



The Roma in the Twenty-First Century: A Policy Paper

Nicolae Gheorghe, Andrzej Mirga

12 March 2001

The Roma (Gypsies) in Europe are a large, scattered population, estimated at between 6 and 12 million; they are especially numerous in Central, Eastern, and Southern Europe. In recent years, they have been the subject of intense debate, as rapid social changes following the collapse of communism exacerbated their long-standing disadvantage, marginalization, and discrimination.

Governments, international organizations, and the Roma themselves have embarked on a difficult and often contentious search for effective responses to deeply rooted problems, both within the Romani communities and between the Romani and majority populations. The collapse of communism in Central and Eastern Europe and the associated outbursts of sometimes violent anti-Roma behavior led to an ethnic awakening and mobilization within the Romani community. The rapid growth of Romani nongovernmental organizations and associations is one sign of this response. Members of the newly emerging Romani political elites have started to play an increasingly important role in deliberations on the "Romani issue," at both the national and the international level. Putting the question on the agenda of various bodies has been a highly significant accomplishment, achieved largely through the efforts of the Roma themselves and within only a few years. Romani interests are now officially recognized through active programs of consultation and assistance in the most important European and regional organizations: the European Union (EU), the Council of Europe, and the Organization for Security and Cooperation in Europe (OSCE). Romani cultural and political claims are acknowledged by the legislative bodies and governments of most European states. The Romani leadership that emerged in the 1990s is acutely aware that the Roma are entering a new phase of their history. This transition has brought to the Roma unprecedented opportunities to become active subjects of politics and policies directed toward them. This poses a historical challenge. 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 ethnonationalism and to struggle for a political space of their own.

Because the Romani community is fragmented and dispersed over many countries and because its members hold diverse and contradictory opinions, it faces another major challenge—defining its "political space" and struggling for political status at the national and international levels. There is sometimes fierce debate within the Romani community itself about how best to assure the human and minority rights of the Roma and the



continuity of their ethnic and cultural identity, even while coping with the harsh realities of living as a marginal group.

In this effort, it is essential that Roma and non-Roma alike have a clear picture of the dynamics of Romani politics. The Roma are a traditional people, whose leadership has typically been vested in informal, but powerful, extended family structures, a pattern reflecting their long-standing indifference toward public and political life and their reluctance to participate in it. While this arrangement may have been adequate in the past, it is no longer so. Rather, the relative absence of formal structures in the Romani community has been an obstacle to participation in the modern bureaucratic structures that increasingly characterize government and public administration. Thus, the community faces the challenge of building formal structures of representation and participation.

The present generation of Romani leaders comes from contrasting backgrounds, a reality that has made it difficult for the various factions to reach a working consensus. On one side are those who have little or no formal education or training but have risen within traditional communities by virtue of their everyday struggles on behalf of their people. On the other side is a handful of mostly younger activists who are products of the majority education system and have emerged as successful professionals or politicians but at the same time have retained or rediscovered their Romani identity. These new elites have challenged the legitimacy of the traditional leadership. Schooled as they are in the ways of the outside world, they are clearly at an advantage in dealing with majority institutions on behalf of the Roma. Because of this division, Romani organizations with competing claims to legitimacy have proliferated in recent years. Nevertheless, the Romani political elites have managed to put aside their differences to the extent that they created national or federative umbrella organizations or associations. The new Romani media-newspapers, radio, and television—have had an important role in this effort and at raising the consciousness of the Roma. The opportunities provided by free and open elections in the new democracies have also had a positive effect in giving the Roma some sense of their larger identity.

Despite their differences, then, the elites and the competing organizations are forging working alliances both nationally and internationally. They struggle for unity within the Romani movement and search for appropriate organizational structures for political representation and action. More than ever before, Romani political elites are looking to expand communication and forge cooperation across state borders, stressing the commonality in their people's status, problems, and interests, whether in Central, Eastern, or Western Europe. They pose questions and make claims for Romani political status nationally and internationally, and they seek ways to approach Romani issues, and the protection of human and minority rights and interests. In all those efforts, Romani elites are bringing the Romani issue to the fore in European politics. There is no question that the Roma of the end of the twentieth century and the beginning of the twenty-first are in the most uncertain period of their European history. In which direction their newly born ethnonationalism will evolve, which paths the elites will choose to guide their people into the next century, and what strategies they will employ to reach their political goals—all of these are still open questions. It is obvious that the Romani elites themselves have a duty and a responsibility to lay out a vision of the people's future for their people and to answer these questions. The authors of this paper are Roma themselves, active participants in the Romani movement who have academic as well as leadership backgrounds. They address this paper to both Romani and non-Romani intellectual and political elites, to encourage a dialogue among all parties involved in the



debate. The authors set forth some of the dilemmas and weigh the alternatives that mark the Roma's uncertain path to the twenty-first century.

The Romani People in their Historical Context

Status of the Romani Society

In the most general sense, the Romani population occupies a peculiar position. Despite its distinctly visible ethnicity, it has no political entity of its own. Moreover, being widely dispersed throughout Europe and even beyond it, the Roma have no territory of their own. Being a minority everywhere, they share a similarly imposed identity characterized by political and social marginalization and stigmatization. Their social roles and positions are, accordingly, described as pariah, middleman, or marginal, and as such they are both the subject of rejection and the target of assimilationist policies. Being perceived as a more or less deviant segment of society, they are subjected to persistent prejudice and discrimination. These deeply rooted pejorative stereotypes have worked to maintain and justify society's generalized hostility toward them. A lack of reciprocity and social rejection on the one side and a defensive mechanism that takes the form of clinging to an exclusive and traditional identity on the other have led to segregation and marginalization of the Romani community. Its members remain in an underprivileged, subordinate, and inferior position in society, as is evidenced by their humiliating social, economic, and living conditions. [1]

From the perspective of the state, the Roma are usually viewed as a countercultural group that contests and even rejects the very norms and values of society. [2] This notion of counterculturalism or deviancy explains the numerous attempts throughout Romani history in Europe to eradicate so-called gypsyism. This includes the tragic and unprecedented attempt of fascism to annihilate the Romani people during World War II. [3]

Differences within Europe

The majority (two-thirds) of the Romani population in Europe today lives in Central and Eastern Europe and the Balkans [4] a demographic factor that profoundly affects the social and political status of Romani communities. In Western Europe, with the exception of Spain, the Roma have never constituted a significant proportion of the population, as they do in most of the countries of Central and Eastern Europe. The distribution of Romani populations in Europe and the variations in their social positions and the issues facing them in Central and Eastern as against Western Europe are the result of deep historical processes.

The development of capitalism in Western Europe brought with it "loose people" and marginal groups of all kinds, which kept alive the nomadic lifestyle of the Romani population. From the second half of the fifteenth century onward Western states introduced repressive policies against the Roma, who were perceived as unproductive vagrants. The effect was to limit their numbers, while at the same time, continued migration offered a means of escaping severe treatment. To some extent, the development of capitalism in Western Europe helped to develop modern Romani nomadism in the form of "service nomadism." By contrast, the persistence of a feudal type of economy in Central and Eastern Europe maintained the need for a large, coerced labor force which took various forms of servitude. In this, the Romani population



sometimes participated in a symbiotic relationship, but in extreme cases the system produced the collective and hereditary enslavement of Romani populations. [5] Thus, in some countries of Eastern Europe the need for an extensive labor force led to their incorporation into the local labor market and to the eradication of Romani nomadism—that is, their sedentarization and the creation of large Romani ghettos. These differences across Europe gave birth to contrasting stereotypes of the Roma: in the Western context “Gypsies” means nomadic, traveling, or migrant, whereas in the Central and Eastern context, the corresponding terms, “Tsigani” or “Cigany,” imply socially subordinate, impoverished, and marginal groups. [6]

The Roma in post-World War II Europe

These historical commonalities and differences between Eastern and Western Europe were reproduced and reinforced in the twentieth century. After World War II, the Romani communities in Western Europe in fact commanded little attention until the 1970s, when the issue of the Roma and Sinti was spelled out in terms of “integration” and “accommodation,” rather than “assimilation.” [7] The less numerous “Traveller” groups, including those of Romani descent, enjoyed certain rights of freedom of movement and conduct. Later, they were granted certain cultural rights in the spirit of “cultural pluralism,” a model of education and society introduced first by the Council of Europe and later by the European Union. [8] Thus, while the Romani communities enjoyed certain rights, they were also able to maintain a relative independence from the state, being largely self-employed, that is, performing “service nomadism.”

Because of their significant numbers in the states of the communist bloc the Romani issue there has been more salient. As early as the 1950s, the Romani population was subjected to harsh assimilationist measures in keeping with the general state policy toward minorities. Thus, Romani nomadism, considered a basic obstacle to joining the majority society and economy, was prohibited. And the traditional occupations and crafts, involving some measure of independence and informality, were regarded as “parasitic” activities, if not subversive. As the Romani communities became proletarian, they also came to be increasingly dependent on welfare and the workplace offered by the state-governed economy. [9]

The Romani communities also faced a forced cultural homogenization that was part of the policy of building homogeneous nation-states. An important role in this process was played by coercive state-controlled educational policies. Finally, whereas Central and Eastern Europe was always a source of migrants, the West was the host that had to integrate these migrants into society and state.

