial to travel. The Roma NGO ARKA documented several of these cases but none of them was reported to the relevant institutions. In addition, Member of Parliament Samka Ibraimoski submitted a complaint to the Constitutional Court that the country violates the right to freedom of movement, but the Constitutional Court did not react. The ombudsman also claimed that although many Roma declared that they were not allowed to leave the country, it did not receive any formal complaints and therefore could not start a procedure (Shakjiri, 2014). Following these remarks, there were numerous complaints for such cases, and NGOs and other stakeholders took many of the cases to court. Most of these cases violated the right to freedom of movement and to non-discrimination through the use of ethnic profiling. The primary court Skopje 2 for instance found violation of the right to equality in the practice of the border services to restrict the right of certain categories of citizens to leave the territory of the Republic of Macedonia under the unjustified suspicion that these are false asylum seekers (Ibid). After several positive decisions by the courts, Macedonian authorities relaxed the control and the identification process of “fake asylum seekers”.

Conclusion

In conclusion, these cases from three different countries demonstrate the institutional antigypsyism which leads to stigmatisation and marginalisation of Roma. Unfortunately, the pervasiveness of antigypsyism in the Western Balkans means that Roma internalise

it and get used to such mistreatment. The situation in the Western Balkans is characterised by institutional inefficacy and lack of interest in addressing issues faced by Roma, and Roma are the common scapegoat for the failure of national and EU policies. The only watchdogs that monitor and address the situation of Roma and antigypsyism are NGOs, which do not have sufficient capacity to tackle this phenomenon.

An unequal level playing field and stigma generate many situations where Roma remain powerless and discrimination remains unpunished. In Western Balkan countries, there is a significant lack of effective mechanisms that would tackle discrimination. Thus, Roma who are victims of discrimination, believe that institutions cannot offer any support and most of them do not trust the institutions.

Not only do these cases show how national institutions reacted, but they also highlight how the EU assessed and addressed issues of antigypsyism. In addition, these cases show how Roma organise and put pressure on authorities to address specific issues.

The Western Balkans still reinforce discrimination towards Roma due to a lack of institutional awareness and by not taking responsibility for the inclusion of Roma. Although in some cases pressure from the EU helps to put discrimination against Roma on the national agenda, there are also cases where the EU has highlighted Roma-related issues through progress reports but national governments have not responded to these concerns.

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Section IV :

Discussion Points

If We Are Not Counted, We Do Not Count: A Bottom-up Approach to Ethnic Equality Monitoring in Ireland

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Introduction

Since 1993, Pavee Point Traveller and Roma Centre (hereafter "Pavee Point") has advocated for the collection of disaggregated data on the basis of ethnicity, inclusive of Travellers and Roma, in line with European data protection law and within a human rights framework. This means voluntary self-identification, active participation and adherence to data protection law. The key human rights principles which are underpin data collection include:[1]

1. **Self-identification:** Voluntary self- identification (data collectors cannot ascribe ethnicity)
2. **Transparency:** A universal question; everyone is asked the question, not just minority ethnic groups
3. **Privacy:** Data are only used for the purpose for which it is collected;
4. **Data disaggregation and collection by population group:** Data are analysed in consultation with organisations representing minority ethnic groups.
5. **Accountability:** Data are available to stakeholders in a timely manner.
6. **Participation:** Active community participation and consultation with key stakeholder groups throughout the process in relation to:
   i. Definition of data collection purposes;
   ii. Categories;
   iii. Questions to be asked;
   iv. Actual collection of data (diverse enumerators/data collectors trained to deal with the sensitive issues relating ethnic data collection);
   v. Analysis and evaluation of the data collected; and
   vi. Dissemination of the data.

1 As per the United Nations High Commissioner for Human Rights (2018).

This means there must be a universal question, which is answered voluntarily, and on the basis of self-identification, and that the collected data are aggregated and anonymised to avoid identification of specific individuals. Data must only be used for the purpose for which it was collected, must be available in a timely manner and must be analysed in consultation with organisations representing minority ethnic groups. We believe that the availability of accurate and timely data will contribute to increased awareness of inequality and the identification of appropriate target policies and interventions to eliminate identified disparities. It is in this context that we have assumed a two-pronged approach in our work with Travellers, Roma and State actors to:

1. improve knowledge, capacity, skills and confidence among relevant State actors to implement, monitor and evaluate ethnic data in line with human rights standards.

2. build awareness among Traveller and Roma leaders about the importance of ethnic equality monitoring and the need to encourage communities to voluntarily self-identify in order to inform policy, prevent discrimination and promote equality of access, participation and outcomes.

Ireland is unique in that we have not experienced the level of data abuses in contributing to human rights violations described by our European colleagues. We also recognise that there are reservations among some Travellers and Roma that the collection of data will be used for profiling, discrimination and stereotyping purposes. This is particularly heightened for Roma who may have experienced data abuse in the form of ethnic profiling, segregation, forced sterilisation, genocide and violence (Chopin et al, 2014). The evidence indicates that reluctance from individuals to disclose ethnicity to collectors is directly linked to the lack of trust of data collectors, which is quite often attributed to previous negative experiences of discrimination (Donse et al, 2013; Milcher and Ivanov, 2004). This omnipresent fear of discrimination due to voluntary self-disclosure leads to minority ethnic groups such as Travellers and Roma being considerably underestimated in surveys and censuses (Donse et al, 2013).

While we acknowledge and share some of these real concerns in the potential of data abuses, we also recognise that the interests of Travellers, Roma and other minority ethnic groups cannot be well served if we do not have the evidence to highlight the existence of systemic or indirect discrimination and inform good policy and practice. Ethnic data can be generated and utilised in ways that protect the privacy of individuals and groups while simultaneously providing essential information to assist policy makers to combat racism and discrimination and develop equality measures to fulfil objectives prescribed by EU anti-discrimination legislation. It is in this context that we understand that accurate data and ethnic equality monitoring are required in the struggle to protect the human rights of potentially discriminated minorities and to promote equality and counter discrimination.

International Context

One of the key challenges we face in this area is the question of legality in relation to the collection of ethnic data. Following the emergence of information technology in the 1960s, European countries expressed the need for more comprehensive regulations to secure individuals' personal data. The 1970s witnessed an increase in the adoption of data protection/privacy laws by Member States in an effort to protect privacy and safeguard personal data (Simon, 2007). These laws were followed by the adoption of Directive 95/46/EC[2] ("Data Protection Directive") and more recently, the General Data Protection Regulation (GDPR) which outlines the main principles of data collection for Member States. This was in addition to the Council of Europe's Convention ETS 108 for the protection of individuals with regard to automatic processing of personal data. Convention ETS 108 was the first international instrument to provide guiding principles that Member States later adopted into national laws (Simon, 2007). The Convention applies to all data processing carried out by private and public sectors and primarily seeks to regulate transnational flows of personal data and protect individuals against data protection breaches.

2 Generally referred to as the "Data Protection Directive", this Directive clearly defines the obligations of Member States to protect individuals' right to privacy with respect to the processing of personal data and the free movement of such data.

Ireland's national data protection laws, in line with the General Data Protection Regulation, permits the collection of ethnic data once safeguards are in place, including explicit consent of the person about whom the data relates. International law also largely supports the application of a universal question and the principle of self-identification, allowing individuals to decide which ethnic, religious or linguistic group(s), if any, they identify with (UNDP, 2010). The Committee on the Elimination of Racial Discrimination (CERD) also supports the principle of self-identification[3] and suggests that the manner in which individuals are identified as belonging to ethnic groups should "be based upon self-identification by the individual concerned" (Recommendation VIII). While both Convention ETS 108 and the General Data Protection Regulation firmly set out a general prohibition on the processing of personal data revealing racial or ethnic origin, there are exemptions, and the general rule can be derogated when domestic laws provide adequate safeguards as in the case of Ireland. Therefore, the general conclusion is that legislation regulates but does *not prohibit* the collection and processing of ethnic data. European and national laws do however pose limitations that must be respected (Makkonen, 2016: 7-8).

Furthermore, while some EU Member States have embraced ethnic equality monitoring through the collection of ethnic data, others have been hesitant,[4] expressing legal and moral concerns and as a consequence, current policies on collecting ethnic data remain inadequate in most of Europe. The rationale from reluctant Member States is preservation of individual privacy against potential abuses, which have historically occurred in both totalitarian and democratic

3 General comment No. 23 (1994) on the rights of minorities of the Human Rights Committee proposes that article 27 of the International Covenant on Civil and Political Rights imposes related obligations on State parties towards ensuring the survival and continued development of the cultural, religious and social identity of the minorities concerned, thus enriching the fabric of society as a whole.

4 Countries such as Bulgaria, France, Germany, Hungary, Ireland, Romania and Sweden have resisted these recommendations and do not collect ethnic data (Open Society Foundation, 2014: 6).

countries[5] (Seltzer, 2005; Seltzer and Anderson, 2000). Although these concerns have validity in some instances, they may be an expedient solution for Member States to avoid grappling with legal and policy complexities and highlighting internal failures to combat discrimination. Interestingly, while Member States such as France, Germany and Sweden[6] vehemently refuse to engage in ethnic data collection, espousing national values of upholding privacy they simultaneously engage in ethnic profiling[7] and the use of proxy based data which violates privacy and the principle of equal treatment (Open Society Foundations, 2012; Open Society Institute, 2009).

Despite reluctance of some Member States to collect ethnic data, research has indicated broad support among Europeans for the collection of ethnic data to combat discrimination and promote equality. According to the European Commission's Special Eurobarometer survey, *Discrimination in the European Union*, 75% of respondents supported the idea of disclosing their ethnic status, "if that could help to combat discrimination" (European Commission, 2007). This was further confirmed in the European Union Minorities and Discrimination Survey (EU-MIDIS) (FRA, 2009), which found an overwhelming support among minority ethnic groups in Ireland and Sweden, followed by support from minority ethnic group respondents in France and Germany. This highlights individuals' willingness to provide information that is considered personal and sensitive for the purpose of promoting equality of access, participation and outcomes.

5 Under the Fascist regimes of World War II, governmental records of national origin and descent were used to identify and persecute Jews, Roma and other minority groups. Similarly, in Rwanda, identification cards revealing the holder's ethnicity were used to locate Tutsi victims in the 1994 genocide (Seltzer and Anderson, 2000). Other examples of human rights abuses include the internment of Japanese Americans during WWII; the forced removal of Native Americans from their territorial lands in the United States in the nineteenth century; and the forced migration of minority populations in the Soviet Union in the 1920s and 1930s (Seltzer and Anderson, 2000: 484).

6 In Sweden, police authorities established illegal databases of Romani people in a programme originally designed for counter-terrorism operations (Gardell, 2013).

7 According to the EU Network of Independent Experts on Fundamental Rights (2006), ethnic profiling is the "practice of classifying individuals according to their race or ethnic origin, religion or national origin, in order to facilitate decision-making in law enforcement" (9). Ethnic profiling is discriminatory, inefficient and violates basic human rights (Open Society Foundations, 2015).

Irish Context

While ethnic equality monitoring as a tool to inform and support our work with Travellers and Roma has been a key strategic goal of Pavee Point since 1993, it was not until relatively recently that a question on ethnicity was included in the national census[8] in the Republic of Ireland. In 1994 Pavee Point approached the Central Statistics Office[9] (CSO) to include an ethnicity question to identify the numbers of Travellers residing in Ireland. This proposition was directly a result of Pavee Point's intense advocacy efforts through the *Task Force on the Travelling Community* report (Government of Ireland, 1995) that recognised the need to include ethnicity in administrative datasets to inform evidence based policy, identify discrimination and promote equality. The CSO acknowledged that it was too late to amend the census form at that time, however, they agreed to include an extra category on the form instructing enumerators to report on the accommodation type (Pavee Point, 2015). Using accommodation as a proxy, enumerators ascribed Traveller status to those households that objectively appeared as "members of the Travelling community" (CSO, 1998: 244) (see Figure 1). According to the 1996 census, the number of Travellers enumerated in halting sites, encampments, caravans and mobile homes was 10,891, representing 3% of the overall population (CSO, 1998).

Private Household in a conventional house	☐ 1
Private Household in a flat or bedsitter	☐ 2
Traveling people	☐ 3
Private Household in caravan, mobile home, etc.	☐ 4
Non-Private Household (specify)	☐ 5

Figure 1: Proxy-based question for Traveller ethnicity included in the 1996 Census (CSO, 1998)

8 The Central Statistics Office conducts a census every five years on behalf of the Irish State.

9 The Central Statistics Office is Ireland's national statistics office responsible for collecting population data for the census.

This figure was recognised as a drastic undercount by both Traveller organisations and the CSO, and in an effort to include an ethnicity question, the CSO invited submissions for the following census in 2002. Despite receiving submissions from various Traveller, human rights and equality stakeholder groups, the Irish government rejected the addition of the ethnicity question in the 2002 census, citing that the revised format was deemed too "sensitive" and had not been piloted (Pavee Point, 2015). As a consequence, a universal ethnic question did not appear in the 2002 census. Instead, a Traveller-specific question was included, this, despite a significant increase in minority ethnic groups in Ireland during this time (Pavee Point, 2002).

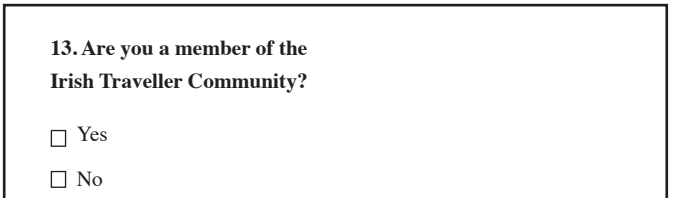

Figure 2: Traveller-specific question included in the 2002 Census (CSO, 2002)

While Pavee Point welcomed the inclusion of Travellers in the national census, we were disappointed that a universal question on ethnicity was not included and were concerned that Travellers would perceive the question as further stigmatising. Again, in 2003 the CSO requested submissions in anticipation of the 2006 census. Pavee Point worked with the National Consultative Committee on Racism and Interculturalism (NCCRI) and other migrant and minority ethnic groups to call on the CSO to include an ethnicity question to inform evidence based policy, identify discrimination and promote equality. Subsequently, an "ethnic/cultural background" question was introduced in the 2006 census. We understood this question as a compromise as Traveller ethnicity was contested by the State and therefore "cultural" background would include Travellers in this regard. While this did not occur in the 2011 or 2016 census, the CSO has undertaken a review of the ethnic and cultural background question in preparation for the design of the 2021 census. Following a public consultation, it has piloted two sets

of questions, including the ethnicity questions which are inclusive of both Travellers and Roma. It remains to be seen which question will appear in the 2021 census, however, we welcome the commitment to ensuring an ethnicity question remains in the census and the explicit inclusion of Roma in this regard.

In preparation for the 2006 census, Pavee Point worked in partnership with the CSO to: (1) develop the capacity and confidence of enumerators to effectively engage with Travellers during the census and ensure that all Traveller homes were visited; and (2) to generate awareness among Travellers and Traveller organisations about the importance of the census and of voluntary self-disclosure. Activities included:

- Training provided by Pavee Point for census enumerator managers
- Information and knowledge sharing
- Development and dissemination of information videos and leaflets to Travellers
- Dedicated website on census fieldwork
- Liaising and mobilisation of support for census among local Traveller and Roma organisations
- Operation of troubleshooting telephone hotline
- Dissemination of census results

These efforts resulted in higher levels of self-disclosure among Travellers in the national census,[10] with the 2011 census reporting a 32% increase of

11. What is your ethnic or cultural background?

Choose ONE section from A to D, then mark the appropriate box.

A. White

1. ☐ Irish
2. ☐ Irish traveller
3. ☐ Any other white background

B. Black or Black Irish

4. ☐ African
5. ☐ Any other black background

C. Asian or Asian Irish

6. ☐ Chinese
7. ☐ Any other Asian background

D. Other, including mixed background

8. ☐ Other, write in description

Figure 3: Current ethnic/cultural background for census (CSO, 2016)

10 Travellers became more confident to self-identify once they were informed of the data collection process and were assured that data were anonymised.

Travellers voluntarily self-identifying since the previous census in 2006 (see Figure 3). This high participation rate of Travellers indicates that ethnic data can be collected with the right approach, including the manner in which the question is asked (on a universal basis); and building confidence among the community and ensuring that individuals clearly understand the reasons for collecting data, and how the data will be used and stored. However, it also reflects the value of ensuring the inclusion of Traveller organisations and other NGOs in the data collection process as they can assist in raising awareness about the benefits of ethnic data among minority ethnic groups and can provide valuable insight into the analysis.

Traveller voluntary self-disclosure rates were also increased in the most recent census in 2016. The CSO has acknowledged that the involvement of Pavee Point and other local Traveller organisations led to a seamless data collection process, providing considerably more accurate statistical data, and thus resulting in a much more effective use of limited resources (Healy, 2013). The increased disclosure rates amongst Travellers are attributed to the persistent efforts of Pavee Point and local Traveller organisations in promoting voluntary self-identification within the community. Pavee Point continues to work closely with the CSO to support the collection of data in the census and encourage self-identification among Travellers and Roma.

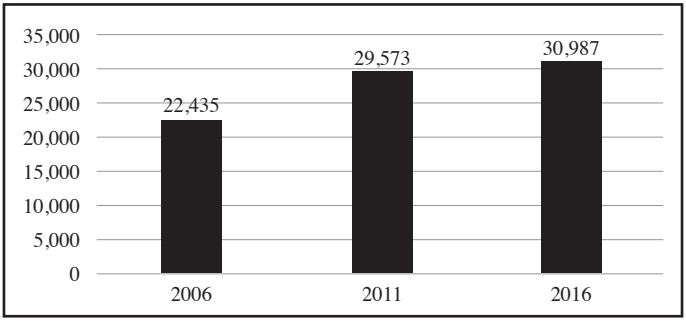

Figure 4: Increase in Traveller population enumerated in the national census in a 10-year period

In addition to the CSO, Pavee Point has worked in partnership with various public bodies including those in the community development, health, education and criminal justice sectors, to ensure that data collection adheres to equality and human rights standards and data collectors are equipped with the necessary skills and confidence to monitor and evaluate ethnic data within a human rights framework. The implementation of an ethnic identifier within the census and services indicates that ethnic data can be collected with the right methodological approach. This includes building trust with the community and actively engaging with Traveller organisations in the design, collection and analysis of data. It also includes building confidence among the community and ensuring that individuals clearly understand the rationale for collecting data. However, we note that there is a need to increase collaboration and dialogue between Travellers, Roma and State actors in this regard and therefore our work has also focused on improving knowledge, capacity, skills and confidence among relevant State actors to implement, monitor and evaluate ethnic data in line with human rights standards. This includes interactive training for data collectors and the development of practical materials such as code of practices, clear guidelines which outline the rationale for collecting information, case examples of how staff should respond to questions regarding the storage and use of data, and instructions of how to adequately record and code information. Equality, human rights and anti-racism underpin all components of this training. Through this, we have focused heightened understanding of the rationale, concerns, processes and outcomes of ethnic data collection among the wider public, particularly policy makers, front line staff and organisations and projects working with minority ethnic groups.

We acknowledge that progress in this area is slow as we continue to experience a significant gap in the availability of reliable and comprehensive data in relation to the socio-economic, political and legal situation of Traveller and Roma communities. This is crucially linked to the lack of disaggregated data on the basis of ethnicity. Currently, ethnicity is not an administrative category in all official data collection systems or in state surveys, including data collected for EU-wide surveys, such as the European Union Statistics on Income and Living Conditions (EU-SILC). These data are reported

to Eurostat, the statistical office of the European Union, to inform evidence based decision making across Member States. However, given that ethnicity is not captured in such datasets, the reality of Travellers and Roma remains obscured not only in Ireland but across Europe. This results in serious gaps in knowledge about the situation and needs of Travellers and Roma and absence of evidence based policies and practices to ensure the needs of minority ethnic communities are met. The lack of data contributes to significant obstacles in gathering evidence about racism and discrimination, making it difficult for relevant stakeholders to monitor effectively the implementation of any measures to combat discrimination. Various national and international institutions, such as the Advisory Committee to the Framework Convention for the Protection of National Minorities, the European Commission against Racism and Intolerance, and Committee on the Elimination of Racial Discrimination, have consistently observed Ireland's data deficit and have urged the State to develop a standardised approach to data collection in accordance with relevant human rights standards. The State has responded to this by committing to the implementation of ethnic equality monitoring across the public sector in the National Traveller and Roma Inclusion Strategy[11] (Department of Justice and Equality, 2017). However, there remains a gap in policy agreed at national level and implementation on the ground.

Conclusion

The paucity of demographic data on minority ethnic groups reveals "the low or uneven priority" that has shaped policy responses to such groups in Ireland (NCCRI, 2001: 3). At present, there is a unique opportunity for Ireland and other EU Member States to affirm their commitment to advance equality and human rights by developing consistent approaches to ethnic data collection in accordance with human rights standards. As argued throughout this chapter, Ireland needs data to develop evidence based policy, plan

11 Ireland's National Traveller and Roma Inclusion Strategy was developed as per the *EU Framework for the Implementation of National Roma integration Strategies up to 2020*. Action 146 of the Strategy commits to the "establishment of a cross-departmental working group on ethnic equality monitoring: to developing a methodology for the introduction of an ethnic identifier on all data sets to facilitate the monitoring of access, participation and outcomes to services for Travellers and Roma" (Department of Justice and Equality, 2017: 43)

service provision and identify gaps in services or discrimination. This chapter has highlighted the best practice in ethnic equality monitoring, which includes:

- A universal question rooted within a human rights framework, whereby everyone is asked to identify the group to which they belong, not just minorities;
- A public and targeted campaign informing people why such data would be collected and affirming a commitment to human rights principles and ethical use of such data, in accordance with national and European data protection legislation;
- Ongoing training and support for data collectors to ensure that they are equipped, confident and skilled in implementing, monitoring and evaluating ethnic data collection in accordance with relevant human rights standards and good practice principles;
- Community participation and active consultation with Traveller organisations and other key stakeholder groups throughout the process.

This participatory approach has been recognised as best practice by Pavee Point, international human rights bodies, academics and international stakeholders. For over 30 years Pavee Point has challenged racism and promoted Traveller and Roma inclusion in Ireland. Where we knew racism and discrimination existed we were taken to task by the State in substantiating such claims by providing clear evidence. We see ethnic equality monitoring as a key tool in providing the necessary evidence to demonstrate this and to develop knowledge on racism and discrimination, establish objectives, monitor progress towards equality, evaluate the effectiveness of policies and develop targeted funding for innovative initiatives that deliver better outcomes to Travellers, Roma and other minority ethnic groups.

We acknowledge that ethnic equality monitoring is not a simple solution to eradicate racism. Rather, it is a powerful instrument in the fight against racism and discrimination, equipping Traveller and Roma organisations with the necessary evidence to prove where racism and discrimination exists, particularly on institutional levels, and challenge the State to respond appropriately. Traveller/Roma

organisations must be central to this process; driving the agenda in partnership with government departments and State agencies.

Pavee Point

Pavee Point Traveller and Roma Centre ("Pavee Point") is a national NGO committed to the attainment of human rights for Irish Travellers and Roma who as minority ethnic groups experience discrimination, racism, exclusion and marginalisation. Working to challenge racism and promote Traveller and Roma inclusion in Ireland since 1985, the organisation works from a community development perspective. The organisation is comprised of Travellers, Roma and members of the majority population, who work together in partnership to address the needs of Travellers and Roma as minority ethnic groups experiencing exclusion, marginalisation and racism. Working for social justice, solidarity and human rights, the central aim of Pavee Point is to contribute to improvement in the quality of life and living circumstances of Irish Travellers and Roma. This includes advocating for the collection of disaggregated data on the basis of ethnicity, inclusive of Travellers and Roma, in line with European data protection law and within a human rights framework.

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Data Collection on Equality, Discrimination and Antigypsyism

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This article takes a critical approach to the collection of ethnic data in relation to social inequality and discrimination. It examines which tools and methods are suitable for data collection in qualitative and quantitative research to measure antigypsyism, discrimination and inequality, and what basic guidelines must be followed. Against the background of an international debate on equality data, the Central Council of German Sinti and Roma would like to initiate a critical discussion on possibilities as well as limitations of data collection and the potential dangers associated with the recording of sensitive personal data. At the same time, this article offers perspectives on how other forms of data collection on antigypsyism may contribute to combating this particular form of racism.

The Historical Experience with Data Collection as a Starting Point

A well-informed discussion on data collection in Germany and Europe cannot take place without including and acknowledging the historical experiences of minorities, especially Sinti and Roma, with data collection. As early as 1899, German police authorities systematically collected data on Sinti and Roma as well as those they classified as "Gypsies". The information and data collected were compiled by the authorities at the "Gypsy intelligence service" in the Munich police department. Thus, early on, the police had already classified this minority according a certain interpretation and gathered in-depth data on the minority group.[1] Later, systematic and racist apprehension of the minority group by the National Socialists formed the basis for the persecution and annihilation of 500,000

1 In 1905, Alfred Dillmann, head of the authority, published a "Gypsy book" with individual details on 3,350 persons. The book contains personal descriptions, some with photos, and 7,000 copies were made available to the police services. See also: Hehemann, Rainer. 1987. *Die "Bekämpfung des Zigeunerunwesens" im wilhelminischen Deutschland und in der Weimarer Republik 1871-1933*. Frankfurt a. M.

Sinti and Roma during the Holocaust. Nazi ideologues and racial researchers decided who was selected for the "Gypsies" category. Even after 1945, this ethnic identification was used for decades in the Federal Republic of Germany to persecute or discriminate members of the minority group, such as in dealing with compensation claims of surviving Sinti and Roma. The Nazi race reports and the data of the police authorities also played a central role in this respect. The Bavarian "Traveller centre" – the cover name for the "Gypsy intelligence service" after 1945 – continued its work virtually uninterrupted. Although it was officially disbanded in 1970, the collected files remained in governmental circulation. Since 1979, it has mainly been the civil rights movement of German Sinti and Roma that has protested against the continuation of this racist special register and the use of the "Traveller centre" files in the Federal Republic. In parallel, the Nazi race researchers also continued their work uninterrupted. For instance, at Tübingen University, Eva Justin, a former employee of the Racial Hygiene Research Centre, stored the National Socialist race reports and shared them with authorities such as the police. Sophie Ehrhardt, one of the people who worked with these files, published a "scientific" text with the title "Gypsy skull" in 1969 (Schmidt-Degenhard, 2008: 225-23; Gilsenbach, 1998: 118). In 1981, Sinti activists were able to track down some of these Nazi racial files at Tübingen University and have them transferred to a government archive, where they are available for work on the persecution of Sinti and Roma (Fings and Sparing, 1995). However, the vast majority of Nazi racial reports and police data collection are still untraceable. More than a hundred years after the inception of the "Gypsy intelligence service", police authorities have yet to admit to unlawful ethnic special registration or to end this practice (End, 2017). In 2018 the police in Baden-Württemberg announced that they would no longer use a reference to "changes residence frequently" in the INPOL system, but did not admit to an ethnic registration practice.

What remains is a deep-seated trauma that has left its mark on generations of Sinti and Roma. The abuse of supposed scientific research, and the use of data for persecution and annihilation, have not yet been overcome to this day, and may never be, given deeply rooted antigypsyism across Europe. Therefore, several Roma and

Sinti organisations have significant reservations about any kind of ethnic data collection, whether quantitative or qualitative.

Since the 1980-90s legal foundations have been established in Germany for the protection of personal data, most recently with the EU General Data Protection Regulation in May 2018. However, the rule of law and the protection of minorities are not legimitised only by normative principles. The protection of minorities must also be guaranteed in practice in order to ensure that citizens trust rule of law mechanisms. In the education and social fields, racist, ethnicising and culturalising data collection on minorities takes place over and over again. For example, in 2011 the Berlin Senate Administration required districts and schools to collect data on children with a Sinti and Roma background and to specify problems with schooling. Roma self-organisations strongly criticised this census and it was stopped as a result. The problem was not only that the data collection was based on external ascriptions and not on self-identification, but also that it was clearly linked to school performance. However, Berlin schools participated in the survey without questioning its legal basis or its purpose.

It is precisely due to historical experience that regulatory mechanisms and structures which prevent abuse and antigypsyist practices by government institutions and research facilities are needed. In police investigative work in particular, there are still indications of targeted data collection focused on Sinti and Roma (End, 2019).

Recognising and Labelling the Complex Mechanisms and Effects of Antigypsyism

For years, the Central Council of German Sinti and Roma has been calling for the Federal Government to establish an independent expert commission dealing with the historical analysis of the persecution, exclusion and discrimination of Sinti and Roma as well as deeply rooted and structural antigypsyism today. At the start of 2019, the expert commission will start its work on the investigation of the causes, manifestations and consequences of antigypsyism in Germany and develop recommendations to address these.

To date, there are scant data and information on the extent and nature of antigypsyism experienced by Sinti and Roma today in Germany and the EU, whether it is in the workplace, in public places, in public services, at school or in the media. However, from the point of view of the Central Council of German Sinti and Roma, it is not necessary to collect ethnic data on the minority group in order to develop effective strategies to tackle discrimination resulting from antigypsyism. Instead, the structures and mechanisms of antigypsyism in society must be examined, labelled and underpinned with data.

With regard to data collection to combat discrimination and inequality, the recognition of antigypsyism must be the basis for the interpretation of socio-economic conditions. Without in-depth knowledge of the effects and manifestations of antigypsyism, research and data analysis run the risk of cause and effect, and thus contributing to reproducing antigypsyism. Furthermore, a more serious question arises: to what extent does disaggregated data collection on people affected by discrimination contribute to reviving and strengthening biological notions of "race" (Science and Justice Research Center, 2018)? In particular, repeat surveys claiming to be representative could determine the public notion of homogenous minorities by correlations to different variables and not do justice to hybrid identities or multiple discrimination. In other words, a survey presenting a static picture of the discrimination experienced by a group reduces individuals' multi-layered identities to one context. Yet it is possible to illustrate the complexity of multiple discrimination.[2]

The Position of the National Minorities Council in Germany on Data Collection

Based on the experience of the National Socialist persecution of Jews as well as of Sinti and Roma, there is a basic consensus in Germany between the Federal Government and the Minorities

2 For example, a Shiite black woman in Denmark is likely to experience very different discrimination in varying contexts. Depending on the context and environment, the experience of discrimination as a black woman will be more central in white spaces. Within Muslim contexts, her beliefs or background would probably outweigh the racial aspect. A middle-class homosexual Rom, who in some contexts does not disclose his ethnic identity, will have a different experience in situations where he reveals he is a member of this minority group.

