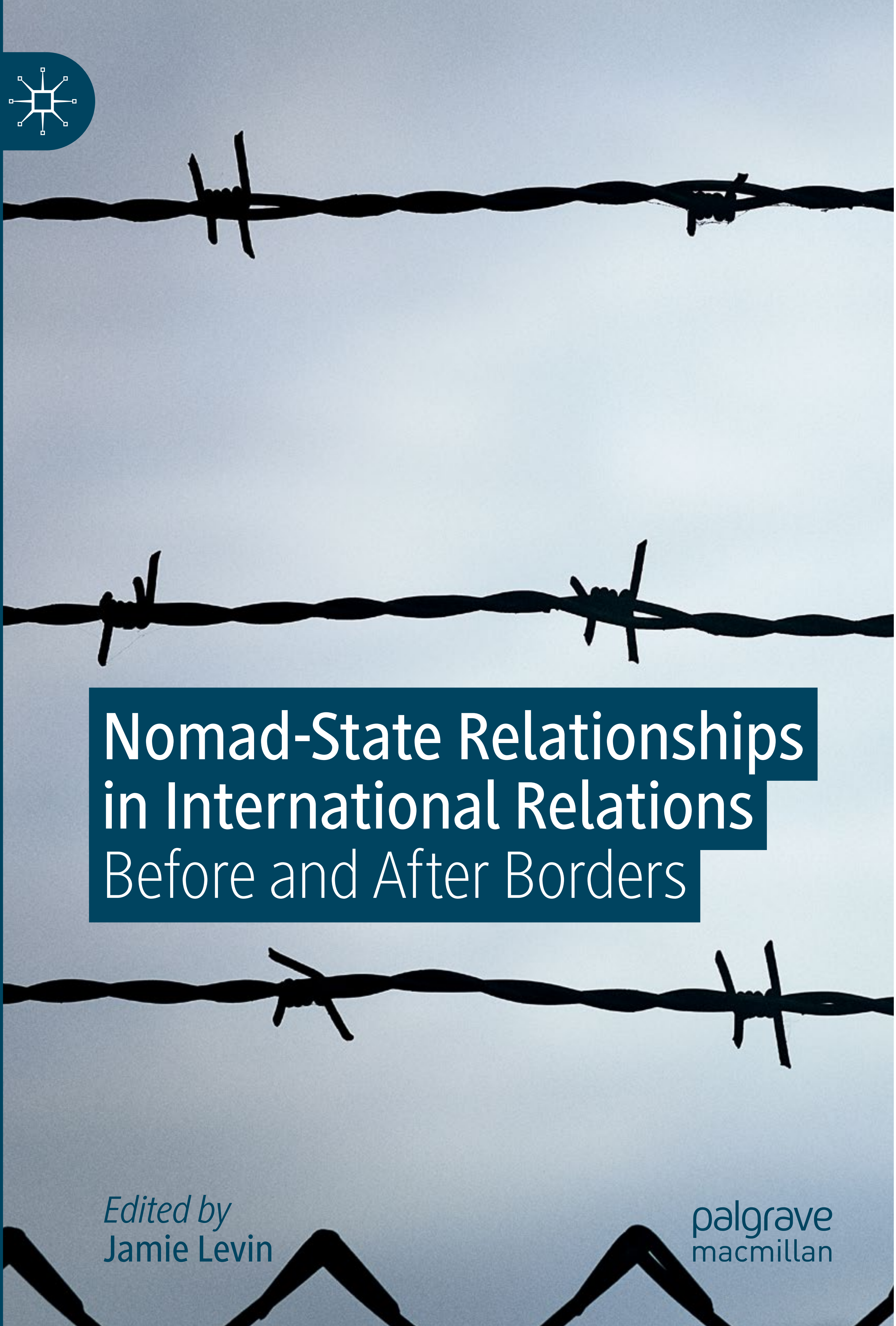

Nomad-State Relationships in International Relations

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CHAPTER 12

From Gypsies to Romanies: Identity, Cultural Autonomy, Political Sovereignty and (the Search for a) Trans-territorial State

Dalibor Mišina and Neil Cruickshank

Introduction

The aim of our chapter is to understand the historical and contemporary aspects of Romani's marginalization in Europe and assess the extent to which some form of mobilization may help the Romani people create meaningful institutional mechanism(s) for addressing their socio-cultural and political position within Europe. Our purpose in exploring these is to examine the possible options the Romani people have—or may wish to pursue—that would help them escape their long-standing condition of marginality and place them in a situation of be(com)ing an agency in charge of its own socio-cultural and political destiny. Thus, what we are after, ultimately, is exploring the possibilities for a meaningful socio-cultural and

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D. Mišina
Department of Sociology, Lakehead University, Thunder Bay, ON, Canada
e-mail: dmisina@lakeheadu.ca

N. Cruickshank (✉)
Faculty of Arts, Science & Technology, North Island College,
Courtenay, BC, Canada
e-mail: Neil.Cruickshank@nic.bc.ca

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political mobilization of the Romani people as a distinct socio-cultural and political group, and assessing the conditions under which that mobilization might evolve into the claims of self-determination and, ultimately, (the search for) statehood.

The specific questions our chapter aims to address are: 'how do we understand Romani's marginalization within Europe?'; 'are there meaningful channels currently existing through which the Romani people can engage the "official Europe" to address their condition of marginality?'; 'what would be the basis for the Romani socio-cultural and political mobilization within Europe?'; 'is some form of Romani statehood the most effective socio-cultural and political mechanism for dealing with the problem of Roma marginalization?'; and 'if so, what would be the viable form of that statehood?' Our working hypothesis in exploring these questions is that, at the end of the day, the Romani statehood should be regarded as an effective mechanism for addressing Romanies' marginality within Europe, and that 'trans-territorial state' should be the form the Romani statehood ought to take. In short, our hypothesis is that the Romani trans-territorial state offers the Romani people a way out of the condition of marginality.