The Roma in the Communist Bloc

Despite the efforts undertaken by various nations to assimilate the Roma, these policies were largely ineffective. Some Romani groups did remain culturally distinct, but the majority of the communities, even as they continued to be segregated residentially and socially, found their culture and traditions undermined. [10]

In terms of integrating unskilled Romani labor into the socialist economy, the states achieved some results with their coercive measures. As the majority of Roma became employed, to some degree families also became socially and economically secure. The result was the creation of a Romani proletariat as a distinct segment of the “working class.”



Some Romani individuals and groups, especially those from long-settled communities, took the avenue of social mobility opened to them by communist ideology and social policies. Assimilation proved to be an attractive way to improve their social status, or status, or at least to escape the stigma associated with “Gypsy” and the “Gypsy-like” way of life. There also developed a thin strata of Romani intellectuals, party activists, and a middle-class, a by-product of the state’s coercive educational measures. These measures led, however, to the creation of segregated education, the introduction of special programs, and a disproportionate presence of Romani pupils in schools for retarded children and in orphanages and “correctional centers,” which only added to the thick social strata of the unskilled, the semiskilled, and the unemployed. All those factors violated the principle of equal educational opportunity for Romani children and helped to solidify certain negative features of Romani education: a low rate of school attendance, a high dropout rate, and a low percentage of students completing even a primary-level education. This pattern is repeated in the West, too, despite the more liberal educational policies found there, probably because of the negative effects of Romani nomadism. [11] As communism didn’t solve the problem of education, so it did not solve the problem of housing and health care either. The Romani “ghettos” were constantly growing, and in some countries sterilization practices were introduced as a means of limiting the Romani birthrate—a new example of Romani genocide. [12]

The Roma in the Transition Period: New Dangers

The collapse of communism affected the Romani people in many ways. First, they lost their relatively secure economic position, as most confronted increasing economic hardships and deprivation. As an underdeveloped community with low educational and professional skills, the Roma were unable to maintain or compete for jobs in the emerging market economy.

In some countries legislation that led to the dissolution of cooperative farms and the restitution or privatization of land ownership was also unfavorable to them. Having never owned land, they did not benefit from these new laws; indeed laws indeed, they became their victims. They lost their jobs with the state or on cooperative agricultural farms, as well as in the huge industrial and construction companies that were being dismantled. Many Romani families, formerly employed and housed by big companies, lost either their residential permits in urban areas or the housing facilities granted to seasonal agricultural workers. A large group of homeless and “illegal” residents appeared in urban areas, increasing the vulnerability of the entire Romani population.

In this manner the process of the deconstruction of the socialist proletariat took on its Romani dimension: the further marginalization of Romani industrial and agricultural workers. This segment of the Romani populations lost many of the cultural traits of a traditional Romani community, such as kinship ties, solidarity, crafts, and life in Romani enclaves. Because the Roma were among those groups with the highest rates of unemployment and were heavily dependent on state welfare, they again came to be viewed in certain communities as unwanted and unneeded. Facing extreme deprivation, some of those who fared the worst in the transition attempted to revive one of their “cultural skills” as marginals—begging—which in turn led to greater social hostility and anti-Roma feeling on the part of mainstream society. [13]

Political instability, economic crises, the weakened authority of the basic institutions of the state, and the growing right-wing tendencies based on the revival of nationalism that were so characteristic of the transitional period fueled numerous cases of racially



motivated violence and scapegoating against the most defenseless and despised segment of society: the Roma.

It was this racial violence that brought the issue of the Roma to the attention of authorities at the national and international levels. [14] It also gave birth to new waves of Romani migration to the West, including numerous refugees and asylum seekers from the war in Bosnia. This in turn fed a revival of anti-Romani attitudes and policies in the West. [15]

The Transition Period: New Challenges

The collapse of communism inaugurated the difficult transition to democracy and a market economy. It opened a new phase in the history of Central and Eastern Europe. As a concomitant of the new liberalization and democratization, minorities, among them the Roma, were granted the right to participate in public and political life. Responding to economic deprivation and mindful of the danger of being scapegoated by the majority population, new political Romani elites and organizations emerged. They raised the Romani issue and put forward cultural, social, and political demands; they also attempted to mobilize Romani communities, especially during the democratic and free elections being held in most states of the region. Thus they voluntarily entered the political arena, in large numbers and for the first time.

As a result, Romani parties and organizations succeeded in placing Romani representatives in parliaments and in advisory and consultative governmental bodies. [16] The Romani political elites realized that democracy demands participation, presence, and activism, not only from the elites but also from individuals and communities. Perhaps this is the greatest challenge facing the Roma in the next century.

The Romani Ethnic Mobilization

In the context of the new Europe, the Romani leaders attempted to address the Romani issue on their own, by encouraging ethnic mobilization, or Romani ethnonationalism. The Romani elites discovered common interests and the power of collective political action in promoting and defending their human and minority rights. The Romani movement, consisting of numerous nongovernmental organizations in postcommunist countries and Western Europe, attempted a reevaluation of its cultural heritage and past, a redefinition and construction of its own minority identity, and a rejection of its imposed and stigmatized name, as well as the emancipation of the Romani masses. Thus, the Roma find themselves in transition toward becoming an ethnically mobilized group, having a common stance and interests.

The Romani Political Elite: Romani Political Actors

In traditional Romani communities, intellectuals were nonexistent; without a written language and culture, education was not a basic value. Moreover, many Romani families, fearing assimilation, were reluctant to press their children to become educated. For others, lack of resources was a major obstacle to obtaining an education. The thin stratum of Romani intellectuals presently active in Europe is thus of recent origin, the result of coercive educational measures undertaken since the 1950s, mostly in the former communist states.



The present generation of leaders comes from contrasting backgrounds, making it difficult for the various factions to reach a working consensus. On one side are those who have risen within the traditional communities on the basis of ongoing struggles on behalf of their people, often as activists and Communist Party members, but who have little or no formal education or training. On the other side are a relatively small number of mostly younger activists who went through the majority educational system but also retained or rediscovered their Romani identity. The traditional leadership, not surprisingly, has questioned the “authenticity” of the latter. At the same time, the new elites, schooled in the ways of the outside world, clearly have the advantage in dealing with the majority institutions on behalf of the Roma. [17]

In most Romani communities the elders hold power. Their leadership has typically been vested in informal, but powerful, extended family structures. With the emergence of formal organizations or associations, a new type of Romani leadership has come into existence. This in turn has raised questions of legitimacy: should leadership devolve from the traditional power structure or from the constituency of a formal organization and from the state authorities. [18]

There is no doubting the legitimacy of leadership drawn from within the traditional power structure. Nevertheless, these leaders are not all that well prepared for participation in the modern bureaucratic structures that increasingly characterize government and public administration. The state legitimization of some leaders rather than others fosters dissent and internal conflict. A modern and democratic leadership legitimized by the constituency of a formal organization is an ideal not yet well rooted in Romani communities.

This division is one reason for the proliferation of Romani organizations in recent years and for their competing claims to legitimacy. At the same time, the Roma have managed to put some of their differences aside to establish national or federative umbrella organizations and associations. The new Romani media—newspapers, radio, and television—have played an important role in raising the consciousness of the Roma. [19]

The opportunities afforded by free and open elections in the new democracies have also had the positive effect of giving the Roma some sense of their larger identity.

Despite their differences, then, the elites and the competing organizations are beginning to forge working alliances. One of the most significant steps was the creation in 1994 of the Standing Conference for Romani and Sinti Organizations. Still in its formative stages, this new forum is intended to offer opportunities for discussion, debate, and negotiations aimed at reaching a consensus on broad goals and strategies of Romani politics at the European level. Its members want to see the Standing Conference develop into a legitimate political partner of international institutions and organizations. This forum has achieved some fruitful cooperation with international organizations in recent years. [20]

Public Discourse on the Roma: Heritage of the Past

Stereotyped images of the Roma have been used, whether consciously or not, to inspire and then to justify attitudes and policies toward them. As a rule, these representations reflected existing policies and tended to blur all cultural characteristics in order to expose a “social problem.” [21] The Roma, according to these representations, had no linguistic, cultural, or ethnic roots. They were viewed more as a social category defined in terms of poverty, unemployment, criminality, ghettoization, deteriorating living conditions, and so forth. The consequences of this were extremely negative: it allowed the state to focus on the visible effects rather than on the root causes of the problems



faced by the Roma, thus opening the way for all-out efforts at reintegrating and rehabilitating this somehow deviant group. Moreover, because the Roma are viewed solely as a social and economic problem, requiring enormous investments (the Romani population numbers in the millions in Central and Eastern Europe) that the respective states are in no position to make, the prospect of solving the problem seem grim indeed. Romani leaders fear that not much will change and that the Roma will remain at the bottom of society, as the most unwanted and unneeded of its segments. For their part, some Romani associations and Romani leaders follow the state's lead in addressing the Romani issue, preferring to spell out their grievances in terms of social and economic problems. They expect the state to solve their problems. Social workers with humanitarian motivations and politicians with populist programs encourage this way of thinking. Nevertheless, there are those associations in the Romani movement that find this approach and language to be biased, and they denounce it as discriminatory.