Council[3] that no ethnic data should be collected by the government. In its charter, the European umbrella organisation FUEN (Federal Union of European Nationalities) sets out the following basic principle of autochthonous, national minorities/ethnic groups in Europe:

> We, the autochthonous, national minorities / ethnic groups, underline the principle according to which declared membership of a national minority is a matter of individual freedom and not subject to official scrutiny (FUEN, 2010).

This position was reaffirmed by the National Minorities Council in a 2015 opinion on the basis of the Framework Agreement on the Protection of National Minorities:

> The National Minorities Council of Germany rejects the nationwide collection of statistical characteristics in relation to the size of autochthonous minority groups in Germany. The appropriateness of the data collection with the objective of formulating concrete and effective measures for the minority groups is strongly questioned. (...)

In order to improve the current situation of the respective minority groups – especially in the field of education – studies using different approaches are needed. In doing so, "sensitive personal data" may only be collected and used for a specific research project and may not be stored or passed on for further purposes. Thus, an ethnicity-related question is not needed (Minderheitensekretariat, 2018).

Statistical surveys of ethnic groups aim to get a better picture of the composition of society, but do not shed much light on how and where racism and discrimination occur. Therefore, the appropriateness of this data collection must be questioned. How large or small a group may be is not relevant, but rather how massively or violently the individuals experience racism and discrimination. Therefore, measures to combat racism, discrimination and inequality must be based on data which measure the manifestations and characteristics of phenomena such as antigypsyism.

3 The Minorities Council represents the interests of the four autochthonous national minorities in Germany (the Danes, the Sorbs, the Frisians as well as the Sinti and Roma) towards the Federal Government and the Bundestag.

Scope and Limitations of the National Minorities Council's Position

The position of the National Minorities Council is clear on the fact that no data on affiliation to a minority group should be collected by the government but in many studies the distinction between governmental and non-governmental actors is unclear.

A new 2018 study by the Federal Anti-Discrimination Agency examines the possibilities and limitations of a better portrayal of discrimination experiences, according to the General Equal Treatment Act (AGG) categories, in representative repeat surveys (Antidiskriminierungsstelle des Bundes, 2018). These studies are usually commissioned by the government and carried out by statistical offices and private research institutes. The EU-MIDIS[4] studies of the European Union Fundamental Rights Agency (FRA) have also been commissioned by the European Commission. For its part, FRA awards contracts to carry out data collection via public tenders to, among others, its own research network as well as to private consulting firms and polling institutes in the EU Member States.

It is important to distinguish between "administrative data" on the one hand, which are regularly recorded by local, regional or national authorities (e.g. birth dates, fiscal data), and (repeat) surveys and studies on the other hand, which should be conducted on the basis of the principles of the Equality Data Initiative such as self-identification. While there is a risk for data protection and the identification of persons in the case of "administrative data", (repeat) surveys, such as those by FRA, should adopt the Equality Data Initiative's key principles (ENAR, 2015; FRA, 2017).

The National Minorities Council's position questions the close cooperation between government institutions, academic and private actors, where the limitations of data collection must be drawn, and how to respect ethical standards in data collection.

4 The EU-MIDIS surveys of the European Union Agency for Fundamental Rights (FRA) provide the most extensive data set on discrimination and victimisation faced by ethnic minorities and migrants in the EU. FRA published data in 2009 and 2017.

In 2015 the National Minorities Council stated:

> However, this [the previously declared rejection, author's note] does not fundamentally argue against participatory science in which the parties involved in a study as well as minority group members agree on an equal and joint basis on goals, plans and procedures, as well as the handling of the results, and propose concrete measures on the basis of the research results. This is already happening today, especially at the local, municipal and state level (Minderheitensekretariat, 2018).

In addition, the National Minorities Council calls for any research to be preceded by sufficient awareness raising and well-informed knowledge of antigypsyism and its consequences.

On the Benefit of Data Collection

Against this backdrop, the Central Council of German Sinti and Roma has reservations on the benefits of data collection on the situation of Sinti and Roma in the European Union. Data and studies in themselves do not generate political will that translates into effective (governmental) action. For this to happen, research and the production of data and knowledge must be related to the objective pursued. The countless human and fundamental rights violations, school segregation and forced evictions of Roma in many European countries are well documented. However, as long as antigypsyism is widely embedded, accepted and legitimised in society and in political discourse, there will be no political will to end discrimination and inequality. As long as antigypsyism is not taken seriously and recognised as a fundamental problem at the national and local levels, discrimination and exclusion will continue. Equality data collection will thus necessarily fail to achieve its purpose and run the risk of cementing racial prejudice (as a self-fulfilling prophecy). The representations and interpretations of the results of quantitative studies on the situation of Roma, especially in terms of access to housing, labour market and education, show the existence of antigypsyist patterns of thinking, whereby Roma are made responsible for this situation. A repertoire of antigypsyist and cultural stereotypes is often used to cite Roma's allegedly traditional way of life as the cause (see also article by Sabrina Kopf in this book). For instance, after the European Commission launched infringement proceedings against Slovakia in

2015 on the basis of studies showing the structural school segregation of Roma children, the Slovak government and Interior Minister Kaliňák claimed in a racist statement that this was due to incest in the Roma community (Romea, 2015).

Qualitative research can also have a negative impact on Sinti and Roma. For instance, a school survey may lead to children from Sinti or Roma families becoming conspicuous as such and thus being exposed to racial discrimination. Ethnic identity is recorded in the files of Roma children from kindergarten onwards in several European countries. This label accompanies these children throughout their educational pathway and, due to deeply rooted antigypsyism, has a negative effect on the education opportunities of these children. Research that reveals the identity of Sinti and Roma children could have negative effects on their further education. It is therefore important to ensure that data collected under the premises of "human rights" and "anti-discrimination" do not contribute to reproducing or reinforcing discrimination. On this basis, a seventh principle should be added to the six basic principles of the Equality Data Initiative (Open Society Foundations, 2014; European Commission, 2016; 2017): the no-damage principle. Neither the individuals involved in the data collection nor the group to which they feel affiliated to may be harmed by the data collection or its interpretation.

Recommendations for Scientific Research and Data Collection

The purpose of scientific research must be to record antigypsyism and its impact on the discrimination experiences of the minority group in different life situations, and to identify mechanisms of exclusion, without using methods and approaches based on the collection of ethnic data.

All data collection and scientific research must be based on ensuring that data protection laws are maintained with respect to "sensitive data", i.e. that harmful additional stigma and discrimination are prevented and that clear expectations and basic principles for qualitative science are promulgated.

The "National Working Group for Improving the Participation in Education and the Educational Success of Sinti and Roma in Germany", which was coordinated from 2013 to 2015 by the Foundation for Remembrance, Responsibility and Future, initiated a critical discussion on data collection. The Romani members of the working group, working within a closed framework, developed key positions and recommendations which were recorded in the report (EVZ Stiftung, n.d.). Seven basic principles were established for collecting data on discrimination (experiences) that are in line with and further expand those of the Equality Data Initiative. These are (1) self-identification of the respondents, (2) voluntary participation, (3) anonymisation of the data to make it impossible to draw conclusions about a person, (4) informing the respondent of the goals and purpose of the survey before starting the questioning, (5) ensuring communities are consulted in the development, implementation and evaluation of surveys, (6) taking into consideration the identification of respondents with multiple groups or an intersectionality (multiple discrimination) in the response options, and, in addition, (7) the principle of non-damage should be respected. These standards should form the basis for any future data collection. For standard surveys already in place, the principles should be equally embedded step by step, if not already applied.[5]

In addition, clear rules are needed for the deletion of records, both government and study-based, in order to prevent abuse. Especially in times of increasing shifts to the right, it is necessary to deal sensitively with centrally stored data, especially data on minority groups. Sensitive data on minorities should never fall into the hands of people who will use them against minorities or for their persecution and exclusion.

In the current discussion for and against data collection, thus far, various approaches and methods are discussed with insufficient distinction. It is important to identify the advantages and

5 Although the Federal Anti-Discrimination Agency survey on representative repeat surveys acknowledges the six principles of the Equality Data Initiative and recommends them for future data collection, it does not support the no-damage principle.

disadvantages (knowledge value and limitations) of the different methods.[6] Particular attention should be paid to how to investigate antigypsyism and antigypsyist structures.

Perspectives: Methods and Approaches for the Study of Antigypsyism[7]

When discussing data collection on discrimination against Sinti and Roma, it is often emphasised that empirical data *must be* collected in order to substantiate the discrimination. This means that the situation (education, poverty, housing, etc.) of a supposedly representative group of Sinti and Roma should be statistically recorded. The results are then positioned in relation to the overall social statistical situation. However, this approach entails a number of problems, as illustrated by the example below.

For quantitative research, it is very important that the sample of selected individuals is representative, in terms of urban-rural, poor-rich, gender, age, educational attainment, in Germany: East-West, etc. Since organisations are usually only able to interview people who are members or involved in their organisation's structures, and other surveys can only interview those Roma who are registered or labelled "Roma" by government registration or self-initiative, the samples are necessarily distorted.

Most quantitative studies simply describe the actual state: "Only 18.8% of respondents have completed vocational training, while in the majority population, the rate is 83.4% in the younger age group". The interpretation of this data is initially left open. Civil society organisations would state: "This is because of discrimination". Racists would argue: "It's because they are primitive" or "unwilling to integrate". Politicians would probably say: "There are different

6 As part of a symposium organised by the Central Council of German Sinti and Roma on 24 September 2018 in Berlin, methods such as attitude measurement of prejudices, the representation comparison, the residual method, data on discrimination experience, vignette study/factorial surveys, field experiments, the analysis of police, court and process data as well as institutional/structural analyses were discussed, and their advantages as well as limitations to gaining knowledge demonstrated. See: http://zentralrat.sintiundroma.de/9083-2/.

7 This section is based on an intensive exchange on better research approaches between the authors and Markus End. We thank the latter for the methodology-related comments that are found here.

reasons". The fact is: it is impossible to prove the statistical component of the discrimination.

It is true that a number of studies have tried to ask respondents about their discrimination experiences, for example, in the field of education, and to compare them with the data. Nevertheless, this only covers the subjective experience of discrimination. Some also say: "That's an exaggeration". And yet others may say: "Many Sinti and Roma do not even realise that they are discriminated against as they find it normal".

An alternative proposal to determine discrimination against Sinti and Roma would be to look at existing studies and analyses and to then design studies. For example, a team of researchers examines samples of curricula, textbooks and instructions from school authorities regarding "Roma" in the field of education. In addition, it looks at a small number of "sample schools" from all areas of education, including some of whom have contact with Sinti and Roma through the involvement of self-organisations. In these schools, qualitative interviews should be conducted with the school administration, the teachers, school social workers or possibly "Roma mediators", individual students with and without Roma background as well as with their parents. In addition, possible internal official instructions regarding "Roma" are identified. Possible special offers ("welcome classes") and their design, goals and evaluations are also examined.

This approach would reveal what is lacking and/or wrong at the institutional level, which discrimination targets individuals on a regular basis, how the individuals feel and deal with it, and what impact it has on educational pathways.

The advantage of this approach would be that we not only learn that there is a statistically different situation, but we learn something about the discrimination itself, what forms it takes, and its effects.

It also allows us to say much more precisely what measures could be taken to combat this discrimination. Thus, little data are collected on Roma and it will probably even be a more cost-effective method.

In addition, that way research can be individually further developed and will yield new results, while quantitative studies cannot present more than the statistical situation.

Side Note - Issues with Government Data Analysis

One specific form of collecting "administrative data" is data on hate crimes that are statistically recorded in the context of a racist or antigypsyist act. Even though we view any form of government data collection on minorities with extreme scepticism, this must be discussed separately in the context of information on hate crimes. There is almost no coverage of antigypsyist motivated violence or hate crimes Europe-wide. Although antigypsyist criminal offences have been recorded in Germany's "politically motivated crime" statistics since 2017, only a small proportion of those affected by antigypsyist violence report these incidents to the authorities. Bias motivated crimes are thus not covered or only inadequately recorded. Furthermore, racist attacks on Sinti and Roma are neither recorded nor treated by the police or law enforcement authorities as such. This is partly due to a lack of awareness of antigypsyism among civil servants; but also because of structural racism in the police and security apparatus. The overwhelming majority of those affected rarely or never report antigypsyist experiences or violence. On the one hand, this is due to fear of negative consequences for themselves or relatives, and on the other due to general lack of trust in police and law enforcement agencies. Therefore, there is a high number of unreported cases of antigypsyist hatred and discriminatory offences against Sinti and Roma. There is a need for data on the forms, perceptions and experiences with antigypsyism and its manifestations by Sinti and Roma in the fields of hate crime, racial profiling, hate speech and discrimination. The structural obstacles preventing Roma and Sinti from reporting and the prosecution of these crimes need to be dismantled, and progress monitoring mechanisms on procedures on antigypsyist crime established.

Conclusion

There is a need to focus more on the collection of data on antigypsyism and the perspectives of Sinti and Roma on antigypsyism in future. From our point of view, qualitative and quantitative information is needed to make statements about the extent and nature

of antigypsyism faced by Sinti and Roma, whether it is at work, at school, in public spaces, in dealing with authorities, in the housing market or in the media (European Commission, 2018).

Numerous reports, media investigations and scientific studies prove structural antigypsyism and discrimination of Sinti and Roma. However, there is still a lack of monitoring tools and structures, and in-depth case studies that reveal the scale, multi-dimensional nature and complexity of the phenomenon. Although government statistics on "politically motivated crime" since 2017 do recognise the antigypsyist hate crime category, the Federal Government should set up and finance a non-governmental monitoring body on antigypsyism for all areas of everyday and public life. All antigypsyist incidents and developments should be recorded, investigated and documented there, systematically and continuously, even if criminal law does not apply.

Central Council of German Sinti and Roma

The Central Council of German Sinti and Roma was founded in February 1982. It is an independent umbrella organisation for 16 regional associations of Sinti and Roma, representing the interests of German Sinti and Roma on the level of policy and civil rights. The Central Council advocates for the equal participation of Sinti and Roma in politics and society, and for the protection of and support for Sinti and Roma as a national minority. It also intervenes against structural forms of antigypsyism and discriminatory cases against Sinti and Roma in Germany and in Europe. At the national and international levels, it raises awareness and recognition of the Holocaust of Sinti and Roma and advocates the recognition of antigypsyism as a specific form of racism, as well as a structured monitoring and intervention. The Central Council represents the interests of Sinti and Roma at the EU level, to the Council of Europe, IHRA and OSCE. Moreover, the organisation is a member of various national (German minority council, German Institute of Human Rights, Advisory group of the German Equality Body) and international civil society structures (ENAR, FUEN), and is part of the steering group within the Alliance against Antigypsyism.

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Antigypsyism – A Reference Paper[1]
Alliance against Antigypsyism

Antigypsyism is the specific racism towards Roma, Sinti, Travellers and others who are stigmatized as 'gypsies' in the public imagination. Although the term is finding increasing institutional recognition, there is as yet no common understanding of its nature and implications. Antigypsyism is often used in a narrow sense to indicate anti-Roma attitudes or the expression of negative stereotypes in the public sphere or hate speech. However, antigypsyism gives rise to a much wider spectrum of discriminatory expressions and practices, including many implicit or hidden manifestations. Antigypsyism is not only about what is being said, but also about what is being done and what is not being done (Jařab, 2015). To recognise its full impact, a more precise understanding is crucial.

The *Alliance against Antigypsyism*[2] here proposes a working definition that reflects a systematic conception of antigypsyism. This paper sketches its key characteristics, the connections between its different aspects, and its myriad manifestations, which require specific approaches. It wants to encourage policy and decision makers to put into action a coherent, but diverse, set of measures to combat antigypsyism.

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1 This reference paper is published under the auspices of the *Alliance against Antigypsyism*. The text of this document was prepared in the first half of 2016 by a drafting party with the following members: Gwendolyn Albert – independent human rights activist; Ruus Dijksterhuis – ERGO Network; Markus End – Society for the Research of Antigypsyism; Gabriela Hrabanova – ERGO Network; Jan JaYab – OHCHR; Ferdinand Koller – Romano Centro; Jonathan Mack – Zentralrat Deutscher Sinti and Roma; Lili Makaveeva – Integro Association; Saimir Mille – La Voix des Rroms; Anna Mirga-Kruszelnicka – anthropologist; Julie Pascoët – European Network Against Racis; Marek Szilvási – European Roma Rights Centre; Matthias Verhelst – ERGO Network (rapporteur). The production of this reference paper was supported by European Roma Grassroots Organizations (ERGO) Network and Central Council of German Sinti and Roma. This document has received financial support from the European Union Programme for Employment and Social Innovation "EaSI" (2014-2020) and does not necessarily reflect the official position of the European Commission.

2 The *Alliance against Antigypsyism* is an occasional coalition of organisations promoting equality of rights for Roma. It endorses the proposed definition and promotes a common understanding of antigypsyism. A full member list can be found on: www.antigypsyism.eu.

A number of key aspects deserve emphasis from the outset. Firstly, it is essential to see that antigypsyism is not a 'minority issue'. It is a phenomenon of our societies, which has its origin in how the social majority view and treat those whom they consider 'gypsies'. To combat antigypsyism, our attention needs to shift to mainstream societies, while raising the voices of those who are dramatically affected by antigypsyism, but also usually silenced by it.

Secondly, antigypsyism is not the result of the poor living conditions many Roma have to live in, or the result of 'how different they are'. The idea that promoting Roma integration is the main path to countering antigypsyism is a fallacy that misconstrues the origins and essence of antigypsyism. It inverts cause and effect.

This means that, thirdly, addressing the effects of discriminatory treatment – poverty, poor quality housing, substandard education, to name a few – is necessary, but in and of itself does nothing to eradicate the ultimate source of the disadvantaged position of many Romani citizens. Consequently, antigypsyism cannot be simply treated as a thematic issue, alongside housing, education, health and employment. It needs to be dealt with as an integral part of thematic policies.

Finally, what sets antigypsyism apart is its high level of social acceptance. There is a general leniency towards antigypsyist attitudes and practices. The moral stigma attached to other forms of racism is largely absent for antigypsyism. Europe has seen the emergence of a 'reasonable antigypsyism' (van Baar, 2014): To scold Roma and take discriminatory action towards them is all too often perceived as justifiable and legitimate. Antigypsyism is the norm rather than the exception in public discourse.

Antigypsyism is not only widespread, but also deeply entrenched in social and cultural attitudes and institutional practice. This makes the challenge of tackling it both more urgent and more difficult. Antigypsyism is like a continuous headwind. 'Roma inclusion' will remain illusory as long as we do not confront the headwind itself.

1. Defining Antigypsyism

There is as yet no commonly accepted definition of antigypsyism that finds wide acceptance in civil society, public institutions and academia. Certain elements recur, but descriptions are often imprecise or even lacking altogether in documents using the term. To simply use antigypsyism as a synonym for 'Roma discrimination' or as a reference to certain specific expressions (such as hate speech or negative stereotypes) obscures the specificity, extent, and underlying structure of the phenomenon.

The term 'antitsyganizm' for the first time appears in late 1920s Russia. Its current use originates in academic debates of the 1970s and 1980s (Holler, 2014). Drawing important parallels with antisemitism, despite certain controversy, the term started entering the institutional lexicon in the early 2000s. Its gradual adoption signals the recognition that Roma and associated groups fall victim to a specific form of racism. This recognition is a momentous step in the struggle for equal rights.

Key texts reflecting this process include the 2005 European Parliament resolution, which for the first time used "anti-Gypsyism" in an official EU document (European Parliament, 2005). The OSCE, FRA, and, in particular, the Council of Europe (CoE) have been pioneers in exploring the implications of antigypsyism and placing it on policy makers' agendas. The Council of Europe's ECRI Recommendation no. 13 (2011), remains as the benchmark of addressing antigypsyism in a coherent and comprehensive manner.

In 2015, the European Parliament reiterated its call of 2005 to tackle antigypsyism (European Parliament, 2015), and the European Commission (2015) for the first time made significant use of the term in its report on the Implementation of the EU Framework for National Roma Integration Strategies.[3] The growing institutional

3 The term is absent from the EU Framework itself, however, which only refers briefly to prejudice against Roma. Earlier European Commission documents, such as the 2008 Staff Working Paper, *Non-discrimination and Equal Opportunities: A Renewed Commitment. Community Instruments and Policies for Roma Inclusion*, did use the term. Another key EU text on Roma issues, the 2013 *Council Recommendations on Effective Roma Integration Measures in the Member States*, mentions anti-Gypsyism, but does not include any specific description.

use of the term is a seemly development. The great test for decision makers is now to translate the recognition of antigypsyism into effective action – based on a profound understanding of what the phenomenon entails. To formulate a working definition of antigypsyism that finds wide acceptance and makes the concept relevant for a broader group of decision makers should help create effective action to combat it.

The definition of antigypsyism proposed by Valeriu Nicolae in his 2006 paper *Towards a Definition* of Anti-Gypsyism remains influential today. Commanding though his assertion that dehumanisation forms the central tenet of antigypsyism is, the paper's argumentation is more evocative than systematic. As the title suggests, it intended to generate debate, not conclude it. We are proposing the following working definition of antigypsyism that aims to encompass the debate in civil society, institutions and academia up to the present.

1.1. Working Definition

> "Antigypsyism is a historically constructed, persistent complex of customary racism against social groups identified under the stigma 'gypsy' or other related terms, and incorporates:
> 1. a homogenizing and essentializing perception and description of these groups;
> 2. the attribution of specific characteristics to them;
> 3. discriminating social structures and violent practices that emerge against that background, which have a degrading and ostracizing effect and which reproduce structural disadvantages."

This working definition aims to present an analytically coherent explanation of antigypsyism:[4] it underlines its layered structure, indicating how the discriminatory practices that are part of antigypsyism flow from and relate to the ideological construction of an alien other, a process that antigypsyism has in common with other racisms. It underlines the invented or 'imaginary' character of its objects, to make clear that it does not target individuals or groups with common attributes, but operates on the basis of the projection

4 The working definition draws on the work of Markus End. For an extensive elaboration of its constituting elements and the relationship between them, see End, 2015.

of certain shared traits that supposedly diverge from common norms, while denying those affected the recognition of personal or common dignity.

The definition also highlights the historical character of antigypsyism along with the fact that it has no fixed content: It adapts and readapts to changing social, economic and political realities, but always resurfaces.[5] This definition avoids placing certain manifestations of antigypsyism, specific to certain contexts, at the centre of attention, so as not to obscure other – perhaps less visible, but equally harmful – practices. To acknowledge antigypsyism is to recognise the multifaceted character of the phenomenon and the common roots of discriminatory practices with widely varying forms and intensities.

1.2. Terminology

Before we turn to a more detailed elaboration of the background, characteristics and expressions of antigypsyism, two notes on terminology are in place.

Firstly, the arguments presented here favour the use of the term "antigypsyism" over terms like "anti-Romani racism" or "Romaphobia", which are sometimes proposed as synonyms. These terms directly refer to the group that is mostly, but not exclusively, affected by this racism. The term antigypsyism – in citing the majority's projections of an imagined out-group of 'gypsies' which simultaneously constructs an imagined in-group – is analytically more accurate and makes clear that other groups – Sinti, Travellers, manouches, Egyptians – are equally affected. The term "antiziganism" conveys the same content: To use antigypsyism by preference is more a matter of convention, reflecting the fact that 'gypsy' is the English term comprising the core elements of this racist ideology.

Secondly, we have deliberately chosen the notation without hyphen: "*antigypsyism*"; not "*anti-G(g)ypsyism*". This is because the latter would inadvertently give the impression that something like 'gypsyism' exists. Although certain currents of thought assert the existence

5 Antigypsyism is polymorphous and protean . See Rorke, 1999.

of *Rromanipen* – a shared frame of affiliation among Roma – this should not be considered at all related to the projections pronounced in antigypsyist discourse. This usage also refutes the argument that antigypsyism should not be used because the term 'gypsy' has pejorative connotations. What those who embody antigypsyism are antagonistic towards is actually a creation of the collective imagination that is entirely ignorant of Romani cultures and perspectives.

2. Key Aspects and Background of Antigypsyism

In this section, the constituent elements of the proposed working definition will be explored in more detail in order to further clarify the background and characteristics of antigypsyism at different levels.

2.1. Historically Rooted

Today's antigypsyism has deep historical roots in our societies. The strenuous relationship between majority populations and those stigmatised as 'gypsies' can be described as part of a common heritage, which underscores its persistence and occurrence across different countries, in Europe and beyond.[6] It should be clearly understood that Romani people are not the cause of this ideology. The emergence of antigypsyism is not to be confused with the migration of Romani people's ancestors into certain regions. Rather, it flows from processes of social construction and projection that are prevalent elements of the development of European 'civilisation'. Against this constant factor, the ideological justifications of the unequal treatment of Roma and other groups, and the practices of discrimination and persecution of them, have been shaped and reshaped over and over and should be understood against the backdrop of particular historical developments and events.

The effects of historical discrimination and persecution do not end with the act itself, but continue to negatively affect the people persecuted as 'gypsies' in their economic, social and psychological lives. The slavery of Romani people in what is now Romania, for example, had formally been abolished by the mid-19th century. However, the social practice of perceiving Romani people as less than human

6 Antigypsyist prejudice and practice is not restricted to Europe. See Izsák, 2015.

has continued to produce prejudice and everyday discrimination, both there and elsewhere. Moreover, the historical conditions of slavery durably deprived Roma of the possession of land, means of production or wealth. The poverty of many Roma today is still, to a certain degree, shaped by the historical fact of Romani slavery. Historical segregation policies have similarly isolated Romani communities from economic opportunities in many places and continue to affect the livelihoods of those communities.

The same argument holds true for the effects of the European states' persecution policies against the 'gypsies' that culminated in the genocide perpetrated by National Socialist Germany and its allies during World War II. The Nazis' aim was not only to kill every single Romani individual, but to extinguish *Romanipen* as a whole. The loss of human lives, besides impacting economic and social factors, also meant a loss of cultural resources, traditions, diversity and language skills, and this strongly affects today's Romani people's access to those resources. Additionally, it has to be understood, that – not unlike slavery or the coercive sterilisation of Roma women – such a persecution produces severe trauma that passes from generation to generation.

2.2. An Essentialist Ideology

The basis of antigypsyist ideology is the presumption of fundamental differences between 'them' and 'us' which informs group construction processes and the designation of identities of those outside the group. While such processes are present in some form throughout most of European history, the act of 'othering' was combined with the advent of the ideology of 'race' toward the end of the 19th century. The concept of a 'gypsy-race' was a consistent part of these ideologies. Their function was to establish the notion of a fundamental 'otherness', where all individuals of the 'othered' group share certain characteristics that set them apart from a supposedly 'superior' group, that these processes simultaneously construct.

After the Second World War, explicitly racial ideologies became illegitimate. The act of othering shifted to notions such as 'ethnicity', 'heritage' or 'culture', which are equally used to uphold the concept of homogenous groups with essential characteristics. Moreover, in

particular academic circles, scientific racism continued to shape the existing knowledge and popular discourse on Roma (Acton, 2016). Today's antigypsyism may not explicitly employ the notion of 'race', but it conveys the same ideological concept by postulating a distinct 'culture' shared by and defining all members of the thus-constructed group.

Antigypsyist ideology notably incorporates attributions that imply that 'gypsies' are not 'civilised' enough. Accordingly, the semantic content projected onto 'the gypsies' is always that of those who do not share, accept, won't or have not yet internalised the norms and values of dominant society. Locating potential failures and fractures of these norms at the borders of or outside the imagined community (Anderson, 1983) is a way of emphasising and strengthening them. 'Gypsyness' has no relation to the actual people being stigmatised as 'gypsies', but presents a mirror image of our societies' dominant norms: it pronounces how its members should not behave and thus acts to discipline them.

2.3. Hierarchy

The process of 'othering' not only sets Roma and other groups apart, but also introduces a hierarchy of rights holders: Roma are not just different, they are somehow considered lesser and therefore not worthy of equal treatment. This dehumanisation of Roma acts as a moral and political justification for the fact that they are routinely denied their fundamental human and civil rights.

The introduction of a social hierarchy equally entails that Roma and associated groups are generally not considered part of the national (imagined) community in social and political discourse. This not only acts as a further justification for their unequal treatment, but also makes Roma and others vulnerable to scapegoating and instrumentalisation. Because national solidarity does not obviously extend to include Roma communities, any positive measures towards them are often perceived as favours granted to them rather than necessary actions to safeguard their equality of rights. Moreover, the hierarchy implied by antigypsyism reflects structural inequalities of power. Roma and associated groups find themselves in positions of relative powerlessness – materially, politically, but also culturally.

This limits their common ability to achieve economic progress or participate in decision making, but also prevents them from effectively challenging their inferior status in the public domain.

2.4. Attitudes and Social Practice

The term antigypsyism covers the level of social stereotypes, clichés and prejudices. These are commonly accepted and incorporated by individuals as the basis of their own prejudiced attitudes towards Roma and associated groups. While the persistence and omnipresence of such prejudices has been well documented,[7] not every person holding them will act from them, nor necessarily approve of extremist postures towards or violence against Roma.

The level of attitudes, therefore, must be understood as a necessary but not sufficient condition for antigypsyist discrimination, hate speech and violence. There are other social and individual factors that influence the way antigypsyism surfaces. A personal bad experience with somebody perceived as a member of the stigmatised group may play a role, for instance, or the social status of the individual in question.