The casting of our working hypothesis in the above terms is predicated on our argument that socio-cultural and political mobilization is motivated by three basic factors: physical security, cultural autonomy and political sovereignty. 'Physical security' refers to basic safety of a community of individuals and the creation of conditions of life that guarantee the community's continuous existence (i.e. survival); 'cultural autonomy' refers to the group's ability and capacity to define itself on its own terms (i.e. to form its own identity) and to shape its own socio-cultural practices on the basis of an autochthon sense of the 'self'; finally, 'political sovereignty' denotes both the capability for independent political decision-making within the community, and the possibility for political engagement with the wider society on the basis of community-defined options and priorities. Combined together, these three factors provide the community with the possibility to imagine, organize and maintain itself as a meaningful socio-cultural and political agency, and to transform itself from a 'passive collection of individuals' to an active participant in public life. The latter in turn provides the starting point for (the possibility of) socio-cultural and political mobilization as "the deliberate activity of a group of individuals for the realization of [socio-cultural and] political objectives" (Barany, 1998: 309).

Additionally, our working hypothesis is based on the argument that the search for statehood is motivated by the community's perception of either non-availability, or ineffectiveness, of socio-cultural and/or political resources and the mechanisms through which the community can meaningfully address its physical security, cultural autonomy and political sovereignty. In other words, we argue that the search for statehood is the last resort of the community's mobilization, sought only after all other mechanisms for the realization of the community's socio-cultural and political objectives have either been exhausted or rendered ineffective. In this sense, what drives the statehood claims is the absence of alternative—or, perhaps more accurately, any other—means for the community to meaningfully negotiate its relationship with, and its 'conditions of existence' within, a wider society. The other way to state this would be to say that socio-cultural and political mobilization may or may not lead to the search for statehood; what determines whether the former will evolve into the latter is the degree of the community's marginalization within the society, and the extent of the community's exclusion from society's participatory practices through which that marginalization can be meaningfully addressed. Thus, the higher degree of marginalization and the greater extent of exclusion are, in our estimation, directly correlated with the likelihood of socio-cultural and political mobilization leading to statehood claims.

Overall, our working hypothesis is predicated on the claim that the search for statehood via social group mobilization is a two-step process: step one is the community's need to address meaningfully the 'three universals' of its existence—physical security, cultural autonomy and political sovereignty—through some form of mobilizing action; step two is the elevation of mobilizing action into the statehood claims, grounded in (the perception of) the absence or ineffectiveness of 'non-statehood' forms of mobilization as a means for the community to imagine, organize and maintain itself as a meaningful socio-cultural and political agency. In this context, the specific problem our chapter seeks to address is centred on (1) understanding the historical, socio-cultural and political foundations for the Romani mobilization; and (2) exploring the possibilities for the Romani mobilization leading to the statehood claims in the form of trans-territorial state. Consequently, our principal research question can be formulated as follows: what are the viable foundations for the Romani socio-cultural and political mobilization that can lead to the formation of the trans-territorial state as the framework for dealing with the Romani condition of marginality within the European community?

A general conceptual backdrop for our principal claim regarding the trans-territorial Romani state is a cluster of theoretical arguments centred on the notion of 'democratic cosmopolitanism'. As Held writes,

> [t]he intimate connection between 'physical setting', 'social situation' and politics, which distinguished most political associations from pre-modern to modern times, has been ruptured; the new communication systems create new experiences, new modes of understanding and new frames of political reference independently of direct contact with particular peoples, issues or events. (2004: 365)

What Held is getting at is that Europe is an evolving, complex and polymorphous polity that already exhibits cosmopolitan tendencies, and that could augment existing institutions to accommodate new political strata or reconfigure the existing ones (a case in point is the EU with a multitude of actors inhabiting the same political space, working through a labyrinth of local, national and regional institutions, and realizing worthwhile public policy). An explicit implication here in terms of political governance is that states are no longer the sole purveyors of public policy; pressure, in the form of recommendations, lobbying and direct action, is coming from above (i.e. supranational institutions) and below (i.e. civil society). In this context, the notion of democratic cosmopolitanism (as, among others, discussed by Beck & Grande, 2007; Hix, 2008; Parker, 2013) is a 'conceptual move' that goes beyond statist, or state-centric, ontologies and offers the possibility for contemplating new, post-Westphalian, organizational models that can accommodate diverse populations, many loci of power and complex societies. Its end point is to envisage a political fix to contemporary problems of European governance through de-nationalizing political structuring and de-territorializing agents, channels, venues and processes of political decision-making.

A few necessary qualifiers before we proceed. To begin with, the ideas in the chapter have no pretence of being the 'voice of the Romani people' or speaking for the Romanies. Casting them as such would, we believe, be imprudent and deeply problematic. Moreover, the chapter does not aim to offer a blueprint for Romani mobilization and a how-to guide for Romani statehood. Both are well beyond the scope of our project and, more importantly, outside the realm of our respective fields of academic interest and expertise. Finally, our conceptualization, analysis and claims are decidedly non-political, although we are very much aware of their politicizability. We are staking no political claims and have no political axe to grind. Our primary objective, in exploring our research question, is to provide a sound conceptual foundation for our proposition that some form of trans-territorial state might be the most effective organizational and institutional framework for the Romani people to address their collective concerns as Europe's most oppressed minority. In the process, our aim is also to lay the groundwork for further exploration of the ideas and issues presented here, both in terms of the 'Romani question' and the broader issues of socio-cultural and political mobilization and post-Westphalian statehood.

'We, the People!': Romani Identity, Social Mobilization and Collective Action

One of the elementary but nonetheless fundamental sociological insights is that 'community' is a social construct—that is to say, something that does not arise spontaneously but needs to be actively (re)created. The foundation for any community, thus, is a set of processes and practices through which a group of individuals come to regard themselves as be(long)ing together on the basis of some sort of a 'unifying mechanism or principle'. A slightly more technical way of restating the latter would be to say that the real basis for a(ny) community is the development of a particular form of 'social tie' which binds a group of individuals into a 'trans-individual collectivity' on the basis of a commonly shared sense of belonging. At the basis of it all is the ability of a group of individuals to create a sense of collective identity through which they would become 'tied' to one another and get to recognize themselves as belonging to something that is larger—and greater—than themselves. In this sense, the possibility of (re)creating a community rests ultimately on the ability of a group of individuals to devise a set of processes and practices through which a particular form of social identity will be (re)affirmed on a continuous basis.