The Romani Efforts

The Romani and Sinti civic militants define their concerns as being mainly political. They want to see the status of the Roma upgraded and demand full recognition of their linguistic, cultural, and political rights as a distinct minority. They insist on better negotiating positions with local, national, and international authorities and expanded participation and representation in policy-making bodies at all levels. Fulfillment of these demands, they believe, is a prerequisite to addressing other problems of a social and economic nature. Thus, the present Romani political elites introduce into public discourse the language of ethnicity and cultural identity, of human and minority rights, and of nondiscrimination and equality. [22]

The past experiences of the Roma in all of these areas has been heavily negative, and for many it remains so. Even if Romani ethnicity is acknowledged and recognized *de jure* and the civil rights of the Roma are constitutionally guaranteed, they nevertheless face *de facto* discrimination and inequality. As a rule, until the 1990s the state alone defined the ends and means of policies regarding the Roma, who were merely the objects of these measures. More recently, however, there has been some progress as more and more Romani leaders and organizations have been recognized as an inevitable and politically legitimate partner of the state, whose voice must be heard.

The Status of the Roma and Sinti in the Different European National and Legal Contexts

Leaving aside international conventions and recommendations, which are often not legally binding (the Framework Convention for the Protection of National Minorities is not yet in force), the most important forums are at the national level. Since the Roma are first and foremost citizens of a given country, local legal arrangements and practices are decisive in determining their position and status. In contrast to other legitimate or historical national minorities, however, the Roma are at a disadvantage. Many of the rights and guarantees of protection afforded other minorities have been obtained through bilateral, legally binding treaties, which the Roma do not enjoy. An examination of the legal and administrative treatment of the Romani people reveals a great variety of situations. This stems from a diversity of political traditions, especially with regard to the public and legal recognition of various minority groups. For one thing, lacking a "mother



country” within Europe, the Roma are not considered to fit the ad hoc definition of a national minority. Additionally, since they do not live in well-defined areas of settlement, they do not conform to the traditional profile of a territorially concentrated national minority.

Nevertheless, the essence of minority rights, whether referring to ethnic or national minorities, does not differ much. In fact, in most international documents dealing with setting standards for the protection of minorities, the issue of territoriality is not a factor. Generally speaking, however, in searching for rights that could be granted to the Roma, one must examine the existing legal framework and the established patterns of dealing with national and ethnic minority rights in any given country. [23]

Thus, there are in Europe states in which the legislative system does not recognize national or ethnic minorities. Such groups are protected, however, by strong citizenship rights guaranteed by liberal constitutions, democratic traditions, and the rule of law. In these states, the Roma are entitled to the same rights as other citizens, as in France, for example. Enjoyment of citizenship rights, however, does not eliminate racial discrimination and inequality (for example, limitations on the movement of nomadic groups or anthropometric identity cards for Roma, a practice common until recent years in France).

A different situation exists in Germany. The legislative system there recognizes only the rights of “legitimate” national minorities, such as the Danes and Sorbs. Certain political and cultural rights are guaranteed by bilateral treaties. For example, the Polish-German treaty of 1991 recognizes a Polish minority in Germany. Nonrecognition of the rights of the Sinti and Romani minority in this respect can be considered discriminatory. When it signed the Framework Convention agreement, however, Germany declared that its provisions would apply to members of ethnic groups traditionally resident in Germany, including the Sinti and Roma who were German citizens. [24] Several other countries have also declared their intention to recognize minority rights for the Roma once the Framework Convention goes into effect.

An increasing number of OSCE member states, particularly the new democratic states of Central and Eastern Europe, have adopted laws on the rights of minorities or amended their legislation in accordance with international commitments. A few states specifically mention the rights of the Roma in their constitutions: Finland (section 14, subsection 2-3); Slovenia (article 65); and Macedonia (articles 48 and 78). Other countries mention the Roma in national minority laws, for example, the Hungarian Act on the Rights of National and Ethnic Minorities (1993) and the Austrian Ethnic Act (1993, amendment to the Act of 1976).

In most cases, however, it can be assumed that the Roma are covered only indirectly or implicitly by the legislation dealing with the protection of minorities. [25] More commonly, certain rights of the Roma are asserted (or strengthened or strengthened) in those states by means of political representation and consultative mechanisms. Roma, that is, are elected from nationwide party lists to serve in national legislative bodies, as in the Czech Republic, Bulgaria, Hungary, and Spain, or from their own electoral party lists, as in Romania. Similar provisions at the local level open to the Roma new possibilities of participation in political and social life. And in the case of Hungary, Roma are entitled to form self-governments at both local and national levels. There are other patterns as well, for example, the recruitment of Romani officials into state institutions dealing with Romani-related issues in Bulgaria, Hungary, Romania, Slovakia, and Finland; or the creation of advisory or consultative bodies with Romani participation, as in Finland, France, Hungary, and Austria.



A complete picture must also take account of various administrative practices, the development of concrete actions and programs, and the amount of funding available for the implementation of legislative and other provisions. The situation of the Roma in this respect varies from state to state. In general, however, little has been accomplished in the areas of unemployment, education, health care, and housing. The Roma constitute neither an effective pressure group nor a popular cause for political vote seekers, even though they do command some attention within the political arenas of different states. [26]

The results of all these legal and practical arrangements are mixed at best. In countries like Finland, the Roma express a sense of achievement and of confidence in extant practices. In most cases, however, Romani political elites complain of the lack of any real influence on policy-making bodies under their mandate. Moreover, some of them assert that their impact has been on the decline in recent years with regard to policy-making and the implementation of state commitments relating to minority rights of the Roma. State authorities are accused of using Romani-related arrangements as propaganda to showcase minority policies.

Romani Ethno-Politics: Building a Political Space of their Own

During the 1990s the legal position of the Roma has improved dramatically, at least in several countries, changing from neglect and nonrecognition of Romani ethnicity to full acknowledgment of their status as a legitimate national or ethnic group. Large and diverse Romani communities are experiencing a process of ethnogenesis as they discover their cultural and political potential and move from a status of a despised, ignored, and marginal community of "Gypsies" to that of a "Romani/Sinti" minority demanding respect and rights. Bearing in mind that any identity is partly constructed, the Roma have some options from which to choose. What kind of group identity will the Romani elites attempt to construct, and how will it fit into the legal frameworks and arrangements offered to them by various states and international institutions?

Building a Romani Identity

The Romani Nation

A new political awareness movement among the Roma began in the 1970s and led to the foundation of the International Romani Congress (RIC), which held its first conference in London in 1971. In time, it established an executive body, the International Romani Union (RIU), which has paved the way for lobbying and negotiating with and within the international community on Romani issues. In the framework of the RIU, the concept of a Romani nation emerged, and soon its basic symbols, an anthem and a flag, were established. Serious attempts were also made to develop a standardized literary Romani language, which the Council of Europe strongly supported. Thus, according to many Romani militants, the Romani nation exists. However, with its members dispersed worldwide, its existence is more symbolic than otherwise. The concept of a "nation" as it is used in the European tradition does not apply to the Romani case.

Romani political elites were never driven to demand their own territory and state. Thus, to legitimize their claim, they advanced other elements of the concept of nation-the



common roots of the Romani people, their common historical experiences and perspectives, and the commonality of culture, language, and social standing. The experience of the Porrajmos—the Romani holocaust during World War II—played an important role in providing the Romani diaspora with its sense of nationhood. [27] The concept of a Romani nation as a political idea is accepted by the Romani elites themselves, despite the fact that in reality this recalled commonality varies enormously. In fact, the historical experience of the various groups has given rise to a great variety of cultural and social characteristics. While the relative distance between groups is felt in many ways, a feeling of closeness and community does exist, strengthened by the experience of adversity at the hands of non-Romani (Gadje) society. Always immersed in other cultures, Romani life has been characterized by ongoing adjustment and adaptation to a changing environment. This has inevitably led to further divergence in culture, customs, and language. In addition, it is difficult to build a unified national identity in the absence of a written language—which is only now being introduced through Romani newspapers, booklets, and language teaching—and especially in the absence of the necessary infrastructures usually provided by the state.

Nevertheless, many Romani leaders hold the Romani “nation” to be a point of reference in their political activism. [28] Even if the idea of a Romani nation is a utopian one, it has an emotional appeal that justifies, at least for the Romani political leadership, the introduction of the Romani issue within a traditional framework. Romani intellectuals have gone even further: cognizant of the ambiguity and limitations of applying traditional concepts to their particular situation, they have introduced such innovative concepts as “stateless nation” and “nonterritorial,” “transnational,” or “truly European” people (in the Brussels Declaration) to describe their position. All of these terms signal that, in demanding recognition, Romani leaders are not claiming an ethnic territory or nation-state of their own, but rather are searching for a broader political framework in which to address their cause. At the very least, some of this has helped gain a legal base and some legitimacy base for the Roma. Thus, for example the European Charter for Regional and Minority Languages of the Council of Europe (1992) recognizes “Romani,” along with Yiddish, as a nonterritorial language. Even this recognition is qualified, however; whereas the charter makes legal provision for “territorial languages,” these are only partly and selectively obligatory in regard to nonterritorial languages.