Antigypsyism cannot, however, be properly understood as the result or aggregate of negative attitudes. Acts or expressions of antigypsyism follow certain patterns that correspond to and emanate from social practices. These feed on and reproduce prejudices, but exist relatively independent of them. The social practices of antigypsyism are expressions of the broader social relationships between majorities and Roma and associated groups. This has important implications for the way we tackle antigypsyism: countering and disproving stereotypes and challenging negative attitudes is necessary, but it does not address the habitual acquiescence of majorities to discrimination of Roma.

2.5. Systemic Nature

It is therefore crucial to take account of the systemic or structural nature of antigypsyism. While we may speak of individual antigypsyist 'acts' – such as denying an individual access to a service or an

7 See Council of Europe, 2012 and European Union Agency for Fundamental Rights, 2010.

act of violence – the impact of antigypsyism is not simply the sum of all of these. Antigypsyism has a systemic nature, both as regards its mode of operation and its effects. The sting may not so much be in any singular act of unfair treatment toward an individual, but in consistently being treated unfairly, even in small ways: the operation of social practices of antigypsyism. In addition, Roma can be subjected to collective acts of discrimination such as hate speech, as well as institutional discrimination that reproduces existing patterns of disadvantage. Those are deeply rooted in the institutions, cultural concepts and power structures of European societies and all too often results in the accumulation of multiple layers of disadvantage over a lifetime.

As with self-reproducing effects, this can even happen without anybody involved in the process specifically or consciously intending the discriminatory outcomes. In its effects, antigypsyism is systemic in that it affects Romani individuals regardless of whether they have ever individually been faced with any specific acts of discrimination or unfair treatment. Furthermore, the institutions that are supposed to protect citizens from acts of discrimination and violence in practice all too often fail to extend the same level of protection to Roma as to non-Roma, exactly because of antigypsyism. Such lax sanctioning of antigypsyism sustains further discrimination and racist acts. The role of duty bearers is important to mention here, as it is their responsibility to ensure equal treatment for all, regardless of their individual attitudes.

2.6. Internalisation

To be labelled as the 'other' on a daily basis and having certain characteristics ascribed to you, has important socio-psychological effects. These compound and interrelate with the effects of discriminatory treatment. Individuals deal with this labelling in different ways. Reponses range from a conscious and absolute rejection of any label, to the intentional use of such labelling (for example, for economic reasons), to an internalisation of the prejudiced labelling that results in self-stereotypisation or self-stigmatisation. This process is not uncommon among people who are confronted with racist ideologies. It is comprised of the acceptance of the idea of one's

own inferiority, as well as the adoption of stereotypical 'romantic' clichés to describe oneself.

This process of internalising stereotypical clichés should not be confused with the declaration of a specific element of an individual's identity or that of the group (such as certain traditions, achievements or cultural characteristics). At the same time, it should caution us about the complicated relations between self-identification as Roma, Sinti etc. and being labelled by others as belonging to such a group.

3. Dimensions of Antigypsyism

While the previous section considered antigypsyism as a psychological, social and political phenomenon, this section focuses on its manifestations. While the use of the term antigypsyism most commonly refers to its most extreme and visible expressions, it manifests itself in many different ways. Together, these manifestations form a wide spectrum of expressions – covering both ideology and action – which we will structure along a number of dimensions that occur in many different combinations.

3.1. From Right-wing to Mainstream

Antigypsyism has long been accepted as a right-wing phenomenon that has to be challenged by police, governments, democratic parties and civil society. This is absolutely true, especially as the threats that are most dangerous on a physical level often come from right- wing groups or parties. Nevertheless, it is important to understand and accept that antigypsyism is not limited to right-wing extremism, but finds its way well into mainstream society and can be found among voters and representatives of any party: a 'reasonable' antigypsyism is widely shared and accepted across political divisions.

Politically, antigypsyism functions as a tool to promote identification with national, religious or other imagined communities and therefore has to be understood as a pattern of understanding society that is reproduced in all parts of society – in everyday language, in cultural products such as music, movies or literature, in mainstream media, and through mainstream politicians. The fight against

antigypsyism has to target the entire range antigypsyist positions, ranging from those of right-wing radical protagonists to mainstream stakeholders.

3.2. Negative and Positive

The stereotypes and clichés that form the ideology of antigypsyism not only consist of demeaning, negative stereotypes, but include positive, romantic, exoticising stereotypes as well. More importantly, like their negative counterparts, these romantic stereotypes are also understood to constitute characteristics that are unlike those of the self-described 'majority'. The romantic cliché of the 'easy-going Gypsy with a violin' embodies the same social message as does the negative image of 'parasitical Roma relying on social welfare': both clichés support the idea that 'they' do not earn their living like 'we' do, i.e., through hard labour. As the 'positive' cliché can have equally harmful outcomes, awareness raising about antigypsyist stereotypes should not only target negative perceptions of Roma and other groups, but should address the pernicious effects of considering groups and individuals (and their needs, preferences and potential) through the lens of preconceived group characteristics, including the exoticising and romanticising ones.

3.3. Malevolent and Benevolent

In parallel, it is essential to point out that not all manifestations of antigypsyism are necessarily malevolent. Misunderstanding Roma as needing 'special treatment', for example, can come from entirely well-intended motives. Paternalistic approaches to Roma are an example of this. What connects the intentionally malevolent and putatively benevolent forms of antigypsyism is their shared assumption that Romani people are fundamentally different and therefore need to be treated in a specific way and cannot be considered actors in their own right. There is also a tendency toward a self-fulfilling fatalism that underestimates Roma, perpetuates low expectations of them, and articulates the presumption that Roma are too different to have the same aspirations as everybody else (JaYab, 2015).

Between these two extremes there are also many gradations of 'mild' antigypsyism that are negative but not extreme. What is essential to comprehend, is that the effects of these 'weak' forms of

antigypsyism can still have a large impact, because they equally contribute to sustaining and reproducing the systemic nature of antigypsyism. A duty bearer does not have to be extremely antigypsyist in his/her attitudes in order to produce or sustain certain forms of institutional discrimination that fundamentally affect the lives of many people in the long term.

3.4. Implicit or Explicit in its Intent

Some hate speech can target Roma directly and explicitly; but many other antigypsyist statements or actions take a more implicit tone: while they unequivocally target Roma or associated groups, they do not explicitly name them, relying on proxy designations ('the people who don't want to work') or euphemisms ('re-education', or many so-called 'public safety measures'). Indirect forms of discrimination are related to this: measures or policies that disproportionately affect certain groups even though they are based on 'objective indicators'; clientelisation or institutionalisation of marginalised individuals or communities; or the acceptance of poor-quality projects because 'Roma are so difficult to work with'.

3.5. From Denial to Over-acceptance

A corollary of the wide acceptance of antigypsyism in our societies is that it is also common among duty bearers, whether explicitly or inadvertently. The most common posture taken by public authorities, public figures and decision makers to the occurrence of antigypsyism is non-action. Such non-action, too, can take different forms. On the one hand, in the political and public domain duty bearers tend to ignore the problem of antigypsyism altogether for as long as possible. Explicit reactions only occur if politicians and representatives are forced to take a stand. Then the reactions of politicians and other representatives of the 'majority' society range from absolute denial of any responsibility to an absolute over-acceptance of guilt.

The former reaction is usually based on the assumption that either there is no problem, or that the marginalised people themselves are responsible for their situation. When antigypsyism is not ignored or denied, decision makers and officials often tend to the other extreme: verbal over-acceptance. They express their dismay, perturbation and sympathy, but all too often use this strategy of 'being on the

same side' as a tool to immunise themselves against criticism even as they fail to take any concrete action against antigypsyism.

4. Ways Forward

Without a claim to exhaustiveness, this paper has aimed to sketch some of the most important dimensions along which antigypsyism manifests itself, the different guises it takes. Being able to recognise antigypsyism in its different forms and understand its semantics and the relationships between discourse and practice is a first step towards formulating fitting strategies to combat it. One key measure is to collect evidence that captures the multifaceted character of antigypsyism. The existing international and national monitoring structures, such as those covering various forms of racism, hate speech, hate crimes, discrimination, social attitudes and policy implementation, need to be revisited and revised in order to effectively document the complex manifestations of antigypsyism.

With this paper we also argue that taking antigypsyism seriously means we cannot limit ourselves to instruments in a particular domain only, or ones that focus on particular manifestations of antigypsyism. Antigypsyism is a multifaceted phenomenon; to tackle it requires a diversified set of instruments that includes criminal justice, equality measures and awareness raising. Ultimately, this entails foremost the responsibility of duty bearers to respect, protect and fulfil the human rights commitments that bind them under international law.

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Reclaiming the Narrative: A Critical Assessment of Terminology in the Fight for Roma Rights

Alexandra Oprea and Margareta Matache[1]

1. Introduction

This paper focuses on the use of the terms "anti-G(g)ypsyism" and "anti-Z/Tiganism" to describe anti-Romani racism. We see the use of this term as a move that further reinforces Romani marginalisation and further entrenches racism[2] against Roma in both political and academic discourses.

This paper came about as a result of the authors – both of whom consider "T/Zigan" and "Gypsy" pejorative and to be "word[s] that wound" (Matsuda et al, 1993) – finding it disheartening and problematic that these terms are still being used, albeit with a couple of vowels and consonants being added at the beginning and end ("anti" and "ism", respectively). For clarification, the authors do not mean to imply that context does not matter; for instance, we are not saying that there is no difference between the use of "T/Zigan" to disparage someone's identity ala "Tigan imputit" (filthy Gypsy, in Romanian) versus the use of "anti-T/Ziganism" or "anti-G(g)ypsyism," used in the context of interventions against the denigration of Roma. We realise that there is a difference in the end goal in each deployment context. However, is this a difference that "makes a difference?". For us, it does not.

The liberal end goal and the appending of a couple of vowels and consonants to the words are not enough to overcome the fact that "T/Zigan" and "Gypsy" repeat an epithet. It does not magically transform the words any more than putting lipstick on a pig does. It does not change the pain and offence that the words invoke.

1 The authors would like to thank Helen Snively, Kenneth Lee, Riley Burchell, Sonya Jasaroska and Marius Taba for their valuable feedback.

2 We build our argument around the concept of race as a socially constructed category but with very real consequences.

The fact that these terms continue to be used in anti-discrimination settings is itself very telling. What does it mean that derivatives of these epithets are used *even* in settings where Romani emancipation is sought, as opposed to it being relegated to right-wing extremist discourse?

Aside from the fact that the terms provoke a visceral reaction because they contain an epithet (which should in and of itself be sufficient), they are also bereft of any political descriptive value. This is not only because the terms are *irrevocably tainted*[3] by the epithet, but also because they possess no superior descriptive value in terms of describing the racism experienced by Roma. We can see no notable gains from the deployment of these terms as opposed to "anti-Romani racism". And because the terms ("anti-T/Z/G-ism") rely on an epithet, *at the very least* they should bear the burden of showing that the terms are somehow superior in their ability to capture Romani marginalisation. They are not.

Furthermore, it is important to note here that both authors have not only been in the presence of people using "Tigani", "Gypsies" or "anti-T/Z/G-ism", but have also experienced vehement backlash when they have objected to its use, often by *gadje*.[4] This adds insult to injury as the speaker is 1) made aware of the injurious nature of the word, 2) by someone from the affected community and still refuses to budge. The justifications have ranged from claims that they (usually a *gadjo*) do not find it offensive, that they are "remaining true to the historical text" or that we are being sensitive and nit-picking, an accusation often wielded against minorities.

Although here we have described our position and used terms such as "to us" and "we consider", we will hereafter cease to outline our subjectivity, as the policy papers, institutions and numerous academic discourses that use the terms "anti-T/Z/G-ism" and

3 A high degree of mental gymnastics is needed to separate the epithet itself from the term consisting of "anti-epithet-ism".

4 "Gadje" is the plural for "gadjo", a term meaning non-Romani. For an example, see Oprea, 2015 (describing incident at conference in Sweden); Oprea, 2007 (describing incident in New York family court); Oprea, 2012 (describing incident in Los Angeles Immigration Court). See also Matache, 2017b.

"anti-G(g)ypsyism" often fail to reflect on their usage or the fact that they are operating in a *gajikano* environment.

Our aim is to contribute to the ongoing conversations among scholars and activists about the terms "anti-T/Z/G-ism" and "anti-G(g)ypsyism", which include diverse positions and opinions, from rejecting to fully embracing the terminology. Where possible, we strive to place our struggle within the broader history of civil rights struggles over ethnic naming.[5]

2. "Tigan" and "Gypsy" Versus "Roma": The Emergence of a Political Category and a Move towards Self-determination

In order to understand our opposition to the terms "anti-T/Z/G-ism" and "anti-G(g)ypsyism," it is essential that the reader understands the full weight of the words "T/Zigan"/ and "Gypsy," particularly their deployment in Eastern Europe. It is largely accepted that the word "Gypsy"[6] (in English) and much more so the word "Tigan"[7] (in Romanian) and its variations[8] are offensive or at the very least misnomers.

5 We often refer to the debate around "Negro" versus "African American", "Latino" versus "Hispanic", "indigenous" versus "Indian", "Asian" versus "Oriental", "Alaskan Native" versus "Eskimo".

6 Reflects the notion that Roma are cheats and swindlers ("gypped"). "Gypsy: sometimes offensive: a member of a traditionally itinerant people who originated in northern India and now live chiefly in south and southwest Asia, Europe, and North America." See https://www.merriam-webster.com/dictionary/gypsy .

7 "ŢIGAN, -Ă, ¸ţigani, -e, s. m., adj. I. S. m. 1. Persoană ce face parte dintr-o populaţie originară din India şi răspândită în mai toate ţările Europei, trăind în unele părţi încă în stare seminomadă [A person belonging to a group originating in India and that has now spread to almost every European country, living a seminomadic life in some parts]. A se îneca ca ţiganul la mal = a nu reuşi, a eşua într-o acţiune tocmai când era pe punctul de a o duce la bun sfârşit [To drown like a Gypsy in shallow water/at shore = to fail, to give up right when one is just about to succeed]. 2. Epitet dat unei persoane brunete [Epithet given to a brunette/dark-skinned person]. 3. Epitet dat unei persoane cu apucături rele [Epithet given to a person with bad habits]" (DEX Online, 2018, s.v. "ţigan": https://www.dictionarroman.ro/?c=tigan).

8 Though both terms are offensive and misnomers, there is a difference in the degree of offensiveness each term ("Gypsy" versus "T/Zigan") carries, with offensiveness being more pronounced in use of the word "Tigan" in Romanian/"Zigan" in Swedish/"Zigeuner" in German, as opposed to the use of the word "Gypsy". This is related to the histories accompanying these words (Holocaust, enslavement, etc.). Most often, however, in the policy papers we discuss in this chapter, Gypsy is translated directly into "Tigan" and "anti-Gypsyism" into "anti-Tiganism" (ECRI paper, for example); for this reason, we treat both as objectionable.

In Romania and other Eastern European countries, calling someone a "Tigan/ca" is one of the worst insults imaginable. In 2007, the then-President of Romania, Traian Basescu, called a non-Roma reporter a "tiganca imputita" ["filthy gypsy"], presumably referring to her being abhorrently persistent (Divers, 2007). The word "Tigan" and feminine "Tiganca" can also be used to mean vulgar, rowdy, greedy, pushy, insatiable and can be used to describe someone as lazy, belligerent, or having a criminal propensity.

"Tigan" is a racial categorisation that was imposed onto Roma. Dominant majority populations invented "athinganos/y" and subsequent variations of "tsigane", "tigan", "zingari," "zigeuner" for Roma. "Tigan" is not only an imposed terminology, but it also carries with it a damaging imagery of inferiority and untouchability. It is also a term that harkens back to a time when Romanians enslaved Roma in Wallachia and Moldavia.

In order to disassociate the group from this term and ubiquitous pejorative meaning, there was a push by Roma in Eastern Europe and the Balkans for use of the word "Roma", which means "people" in the Romani language.[9] Throughout the 20th century, the Romani Movement has fought for the universal use of "Roma" as an umbrella term for Roma and Roma-related groups.

In 1919 Roma political leaders gathered in Ibașfalău, Romania to ask that "in all official documents, [Romania cease to] use the label 'gypsy' to mock us and our descendants, [if not have it be] completely deleted from official use" (Adunarea Naţională a Ţiganilor, 1919).[10] Also, there were several powerful strides in the 1960s and 1970s to unite Roma across different countries by transcending national differences. In 1959 Ionel Rotaru formed the Roma World Committee[11] to represent Roma, Kale and Manouche. In 1971, at the first World Romani Congress (Rombase, n.d.), Roma, Sinti and

9 See for example Rifati, 1998.

10 Original text in Romanian: "în toate actele oficiale românești să nu se mai folosească pentru noi şi următorii noştri numirea (poreclă) ca batjocură 'ţigan' ci aceasta, dacă nu se şterge cu totul chiar din uzul official".

11 It was eventually dissolved by the French government and morphed into International Tsigane Committee.

Kale leaders together reclaimed "Roma" as their rightful name. They sought to instill Romani pride and embraced "Roma" as a direct counter to the term "Tigan" and the devaluation of Romani identity and language.

Use of the word "Roma" versus "Tigan" has long signalled one's place on the political spectrum, especially when the term is used by the speaker in spite of being told it is offensive[12] or is used in direct opposition to the use of the term "Roma". Consider the following reactionary usage of the term, upon being asked for an opinion on "Roma":

> Roma are not Roma, but Tigani. Tigani are thieves, criminals, pickpockets etc. Tigani are a migratory people who migrated here from India. They have no culture. They chose the name Rom to make associations with the word Român [Romanian] (Student from the University of Bucharest interviewed by Shannon Woodcock, in Woodcock, 2007)

Contestation over the term "Roma" has always been more than "mere semantics" and has gone to the heart of Romani rights and dignity. It is more difficult to denigrate Roma when using the term "Roma" than when using the term "Tigan". That is why the discussion is almost always reframed by the racial aggressor, be it online or in person (above).

As the word "Roma" gained more currency in Romania and Western Europe, the term also began to face severe backlash. One notable example was in 2010, when the Romanian government boldly sought to ban use of the word "Roma" in favour of "Tigan" so as to avoid confusion between "Roma" and "Romanians" (Murray, 2010). At the time, the Organization for Security and Cooperation in Europe's Senior Advisor on Roma and Sinti Issues, Andrzej Mirga, commented that the move would reinforce stereotypes and prejudice (Ibid). Romani organisations condemned the move as racist (Romani Criss, 2011); without a doubt, "Romania's hatred of the Roma runs so deep that even sharing a couple of vowels and consonants with them is considered an intrusion, never mind sharing a country" (Oprea, 2012: 12).

12 As was the case at the Harvard conference and at the Uppsala conference.

This justification (confusion with the term "Romanian") is at best partial and at worst disingenuous. The word "Tigan/ca" is value laden[13] and endowing it with the power of law was akin to enforcing a type of linguistic racial separation between "Romanian" and "Roma" as a mechanism to perpetuate the conflation between Roma and "Tigani".

Another controversial term, although holding less historical weight, is "Gypsy," constructed and imposed by *gadje* scholars who have mistakenly attributed Egyptian roots to the Roma. Yet, it is important to note that some Roma groups have embraced the "Gypsy" (as in the United Kingdom) or "Tigan" identity. Some Romani individuals, especially artists, have also embraced it, creating a hybrid identity of acceptance and opposition: they accept the Gypsy identity, but reject the negative attributes that come with it in relation to their own selves. However, various definitions describe "G(g)ypsies" as "members of a traditionally itinerant people", not as an ethnic group. The expression *to be gypped*, etymologically rooted to the word "gypsy", is a pejorative expression meaning to cheat, swindle and defraud. Though many know that in English-speaking countries such as the United Kingdom, Roma were persecuted (Hancock, 1987), less is known about the connotations of the word "Gypsy" in the United States, for instance, where an innate criminality is attributed to Roma. One of the authors was routinely met with (joking) expressions of "I better watch my wallet around you" when she would reveal to people that she was Roma in US institutions. The American Institute of Criminal Law and Criminology was of the view that "They are the living example of a whole race of criminals, and have all the passions and all the vices of criminals. . .They murder in cold blood in order to rob, and were formerly suspected of cannibalism". Roma in the United States are still plagued by these stereotypes as exemplified by their systematic profiling.[14]

13 "Legally labeling a group by an epithet has symbolic significance. It reinscribes the negative stereotypes associated with the word ţigan/că back onto Roma; it fixes their inferior place in the racial hierarchy and reinforces the dichotomy of the Romanian versus the ţigan/că. It also has more direct effects on group members, causing psychological and emotional harm, especially to Romani children" (Oprea, 2012: 13).

14 For more on the air of fraudulence surrounding Romani people in the US, see Oprea, 2007.

It is important to recall that the struggle to reject the T/Z/G words in favour of "Roma" has been a key part of the Romani movement. Moreover, the term "Roma" was never used to exclude, but rather to include. It never represented only Vlax Roma, but also Kale, Manouche, Sinti, etc. Through usage of the Romani language and a home-grown label, Romani groups struggled to forge an identity imbued with racial pride, an identity that valued our language, as opposed to the European languages forced upon us, an identity which valued brown, as opposed to white, skin.[15]

The term Roma represents a move toward self-determination, a reclaiming of the narrative, to ensure that we would be referred to not by an outsider-imposed label, but by what we call ourselves. Those four letters hold within them the promise of a rebirth of our identity. Yet, it was by no means a panacea; nor did it signal the end of anti-Romani racism. We are not arguing that it was sufficient to overcome racism, merely that it was a necessary first step.

3. Targets and Markers of "Anti-Gypsyism"

"Anti-G(g)ypsyism"/"Anti-Tiganism" and its Current Iterations

The term "anti-G(g)ypsyism"[16] has been deployed by international organisations, NGOs and academics alike. Although it has gained currency in various spheres, its meaning is not entirely agreed upon. The term "Anti-Tiganism", its translation or equivalent in Eastern European languages, is even more troubling.

Both the "who" and the "what" of "anti-Gypsyism" are unsettled. With regard to the "who", some use the term to refer to Roma, while others use it to encompass anyone perceived as a "Gypsy". With regard to the "what", some use it as a stand-in for anti-Roma racism or hostility, while others use it to refer to a broader form of antagonism to those embodying characteristics of "Gypsies" (e.g. itinerancy).

15 From "Gelem, Gelem", the Romani anthem's references to "kalo mui", "kale yakha", [black/dark face, black/dark eyes] being as sweet as a dark grape.

16 We shall use quotation marks around this term throughout this chapter to avoid granting legitimacy to this contested term.

We argue that none of the iterations comes close to a robust understanding of racism against Roma,[17] and that the reliance upon this neologism sets the movement back. Although we painstakingly deconstruct the *substance* of "anti-Gypsyism", it cannot be overemphasised that we object first and foremost to the *form*, for reasons described in Section 1. That is, even if this term was used to denote structural and institutional racism and the whole spectrum of racism and its manifestations consistent with the tenets of Critical Race Theory, it would not render it more palatable.[18] This term is irredeemably tainted by its reliance on an epithet. Again, it is important to state that we are not imputing any ill-will on the part of those who deploy this term in the context of fighting against anti-Romani racism (as opposed to right-wing extremists who deploy the term). We are not focused on intentionality of the actors and do not mean to imply that it is in any way consciously deployed to denigrate by the NGOs or scholars addressed in this paper. Our focus is on the impact of this term.

A. ECRI: Slippery Slope from "anti-Gypsyism" as Racism, to "anti-Gypsyism" as Hostility Against People Choosing a Certain "Lifestyle"

The European Commission against Racism and Intolerance (ECRI) introduced the term "anti-Gypsyism"[19] to describe a "specific form of racism, an ideology founded on racial superiority, a form of dehumanisation and institutional racism nurtured by historical discrimination, which is expressed, among others, by violence, hate speech, exploitation, stigmatisation and the most blatant kind of discrimination" (ECRI, 2011). In ECRI's policy recommendation

17 Refer to Critical Race Theory definition of racism.

18 We avoid the urge to insert "in our eyes" or "in our opinion" here for reasons described in Section 1, to depart from the notion that it is something idiosyncratic to us, that we are somehow "sensitive". Instead, we are reclaiming the centre, speaking as subjects and challenging the notion of language neutrality. It is a burden-shifting move: in essence the onus is on those who use the term to justify its use, as opposed to the burden being placed on the minority to show why it should not be used. The fact that it stems from/is an epithet should shift the burden to the user to make a persuasive argument as to why it should be used.

19 It is important to note here the profound sense of pain, shame and helplessness that reading the title of this report ("combatarea anti-tiganismului") in the Romanian language version evokes. Romanian version available at: https://rm.coe.int/ecri-general-policy-recommendation-no-13-on-combating-anti-gypsyism-an/16808b5af4.

document, it appears as though this definition approximates, if not mirrors, what we commonly understand as racism and that it encompasses institutional racism, as opposed to just hostility. But it is not "racism". There is no reason to reinvent the wheel so to speak. Thus, even if "anti-G/T/Z-ism" refers to institutionalised forms (as opposed to simply animus), it is deficient because there was already a term created for it: *racism*. In addition to it being profoundly problematic because it relies upon an epithet, using this term (instead of the term "racism") denotes a separate, distinctive social practice that ultimately situates Romani experiences of racism outside the larger discourses on racism.

Although, as noted above, the ECRI definition seems to mirror that of institutional racism, there is an aspect that goes in a completely different direction: its mention of "lifestyle". The document states that "discrimination against Roma is chiefly founded on their ethnic origin and lifestyle" (Ibid). One of the pillars of the Romani rights movement was recognition of the Roma as an ethnic group with a distinct language and culture. Recognition that being Romani is not "a lifestyle", not a choice, not a behaviour, was and is critical to Romani emancipation. Rhetoric linking Roma to a certain "lifestyle" ranges from romanticisation (being Romani means being nomadic/free-spirited) to scientific racism (being Romani means having a criminal propensity). Using "lifestyle" to speak about Roma, especially in recommendations aimed at remedying their subordination, is a complete erasure of the race-based suffering that Roma faced and continue to face.[20] The term "anti-G/gypsyism"[21] lends itself to this particular distortion of the racialisation experienced by Roma. We suspect that "lifestyle" is being invoked to speak more to the experiences of Travellers.[22] If this is the case, it should be made explicit in the report.

20 This is not in conflict with the fact that race is socially constructed. We are merely pointing out that Romani oppression has not been on the basis of their "lifestyle".

21 In the English speaking world, the term "G/gypsy", most often with a lower case "g", is used when referring essentially to white people's desire to "become" "G/gypsies", i.e. escape one's mundane world (become free-spirited).

22 Discussing the distinctions between the experiences of Roma, a racialised group originating in Northern India, and Travellers is outside the scope of this paper.

This deployment of "lifestyle" sounds all the more perverse in the Romanian translation of the ECRI policy recommendation: "Reamintind că discriminarea împotriva romilor se bazează în special pe originea lor etnică și pe stilul lor de viață".[23] Whereas perhaps in English it invokes images of free-spirited, nomadic, rootless mythical creatures, here, "lifestyle" ("stilul lor de viata") invokes images of filth, criminality, backwardness and overall loathsome creatures.

It seems that there is an underlying understanding of the pejorative nature of the term "Gypsy" in the ECRI policy recommendation, as not once are the people themselves referred to as "Gypsies", but always as "Roma". It is baffling then why the term is used to describe the phenomenon that subordinates the very same people.

One may argue that it refers to the socially constructed nature of the term "Gypsy", a product of the *gadje's* imagination that has resulted in stereotypes that do not reflect "the real Roma". It would then follow that *gadje* are not really "anti-*Romani*", just anti-"Gypsies", because they do not really "know" Roma. This implies that if they really got to know Roma, they would embrace them, which is a fallacy. Furthermore, it puts the burden back on Roma to show that they do not actually behave in ways that conform to the stereotype. It also glosses over the question of why/how gadje did not come to "know" the "real" Roma, a group that has been in their midst for centuries. Again, the logical conclusion is that either Roma actively kept the *gadje* at a distance (a blame-the-victim type rhetoric) or the Romani "lifestyle", characterised by degeneracy, justifiably repelled the *gadje*.

B. The Alliance & CEPS: Whitewashing Racism

The "Alliance against Antigypsyism" (2016) ("the Alliance") defines "antigypsyism" as "a historically constructed, persistent complex of customary racism against social groups identified under the stigma 'gypsy' or other related terms". Firstly, the decision not to capitalise "Gypsy" has political significance in and of itself: it is used to denote a way of life, as opposed to an ethnic group.

23 See supra note 19.

It seems that the Alliance could equally be making the claim that even those who are not ethnically Roma and are merely tagged as "gypsies" (because perhaps they are itinerant) experience a form of racism. Equally plausible is that they may be attempting to include "assimilated" Roma who no longer identify as such, but who are identified by others because of their skin colour. Either way, it is unclear why the term "Roma" would not be superior to a term that has been used as an epithet. Nevertheless, the Alliance argues that the term "antigypsyism" covers the whole aspect of the production of ideology via "Gypsy" images: "[p]olitically, antigypsyism functions as a tool to promote identification with national, religious or other imagined communities and therefore has to be understood as a pattern of understanding society that is reproduced in all parts of society – in everyday language, in cultural products such as music, movies or literature, in mainstream media, and through mainstream politicians" (Ibid: 11).

Similarly, in May 2017 the Centre for European Policy Studies (CEPS) published a report entitled *Combating Institutional Anti-Gypsyism: Responses and Promising Practices in the EU and Selected Member States*, devoted to critically assessing governments' approaches, policies, and practices to dismantle racism against Roma. The report also addressed the conceptual value of the term "anti-Gypsyism," suggesting that it is "a special form of racism directed against Roma that has at its core the assumptions that Roma are an inferior and deviant group" (Carrera et al, 2017). However, confusingly, CEPS applies the term not only to those "perceived and framed as Roma"[24] but also to "those perceived by a given society as 'Gypsies'".[25] But this latter category lacks a racial component. We are not implying that those perceived as "Gypsies" are not discriminated against: they certainly are. Our stance is that the basis of the discrimination they face is not racialised in the way it is for Roma. Nor did they face race-based extermination in the Holocaust or enslavement. At this point, the term "racism" begins to lose its significance. The racialisation of Roma is

24 Presumably including for instance those in Romania who strive to "pass" as non-Roma but whose skin colour precludes them from doing so.

