The Roma in Germany and France

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"We are people without any ethnic territory on kin-state of our own. One consequence of this reality is that our cultural identity and our status as a distinct ethnic minority were hardly recognized in the public life."

- Nicolae Gheorghe (Intellectual, Activist)

The Roma as a group is one of the foremost and largest ethnic minority groups spread across Europe. Despite the common signifier, they differ in their faith and occupation as per their country of residence. While much of the historical legacy surrounding the Roma has been marked with violence and exclusion, in the 21st century there are recurring leitmotifs of mistrust and intolerance that they face in every country of residence, regardless of the country's integration policies. While the German notion of nationhood stems from common ancestry, the Republican outlook of the French state delegitimises race and ethnicity. Hence, the trajectory of Roma in the two countries has differed significantly: in terms of their identity consolidation, their cultural ethos, their sense of rights, nationhood, and nationalism.

1.1 Background

Although the Roma constitute a huge ethnic minority in Europe; their customs, history, and stories have not received much attention in academic discourse or popular imagination. What is widely known, however, are the stereotypes about them being vagabonds, thieves and child kidnappers[75]- subsumed under a derisive categorisation of being "Gypsy." Not much attention has been paid to correct the image beyond lurid imageries that paint a criminalised picture of their transient lifestyle (see item 4 in Appendix). Research by Surdu and Kovats has shown how police conceptualisation of the Roma contributed majorly towards the criminal picture of the Roma (Surdu and Kovats 2015). Although academic interest surrounding the Roma had long been aroused in the late 18th century owing to the purported Indian connection and linguistic

[75] In findings by the *Commission Nationale Consultative des Droits de L'Homme* in 2019, it was seen that 48% of the French though that the Roma "make a living by stealing and trafficking".

similarities with Sanskrit[76] (Grellmann 1787). Linguistic evidence suggests that the Romani language shares a grammar lexicon with Indian languages (See item 5 in Appendix). Particularly, its phonetic attributes are very close to the Marwari language, while the grammar is very close to the Bengali language[77]. Largely at this time, the Roma were still largely known in the ambits of police and welfare institutions as social outcasts and criminals (Widmann 2007).

Despite the similarity in the appellation, not all Roma have a single faith; diverging from the Catholic Manouches to the Muslim Ashkali to the Anglican Gypsies (Bradford 2018). But in terms of language, despite similarities with several Indian languages, has a common lexicon in differing dialects of *Rromanës* (the

language of the Roma). Similarly, there are notions of a code of conduct (*Rromano*) and a Roma worldview (*Rromanipé*) (Bradford 2018). In terms of occupations, the Roma show remarkable similarity in terms of choosing professions that involve peddling, mending and dabbling with herbs and medicines. These professional choices have to do with their constant mobility (Rosenhaft 2021). Many groups in fact have names that are related to their occupations, such as the *Sepetçiler* in the Balkans who are basket-makers (from the Turkish term for woven baskets)[78]. Yet despite their immense diversity in terms of faith, dialects and occupations, there are unifying strands of identity: a shared past that stems from being the "outsider" or the "other". The Roma have a strong sense of history, stemming from their narrative of a long period of migration from the Indian subcontinent. This "imagined community" as Anderson would have described it, serves the practical purpose of providing a broad umbrella of heritage for the Roma.

With centuries of subjugation under various state policies, the Roma have gradually emerged as a community, although still internally segmented as per the different socio- political set-ups where they exist. The idea of a community and their equality with other

[76] Heinrich Grellmann's 1787 "*Dissertation on the Gipsies*" argued that the Roma diaspora originated from North-western India.

[77] Kevin Sun runs an interesting blog explaining the development of languages. He argues that their linguistic origin suggests Northwest India, while the grammatical structure has been simplified over time.

[78] According to Romani Arts (a Twitter handle), there are many sub- divisions amongst the Roma, mostly defined by occupation, such as the *sepetçiler* - basket makers; *kalayci* - tin smiths; *bokci* - pedlars; *hammanci* - bath attendants; *hamalci* - porters and carriers; *arabaci* - horse drawn carriage and wagon drivers, etc.

nations and peoples is a still more recent phenomenon. Surdu and Kovats's work has highlighted how the different political actors, institutions, leaders and scholars have contributed to the emergence of Roma as a phenomenon. The authors have argued that Roma is a top-down construction of political identity by political and other experts. Post the creation of this identity, it is adopted by the very same people who come within the ambit of such labelling and policies (Surdu and Kovats 2015).

Roma aspirations towards civil rights and equality first found utterance within the bounds of the Ottoman Empire; while in the 1920s and 1930s, various representative organisations for the Romanis and the Gypsies had come up in Bulgaria[79], Yugoslavia, Romania[80] and Greece. This phenomenon has to be understood in the context of Romani migration waves from the latter half of the 19th century from the territory that today makes up Romania (Marushiakova and Popov 2015). These groups had been earlier united as Kalderash/ Vlax/Olah Rrom in the region of Wallachia and Moldova. With a history of nomadic livelihood, they had remained non-integrated into the surrounding social environment.

For the very first time, it was this wave of migration from amongst the Kalderash population that came up with the idea of a new "Gypsy state." The dynastic origins of the "Gypsy kings" (see item 6 in Appendix) emerged from the Kwiek family of Poland (Marushiakova and Popov 2004). This new dynasty under the

Kwieks also propagated the idea of a new independent Roma land called Romanestan[81]. Accordingly, significant efforts were made to search for territory for the state, ranging from Namibia, Uganda and Abyssinia to the shores of the river Ganges. Romanestan was to be an essentially transnational project where ethnic rights shaped the desire for politics and geopolitics. The Kwieks also tried to set up an independent state near Paris, complete with autonomous self-government and support from the French authorities (Marushiakova and Popov 2004).

[79] Statute of the Egyptian Nation in Vidin supports the existence of the first Roma organisation in Bulgaria in 1910.

[80] Other examples include Pan-Russian Romani Union and the General Association of Gypsies in Romania.