The Romani Minority Status: Romani Options

The concept of “nation” in regard to the Roma has more of a symbolic, moral, and political value than a legal one. In reality, the Roma as citizens of given states constitute a visible minority within those states. It is thus important that they be treated legally either as citizens, entitled to basic rights and freedoms like everyone else, or as a minority entitled to protection of its minority rights. In this regard, the Romani elites claim that their communities experience discrimination, inequality, and differential treatment as citizens despite constitutional guarantees, and therefore the leadership demands recognition as a minority and prefers the granting of minority rights. Although there is a noticeable tendency to follow this approach, Romani leaders differ on the meaning of minority status itself.

Let us consider at least a few of the ways this issue is addressed in Romani ethnopolitical discourse. Some leaders approach the issue in terms of a civil state and general human rights. They reject any claims for minority status and believe that strengthening civil society itself will advance the situation of the Roma. [29] The idea of a civil state



presupposes liberal democratic institutions and universal principles of equal citizenship and individual freedoms; in such a society, citizens' relations to the state do not depend on their religion, nationality, ethnicity, or politics.

The weakness of this approach, especially within the context of the transitions in the postcommunist states, is that the idea of a civil state is not well rooted in the region. On the contrary, the competing principle of the "national" state, based upon the identity of a particular people or nation, is predominant. We observe a strong drive toward the revival of nationalism and ethnonationalism, which in turn is grounds for groups formed along national or ethnic lines demanding access to resources and power. Thus, the basic concept is more of an "ethnic nationalism" founded upon membership in a "nation culture" or "blood-descent group" than of a "civil" and "liberal" concept of citizenship in building up postcommunist states. This context would seem to justify demands by Romani leaders for minority rights. [30] (Indeed, the approach that looks to the civil state does not have many followers among the Roma.)

Given the realities of ethnic nationalism and a growing awareness of a Romani ethnopolitical identity, Romani leaders would seem to be justified in taking the alternative approach of asserting Romani minority rights. Moreover, the approach is well grounded and legitimated by a number of national and international standards (treaties, conventions, framework documents, and so forth) and national laws in Europe. This approach, the one most common among Romani political leaders, is based on the conviction that upgrading the collective status of Roma and the personal dignity associated with a national or ethnic identity will help solve the problems confronting the Romani population. The approach has two variations. The first demands the same protection and legally binding rights that are accorded other minorities in a given state; that is, the overall legal framework is given by national legislation. The second variation asserts that the Romani minority is an "exception," which renders its situation unique in comparison with other cultural and ethnic minorities. The adherents of this point of view look to the broader European legal framework. Thus, Romani leaders face a tense controversy on the question of Romani minority status.

The Roma as a National Minority

The Zentralrat of German Sinti and Roma represents the first of these points of view. Demanding recognition of the Sinti and Romani minority, they strongly reject any kind of "special" treatment as discriminatory; they contend that a special status would make them second-class citizens, which they find unacceptable. The Zentralrat thus demands legally enforceable "guarantees of individual rights in the cultural field," on the same footing as those of other "legitimate" minorities. [31] According to the Zentralrat, "the provisions on the protection of minorities which become binding national law must comprise the essential rights of identity, existence and protection against threats, as well as the right of non-discrimination, equal treatment and equality of opportunities." [32] In its efforts, the Zentralrat stands in opposition to the positions of those Romani political leaders who do claim special status for the Roma. It also runs counter to Resolution 1203 of the Council of Europe, which, according to those leaders, was passed in favor of the Roma; the resolution states that the Roma do not fit the definition of a national minority and thus need to be granted special status as a nonterritorial minority.

This controversy is really a disagreement over which strategies Romani elites should employ to promote and defend group interests. The Zentralrat approach sought to prove that the Roma are entitled to the provisions granted by the national minority law. It



challenged the argument of the German government that the Sinti and Roma do not fit the definition of a national minority, since that definition implies that members of such a group have to live in a “fixed settlement area”, it countered that the Roma had a long-standing history within the German state. [33] Moreover, the Zentralrat demanded recognition as a “national minority and as a German ethnic group with its own 600-year-old German history, language and culture,” thus stressing their “lex patriae” to German soil. [34] It wanted minority protection rights on an equal footing with other “domiciled” and recognized minorities, such as the Sorbs and the Danes. [35]

Consequently, when entering the debate on registering the Romani language as “territorial” and thus being entitled to the legal provisions granted by the European Charter (the charter excludes “Romanes” from the provisions granted to regional and territorial languages), the Zentralrat argued that the language of the Sinti and Roma in Germany is “historically rooted” and has its “own linguistic territory within the territory of Germany.” [36]

The political position of the Zentralrat aimed at affirming certain rights and provisions for German Sinti and Roma did not include, however, the numerous other Romani populations living in Germany who could not claim they were “domiciled” there, that is, asylum seekers, refugees, and the stateless. Moreover, the actions of the Zentralrat caused fragmentation and conflict among the Romani communities, because despite their sense of having common cultural characteristics, they were subjected to different treatment. [37]

The Romani Transnational Minority

The arguments of the Romani National Congress (RNC) run otherwise, that the Roma occupy a unique position, both historically and politically, as one of Europe’s legitimate nations. [38] According to the RNC, “their emancipation process needs to draw on common roots and common perspectives beyond citizenship, group affiliation, or country of origin.” [39] Thus, being a stateless and nonterritorial nation in Europe, confronted with racism and persecution throughout their history, the Romani minority needs special protection. The RNC envisioned a legally binding “European Charter on Romani Rights,” to be drafted and ratified by the European states. [40] The RNC holds that “traditional policies directed at the Roma have failed, and while the process of European unification is advancing, human rights standards for the Roma have deteriorated. This paradoxical development can only be resolved by regulating a firm legal status for the Roma in Europe.” [41] The differing positions of the Zentralrat and the RNC reflect the different interests of long-established communities, which demand protection of their full rights as citizens and as a legitimate minority, on the one hand, and the more recent migrants, who are stripped of such rights or have no rights at all, on the other.

Similarly, the RIU claims that the “Romani people” are a legitimate part of European culture and society and that by virtue of their unique history and problems they deserve special treatment within a European framework. The RIU advocates recognition of the Roma as a nation and is dedicated to building unity around its symbol, a standardized Romani language. The RIU demands the creation of a special status for the Roma and Sinti as a nonterritorial (multistate-based or transnational) minority in Europe, in order to protect a people who experienced a holocaust during World War II and violence, pogroms, and genocide in the present erapresentera. [42]

The RNC and the RIU base their positions on historical and sociological arguments. These include past experience, similarities of the Romani communities in social status



and cultural characteristics, dispersion throughout Europe and even beyond, and discrimination. Proponents believe that a special status will better the situation of the Roma.

The main argument against that claim, shared by some Sinti organizations (the Zentralrat), independent intellectuals [43] (Angus Fraser), and international organizations, [44] is that the idea of legal recognition as a “European minority” does not fit the concepts and language of present-day international legal frameworks. It raises the question of loyalties and rights that would transcend those conferred by citizenship in a nation state and would inevitably lead individuals to experience conflicting loyalties and interests. It could also invite discrimination by the state against those who could be seen as not being fully a part of it.

Another serious problem is raised by the concept of the Romani diaspora itself. It goes beyond the borderlines of Europe, since Romani communities are found in the Middle East, Central Asia, both Americas, and Australia. Thus, why do the Roma have to be recognized as a “European” or even a “truly European” minority (as in the Brussels Declaration of 1996)? Some Romani intellectuals and leaders recall the Roma’s Indian origin and heritage as a basis for their political status and identity, while others eagerly affirm their European roots and heritage and consider their Indian past as irrelevant to the current Romani causes and claims.

The Romani Migration and Territoriality

Migration has been critical in Romani history, leading to cultural differences and intraethnic fragmentation of the Romani populations. Nomadism as a way of life and as a strategy for dealing with societal rejection and exclusionary policies has contributed to the specific patterns of relationships with the territories in which they live. As we have noted, modern capitalism in Western countries contributed to the development and persistence of Romani nomadism, whereas the economic system in the rest of Europe led to its eradication. In both contexts, however, the Romani people have expressed similar attitudes toward the territories in which they live: it was not theirs; it always belonged to Gadge (non-Gypsies); and consequently, the Roma were in some sense rootless. Lack of attachment to a given territory and a readiness to move even from places where they had been settled for generations seem to be part of the Romani cultural heritage. At the same time, however, we can observe a pattern of territoriality among certain Romani groups, which express their attachment to a given territory as a way of defending their privileged position and resources from others, mainly newcomer Romani groups. [45] This is the case with those who, like the German Sinti, claim a long-standing history in a given country, have adapted to the local culture and language, and maintain a hyphenated identity.

The outcome of all these factors is that in a given state we find Romani populations that originated from different waves of migration, have different cultural heritages and histories, are at various levels of cultural adaptation or acculturation, and express different degrees of attachment to “their” territory. These differences often cause competition and dissent among the various groups, since they have different and sometimes conflicting interests.