Fundamentally, all forms of social—that is to say, collective—identity are built on the basis of a group of individuals being able to articulate the sense of profound similarity shared by all members of the community and, at the same time, recognize the sense of profound difference with respect to other groups of individuals who are not community members. Thus, the dynamics of any social identity are centred on the group's continuous ability to declare both, and simultaneously, 'this is who we are and what we are all about as a community', and 'this is who we are *not* and what we are *not* about as a community'. It is by developing this couplet of 'positive' and 'negative' definitional understandings of itself that a group of individuals gets transformed into—and identified as—a particular kind of 'trans-individual collectivity'.

Herein rests our first important insight: social identity is what gives life to and what grounds the community; it is also what provides the community with a sense of its existence within larger socio-cultural, political and economic frameworks, and what enables the community to assess the ways and means for satisfying its three fundamentals of physical security, cultural autonomy and political sovereignty; ultimately, it is what constitutes the community as a meaningful socio-cultural and political agency. Put differently, it is through a particular type of social identity that the community develops a type of 'collective consciousness' (to borrow from Émile Durkheim) and (in a slightly different sense) imagination as the bases for not only self-understanding and self-regard but also for socio-cultural and political mobilization and collective action through which the community establishes itself as an active participatory force in society's public life. In this sense, the 'agency' of the community ultimately rests in the fully developed understanding of 'the self' as a community—that is, in the ability to clearly articulate the sense of 'we, the people!' and transform that sense into particular forms of community claims-making through mobilizing collective action.

Thus, in the context of our chapter's research problem, the first question to consider is whether the Romani people have a fully developed sense of 'the self' as a community—that is, whether we can talk about the Romani identity in terms of 'we, the people!'—and whether that sense of the self provides viable foundations for socio-cultural and political mobilization and collective action. The question, in other words, is: 'is there the Romani collective consciousness and, if there is, can it be the basis for socio-cultural and political claims-making?'

A cursory overview of the literature dealing with the issue of the Romani identity reveals a few important things of relevance to the question above: (1) the source of Romani identity is rooted in the history of Roma presence in Europe, going back some 1000 years; (2) by and large, the Romanies, without a corresponding titular state, have never been in charge of their own identity in that the parameters of 'who the Romani people are and what the Romani community is all about' have been shaped historically by European nation-states and their sedentary 'host societies'; (3) the historical shaping of the Romani identity, grounded in persistent anti-Gypsyism, casts the Romani people as the marginalized Other, 'in Europe, but not of Europe'.

On the first point, the following provides an effective summary of the history of Romani presence in Europe:

> Roma migrated out of northern India to flee Muslim incursions in the Middle Ages. … Like many migrant people, the Roma traditionally lived as semi-nomads[: t]heir traditional nomadic ways were an escape from the hatred that the Roma encountered, particularly in the centuries after the Ottoman conquests. While nomadism helped many Romani clans preserve their unique way of life, it also helped foster many of the stereotypes that still haunt them today. The only alternative was the adoption of a sedentary lifestyle that required the Roma to abandon their unique culture and traditions. While some Roma chose the path of assimilation, many did not. The result for those who rejected assimilation was an impoverished life on the edge of European society, which helped breed new stereotypes that the Roma have found impossible to overcome. (Crowe, 2003: 82, 90)

Of importance here, in terms of getting a handle on the nature of the Romani identity, is, first, the fact that the Romani people are a diverse community consisting of "a continuum of more or less related groups with complex, flexible and multilevel identities with sometimes strangely overlapping and confusing subgroup names" (Petrova, 2003: 14); second, that their long-term presence in Europe has been marked by more or less constant nomadism as a means of both escaping mistreatment and discrimination and preserving the unique ways of life; and third, that as historically illiterate people, the Roma do not have a written history of their own and that, "[a]s an almost inevitable consequence of this fact, historical and anthropological accounts of them have come exclusively from scholars belonging to the dominant non-Gypsy group" (Iovita & Schurr, 2004: 267).

The last remark relates directly to the second point indicated above—namely that, historically, the Romani people have not been in charge of the definition of their identity, and that their identity was shaped by the dominant non-Gypsy sedentary 'host societies'. Ian Hancock (2011) makes the very same point by noting that "there was never one people, fully formed, at one time" and that what came to be known and understood as the Romani (or, more to the point, Gypsy) identity was, in the end, an 'umbrella concept' for diverse Asian-in-origin ethnic groups which sought to homogenize the inherent diversity of the Romani people through the prism of a particular kind of European encounter with 'the Gypsies' and experience of 'Gypsy-ness'. The Romani identity thus constructed operated historically (and, to a significant degree, still operates) as a form of appellation and—more fundamentally—interpellation for many of those who are perceived by outsiders as 'Gypsies', and whose subject-position has been cast through the European anti-Gypsyism which rendered Romanies as 'filthy, stinky, lazy people who steal, rob, kill and lie' (see, e.g., Walsh & Krieg, 2007).

The third point in relation to the literature on the Romani identity noted above—that is, that, historically, the Romani identity has been shaped through 'Otherizing practices' grounded in persistent anti-Gypsyism—adds an important dimension of a practical-historical 'translation' of the Romani interpellation into an 'actually existing' Romani experience as marginalized people 'in Europe, but not of Europe'. The example of forced sterilization provides a powerful case in point. Up until very recently, coercive sterilization of Romani women was a common (enough) practice in Central and Eastern Europe. It was an official policy in Czechoslovakia from 1966, joining a list of repressive policies introduced eight years before by the Communist Party. The goal of the comprehensive programme was straightforward enough: to settle and assimilate Romanies (Barany, 2002: 117). Several attempts were made by civil society organizations, before and after the collapse of communism in 1989, to have the practice of coercive or incentivised sterilization stopped.

This example of orchestrated abuse demonstrates that, overall, the practical-historical effect of otherizing the Roma has been the normalization of discriminatory and oppressive treatment, which has not only effectively marginalized the Roma people from the mainstream EU society but also (and for a long time) denied them access to available socio-cultural and political resources for addressing their condition of marginality.[1] The cumulative consequence of all of this has been an on-going socio-cultural and political disempowerment of the Romani people, culminating in a condition of “[t]he Roma continu[ing] to occupy a pariah place in twentieth-century and present-day European societies and remain[ing] a target for hate accumulation, as well as a perfect scapegoat” (Petrova, 2003: 129).