[81] In the 1950s, Roma leaders has petitioned to the United Nations regarding the creation of their own state: Romanestan/ Romanistan/ Romastan. However, this petition was rejected.

Germany under Bismarck saw severe anger against the Roma, whose mass relocation from Hungary and Romania led to backlash (Dawsey 2021). Primarily, it was Bavaria that had the most stringent of checks: license limitation to the Romani traders in 1885, while also incarcerating non-citizens and itinerants (Dawsey 2021). This created tension and anxiety regarding their social and political status, especially as Bavaria also set up a "Central Office for Gypsy Affairs" to survey and spy on the Roma, setting a precedent for criminalising the Roma, which was later emulated by other German states (Dawsey 2021). This criminalisation proceeded with collecting personal information and fingerprints of all Roma. This insidious manner of persecution did not end with the fall of imperial Germany. Following the Bavarian Beer Hall Putsch in 1923, a stringent law was enacted in 1926 (Law for the Combating of Gypsies, Travelers, and the Work- Shy) that sought to criminalise the itinerant lifestyle of the Roma. This remained in effect until it was overturned in 1947 (Dawsey 2021). Naturally, the array of information meticulously collected by states like Bavaria was exploited by the Nazis to promote the idea of racial purity and hence justify their extermination campaigns. This idea of an independent Roma state rapidly developed during World War II, especially with the barbaric Nazi treatment meted out to the Roma. Under Heinrich Himmler, the idea of Robert Ritter's "pure" and "impure" Gypsies (the idea of purity being linked to blood i.e., purity on account of no intermixing with non-Gypsy blood and vice-versa) (see item 7 in Appendix) was propagated and an idea was floated to start a pure Gypsy state between Austria and Hungary, although the idea was never given final shape (Marushiakova and Popov 2004). As the Nazis and their allies tried to exterminate Gypsies (through a supplementary decree to the Nuremberg Laws, wherein the Roma were classified as enemies of the race-based state), harsh racial laws were invoked. Conservative estimates suggest a half million Roma were rounded up and killed. The actual numbers are naturally much higher if we account for the fact that racial profiling and extermination had been underway for longer.

Subsequently, the desire for autonomy led to the formation of a "World Gypsy Community" under Ionel Rotaru in 1959, with accompanying demands for territory and issuing passports in the 1970s (Marushiakova and Popov 2004). To understand the implications of Rotaru's project, we have to see it in the conjunction of two phenomena:

a) That the Roma were long subjected to racial aggression and, b) That this racial aggression shaped the contours of Roma identity. The idea of a World Community should be seen as an interesting phenomenon. Here were the Allied Powers, fresh from victory and denouncing Nazification in all forms. Yet in their view towards the Roma, an institutional violence was still being projected, since the institutional anti-Gypsyist stance was continued. Rotaru hence wanted his World Community to be a civic refugee haven. Hence the pre-war nascent articulation (much of whose foundations had been chipped in the war) had developed as a political force to be reckoned with, especially in countries like Germany and France.

Roma as a group has faced tremendous discrimination and continues to be extremely vulnerable. The first and most salient reason for this is their scattered nature, which does not let them constitute a majority in any nation. Hence unlike the Jewish or other minorities, both the spotlight and the effort to defend their interests on the global stage are not there. This becomes particularly disadvantageous because the Roma do not have a single uniform language or culture. The Roma are also in the most precarious condition economically speaking. The group generally has a much poorer standard of living when compared to the other national residents in their respective countries (Marushiakova and Popov 2004). Their lack of access to quality education precludes them from taking up well-paying jobs, and in some cases, the lack of registration for schooling translates into unemployment in adulthood. Apart from this, almost every state in the EU fails to ensure non-discrimination against the Roma in their workplaces. Even medically speaking, the Roma typically has higher rates of infant mortality rates and lower life expectancies (Marushiakova and Popov 2004). Finally, a broad overview of Roma's socio-economic and rights narrative will reveal that they demonstrably have better outcomes in Western Europe than they do in Eastern Europe. This has over the years translated into a massive exodus from Eastern Europe to the Western part, motivated by the Roma's desire for better employment opportunities and a higher standard of living (Helms 2011).

1.2 Consolidating a Roma Identity

Extant Roma social structure was not amenable to making any associations or federations, which was made all the more difficult by their segmented ethnicities. Thus, a crucial question arises on how to reconcile their traditional social dynamics with the sort of transformation required to develop as a political community (Marushiakova and Popov 2004). The movement to consolidate the voices and rights of the Roma was an irreversible process, gaining all the more speed because of the developments in the decades following the Second World War (Marushiakova and Popov 2004). Whether it was the imagined community of Romanestan or more formal organisations targeted towards the Roma, there was a consistent emergence of collective consciousness, wherein the Roma saw themselves as transnational minorities (McGarry 2010). Sometimes these minorities are keen to gain acceptance within the framework of a state, as in the Roma and Sintis of Germany. At other times, those like the Roma and Travellers of France have resisted attempts to be assimilated within the socio-political fabric of the state.

1.3 Presence of Roma and Sinti in Germany

Margalit and Matras' research has highlighted how the German stock of Roma and Sinti have emerged from Romani speakers who emigrated out of the Balkan region around the 14th century (Margalit and Matras 2007). Although a significant number of Roma and Sintis live within Germany, a few of them have also settled in contiguous areas formerly under Germany, such as Bohemia, Pomerania and South Tyrol (Margalit and Matras 2007). As mentioned in Chapter 2, Rainer Ohliger also argues that at least some of these immigrants had an ethnic German identity, which they used to secure citizenship post the Second World War (Margalit and Matras 2007). When these demands were rebuffed, the process of mobilising political consciousness and articulation of the German Roma began. However, while Roma and Sinti settled since generations have developed a German "gypsy" identity, the same is not true for the more recent wave of incoming Roma (who have similarly not been accepted by the older groups) (Margalit and Matras 2007).