Human migration has been and remains a vital way of overcoming hardship and deprivation and has created immigrant nations as well as minorities. For centuries, migration and nomadism were survival strategies for most Roma. These two terms, however, should be considered separately. Earlier Romani migrations were determined



by economic factors, but in the last decade westward Romani migration has been largely for social and political reasons, such as ethnic prejudice, hatred, and violence and, in the extreme case, the Bosnian war and the ethnic cleansing that took place there. Nomadism as an economic strategy is limited to an ever-diminishing number of Romani families, predominantly in Western countries. Even there, however, they have become more spatially stable, living in permanent caravan sites. The Romani migrants of recent times originate not from nomadic groups but from the Romani settlements of Central and Eastern Europe. They are looking for better living conditions in the West, but not as nomads. Paradoxically, however, Romani migrants find themselves facing the same conditions they had wanted to avoid or escape. For different reasons, the Roma face growing personal insecurity and are the targets of violent attacks both in Central and Eastern Europe and in Western Europe. For adherents of the transnational-minority approach, this serves as an additional argument: the issue of the Romani migration has a European dimension and to be solved requires an international context and cooperation. Adherents of the transnational-minority approach draw their constituency partly from Romani migrants, asylum seekers, refugees, and stateless persons. Their leaders are aware of the inequities of the present treatment of national minorities, which confers more rights and resources on Romani “nationals” who enjoy citizenship rights. They point to the very different situation of Romani individuals, families, and groups who are not protected by the rights offered to citizens of the state, even though they have lived in the same territory sometimes for generations and even though their children were born there. Through the voices of their leaders, they mobilize and express demands for standards better adapted to their situation and for the protection of national and international laws and provisions. In this claim they are not alone; they join the increasing number of persons and groups who are lifelong residents of different states, yet are not and cannot become citizens of those states under present standards and laws. The contradictions and ambiguities generated by the Romani claim and the acknowledgment of Romani and Sinti “national minority” status epitomize the complex social and political reality of present-day international systems and politics. Recognition of the Roma as a transnational or nonterritorial minority would avoid the confusion between human and cultural rights, on the one hand, and territorial claims, on the other, which in some Central and East European countries are considered to have secessionist implications.

The national-minority approach to the Roma, although an advance, has one disadvantage: it reinforces the fragmentation of the Romani population in a given state. The legal provisions granted by minority laws are strictly limited to those members who are citizens of the respective states and are not extended to members of that group who are migrants. Thus, we are witnessing the complex rationalization of the identity of “Deutscher Sinti” as a distinct national minority, not only in relation to the majority but also in relation to other Romani migrant groups living in Germany. Similarly, the Austrian Roma and Sinti identify themselves as a Volksgruppe in accordance with the Austrian law on ethnic groups (Volksgruppegesetz). This differential treatment is an obvious source of contention between those who qualify as “legitimate” members of a minority and those who, though sometimes numerous, are not entitled to these provisions because they are regarded as foreigners. [46]

The issue of a Romani political status is complex. A statement by Thornberry and Estebanez provides a good example. They write, concerning the Roma: “The existing instruments of the Council of Europe display some uncertainty about their status, their role in the life of states and their appropriate treatment. A similar ambiguity affects the



CSCE instruments.” They add, however, that “regulation of their rights through a specific body of principles would constitute a measure of historical justice, for this group contributes to a reevaluation of their contribution to the richness and diversity of European society.” [47]

Immersed as they are in ongoing debates and political discourses, the Romani elites share that ambiguity. In our view, there are only two options available to Roma. The first is to strengthen civil society in the region and, within that context, to fight for protection and rights as citizens, regarding ethnicity as a secondary and to some extent a private matter for individuals and groups. This approach could be called “liberal nationalism” or “constitutionalism.” The second is to seek legislation protecting the rights of the Roma on an equal footing with other minorities. At the same time, however, we also believe that, because of the scope and character of the problems faced by the Romani population in most states, they deserve special consideration. It should be directed, however, not toward giving the Roma extra rights or unprecedented privileges, but toward problem-solving arrangements.

These two options are not competing but complementary. The demand for minority rights is in itself a demand for inclusion in the majority public and political life. The protection of the minority through the assertion of some rights (to express minority identity without fear of prejudice or discrimination) would only work to strengthen civil society. [48]

The Roma and International Organizations

Since the beginning of the Romani movement in Europe, international organizations have played a vital role in bringing the Romani issue to the fore. Participants in international forums have exhibited more sensitivity and understanding than those at the national level. We have to appreciate and pay homage to those Romani activists and non-Romani intellectuals who have lobbied and volunteered their efforts and expertise to gain the attention of international organizations. Our appreciation is even greater, given how very few are active in the field. The outcome of this dialogue, since its inception in Recommendation 563 (1969) of the European Union, has been positive and constructive. We can also observe that the scope and interests of international organizations have broadened over time from relating solely to Romani Travellers in Western states to covering all the European Romani populations; and from referring only to the issue of protection against discrimination to addressing the larger question of recognition of the Roma as an ethnic minority. The many recommendations and resolutions have become reference points and guidelines for state legislators as well as for Romani politicians and organizations. The presence and contributions of the Romani leaders at those forums also helped to change the language of the resolutions, which had been regarded by Romani leaders as biased—as, for example, in the changes from “Gypsy nomads,” “Travellers,” and the like, to “Roma and Sinti/Gypsies.”

It follows from the continuous interplay and development of channels of communication and cooperation between international organizations and the Romani political elites that there is a need for further knowledge about the Roma. There is a new recognition of the value of Romani contributions and the potential for Romani intellectuals and activists themselves to provide this information, as was seen during the CSCE Seminar on the Roma in Warsaw in 1994. [49]

There is also as a result a new role for the Roma in politics, that of a respected subject and agent of political discourse on the Romani population. The Roma are now participating in the formulation of recommendations and resolutions—an achievement that



did not come easily. Consider the following case. In 1991, the Sub-Commission on the Protection of Minorities recommended Resolution No. 65 for the protection of the Roma and Gypsies for approval by the Commission on Human Rights (UNCHR), which met in March 1992. [50] In the “positive” paragraph of this resolution, the Commission on Human Rights approached the issue under the heading of “protection of minorities.” A number of delegates to the Commission objected to classifying the Roma as a minority. In response, Romani and other participants had to work hard to get the Commission to recognize the Roma as a legitimate minority. Indeed, the resolution was eventually passed, which opened the way for wider recognition of the Roma as a minority. This was a new development. The original wording of the resolution recommended by the Sub-Commission called on states “to take, in consultation with the Romani communities, all necessary legislative, administrative, economic and social measures to ensure de jure and de facto equality for members of those communities.” The national delegations objected to this positive wording, and in the end the resolution spoke only of “prevention of discrimination.” [51] Nevertheless, international organizations worked out a number of principles and standards that could be adopted and developed at the national level. The international forums offer additional opportunities for Romani political elites to seek support and pressure member states to follow the recommendations and resolutions. Such was the case with the citizenship law of the Czech Republic (1993), which reduced a number of Roma to a status of statelessness. [52] The new institutional arrangements that were created in the framework of organizations such as the Contact Point for Roma and Sinti Issues at ODIHR in Warsaw and the recently established Specialist Group on Roma/Gypsies at the Council of Europe afforded an even greater opportunity for monitoring and pressuring member states to implement these standards. The Romani movement itself is a dynamic one. As such, we can identify the steps through which it has passed, from the initial step of making their presence known at international forums, to demanding protection against discrimination (the human rights approach), to demanding recognition of their rights as a distinct and visible minority. New goals are now being formulated, such as creating conditions for Romani partnership relations at the national and international levels.

The Romani Movement: Status-Oriented and Problem-Solving Strategies

Until now, Romani leaders directed much of their energy toward winning recognition of the political status of the Roma. This struggle has been successful; many states now recognize the Roma as a national or ethnic minority. Even those that do not at least acknowledge and pay attention to the “Romani problem” and are willing to consult with Romani leaders or have created consultative bodies (as in the case of France). In Hungary, the Romani minority was even granted collective rights. According to the Hungarian minority law, the Roma are entitled to establish self-governing bodies at both the local and the national levels. Hungary is the only country where such bodies have been elected, and although it is too early to make an evaluation of this case, it seems to be a valuable and innovative approach.

Simple recognition of the Romani minority status is an approach without much merit. Much work still awaits Romani organizations with regard to implementation and to learning how to use the minority law in any given state. Both sides, the state and the Roma, must be open to dialogue, mutual understanding, training, and genuine partnership and cooperation. [53]



The problem-solving approach is a new field of activity on the international level, although at the local and regional levels, the approach has been in use for a long time. In recent years mushrooming Romani organizations were basically oriented toward solving specific problems, as they instituted projects dealing with the issues and disadvantages of everyday life were instituted: building confidence, fighting prejudice and discrimination, expanding employment, education, housing, and health care. No doubt these have been valuable developments, but in relation to the scope and nature of the problems facing the Romani populations the results are insufficient. A constructive approach to this issue requires a discussion of priorities and the ultimate aims of the Romani movement itself. Despite the efforts made at the Romani congresses and at other forums, these basic questions have never been fully addressed. Our input here is one contribution to the discussion.

Some Romani leaders hold that achieving a clearly defined political status is a prerequisite for finding solutions for other problems. Certainly, a minority status confers certain rights and advantages that would not otherwise be attained. Nevertheless, the achievement of such a status creates an additional problem, that of establishing legitimate, competent, and trustworthy new elites. There is therefore a need to develop new structures and “traditions” compatible with the present overall reality—a modern type of leadership, management, and administration, as well as organizational structures. This means, however, that individuals having such competencies—those sometimes regarded as having a hyphenated or modernized (assimilated) identity—have to enter the Romani public and political scene, and this may lead to additional disputes and conflicts with “traditional” values and leaders.