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[1] In 2004 and 2007 the European Union expanded eastward, growing from 15 to 27 member-states. In so doing, the EU became home to a sizable Romani population from several post-communist states (i.e. Poland, the Czech Republic, Slovakia, Hungary and Bulgaria). Before joining, these states were subject to a lengthy accession process, which included regular evaluations, inspections and assessment exercises. Time and again, applicant states were cited (and chided) for not dealing effectively with the 'Romani problem'. The 2003 *Comprehensive Monitoring Report on the Czech Republic's Preparation for Membership* contends: "the situation of the Roma minority, the multi-faceted discrimination and social

So, back to our initial question, ‘can we talk about the Romani identity in terms of ‘we, the people!’, and does this sense of ‘the self’ as a community provide viable foundations for socio-cultural and political mobilization and collective action?’ In short, an answer to this question is ‘yes’ and ‘no’. While there is sound evidence to suggest that there are genetic, historical and linguistic grounds for ‘we, the Romani people!’ type of collective identity (see, e.g., Iovita & Schurr, 2004), there is also evidence to suggest that a distinct form of the Romani identity created ‘by the Romani and for the Romani’ is something yet to be fully realized. As Walsh and Krieg (2007) point out, the Romani people are still in the process of taking control over their identity and not yet at the point of having fully worked out the common ‘ethno-cultural self-consciousness’. In other words, an autochthon Romani identity is identity in the making. The reasons for this are complex and, as the literature points out, largely grounded in the historical experience of Otherizing through persistent anti-Gypsyism that has pushed Romanies to embrace the strategies of survival through socio-cultural ‘invisibility’ and relegate the expressions of their autochthon socio-cultural self to the realm of the private, away from the dominant non-Romani groups. More recently, however, there have been overt expressions of ‘we, the Romani people!’ collective identity centred on not only bolstering the sense of the autochthon ‘Romani self’ but also on moving the Romani away from the condition of a ‘pre-political agency in a pre-political situation’ and towards the state of be(com)ing an active socio-cultural and political force in Europe. Ultimately, what these efforts (regardless of the degree of their effectiveness) demonstrate is a sense of recognition that the community-based command over the Romani identity

exclusion forced by the Roma continues to give cause for concern” (2003: 34). Far from motivating EU candidate countries to address racism and discrimination directed at Romanies, the accession process contributed to policy stasis. Enough was done to secure membership, but beyond that candidate states were unprepared (or unwilling) to do what was necessary to redress Romani marginalization and exclusion.

is the first necessary step towards successful social mobilization and, in the end, a necessary requirement for fruitful collective action.

'WE, THE NATION!': ROMANI IDENTITY AND (THE SEARCH FOR) TRANS-TERRITORIAL STATE

What we have established so far is that there are viable grounds for Romani social mobilization and collective action. They are in the process of being fully worked out, but they are there and they are real. We have also established, implicitly, that the 'animating force' behind the Romani socio-cultural and political mobilization is an attempt to address the historical condition of marginality in Europe through particular types of claims-making regarding their physical security, cultural autonomy and political sovereignty. Ultimately, the aim of the Romani mobilization and collective action is to turn the Romani community into an active participatory force in Europe's public life, meaningfully in charge of its socio-cultural and political destiny—in other words, to position the Romani as a community 'in Europe *and* of Europe'.

The question, however, remains: 'what form should the Romani collective action take?'—that is, 'what would be the most effective 'participatory mechanism' through which the Romani community could meaningfully negotiate and safeguard its physical security, cultural autonomy and political sovereignty?' As we mentioned at the outset, one of our working hypotheses is that social group mobilization may lead to the search for statehood, and that this for the most part happens when there is a perception on the part of a social group that the existing mechanisms available for addressing and dealing with the collective concerns are ineffective, or that these mechanisms do not exist at all. In this sense, the search for statehood is the last resort the group is set on pursuing in the absence of any other viable options or possibilities for addressing its grievances.

In her assessment of the history of Romani's condition of marginality in Europe, Petrova (2003: 128) makes the following remark:

> The single most important concept that helps explain anti-Gypsy prejudice is weakness. To put it simply, Roma would not have been ignored, resented, insulted, humiliated, and repressed if they had *power*. Looking at the historic experience of the Roma, and comparing the Roma with other ethnic groups, suggests that the uniqueness of the Roma consists in an extraordinary historically rooted structural weakness. Because of their late arrival in Europe

> and strong cultural difference, the Roma have failed to use the quintessential empowerment strategy available to other groups: building a nation-state. Inhabitants of the margins and alien to political passions, the Roma have not used the sanctioning potential of the vote, either.

According to Petrova, at the heart of the Romani marginality is a 'structural weakness' of the Romani's position as an ethnic minority in Europe—that is, the fact that they have not been successfully integrated into the officially existing political channels through which they could engage in meaningful claims-making via 'the sanctioning potential of the vote', or have been in a position to pursue 'the quintessential empowerment strategy' of statehood. This is, in the end, what leaves the Romani community in a precarious position of powerlessness and what makes them vulnerable to European socio-cultural and political 'whims of the day'.

Now if this type of structural weakness is what stands in the way of the Romani community improving their socio-cultural and political lot in Europe, then it stands reason to ask the following questions: 'can the Romani community be integrated into the officially existing political channels, and can those be(come) effective political venues for Romani collective action and claims-making?'; 'if not, is the pursuit of statehood a viable alternative and, if it is, what shape should the Romani state take?' Regarding the first question, there has been a significant effort in the past few decades to generate different kinds of socio-cultural and political openings for Romanies, and to create a range of programmes, agencies and outlets through which the Romani community can raise and address their collective concerns. While these have varied in terms of their scope, intent and the degree of effectiveness, there is no denying that, if nothing else, they have generated a significant amount of European 'goodwill' to, first of all, acknowledge the problematic nature of the Romani marginality and, second of all, to try to come up with effective solutions for the specific challenges and problems faced by the Romani community (for overview and assessment of EU Roma inclusion initiatives, see The Situation of Roma report, 2004). However, EU lawmakers' preoccupation with consultative bodies (e.g., The European Platform for Roma Inclusion, European Network on Social Inclusion and Roma under the Structural Funds a.k.a. EURoma Network, The Decade of Roma Inclusion, 2005–2015) has produced little in the way of substantive political change for Roma. According to Andrey Ivanov of the United Nations Development Programme (UNDP), "there has not been much progress [in advancing Roma rights] in the last ten years" (in Uncredited, 2012). A 2012 EU report, *What Works for Roma Inclusion in the EU: Policies and Model Approaches*, captures the circularity of Roma marginalization and poverty:

> The vicious circle of the intergenerational transmission of poverty and social exclusion is determined by the lack of guarantee of rights, persistent discrimination activated by racism by the majority population, spatial segregation, lack of access to services and the absence of consistent policies aimed at overcoming these trends. (Fresno, 2012: 8)

Moreover, despite National Roma Integration Strategies having been submitted by all 27 EU member-states, very little has changed in favour of Roma inclusion, equity and political participation.