The German Sinti and Roma population has historically been isolated as a group, leading to the development of literature that attributes a distinct origin to them (Margalit and Matras 2007). While scholarly discussions from the 18th-19th centuries associated the Sintis with the Sindh province in the Indian subcontinent, Margalit and Matras have argued that there does not seem to be a real connection (Margalit and Matras 2007). In fact, it has been argued that the word "Sinti" was not used in pre-European times and that its usage is currently limited to the Roma living in Germany only. Margalit and Matras regard the word as a "loan word" (Margalit and Matras 2007). According to Romani activist-writer Vania Kochanowski, the Sinti originated in a separate migratory wave from India, separate from the migration of the Roma. The origin seems to be from warrior-aristocracy castes (*Kshatriyas)* in the Sindh province. This migration took place sometime around the 8th century to Mesopotamia owing to climatic changes. The Sintis intermingled with the Roma in Greece. Kochanowski argues that the Roma in Greece were merely erstwhile Rajputs from Rajasthan, who had come into the area after losing battles in the Afghanistan region around the 12th century (Margalit and Matras 2007). This latter theory has received support in the work of other theorists like Hancock, who argue that the present-day day Roma population in Europe is the result of two separate Indian population groups that had mingled outside Europe and then come into the region (Hancock 2000).

While such conjecture of distinct ethnic origins is of significant academic and popular interest[82], it is not supported by either linguistic or any other evidence (Margalit and Matras 2007). Naturally, it would not be entirely correct to assume that the Roma and Sintis had a melting point of confluence outside India. Linguistic studies have shown that Romani dialects across Europe are significantly different from the Indo-Aryan group of languages. Since the Roma do not have a common ancestral language and also lack written and textual documentation, their historic origins are difficult to ascertain (Margalit and Matras 2007). Experts reckon that the linguistic divergences we see at present are on account of local dialects that have emerged over the last 700-800 years (Margalit and Matras 2007). In Germany's case, the Sinti and Roma language has a distinct

German influence.

Genetic studies conducted in 2012 bring to light the fact that the Roma originated from North-western India and migrated out from the region approximately 1500 years ago. It is argued that present-day scheduled caste groups in North India, called the *Ḍoma*, have the same ancestral stock as the present-day European Roma. This group reached the Balkan region around 900 years ago, before spreading to other parts of Europe (Bhanoo 2012). Mendizabal and others have conducted gene studies to argue that the Roma stock within Europe displays genetic isolation that is consistently different from non-Roma Europeans (Mendizabal et al. 2012). Parallel research has shown how over 70% of Roma genes of Roma males have a unique genetic lineage (Kalaydjieva et al.

[82] In 2016, the former Indian Minister of External Affairs (Late) Smt. Sushma Swaraj had called the Roma as "children of India", whose links to India should be preserved and documented.

2001). Yet another genetic research carried out in 2020 gave credence to the Indian subcontinent origin theory of the Roma, stating how the Roma population coming out of this region mixed with Balkan and Middle-Eastern stock as well (Bianco et al. 2020). To sum up, it may be argued that the Roma have emerged as a population group with clear genetic isolation stemming from an original founding population. This is what gives them a number of distinctive health disorders as well, cementing the idea of a common founding origin (Bianco et al. 2020).

1.4 Development of Roma and Sinti Culture in Germany

If we must understand the Roma in Germany today, we must first try and understand their history- as distinctive isolation across history on the one hand; and bonds of similarity with Roma groups settled in neighbouring countries and at large on the other hand (Margalit and Matras 2007). The *Zentralrat deutscher Sinti und Roma* has for long lobbied for the German Sinti and Roma to be officially recognised as German ethnic minorities (*Deutsche Volksgruppe*) in Germany. This is clearly an effort to give shape to the identity aspirations and ethnic demands of the Roma. This is also what makes it problematic to universally term German Roma groups settled outside Germany as "diaspora" or "transnational groups" of German Roma (Margalit and Matras 2007).

The Roma had developed a nascent sense of nationalism, which by the 1960s had led to attempts to create an authentic base of history and heritage. Owing to the very diverse sub-cultures that had emerged, with local elements of language and religion; some of the earliest accounts of the Roma in German-speaking territories show that they were Christians (Gronemeyer 1987). Most German Roma and Sintis are Catholics, although their belief system contains certain pagan components and customs. These include notions of purity, eating and sexual relations, as well as norms surrounding birth, marriage, illnesses and death (Wittich 1911). It is only in the 20th century that the Roma and the Sinti have undergone a process of secularisation, such that notions of

German nationalism have gained greater currency amongst them.

1.5 Presence of Roma in France

The very first records of Roma in France are from the early 1400s, in the region of present-day Lyon region (Liégeois 2017). According to the *Historical Archives of Châtillon-sur-Chalaronne* by O. Morel, these were itinerant travellers who later moved on to other parts of the country. Across France, many such families were pitching their tents and seeking sustenance (Morel 1927). In the half millennia since then, France in present times has become much less hospitable towards such itinerant travellers, regarding them mostly as a nuisance. Since France does not keep any records on ethnic minorities, accounts of such travellers are subsumed in a homogeneous administrative category of *Gens du voyage*[83] which does not factor in social differences between these groups. Hence any inference on the number of ethnic the Roma in France today is always a guesswork.

Within France, the distribution of Roma can be seen in terms of the route of their arrival in France. The first group are the Roma from Eastern Europe, who have primarily settled in the Vosges and Alsace region. The second group consists of the Manouches and Sinti from Italy, the Balkans and Germany, who have settled in the Eastern part of France and around Lyon. The third group consists of the Gitanes and Kales from Northern Africa, Portugal and Spain who have set up permanent houses in the South of France. The Roma who had come from Eastern Europe as refugees usually reside in the shanty areas around Lyon and in the Northern and Eastern areas of France (Liégeois, and Gheorghe 1995).