25 It may be that by using this term, CEPS, like the Alliance, is including Travellers, who are not ethnically Roma.

primarily concerned with ancestry and immutable characteristics. Case in point: many Roma "de vatra" in Romania no longer practice Romani culture or speak the language, but because they are brown-skinned and/or have Indian features, they are denied equal citizenship and are still referred to as "Tigani", called "ciori" ("crows"), told to go back to India and so forth. To equate those seen as "Gypsies" and Roma is to fail to fully grasp racism, racial privilege and white supremacy.

C. The Council of Europe's Human Rights Commissioner Report: Reactionary Deployment of "Anti-Gypsyism"

The Human Rights Commissioner's 2012 report (the "HRC report") brings the definition of "anti-Gypsyism" closer to the idea that "antigypsyism" is a form of phobia. The Commissioner defines the term as "the specific expression of biases, prejudices and stereotypes that motivate the everyday behaviour of many members of majority groups towards the members of Roma and Traveller communities" (Council of Europe, 2012).

Most noteworthy is its treatment of the topic of whether "Gypsy" is pejorative. It seems that it, like other reports, is operating under the assumption that "G/gypsy" is pejorative (since whenever referring to the people, the report opts for "Roma" or "Traveller" (Ibid: 32). Yet the HRC's report is unique in the way it tackles this theme head on and dismisses it:

> Increasingly, the term "Gypsy" in various languages has come to be seen by many Roma groups as pejorative. However, this view of the term is not yet universally held. In the former Soviet Union, the term "Gypsy" is the only one available for official use, even where Roma may object to its use (Ibid).

The report exhibits in writing what the authors have seen in person: a reactionary use of the term "Gypsy," a term that, as the report recognises, "many Roma groups" view as pejorative. One way to view this is as a deliberate decision to subordinate Romani perspectives and to privilege a gadjo-centric system of naming over a Romani-centric one.

The HRC's report also uses the term "lifestyle", but mostly when referring to Travellers ("access to adequate housing in accordance with their itinerant or semi-itinerant lifestyle") (Ibid: 153).

Unpacking the "Who" and the "What"

Looking at these deployments and definitions, the envisioned victims of "antigypsyism"/"anti-Gypsyism" can be divided into three categories that merge into one another: 1) Roma, 2) a broader group consisting of those "perceived as 'Gypsies'",[26] and 3) "gypsies".[27] If viewed on a spectrum, "Gypsies" would perhaps fall in the middle, while "gypsies" (although a racially-charged word) would fall to the right and would be devoid of any racial liberatory potential. The reason "gypsies" is arguably more problematic than "Gypsies" with a capital "G" is because at least the latter refers to an ethnic group. "Roma" would fall to the left. Both the second and the third categories rely on an epithet; the third may be particularly objectionable because it conflates a designation for a people with one for an inexistent category (real Roma and imagined "gypsies"), and thus implies that being Roma is a "lifestyle".

CEPS and the Alliance advance a broader group of people as subjects of this form of racism. The Alliance discusses how social groups identified or "perceived as 'gypsies'" are targets of antigypsyism. But this perception based approach can potentially impact Romani related policies and narratives in several different ways.

First, by taking a more behavioural approach, the Alliance points at "ordinary" discrimination. In this framework, "antigypsyism" does not target a particular identity based on certain ethnic markers; instead, unlike other forms of racism, its core marker is society's perceptions. By doing so, they disregard the history of anti-Romani collective injustices, structural racism and hierarchical ideology, and consequently, whiteness/gadjoness (Matache, 2016)

26 Thus far, our understanding has been that capital "G" "Gypsies" is often used to refer to a racial group/has a racial element (presumably it would encompass Lom, Dom, Roma, Sinti, etc.).

27 Lowercase "g" "gypsy" is a lifestyle, a social group (presumably also encompassing white people who like to travel or lack a stable residence or somehow embody the stereotypes).

– power and privileges that non-Roma have over Roma. As Collins (2000) shows, the systems of oppression intersect in four connected domains of power: structural, disciplinary, hegemonic and interpersonal. Thus, along with this interpersonal axis, ideology and structural racism have also perpetuated Roma oppression for 1,000 years. As Kendrick and Puxon show, a racial ideology of inferiority, based on Roma "blackness", has been constructed upon their arrival in Europe. Even today, although European state policies and interventions targeted at the Roma community have rejected explicit stigmatisation and other forms of discrimination, they still adopt assimilationist and condescending agendas that continue to signal Roma social and cultural inferiority (Matache, 2017c). Policies do not address the systemic and continuous nature of institutional anti-Romani racism either.

Second, the Alliance argues that "anti-gypsyism" shifts the focus from Roma to the projections of majority populations and the way they "treat those whom they consider "gypsies", a theory also largely supported by CEPS (Alliance Against Antigypsyism, 2016). While it very well may shift the focus, this becomes irrelevant as the approach is stripped of any historical and identity significance and thus is devoid of any value to Romani liberation struggles. It shifts the focus from Roma to fictional "gypsies". It boxes a dynamic Romani identity and a people into a fixed identity of thieves, uneducated, or uncivilised "Others", lacking any recognisable foundational roots, both *objective* and *subjective*, or any elements of sameness, connectedness and distinctiveness.

This erasure of the racialisation of the group pejoratively known as "Gypsies" and of the term "Gypsy" itself is especially dangerous because it essentially reinforces the notion that being Romani – for we know that the terms are often used interchangeably – does not mean being a different ethnic group with its own history, language, culture and a racialised existence to contend with. It instead strips this legitimacy and takes us back to "gypsy" as a way of life, a choice. Indeed, we would argue that one of the most dangerous things for Roma is not being a racialised Other; it is being a racialised Other in practice but not in parlance.

Third, when the targets of anti-G(g)ypsyism are those "perceived as 'Gypsies'" or "gypsies", it provides space for institutionalising "the traditional image of a fictional 'Gypsy' by taking it as the basis for a political category of a minority people in Europe" (Matras, 2013). It encourages other scholars to determine, for instance, that "it can be assumed that by behaving in an 'anti-social' way, as perceived by the Gadje, every person can be turned into a 'Gypsy' – regardless of their ethnic membership" (Marin, 2010).

Therefore, this approach seems like a rather timid attempt to shine some light on the responsibility of the oppressor. A true shift in focus – solidly onto the victimiser – would involve addressing white/*gadjo* privilege and whiteness/*gadjoness* (Matache, 2017a) through discourse, research and policies, among others.

The variable markers of anti-Romani racist ideology have been built upon skin colour and language, as well as upon ethnic, cultural and religious – upon arrival when they were not Christian – attributes.

It is important to also examine the markers used to define "antigypsyism"/"anti-Gypsyism". Based on the existing definitions, we could infer that the racial marker of "antigypsyism" is not Romani ethnicity, language or skin colour, but rather the projections of non-Roma on an involuntary, fixed "Gypsy" identity dominated by criminality and backwardness. Thus, to follow that line of thinking, although ECRI, CEPS, the Alliance and some activists (Nicolae, 2006) refer to Roma dehumanisation as a major element in their definitions, "antigypsyism" is not one and the same as anti-Romani racism. We argue that "anti-Romani racism" should be the terminology used to describe the specific form of racism against Romani groups because essentially, there is no reason to reinvent the wheel and to portray racism against Roma as something intrinsically "different" to racism. We need the continuity of the work done by the term racism, including the critique of institutionalised practices and of white privilege.

"Anti-G/gypsyism" – an Inclusive Term?

Many conceptual and activist clashes have arisen from the failure to agree on an umbrella term. Some researchers have suggested

that the idea of the Roma as a group is a politically correct construction (Marushiakova and Popov, 2011); others have advanced the "Gypsy" identity as more inclusive of "nomadic" populations (Journal of Gypsy Studies, n.d.) or of those who fit under the "Gypsy imaginary".

Some scholars have contested the term "Roma" as a collective identity, because some groups perceived as Roma have dismissed it – groups they "stamped" as "Gypsies" and who do not identify as Roma (Marushiakova and Popov, 2011). Thus, they suggested "Gypsy" as the legitimate historical term to encompass the complexities of these populations. By using this term, they hope to "highlight ethnic and linguistic heterogeneity, referring both to the Roma that originated in India specifically as well as other peripatetic communities from various geographical areas, such as Jenische, Sinti, Lom, Dom, Irish Travellers, and others", read an announcement from the Journal of Gypsy Studies in 2015.[28] (This position should be differentiated from that of organisations and individuals who advance the term "anti-G/gypsyism" (discussed above), as they acknowledge that the term "Gypsy", when used by *gadje*, is racist.)

Similarly, those who favour the anti-G/gypsyism framework argue that the term is more inclusive of other groups, including Sinti, Travellers, Manouches and Egyptians who "are equally affected" by this form of racism. This approach lumps into the same category groups such as Egyptians, who find no commonality and structural connectedness with a Romani or "Gypsy" identity. Moreover, in the absence of a clarification, we could infer that the promoters of anti-G/gypsyism, too, suggest "Gypsy" as the umbrella term for all these groups. Yet, Roma has been widely recognised as the umbrella term for Sinti, Kali, Manouches, and other sub-Romani groups. Therefore, in that paradigm, we argue, it would only be fair to use the broader and more inclusive term "anti-Romani racism".

Nevertheless, we do agree that we need a serious discussion with groups such as the Egyptians in Macedonia or Kosovo, who have been forced into the Roma or "Gypsy" categories, including in

28 See discussion on scholars' deployment in Matache, 2017b.

policies.[29] We can no longer ignore the fact that they reject these categorisations (Sudetic, 1990);[30] they assert that they have no history or language in common with the Romani groups; they deny Roma-ness and "Gypsy"-ness, and most importantly lack Romani consciousness. Thus, if these groups do not identify as Roma or "Gypsies", why should they be lumped together with Roma, or be used as a justification for the continued use of an -ism that perpetuates an epithet? We need to ensure that these groups are equally represented in a conversation on conceptual ways forward to define the specific form of oppression each has encountered. The term "anti-Romani racism" should not be expected to be a catchall and placing this type of burden on it is a ploy. Any attempts to portray a rejection of the term "anti-G/gypsyism" as an effort to exclude are misplaced. The term is not being used as a sword against anyone, but rather as a shield. (If the desire is to lump them all under one term, "racism" would suffice. If in search of a term to include other groups of colour or visible minorities, these terms would serve better than an epithet.)

Further, although this contradicts the argument above on the inclusiveness of terms for various groups, and differs from the other definitions, the Alliance suggests using "antigypsyism" without the hyphen, and in fact, they do not capitalise the "g" in anti-gypsyism, as if to emphasise that G/gypsyism and gypsies as a people do not really exist. As a key argument to justify this conceptual choice, the Alliance extensively describes the "imaginary character of its [anti-gypsyism] object". But in fact using the term "anti-gypsyism" does not lead the society and policies towards an imaginary object but situates the discussion in the context of "gypsyism" and "gypsies".

To place anti-Romani racism in the broader global conversation, consider for a moment the terms for other forms of racism, such as anti-Black racism, anti-Muslim discrimination, and anti-Semitism.

29 Some reports, organisations, activists and communities do distinguish to an extent and refer to Roma, Ashkali and Egyptians.

30 Also, the Egyptian communities are no longer listed together with Roma and Ashkali in the 2017-2021 Governmental Strategy in Kosovo; see http://www.kryeministri-ks.net/repository/docs/ANG-STRATEGJIA_P%C3%8BR_P%C3%8BRFSHIRJEN_E_KOMUNITETEVE_ROM_DHE_ASHKALI_N%C3%8B_SHOQ%C3%8BRIN%C3%8B_KOSOVARE_2017-2021.pdf.

The concept of anti-G/gypsyism does not correspond to any of them. Yet, several organisations draw parallels between the conceptual construction of "anti-G/gypsyism" and anti-Semitism. And indeed, as it is true of antigypsyism, definitions of anti-Semitism are also linked to negative prejudice, violence and hatred; but so is anti-Romani racism. Also, similar to antigypsyism, some who write about anti-Semitism emphasise that it "is not a Jewish problem, it is a problem for non-Jews" (Beller, 2015:4), but that is the case for any type of racism, including anti-Romani racism. Yet, conceptually, the targets of anti-Semitism are clearly defined as the Jews, whereas antigypsyism targets those seen or imagined as "G(g)ypsies" by dominant majorities. And thus, we see the contrast between the two concepts in the way they define their subject: while antigypsyism aims to expand the targets to include various subgroups and related groups, anti-Semitism narrows targets to Jews. Finally, although the broader Semitic identity has also been racialised with the aim of dehumanising Jews specifically, it is not rooted in a fabricated negative identity and a derogatory epithet, whereas antigypsyism is.

Moreover, the weight of terms such as "racism" and "anti-Romani racism" is found in their sheer solidarity value. In contrast, the anti-G(g)ypsism suggested framework disconnects the Roma struggle from other social justice movements/anti-racist struggles, linked by the unwavering use of the term "racism". Creating a special category for the animus and its institutionalisation as faced by Roma necessarily distinguishes it from other groups of colour. The term anti-Romani racism has value in terms of solidarity as well as added legitimacy that would come with that solidarity.

The Alliance also suggests that "gypsy" is the term "comprising the core elements of this racist ideology", suggesting that "Gypsy"-related prejudices and fears feed "anti-gypsyism". Instead, we argue, the term itself is just one piece in the construction of anti-Romani racial ideology, which has been based on several key demonising racist elements. In fact, the "gypsy" terminology came into play when the racial ideology had already been in place. The following processes of racialisation and oppression included the imposition of the negative "Gypsy" signifier.

But the Roma encountered an earlier, and even more obvious example of that phenomenon when they first arrived in the territories of Central and Eastern Europe: "Tigan" and other variations of names imposed on Roma derived from "athinganos" or "athinganoy" (Council of Europe, 2014), the ancient Greek label for those who are untouchable, impure. Therefore, the primary element of anti-Romani ideology lies in their centuries-long categorisation as an inferior people and the imposition of a name that illustrates that condition, which helped to validate oppressive measures.

> The naming/labeling of Roma as "Z"/"T" was and is a hegemonic act. Naming "Roma" "Z**n" or "T**n," aside from reflecting a lack of agency or subjectivity on our part, was an act of racial taxonomy, of racialization and the attaching of racial meaning to differences in phenotype, language, and culture—differences that for Roma have been historically linked to a presumed biological difference (Selling et al, 2015).

Moreover, anti-Romani ideas were not constructed in isolation. It was possible for people to learn about and reproduce myths and fears related to "Tigani" and "Gypsies" because of the already established hierarchical political and social structures. By the time Roma reached European territories, the Greeks and Romans had already thoroughly rationalised "slavery and human hierarchy" (Kendi, 2016: 19). Enslavement, one of the foremost illustrations of Romani oppression in Europe, specifically targeted Roma as a people; it was not the product of ignorant and prejudiced projections but of a well-defined vision and practice of the *Gadjo* establishment to profit from the craft skills of the Roma. As Gheorghe argues about Romania "… the status of slavery in this country is connected to the power structure and nobility and the establishment of the social structure" (Necula, 2012). Gheorghe's theory finds parallels in theories regarding anti-Black racism. For instance, Kendi emphasises that "racist ideas have not been cooked up from the boiling pot of ignorance and hate…powerful and brilliant men and women have produced racist ideas in order to justify the racist policies of their era, in order to redirect the blame for their era's racial disparities away from those policies" (Kendi, 2016: 9). This key aspect of Romani subordination, the legacy of enslavement, is erased when

"anti-G(g)ypsyism" is deployed both because it relies upon and repeats an epithet that gained power during enslavement and because it denies the central role of racism in the historic and contemporary oppression of Roma.

Thus, what stands at the core of anti-Romani racist ideology are not anti-"G(g)ypsy" representations, prejudice and ignorance, but instead the power of white elites to construct concepts, words and policies to justify individual, institutional and systemic racism and then the machinery of oppression. The act of naming is key to this machinery.

Link and Phelan argue that "it takes power to stigmatize", and although labels associated with negative characteristics are created for many categories/groups of people, those belonging to a category that have access to social, economic or political power (politicians, lawyers, Wall Street investors, white people) will not "end up being a stigmatized group" (Link and Phelan, 2001).

Thus, in discussing racism, we do need to look beyond the majority's projections and understand the systemic nature, the power structures, and the axes of domination in relation to this phenomenon. When Romani women in Sweden or former Czechoslovakia were forcibly sterilised, that was not a result of pressure by the dominant population based on their perception of "Gypsies", but because the governments established intentional policies to suppress the "inferior" Roma. Similarly, during the Holocaust, Romani people were not persecuted simply because society saw them as "Gypsies"; instead, they were the target of an institutional policy based on a strong racial belief in white superiority. And to take an even more contemporary example, the segregation of Romani children into special schools and separate classes (European Union Agency for Fundamental Rights, 2014) is possible because of non-Roma institutional power and decision processes, rooted in racial beliefs about Roma inferiority, not necessarily based on the social stereotypes of "Gypsy" thieves, nomads, etc. Therefore, by arguing that the imagined idea of a "Gypsy" is the actual object of hate due to prejudices, we take our focus away from the structural and

ideological nature of racism against Roma, which is rooted in racial belief, hierarchy and domination.

4. Conclusion

For centuries, Roma have been denied the right to tell our own story, to describe reality as we see it, to be the subject and not the object (Oprea, 2018). Roma have been denied access to the written word – the numerous school desegregation cases that continue to be brought before the European Court of Human Rights are a case in point – and access to the spoken word (namely a public voice). Roma have been erased from history books – in Romania, many history books and classes still fail to mention Romani enslavement[31] – and thus from history itself.

The call to recognise "Tigan"/"Zigan"/"Gypsy" as pejorative and replace these terms with "Roma" is part of the struggle for Romani rights. The call to frame anti-Roma racism in relation to domination and power is part of the struggle, too. What is clearly stripped from the terms "anti-T/Z/G-ism" and "anti-G(g)ypsyism" is the centrality of race in Romani subordination. Thus, with regard to this term, "what's in a name" – an epithet – is important, but so is what is *not* in a name.

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Section V :

Strategies for Emancipation

Path to Higher Education: Combating Antigypsyism by Building Roma Students' Aspirations and Resilience

Simona Torotcoi and Marko Pecak

Introduction

Within the educational system, a student's aspirations and access to higher education depends on teachers' expectations, experiences with teachers and peers, representation of themselves, and how much of their path to higher education is externally determined. The aim of this chapter is to develop an understanding of the manifestations and implications of antigypsyism in education; more specifically, it aims to describe the antigypsyism Roma students face in the development of their higher educational aspirations and persistence inside and outside the classroom (e.g. family background, social and physical network, ethnicity, and social interaction). In order to identify the experiences of antigypsyism which hinder Roma students' higher educational aspirations and success, we use the Institutional Departure Model by Vincent Tinto and an additional framework on the development of aspirations created by Debraj Ray. The analysis is based on surveys and interviews with Roma students from Central and Eastern Europe. The findings show that students who were successful in enrolling and persistent in their higher education studies, demonstrate high levels of resilience to the adverse experiences of antigypsyism.

Antigypsyism, Educational Aspirations and Persistence

Antigypsyism in the educational system is well documented within the academic literature. During the communist era Roma were excluded from being part of the majority society with the creation of Roma neighbourhoods or ghettos, and Roma only schools were also established in these neighbourhoods. These schools provided poor quality education which was geared towards employment in low skilled work (Rostas, 2012). School segregation and poor-quality education within localities predominantly populated by Roma persisted in the post-communist era and continue to this day. Aspirations are developed through an individual's society, physical

or virtual neighbourhood, and networks. Thus, if the Roma community has experienced low educational attainment due to generations of oppression, a Roma student's low aspirations will be shaped by this experience. Educational systems and teachers need to understand and internalise their roles in assisting Roma students to expand their aspirations through positive enforcement of what is achievable and introduce them to those (few) Roma who have successfully participated in higher education.

The main theory which we use in our research is Vincent Tinto's Institutional Departure Model (IDM). This theory describes the process of drop-out from college, which "can be viewed as a longitudinal process of interactions between the individual, and the academic and social system of the college during which a person's experiences in those systems (as measured by his normative and structural integration) continually modify his goal and institutional commitment in ways which lead to persistence and/or varying forms of dropout" (Tinto, 1975: 93). While we do not discuss drop-outs in this chapter, we will use the concepts of the theory to map out the determinants of success in the educational system (secondary and higher education), and how experiences of antigypsyism both within the educational system and within the society influence a student's educational aspirations and persistence.

As seen in Figure 1, Tinto's theory outlines the process a student goes through in deciding to drop out of school or not. The three main aspects of the model are the processes of academic integration, social integration, and the student's background. Tinto defines academic integration as "grade performance and intellectual development", as well as quality of faculty/staff and student interactions. Grade performance reflects meeting certain academic system standards, while intellectual development reflects the individual's "identification with the norms of the system". Social integration represented in Tinto's theory is defined as the "interactions between the individual with a given set of characteristics (background, values, and commitments, etc.) and other persons of varying characteristics with the college". The pre-entry attributes describe background characteristics like the development of aspirations, social status, ethnicity, high school experiences, and their interactions which develop an individual's goals for higher education.

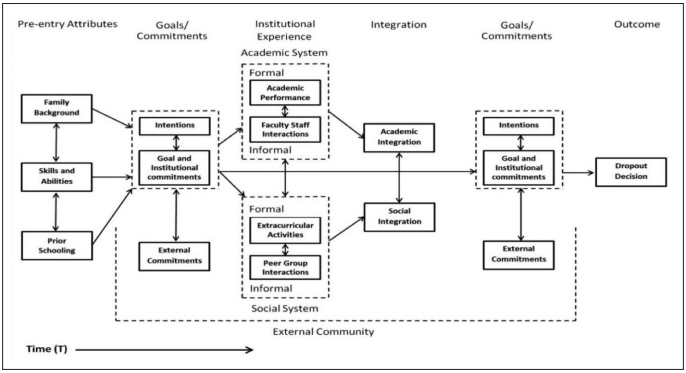

Figure 1: Tinto's Institutional Departure Model.

In the above description of the IDM, a Roma student is likely to have experienced manifestations of antigypsyism within the academic and social systems, as well as in the external society. Because of these antigypsyist experiences and interactions, a Roma student will not follow the longitudinal process that is necessary for the development of higher educational aspirations and persistence.

In Tinto's model, educational goal commitment is defined as "information on both the level of expectation (e.g. two or four-year degree) and the intensity with which the expectation is held", which we define as a student's higher education aspirations. In addition, Tinto describes that a student's prior school experience has a direct impact on an individual's aspirations, expectations and motivations for higher education. While Tinto describes the importance of developing higher education aspirations in high school, we wanted to explore how these aspirations are established over time. Therefore, we incorporate a separate theory on aspirations which is based on the field of behavioural economics. In Ray's theory of aspirations, the individual and collective decision to aspire for higher education is determined by an individual's "aspiration window" and "aspiration gap" (2003). A student's aspiration window is determined by achievement and standards of an individual's peers, information about others who have achieved higher education, evaluating the probability of participating in higher education, the real or

perceived educational mobility, and the relationship between these determinants. A student's aspiration gap is the distance between where they are now and where they aspire to be. Thus, for a Roma student, their window represents all the known and feasible education attainment possibilities and the aspiration gap represents the distance from where they are now and the amount of perceived effort it takes to obtain the education they want.

In order to identify the experiences and main challenges Roma students encounter before and during their higher education studies and how their aspirations are formed, a mixed-methods approach was employed in this study. Online and face-to-face interviews were conducted with nine Roma students and graduates with the aim of investigating their pre-university educational experiences and their influence on further university studies, whereas an online questionnaire focused only on the university experiences of Roma students. This questionnaire was sent out to the Roma Education Fund 2016/2017 and 2017/2018 scholarship recipients' cohorts, focusing on those countries with a high percentage of beneficiaries, most of which are countries from Central and Eastern Europe with a relatively high Roma population. The questionnaire was designed in English and, with the help of the Roma graduates, translated into local languages (Bulgarian, Hungarian, Romanian, Serbian, Slovak and Macedonian). 400 questionnaire invitations were sent out and the response rate was around 30% – i.e. 117 responses (self-selection of the respondents), distributed as follows: Bulgaria 35, Romania 35, Slovakia 22, Serbia 11, Hungary 7, and Macedonia 7 respondents. The average age of the respondents was 24 years old. In terms of gender, 58% of the respondents were female and the rest male, with two respondents choosing not to disclose their gender. Most of the respondents were enrolled in Bachelor studies, nine of them in Master studies and one student enrolled in a PhD programme.

Based on the above framework, the chapter proceeds to apply the above framework to the Roma youth case. However, instead of following one by one the IDM's components, we first analyse the prior schooling experiences followed by the university experiences.

Pre-University: Development of Aspirations and Conditions for Access to University

Prior to university, a student's background (family, ethnicity, social status) and their experiences outside the educational system have an impact on the development of higher education aspirations, as well as their integration within the educational academic and social systems. Through the interviews and survey, we collected information on the development of students' aspirations based on their community, family, neighbourhood and other characteristics, then we analyse how a student's aspirational window and gap are determined outside the educational system. One of the limitations of this study is the lack of individual student data (such as grade performance, social status) but also no perspectives from teachers or educational staff.

Aspirations

Most of the students interviewed stated that they did not have a family member, peer or other community member who was a role model for access and completion of higher education. Their motivation came from their family, with the incentive to have financial stability and a better life than that of their parents:

> I don't have a role model in that way [education], but have a role model with the speeches of my father and mother… my father was and is a role model with a sentence, 'You can see how we live now. You don't want to live that way'. (Interviewee 9)

Historical discrimination, polarisation, and social and economic isolation of Roma lead to the community not including the majority group in their aspirational window. With Roma being targets of state sponsored injustices causing economic, social and educational inequalities, as well as segregation, violence and fear, they will develop aspirations that are similar to the conditions of their Roma peers, who for centuries have had lower educational attainment outcomes than non-Roma.

Students we interviewed expressed how and why some of their Roma peers did not have the same opportunities to build their aspirations or continue to higher education. From the quotes below and in other interviews, we understood that students whose parents and/

or community were not able to support their process through the educational system or were raised in a segregated area and educated in poor quality schools, have had limited aspirations and commitment to higher education:

> There was a school and kindergarten there [in the neighbourhood] and the education in that school was not that good. Those who could get out of that school, they went to high school, the rest finished with eight grades, segregated school. There are other minorities living in the village, but when a lot of Roma children attended, the other minorities left the school. (Interviewee 6)

The literature on academic achievement has consistently shown that parents' education is an important factor in predicting children's achievements. In a similar fashion, the existence of positive role models or personalities strengthens one's ambitions in pursuing further studies. Most of the interviewed students referred to such contributing factors:

> We lack models in the community. We had just one family who had higher education and they were the examples in the neighbourhood. The woman is a doctor, another is a doctor, another a lawyer and the other brother is a school mediator. In my family I am the only one who accessed higher education. (Interviewee 1)

Despite their low socio-economic background and previous educational experiences, Roma students showed resilience during their pre-university studies, and became high achievers within their classes. Their individual characteristics and skills made them successful candidates for higher education.

> All of my success is because of my hard work and my personality. (Interviewee 1)

> The Business Academy was difficult for me. Here were those children who do not go to gymnasium and who are children of prominent families. I was the first and the only Roma, I came from a poor family. (Interviewee 3)

Once students have formed their aspirations and make it into further studies they encounter numerous challenges when it comes to their academic and social integration. On the one hand, these challenges help explaining the reasons for dropping out, or conversely what Roma students have to deal with and how they overcome such challenges.

Academic Integration

Teachers' Expectations

Discrimination reduces Roma students' and parents' aspirational window through the development of social isolation, as well as increases the education aspiration gap by having to cope with stressors associated with participation in the educational system. Teachers' low expectations of Roma students and their lack of self-efficacy in Roma students' education can be seen as the strongest manifestation of antigypsyism that impacts Roma students' participation in higher education. Teachers overall expect less from Roma students than from non-Roma students (Peče, Čuk and Lesar, 2008). Poor quality education for Roma is related to teachers' expectations of students' success and the teacher's beliefs on students' and parents' motivations, learning capabilities and trustworthiness. One of the interviewed students clearly summarises this aspect:

> The way we were working was very weak because most of my classmates were not able to read and write mainly because of the low interest of the teachers and their tolerance regarding this. They accepted this as normal instead of pushing us to study more. If we would have been encouraged and had better results, we would believe that we can make it and we would respond to that. (Interviewee 1)

Such instances increase the likelihood that the student will not invest (academic effort) to pursue higher education. With lower expectations, Roma students receive a lower standard of education compared to their peers, limiting their educational outcomes and any capability to qualify for participation in higher education.

Representation of the Self

The curriculum and the academic environment can create a sense of alienation for a minority student by reinforcing false narratives,

stereotypes, and standardising social interest and values of the dominant society (Abdou, 2018). Therefore, experiences in the academic system that create a separation of Roma students' values and backgrounds from that of the dominant society will limit their ability to develop higher education aspirations and their overall academic and social integration.