Simply put, EU member-states have been unable to solve the so-called Roma problem, even with prompting from the EC, various European NGOs (i.e. European Roma Rights Centre [ERRC]), international non-governmental organizations (e.g., Amnesty International), the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe. The crux of the problem appears to be a chasm between well-meaning European plans/programmes, such as the *Decade of Roma Inclusion, 2005–2015*, and member-state governments who can make or break an initiative like this with their lack of commitments and actions. This is underscored in a European Commission report which suggests that "member-states … will need stronger efforts to live up to their responsibilities by adopting more concrete measures, explicit targets for measureable deliverables" (2012: 16).

In general, the conclusion to be reached is that the process of Romani integration into official political channels—while present and on-going—has not (yet) resulted in a situation where Romani collective action could lead to socio-cultural and political claims-making through which the Romani community could meaningfully negotiate and safeguard its physical security, cultural autonomy and political sovereignty. And given the current and on-going difficulties with Romani integration initiatives, it is very difficult to imagine that it will in the foreseeable future. Therefore, what remains is the pursuit of some form of statehood as an alternative socio-cultural and political strategy that would provide the Romani people with a meaningful structural framework for constructive and effectual engagement with Europe. If this is indeed the case, then what needs to be addressed are the issues of the benefits of the Romani state for the Romani community, and the form that the state should take.

Most broadly, the state can be thought of as an institutional structure of political governance.[2] The aim of any state, therefore, is to define and execute the parameters, means and outcomes of a particular governing strategy. In a more specific sense, the aim of the political state is to organize the population into a 'national community' and to provide appropriate organizational principles and institutional mechanisms through which the interests of the 'national community' will be defined, accomplished and reinforced. Thus, it is through the state that a particular population is given its 'national character', and it is by means of the state that the socio-cultural, political and economic interests of the nation once defined are given an outlet for legitimate, autonomous and sovereign representation. Ultimately, the benefit of (having) the state is a benefit of (having) the *structural framework* that enables the population to organize itself on its own terms and negotiate its 'conditions of existence' on the basis of its own priorities.[3]

Fundamental to organizing the population into a national community through the state is the process of building a national identity through which the population becomes conscious of its own historical character—that is, of its 'collective-historical self'. In this sense, 'nation' can be defined as 'people with history'—that is, as the community with a particular form of historical imagination which frames the community's identity as (to borrow from Nordberg, 2006: 533) a collective 'moral anchor, a sense of direction and a body of ideals and values', and which enables the community to employ its sense of the 'collective-historical self' as the basis for state-channelled socio-cultural and political claims-making. Thus, it is only after the community's consciousness of its unique character has been paired with, and reinforced through, the organizational framework and institutional structures of the state that the community's identity can be cast in 'we, the nation!' terms.

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[2] In political terms, the state is first and foremost a political organization, delimited with an effectively static population, government and capacity to engage in international relations. The *Montevideo Convention on the Rights and Duties of States*, Article 3, codifies these requirements, also suggesting that "[t]he political existence of the state is independent of recognition by the other states. Even before recognition the state has the right to defend its integrity and independence[.]" (1933). States also enjoy juridical personality and sovereignty, are conceived as principal actors in the international system, and are thought to have 'rights' and 'privileges' with regard to territorial integrity and immunity.

States and territory have become synonymous even though principles of extra-territoriality, universality and nationality would seem to suggest that state sovereignty frequently extends beyond its territorial base. It is not unheard of, then, for states to assert jurisdiction over peoples and places outside their immediate vicinity, or for people outside their territorial state to be accorded rights (on an 'unbundling' of territoriality in relation to systems of rule, see Ruggie, 1993).

[3] Statehood is one way to realise this. However, political autonomy could also work to empower Roma within the confines of the European Union. Governance provides for this, and existing EU institutions could well facilitate 'international' relations between Roma and European states.

What the above points to is an inextricable link between the articulation of community's identity as a national identity and the pursuit of statehood as a framework which legitimately (re)produces that identity and gives it a socio-cultural and political legitimacy. In other words, the 'dialectics' of nationhood and statehood rest in the fact that 'the nation' is generated through and generative of 'the state' inasmuch as 'the state' is generated through and generative of 'the nation'. Put simply, one cannot exist without the other. Now as Eric Hobsbawm (Hobsbawm & Renger, 1983) has long pointed out, the ability to articulate the community's identity in 'we, the nation!' terms is based in the process of 'inventing tradition' and constructing 'national imagination' (c.f., Anderson, 1996) as the framework for community's national self-understanding. Needless to say, 'construction-through-invention' here does not refer to 'historical perjury and forgery' but, as Kapralski (1997: 280) points out, to the activity of "standardizing the symbolic meanings of events in the group's history [that], as representing the particular logic or principle which had formed the group's past, has an influence on its present, and will determine its future". As such, it is something that, in a socio-cultural sense, forms the basis for the community's national collective memory and, in turn, the basis for the recognition of group distinctiveness and differentiation. In a political sense, it is something that provides grounds for the statehood claims.