The diverse groups of Roma, Manouches, Sintis and Gitans have had different historical conditions under which they migrated into this region, naturally, therefore, developing very different linguistic and cultural styles. However, a common thread of these nomads of the 15th century was their turn towards myths to legitimise their position (Liégeois, and Gheorghe 1995). Hence narratives were crafted regarding mythical Tsigane Kings and Queens who led them into this region. The narratives also created legitimacy in the minds of the popular press in France, which has always regarded the nomads with curious trepidation (Liégeois, and Gheorghe 1995). Jean-Pierre Liegeois has remarked that this myth-making exercise by the Roma should be seen in the context of "creating a utopia". Furthermore, as the social relations and organisations are undergoing a shift, it facilitates the mythmaking in the creation and practical operationalisation of this utopian identity.

[83] French law terms those staying in camps, trailers and wagons (itinerant citizens) as *gens du voyage*.

In 1958, the French press had published a report[84] of Ionel Rotaru's attempt to write down a *Tsigane* epic, which culminated in 1959 with the Tsigane people crowning Rotaru as their supreme chief, "*Vaïda Voévod*". In Rotaru's own words, there was great symbolism in the ceremony. However, the reception amongst the French press, the common Roma and Tsigane were mixed; with some accepting his status and others regarding him as a fraud Tsigane, as he was aligned more with Romanian interests. In fact, this latter assertion makes sense if we see his work in relation to the migrant Roma who had come in from Yugoslavia[85]. Rotaru's

organisation was instrumental in settling many of these migrant workers into work and accommodation (Liégeois 2017).

Reports by the French Information Service (*Renseignements Généraux*) indicated that Rotaru was an individual of interest, not just because he had come to France as an illegal immigrant in 1947, but also because the feelings of Anti-Gypsyism were intersecting with a broader antipathy towards Communist ideologies (Sierra 2019). Rotaru was particularly under the scanner due to his supposed links with spy rings from the Eastern bloc (Sierra 2019). Yet the notion of anti-Gypsy prejudice has some historical bearings too. Gypsies have long been associated as idle, with no utility in the industrialising societies of the 19th century (Mayall 2009; Behlmer 1985). Hence Rotaru's surveillance report, as most other reports and official imaginations about Gypsies, put the onus of the Roma's economic situation upon their lazy atavistic nature.

1.6 Development of Roma Culture in France

The blatant sidelining of Roma, sometimes in a real physical sense, can be best understood if we see that a large number of Roma lived in several regions like Montreuil (Sierra 2019). Writer Matéo Maximoff[86] calls this the "Roma capital", although, for all intents and purposes, it is nothing better than a slum (Sierra 2019). As a part of a constant flux of urbanisation, the Roma families living here were slowly adapting from tents to permanent housing. It is from here that Rotaru launched his various organisations like *Les Amis du Peuple Gitane* in 1960, the CMG and the *Organisation Nationale Gitane* in 1961 (Sierra 2019, Liégeois 2017). Besides, he was instrumental in setting off a discourse around Roma culture and politics in the public space. The negative corollary this generated was that President De Gaulle's government saw this as a project of ethnic mobilisation under the leadership of Rotaru. In fact, his activity was seen as stoking transnational support, particularly from Poland and Yugoslavia. Incidentally, CMG branches had been established in the UK, Ireland, Canada, Frankfurt and Vienna. The emphasis was on the need to unify the Roma, the Manouches, the Gitanos, the Yenish and the other groups across the world, who were stigmatised by their itinerant way of life (Liégeois 2017).

The success of Rotaru's movement lies in creating a compelling force: the French Ministry of Education was forced to finance education plans for Roma children living in slums (Sierra 2019). It was thought that education would impel the future Roma generations to rise above the popular imagination of lazy Gypsies. In fact, the CMG had also appealed to the UNESCO that institutional aid should be provided to the Romani people, along with international recognition for the Romani cultural capital that has faced significant historical persecution (Sierra 2019).

[84] *Journal du Dimanche.*

[85] Post the Yugoslavia-France accord of January 1965, a large number of migrants had started arriving and putting up in boarding houses. Rotaru was instrumental in sorting out their work and stay.

[86] Matéo Maximoff was a French writer and Evangelical pastor of Roma ethnicity.

1.7 Overview of Roma Nationalism in Europe

Roma mobilisation in the 19th and 20th centuries was deriving its modus operandi from ethnic and nationalist movements across other parts of Europe, particularly in the East[87]. It drew impetus from Roma Congresses in countries like Bulgaria, Germany, Hungary and Romania[88] (Guy 2019). Post the Second World War, the resurgent force of Roma nationalism was most active in countries like France and Hungary, where maximum Roma activists had moved into (Guy 2019). Organisations like the CIT in Paris, or the Gypsy Council in England came up as nodes of confluence for activists (Guy 2019).

[87] In the second half of the 19th century, the Habsburg and Ottoman empires had started declining. With the end of the First World War, several new states had come up: Austria, Czechoslovakia, Hungary, Poland, Romania and Yugoslavia.

[88] In order:
German Roma Congress- 1872 Hungarian Roma Congress- 1879 Bulgarian Roma Congress- 1906 Romanian Roma Congress- 1934.

In fact, the First World Romani Congress of 1971[89] (See item 8 in Appendix) saw diverse participation from countries both in Eastern and Western Europe. It was here that the common consensus was reached to self-appellate themselves as "Roma" instead of circulated pejorative terms such as Gypsies, *Zigeuner* or *Tattare*. The Congress also adopted a flag (with the Ashok Chakra similar to the Indian flag), an anthem[90] and a slogan[91]. Moreover, 8th April, which was the opening day, has been since celebrated as National Roma Day. Furthermore, several commissions were instituted to deal with matters of Roma education, social conditions, culture, language and war crimes. A Secretariat was also instituted to coordinate the workings of these commissions and report to world fora like the UN, UNHRC, the Council of Europe, etc. It is instructive here to mention that the Congress had come up not just in response to the CoE's 1969 resolution that exhorted Member States to prevent discrimination (in terms of both administrative matters as well as through legislative means) against Gypsies. The larger agenda was to give currency to the idea that despite their various names and divergences, these communities were a unified Roma people, which Gratton Puxon has referred to as an "awakening nation" (Puxon 2019).