Based on the survey and the interviews conducted, Roma students had either little or no formal representation of Roma in the institution, neither as Roma peers, teachers or in the curriculum. The instances where Roma were mentioned in the curriculum reinforced stereotypes and false narratives on the Roma population. Roma students also had experiences of students expressing their views and understanding of the Roma population, which replicated the dominant society's false narratives and stereotypes. Through these experiences, the Roma students not only felt alienated, but they also encountered identity issues, as they felt they needed to hide their ethnic identity to be successful in their academic and social integration:

> In high school I was not at all displaying my identity; you do not realise until you grow up and then you start to express your identity. I hid it and tried to avoid this in order to be accepted. They try to make you feel down because of your origins but they do not have any other argument because you are as good as they are. (Interviewee 4)

Social Integration

First, it is noteworthy here that educational segregation of Roma students is an aspect of antigypsyism which impacts Roma students' social integration into the educational system, which is not fully outlined in this chapter, although it is significant in a Roma student's social integration. Due to factors that reduce aspiration prior to secondary school, Roma students will not aspire to higher education, thus stopping education or choosing a secondary school focused on vocational training. Accordingly, Roma students follow an educational path that does not include opportunities for higher education and have limited chances of shifting their secondary school trajectory if they aspire to enter higher education (Horn, 2016).

> I attended a normal elementary school, but it was a big fight for my mom because I was supposed to go to a special school because I hear badly, and none in my town wanted to accept me. My mother was risking jail, she was visiting every school in my hometown, and they did not want to accept me. […] In the first four years of primary school I was in a segregated Roma school, then my parents decided to move me to a better school. […] The psychologist asked me where I want to apply, I said medical school, she said "No, you cannot do that''. She said that I would kill people, that I would change the tubes and I will not manage the Latin language - she broke my world. She was sending me to vocational school but not the normal one but a special vocational school, for early leavers. (Interviewee 3)

Moreover, from the students interviewed, it was clear that the level and quality of social interactions with other students had an impact on their social and academic integration. All the interviewed students had experiences of peer discrimination in their pre-university education. In addition, it was clear that their resilience to these adverse experiences, and in some cases internalisation of the discrimination, led to their social integration:

> Since entering kindergarten, I faced those problems, and they have never stopped. Eventually, I outgrew the bullying and discrimination. I don't pay that much attention to that right now. I know that those people don't share the same mentality as I do, and I don't want to hang out with those people. (Interviewee 8)
> I was labelled as a Roma by some of the kids – it was uncomfortable, but this changed because I was performing well, and this defeated the stereotypes. I coped with it within myself, it did not affect me a lot, in a few days I was fine. This made me work extra to show that I am the same, that I learn better. (Interviewee 2)

The educational experiences of Roma students in their primary to upper secondary education, backed up by family support and individual characteristics, are crucial in students' decision to pursue further studies. An interesting aspect here is the gap between those Roma students who could adapt in the face of such "adverse conditions" and those who could not. This gap is constantly increasing, since those left behind have a higher risk of exclusion.

Within University: Persistence, Motivation and Identity

The last two decades show that despite the difficulties Roma youngsters experience in secondary school, there is a steady increase when it comes to access to higher education for Roma students; once in a higher education setting a student's aspirational window grows due to experiences and interactions with a community of people that aspire to things outside of the student's current aspirations (Ray, 2003). The fact that a low percentage of Roma participate in higher education (1-4% in Central and Eastern Europe) shows that Romani students are resilient, that is they have been successful – both from a process and from an academic results perspective.

Following the theoretical model employed, this part of the chapter reflects on the academic and social integration of Roma students in higher education institutions and compares their experiences from lower and upper secondary education.

Academic Integration

Teachers' Expectations and Faculty Staff Expectations

As in primary and secondary education, teachers have a significant influence in either limiting or expanding Roma students' aspirations. However, this process introduces elements which instil a newly acquired social status among the Roma students which differentiates them from other Roma. One interviewee who reported manifestations of antigypsyism from a teacher clearly demonstrates how certain academics contribute to making Roma students internalise stereotypes and downplaying the role of students' Roma identity by creating further boundaries between them and other members of their community:

> I had one teacher who was really pushing me, sometimes she was telling me stereotypes but I felt that she really wanted the best for me. I started to be active and when I got not so good grades she would tell me 'You are smart, you should study better otherwise you will end up like all those Gypsies that are sitting here without a job'. (Interviewee 3)

Another manifestation of antigypsyism can be seen in cases where teachers express paternalistic discrimination towards Roma:

> We were 30 students, teachers did not really know us, but while I was working on my thesis I got close to my supervisor and her grade for the thesis was extra high. (Interviewee 2)

Last but not least, in one interview a Roma student who was among the first Roma to study in that university described an incident in which he was singled out:

> One unpleasant experience was when we had accountancy and the professor was reading the names from the students' book and he wanted to look at your face and see who you are, it was the first class 'Stand up! Are you the Roma student? I would like to see you'. (Interviewee 3)

The academic integration of a student depends on his/her interactions with the teachers and the level of support provided. Students' resilience is showcased in their response to questions about teacher support. One student's story highlights that teachers are reluctant to provide equal support to Roma students, an aspect which is contrasted with the academic tutoring support by a Roma NGO:

> They [teachers] won't treat you differently until they know who you are and what is your [family] name…you can always see their facial expression when they hear some foreign name… but RomaVersitas arranges classes and one-to-one consultations where we discuss academic issues of interest; there is nothing like this in the university. (Interviewee 9)

The academic integration of a student and his/her interactions with the academic space are crucial for ensuring student retention. However, academic integration at the higher education level also implies that the student does not feel alienated in such spaces and there is representation of Roma both in the taught material but also on the campus.

Representation of the Self in Higher Education

When asked whether they agree or disagree on there being (at least) five other Roma students in their university, a high percentage of the questionnaire respondents reveal that universities are slowly becoming familiar spaces for Roma students. Around 70% of the respondents claim that they know about other Roma studying in the same university. 23% of the respondents claim that they are not in contact with the other Roma, whereas 26% are rather neutral, and the rest declare that they are in contact with other Roma studying in the same university:

> Back home I was the only dark-skinned student, the others are white, very homogenous… very few minorities. Here [referring to the current university] you see many people… and I did not have this feeling in my BA, here you – like Roma – you feel equal. (Interviewee 3)

Considering the school environment in which Roma pupils developed (oppression, discrimination), there might be a tendency to distance themselves from other Roma once in a university setting. Once they have a newly acquired status (even though ideational), some Roma students differentiate themselves from the other Roma who could not make it into higher education, but also from those Roma who are in higher education but have different "traits":

> And with my Roma friends I was disconnected from them. They were going to discos, they had free time. I was alone all the time. (Interviewee 3)
> I had another Roma colleague – he was noisy – there were claims in the classroom that I am not that type of 'gypsy'. (Interviewee 2)

The survey also showed that Romani teachers are missing from academia, even in programmes which had a Romani studies component:

> I decided I wanted to go for Romani studies. In my class we were 25-26 students and we were around five Roma. There I was in the seventh heaven. We had gadje professors, but they spoke two-three Romani dialects. We do not have Roma teachers, it is such a pity. (Interviewee 3)

It is widely accepted in the literature that teachers from the same ethnicity as the student can serve as role models, mentors, advocates, or cultural translators and at the same time encourage Roma students to use their full potential. For the Roma students, this was not the case:

> In another university with a Romani studies component, I met here a Roma professor, an educated Roma person. He was pushing me, giving me tasks that helped me go forward and reach what I have to do. (Interviewee 6)

Not only do Roma lack representation in universities as students or teachers, there is also a lack of representation of Roma in the academic material:

> In the intercultural communication course that we had, I was raising the question. Ok, we talk about these groups but what about Roma, they are near here. Once the teacher started to notice that I am Roma, and I am interested in this, she made a class just on Roma. (Interviewee 1)

As far as the course content is concerned, 43% of the questionnaire respondents say they have discussed Roma related topics, 31% declare they have not and 26% neither agree nor disagree. Among those who did, 40% of the respondents neither agree nor disagree that the representation of Roma in course material and textbooks was positive, 33% claimed that the representation was positive, and the rest disagreed with the statement. Some of the additional comments the students referred to show that it also depends on the field of study (most of the Roma students are enrolled in social sciences and humanities) or that it is very much a choice of the teacher:

> I study Economics, there is nothing about Roma […] We have not discussed Roma during the classes – and this is because no one raises the topic, and the professors are just coming and doing their job; there are some professors who make reference to such aspects however only when the classroom is half empty. (Interviewee 2)

Interestingly enough, the fact that "no one raises the topic" about Roma is a sign that even the Roma students within those courses do not have the courage to discuss Roma related topics, or how certain theories or concepts relate to Roma. This could be also an issue of feeling safe, or not wishing to single themselves out more generally.

The lack of representation of Roma in both the course content and the campus, leads to both the Roma and non-Roma students coming to the conclusion that this minority is not important. These perceptions can negatively affect inter-group relationships. For the Roma students, a lack of representation or discussion about their own ethnicity also means a lack of pride in their cultural heritage and a lack of positive models they need to be visible.

When asked in which contexts they identify themselves as Roma, 74% of the questionnaire respondents claimed that they identify themselves as Roma regardless of the situation, 15% of the respondents choose to selectively identify themselves as Roma, whereas the remaining 11% neither agree nor disagree with the statement "I choose not to identify myself as a Roma in my university in certain situations".

Roma students are confronted with an "institutional attitude" through which they are "being watched" and therefore have a constant reminder that they need to perform better than the other non-Roma students, and that they have to professionalise not only on Roma but also on mainstream topics:

> By focusing on Roma topics other people start to think you are only good at this because you are the Roma girl good on Roma topics. You need to work hard to get out of that category. (Interviewee 6)

Social Integration

The literature on students' ethnic identification argues that the social context is one of the main factors when it comes to negotiating identity, and depending on the strength of their identity students can either strengthen their identification or, on the contrary, perceive more threats in the environment (e.g. the Central and Eastern

European region remains a "predominantly white" area with majority students, and a negative perception of the Roma cultural capital) and tend to distance themselves further from the group, avoiding alienation by becoming fully absorbed into the dominant culture, breaking away from their traditions, customs, etc (Ethier and Deaux, 1994).

> My best friend from university does not even know I am Roma. I was privileged because I came from an Albanian neighbourhood. They would rather accept an Albanian student from a rural area than a gypsy from the capital. (Interviewee 4)

While some studies claim that Roma students who succeed in higher education distance themselves from Romani culture and identity, other studies conclude that Romani students strengthen their identity through education and develop a sense of belonging to the Roma community:

> I was always saying I am Romanian Roma and maybe for the others it was disturbing to say this but in a place where you need Roma, at least the good ones have to stand up. Here [referring to current institution] it was totally different to meet so many Roma from so many countries and cultures, and at the same time have so many things in common. This strengthened my identity in terms of enriching my culture within Roma knowledge. I feel this university is so inclusive that you can be whomever you want, you have a place here… (Interviewee 1)

When asked whether Roma students observed discriminatory words, behaviours or gestures directed at Roma in their institutions, questionnaire responses show that opinions are mixed: 33% of the respondents agree, 45% disagree and 23% neither agree nor disagree. This shows that Roma students might encounter subtle forms of discrimination and racism which are rather ambiguous and indirect. However, when it comes to gender differences, 20% of the women claimed they observed discriminatory attitudes compared to 15% of men, reflecting the intersectional discrimination they are exposed to (see also Figure 2).

When asked whether students encountered racism while attending their study programmes, 63% of the respondents disagreed with the statement while 20% of the students said they encountered racism. One of the respondents from Bulgaria further developed the questionnaire answer by saying that "Some students compare the Roma with Indians, unclean, second-class people, and scums which they do not want to touch". In a similar fashion, when asked whether the students feel that there is a general atmosphere of prejudice among students, 41% of the respondents did not agree with this statement whereas 38% of them agreed: "I have not been and I am still not sufficiently close to my colleagues; we have small groups and churches around; everything is coloured", said a Romanian respondent, referring to the fact that most of the social groups are already formed and it is difficult to become part of one of them.

Peer discrimination persists at the university level; however, as the interviews show, it is highly dependent among others on whether the student responds to it, whether the university is diverse, or whether there is a Roma teacher in the university:

> In a higher education and a higher culture, people are not the same. In primary school you have children, in higher education you have grown-up people. (Interviewee 9)
> I do not think people dare to say certain things as they would say in other situations because the teacher was Roma, because I was there; they self-regulated but there were racist comments. (Interviewee 6)

Generally speaking, it can be claimed that Roma students who socialise with the majority students are also less likely to experience anxiety and alienation. The extent to which Roma students spend time socialising with other Roma students influences their relationships with the majority students. Roma students are isolated from the majority students in part due to the strong relationships that they maintained with the other Roma students from the same university:

> I engaged in extracurricular activities, to meet some people and do other things because you need more… and I had some connections with non-Roma people. But most of the Roma colleagues did not

> do that. They spend most of their time with the other Roma colleagues… (Interviewee 1)

Interestingly enough, around 80% of the questionnaire respondents claimed that since enrolling at their institution, they have developed close personal relationships with students who have similar traits as they have (e.g. ethnic background, socio-economic status, etc.):

> In my group there were two other students looking like Roma – one Jewish maybe, and a German Polish – there is a band called The Black Train [Fekete Vonat] and we were calling ourselves like that. (Interviewee 6)

This can be understood as an issue of integration within the school community and student life of the university, where students feel more comfortable with students who better understand their cultural and social background, but at the same time it is a sign of self-exclusion from the dominant social group of the university.

Discussion

This chapter has shown that antigypsyism is present at all stages of the development of higher educational aspirations for Roma students, as well as at all stages of higher education persistence once within a higher education institution. Students who were successful in enrolling and persistent in their higher education studies, show high levels of resilience to the adverse experiences of antigypsyism. Additionally, Roma students internalised some aspects of antigypsyism as a way to integrate into the educational system and succeed. This oppression has led to some of the students having issues around identity, feeling the need to silence their ethnicity, and avoiding social interactions with other Roma within the educational system. Thus, we argue that the manifestations of antigypsyism in the development of higher educational aspirations and access, has led to low enrolment rates of Roma in higher educational institutions. Further, the Roma students who are enrolled into higher education are successful because of their experiences prior to entry. Nevertheless, antigypsyism in higher education threatens their success and can lead to low rates of persistence.

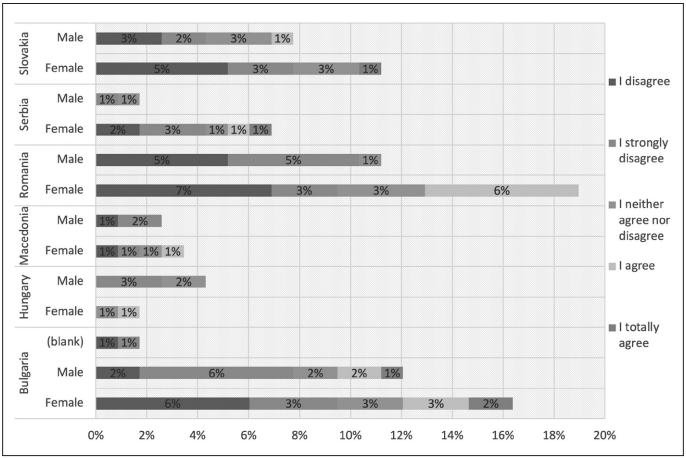

Figure 2: I have encountered racism while attending this institution

Prior to enrolment in higher education, students highlighted the impact of their parents' and community's support for higher education. Every student interviewed stated that their parents had the largest impact in building their motivation for higher education. This aspiration was not developed based on their parents being role models for higher education, as almost all the interviewees' parents did not have a higher education degree. Their motivation came from the idea of creating intergenerational mobility through their children receiving a university education.

While in higher education institutions, Roma students' identity continues to be threatened by their need for academic and social integration within the system. Through the interviews, it was clear that students felt that being Roma was very important during their studies. This shows that their integration within academic and social systems in education was not compatible with their Roma identity.

A non-Roma has experiences in each of the stages described in Tinto's Institutional Departure Model, which can lead to low aspirations or persistence in higher education. Roma students face additional antigypsyist experiences and life characteristics based on

their ethnicity, in each of the stages of the same model, leading to a limited ability to have development within and transitions between stages.

A student's aspirations and persistence in education stem initially from their family and references in their community. The initial school integration experiences are critical in Roma students' aspirations and persistence. For Roma students who are in a social situation that limits the reference points within their family and community, it is critical for education institutions to first understand the mechanism within the institutions that limit Roma students' aspirations and persistence, then foster their development. Teachers and educational policy makers display an absence of self-efficacy or internalisation of responsibility in the development of aspirations. Although these actors play a significant role in the development of aspirations, they tend to place all the responsibility on the individual, student, parent and community. Actions by teachers and policy makers to address institutional and systemic antigypsyism in the school integration process, can decrease individual experiences that limit opportunities in building aspirations and persistence for Roma students.

Specific and targeted educational interventions that address antigypsyism in the school integration process need to be included within National Roma Inclusion Strategies (or other policy initiatives) to increase higher educational attainment. The strategies need to incorporate initiatives that go beyond financial interventions such as scholarships. Possible strategies could include mentorship, community and leadership building, activities to strengthen Roma identity and open expression in educational institutions. Measures which address the conscious and unconscious bias of educational staff and policy makers are particularly important. Anti-bias training can be included as a mandatory course in professional training for teachers. Additionally, it is imperative that curricula for future teachers integrate an understanding of the educational integration process and how an ethnic identity creates additional layers that lead to challenges in educational motivations and persistence. The above-mentioned proposals do not solely benefit the Roma community. They will expand the understanding among teachers, staff

and educational policy makers of how the socio-economic situation of student communities interacts with educational systems, which impact access, aspirations, persistence and success. The National Roma Inclusion Strategies are perfect tools to incorporate the specific targeted implementation of mainstream educational policies, to ensure that higher educational gaps are reduced.

While students face discrimination within higher educational systems, their enrolment was dependent on their resilience to direct and institutional antigypsyism prior to higher education. When in higher education, the only way to succeed was to fully integrate into a system that suppressed their identity in the name of getting educated in academic and social systems created for white students. Thus, the transitions Roma students face to integrate are in fact creating assimilation by making their educational success dependent on their ability to be white in a system made for white students. Without the psychological resilience as well as the family, social, and (at times) academic support to foster their resilience, Roma students would not have the ability to overcome antigypsyism in the educational system and in society, which is hindering their higher educational aspirations and persistence.

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We are RomaPop. Globalised Pop Culture and the Romani Rights Struggle for Self-definition in the Age of Superheroes

Vicente Rodríguez

Magneto Begins

I remember quite often that as a child being a nerd was not cool at all, in fact I do remember crystal-clear how *Spiderman, The Avengers* and the *Fantastic Four* were an unknown world for most children. I grew up in Spain in the 1990s, where heroes of the American kind were not yet popular, when Marvel Comics was suffering a bankruptcy, and when superheroes did not do very well in movies.

Despite the hostility towards the genre, I always had the ability to isolate myself and focus on what I liked. My family was very poor, but my mother made enormous efforts to buy comics for my seven-year-old self. American comics were not just unpopular in the Spain of the 1990s, they were uncanny to my *Gitano peers*. My cousins and friends knew nothing about comics, and I knew that X-Men and the rest of my beloved heroes were not even "a thing" back in the day for most of our people.

So I grew up knowing that whatever "sacred knowledge" I would find in comics, I would probably never be able to share it with my People, or the rest of the world for that matter.

Comics knowledge was my gift and my curse, it empowered me but it isolated me, it gave me a voice in my mind, but not a community to share what I heard, it felt like finding the most incredible treasure in the world and not being able to explain it to anybody. As the years went by I realised that it was not just comics that I could not share with my People, it was my whole universe.

But one day I accidentally stumbled across a comic, *X-Men Unlimited # 2* (1993). In that comic it was revealed that Magneto was a Rromani survivor of the Holocaust. Magneto was a mutant

with the power to control metals and electromagnetic fields created in the 1960s, but it was revealed now that he was a Sinti who lost his family during World War II.

Magneto did not believe in coexistence between different peoples, he defined his people as mutants, the next step in human evolution, and he was convinced that soon enough mutants will be rounded up, experimented and exterminated, as it happened in World War II for the Nazi victims. Magneto was a fictional character, the main antagonist of the *X-Men* series, but he was a hero to me, and related to my inner being more than any other character in the world.

I read about Magneto for the first time when I was eight years old and it led me to mental emancipation, to the work of Malcolm X and Franz Fanon, to the world of non-formal education and self-organisation.

It was a new world, a world where we matter, where we can control our destiny, where we can have revenge and glory, where we can commit mistakes and have meaningful victories, a world where we are not just victims. I knew then that I would spend the rest of my life proving to myself and to the world, that we Roma exist for good and bad in popular culture, where we need to fight as hard as in any other field if we want to achieve equality, and more importantly freedom.

The Roma Archetypes and the Antiheroes – The Case of Dr Doom

For centuries, Roma have been an essential part of European folklore and myths, most of the time in a very simplistic and racist way. The Roma archetype in legends has always oscillated between the villain and the hero. Throughout the history of literature one can find many examples of Roma people and the "Gypsy" stereotype, like Cervantes' *La Gitanilla* or Victor Hugo's Bohemians in *The Hunchback of Notre Dame*. From William Shakespeare to Stephen King, there are thousands of references, but the case of American comic books is certainly exceptional.

The birth of the antihero archetype in the comic book genre came about in the 1960s. Antiheroes have been an essential part of literature's heritage throughout time, but during the decade of the 1960s, in the so-called silver age of American comics, the emotional and psychological complexity of superheroes and villains became something much more real and contradictory than in typical myths or legends.

Soon enough Roma people started to appear in American comics not just as second-class characters but as full actors in the most important events.

A great example of this is Dr Doom. Victor Von Doom is one of the best known and most influential comic book characters of all times. He was created by Stan Lee and Jack Kirby and first appeared in *Fantastic Four # 5* (1962). When Dr Doom appeared he changed the concept of villain forever. For example, we can say that George Lucas, the creator of *Stars Wars*, based the infamous Darth Vader on the Dr Doom archetype. An emotionally tormented character carrying a heavy burden of pain, despising all humanity for his extraordinary talent, covering his face because of his horrible scars, Dr Doom became iconic. *The Fantastic Four Annual #21* (1964) is the first time that Dr Doom's Roma origins appear: Victor Von Doom was born in Latveria (an imaginary country between Hungary and Serbia). As a child, Victor suffered from racism and persecution, losing his parents because of persecution by local authorities.

Victor grew into a headstrong and brilliant man, using technology to create fantastic devices to keep the Baron's men at bay and protect the Roma. His feats drew the attention of the dean of Empire State University, who sent someone to the camp where he was living. The dean offered Victor the chance to study in the United States, and Victor chose to leave his homeland and his love, Valeria, behind. Once in America, he started to build a time machine and several amazing artefacts; one of them was a machine to talk with the dead. Unfortunately, the machine exploded, disfiguring Doom's face and causing his expulsion. Subsequently turning his back on the world, Doom went to Tibet where a hidden group of secret monks took care of him. At the end of this time he had created for himself an

armour and a mask: he became Dr Doom, swearing revenge on those who were responsible for his pain.

He returned to Latveria and succeeded in taking over his country. First, he recruited Roma people, starting with his own family and community. By the end of the conflict it was obvious even to the army of Latveria that nobody could fight against Dr Doom's intellect and strategy. He became absolute king, taking a special interest in the welfare of the Roma people, and establishing a sort of dictatorship where Roma were not persecuted, there was no disease, crime or poverty – and, of course, no antigypsyism.

Pop Culture, Challenge and Potential

Talking about antigypsyism, as excited as I was to discover Magneto and Dr Doom's Roma background, I started to feel increasingly uneasy about the fact that most Roma characters in American comics adjusted to certain Roma stereotypes and were often the villains of the stories. We had a thief (Quicksilver), a witch (Scarlet Witch), a circus acrobat (Nightwing), a dictator (Dr Doom) and a Holocaust survivor, Magneto, whose Roma identity was denied and was often poorly treated. Just the tip of the iceberg. Those were stories with the potential to inspire but also harm the soul of Romani children in an irreparable way.

After screening *X-Men: first class* over 200 times and leading workshops and lectures on the topic all over Europe, there was a moment when I started to rethink the nature and the quality of the work needed for a significant change – how do we turn an inspirational but flawed narrative into power for our people? That is the key question for our generation of young Roma advocates.

During seven years working as an activist and educator, I used pop culture and art with great success among young Roma and non-Roma audiences. Hundreds felt inspired and many young Roma activists and artists took over the narratives of Romani heroes. Pop culture became the foundation of the Yag Bari Roma association in Spain, and also the foundation of two Spanish Roma youth networks, Kali Zor and Kali Yag. Dr Doom became popular in Germany too, where Kenan Emini, a Roma activist, started to use the mutants as a

metaphor to denounce the evictions of Kosovan Roma refugees, and wrote a hit for a Roma hip-hop artist called Kastro. Once they even marched through Hamburg in a giant truck with Dr Doom and other Romani characters printed on the sides of the truck.

Superheroes became an inspiration for the Phiren Amenca Network, that helped me to create and design methodologies of non-formal education based on American comics. Bulgaria, Romania, Czechia, the United Kingdom, the United States etc. – from 2012 until today the Magneto tale travelled across the Roma movement. In France, it was the foundation of the Yag Bari boxing club, a youth club for Roma children at risk of eviction and violence, and in Germany again, it also inspired the creators and performers of "*Roma Armee*", the most important piece of Roma theatre of our time. News arrived to me, of people that I have never meet, who started to share my childhood story as theirs! I felt it was an honour that this narrative had passed from my conscious self to the collective sub-conscience of the Roma movement in the 21st century.

RomaPop

In 2014 I was living in Budapest preparing myself to organise the first Roma international exchange on pop culture and sci-fi. The small project ended up being a success in 2015, and around 60 youngsters from seven different countries gathered for ten days to discuss pop culture and its use for our own people and struggle. In that period, I started to think about RomaPop, a structure that could provide space for us in the world of pop culture.

RomaPop would be the Spaceship that would land us in the public sphere of pop culture advocacy. Questioning the way policies are developed, participating in the agenda setting, targeting political systems, proposing policy solutions and opening up space for public argumentation were some of the long-term aims we wanted to achieve that would benefit Roma people in a significant way.

RomaPop's First Year

I travelled to the United States and moved to New York for six months, and then I travelled to Philadelphia, Washington DC, Chicago, Atlanta, Gainesville, Miami, Austin, Minneapolis, St Paul,

Denver, Los Angeles, San Francisco, Seattle and many other cities. I contacted hundreds of pop culture stakeholders, artist, producers, filmmakers, bloggers, editorialists, video game companies etc. I also networked with other minority groups dedicated to advocating for narratives in pop culture and arts. I collected 17,000 comics and pieces of Roma related art and pop culture, I created two non-profits, one in New York City and the other in Los Angeles, ended up in Forbes magazine as the first and only Roma in the history of the publication.

The project was a success, but did not raise the attention of mass media, with the exception of Forbes. I was successful as an individual, but I learned long ago that individual success is not always related to a community's access to power.

Then I attended the New York Comic Con, which gathers over 250,000 persons every year to celebrate and explore pop culture, a highly political event, where I realised the potential of such events for strategic confrontation. It was Zeljko Jovanovic who suggested gathering a team and travelling back to New York in 2016 to see how we could take advantage of the meeting.

New York Comic Con 2016

In my first year in the United States I realised that a team entirely composed of Roma people would fail, as there is no empathy or any moral argument related to Roma in the public sphere in the United States. We needed non-Roma, but not white people; we needed minorities with representation in the US pop culture industry, if we were to be listened to in any way. Jewish and African American participation was crucial to get the attention of the audience and of companies.

The final team was composed of the following people: Patricia Caro, a Rromani feminist and extraordinary advocate for Rromani women rights, Bekah Ward, a journalist and psychologist, Dafina Savic, a North American based Roma activist, Benny Fischer, President of the European Union of Jewish students, Michael Simmons, a civil rights veteran, and finally my brother Antonio, who shares my knowledge of the world of pop culture narratives related to our people.

On our first night together we discussed what would be the best course of action. We had the experience of my last two years, and if we wanted to challenge the industry we needed to confront it.

The first panel we attended was a panel organised by Times Out, New York Times Magazine, and was about LGBTQI representation in *X-Men* comics and movies. Two of my favourite writers Chris Claremont and Peter David were there. Claremont made Magneto a survivor of the Holocaust and represented Roma in a positive light, and Peter David was *Incredible Hulk's* most famous writer and GLAAD awarded, and also the leader of an anti-Trump coalition of writers and comic book authors, a firm defender of Muslims, Hispanic and other minorities in the United States. So what could go wrong? Everything!

Hit and Run!

After a panel about representation we seized the moment. I stood during question time and asked about Rromani representation. I expected my question would be easily dismissed, but instead of a comprehensive or elusive answer Peter David started an anti-Rromani rant, and affirmed that Roma "mutilate their children so they become better beggars". After the attack I was removed from the room by security, while the moderator said "ok, we all have different opinions". Among all those LGBTQI persons and people of colour, nobody questioned this statement. What a moment of clarity and understanding for me in my years in the Roma struggle... as my grandpa used to tell me, we are on our own.

After being accompanied outside, my team walked out. Two persons came after me and said they felt so sorry, and that what happened was so wrong. I was close to tears – all my life reading comics to face the reality that not only were we ignored, but we were fully hated by the industry.

In the midst of chaos, I organised our team. Michael and my brother went to talk to Daniel Kutchen, editor of Marvel's *X-Men,* who was also on the panel. Bekah talked to Claremont, Benny started to call all his contacts in New York and elsewhere, Dafina wrote a formal complaint to the meeting organiser, a company name ReedPop

which had a formal complaint system. We were negotiating to obtain a formal space in the event in 2017-2018.

I decided to talk to Peter David himself after the panel. He told me nervously: "I did not say anything wrong and I will not apologise". He was shaking and so nervous that he fainted. I helped him, offered him a bottle of water and joined him in the artist alley, where he signed comics during the convention. He tried to convince me that Roma do in fact mutilate their children, despise the fact that I told him that I as a Roma have no disability caused by my family. The accusation was so bizarre that the artists around him started to laugh and apologised in the name of the comic book industry.