Following Hobsbawm, the question in relation to the Romani community can be formulated as follows: 'what is a viable foundation for the Romani 'we, the nation!' consciousness and the building of the Romani national imagination?' Based on our earlier discussion, we can identify the three core elements: (1) Romani's historical experience of persecution; (2) persistent external definition of the Romanies; and (3) the persistence of the Romani identity *despite* the history of persecution and external definitions, and *despite* not being tied to one land. The first two elements form the foundation for the first type of national discourse—historical discourse—that not only gives the Romani identity a national-historical grounding but also symbolically links the Romani historical persecution with the present-day persecution, in order to explain the current condition of the Romanies in the context of long-term discrimination. The third element provides the basis for constructing the second type of national discourse—cultural discourse—that focuses on the Romani efforts to preserve traditional culture, language and ways of life, in order to establish a value-pattern of 'being a Romani' in the world of 'others'.[4] Thus, it is the successful interweaving of these two types of discourses that provides the foundation for the 'we, the nation!' Romani consciousness that affirms a non-homogenizing socio-cultural distinctiveness and perseverance, rejects assimilationist tendencies, and de-legitimizes contemporary forms of marginalization of the Romani people.[5] In turn, the national identity-building process framed in these terms offers the Romani people not only the grounds for the pursuit of statehood but also the framework for the state-channelled socio-cultural and political claims-making. In explicitly pragmatic-political terms, it legitimizes the necessity for the Romani state as much as it necessitates the legitimacy for the Romani nation.

In the most general sense, therefore, the benefit of the Romani state for the Romani community rests in having the structural framework for socio-cultural empowerment and the institutional framework for political organization and participation in political life. The former has to do, first of all, with the potential for pressing for the right to be distinctive on one's own socio-cultural terms and, second of all, with the ability to break symbolic boundaries maintained by a system of 'border guards' in support of the hegemonic discourse on Romanies as a non-nation underclass in Europe. The latter has to do with, first, the push for inclusion into the European political community and, second, the claims for unhindered political representation, recognition without marginalization, and acceptance and integration without de-differentiation. As such, they provide the Romanies with the mechanisms for articulating and mobilizing two forms of citizenship (in a sense of demands for full participatory inclusion into the transnational European community)—the socio-cultural, grounded in the discourse of respect; and the political, grounded in the discourse of rights and duties—as the basis for negotiating and safeguarding their physical security, cultural autonomy and political sovereignty.

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[4] The issue of Romani socio-cultural uniqueness has been, indirectly, acknowledged by the Council of Europe's *Recommendation 1203 (1993) on Gypsies in Europe* (1993), in the statements regarding the issue of Romani discrimination and endemic poverty. The statements convey the sense that Romanies are unique, possess nation-like qualities, and can positively contribute to the construction of a pan-European identity. They do, however, downplay Romani's 'national or linguistic' character, but suggest (in statement 3) that Romanies 'contribute' linguistically and culturally to the European mosaic.

[5] Saul and Tebbut, having conducted interviews with European Romanies, suggest: "[in] general, the consolidating functions of memory is wildly recognised among the Roma elites in central and eastern Europe. Collective memory has, for instance, been explicitly mentioned as equivalent to having a state" (2004: 213).

What form should the Romani state take? The short answer is, 'trans-territorial' (i.e. not attached to a particular territory).[6] There are three principal reasons for this: (1) the Romani historical experience as itinerant people; (2) the absence of a sense of 'mythological homeland' in the Romani socio-cultural memory; (3) the increasing shift towards 'transnational' and 'post-national' forms of citizenship, coupled with the rise of 'supranational' institutional mechanisms to accommodate them. The rationale for the first two reasons is illustrated by the statements from the members of the Romani communities in Hamilton, Ontario (Canada) and Finland:

> This is a nation without land, without flag, without representation, we don't have minister or a Prime minister. So, wherever we go, we always have been and are always going to be a minority, regardless of what country we live in. (in Walsh & Krieg, 2007: 177)

> When I was a child, and I was teased at school for being a Gypsy, and I went home, I was six and … my father saw my sadness … he created this image of how the Roma travelled from India, and since this time I have had this feel-

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[6] Ruggie's notion of the 'unbundling of territoriality'—that is, of "an institutional *negation* of exclusive territoriality … as the means of situating and dealing with those dimensions of collective existence … recognize(d) to be irreducibly transterritorial in character" (Ruggie, 1993: 165, original emphasis)—provides a useful conceptual framework for grounding the idea of a trans-territorial state. As Ruggie points out, "systems of rule need not be territorial at all [and] need not be territorially fixed. [E]ven where systems of rule are territorial, and even where territoriality is relatively fixed, the prevailing concept of territory *need not entail mutual exclusion*" (1993: 149, emphasis added). In this sense, territoriality is one of multiple principles of state formation, governance, sovereignty and autonomy. For Ruggie, it is the hallmark of modernity's state-based systems of rule. In contrast, the unbundling of territoriality "is the place wherein a rearticulation of international political space would be occurring today", and, as such, is "a useful terrain for exploring the condition of postmodernity in international politics" (Ruggie, 1993: 171, 174).

> ing, when looking at the map of the world, that the Roma are all over, or that such a Roma nation is there behind it all… (in Nordberg, 2006: 528)

The above sentiments are, in effect, contemporary expressions of Romani's historical experience of 'constant nomadism'—that is, the long-standing reality that movement, whether voluntary or forced, whether planned or spontaneous, has been, and still is, *sine qua non* of the Romani condition (see Taylor, 2011). This, however, is not to suggest that all Romani are itinerant, or that 'movement', 'mobility' and 'migration' ought to be taken as 'general signifiers' for the Romani's way of life. Rather, it is meant to point out that for a variety of complex reasons—some of which are still present and affecting Roma's conditions of existence (see, e.g., Kjaerum, 2009: 2)—the Romani community has developed a sense of itself as a nomadic community dispersed throughout the world and with no definitive ties to a(ny) particular location. To cast it sociologically, constant nomadism has been one of the key markers of Roma's collective consciousness (see Kabachnik, 2012; Sergei & Kate, 2010: 921–923).

In as socio-cultural sense, the constant nomadism-based collective consciousness has engendered the Romani notion of the self as 'people without a homeland'. As Walsh and Krieg (2007) point out, the latter has been one of the key symbolic markers of the Romani ethnic identity. Thus, the Romani 'ethnic imagination' is not based in the sense of 'ancestral homeland' as the 'mythological source of ethnic origin' that can be woven into the national identity-building process of the Romani community, or into the strategies of the Romani political mobilization and organization. Or as Pogany (2000: 179) puts it:

> At no point in history had there been a Roma state which Roma elites could later use to galvanise the political imagination of the Roma 'masses'. No aspiration for statehood, or even nationhood, developed amongst the Roma in imitation of the nationalist agitation sweeping the peoples around them.