Puxon further clarified that the Roma did not seek territorial frontiers of a Romanestan, but rather wanted rights of self-determination as a nation (Puxon 2019). Others like Andrzej Mirga and Nicolae Gheorghe have also argued that territoriality was not the foremost concern of the Roma (Mirga and Gheorghe 1997). Rather due to their multicultural and multi-territorial spread, their acknowledgement stemmed as a transnational minority (Mirga and Gheorghe 1997). Mirga and Gheorghe have further argued that Roma mobilisation had tapped into its potential of ethno-nationalism and hence tried to create its own political space, although they were among the last groups to do so (Mirga and Gheorghe 1997). Even the IRU founded during the Second World Romani Congress (1978) was gaining recognition for its consultative role from the UN. By 1993, the Parliamentary Assembly of the CoE adopted the recommendation that the non-territorial Roma minority required special protection (Guy 2001).

[89] Organised near Orpington, England, the first World Romani Congress was in many ways pathbreaking and gave shape to the force of Roma nationalism.

[90] "*Gelem, Gelem*."

[91] "*Opre Roma*!"

With the fall of Communism in Eastern Europe in the 1990s, the Roma were typically given the status of national minorities by successive states, which Will Guy draws on Gheorghe's work to argue that it was a "measure of bargain": to gain entry into the EU through their liberal stance towards the minorities, and by extension, legitimising their ethnic statuses (Guy 2019). Thus, ethnic minority politics and policies became the bargaining chip for gaining entry into the coveted EU club (Gheorghe 1997)[92]. This argument becomes clear if we look at the politics of Hungary. While some have denounced the Hungarian state's conciliatory approach towards the Roma as an obligation necessary to enter the NATO and the EU; others have argued that as Hungary realised the extent of backwardness amongst the Roma, it was more feasible for them to plead that their resource-poor nature precluded any efforts to attain socio-economic equality for the Roma. Kovats has, in fact, argued that Roma interest representation at national and county levels was precisely done so that the state's obligations towards the development of the Roma could be lightened (Kovats 2001). A similar outcome was seen in Czechoslovakia as well, where the state authorities purposely facilitated the dispersion of Roma amongst the larger population, to counter the tendency of isolation usually followed by the Roma. Drawing on Otto Ulč's work, Will Guy has argued that the Czechoslovakian state was more concerned with the question of assimilating the Roma than considering their nationhood itself (Guy 2019). Furthermore, questions were arising regarding how best to accommodate and assimilate the interests of the Roma in the state. Following Czechoslovakia's division, while Slovakia offered citizenship to existing citizens, the Czech Republic imposed stringent conditions for citizenship[93]. This continued until the Czech Republic and Slovakia applied to join the EU. The desire for EU membership is what drove these countries to finally recognise their Roma population as national minorities.

It was not until the Fifth World Romani Congress of Prague in 2000 that the first iteration of a transnational Roma nation came up. IRU President Emil Ščuka argued for a common nation, but not for the creation of a Roma state (Acton and Klímová 2001). To date, however, this goal of a unified Roma nation has not been realised. The IRU itself was not without controversy, as rival organisations like the Roma National Conference (RNC) critiqued it as an undemocratic paper tiger[94]. The argument also posited that the IRU was far removed from the ordinary lives of the Roma, and hence lacked credibility and legitimacy. The RNC argued that IRU was more concerned about its recognition by non-Roma

[92] "*The fact that the nation-states are so generous now with these "minorities" is just one device to reinforce the legitimacy of these states as ethnic states, states which actually belong to an ethnic "majority". So ethnic minority policies are exhibited as if in a display cabinet, like a showcase in international politics to make sure the Council of Europe and the western democracies think that things are good in eastern Europe.*" (Gheorghe 1997: 160).

[93] Czech Republic revoked its strict citizenship conditions only in 1998, when the nomadism law of 1958 was rescinded.

(gadje) people and institutions rather than the Roma community (Kawczynski 1997).

These deep schisms in the ideations of Roma identity and nationhood are reflective of the tensions that have been variously studied by theorists. These tensions can be framed in two questions:

- Are the Roma a nation?
- Are the Roma an ethnic group?

Scholars like Michael Stewart have argued that the schism between Roma leadership and the ordinary Roma was massive. Unless Roma intellectuals are running political outfits, the ethnic identity of the Roma is not coming to the discussion table (Van Baar 2011). Their "other" identity is a wilful construction rather than stemming from any event within history (Stewart 1997). Will Willems is of the opinion that the Roma see themselves as a single people who despite their motley groupings, have accepted the appellation of Gypsy because this was given to them by their host communities (Willems 1997). Others like Marek Jakoubek through his anthropological studies in Slovakia have argued that the Roma tend to prefer kin groupings over a wider ethnic group (Jakoubek and Budilová 2006). Although Kovats has argued that we must scrutinise the common element of distinctiveness possessed by those informing the Roma discourse (Kovats 2013), Marushiakova and Popov are of the opinion that it is not necessary to group the wide and diverse range of Roma communities under one ethnic umbrella (Van Baar 2011). Drawing on the works of Frederick Barth (Ethnic Groups and Boundaries), they argue that to be seen as a broad ethnic group, it is not necessary for them to have any objective characteristics in common. Hence, there is no

[94] The leader of the Roma National Congress (RNC), Rudko Kawczynski, called the IRU undemocratic, underfunded and lacking in both credibility and legitimacy amongst the common Roma.

merit in the argument that the Roma community have a set of features common only to them and no one else inhabiting the same region as them (Marushiakova and Popov 2016). The fact that the Roma and the non-Roma (*gadje*) have coexisted for centuries in countries across Europe, is also supplemented by the fact that there existed a very clear schism of "us" versus "them."