At one point he started to half-apologise, and I told him that we were preparing a video[1] of the intervention and incident and that he had the opportunity to help us to be heard by bringing us to the negotiation table with Axel Alonso and Tom Brevoort, big shots at Marvel. But he said he would never apologise, but that he would make Dr Strange 2099 a Roma character, as a kind of compensation.

It was tempting but I had no guarantee that I could trust him with no paper signed. What if I lost the power of the video now, when it was still relevant? I told him how much I loved his comics and how ridiculous it was that now I was face-to-face with one of my favourite childhood writers defending common sense.

NYCC 2016 Aftermath

Coming back to check my team we were winning in all fronts. The video was online with thousands of views, Twitter was burning, journalists started to request interviews with me. After a few days, dozens of articles on the topic were published and a conversation started on Rromani representation in pop culture.

Last Words

As a young Roma adult I saw how the first decade and a half of the 21st century brought us an increasing number of hate crimes against Roma communities and individuals, and a popular acceptance of

1 The video is available at: https://www.youtube.com/watch?v=Z4QuxCNe89g&t=1s.

hate speech as a political weapon produced one of the most horrible decades of Antigypsyism since World War II. With the support of the general apathetic electorate, far-right parties have become a serious political force, in the case of Slovakia, the Czech Republic or Hungary, and the popular movements and civil initiatives against Roma have multiplied and increased their visibility.

Very often the only responses of the Roma civil society are Facebook chains, letters of complaint or petitions. None of these methods seriously challenge the mainstream population's attitudes and viewpoints, but why?

The answer I thought, maybe lies in the apparent lack of common bonds between the mainstream population and the Roma minority. At this point we need to acknowledge that we were totally powerless in the area of pop culture. Yes, we had a young generation of people very able to talk extensively about sci-fi movies, TV shows and video games, but we lacked a strategy to articulate our potential to produce, understand, control and promote pop culture in defence of our interests.

My experience and the experience of dozens of Roma advocates throughout Europe proves that Antigypsyism needs to be combated in the world of pop culture. Do folklore and mainstream beliefs shape political agendas? Or is the opposite true? This is a complex subject. What I have seen and experimented in my own flesh and bones, is that if we try to change what people write about us in comics, we change our reality in the process. This may be the magic truth that RomaPop can bring to us as a People.

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Roma and Non-Roma Alliances for Political Empowerment: Experiences from Hungary

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Introduction

This article uses different theories of redistribution and recognition in order to give an explicatory framework to the experiences of co-operation between Roma and non-Roma groups and individuals in Hungary. We use a participatory methodology – as Roma and non-Roma activists and/or academics, we reflect upon our own experiences of building inter-ethnic alliances. We look at the stated goals and actual outcomes of such cooperations, their limitations and their effects on the political context and discourse from the point of view of whether they led to empowerment of those involved. We also ask what effects such attempts at working together have on our personal and group subjectivities.

This article synthetises a conversation between four women, Roma and non-Roma activists and intellectuals. We came together, discussed theoretical articles and summarised our experiences about alliances and cooperations between Roma and non-Roma that we have participated in. Some of these cooperations set out the social and political empowerment of Roma as a clear goal, but some focused on building dialogue and identifying common interests between different ethnic and religious groups, including Romani. Some were short-term, informal and small in numbers, while others were initiated by large institutions, majority-led organisations and lasted for years, or are still ongoing. As the reader will see in the discussions, many of the cooperations and alliances did not reach their initial objectives, but fulfilled other, unexpected ones. What we, the authors, found very important and would send as a message to people planning to build cooperation between Roma and non-Roma groups, individuals or organisations, is that planning and developing "step zero" – a common level of understanding, finding a common, non-discriminatory language, and clarifying the real

interests, needs and expectations of all participating parties requires time. If we miss this step, those involved will try to achieve their own underlying goals which might not be the same for all.

We hope this article, in spite of its pessimism, will serve as a guide to the reader on what to pay attention to when planning, building, or participating in projects bringing together Roma and non-Roma, and as a reminder that patience is one of the most important factors in such alliances. As it will become clear, patterns of antigypsyism cannot be fully deconstructed during the lifespan of a project, but essentialism, hierarchical attitudes and social practices, and the internalisation of racist labels are slowly changed as a result of Roma and non-Roma joining forces.

Theoretical Framework

Many of the projects which were mentioned during the development of this article related either to the social, political or economic integration of the Roma, but the underlying assumptions, needs and interests of the parties were not necessarily the same. In order to understand these discrepancies, we decided to call on the work of Nancy Fraser (1995) about redistribution and recognition.

Fraser categorises the injustices societal groups face into two types: socio-economic, related to the economic position of people and their social position within society on that basis; and cultural or symbolic injustices, stemming from the social representation of certain groups and the image majority society holds about them. According to Fraser, remedies to these injustices differ: socio-economic injustices can be resolved by the just redistribution of goods and wealth; symbolic injustices can be counteracted by changes in the recognition of these groups.

According to Fraser, there are some advocacy groups which clearly place themselves in either one or the other of these interest groups (such as the classical Marxist working class, which fights for their equal share of the goods, means and results of production; and the LGBTQ movement, focusing on ending their stigmatisation). However, Fraser says, in spite of the differences between them, the interests of these categories are closely related, intertwined and

mutually reinforcing, therefore remedies should attempt to tackle both cultural and socio-economic injustices.

The author also differentiates between affirmative and transformative remedies to injustices. Affirmative remedies seek to correct "inequitable outcomes of social arrangements without disturbing the underlying framework that generates them". On the other hand, transformative remedies are "aimed at correcting inequitable outcomes precisely by restructuring the underlying generative framework" (Fraser, 1995: 82). These techniques differ in the cases when just redistribution or representation is the goal.

In her conclusion, Fraser suggests a "socialist deconstruction" which could transformatively remedy both types of injustices: by this she means policies which even out group relations to production and reduce the differentiation of groups. In the discussions that formed the basis of this article we did not go as far as investigating whether injustices had been remedied, but tried instead to identify whether the *goals* of the alliances we were discussing aimed to remedy both types of injustices at the same time, if any; whether their goal was transformative or affirmative change, and whether the objectives of the participating parties pointed in the same directions. As we discovered, none of the cooperations we experienced intended or achieved transformative changes. However, by finding loopholes on the individual level, some were able to shift projects towards transformation.

Another angle that became important to us in our inquiry was the notion of decolonising solidarity (Land, 2015). We discussed how the act of solidarity itself can hide underlying injustices and that if alliances are to be successful between groups divided by antigypsyism, such as Roma and non-Roma, then those involved would need to pay attention to their identities as oppressed (Roma) and oppressors (non-Roma), and seek to at least theoretically deconstruct their role in the constellation of antigypsyism. Otherwise we tend to end up unwittingly perpetuating the pretence at coalition building across racial lines whereas in reality coalitions are formed primarily between and in support of the interests of those who hold the power in the encounter – in this case non-Roma.

Linked to this and perhaps preceding it logically, is the question of the power differentials inherent in coalitions and collaborations (see also Howard and Vajda, 2016). During our discussions, we remarked on instances when this power was visible (mayors staying in better hotels than Roma activists; Roma activists excluded from events), hidden (coalitions "naturally" formed between non-Roma), or, more insidious and harder to address, invisible and embedded in long-standing oppressive structures of the kind questioned by Fraser (e.g. where Roma do not even appear on the radar of non-Roma who create collaborations because of the complex relations of discrimination). Yet without a power analysis and without addressing this we cannot hope to create progress and change. In fact, "power analysis can help activists identify a wider range of potential allies" (Green, 2016: 38).

Specifically, we reflected on several of the key aspects of antigypsyism (Alliance against Antigypsyism, 2016: 7-10), most of which we concluded are connected to historically constructed power relations. For example, we were clear in our inquiry that the continuing disadvantage that Roma face is "deeply rooted in the institutions, cultural concepts and power structures" (Ibid: 10) that we see operating in our societies. We return to the individual aspects of antigypsyism and how we saw them addressed or ignored by coalition builders, in our discussion of coalitions below. Suffice it to say for now that we did not think our experiences went as far as effecting changes of a systemic nature or were sufficient to address the historic legacy or ideology that perpetuates the oppression, but we did reflect upon how our coalitions were able to address hierarchical power relations, attitudes and social practices and importantly, the internalised aspects of antigypsyism.

At the same time, as Green (2016) shows, unless we engage with the complexity of power relations, with the complexity of systems in which these coalitions operate, we will have no chance of following them to their conclusion. As we will also discuss below, coalitions, cooperation and other ways of people working together tend to defy the simple A to B logic of projects and policies designed for a limited time and with limited funding and goals.

Fortunately, we found, real life has a way of defying that limited logic, so that coalitions and cooperation between Roma and non-Roma flourish and founder according to their own internal meaning, based on the flexible thinking and creativity of some of the people and organisations involved. For example, it should not come as a surprise that some coalitions exploit loopholes in projects to succeed, while others, no matter how carefully nurtured, do not get off the ground because of the unwillingness of those involved to overcome some of the structural injustices highlighted by Fraser.

Ultimately, our article is an attempt to trace some of the intrinsic meaning and trajectory given to various coalition building efforts we have been part of, by way of examples only, and asking the following specific questions: which injustices did they seek to address; how did they engage with power; what made them successful or not; how did they go beyond solidarity towards decolonising that solidarity.

Methods Used

We decided that the best methodology to use for our paper was one that was qualitative and built on the idea of dialogue as unstructured interview, since "the very essence of unstructured interviewing [is] the establishment of a human-to-human relation with the respondent and the desire to understand rather than to explain" (Fontana and Frey, 2003: 75). The approach served the two-fold purpose of learning and connecting. A deeper connection between the researchers and the researched – in our case these two groups were one and the same – is key to making participatory action research possible, a methodology that has deep and wide roots (Brydon, Miller et al, 2011) in the field of liberation pedagogy that underpinned movements against oppression, especially in Latin America. However, the meaning of participation itself has changed over the years from participation at the local level, in mainly rural contexts, in response to top-down approaches to development (Chambers, 1983), through participation explicitly linked to cycles of learning and action (Chambers, 1997), to a more recent focus on participation connected to citizenship and structural change (Gaventa and Barrett, 2010).

In the context of Romani Studies, the practice of participatory action research and activists speaking for themselves is a particularly pertinent approach, given the centuries during which outsiders have spoken for and represented Roma people (Bogdan et al, 2015). Thus, we wanted to use a methodology some of us had already tested and found useful in practice (Daroczi et al, 2018), this time in the form of a dialogue between Romani and non-Romani activists.

In our commitment to using participatory practices that foster structural change, we set up a small group of researchers, consisting of four women, two of them Roma and two of them non-Roma, who would direct the lens of research on their own lived experiences, given that most of us have for years been engaged in a series of processes of learning and action, and that we are now seeking to distil the essence of these processes for the sake of this article. In this sense, we did not set up a classic participatory action research, since in that case participation and action go hand in hand, with the research questions being asked and then tested out in practice by a research collective. Rather, we based this collective inquiry on past collective action that we were involved in individually or as a group, and asked the questions we felt were necessary of each other.

It is difficult to create a situation of true participation action research and we did not seek to do this, rather we borrowed a few elements of participatory action research. We also understand that such an approach carries its own challenges, as it may not result in a truly representative inquiry. However, since our ambition was simply to give pointers to others who attempt to engage in Roma and non-Roma alliance building, we proceeded with our approach while also acknowledging its limits.

The process included the following steps: two of us initiated the process by inviting four other Roma and non-Roma men and women, who are well-known in Hungarian Roma activism and have extensive experience in inter-ethnic alliances and cooperation, to take part in the project by setting out our main objective: to summarise the experiences of the past few years of the Roma/non-Roma alliances we took part in and which aimed at the political empowerment of Roma. Out of these six people, four women remained engaged with

the research collective throughout, whereas the other two declined because of a lack of capacity. As a group, the four of us started brainstorming the methodology and the questions we would like to answer, shared academic and mainstream articles with each other, and finally organised a group discussion in Hungarian, which we recorded. The analysis of this discussion was also collective work.

What Characterises and What Factors Influence these Alliances?

The co-authors of this article all have long-standing experience in building alliances among Roma and non-Roma individuals, formal and informal groups and institutions, so in order to focus the discussion, we jointly established that for us, true cooperation has to be characterised by common decision making and common activities/implementation in order to reach a common objective. The alliances mentioned during the discussion were formal or informal, planned or unplanned, one-off or long-term, direct or indirect. As co-authors, we turned a critical eye on the coalitions or alliances we participated in, and tried to identify the factors which might potentially lead to success. These were values, time, and establishing common grounds before taking action, which again requires time, patience and commitment.

A Roma co-author expressed that the most important factor which determines the process and the results of an alliance is the belief-system the parties hold: she said that "...the presence and the level of injustices and the types of attempts to remedy them as well as the mechanisms used, all depend on the ideologies and the values of the people/groups in power". In her example, the human rights culture of one participating powerful organisation was key during all phases of the alliance. Besides the values, "the professional experience of the parties is also of significant importance" according to her experience.

Both a Roma and a non-Roma co-author stressed that the time constraints linked to the project based nature of these cooperations are a crucial obstacle, as structural/transformative, but even some affirmative changes, require much more time than one, two or three years: "There is no long-term effect on a project basis". When we tried to

evaluate the effect of these alliances on the political discourse about Roma, we got back to the same assertion: "it takes a minimum of five to six years for it to have an effect on the discourse, on the attitude towards the community" and the majority of the alliances discussed were much shorter than that.

All four women mentioned that identifying and clarifying the common interests and underlying needs are time-consuming processes and essential parts of building alliances between different societal groups, but projects rarely provide enough time for them: "there is never enough time for the cooperation to reach point zero – i.e. getting to know each other, clarifying the goals and interests – which is a precondition of cooperation between different social groups".

Identifying common goals is one of the most important factors, according to the collective, that determines a coalition, and whether the parties can agree on them or not is essential. Even so, there are coalitions or one-off alliances in which the parties cannot reach this stage. It can therefore happen that the interests of the parties do not match but the common activities are implemented nonetheless.

The co-authors also mentioned that "understanding and establishing the history leading up to building a coalition and its possible outcomes are always necessary, be it a long-term or a one-event commitment". In the experience of a non-Roma co-author, this does not always happen, and can impede the success of the alliance.

The only cooperations we could think of which included all the necessary elements identified above were informal. Many long-term formal alliances had to clarify the common objectives and values during the implementation phase, but even so usually ran out of time to be successful.

Do We Contribute to the Fairer Redistribution of Power?

"Thinking in terms of power brings the true drama of development to life" (Green, 2016: 45). If we do not look at the power relations involved in our work, we are missing a crucial piece of the puzzle.

What we found in our discussions was that power relations were mainly ignored in the interventions and projects we had experience of, especially when cooperation was the goal. Yet alliance building cannot avoid this, because alliances often stand or fall on whether the power imbalances are addressed. Sometimes the power differential was visible and blatant, something that has been written about as a barrier to Roma community members working together with decision makers (Howard and Vajda, 2017), and is mirrored in our experiences where alliance building is hampered from the outset:

> So we had to fight an especially big battle to be able to bring the Roma community members to this international conference. And on top of that, the difference in treatment… when, I don't know, the mayors stay in a four-star hotel and the Roma have to stay in a hostel, this kind of thing can really undermine those types of alliances. (Roma interviewee)

At other times, the power involved is of a more subtle type, when because of entrenched relationships of oppression between Roma and non-Roma and not enough attention is given to dismantling these, the alliances do not happen. We tend to call this invisible power. In the quote below, the speaker refers to a situation where the non-Roma organisations participating in a project failed to engage with the Roma organisations, opting rather to work with each other as they had more in common. In this way, the Roma organisations felt side-lined and ended up cooperating almost exclusively with each other:

> Because of that, [the Roma and non-Roma organisations] were not able to work together during the year, year and a half of the project. So I would not call this an alliance. In other words, precisely that project that was built on the idea of alliances did not feel very cooperative, because for me an alliance also means joint decision making. (Roma interviewee)

The mechanisms of formal power are important, but change often begins at a deeper level, when people who have previously internalised feelings of subordination or inferiority achieve "power within". However, "thinking about power within is only the first step of what should be a much longer conversation about the

role of psychology, empathy, and relationships in bringing about change" (Green, 2016: 35).

In the same way, we found that our own experience with alliances speaks to deeper levels of change that go beyond the obvious formal mechanisms to generate solidarity between people who have seen that their interests are aligned. Specifically, if solidarity can be established at the outset, then it is likely to become long-term and continue over many years, and the level of change can also get proportionally deeper. However, a basic authenticity as one of our interviewees puts it, and an ability to reflect on our own limits, must be part of the encounter.

If such relationships (including between Roma and non-Roma) are based on mutual trust and understanding, then these

> can endure [beyond individual projects] and the cooperation can continue along the line of the relationship. So we can work on that project or this project together, but if we have a committed human relationship that we base this on, then we will end up taking that solidarity into any new project we work on. It almost doesn't matter what project we work on, the relationship remains. And these are the most important [alliances], but it's incredibly hard to get this point across in the world of work. (non-Roma interviewee)

Alliances Do Not Develop in a Linear Manner

A defining property of human systems is complexity: because of the sheer number of relationships and feedback loops among their many elements, they cannot be reduced to simple chains of cause and effect (Green, 2016: 10).

In contrast, many of the mental models activists use to think about change are linear – "if I do A, then B will happen" – with profound consequences in terms of failure, frustration and missed opportunities. Society, politics or the economy rarely conform to linear models (Green, 2016).

Often, Roma projects start and stop and do not take into account the ever-changing canvas of human relationships, shifting alliances and

also enduring alliances. As we have shown above, while projects cannot be flexible and long-term enough to actually effect change, alliances that span a number of projects because the people involved remain motivated to work together can go against those linear models, arching over them and following the energy of activist groups – "dancing with the system" (Green, 2016) is often a much better model than trying to mechanically affect the system.

> For me, these alliances have followed the course of my life on many levels. And this includes formal, informal [alliances], friendships, unstructured, ones that go into my work life and back out again, so the key is that these can very much morph into each other. (non-Roma interviewee)
>
> And if I connect this to capacity building it is similarly meaningful. There were situations in which the alliance affected me and others who were involved, and we were in turn affected by the alliance in ways that raised our capacity. However, the partners did not become more capable [or empowered] in the ways that were originally planned. But we were [affected] differently and in unexpected ways. (non-Roma interviewee)

What Are the Goals and Are We Aware of them?

Setting the goals was crucial in all the experiences discussed, however, it was not always done in a satisfactory way, and most often, they were only partially achieved by the end of the projects. Be it empowerment, or simply building alliances, goals need time to be developed and are influenced by both internal and external factors, such as societal power relations, which have to be acknowledged and taken into consideration if we want success. This process often extends over the whole period of working together.

Developing an alliance can be a goal if cooperation is interpreted on a partnership and equality basis. Empowerment can also be the result of a progressive and mutual process when the parties cooperate. As the co-authors mentioned, the preparatory time which would be ideally required for cooperation is not available in project frameworks.

How the goals are defined within a cooperation depends on complex factors and may be interpreted differently by the participating groups. The oppressive mechanisms that determine the conditions

of a partnership and the positions of power also affect and limit the goals. A long process of confidence building between Roma and non-Roma is necessary in order to be able to define the goals with an awareness of the impacts of structural oppression.

> I learned at Robert Chamber's seminar about participatory methods, that the first thing we need to know when we start working with oppressed groups and communities, is that nobody will tell the truth about their real goals. This is a very good thing, I remember many times that projects that are invented to be good enough for the oppressor will not really represent what Roma want as progress in the project. (non-Roma interviewee)

Often the goals of allies in joint projects are different and they are not transparent with each other. The oppressive mechanisms of society are reproduced by institutional processes and systems, so the alignment of goals of the participant Roma and non-Roma groups is difficult to achieve. The question is, to what extent can these goals be achieved and what results can be reached by cooperating? Can these structures be changed through cooperation?

> By not questioning the power do we serve it? We acknowledge that we see the prevalent power relations, but in the end, we see them as a framework impossible to be changed within a one-year project. There are a bunch of structural factors which in a way already limit the intended extent of the cooperation or development, because the available resources and the time are limited. (non-Roma interviewee)

Alliances, either through cooperation as a goal in itself or through other goals, always aim for change, which is also the motivation of the parties. The possible degree of change is also determined by the structure and mechanisms of society and institutions. In the words of a non-Roma interviewee, "if we are fundraising for something, we need to include our goals in the terminology which is the donor's terminology, which is very far from the one we want to build trust and cooperation with".

> What results can we achieve by knowing the structure of social exclusion and the limits of the project framework? How many successful

> cooperations have effectively supported the real participation of Roma people? ... [in which] the Roma people participated as equal partners, were involved as professionals, activists, or decision makers? (Roma interviewee)

These rather rhetorical questions relate to the fact that during the conversation, we could mention only partial results, not successes. One way to cooperate efficiently is to formulate realistic and context-oriented goals which focus on local community issues and needs. If cooperation is defined as a goal in itself, a result can be that the allies, who may have not met otherwise, can meet and start activities together and resources become available through the cooperation.

As a cooperation develops, the goals can also be clarified or changed. The partial achievements of the projects are actual struggles, but also small steps to develop equality based cooperation.

How Do Alliances Affect Individuals and Communities?

If we look at the long-term changes all these projects sought out to achieve, i.e. the empowerment of Roma individuals and communities and their enhanced participation in the decisions which affect their lives, the authors' experiences were diverse, also in what they identified as changes. In most cases the discussants had no formal information about the long-term consequences, as after the completion of the projects, there were no follow-up activities or visits. We also found that thanks to the growing number of such attempts at cooperation, Roma got more involved in decision making processes within and outside the projects, both individually and on a systemic level, but their involvement was and is mainly restricted to the level of consultation. Most of us built personal relationships and even friendships across groups, which, as already discussed, although not measurable, are important in the long-term.

One Roma co-author summarised her evaluation as follows:

> Compared to the situation of fifteen years ago, some kind of progress is perceptible or tangible regarding Roma participation and Roma decision making in a cooperation like this... Even if we could not

> make a big impact on higher levels of decision making, there was space for us to give our opinions, we could elaborate, we could formulate criticisms in writing or speech, and there was always a space for that. Obviously, this is not a huge step forward... we would like to know that if we believe in something, then we can make decisions which take us further ahead...

Another non-Roma woman sees some changes which affect the lives of Roma in terms of access to important decision making positions: "Things have changed in the last four years: many, who said they did not get into the positions they were supposed to be in are there now". So for some Roma, participating in projects together with non-Roma enhanced their chances to advocate for their communities.

Often, these projects end and there is no space for following up on the development on the local or systemic level: "I do not think that anyone went back to [the town] five years later. There was information, but I do not think anyone went back". Nevertheless, individuals do build personal relationships during these attempts and two of the discussants found these very important:

> And it happened, I met a Roma Self-Government chair here in Budapest, who worked as a ticket inspector, and now I am talking about the interpersonal level of the cooperation. Then I met him again as a doorman at a multinational company building and we were really happy to see each other. And with him, for example, my relationship lasted, because I was genuine in the role I had played when we had first met… (non-Roma interviewee)

Another non-Roma co-author also emphasised the effects of these co-operations on the personal level in terms of power relations:

> ...these days it happens to me, that where we are staying, for example there isn't a specific type of sour cream, and I ask [the Roma person] Should I go and get some for you? and they no longer say oh, no, you don't need to, but yes, bring some.

That shows that even if the project itself is not successful, people working together and being in dialogue can bring about subtle

change in interpersonal power relations. However, it is very ad hoc: one Roma woman reflecting on these experiences on the interpersonal level expressed her scepticism:

> There are coalitions from which I could build a social capital, but I don't know, I wouldn't even call it capital, because it isn't... But it is difficult, when your worldviews don't meet – it isn't worldviews, but your approach is different than theirs... maybe I might go for a coffee with them once or twice, but...I don't have many of these...

There were some particular examples mentioned by the discussants, when:

> For example by the end of a one-year process one or two [Roma] people were discovered – discovered in quotation marks – so that it became obvious that this person is very talented in this and that, and exactly such a person is needed in some department of the municipality, and then they got jobs. (Roma interviewee)

In another case, in the experience of a Roma co-author who worked in a multi-year cooperation between institutions and Roma communities, a mayor took part in the project with a very paternalistic approach, acknowledging that some of the Roma were good in some things, but their places were still fixed in her mind as subalterns who needed to be kept in their places in terms of power and opportunities. But throughout the process:

> ...somehow it reached her mind, what this [project] is about, she started to feel its essence. [We saw this when] that person, whose place she fixed [in her mind], ran in the local elections and gained many votes, but did not get elected. But the mayor saw this as some kind of recognition, and she offered him a place in one of the local council committees.

Managing Identities When Entering into Alliances

From the discussion it became clear that participating in an interethnic alliance is not a simple everyday encounter. It places a lot of intrapersonal burden on both Roma and non-Roma. Each has to

manage their ethnic identity related to the distribution of power, as well as their affiliation to organisations, institutions and communities.

These alliances require that those involved reflect on their identity as a Roma or non-Roma, and are aware of its consequences because it affects the dynamics and the outcomes of a relationship and a project. From the perspective of our Roma discussants, the identification and the relation to such projects have not been easy. Three main topics arose from the conversation: tokenism, loyalty and experience/understanding.

In our experience, in projects aiming at or based on cooperation between Roma and non-Roma, the former were always the "target group", and not the initiators, the decision makers. Often, organisations approach Roma with the underlying attitude of "now we will teach you to cooperate". This already sets an unequal ground from the start.

One co-author recalled her first experience of being invited into an alliance building project by a majority-led organisation on the basis of her self-identification as Roma, without any previous relevant experience: "It was weird, because I was happy, because it is great that they involve Roma in decision making processes, but I also felt like a token, that I am here only because my skin is a little darker...". That did contribute to the level of involvement of Roma in the decision making processes, but not necessarily to communities' ownership over the project.

As we discussed already, the interests and needs of parties are rarely synchronised, and when a Roma person is contracted by a non-Roma led organisation to involve the communities, the question of loyalty may become a struggle, as one co-author expressed. The initiators might have the objective of empowering a Roma community so that they take part in the local policy making processes, but the community might seek the satisfaction of more urgent and practical needs, such as cementing their roads. The response of the other Roma discussant was the following:

> …when I work in a [Roma] community, I never think I should be led by the organisational interests…but what I think about is to ask them

> how they are, what happens here, what would be needed, and to see if we can address the issues raised by them somehow.

The question of experience versus expertise also became paramount during the discussion. Although the non-Roma always had a leading role, their lack of experience with Roma and their unwillingness to acknowledge its importance could have an alienating effect for Roma participants:

> ...it has always been my impression and starting point that because they are not Roma, they do not understand. I thought that they […]do not know, they do not live in this. They can be the most excellent, most professional trainers, facilitators, analysts, but if they do not have the experience, then they cannot understand. This can cause disappointment when at the same time one sees that Roma are only participants, a target group in the so-called cooperation. (Roma interviewee)

Therefore, successful cooperation requires that the non-Roma participants acknowledge that they belong to the group of the oppressors, and that this is how they are viewed. As one of the discussants said, "I have to relate to it somehow, that I am participating as a non-Roma in a Roma and non-Roma cooperation". On the one hand because of the power dynamics discussed above, and on the other hand, because "it also comes with the responsibility of representing other non-Roma people who are able to empathise and to address non-Roma colleagues who might be able to get involved in such cooperation". It takes a lot of self-confidence on the part of both sides to overcome these power relations. As a non-Roma co-author put it: "...if I, as an oppressor, can feel good about myself, I will relate to that alliance building differently than if I felt bad [about my role as an oppressor]". She sees it as an important factor, because there are always prejudices against white people approaching a Roma community, therefore she has to show her own authenticity (as an oppressor):

> ...that I know I am a good person and if I do something wrong that is fine and I will acknowledge it, and I will change it, but, as an oppressor I cannot expect the oppressed group to tell me that it is all right. And this is very hard, really.

The work that non-Roma have to do to find the self-confidence necessary to engage authentically and openly with Roma is very much akin to what Land (2015) calls reconstructing our interests, and she explains this as follows:

> For some members of privileged groups, involvement in supporting struggles for justice begins to reconstruct their subjectivity. This can be permanent, such that a new sense of self makes it impossible not to remain committed to supporting struggles for justice (Ibid: 223).

How Do the Patterns of Antigypsyism Change?

During our conversation, we identified some aspects of antigypsyism across our cooperation attempts, some of which were (not always consciously) successfully tackled during the process of working together. Antigypsyism is so deeply rooted and normalised in our society that even when the intentions are benign, general patterns remain unaddressed when Roma and non-Roma work together. The idea that "we will teach you to cooperate", as one non-Roma co-author described the main goal of a project, presupposes an essential difference between "us" and "them", the non-Roma and the Roma, which establishes a hierarchical relation, in which "we" are the ones with the knowledge and the right values, and "they" are the ones who need to be taught, instead of creating opportunities for mutual learning between equal parties.

As already indicated above, this hierarchical attitude shows itself in many projects focused on Roma inclusion where non-Roma participants receive preferential treatment, often from a wish of the project managers to make sure that they accept to participate. These relationships were not changed on a systemic level in our experiences, but there were particular cases when they did on the interpersonal level as a result of contact and dialogue.

Change in individual attitudes did sometimes induce change in local practices, although the examples we could list were not numerous. We already highlighted the example of the mayor who included a Roma in the local authority decision making structures once the mayor was convinced that Roma could do the same jobs as non-Roma. Beyond such ad-hoc occurrences, however, our research shows that there is not much progress. That is a problem since antigypsyism is a systemic

and structural oppression and to dismantle it demands a systemic and structural approach, with widespread changes in individual practices.

For example, in one of the examples mentioned earlier, an international project building dialogue between Roma communities and local institutions opened up space for Roma to voice their opinions and suggestions. This was a step towards changing institutional attitudes and practices. Even though it still involved Roma only in a consultative role, where they had no power to directly influence the decisions within the project, it constituted progress.