What informs the Romani ethnic imagination, therefore, are the notions of 'people of the world' and 'world's minority' as the two key sources of the Romani historical and ethno-cultural perseverance. In other words, the Romani socio-cultural narrative is the one of ethnic survival and endurance *despite* the fact of there not being a 'Roma Land' and *despite* the reality of being relegated to the position of the historical and contemporary Other worldwide. Thus, casting the Romani state in territorial terms (despite some efforts to do so[7]) would prove neither useful (in a socio-cultural and/or historical sense) nor altogether viable: since the Romanies do not have a *meaningful* historical or socio-cultural connection to a(ny) particular *part* of the world, 'territorializing' the Romani state would not be taken by the Romani community as the realization of a 'historical dream of the return to the lost homeland' through which the community's past and present can be reconnected and brought in line; as such, the territory of the new Romani state would not have the 'mnemonic power' of symbolically recreating the Romani community as a *national* community or indeed the pragmatic-political potency for grounding meaningfully the Romani claims regarding their physical security, cultural autonomy and political sovereignty. In a larger sense, even if the question of 'where to create the Romani state?' can be handled successfully, usurping a piece of 'world real estate' which another community may regard as historically or socio-culturally significant in terms of its own ethnic or national sense of the self does not hold too much promise for long-term stability, prosperity or—for that matter—legitimacy. Because of all of these, the push for the trans-territorial Romani state—that is, the creation of a non-territorial political structural framework that would provide the mechanisms of political inclusion and representation for the Romani community on the basis of a recognition of the Romanies as a non-territorial nation[8]—may be the most viable and effective means of addressing and negotiating the Romani collective concerns as Europe's marginalized minority.

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[7] For some time now Romani activists have been considering, among other things, the feasibility of a discrete Romani political community. As Barany establishes, quoting Thomas Acton,

> 'Romanestan'—a Gypsy Israel—was never a genuine political possibility even had it attracted the support of more than a few intellectuals. Given the intellectual community's lack of political will, the resistance of individual state to giving up a part of their territory for the Roma, the lack of Gypsy political and economic resources, and division within the world Romani community pertaining to the desirability of a separate homeland, the idea has never been seriously considered on either the national or the supranational level. (Barany, 2002: 257–258)

[8] Since its inception in 1977, the International Romani Union (IRU) has been tasked with representing Romani peoples at international conferences and congresses. McGarry (2010: 143) contends that "[IRU] propagates the construction of Roma as 'a nation without a territory', the argument being that as Roma are a non-territorial nation, they should possess the same rights as other nations, including representation in intergovernmental organizations". Yet statehood, as an endgame political programme or basis for political mobilization, has

Regarding the third reason for casting the Romani state in trans-territorial terms, the European Union, from Maastricht on, conceived citizenship as an overarching political-legal designation that would offer extended rights to member-state nationals and empower them to utilize EU institutions for political and legal remedy. Thus, there appears to be a gradual transition towards 'trans-national' and 'post-national' forms of citizenship and sovereignty, coupled with the rise of supranational institutional mechanisms to accommodate them (see Ruggie, 1993). These trends—referred to as 'Europeanization' of Europe[9]—are, in our estimation, favouring the possibility of the Romani trans-territorial state: while it may be quite possible that the Romanies are too heterogeneous and dispersed as a group to make Westphalian statehood (e.g. a single delimited territory) a viable option, trans-territorial nationhood in today's Europe, however, seems entirely plausible, as does the development of a pan-European Romani political organization constituted among Romanies, Sinti and traveller groups, to take decisions for the Romani population writ large. For while Romanies in Europe do not live in one single country, they do live in one single, overarching political organization. The European Union comprises 28 member-states and, since the Maastricht Treaty, envisages European Union citizenship as an inclusive category, available to nationals of all Union member-states. According to Article 8a

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never seriously entered the vernacular, and Romani organizations remain tethered to the nation-states they reside.

[9] As Radaelli (2000: 4) puts it,

> Europeanization consists of processes of (a) construction, (b) diffusion and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things' and shared beliefs and norms which are first defined and consolidated in the EU policy process and then incorporated in the logic of domestic (national and subnational) discourse, political structures and public choices.

Europeanization is therefore an ongoing process that has changed, and will continue to change, the way contentious politics unfolds in the European Union. As a host of complimentary developments at both the European and nation-state (member-state) level that enhance claim-making opportunities and afford access to European NGOs and EU lawmakers, Europeanization is helping to establish a pan-European rights discourse that not only encourages equality and multiculturalism but creates new opportunities for the Romani pan-European mobilization and trans-territorial statehood claims.

of the Treaty, "[e]very citizen of the Union shall have the right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in this Treaty and by the measures adopted to give it effect" (1992: 5). The EU offers Romanies a new political reality, new political institutions and new opportunities for contentious collective action. It also presents Romanies an opportunity to think of themselves as a community, rather than a collection of sub-national groups belonging to (or inhabiting) sovereign, hermetically sealed states. In this sense, the European Union best approximates what a trans-territorially based Romani state would look like, for it both provides the model of trans-territorial political governance and the framework within which the sub-national groups are able to exist trans-territorially without any significant political drawback.