The Roma have always been forced to remember indignities and stigma that has been their leitmotif through genetic inheritance. In Barth's assessment, therefore, a paradoxical phenomenon comes up: on one hand there are underlying ties of unity and community amongst the Roma. Yet, on the other hand, this community and unity is the product of the perception of the surrounding population, not the understanding by members of the Roma community themselves (Marushiakova and Popov 2016). In contemporary times, the Roma not just reflect their identity, rather they also reflect the ambiguous appellations and abstractions that have been thrust on them from external quarters (Kovats 2013). Kovats further argues that rather than the Roma seeking nationalism (which will ultimately marginalise them from the mainstream), they should go down the path of forging alliances between the Roma and the non-Roma. Ultimately, however, it does not matter what the Roma

think of themselves as to who they are. It is more important how the mainstream others determine who is a Roma and who can be a Roma (Kovats 2013). Budilová and Jakoubek (2009, 2014) and Jenkins (1997) also argue that external assessment and ideation is what unites the ethnically diverse Roma kin groups, not their own internal appellations. The question of Roma Nationhood/ Roma Ethnicity is confounding and in many ways a Gordian knot. Marushiakova and Popov have cited the works of Miroslav Hroch to argue that the Roma community is still in a nascent state of creating a nation. While it is not certain whether a subsequent united Roma nation or historical narrative will emerge, the Roma have at least been able to create an ethnic narrative of their community (Marushiakova and Popov 2016).

1.8 Nationalism and Civil Rights among German Roma and Sintis

The Roma first articulated an idea of nationalism in Romania[95] and Yugoslavia[96] in the 1930s, following academic and newspaper circle promotions. But a corresponding activist enthusiasm was never reported widely amongst the German Roma and their organisations. This lack of response has been analysed by writers like Margalit and Matras as a reluctance owing to the pressures of fitting into their surrounding society and proving their loyalty to the German idea of nationalism. Since most Roma and Sintis in Germany are not very well integrated into the society, in addition to being socio-economically disprivileged, the pressure to fit in is all the more compounded (Margalit and Matras 2007).

[95] The General Association of the Gypsies of Romania was set up in 1933.

[96] The Romani journal "Romano Lil" started publication in 1935.

The Zentralrat have typically accounted for both the 15,000 German Roma and Sinti victims along with the larger 500,000 victims spread across the Nazi-controlled areas (Margalit and Matras 2007). This indicates a nod to a common history of persecution in Europe that has been continuing for centuries, before reaching a brutal climax under the Nazis. But rather than being understood as an acknowledgement of Roma nationalism, it should be seen more as a notion of solidarity borne out of common circumstances of persecution. The Sinti are otherwise typically inimical to the notion of a transnational diaspora that is implied by Romani nationalism. Margalit and Matras in fact refer to this Sinti inimical behaviour as a preference to be integrated within the German state (Margalit and Matras 2007). Nazi racial prejudice almost nipped Roma political articulation in its bud, in the 1930s and 1940s (Margalit and Matras 2007). It was in the 1950s that the Roma movement once again assumed a concrete shape, although it faced a number of challenges, including the persistent antipathy towards the gypsy and Roma population across Europe (Margalit and Matras 2007).

In 1956, Vincenz Rose founded the *Verband und Interesssengemeinschaft rassisch Verfolgter nicht-jüdischen Glaubens deutscher Staatsbürger e. V.* (Association and Interests Community of Racially Persecuted German Citizens of Non-Jewish Faith) (Margalit and Matras 2007). This should be seen as a deliberate attempt to blur membership identities, since this degree of vagueness would also appeal to other persecuted cohorts such as the Jewish. It has also been suggested that Rose was attempting to bypass the general German sentiment of

antipathy towards the *Zigeuner* (Margalit and Matras 2007). It is in fact the influence of the International Romani Union that cemented this antipathy even amongst the Roma. Hence by the 1970s, the Sinti activists started replacing the terms "Romani" with the term "Sinti". Most fundamentally, Rose and others like him were attempting to be recognised and accepted as Germans.

In the period of flux following the turmoil of the Second World War, a sort of moral crisis and resultant reflection had emerged, wherein there was a call for rights-discourse regarding the marginalised, along with intersecting discourse on human rights[97]. Rose's organisation, however, was not national in character; concerning itself mainly with trial and compensation for Sintis who were victimised by Nazi perpetrators during the Holocaust. By 1973, the organisation came to be known as *Deutscher Sinti Verband* (Association of German Sinti), undergoing one more change in nomenclature in 1983 to *Zentralrat deutscher Sinti und Roma*. But through these superficial changes of name, the organisation never gave representation to the Roma, instead just remaining as an organisation with Sintis on board (Margalit and Matras 2007). The Rom und Cinti Union (Romani and Sinti Union) had been formed in Hamburg by a Polish immigrant Rudko Kawczynski in the late 1940s (Margalit and Matras 2007). It demanded that European authorities should recognise all Gypsy groups as Europeans living without their own territory, thus implicitly arguing for a concept of transnational Roma diaspora (Matras 1998).

In West Europe, the 1960s proved to be the key period of crystallising Roma nationalism, having borrowed ideas from civil rights movements among the American Indians[98]. The logical conclusion of this was the 1971 Roma Congress in London (*Romano Kongreso*). At no point, however, did Roma nationalism evolve into a vision for territorial rights, unlike the Zionist nationalism of the previous century. The Roma never wanted a return to their mythical origin land in the Indian subcontinent (Margalit and Matras 2007). What Roma wanted above all was to be recognised as equal citizens with a unique culture in their European homeland countries. Roma nationalism has moved from pre-national community consciousness and identity to a unified sense of national consciousness and identity. Roma nationalism also takes cognisance of solidarities built with groups like the Sinti (within Germany) and other Roma groups in other parts of Europe (Margalit and Matras 2007).

The Roma flag, similar in design to the Indian flag's *Ashok Chakra* (see item 9 in Appendix), was used prolifically by the Sinti organisations up to the 1980s. However,

[97] The Third General Assembly of the United Nations had adopted the Universal Declaration of Human Rights in 1948.