The State, Non-Governmental Organizations and the Roma

Since the 1990s the idea of a civil and open society has been promoted in the emerging new democracies of Central and Eastern Europe. Such a society would be characterized by observance of the rule of law, by democratic institutional procedures, and by the existence of an active nongovernmental organization (NGO) sector. [54] As a result of liberalization, this latter sector is developing and growing with the support of various programs and funds from the West. A large and still growing number of Romani and non-Romani NGOs is concerned with Romani-related issues. Since the activities of NGOs are mostly funded by foreign sponsors and foundations, those that are better skilled and have know-how—usually non-Romani NGOs—are gaining the advantage.

The value of the NGO sector for the Roma is mixed. On the one hand, participation in non-Romani NGOs provides the Roma with valuable experience and skills in generating activism and self-reliance; the result can be positive changes among the Roma as well as in the majority population. On the other hand, projects on Romani-related issues can become an end in themselves, often consuming great amounts of time and aid but producing only modest results or none at all. Even more dangerous, some states have used NGO activities to pull back from implementing commitments on Romani-related matters. [55] The NGO sector cannot substitute provisions and activities by the state. That is, without state participation in solving the problems of the Roma, basic change cannot be expected in the near future.

The Law and the Roma: Discrimination, Repression and Legal Measures



International forums have been considering the issues of discrimination, intolerance, and racism against the Roma in Europe. The United Nations Resolution adopted in 1977 by the Sub-Commission on the Prevention of Discrimination of Minorities was the first to mention the Roma as a minority particularly vulnerable to discrimination. Since then, a number of resolutions and recommendations making specific references to the Roma have been adopted by the UN, the Council of Europe, the OSCE, and the EU. Moreover some of these recommendations were devoted entirely to the Roma. [56]

Monitoring human rights violations and discrimination against the Roma has become the task of a number of Romani and non-Romani NGOs and of the Contact Point for Roma and Sinti Issues in Warsaw. A large and growing body of evidence is already available, covering cases of hate speech in the mainstream media; forced resettlement; deportation of refugees and asylum seekers; withdrawal of citizenship and residential rights; refusal of access to jobs, housing, and other facilities because of ethnic identity; violent attacks by racist groups such as neo-Nazis or skinheads; and mob attacks in various localities. A separate area of discrimination consists of cases of police brutality, community raids, and failure to protect the Roma against violence or attacks. [57]

The most urgent issue is the relation of the justice system to the Roma. In many reports, the Roma complain that the law is applied in partial, discriminatory, and unjust ways. That feeling runs deep among the Roma, who report numerous cases of violent attacks against them and complain about the way the police, prosecutors, and courts have addressed these cases. Improper action or no action at all in every phase of the conflict—during and after the investigation and in the courts—contributes indirectly to making the Roma targets of majority hostility and scapegoating and reinforces the conviction that the state administration itself lacks the will to act according to the rule of law. [58]

We have also to note a basic difference in the perception of acts of violence against the Roma. Whereas the state and its institutions usually refuse to recognize an ethnic or racial bias in these acts, the Roma themselves see a racial motivation in most of the cases. Additionally, we can observe a hesitancy on the part of state authorities to clearly and unequivocally condemn acts of violence against the Roma.

The language used by the authorities in public statements is usually ambiguous in cases of violence against the Roma and is frequently biased against Romani victims. The mainstream media often play a crucial, negative role in the public discourse on violence, confirming stereotypes and prejudices and inspiring fear, mistrust, and hatred toward the Roma. They offer justifications and rationalizations for mob violence, and they blame the victims. The main charge leveled by the media against the Roma is that they have a high rate of criminality. They also present “objective” police reports and statistics that statistics that, among other results, generalize and transfer guilt to the entire Romani community. In this way, the Roma are stigmatized as criminals, which further serves to justify the police brutality mentioned so often in reports by Romani victims.

Mob violence cannot be excused. One can try to understand it, but it should never be justified, a truth somehow overlooked by the state authorities as well as by the mainstream media. It underscores the weakness of the state institutions that are designated to enforce justice and the rule of law.

Insofar as ethnic and racial violence against the Roma is documented and publicized, a key question is how to prevent it and how to reestablish conditions for peaceful coexistence at the local, intracommunity level. It is essential that the state commit itself to combat ethnic and racial violence and that it follow up with concrete actions. It reinforces the need for the Roma themselves to develop legal and political activities to



ensure the protection of their human and minority rights. Human rights NGOs with Romani activists inactivists in Bulgaria [59] were successful in bringing a case against the state to the supreme court. This has opened the way to using this strategy more extensively. The Roma also have to learn to make better use of the European Convention on Human Rights and the institutions acting under its mandate. [60]

Different and Equal

The desire of the Roma to maintain their identity and to be different is a basic human right. The problem, however, is how to maintain a traditional identity and culture while facing the challenges of modernity. Do Romani attempts to preserve their traditions prevent them from changing the majority population's perception of the Roma as "exotic," "redundant," "peripheral," or "marginal"? The Roma face the basic dilemma of either maintaining traditional differences, which contribute to their different and unequal treatment, or accepting the need for change and modernization, which may help them gain equality but may also alter their identity. Most Romani political and cultural elites are aware that education is the key to modernization. Education, however, especially in the present day, requires resources and commitment. In the case of many Romani communities, both are lacking. Because of the prevalent deteriorating and humiliating living and housing conditions, as well as the absence of a tradition of education and a high percentage of illiteracy among parents, many look askance at the investments required for an education. Furthermore, traditional families and groups are convinced that education will lead to eradication of the Romani identity; they are therefore strongly opposed to educating their children. Thus again, this is the core of the dilemma: how to gain equality and still remain different. [61]

Nondiscrimination and Equality

The human rights approach among Romani leaders aims at fighting the widespread prejudice and discrimination that characterizes the majority populations' relations with the Roma. Despite constitutional guaranties of human rights for everyone, the Roma frequently encounter institutional discrimination and social exclusion, proof of their unequal and subordinate status. The problem is less one of legislating against discrimination than one of challenging practices and attitudes. Changing them is a long-term process that requires serious efforts at tolerance education and determined action on the part of the authorities to eliminate at least institutional discrimination. There is, however, one factor that will counteract that process in the years to come. The overall situation of the Roma in society has not changed much—indeed, it has worsened in recent years—and that reality serves to perpetuate majority prejudices and discrimination. [62] Changing attitudes and perceptions requires changing the reality; otherwise, the grounds for a continuation of past, deeply rooted prejudices and discrimination will remain in place. Thus, to gain equality de facto and not merely de jure, the reality of the Roma must be changed.

Separation versus Assimilation

An ethnic or national minority facing the basic alternatives—to use the most extreme formulation—of total separation or complete assimilation as a strategy for its development



as a community must take into account several factors. Total separation implies complete withdrawal from the mainstream community, including language, schools, and even territory, whereas assimilation implies the abandonment of ethnic identity for the sake of being incorporated into the dominant society. [63] The ideology of separation as a minority appeals to national minorities that are strongly bound to their ethnic territories and that usually claim territorial autonomy or even political separation and independence. [64] The Roma, as a nonterritorial minority, have never asked for such autonomy; separation is not their ideology. Quite the contrary, since they are dependent on mainstream society, they have sought a certain kind of adaptation to, and a symbiotic economic relation with, the larger society. The Roma have nevertheless experienced separation or even segregation, but as a result of their deteriorating position and society's rejection and exclusion. The state itself has introduced numerous, usually forced, assimilationist policies, but these were in general ineffective. Strong rejection of the Roma by the majority population, as well as the inability of the Roma themselves to fulfill the demands of the majority, have prevented that process from occurring on a large scale.

The ideology of integration of the Roma, which is so prominent in political discourse nowadays, entails costs that society is not ready to pay. Some Romani leaders perceive integration as a step toward assimilation, which is usually rejected, especially now, when the Roma are experiencing an ethnic revival. Does integration as a strategy of development for the Romani communities have any value for the Roma themselves? It depends on how we define these concepts.

As has been proved to a certain extent by the Romani intelligentsia, there is no basic contradiction between integration and maintaining a Romani identity. It is rather a question of a conscious attempt to modernize the Romani identity without necessarily implying its abandonment. Thus, integration or even partial assimilation, which would lead to an undifferentiated incorporation of the Roma into mainstream society, can be regarded as a worthy ideology by Romani elites. The fear of losing their identity, strongly endorsed by the traditionalists, should be overcome by a serious reassertion and redefinition of the Romani identity. Here, Romani intellectuals have to play a major role. Ethnic identity is not an unchanging structure, but is both inherited and constructed. Conscious efforts to promote a more flexible, modern, and resourceful identity would be a promising strategy.