It is beyond the scope and intent of our chapter to offer a how-to blueprint for the trans-territorial Romani statehood. However, we can point to what we take as institutional, organizational and structural signposts that make us hopeful about the likelihood of some sort of trans-territorial political community for the European Romanies. At the institutional level, the International Romani Union (IRU), European Roma and Travellers Forum (ERTF), the European Roma Rights Centre (ERRC) and the Roma National Congress (RNC) are all contributing to the trans-territoriality discourse by establishing (or trying to establish) European-wide norms and laws in relation to the Romani people. The ERTF's Charter on the Rights of the Roma, states: "the Roma occupy a unique position in Europe, both historically and politically, as a pan-European national minority, without a kin-state. Efforts to improve the situation of the Roma in Europe must acknowledge this special position" (2009: 4). Moreover, the declaratory statement, "[w]e Roma are a people equal to every other people in the world [and] live in every state of Europe and hereby declare ourselves to be a national minority in Europe without our own state or claim for a state" (2009: 6), underscores the need for a trans-territorial structure capable of establishing and monitoring law. Important to point out here is that Roma organizations and activists demand not statehood, in the Westphalian sense, but recognition as a European population *sui generis* as a trans-territorial community with historical ties to every European state. This sets them apart from nearly all other twentieth- and twenty-first-century nationalist movements that claim either existing territory as their own or ancestral land that should be returned to them. Equally important, it also provides the foundation for framing Roma rights discourse. As contended by the Roma National Congress (RNC) (which self-identifies as an 'Umbrella of the Roma Civil and Human Rights Movement'): "[t]he Roma are a European nation; their emancipation process needs to draw on common roots and common perspectives beyond national considerations, citizenship, group affiliation or country of residence" (Uncredited, 2013). There is little doubt that the RNC is looking beyond national affinities and allegiances, asking Roma to imagine a community that transects European states, encompasses the whole of the Roma populations and establishes a coherent, though heterogeneous, political community. Implicit herein is a recognition that the existing Westphalian model of sovereign states and national citizenship appears unable—or unwilling—to bend to the needs of the European Romanies.

With regards to the organizational signposts, Europe and European Union structures offer both the juridical and political framework needed to support some form of a trans-territorial Romani state. Supranational structures (such as The European Commission, and European Parliament), intergovernmental organizations (i.e. the Organization for Security and Cooperation in Europe, and Council of Europe) and judicial organs (like the European Court of Human Rights), with some modification, could be used to mitigate many of the problems of underrepresentation, political disenfranchisement and institutional racism affecting the Romanies. While the intergovernmental structure of the European Union leaves little room for the emergence of a new territorial state, the supranational elements of the EU have been sufficient to create an overarching rights regime replete with juridical (and juridical-like) and political decision-making. In the context of the regime of this scope and design, a trans-territorial community living within the delimited territory of the European Union, exercising European Union citizenship and utilizing a constellation of EU institutions, agencies and organizations to govern its affairs would appear to be entirely within reach.

Additional—and complementary—organizational signposts reflect a relatively recent trend of academics and activists exploring notions of Europeanness, European citizenship and European belonging, and the novel reality of contentious collective action and political mobilization seemingly occurring without regard for state sovereignty, political jurisdiction and national identity (see DeBardeleben & Hurrelmann, 2011; Herrmann, Risse, & Brewer, 2004; Imig & Tarrow, 2001). This is all happening during a time when the EU is keen to develop something akin to a participant political culture for the European citizenry as a way to realize some semblance of democratic legitimacy in a system suffering a so-called democratic deficit (see Kohler-Koch & Quittkat, 2013; Koopmans & Statham, 2010; Almond & Verba, 1989 [1963]). Taken together, these parallel unfoldings are indicative not only of what appears to be the decline of an organizational structure of the 'old' Europe but also of the emergence of trans-nationalism and trans-territoriality as characteristics of the 'new' Europe—a Europe with 'new' political opportunity structures, actors capable of taking advantage of them and an institutional environment conducive to new decision-making modalities (Christiansen & Piattoni, 2003; Walzenbach, 2006). It is the latter, up-and-coming, Europe that makes the likelihood of a trans-territorial Romani state more than a flight of fancy.

Conclusion

Security in all its manifestations—physical, cultural and political—is a very real concern for Romanies. The worst kinds of maltreatment, including pogroms, physical violence, coercive sterilization and segregated schooling, not to mention general political disenfranchisement and social marginalization, have been perpetuated against the Romani people for centuries. And today, despite the presence of myriad political and security institutions, from the Organization for Security and Cooperation in Europe (OSCE) to the European Union (EU), security for Romanies remains elusive. For reasons altogether familiar, yet still unsettling, Romanies remain a comprehensively disadvantaged group. The European Roma Rights Centre (ERRC), a legal advocacy organization based in Budapest, keeps a record of violent attacks perpetrated against Romanies in Central and Eastern Europe. From January 2008 to January 2012, ERRC recorded 19 attacks in the Czech Republic, "in at least four cases the attack resulted in the death of the Romani victim, including one minor" (2012: 1). Nine Romani were killed in Hungary between January 2008 and July 2011 (ERRC, 2011a). And in Slovakia, two Roma were killed in the period between January 2008 and December 2010 (ERRC, 2011b). The Council of Europe's Rapporteur for the Committee on Legal Affairs and Human Rights, József Berényi, delivered a report documenting many of the disquieting incidents encountered by Europe's Romani community on a daily basis:

> In February 2009, the Hungarian Prime Minister warned that verbal attacks on Roma, Jews and Gays were becoming an "everyday occurrence".

> According to media reports, since the beginning of 2008 there have been—in Hungary—at least 15 incidents of Roma houses being firebombed, and two Roma homes attacked with hand grenades. During this time, at least six people of Roma origin were murdered in these and other incidents, and others were seriously injured. In most of the cases, the police confirmed that the killings were racially motivated. (Berényi, 2010: 8)

As this cursory review of the matter in question reveals, security—a basic and foundational right accorded to all citizens, and a fundamental part of any human rights regime—is not something Romanies in Europe routinely enjoy.

In examining the issue of socio-cultural and political mobilization in light of the Romani condition of historical and present-day marginalization, our aim has been to offer a rationale for the argument that the most viable means for Romanies to meaningfully address their security in Europe is to push for some form of trans-territorial state. This state, we argue, would provide the Romani people with a viable political structural framework for inclusion, representation and participation within the European political community, and, thus, with the most effective organizational and institutional mechanisms for dealing with the Romani collective concerns as Europe's most oppressed minority. In exploring the historical and contemporary dimension of Romani presence in Europe, we have shown that Romani socio-cultural and political mobilization is not only an explicit possibility but also a process that can lead to successful formation of the Romani national consciousness as (1) the basis for the recognition of the Romani community as non-territorial nation, and (2) the foundation for state-channelled claims-making regarding the matters of physical security, cultural autonomy and political sovereignty. Ultimately, what we have tried to demonstrate with our findings is that the successful pursuit of the Romani trans-territorial state would, for the first time in the history of the Romani presence in Europe, accord the Romani community the dignity of existence as a nation in *and* of Europe.

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