[98] The 1960s saw the growth and increasing momentum of the Native American civil rights movement, inspired by the African American civil rights movement.

there was a parallel hesitancy amongst the Sintis, who felt Roma nationalism would negate the Sinti's efforts to be integrated within Germany. The German Sinti are vocal in their preference for the Assimilation Model (Margalit and Matras 2007). Theorists like Margalit and Matras find the *Zentralrat deutscher Sinti und Roma* to be foremost among all Roma organisations with regard to creating a discourse to mould public opinion

positively, thereby ensuring the Sinti's right to live in Germany as respected minorities (Margalit and Matras 2007). Sintis simultaneously showcase their pride in being "Germans" just like their parallel private domain identity of Gypsyhood. This pride of "Germanness" has to be contextually understood as the fulfilment of the German legal demand of citizenship by those who wish to be naturalised (Matras 1998). And it is this exact pride that prevented the Sintis from welcoming later waves of Eastern European refugees (Matras 1998). The Zentralrat refused to assist the foreign Roma in their legal battle for asylum, instead regarding their growing numbers as an abuse of their guest status in Germany. Furthermore, this abuse was seen as inimical to the image of German Sinti and Roma and their status as national minorities (Matras 1998).

It is clear that the Roma and Sinti have divergent ideas of national consciousness and identity politics. This will be clearer if we look at the several distinct self-appellations of these groups with regard to representation. Sintis typically are more desirous of their "German" identity, thus including the term "German" in the title of their organisations. In the 1960s, the *Zentral Komitee der Zigeuner* (Central Committee of the Gypsies) was formed in the Federal Republic of Germany by Walter Strauss and Wilhelm Weiss. On the other hand, the Roma have a paradoxical outlook on this matter. Despite seeking German citizenship, they have not been desirous of the "German" tag (Margalit and Matras 2007). Activist Rudolf Kawczynski is of the opinion that despite his German citizenship, he is not German. The post-war generation of immigrants tend to regard themselves as a nation (Roma) rather than members of national minorities (Gadschkene Roma or German Roma) within that nation. This is why many of the present activists like Kawczynski will never refer to themselves as Gadschkene Roma (Margalit and Matras 2007).

Clearly, the Sintis and the Roma have different ideations of consciousness; while the Sintis have an ethnic consciousness, the Roma are imbued with national consciousness. While both groups embarked on a widely publicised campaign between 1979 to 1985 for their civil rights and recognition, the Sintis chose to locate their demand within the spectrum of ethnicity and culture integral to German consciousness; seeking to convince Germany of their intention to be a part of Germany's national culture. Zentralrat chairman Romani Rose has, in fact, repeatedly emphasised the Sinti's contribution to German culture and their patriotism. The Roma on the other hand, were active in trying to revise Germany's citizenship laws of 1913[99] by promoting a more political idea of their nationhood as separate from the German ethos and identity (Matras 1998).

The Zentralrat has over the years demanded that the federal government recognize the Roma and Sinti in terms of their ethnicity, spanning more than 600 years of culture, history and language. Zentralrat Chairman Romani Rose argues that this 600-year-old linguistic preponderance should be considered an integral part of German culture now (Margalit and Matras 2007). On the other hand, Roma who have emigrated from Eastern Europe do not identify with the German culture and hence are not taken in by the appeals of historical linguistic legacy.

1.9 Nationalism and Civil Rights among French Roma

Human Rights had become a very powerful discourse following the Second World War. Thus, any conversation around the civil rights of the Romanis was bound to become embarrassing for the French government. The CMG had used world forums to cleverly position the question of Romani civil rights, to the extent that it forced the French government and its citizens to relook the problem of the Gypsies (*problème gitane*). The French Parliament was exhorted to legislate on seven points (Liégeois 2017):

- Repealing the Nomadism Law (1912)[100]
- Ensuring the creation of well-managed camping sites
- Letting Gitans administer camping sites themselves, under the control of the government. The Gitans will ensure rent payment for the same.
- Starting caravan schools with Tsigane teachers in the said camping sites
- Abolishing the Nomad Identity Card

[99] The Nationality Law of 1913: In 1913, Germany's new nationality law removed the requirement of consular registration as a ground for the loss of German citizenship.

[100] This law called on travelling Roma to carry Nomad Identity Cards.

- Allowing everyone to register their trade and allowing the payment of taxes
- Collaboration by the Inter-Ministerial Commission for the Study of the Problems Posed by Populations of Nomadic Origin with the CMG.

Thus, in 1969[101] an Act was proposed regarding reforms related to halting, movement and identity cards. Camping prohibitions were commonplace, as was the obligation of carrying identity cards. In fact, these measures (documentation, entry and exit visas, etc) not only profiled the Roma living in France as some sort of offenders, but also pre- emptively criminalised them much like their situation prior to the Second World War (Möschel 2018). Prior to these bills and reforms, Gypsies in France were under the control of the Interministerial Commission for Nomadic Peoples (set up in 1949), which was headed by Pierre Join-Lambert (Sierra 2019). The Commission was tasked with defining policies with respect to nomadic populations such as the Tsiganes. This Commission was essentially borrowing the modus operandi of the pre-First World War German State, taking a leaf out of Germany's 1912 law (Sierra 2019). Naturally, the effectiveness of the Commission has been called into question, as its deliberations did not reach any feasible outcome (Sierra 2019).

The sustained efforts of civil organisations like CMG and Rotaru's antics successfully brought the question of the Roma's legal status into the public domain. The CMG was also involved in publicising the Roma genocide under the Nazis, something they achieved by visiting the various trials[102]. Despite earlier initiatives by organisations like the Association of Sinti in Germany, what Rotaru did differently was to demand

reparations, and political recognition as well as seek a civic space (Romanestan), where historically persecuted Roma could be protected. Despite Rotaru's best efforts, the German branch of the CMG was unable to convince the Bonn government to give compensation, as the latter remarked that Roma victims had suffered on account of their criminality, and not due to any racial reasons (Sierra 2019).

The idea that Romani people have a common origin despite their present diversity, which entitles them to a physical space or homeland, has been witnessed several times:

[101] Act Concerning the Exercise of Itinerant Activities and the Legal Framework Applicable to People Circulating in France Without a Fixed Home or Residence.