Again, we have to raise the question of education. Many Romani activists share the conviction that education in the Romani language would help to solve the basic educational problems of Romani children. They have tried to introduce manuals for teaching Romani. Some countries are developing special educational programs for Romani children, or are opening special classrooms for them exclusively. Setting aside all the justifying ideologies that support this orientation, we should pose the questions: How will it enable these children to advance beyond their parents' status in the future? What prospects will it open to them in a modern world ruled by achievement and competition? Should we follow the position of the minimalists who claim that teaching Romani children to read and write is better than nothing, or that of the maximalists who demand the creation of equality of opportunity in the field of education for the Romani children? Obviously, the first option would strengthen their ethnicity, but it would also limit opportunities for overcoming the inherited underdevelopment of the Roma and for diminishing the gap between them and the majority. The second option would give the opportunity to at least some Roma to compete successfully for new positions in mainstream society, it would lead, however, to some changes in their personal and ethnic



identity.

Education necessarily implies change, and in this sense it is not neutral. The Roma must nevertheless take that risk if they are to overcome their present marginalization and underdevelopment. There is, however, no contradiction between the preservation of the Romani identity and language and the demands of the maximalists. Educational measures and minority laws in present-day Europe provide opportunities for Romani children to be taught in the Romani language, though this is not always so readily achieved. Sometimes the Roma are not aware of their entitlement and sometimes they do not want to make use of it; and when they are receptive, there are not always teachers for them. Nevertheless, education remains for the time being one of the most basic means of upgrading the social position of the Roma.

Some Conclusions

One of the most striking questions directed at Romani elites goes to the heart of the basic demands of the Roma: what do they want, what are they prepared to fight for? Even more interesting are the assumptions underlying such a question. One can assume that both national and international forums expect some unity in the Romani political demands and claims. Those expectations are sometimes reinforced by the Romani elites themselves who claim to be a “nation,” “non-territorial nation,” “true European people,” and so forth and who have attempted to form some kind of political representation out of that so-called nationhood. Those expectations and to some degree the readiness of the Romani elites to act upon this image cause some ambiguity when the various factions start to formulate their own vision of unity. They also cause some reservation on the part of international organizations and governments when they are faced with competing claims from the different Romani groups, each demanding exclusive rights to represent the Romani community.

In looking at the Roma milieu two tendencies become apparent. The first is that of the Romani elites themselves; it is a “political” tendency that stresses unity of the Romani culture, society, and interests. The second, mostly present in academic studies, underlines a “mosaic” type of Romani culture and society in all its dimensions and thus stresses the differences.

The reality of the Roma, then, is a complex one, multilayered and containing both differences and commonalities. Thus, the reality itself challenges the Romani elites who have to define and distinguish its dimensions and allow them to be a subject of open discussion rather than simply to oppose or negate. The results of this discussion could provide the grounds for building a suitable political representation and action. This paper, as the authors believe, offers such grounds for discussion.

In the Romani movement and organizations there is a need for clear-cut lines of competence. It is obvious that international Romani organizations should address the issues that relate to the international dimensions of the Roma, and here the Romani elites should define precisely what those dimensions are. To enumerate some of them, we can mention setting guidelines and standards for human rights and minority rights of the Roma as granted by conventions and recommendations; working on mechanisms for their implementation; raising the issue of Romani statelessness, war refugees and asylum seekers as well as the issue of Romani migration and migrants, and so forth. It is also obvious that the aforementioned guidelines and standards must be reworked and implemented in accordance with specific national settings, and it is here that the national/local Romani organizations have to concentrate their activities and actions.



Usually the social problems of the Roma are considered part of the internal affairs of a given state, and therefore there is no need to make them a subject of the activities of international Romani organizations other than to lobby governments to apply existing standards of social rights to the Roma. Although the international dimension is still needed, then, most of the work must be carried out at the national/local level.

The Romani movement and its activities as a whole present themselves as a “collage.” They consist of the Romani international organizations, the local/national parties and associations, and the individual Romani activists. Sometimes these elements function independently. There are strong national/local organizations that are rarely active in the international Romani movement and whose voice is not heard; there are international organizations that are active but struggle for their legitimization; and there are individuals who set the “tone” for Romani politics while at the same time being active in both settings. Furthermore, there are countries where Romani organizations are numerous and active, and countries where Romani NGOs are practically nonexistent. There are states with a significant Romani population and where “Roma issues” are grave, and states where the less numerous Romani community encounters only specific problems. All in all, the Romani elites have to re-think and reshape their present assets to increase the effectiveness of their political action in the future.

There is a need for stronger involvement by the Roma themselves and for more effort at problem solving on the part of governmental institutions. This also means a better understanding of the Romani problem by the majority society, which must acknowledge that the problem pertains not only to the Romani community but to the society at large as well. The deeply rooted stereotypes and prejudices against the Roma held by the majority populations express themselves in attitudes of rejection, social exclusion, and discrimination. Thus the Roma are and will still be in the future a challenge to the majority society’s concepts of tolerance, equality, and identity. At present this poses a dilemma for the Romani community, since the Romani demand for equality stands in opposition to the majority society’s intolerance of the distinctive identity of the Roma; and the effort by the Roma to maintain and develop their ethnic identity perpetuates their unequal treatment. Thus, the Roma face contradictory perspectives. The possible solutions are few: to be different and remain apart, indifferent to society and state; to assert those differences taking the risk of fostering attitudes of intolerance and conflict with the majority society, while at the same time struggling for political power and recognition as an ethnic group; or to take the avenue of modernization and assimilation, that is, of altering the Romani identity in order to gain acceptance and equality in society. At the present time, the ethnic mobilization option is the strongest. Part of that process is to turn the Romani community into an effective pressure and interest group, as national/ethnic groups are by definition in the contemporary world. The future of the Romani community depends on its successful development into such a group, conscious of its rights, interests, and power. Democratic institutions and procedures provide the Romani community with such an opportunity, at least in those countries where they constitute a significant percentage of the population. The Roma have to exploit the democratic means available to them, such as free elections both at the national and at the local levels, and participation in decision-making bodies and self-governments, free media, independent courts, and so on. This demands, however, conscious work on the part of the Romani organizations within the Romani community. Here we can repeat that the wish of the Roma to be recognized as a national/ethnic minority and their claims for ethnic representation are not in their essence disruptive; on the contrary, it is a demand to be included in society, but as a subject not as an object, having dignity, distinctiveness,



and rights as human beings and as a group.

Romani ethnic mobilization is a recent phenomenon and as such needs time to develop and mature with the constructive support of state agencies and international institutions. The Romani movement itself will need to create a legitimate representation that can bridge the gap between the narrow and often self-appointed Romani elites and the inactive Romani masses. Democratic procedures offer a possible solution; the Romani community should select representatives at all levels via democratic elections. And legitimate representation at the international level should be drawn from among those elected to national parliaments. Such a core group of Romani parliamentarians can be rightly recognized as legitimate partners for international organizations. Those existing international Romani organizations that are already recognized as partners by international forums should establish their offices on a more permanent basis. External funding is vital to these efforts, since active involvement of the legitimate Roma elites is a *sine qua non* for solving the "Romani issue."

It seems that the political dimension of the Romani issue is nearing a solution as a growing number of states recognize the Roma as a legitimate national/ethnic minority and as the appreciation of the human rights problems faced by the Roma increases. Other issues will move to the fore, those concerning social problems of the Roma: education, housing, employment, and health care. Because of the underdevelopment and marginality of the Romani community, the growing unemployment, especially among the Roma, and the demographic growth of the Romani community (it is already the largest single minority in Europe), there is a danger of its evolving into an ethno-class or underclass, and thus further perpetuating its marginality in society. Such a development could lead to deadly conflicts with the majority society. Serious development programs, such as those aimed at a "community at risk" or "a community facing a natural disaster," are called for. International institutions, states, and the Romani elites must work together to search for solutions.

The Romani community itself needs new ideas to govern and mobilize itself, and it is the Romani elites who must fashion those ideas. Which notion will embody the will to self-determination and the demand for political recognition of the Romani People—a Romani nation in diaspora, a Romani transnationality, a Romani nonterritorial European minority, or even a Romani nonterritorial state? Should the Romani elites support the idea of Romani ethnic groups, each developing its own politics and strategies within the borders, legal frameworks, and limits of a given state? Should they struggle for specific rights as envisioned in the concept of a charter of Roma rights? Is the human rights approach, demanding equality and nondiscrimination, the one idea that can overcome all the problems facing the Roma? Or should the Romani elites focus on the notion of a Romani enlightenment, a Romani emancipation, and a Romani integration as an avenue for overcoming the humiliating Romani position in society? Should they turn toward social and economic rights as a development strategy for their own community? Should the elites insist on implementing Third World development strategies for their communities, despite the fact that most of the Romani people live among some of the most advanced and developed societies in the world? Whatever the chosen concept turns out to be, the Romani elites will have to forge and promote concrete programs of action that will enable the Romani masses to overcome centuries of underprivilege and marginalization.

Footnotes

1. Jean-Pierre Liegeois, *Roma, Gypsies, Travellers* (Strasbourg: Council of Europe, 1994);



Angus Fraser, *The Gypsies* (Oxford, 1992).

2. Bronislaw Geremek, *Cyganie w Europie Sredniowiecznej i Nowozytniej*, in: *Przeglad Historyczny*, v.75:3 (Warsaw, 1984).