We also identified instances when the internalisation of otherness, also called internalised racism (Bivens, 1995) changed during a cooperation. As in the example when the Roma project participant felt that they could ask the non-Roma coordinator to ensure that her specific needs were met, we have seen instances where, if sufficiently developed, Roma and non-Roma alliances can tip the scales in favour of Roma.

Conclusions

In this article, two Roma and two non-Roma women, activists and academics, collected and analysed their experiences in Roma and non-Roma alliance building through a non-structured group discussion. They sought to answer the following questions: what were the stated goals and actual outcomes of such cooperation efforts? What were their limitations and their effects on the political context and discourse from the point of view of whether they led to empowerment of those involved? What effects did such attempts at working together have on our personal and group subjectivities?

What we found in our analysis was that power relations were mainly ignored in the interventions and projects we had experience of. Many times, the power involved is of a subtle (invisible) type, when because of entrenched relationships of oppression between Roma and non-Roma and not enough attention was given to dismantling these, the alliances do not happen.

Often Roma projects start and stop and do not take into account the ever-changing canvas of human relationships, shifting alliances and

also enduring alliances. While projects cannot be flexible and long-term enough to actually effect change, alliances that span a number of projects because the people involved remain motivated to work together can go against those linear models.

Setting the goals was crucial in all the experiences discussed, however, it was not always done in a satisfactory way, and most often, they were only partially achieved by the end of the projects. Be it empowerment, or simply building alliances, the goals require time to be developed and are influenced both by internal and external factors, such as societal power relations, which have to be acknowledged and taken into consideration if we want success. This process often extends over the whole period of working together.

When we looked at the long-term changes all these projects achieved, the authors' experiences were diverse. In most cases, we had no formal information about the long-term consequences, as there was no follow-up. We also found that thanks to the growing number of such attempts, Roma got more involved in decision making processes within and outside the projects, both individually and on a systemic level, but their involvement is mainly restricted to the level of consultation. Most of us built personal relationships and even friendships across groups, which, although not measurable, we find important in the long-term.

From the discussion it arose that participating in an inter-ethnic alliance places a lot of intrapersonal burden on both Roma and non-Roma. They have to manage their ethnic identity related to the distribution of power, as well as their affiliation to organisations, institutions and communities in terms of who they represent. Self-reflection or the lack thereof can affect the dynamics and the outcomes of a project.

During our conversation we identified some aspects of antigypsyism across our cooperation attempts, some of which were successfully tackled during the process of working together, such as the idea that Roma and non-Roma are essentially, inherently different and there is a hierarchical relationship between the "backward" values and lifestyle of Roma and the enlightened knowledge of the non-Roma, or the attitudes and practices of excluding Roma from decision making.

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A Short Momentum for Roma Rights: How Promising Is the Swedish Example?

Jan Selling

In September 2016 the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) organised an international conference on "Confronting Anti-Gypsyism" in Berlin. Several Romani leaders as well as politicians and NGO representatives highlighted Sweden and Norway as promising examples of confronting antigypsyism by using state commissions for past abuses.

This paper will focus on the Swedish example, making clear how it differs from the Norwegian one and critically analysing the circumstances around an apparent Swedish momentum on Roma rights and antigypsyism in the years 2010-2016: How did it emerge? How was it used? What were the consequences of political choices?

Historical Background

Today the recognised Swedish Roma national minority consists of a large diversity of Romani groups. The total number is estimated between 50,000 and 100,000.[1] The first evidence of Roma in Sweden goes back to 1512. A second immigration of Roma occurred at the end of the 19th century. Between 1914 and 1954 the borders were explicitly closed for "Gypsies, vagabonds, travellers". Thereafter, Finnish and East European Roma immigrated to and settled in Sweden in different stages (SOU, 2010: 55). As in other parts of Europe, Roma and people perceived as "Gypsies" have faced prejudice and persecution in Sweden. However, as is often forgotten, not all interaction between the majority society and the Romani minority in history has been hostile. On the contrary, there is solid historical evidence of interaction, interdependence, integration and inclusion. (Tervonen, 2010) On the other hand, the Romani minority is the only ethnic group which has been targeted

1 There are no official statistics. The estimate quoted is from the government sponsored site www.minoritet.se.

by explicit racist legislation in Sweden during the last century, as referred to above. Also, the historical preoccupation with "Gypsies" is disproportionate to the actual number of Roma. This disproportionate preoccupation can only be understood by adapting the notion of antigypsyism.[2]

At the beginning of the 20th century descendants of the first Romani immigrants (*Resande*) as well as the more recently immigrated Roma (*Romer*) were targeted as a "vagrancy problem". As racial biology became dominant, the state policy made a distinction between the two groups on a pseudo-scientific foundation. The first group, pejoratively called "tattare", were regarded as a "racial blend" – innately anti-social, but still Swedish. *Resande*, but also many other people labelled as "tattare", faced forced assimilation, child custody and in many cases forced sterilisation (Selling, 2013; Regeringskansliet, 2015: 69-70). The second group, officially labelled as "zigenare", were regarded as aliens. As most of the *Romer* were stateless and thus could not be deported, the state developed programmes which explicitly aimed to make them leave Sweden voluntarily (SOU, 1923: 2). They were denied all social rights, access to schools and even the right to settle down.[3] On several occasions, both groups were subject to registration on the basis of their ethnicity. It is mainly this period of history, during the first half of the 20th century, which has been referred to as explicit Swedish state antiziganism by current scholarly and political discourse (Selling, 2013; Regeringskansliet, 2015).

In the 1950s these policies changed. As racial biology was discredited, the programmes against "tattare" could no longer be justified and the "tattare" issue disappeared from the political agenda. As a result, concealing their ethnic identity to outsiders became a survival strategy for many *Resande*. On the contrary, the "zigenare" issue received increasing attention, as the group members were easy to spot due to the aforementioned consistent exclusion policy. However, the perspective was now reversed: it was now acknowledged that

2 I use the notion as analogue to antiziganism. See: Selling, 2018.

3 At the local level, hosting *Resande* was prohibited in many places. There was never a formal settle-down prohibit against "zigenare", but local regulations were very commonly used to hinder and evict Roma camps (Selling, 2013).

the "zigenare" policy had caused immense social and health related problems which were not compatible with the self-image of the modern Swedish welfare state. Inspired by the American civil rights movement, the Communist Party in 1953 proposed a motion to end "racial discrimination against Gypsies".[4] The Social Democratic government responded with a paternalistic programme of "voluntary" assimilation.[5] Minority rights were not yet on the agenda and there was no intention of listening to Romani representatives when developing these policies. The tone had changed, but the new policies were unable to heal the damages caused by past structural antigypsyism. It was in this context that the Swedish Kelderash author Katarina Taikon became a prominent voice for the demands of the Romani minority (Taikon, 1963; 1967).

The next shift, which leads to the focus of this article, relates to the international context: the Swedish recognition of Roma, Sami, Tornedalers, Jews and Swedish-Finns was a response to a European process of recognising minority rights and the transatlantic discourse around historical responsibility for the Holocaust (Council of Europe, 1995; Selling, 2011). With regard to the latter topic, Sweden played a prominent role by hosting the Stockholm International Forum of the Holocaust. The Roma were long neglected in this process, but the idea of historical responsibility became established. As a result of this process, representatives of the Roma minority in Sweden became accepted as part of the political process, including the emerging self-organising of the *Resande* group. In 2000 the Swedish Church publicly acknowledged responsibility for its historical wrongs and the government apologised to the *Resande* group. However, there was hardly any research on Swedish antigypsyist history available and the apologies remained vague and without consequences. To address this situation, the government established the Delegation for Roma Issues, composed of experts and Romani representatives. In 2010 it published its final report, which

4 The Communist Party's motion was written by physician John Takman, who since 1950 had conducted social medical field studies among Swedish *Romer* (Sveriges Riksdag [Swedish Parliament]. *Motion i andra kammaren 1953, Nr. 82)*.

5 Ethnologist Carl-Herman Tillhagen, who was the chief consultant, described Roma as "large children" and stated that "[a]ll …measures must aim at a fast and complete assimilation of the Gypsies" (Selling, 2013: 136).

provided in-depth insight into the historical and current situation of Roma in Sweden and offered a basis for new policies to be developed (clearly indicated by the title of the report: *Roma Rights – A Strategy for Roma in Sweden*). The report focused on three aspects: social justice, empowerment and trust. The Delegation called for a Swedish strategy for Roma inclusion, in line with the European Union Common Basic Principles for Roma Inclusion. Secondly, it suggested a "truth commission with a mandate to uncover past abuses of the Roma minority in Sweden". Such a commission should also explore conditions for collective material compensation and for an official apology. The report referred to the Norwegian model, which included state funded research programmes, an official apology and compensation in the form of a state funded documentation and cultural centre as well as a foundation providing funding for Roma (SOU, 2010: 55: 525). As explained below, these recommendations were not implemented in Sweden.

Emergence of a Momentum

In 2012 the newly elected centre-right government adopted a Roma inclusion strategy (Regeringens skrivelse, 2012). But it dismissed the Delegation's suggestion to follow the more radical Norwegian model: there would be no compensation, no truth commission and no apology. Instead, a governmental White Paper would document the experiences of the victims of Swedish antigypsyism during the period 1900-2000. This was criticised by some Roma and academics for a number of reasons: the time scope was too narrow and seemed to suggest that antigypsyism was already history; the investigation would not be conducted independently; only the testimonies of the victims were to be included, but not those of the perpetrators; and this model seemed to avoid actual historical responsibility. Gradually, the issue became a public topic. Media presented documents and stories on the "dark and unknown past" of Roma in Sweden. Academics started to discover the topic and an international conference on antiziganism was organised in Uppsala (Selling et al, 2015). But the real game changer was the journalistic scoop of *Dagens Nyheter* on 23 September 2013: the newspaper revealed that the Swedish police was secretly registering thousands of Roma – adults, children and deceased – for no other reason than their ethnicity. As the White Paper was in its final editing phase and

not supposed to deal with post-millennium antigypsyism, it had to be re-edited. The media focus was on the police, who at first denied the existence of the database and then tried to whitewash the record-keeping as crime-related "normal practice". With the revelation, a momentum was reached: general media coverage became more sympathetic to Roma – with regard to the historical mistreatment as well as the present situation of Romanian beggars, who were often stereotypically identified as Roma – and the topic was trending (Selling, 2013).[6] At this moment, the White Paper project lost credibility and the demands for a truth commission received new strength, not least since the police was one of the referral bodies which had turned down the suggestion of the Delegation for Roma Issues.[7] The government instead chose another solution: shortly before the release of the White Paper it was announced that the government would establish a "Commission against antiziganism", headed by former Council of Europe Commissioner for Human Rights, Thomas Hammarberg, and composed of a majority of Roma.[8] This commission was time limited and did not have resources to commission research.

Analysis

The government's decision to establish the "Commission against antiziganism" was announced only four days before the launch of the White Paper. We can therefore assume that this was a way to regain credibility in the light of the police scandal and to appease critics. At the launch event of the White Paper, Soraya Post, Vice-President of the European Roma and Travellers Forum (ERTF) and representative of the Swedish Feminist Party,[9] was invited to testify how antigypsyism affected her personally, being a *Resande* woman. She started by voicing the lack of trust felt by many Roma in Sweden, including regarding the White Paper: "Everyone is grateful

6 Quantitative analysis based on a search in the Swedish print media database Retriever (www.retriever.se).

7 See also the statements by the research network RORHIN (Roma and Resande History in the Nordic Countries), which included Roma scholars and activists in favour of following the Norwegian example (*Dagens Nyheter*, 1 October 2013; Uppsala University, 2014).

8 The Commission homepage is archived at: http://www.minoritet.se/user/motantiziganism/english/index.html.

9 In 2014, Soraya Post was elected as a Member of the European Parliament for the Feminist Party.

for this White Paper. I have to start by saying that I can't say 'thank you' yet. I still haven't seen what it may result in". In her speech, she questioned whether all parts of the government were committed to implementing Roma rights. Commenting on the fact that the police still had not taken responsibility for its discriminatory registering practice, she claimed: "I know it's heavy – especially when you get slapped with the police register". Post especially criticised the discussion on a begging ban and the ongoing evictions from camps, which she saw as a repetition of the history described in the White Paper and an inability to learn from the past (Riksarkivet, 2014).

The governmental strategy turned out to have mixed results, since the demands for a truth (or expert) commission were subsequently more seldom discussed, but the police scandal remained an unresolved topic for another year until the Ombudsman for Justice in 2015 clearly stated that the register was not only illegal but also constituted ethnic discrimination. Subsequently, the Head of Police, Dan Eliasson, apologised to the Roma in Sweden in an address to the "Commission against antiziganism" as well as in an interview with the newspaper *Dagens Nyheter* on 8 May 2015. This was remarkable, since the judicial system recognised for the first time that police discrimination of Roma was ethnic discrimination. It was also the first time that a Swedish Head of Police apologised to Roma.[10] Eventually, in 2016 a court ruled that the registered persons were entitled to individual compensation (Stockholms Tingsrätt, 2016). In the interview, Eliasson commented on the historical continuity of antigypsyism in the following way:

> Many of us who live in Sweden have grown up in an environment where Roma have been portrayed in a certain way. We have a luggage with us that can certainly have affected us within the police without knowing about it. I do not rule out that it may have been important here. But I'm not inclined to believe that there would be a desire for discrimination (*Dagens Nyheter*, 2015).

10 In an eviction case in 1956 the police practice was condemned by the supreme court *(Svea Hovrätt)*, but only for technical reasons and not for ethnic discrimination (Selling, 2013). The same occurred in a 2010 Ombudsman for Justice decision which is discussed below.

This might be seen as a recognition of the impact of structural antigypsyism in the police. At the same time, it is an indication of a failure of the White Paper, namely to bring to light the historical role of the police as a key agent in the persecution of Roma and not simply a passive mirror of prejudice (Selling, 2017).

The Hammarberg Commission played an active role in forcing the police to take responsibility and in establishing the notion of antigypsyism itself. In its final report, it also sharply criticised the antigypsyist undertones of the begging debate (SOU, 2016: 44). Further, it reiterated the 2010 demands of the Delegation for Roma issues for an official apology and material compensation in the form of a Roma institution.[11] However, in retrospect, it seems that the momentum was over by the time the report was published in 2016.

The Swedish Momentum in European Light

At the afore-mentioned 2016 ODIHR conference, several participants expressed fear of losing the momentum for human rights issues at the European level, including for Roma rights. Three factors were pinpointed: 1) the increasing influence of right-wing populism on mainstream politics; 2) the shift of media focus to other topics, such as the so-called "refugee crisis"; 3) the crisis of EU institutions. To counteract these factors, it was suggested to strengthen alliances between political actors and NGOs, to make use of the 2015 European Parliament Resolution on antigypsyism and the commemoration of the Roma Holocaust and to build on positive existing practices (Selling, 2016).

In the Swedish context, the first two factors can be substantiated statistically. The hits for the term *Romer* in the media database retriever show a significant peak in the years 2013-2015, with a fivefold increase following the revelation of the police registering scandal in September 2013. From 2016 the topic *Romer* returned to the same low level as prior to 2013. Another observation is that during the "momentum", the interlinking of the topics Roma and begging increased significantly: in 2015 more than a third of all

11 The Department of Culture Sweden is currently preparing a plan for a "national centre for Roma issues", which partly follows the suggestions of the 2010 and 2016 Swedish Official Government Reports.

articles about Roma also mentioned begging, compared to less than 10% before 2014. This is important, since the number of articles discussing the begging ban steadily increased during this period.[12] At the same time, between July 2014 and July 2015 the xenophobic and nationalist party *Sverigedemokraterna* doubled its support in opinion polls and stabilised at close to 20%.[13] This coincided with the poster campaigns of the *Sverigedemokraterna* against "organised begging", which on the internet were accompanied by explicit antigypsyist statements.[14]

However, it would be a mistake to believe that the antigypsyist anti-begging discourse was an invention of far-right populists. Begging has not been illegal in Sweden since 1964. In 2010 the Swedish Minister of migration Tobias Billström defended the expulsion of so-called "Roma beggars" and street musicians from Stockholm. In a radio interview, Billström claimed that Roma were "more inclined than other groups" to travel to Sweden with the intent of earning money "dishonestly". Accordingly, the Stockholm police made use of antigypsyist legislation on vagrancy which was no longer valid and applied it exclusively to Roma. This was condemned by the European Commissioner for Human Rights and by the Swedish Ombudsman for Justice, even though the latter did not make reference to ethnic discrimination (Selling, 2013: 176-179). In 2012 Billström was one of six European ministers behind the initiative to reintroduce visa regulations for Serbia to curb Roma immigration (Department of Justice Sweden, 2012). In the formal request, Roma are not mentioned but the aim is made clear by referring to a document from the European Commission, where Roma are the key topic. The document claims that "the increasing frequency of well-organised groups of asylum-seekers of Roma origin call for more targeted result-oriented actions" (European Commission, 2012). In the same year, the Conservative party (*moderaterna*), of which Billström

12 Analysis based on search term hits in the media database Retriever.se.

13 During the same period the government coalition of Social Democrats, Green Party and the Left lost support from around 50% to 38% (aggregation of Swedish opinion polls at: https://val.digital/history).

14 For example, the former editor of the *Sverigedemokraterna* magazine *SD-Kuriren* wrote on his blog that "East European criminal Gypsy bands ["zigenarligor"] make our city centres ugly" (Hansson, 2013). See also: Expo, 2014; Brentlin and Israelsson, 2014; The Independent, 2015.

was a member, set up a working group aiming at prohibiting begging (Selling, 2013: 179).

A recent study by sociologist Vanessa Barker (2017) analyses "the begging debate" from yet another angle: the challenge of keeping the Nordic welfare state intact as negotiated within the dominant discourse of "Scandinavian exceptionalism". According to Barker, even the right-wing had to accept this dominant discourse. Thus, the begging debate resulted – so far – in "benevolent violence", as Barker calls the duality of formally allowing begging, but using coercive means against its (non-Swedish) practitioners, i.e. increasing forced evictions, criminalising "organised begging" and hindering cross-border mobility. She also notes that the mere existence of the "begging problem" is connected to the discourse on the threatened welfare state, i.e. the Swedish nation. As Chalak Kaveh (2015) has shown for the Norwegian situation, this lays the ground for the scapegoating of Roma. Although the "refugee crisis" of 2015 tended to overshadow this issue, the visibility of beggars, identified as "anti-social Roma", continuously reactivates deep-seated and centuries-old antigypsyist ideology. In its final report of 2016, the Swedish "Commission against Antiziganism" stated that there is a clear connection between the antigypsyist discourse on begging and the rise of antigypsyist hate crimes, including violence against actual and perceived Roma.

Concluding Remarks

The Swedish momentum for Roma rights peaked in the years 2013-2015. It was a result both of a European process advocating Roma rights and of the international discourse on historical responsibility. Political agency contributed to a policy shift that resulted in the governmental Delegation for Roma Issues adopting a Roma rights perspective, which encouraged Roma political participation. The concept of uncovering and learning from past abuses received increasing attention in the media and academia and the term antiziganism / antigypsyism was established. The historical and present responsibility of majority society for the discrimination and exclusion of Roma came into focus. Demands for a truth commission and collective compensation gained strength. The police registering scandal confirmed the problem description and the topic trended.

In this situation, the government had to adjust its modest strategy of simply collecting Roma testimonies of experiencing historical antigypsyism and established the "Commission against antiziganism". At the same time, a counter-discourse grew in mainstream politics and the media which was eventually exploited by the racist party *Sverigedemokraterna*. The begging debate turned into a discourse which reactivated antigypsyist scapegoating: "beggar" became a code word for Roma. As the mainstream media lost interest in Roma in 2016, the "anti-beggar" debate remained active and was reinforced in mainstream politics: even the Social Democratic government started to discuss a ban.

Thus, the momentum for Roma rights was two-sided and the debate has become more polarised. Perhaps the most important result is the insight that a good report or a good commission does not automatically lead to a policy change if there is a lack of public pressure. This case study also shows the determining influence of unpredictable media discourses which may reinforce or delegitimise latent and manifest antigypsyism.

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Escaping the Labyrinth of Roma Political Representation. Reflections on Common Citizenship[1]

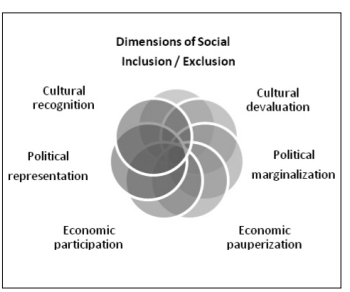
Ismael Cortés Gómez

Introduction

The fall of state socialism in Europe led to new social conflicts, putting historical injustices and claims for recognition at the core of debates on inequality. With this approach, struggles for justice go beyond demands for economic equality among individuals (see Figure 1 below). In the words of social philosopher Axel Honneth:

> For victims of historical disrespect, [recognition] has the direct function of tearing them out of the crippling situation of passively endured humiliation and helping them, in turn, on their way to a new, positive relation-to-self (Honneth, 1995: 164).

In the post-Socialist juncture, studies in the theory of recognition designed new models of justice, aiming to transform structural mechanisms of social exclusion. In Fraser's own words, this project of social transformation: "aimed at correcting [societal] inequitable outcomes precisely by restructuring the underlying generative framework" (Fraser, 1995: 82). For this purpose, economic redistribution policies were considered as systemically intertwined with policies of cultural recognition and new strategies for political representation (Fraser, 1997; Fraser & Honneth, 2003; Fraser, 2014).



In this context, the notion of "exclusion" describes a state in which certain groups are unable to participate in different

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areas of economic, cultural and political life, as well as the process leading to and sustaining such a state. As the United Nations (UN) recognise: "exclusion entails not only material deprivation, but also lack of agency over important decisions as well as feelings of alienation and inferiority" (United Nations, 2016: 18).

In this political scenario, theoretical tools such as feminist critique, post-colonial theory and critical race studies deployed a review of deliberative democracy, by tackling power relations embodied in ethnicity, gender, class and nationality (Alcoff & Mendieta, 2003; Andersen & Hill Collins, 1992). In line with these intellectual and political developments, Honneth sustains that

> We may justify principles of justice only by locating them in the relations of [political] communication themselves, in their conditions of validity. This alternative procedure could thus be termed 'reconstructive', because it does not accept an impartial standpoint from which to justify principles of justice, but 'reconstructs' them within the historical process of relations of recognition in which they are always already at work (Honneth, 2012: 47).

At the core of this definition of justice, beyond any *corpus juris*, lies the right to claim rights. This requires a democratic redistribution of technical, symbolic and economic resources; as well as channels for dialogue with power drivers such as governmental / intergovernmental institutions and political parties.

Through institutional discourse analysis, this article looks at the ways in which texts crystallise a complex process of policy institutionalisation; and how texts are key instruments of influencing and ruling politics (Smith & Turner, 2014; Hult & Johnson, 2015; Peacock, 2017). It examines the genesis of EU Roma policies, pointing out two core antinomies: a) the ethnicity blind liberal conception of individual emancipation has been reproducing interethnic inequality, due to its inability to counter deeply rooted antigypsyism

as a mechanism of social exclusion;[2] and b) the ethno-communitarian concept of collective emancipation has revealed the limitations of civic initiatives based on NGO networks, while power differentials in democratic bodies and public institutions continue to be unaddressed. To overcome such antinomies, the paper explores different political scenarios to enable pathways for Roma equality by enacting processes of common citizenship.

The Unfinished Road of Minority Rights for Roma in Europe

Minority rights imply State protection of cultural diversity while enacting a democratic ground for common citizenship. The most important normative document for minority rights is the "UN Declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities", adopted in 1992. This declaration establishes fundamental norms for managing diversity and ensuring non-discrimination of minorities. Articles 1.1, 2.3 and 5.1 contain crucial aspects:

> Article 1.1: States shall protect the identity and national or ethnic, cultural, religious and linguistic existence of minorities within their respective territories and shall foster conditions for the promotion of that identity.
> Article 2.3: Persons belonging to minorities shall have the right to participate effectively in decisions taken at national level and, where appropriate, at regional level with respect to the minority to which they belong or of the regions in which they live, in any way which is not incompatible with national legislation.

2 There are different definitions of the term "antigypsyism": A) *Antigypsyism* is a specific form of racism, an ideology founded on racial superiority, a form of dehumanisation and institutional racism nurtured by historical discrimination, which is expressed, among other things, by violence, hate speech, exploitation, stigmatisation and the most blatant kind of discrimination (ECRI, 2011). B) Antigypsyism is a specific nature of racism directed towards to Roma, on a par with anti-Semitism: a) it is persistent both historically and geographically (permanent and not decreasing); b) it is systematic (accepted by virtually all the community); c) it is often accompanied by acts of violence (Council of Europe, 2012). C) *Antigypsyism* is a historically constructed, persistent complex of customary racism against social groups identified under the stigma "gypsy" or other related terms, and incorporates: 1. Homogenising and essentialising the perception and description of these groups; 2. The attribution of specific characteristics to them; 3. Discriminating social structures and violent practices that emerge against that background, which have a degrading and ostracising effect and which reproduce structural disadvantages (Alliance against Antigypsyism, 2016).

> Article 5.1: National policies and programs shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

On 2 February 1993 the Parliamentary Assembly of the Council of Europe approved the first recommendation on "Gypsies in Europe. Recommendation 1203." Here the Roma were defined as follows:

> as a non-territorial minority a special place among the minorities is reserved for Gypsies. Living scattered all over Europe, not having a country to call their own, they are a true European minority, but one that does not fit into the definitions of national or linguistic minorities (Council of Europe, 1993).

This definition plays a double role: a) on the one hand, it recognises the Roma as a "true European minority"; and b) on the other hand, it considers them neither a national minority nor a linguistic minority. Despite this initial ambiguity, the Framework Convention for the Protection of National Minorities (Council of Europe, 1994) applies a flexible approach and does not stick to definitions of national minorities. In fact, the Roma are mentioned in all opinions of the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC).[3] ACFC recommendations to state parties cover major Roma issues, among others those related to articles 14 or 15 of the Framework Convention for the Protection of National Minorities (FCNM):

> Article 14: in areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.

3 See detailed opinions of the FCNM on the webpage: https://www.coe.int/en/web/minorities/country-specific-monitoring. Therefore, Roma are not excluded from the FCNM, although many countries indeed do not respect their rights and deny their access to many spheres covered by articles of the FCNM (ACFC, 2016).

> Article 15: the parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them (Council of Europe, 1994: 6).

In the 2000 report on the "Situation of Roma and Sinti in the OSCE Area", the High Commissioner on National Minorities, van der Stoel, raised attention to the actual vulnerability of Roma rights. Moreover, the report acknowledged the Roma as a transnational ethnic minority, present across Europe, and sharing a common history and language. It also pointed out that the high number of Roma living in poverty is the result of centuries of political persecution. The report also provided two main recommendations on political engagement:

> • Inclusiveness: mechanisms for securing Romani participation in shaping major policy initiatives are most likely to be effective and legitimate if they involve a broadly representative process.
> • Involvement of Roma in implementation and evaluation: Roma should be meaningfully involved not only in developing but also implementing and evaluating the success of programmes aimed at improving the conditions of Romani communities (Organization for Security and Cooperation in Europe, 2000: 161-162).

The above mentioned report influenced the Parliamentary Assembly of the Council of Europe, specifically its "Recommendation 1557. On the legal situation of Roma in Europe":

> Roma form a special minority group, in so far as they have a double minority status. They are an ethnic community and most of them belong to the socially disadvantaged groups of society. Most Roma are currently faced with a rather severe economic situation in most of the member countries of the Council of Europe. Despite efforts in the social field, the market economy, especially the neo-liberal version of it, has marginalized disadvantaged social groups including Roma even in the most developed European countries (Council of Europe, 2002).

The analyses of the Organization for Security and Cooperation in Europe (OSCE) and Council of Europe (CoE) evolved together, influencing each other mutually. These analyses eventually led to the "Action plan on improving the situation of Roma and Sinti within the OSCE area" (OSCE, 2003). This is a comprehensive plan that covers anti-discrimination measures, social and economic inclusion measures and political empowerment initiatives. However, this plan was never given sufficient funding to be implemented.

In parallel, the World Bank (WB) in partnership with the Open Society Foundations (OSF) designed an alternative plan for Roma inclusion in Central and Eastern Europe (CEE), aiming to close the gap between Roma and non-Roma in four key areas: education, employment, healthcare and housing. This came out a year before the enlargement process of the European Union,[4] when Roma poverty openly became a "security threat" for the entire EU, due to negative perceptions on the migration flux from CEE to the West (Sigona and Trehan, 2009; Stewart, 2012; van Baar, Ivasiuc & Kreide, 2018). Already in 1999, foreseeing tensions between EU members and accessing countries, policy commitments with special inclusion programmes for Roma became a precondition for joining the EU.

In the EU enlargement context, the WB published three main reports (2002; 2005; 2010) that provided fundamental arguments to adopt and implement a framework for Roma inclusion: first through the "Decade of Roma Inclusion 2005–2015" in CEE, and later in the entire EU through the "EU Framework for National Roma Integration Strategies up to 2020". The WB brought to the table a strong utilitarian argument, by referring to the benefits of integrating Roma into the labour market for European societies. It foresaw substantial societal gains such as: reducing social welfare spending; growing economic productivity; rising fiscal benefits; and reducing the risk of crimes driven by social exclusion and poverty (World Bank, 2010: 15-21).

4 On 1 May 2004 eight Central and Eastern European countries (the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, and Slovenia), plus two Mediterranean countries (Malta and Cyprus) joined the European Union. Although Romania and Bulgaria were initially deemed not fully ready to join in 2004 by the Commission, they became EU members on 1 January 2007.

What have been the results of these plans so far? What are the main critiques from a minority rights perspective?