[102] Rotaru visited Israel to attend the Eichmann trial, drawing attention to the systematic decimation of the Roma under the Nazi regime.

the Kwiek dynasty in Poland for example, and the more recent Romanestan articulated by Rotaru. Naturally, the Israeli state became a blueprint of sorts in this regard. Rotaru's construct of a state did not have fixed boundaries, but did display a foundation of ethnic commonality. By using the imagery of culture and leadership, Rotaru had created an image of Romanestan that was a refuge for the Roma. In that sense, the fact that Romanestan never had a proper territorial location, made it something that could be adopted by the stateless and nomadic Roma across the world (Sierra 2019).

But by 1965, the French authorities had condemned these organisations led by Rotaru as illegal since he was stateless himself (Sierra 2019). Even though Rotaru embarked on a process of ethnicization coupled with political awareness; he regarded this ethnic identity as compatible with universality. Gypsies and Roma were the foremost examples of people divided by borders, conflicts and historical marginalisation; yet united by their common heritage. In trying to locate Romanestan within France, the author argues that he was trying to equate the French values of *liberté, égalité, fraternité* with the implicit universalism of Roma.

The French government under De Gaulle however, did not agree with Rotaru's conception, which forcibly dissolved the CMG in 1965, because of its non-French leadership (Liégeois 2017). Even the subsequent organisations like *Comité International Tsigane* (led by Vanko Rouda) were often subject to surveillance on account of suspicious activities against state security. Dealing with the independence war of Algeria[103], already there was a general milieu of tension within France. Furthermore, the stoking of Romani ethnic consciousness was liable to remove the Gypsies in France from the control of institutions like the Interministerial Council. Hence through measures like harassment and the co-option of the Catholic Church, Rotaru was painted as a fraud (Sierra 2019). Join-Lambert had played his cards carefully, by creating the *Etudes Tziganes* that served to develop Roma studies within France. This served as the discursive power that opposed Rotaru's assertions of being a Romani, gradually obliterating the space Rotaru and Romanestan had created in the French society (Sierra 2019). In the 1970s, Vanko Rouda formed the Tsigane

[103] Between 1954-1962, France and the Algerian National Liberation Front fought the Algerian War. It is also known as the War of 1 November in Algeria. It led to Algeria becoming independent. On March 18, 1962, the Front de Liberation Nationale (FLN) and France signed a peace agreement, signalling the end of French colonialism in Algeria.

International Committee, which was renamed as the Romani International Committee, since it deliberately tried to distance itself from Rotaru and Romanestan (Sierra 2019).

Meanwhile other organisations had also come up: a *l'Association des Gitans et Tsiganes de France* set up in Marseilles in 1962, and a *l'Association nationale des Tsiganes de France* founded in 1967 (Liégeois 1976). By 1973 a federal body was formed: the *Comité National d'Entente des Gens du Voyage*. A common feature of these committees and associations was their lack of financial resources (Liégeois 1976). Moreover, state representation within these groups viewed the Roma with a lot of suspicion. A principal feature to be noted regarding the civil rights movement of the Roma in France is that the state hegemony of nationalism tended to run aground the precarious structure of balancing cultural particularism with political universalism (Liégeois 1976).

Is the Roma an ethnic group or a nation?

Ernest Renan's formidable academic endeavours have made it clear that more than the sense of common belonging and destiny, it is the common characteristics that are more important (Renan 1882). In this sense, both Renan and Benedict Anderson are similar in their views that nationhood steams from a "tacit daily plebiscite". Renan also argues that historical amendments in the sense of forgetting it or wilfully making incorrect historical assumptions are also what constitutes nation-making. Hence studying history is what makes it an anathema for nationality. Alfred Cobban in his assessment has also dismissed the objective criteria of nationhood as futile, instead arguing that the definition stems from subjectivity. In that sense, if a territorial community has members conscious of their membership that they want to preserve, then they constitute what may be regarded as a nation (Cobban 1969).

To complexify this debate further, let us also look at what Wittgenstein has proposed. His idea of the word "games" is an apt metaphor. While the word "games" may refer to a number of types of games, and there may be no underlying similarity to all the games, there will in fact be an underlying similarity and relationship, which he calls as the games within a family (Wittgenstein 1958). Just as the debate on nationhood does not yield a universally valid definition, the alternative is to highlight characteristics that are emphasised by ethnic communities in their quest for nation-building. In this sense, it is instructive to look at Kautsky's assessment of Third World Nationalism, where he sees the absence of any positive factor contributing to nationalism, but rather the overarching narrative of colonialism that needs to be defeated (Kautsky 1962). Hence ethnicity may or may not be mobilised into a political force, operating usually in a contextual and contingent manner (Loïzos 1971).

Eric Hobsbawm in his seminal work had made distinctions between nationalism and ethnicity; claiming that while nationalism saw groups defined as "nations" exercising their political powers to form states, in contrast,

ethnicity provides a sort of readily identifiable pedigree that helps to project a group identity of "we" as different from "them" (Hobsbawm 1992). For Hobsbawm as well as Renan, nationalism required more than a common set of beliefs and ideologies; it also required belief in that, which was a construct by disparate groups. Thus, in line with what Marshal Pilsudski said after the reunification of Poland, which is also instructive in the present line of discussion; '*It is the state which makes the nation and not the nation the state*' (quoted in Hobsbawm 1990: 44-45).

To conclude, this chapter has looked into the idea of a Roma community and their equality with other nations and peoples being a recent phenomenon. The itinerant and nomadic lifestyle of Roma has played a large part in their remaining non-integrated into the surrounding social environment. This itinerant lifestyle has also had two other ramifications: i) It led to a severe racial backlash, especially under the Nazi regime and;
ii) it made it difficult for the Roma to consolidate their identity beyond their segmented presence across the various countries of Europe. In fact, the process of identity consolidation gained pace only following the horrors of the Second World War. This identity consolidation also led to two corollary events: i) The rising demand and quest for civil rights and; ii) The rise of academic debate into whether the Roma are a nation or an ethnic group.