3. Donald Kenrick and Grattan Puxon, *The Destiny of Europe's Gypsies* (Chatto-Heinemann, 1972).

4. Liegeois, Roma, Gypsies, Travellers, 34; see also *The Situation of Gypsies (Roma and Sinti) in Europe*, in CDMG Report 95, no.11 (1995), 3; *Report on Gypsies in Europe*, Doc. 6733, Council of Europe Parliamentary Assembly, Josephine Verspaget, rapporteur, 1993,13.

5. Ian Hancock, *The Pariah Syndrome* (Ann Arbor, Mich.: 1987).

6. Marcel Courtiade, Nicolae Gheorghe and Ian Hancock, *Rrom(ani People) or Tsigan*, in: *On the Ethnic Designation of the Rromani People and the Designation to Be Used in Official International Documents*, Draft document prepared for the International Seminar on Tolerance (Bucharest, May 1995).

7. See Resolution 13 (1975) of the Committee of Ministers of the Council of Europe; Recommendation 563 (1969) of the Parliamentary Assembly. See also the activities of the CDCC of the Council of Europe and "Teacher Bursary Scheme."

8. Liegeois, Roma, Gypsies, Travellers, pt 2.

9. David Crowe and John Kolsti, eds., *The Gypsies of Eastern Europe* (Armonk, 1991); Andrzej Mirga, *Roma Territorial Behavior and State Policy: The Case of the Socialist Countries of East Europe*, in: *Mobility and Territoriality*, ed. Michael J. Casimir and Aparna Rao (New York/Oxford, 1992).

10. A. Reyniers, *Evaluation of Gypsy Populations and Their Movements in Central and Eastern Europe and in OECD Countries*, in: *Report for the Working Party on Migration*, Organization for Economic Co-Operation and Development (Paris, 1993).

11. Liegeois, Roma, Gypsies, Travellers, 203-32.

12. Helsinki Watch, Division of Human Rights Watch, *Struggling for Ethnic Identity: Czechoslovakia's Endangered Gypsies* (New York, 1992), 19-35.

13. *Roma (Gypsies) in the CSCE Region*, Report of the High Commissioner on National Minorities, Meeting of the Committee of Senior Officials, 21-23 September 1993; Jean-Pierre Liegeois and Nicolae Gheorghe, *Roma/Gypsies: A European Minority*, in: MRG International Report (1995/4).

14. *The Romanies in Central and Eastern Europe: Illusions and Reality*, (Stupava: PER Report, 1992); *Countering Anti-Roma Violence in Eastern Europe: The Snagov Conference and Related Efforts*, (Snagov: PER Report, 1994); see also the series of



Helsinki Watch, Division of Human Rights Watch Reports on Roma from Czechoslovakia, Bulgaria, Hungary, and Romania.

15. The Situation of the Gypsies (Roma and Sinti) in Europe, 18-20. Romnews - special, the collection of 50 numbers of Romnews, an information service of the Roma National Congress (Hamburg, 1995).
16. The Situation of the Gypsies (Roma and Sinti) in Europe, 14-15.
17. Liegeois, Roma, Gypsies, Travellers, 249-72.
18. Zoltan Barany, Grim Realities in Eastern Europe, in: Transition (Prague, 29 March 1995); Nicolas Jimenez, Romani, Sinti and Travellers NGOs Nowadays, Report sponsored by PER, CPRSI at ODIHR, (Warsaw, 1995).
19. Media and the Roma in Contemporary Europe: Facts and Fictions, (Princeton: PER Report, in print).
20. Newsletter Activities Concerning Roma /Gypsies, (Strasbourg: Council of Europe), nos. 1-8.
21. Liegeois and Gheorghe, Roma/Gypsies: A European Minority, 12-13.
22. Berlin Resolution, in: Informaciao Lil e Rromane Uniaqoro (Warsaw, December 1992), nn. 10-12; see also "Brussels Declaration" (July 1996).
23. The Situation of the Gypsies (Roma and Sinti) in Europe, 14-17.
24. Situation of the Roma and Sinti in the OSCE Region (Background material for the ODIHR review conference, Warsaw, October 1, 1996).
25. Ibid.
26. L. Clements, P.A. Thomas and R. Thomas, The Rights of Minorities: A Romany Perspective, in OSCE Bulletin, v.4, no.4, 3 (Warsaw, 1996).
27. Ian Hancock, The East European Roots of Romani Nationalism, in: The Gypsies of Eastern Europe, ed. Crowe and Kolsti, (New York, 1991); also Slawomir Kapralski, The Roma and the Holocaust: Inventing Tradition and Identity Building Process, paper prepared for the Colloquium "Reappraising the Force of Tradition", (University of Kent, Canterbury, April 1995).
28. Informaciao Lil e Rromane Uniaqoro, 1992, no. 10-12; Report on the Situation of the Roma in Europe (Hamburg: Roma National Congress RNC, 1994).
29. Nicolae Gheorghe and Thomas Acton, Dealing with Multiculturalism: Minority, Ethnic, National and Human Rights, OSCE ODIHR Bulletin, v.3, no.1 (Warsaw 1994/95).
30. A. E. Dick Howard, Constitutions and Constitutionalism in Central and Eastern



Europe (Selected materials from OSCE ODIHR Human Dimension Seminar on the Rule of Law, Warsaw, 1995).

31. Romani Rose, Current Demands on the German Federal Government and the Council of Europe, in: *Minority Protection for Sinti and Roma within the Framework of the Council of Europe, the CSCE and the UN* (Heidelberg: Central Council of German Sinti and Roma, 1994), 84.

32. *Ibid.*, 84.

33. *Ibid.*, 95.

34. *Ibid.*, 96.

35. *Ibid.*, 96.

36. A. Rossberg, The Agreement for the Protection of Minorities of the Council of Europe, the CSCE, the EU and the UN, Concepts and Obligations, in: *Minority Protection for Sinti and Roma*, 119.

37. Report on the Situation of the Roma in Europe, 7-19.

38. *Ibid.*, 1.

39. *Ibid.*

40. *Ibid.*, 2.

41. Roma in Europe: Status Regulation through Self-Determination, Roma National Congress (Statement prepared for the ODIHR's CSCE Human Dimension Seminar on Roma in CSCE Region, Warsaw, 20-23 September 1994).

42. Berlin Resolution, *Informaciao Lil e Rromane Uniaqoro*, 13-14.

43. Thomas Acton, unpublished paper.

44. The Situation of the Gypsies (Roma and Sinti) in Europe, 16.

45. Andrzej Mirga, Roma Territorial Behavior and State Policy.

46. Divide and Deport: Roma and Sinti in Austria, The European Roma Rights Center Report (Budapest, September 1996).

47. P. Thornberry and A. A. Martin Estebanez, *The Council of Europe and Minorities* (Strasbourg, 1994), 19.

48. W. Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford, 1995).



EUROZINE

49. CSCE ODIHR Bulletin, v.2, no.3 (Warsaw, 1994).
50. Thomas Acton, unpublished paper.
51. Ibid., 2.
52. Zoon, A Need for Change in the Czech Citizenship Law (Prague: Tolerance Foundation, 1994).
53. Roma Policy: Gypsy National Self-Government and Local Self-Governments (Report by Jean-Pierre Liegeois, CDCC of the Council of Europe, Strasbourg, 1996), 24-34.
54. S. Guerra, The Multi-Faceted Role of the ODIHR, in OSCE ODIHR Bulletin, v.4, no.2 (Warsaw, 1996).
55. Elena Marushiakova and Vesselin Popov, Gypsy Minority in Bulgaria: Literacy, Policy, and Community Development, 1985-1995, in Alpha 97 (UNESCO Institute for Education, in print.)
56. Council of Europe Activities Concerning Roma/Gypsies and Travellers, Information document (Strasbourg, 1996); also Liegeois and Gheorghe, Roma/Gypsies: A European Minority, 21-25.
57. Romnews. An information service of the Roma National Congress, Hamburg; issued since May 1994; White Booklet 1995, based on the cases of the Otherness Foundation Legal Defense Bureau for National and Ethnic Minorities (NEKI), by I. Furmann, Budapest, 1996; the series of Helsinki Watch Reports on Roma, Human Rights Watch; the series of reports by the European Roma Rights Center, CPRSI Newsletter, OSCE ODIHR (Warsaw).
58. Countering Anti-Roma Violence in Eastern Europe: The Snagov Conference and Related Efforts.
59. Focus, v.1, no.1 (Newsletter of the Human Rights Project) (Sofia, 1996).
60. Human Rights Problems Faced by Roma/Gypsies (Draft document, Specialist Group on Roma/Gypsies [MG-S-ROM], Strasbourg, 1997).
61. The Romanies in Central and Eastern Europe: Illusions and Reality, 19-20.
62. Roma (Gypsies) in the CSCE Region. (Report of the High Commissioner on National Minorities, Meeting of the Committee of Senior Officials, September 1993), 21-23.
63. The Romanies in Central and Eastern Europe, 19-20.
64. B. Owen, Political Representation of Minorities: Integration or Segregation? in CSCE ODIHR Bulletin v.1, no.2 (Warsaw, 1993).



EUROZINE

Published 12 March 2001

Original in **English**

First published in

Downloaded from eurozine.com (<https://www.eurozine.com/the-roma-in-the-twenty-first-century-a-policy-paper/>)

© Nicolae Gheorghe, Andrzej Mirga / Project on Ethnic Relations (PER) / Eurozine