The Roma, an Unaccounted Political Subject

In its last assessment report, the Decade of Roma Inclusion Secretariat Foundation (2015) concluded that: "the Decade has failed to make an impact on the daily lives of the majority of Roma". There is a general consensus on the causes that led to this failure: a) lack of funding; b) unclear and insufficient role of Roma actors in decision making processes; c) lack of involvement of high level authorities in the implementation of the Decade at national level; d) local Roma communities were not aware of the existence of these integration plans (Brüggemann & Friedman, 2017).

It is also relevant to mention that five years after the adoption of the so called "EU Roma framework", the European Commission (EC) recognised in its 2017 communication on the mid-term review: "insufficient Roma participation in decision making processes, and therefore the need to promote an active role of the Roma, taking an integrated approach to policy interventions" (European Commission, 2017).

In addition, the assessment of the "EU Roma Framework" commissioned by the Open Society European Policy Institute underlined that the EU Roma framework leads to inconsistent approaches toward the issue of "inclusion", confounding social and ethnic categories (Mirga-Kruszelnicka, 2017). As a result of this lack of clarity, the debate has been misled into economic terms, by labelling the Roma as an underclass population. In the meantime, the debate on the political dimensions of racist exclusion has been overshadowed. Indeed, as indicated by the "EC Report on the implementation of the EU framework for Roma inclusion":

> Roma communities are funded mainly under the objective of social inclusion, in particular from measures financed through the priority "integrating disadvantaged people" […] It should be emphasized however that in most cases non-Roma disadvantaged people can benefit from the same measures (European Commission, 2014: 13).

To understand the logic behind this framing, we must acknowledge that the EC has "no competences on the recognition of the status of minorities; their self-determination and autonomy; their governing regime; the use of regional or minority languages" (Carrera et al, 2017: 14).

Based on the commitment of EU Member States to fulfil the Copenhagen criteria on the protection of minorities (European Council, 1993), the EC assumed that the EU-15 had satisfactorily resolved all questions relating to ethnic or national minorities. The protection of minorities was therefore one of the political criteria for accession in the context of EU enlargement in Central and Eastern Europe. This has led to the so-called "Copenhagen dilemma": while most CEE countries formally recognised the status of ethnic or national minorities (including the Roma), such recognition is still lacking in several western European countries.[5]

Besides the Copenhagen dilemma in the EU, scholars like Galbreath and McEvoy have pointed out three fundamental critiques to the Europe-wide "Framework Convention for the Protection of National Minorities":

- First: it lacks a definition of "national minority". This lack of a definition raises fundamental questions about who the Convention applies to – all minorities within a state or just those that the state chooses to recognise.
- Second: it establishes a monitoring system for state policies but not a "supranational enforcement mechanism".
- Third: the Convention does not specify what the appropriate government policies should be to ensure effective implementation. A considerable limitation of the Convention's potential impact is that its implementation is dependent on domestic politics and legislation (Galbreath & McEvoy, 2012: 85-87).

The inconsistent minority rights scheme in Europe makes it very difficult for the Roma to consolidate a recognised democratic and

5 EU Member States which do not recognise the Roma either as an ethnic or as a national minority are Belgium, Denmark, France, Greece, Italy, Portugal, Spain, the Netherlands, and the United Kingdom.

legitimate voice (or voices). Therefore, Roma participation in governmental / intergovernmental institutions lacks the power to meaningfully impact decision making processes. What political options have been explored so far? And what possible scenarios can be imagined for the future?

Roma Voices Claiming Representation

On 1 January 2001 the International Romani Union (IRU) released its "Declaration of a Roma Nation", under the presidency of Emil Ščuka. It states a very ambiguous claim:

> Individuals belonging to the Roma Nation call for a representation of their Nation, which does not want to become a State. We ask for being recognized as a Nation, for the sake of Roma and of non-Roma individuals, who share the need to deal with the new challenges nowadays […] we have a dream, and we are engaged in fulfilling it. We are a Nation, we share the same tradition, the same culture, the same origin, the same language; we are a Nation (Acton & Klímová, 2001: 216-217).

One may ask: representation where? / recognition by whom? In the 1980s IRU was given consultative status at the United Nations Economic and Social Council. In the 1990s it created relevant institutional links with the Council of Europe, the OSCE and the United Nations High Commissioner for Human Rights. One can therefore assume that IRU was asking for representation as a "nation" in such intergovernmental bodies. But again, a series of questions comes up: Who are the constituencies represented by IRU? On which legal basis could IRU claim nationhood for a transnational diaspora such as the Roma? What are the political limits of NGO networks taken as representative structures?

IRU's model for Roma representation was established during the Second World Roma Congress (Prague, April 1978): connecting Roma communities through small local organisations, federating them under an international umbrella organisation, and claiming legitimacy from (virtually) the entire Roma people. Since then, different international Roma movements have followed the same pattern: the Roma National Congress (RNC, Hamburg, 1980), the

Secretariat of the European Roma and Travellers Forum (ERTF, Strasbourg, 2005) and the European Roma Grassroots Organisation (ERGO, Brussels, 2008). However, this will for self-determination and self-representation has not been significantly translated into actual political power (van Baar, 2011; Kocze, 2012; Rostas, 2012; Vermeersch, 2017).

In the 1990s Nicolae Gheorghe explained that

> within the framework of a new Europe extending its democratic standards and borders, Romani elites are attempting to enter European politics and to gain political representation and recognition of their ethnicity. The Roma are among the last groups in Europe to discover the potential and power of ethno-nationalism and to struggle for a political space of their own (Gheorghe & Mirga, 1997: 2).

Gheorghe was a Romanian sociologist, deputy president of the International Romani Union (1990-1999) and head of the OSCE-ODIHR Roma contact point (1999-2006). During his mandate at the OSCE, he played a major role as a mediator in the negotiations that led to merging the two biggest international Roma organisations of those times, IRU and NRC, into one umbrella organisation under the patronage of the Council of Europe: the Secretariat of the European Roma and Travellers Forum. In 2009, ERTF published its "Charter on the Rights of Roma", stating in article 6:

> We Roma have the right to self-determination, in accordance with international law including: the right to cultivate one's cultural autonomy, the right to freely promote our economic, social and cultural development and to select our partners, projects and programs on our own (European Roma and Travellers Forum, 2009: 6).

Gheorghe defended that "ERTF should have a parliamentary structure under the supervision of the Council of Europe's parliamentary assembly, to prepare the way for an elected European Roma Parliament" (Gheorghe, 2013: 76). However, besides the lack of political will in the highest intergovernmental bodies, three factors blocked the development of a legitimate democratic process that could lead to a transnational Roma parliament: 1) in countries where

Roma are recognised as a national or ethnic minority, there are no reliable data to establish a rigorous ethnic census (Roma Initiatives Office, 2010; Carrera et al, 2017); 2) there are major European countries which do not recognise the Roma either as an ethnic or as a national minority; 3) in Germany and Sweden, where the Sinti and Roma are officially recognised as a national minority, it is forbidden to collect and use ethnic data for any political purpose.

Thus, the basic *conditio sine qua non* to build a recognised and legitimate democratic representation, i.e. to count on an official electoral census, was then (and still is) missing. Eventually, in 2015 the Council of Europe stopped funding ERTF. Since then, its political leverage has decreased significantly. What can we learn from this experience? And what are the alternatives for Roma political representation?

A Pathway Towards Common Citizenship

From my view point, there are two main lessons learned from the experience of ERTF: 1. the limits of ethno-politics in Europe; and 2. the nature of European liberal democracy on the basis of common citizenship.

1. The Limits of Ethno-politics in the EU

If we look at the EU legislative framework, it does not include a viable liberal-democratic form of multiculturalism (Kymlicka, 2007; Malloy, 2013). The EU is based on a liberal (ethnicity blind) conception of citizenship, articulated in the Charter of Fundamental Rights (Nice, 2000) and the different treaties (Maastricht, 1992; Amsterdam, 1997; Nice, 2001; Lisbon, 2007).

Aiming to prevent dynamics of *ethno politics* / *ethno policies*, the EU put at the core of its values the general principle of equal treatment between persons irrespective of racial or ethnic origin. In this sense, the Lisbon Treaty built on the definition of EU citizenship, asserting a claim of equality for all EU citizens and defining exactly who those citizens would be:

> Article 8: In all its activities, the Union shall observe the principle of the equality of its citizens, who shall receive equal attention

> from its institutions, bodies, offices and agencies. Every national of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to national citizenship and shall not replace it (Lisbon Treaty, 2007).

The "EU Roma framework" represents an exceptional case, in which a single ethnic group is the target of an EU policy. This situation has been problematised by different scholars, starting from one of its main intellectual architects: Martin Kovats. He contributed to the development of the "EU's 10 common basic principles on Roma inclusion" (European Commission, 2010). Moreover, from 2010 to 2013 he was the special advisor on Roma issues to the former EU Commissioner for Employment and Social Affairs, László Andor. Kovats advocates for (ethnicity blind) universal principles of justice, when he affirms:

> regardless of what distinct cultural characteristics Roma people may share to a greater or lesser extent (or not at all), Roma are also citizens with the same rights and subject to the same economic, legal and political systems, part of the same national societies and cultures as their non-Roma compatriots. Integration, inclusion, equality of opportunity are concepts that must be meaningfully applied to real people in accordance with their actual circumstances (Kovats, 2012: 3).

This creates a paradoxical situation, in which a transnational ethnic minority that is not recognised as such by many EU Member States and experts (including Kovats himself), is at the same time the target of an EU policy framework. So, one may ask: on which basis are Roma targeted if there is no ethnic ground for such a policy decision? According to Kovats and Surdu, the category "Roma" is "an expert-political construction" (Kovats & Surdu, 2015; Surdu, 2016). They argue that

> Roma is a dynamic political identity constructed mainly from above and from outside by political and expert communities and thereafter applied or adopted by people subjected to public labelling and policy interventions (Kovats & Surdu, 2015: 7).

This definition reproduces the paradox of the Roma being the subject of policy interventions, while being denied their own real subjectivity outside expert and policy frames. Who can define the Roma if not Roma themselves? And who speaks for the Roma if not Roma themselves?

As we have seen already, special mechanisms for minority representation are blocked by design in major EU countries. And the European Parliament (EP) has not developed any mechanism to facilitate political representation of ethnic minorities. Thus, Roma politics operate de facto through NGO networks. This political scenario has forced the Roma to play in such an asymmetrical power game that it has generated what Iulius Rostas (2012) called "a tokenistic relationship". This is a form of political manipulation that consists of placing NGO leaders on advisory governmental / intergovernmental bodies or ad hoc committees, to get legitimacy from them; while their opinions are not substantially taken into account in agenda setting processes, budgetary decisions or policy design.

The words of the current director of the Roma Initiatives Office at the Open Society Foundations, Zeljko Jovanovic, reflect this:

> Unlike other minorities that built their political organization on the model of political parties, we [Roma] have built our model on the NGO structure. This means a higher dependency on external sources, public or private donors. And on some occasions, they have capitalized on our human resources against us. I believe that more and more people are realizing about it. Now, we need to build new power structures, to develop our own emancipatory strategy (Cortés & Jovanovic, 2017).

How could this power imbalance be reverted to enable a fair political negotiation among Roma citizens and power holders?

2. The Nature of EU Liberal Democracy on the Basis of Common Citizenship

McGarry and Agarin (2014) bring a very relevant political question to the Roma case: how to ensure effective participation for minorities? They refer to three dimensions of participation: 1) politics of presence;

2) politics of voice; 3) politics of influence. I would add one more: politics of representation. This fourth dimension constitutes a challenge both for the Romani movement(s) and for mainstream political parties.

So far, the public presence of hundreds of Roma activists in institutional settings has been promoted by NGO networks, through different periodical events such as the EU Roma summits, the EU Roma platform, the EU Roma week and other similar meetings. The voices of some Roma activists can be heard in these meetings. In a much more select way, a few NGO leaders have access to bilateral meetings with high representatives from the European Parlement, the EC, the OSCE and the CoE, and can influence the decision making process. Therefore, we can say that the three dimensions of participation mentioned by McGarry and Agarin are already taking place within the current model of "NGOisation" of Roma politics. However, the fourth dimension, i.e. politics of representation, remains far off on the horizon.

As Vermeersch recognises: "Roma remain underrepresented in local and national assemblies… [and] the presence of minorities and vulnerable groups in representatives' structures is a requirement in any society committed to democratic equality" (Vermeersch, 2017: 209). One may ask: what are the venues to participate in democratic representative structures? My answer is mainstream political parties. This requires critical efforts from both sides: a) from the side of Roma activists, this means acquiring new political knowledge and commitment to mainstream social problems; b) from the side of political parties, this implies mainstreaming Roma issues in all policy discussions, and furthermore, challenging the racist perceptions of their electorates; and c) from both sides, it requires the will to cooperate and to build common ground to mobilise the grassroots.

By principle, cultural and political identities should not coincide, for the sake of open democratic societies. The equation cultural identity equals political identity is a core axiom of fascism. On the contrary, according to EU liberal axiology, intercultural dialogue broadens the horizon of freedom, by opening up the possibility of developing a multiple and fluid identity, in what Bauman and Mauro call the "XXI century Babel" (Bauman & Mauro, 2016). Civic initiatives

play a central role in building social solidarity. This work is crucial at a time when "Social Europe" is in severe crisis (Kovats & Law, 2018; Taba & Ryder, 2018).

To illustrate the strategy of representation that I stand for, I would like to highlight the case of the Romani candidate for the Senate in France, Anina Ciuciu, in 2017. For her candidacy with *Europe Ecologie - les Verts*, she coordinated efforts to find a common denominator between Roma activism and other activist movements. As she described herself:

> We chose to build "Our Future" [campaign slogan] not on identity basis, but on the concrete struggles for social and environmental justice, the equality of rights, the abolition of sexist and racist relations of domination, as well as on the values of resistance, justice and dignity, and in order to rebuild popular sovereignty from the multiplicity that we constitute (Ciuciu, 2018: 118).

Even though she did not gain a seat in the Senate, through her candidacy she put into play: 1) a strategy of politics of presence in many institutional settings and civil society meetings, by showing that her Romani identity is not isolated from the rest of society; 2) a strategy of politics of voice in public debates, national and international media, and academic events; and 3) a strategy of politics of influence within her own party and other parties close to her ideology.

As we can see, the strategy of politics of representation includes the three other dimensions of political participation: presence, influence and voice. Moreover, through her candidacy, Anina Ciuciu overcame the political blockade imposed on minorities in Europe (and especially in France). This innovative political strategy, initiated by a young French Romani woman (of Romanian origin), escaped the labyrinth of minority politics; and it opened a door for what she calls "a trans-minority multiplicity". In her new position as a candidate for the Senate within a mainstream political party, she did not have to fit into the box that governmental / intergovernmental institutions imposed on her as a young Romani woman. On the contrary, she defended her own vision for the whole country, as a potential representative of the French people.

Conclusions

The article underlines how strategies for economic inclusion have failed, to a large extent, because of the lack of political involvement of Roma communities at national and local level. This form of exclusion continues to be the core element of a subtle and persistent antigypsyism.

In this rationale, the article shows how representation of minorities, in general, and of Roma, in particular, is blocked by institutional design in the EU: liberal democracy is a system made by majorities for majorities. In this logic, minorities remain either on the margins of politics or totally aside. Claims for recognition and representation from international bodies did not change the situation in practice. This article therefore proposes a way to build solidarity with other groups on the basis of common citizenship.

Through the case study, the article reflects on the nature of citizenship and the process of constitution of a complex political subjectivity: not on the basis of identity, but on a multiplicity of social groups fighting for equality from the margins of the system. With this approach, political identities are not ready-made structures that are culturally bounded; but fluid and adaptive structures that respond to contingent critical junctures. This is a way to re-articulate institutional regimes of rights, from the perspective of coordinated acts of citizenship.

In this framework, civil society groups such as NGOs, religious institutions, community service organisations or trade unions, are all power structures that can give a voice and provide influence to specific groups. However, beyond the strategies of voicing and influencing, to achieve an impactful strategy of representation, different groups need to figure out tactics of coalition building and solidarity. Such a coalition building would be united by a political party and decentralised by multiple civic constituencies. In this sense, bringing heterogeneous social demands under one political platform does not mean homogeneisation / uniformisation of diverse social or cultural identities.

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European Advocacy to Combat Antigypsyism: Looking Back, Looking Ahead

Isabela Mihalache and Jonathan Mack

Introduction

> The development towards a democratic Europe, the democracy in which we live today, was and is not a matter of course. Antigypsyism, like antisemitism, is aimed primarily at the Sinti and Roma or at the Jews, but in fact, they are an attack on democracy, on the rule of law and our common European values. Above all, therefore, antigypsyism in Europe must finally be banned, sanctioned and consistently fought. The deplorable situation in which Roma continue to live in many European countries, eight years after the EU adopted measures for Roma inclusion, shows how urgent this is.
>
> Romani Rose

There has recently been significant progress in the political debate on antigypsyism, and civil society advocacy work greatly contributed to this in the past years. After decades of reluctance, we see an important shift of discourse, from blaming Roma for their misery to making governments accountable for the lack of social inclusion of Roma, to finally recognising deep levels of discrimination and racism against Roma as the overarching root cause of exclusion. This is indicative of the important role civil society and Roma have played throughout this process.

At the same time, in spite of growing understanding and recognition of Roma discrimination and racism at EU level, the situation of Roma in most EU Member States, particularly of those living in rural areas, has not improved much; they continue to be victims of structural discrimination, hate crimes and organised mob violence, as well as targets of hate speech and objects of disinformation. More needs to be done to put the new approach of combating antigypsyism in practice, both in legislative frameworks and policies at EU and national level.

This article reflects on the achievements of advocacy work in the past few years, but also on the gaps and failures in order to outline some key priorities for the upcoming period.

1. Antigypsyism

There is a growing recognition of the phenomenon of antigypsyism in Europe, of major gaps between Roma and non-Roma in social inclusion, access to education, employment goods and services, health and housing. Research shows that Roma are discriminated against in almost all fields of public life, and that many live in extreme poverty, also when compared to those living in the world's poorest regions. What makes antigypsyism stand out is the impunity of the perpetrators of crimes against Roma, whether from state or non-state actors, but also the role of state institutions in reproducing racism and a culture of inequality against Roma. Politicians and media make anti-Roma statements and use hate speech (Central Council of German Sinti and Roma, 2017), which continues to be accepted in society, and does not lead to any protest or outcry. This in turn legitimises and encourages acts of antigypsyism manifested through negative stereotypes, verbal abuse, physical violence and racist attacks, mass expulsions and deportations, police raids and segregation.

However, it has not been easy to define antigypsyism. There is no agreed definition for it among scholars or Roma civil society organisations.

The Alliance against Antigypsyism's *Reference Paper on Antigypsyism* proposed a working definition of antigypsyism that reflects a deeper, systematic understanding of this phenomenon, which was instrumental in initiating a debate on this specific form of racism, in particular at EU level, and moving beyond just focusing on discrimination. The paper explores the characteristics and background of antigypsyism, as well as dimensions of its manifestations. The rationale behind this paper is that the current lack of a common understanding of the scope, depth and implications of antigypsyism hinders the formulation of effective answers to tackle it.

2. Laying the Ground at EU Policy Level towards the Fight against Antigypsyism

The major achievement in the fight against antigypsyism lies in the shift from victimisation of Roma towards states' acknowledgement of their role in reinforcing racism against Roma and their obligation not only to protect Roma but also to achieve substantive equality for all.

The recognition of antigypsyism as a specific form of racism is increasingly gaining ground at the EU level. The most important policy progress achieved so far is the Roma integration process culminating with the 2011 adoption of the EU Framework for National Roma Integration Strategies (European Commission, 2011), which calls on EU Member States to take action to break the vicious cycle of poverty and marginalisation many Roma have to live in, asking for a clear commitment from Member States and national, regional and local authorities, and active involvement of Roma civil society organisations. This was followed by the EU Council Recommendation on effective Roma integration measures in the Member States in 2013, which provides detailed guidance on implementing and monitoring Roma integration measures.

In 2015 the European Parliament passed the historic resolution "Anti-Gypsyism in Europe and EU Recognition of the Memorial Day of the Roma Genocide during World War II", which recognised antigypsyism as a specific form of racism and expressed "deep concern at the rise of anti-Gypsyism, as manifested inter alia through anti-Roma rhetoric and violent attacks against Roma in Europe". The resolution recognised "the historical fact of the genocide of Roma that took place during World War II" and concluded "that a European day should be dedicated to commemorating the victims of the genocide of the Roma during World War II" – the Roma Holocaust Memorial Day on 2 August.

In 2017 the European Parliament adopted the report on "Fundamental Rights Aspects in Roma integration in the EU: Fighting anti-Gypsyism" on the initiative of MEP Soraya Post, which calls on the Commission to "place anti-Gypsyism in the focus of the post-2020

EU Framework [...], and to introduce anti-discrimination indicators in the fields of education, employment, housing health".

In 2018 the European Commission published a Communication on the Evaluation of the EU Framework for National Integration Strategies (NRIS) up to 2020. The evaluation report and earlier annual assessments carried by the European Commission on the implementation of the NRIS point to the need for better mainstreaming, a clear focus on fighting antigypsyism, improving partnership and Roma participation, addressing diversity among Roma (with focus on Roma women, youth and children) and better target setting, data collection and reporting to promote policy learning. The European Commission has also increasingly recognised the need to combat antigypsyism and the EU High-Level Group on combating racism, xenophobia and other forms of intolerance issued a Conclusion paper on "Antigypsyism: Increasing its recognition to better understand and address its manifestations" (European Commission, 2018).

In early 2019 the European Parliament adopted a Resolution on the need for a strengthened post-2020 Strategic EU Framework for National Roma Integration Strategies and stepping up the fight against antigypsyism. The Resolution calls for a number of measures to improve the EU Roma Framework after 2020, including: a stronger focus on antigypsyism and a specific goal on non-discrimination; the involvement of Roma in the design, implementation, monitoring and evaluation of Roma inclusion strategies; ensuring that intersectional discrimination, gender mainstreaming and a child-centred approach are properly addressed; and the inclusion of a truth, recognition and reconciliation process.

In 2017 an EU-funded Roma Civil Monitor pilot project started to build the capacity of Roma civil society and strengthen its involvement in the monitoring of national Roma integration strategies, including the monitoring of antigypsyism.[1] The project is being implemented with the active participation of around 90 NGOs from 27 EU Member States, which can serve as a good example of meaningful Roma participation in policy making processes.

1 See https://cps.ceu.edu/roma-civil-monitor.

In April 2018 the EU Fundamental Rights Agency released its first report on antigypsyism which underlines that "unless tackled explicitly, anti-Gypsyism waters down the measures adopted in the specific thematic areas and dramatically reduces the prospect of improving outcomes in various areas of life (education, employment, healthcare, or housing). This reinforces the generational deprivation of Roma and confines them to the margins of society, further exacerbating prejudice and discrimination" (European Union Agency for Fundamental Rights, 2018).

Overall, therefore, there have been some positive developments to address antigypsyism at EU level, including with the launch of infringement procedures by the European Commission against the Czech Republic, Slovakia and Hungary regarding school segregation of Romani children, but more needs to be done in particular considering the housing situation in Bulgaria, Italy and France.

3. From Recognition of Antigypsyism by EU Institutions to the Need for Concrete Measures at National Level

The wide recognition of antigypsyism and its manifestations at the EU level has not always found resonance at national level with Member States. In the face of increased evidence from the evaluation process of the implementation of the National Roma Integration Strategies, there is still resistance in governments to recognising antigypsyism as they would then have to admit to institutional racism against Roma. It is equally true that state institutions and local governments do not always possess enough expertise or resources to effectively address discrimination of Roma and promote their social inclusion.

However, the recognition of antigypsyism in European Parliament and European Commission policy papers is not the end of the struggle; it is more of a small milestone in a long-term bottom-up movement and process. A number of gaps remain, including the shifting from recognition to an increased understanding of antigypsyism to effective policy and enforcement responses addressing antigypsyism both at national and local levels.

In many European countries Roma were and often still are treated and stigmatised as a so-called "social problem", which governments were trying to solve through so-called "anti-poverty strategies". Such approaches often ignore and deny the underlying antigypsyism and contribute to reproducing the circle of exclusion and racism.[2] The victims of structural racism are blamed for their desperate situation.

We need to address the gap between increased recognition of antigypsyism at EU level and the lack of an anti-racist focus by EU Member State governments, which generally have a socio-economic/post-colonial approach to Roma inclusion and lack commitment and concrete measures to tackle the structural dimensions of antigypsyism.

Many discussions stay in Brussels; in October 2018 the European Parliament Committee on Civil Liberties, Justice and Home Affairs invited for the first time members of national parliaments to an Interparliamentary Committee Meeting in Brussels on "Fundamental rights aspects of Roma inclusion and fighting anti-Gypsyism".[3] There is an important role for civil society at national level to advocate for greater awareness and commitment of national parliaments and governments. National decision makers are key actors in making the fight against antigypsyism a reality for Roma and improving their lives by implementing effective national and local policies. In this respect, national action plans against racism can complement and reinforce strategies for Roma inclusion, ensuring that all forms of racism are recognised and given equal attention.

4. Looking Ahead

Looking ahead, we need to mainstream the fight against antigypsyism not only in the EU Roma Framework post-2020 but also in broader processes and discourses against racism. While antigypsyism had its own historical process and manifestations, it is important to acknowledge the political and social changes in Europe and the world and their impact on minority groups such as Roma, who have only recently started to enjoy a positive narrative in social inclusion

2 As several articles in this book highlight.

3 See http://www.europarl.europa.eu/committees/en/events-nationalparl.html?id=20181003MNP00421.

policies. With an increasing number of far-right parties in power and the growing influence of far-right discourses, the struggle against antigypsyism risks to be undermined significantly or denied alongside other minority struggles, independent of their level of progress. Thus, building coalitions with other minority groups in a unified anti-racism narrative is increasingly becoming the natural response to xenophobia and hate crimes against racialised groups.

Using social media, networking and coalition building with like-minded people and institutions in fighting all types of discrimination and racism will create the premises to uphold human rights principles and safeguard the well-being of everyone in Europe and around the world.

When it comes to continuing the efforts to tackle antigypsyism, what needs to happen now is a full commitment from all relevant EU institutions to include the fight against antigypsyism in their policy development processes and budget discussions. In addition, the European Parliament and European Commission should call Member States to ask to condemn and punish any form of racism and hate speech against Roma from politicians and media. There needs to be a political commitment by the European and national parliaments to take disciplinary measures against parliamentarians who use hate speech against Roma and other minorities.[4]

When revising National Roma Integration Strategies, Member States should recognise antigypsyism as a form of racism and ensure appropriate sanctions, in line with national anti-discrimination and anti-racism legislative frameworks. Member States should also make sure that they allocate adequate national funding to measures for Roma inclusion and for combating antigypsyism, in addition to European funds.

States should also adopt strong national action plans against racism, which can be a unique tool to develop a comprehensive framework which puts victims at the centre of the social justice and equality

4 See for instance: https://www.enar-eu.org/The-Alliance-against-Antigypsyism-demands-clear-commitment-of-European.

agenda, with an intersectional anti-racist perspective, and ensures coherence across different areas.

Equality bodies, human rights institutions and civil society organisations should take a proactive role in collecting and supporting data collection on antigypsyism, in supporting victims of discrimination, and in raising awareness among marginalised communities about racial discrimination.

In addition, international organisations should increase their engagement in acknowledging and combating antigypsyism, particularly through already existing cooperation mechanisms, such as the Council of Europe Platform on Roma, the CoE-FRA-EQUINET-ENHRI Operational Platform for Roma Equality (OPRE Platform) or the Roma Youth Action Plan.

Following the high-level conference in 2016 under the German OSCE Chairmanship, an initiative was developed to build an international "Parliamentary Coalition for Combating Antigypsyism" (Central Council of German Sinti and Roma, 2016). It would be an important step to advance such a coalition against antigypsyism in order to bring together members from national parliaments, the Parliamentary Assemblies of the Council of Europe and the Organization for Security and Cooperation in Europe, as well as the European Parliament.

Civil society organisations, especially Roma and pro-Roma organisations, should receive financial and institutional support to develop plans to advocate for policy change and to take effective action to identify, record, monitor, prevent and combat antigypsyism. The Roma Civil Monitor project is a good example of enabling Roma participation.

In the fight against antigypsyism focus should be put particularly on effective investigation and prosecution of antigypsyist hate crimes, and that proportionate and dissuasive penalties are sought. Improving recording, reporting and data collection of antigypsyist hate crimes is key to this process. Improved access to justice, protection and free

legal assistance for Romani victims of hate crime should be made a priority by governments and human rights institutions.

The establishment of processes and structures at national and European levels, as proposed by the European Parliament Resolution of 25 October 2017 on "fundamental rights aspects of Roma inclusion: addressing antigypsyism", building on the United Nations concept for "Truth and Reconciliation Commissions", would enable us to analyse the roots, manifestations and impact of antigypsyism in the past and present, to advance the recognition and the fight against antigypsyism and to build new trust between Roma communities and institutions. Sweden and Norway have initiated such processes, with varying success, and the German Bundestag recently established an "Independent Expert Commission on Antigypsyism".

Despite increased Euroscepticism and an increase in far-rights movements, the progress made in countering antigypsyism and racism in Europe should continue. Solidarity and universality of human rights should be the defining aspects of our upcoming work to fight antigypsyism successfully.

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What is antigypsyism and what are the different dimensions of this specific form of racism in Europe? How does it affect Roma and European society at large in various areas of life?

This book brings together a combination of academic and activist writing, based on practical experiences, to shed light on the multi-dimensional and complex phenomenon of antigypsyism. It uncovers how racialised discourses shape knowledge, policies, and racist practices and behaviours; analyses the role of European policies; and presents different case studies of structural discrimination against Roma in Europe.

Many Romani and other anti-racism organisations have been fighting against antigypsyism for decades. Their struggles to realise Roma rights provide us critical knowledge, both on how antigypsyism affects access to fundamental rights; and how to counter exclusionary and discriminatory political discourses and projects. The various strategies to address antigypsyism explored in this book provide a path towards emancipation for Romani people in Europe.

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