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*Citizenship as Europeanization, Europeanization as Citizenship: challenges, opportunities, and realities of a European post-national political space and the question of the integration of European Roma, Sinti, and Traveller communities**

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1. The Question of Citizenship today

Citizenship has become one of the central categories in the study of European integration today, even beyond the institutional and geographic confines of the European Union (EU) itself (Bellamy and Warleigh 2001; Bellamy 2008). Yet can we actually see the emergence of a post-national conception of citizenship – resulting in effect in the creation of specific “*European citizens*” (Maas 2007) and an entire “*citizenship regime*” (Jenson 2007) – within the European political space today? The question is less easily answered than sympathizers or detractors of the notion of a European citizenship might wish to suggest. At present, the very centrality of citizenship is derived from the controversy and questions that surround the process of EU-European integration as a process (and product) wedged and at times torn between post-national commitments and continuing national prerogatives. Thus, as Diez and Wiener have noted, the case for or against the emergence of a European citizenship appears to stand or fall with one’s general take on

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European integration, namely, as either a supranational or a national (intergovernmental) dynamic (Diez and Wiener 2009: 5). Yet in the case of citizenship, this well-known problematic of EU-European integration is further complicated by questions about the very nature of political and social identity-formation, the relationships between “inside/outside” and “us” and “them” in the creation and reproduction of communities, and – more concretely – by how norms and political-administrative rights and procedures at the national and EU-level actually relate to and interact with commitments derived from international law (the relationship between citizenship rights and human rights). In short, while citizenship has become one of the central categories in the study of European integration today, it is also easily one of the most complex, not to say opaque, and controversial categories. Still, champions and critics of a European citizenship agree that citizenship is defined at base as a term that assigns an “inside” status to and confers rights, privileges, and responsibilities on its holder and that both protection and participation – the right to be protected from (undue) harm and the right to participate as equal member in the affairs of the community – are fundamental characteristics of the status of being a citizen. The key question or dividing line is therefore if and to what extent those agreed upon fundamentals can be said to exist already or at least to be in the process of becoming realized within EU-Europe. As we shall see, the question of “stateness” itself – who is conferring and legitimately can confer the status of being a citizen – is a major part of the problem.

This paper steps into the citizenship debate by focusing on citizenship in its relation to the Roma, Sinti, and Traveller communities in Europe today.¹ That this paper focuses on the citizenship/Roma relation is not merely due to the much-publicized “events” (expulsions, violence) against Roma in recent years. The paper begins with the contention that the Roma’s negative status in Europe as a *public* “menace” and “place-holders” for perceptions of and concerns about *social* anarchy – the negative status behind what has been called the “Roma problem” or more recently the “Roma question” – is neither accidental nor irrelevant to the discussion of a European post-national political space in

¹ The paper will use Roma in the following as the officially accepted shorthand for the communities in question.

general and the question of the emergence of a European citizenship in particular.² The Roma have moved from the margins to the center of concern, as their identity and presence have become – once again – a test case for the reality of normative commitments; in this case, the emergence of a European citizenship as a “contested terrain” (Wagner 2009). The recent, but in fact: old, controversy about the rights of residency and free movement for the Roma within the EU area will be discussed as exemplary of the institutional and political tensions that characterize the notion of a citizenship beyond national/ized polities.³

What can the discourses that have developed around the notion of a “Roma question” and the policies that are being initiated to combat it (including the existence of a “question” itself) tell us about different and differing conceptions of citizenship at stake? Has European integration provided the opportunity for a new engagement between majority and minority in this case, an engagement that stresses both rights and equal participation for the minority? To what extent can one discern an empowering process based on the notion of a common European citizenship? Or do recent controversies and their normative and political fall-out point to the continuing, perhaps even renewed, relevance of the national and intergovernmental in the construction of who is “inside” and who is “outside”?

As positive result – meaning here: as indication of the importance and power of a European citizenship as an inclusive and participatory norm – one should be able to

² I should immediately note or admit that the focus of the paper is not on the Roma communities themselves, but only on the relationships – discursive practices, policies – that lie at the base of what has been called the “Roma question.” For an interesting discussion of Roma identity as a “diasporic identity” in the context of a “European *demoi-cracy*,” see Goodwin (2009), esp. pp. 18-21.

³ Not to complicate the issue, I have refrained in the following from looking beyond the EU’s organizational borders and incorporate the Council of Europe (CoE) in the discussions. I should note that since the CoE is the largest, most inclusive European organization, yet hardly has any policy implementation and enforcement powers, especially not in comparison to the EU, it presents a rather pure example for the strength or weakness of norms across (and within!) national borders (Wagner 2001).

encounter a pressing and continues need on the part of European organizations to focus on the Roma today, while member states (and even national states beyond those institutional confinements) would find it increasingly difficult to overlook the Roma and/or to continue with oppressive/repressive practices. Short and bold, one would expect politics and policies to become more inclusive and the Roma and “their” organizations more vocal *and* successful in advocating Roma concerns. Admittedly, then, a specific knowledge-guiding interest (*erkenntnisleitendes Interesse*) is already loading the proverbial dice. But I do not see an interest in emancipation and democratization as a priori suspect.

In the following, the paper analyzes the relation of citizenship and Roma by using specific events, political discourses, policy and legal documents, and information and insights gathered from interviews with European Commission, European Parliament, Council of Europe, and civil society experts during research stays in Brussels and Strasbourg in May/June 2011. The paper proceeds by first providing some necessary historical and imaginological context to the present European debates about the Roma. The paper then turns to two crucial events that have defined the “Roma question” in Europe today: the bilateral conflict between Italy and Romania in the summer of 2008 over the treatment of Roma in Italy, some of whom were Romanian citizens, and the European-level conflict between France and the EU Commission and a European-level civil society in the summer, early autumn of 2010 over the treatment of Roma in France. As we shall see, in both cases, citizenship played a major role in how both events came to be defined and both events can be read as an unfolding lesson in the importance and dynamic of a European citizenship today. From there, the paper moves to the European level and addresses the recently adopted *An EU Framework for National Roma Integration Strategies up to 2020* (European Commission 2011a and b; Council of the European Union 2011) as a response to the “Roma question” and especially the treatment of Roma in France and the (short-lived) conflict between EU Commission and French government. If the new “EU framework” was indeed a response to the “Roma question” and especially the French/EU/European crisis of 2010 – as interview partners freely admitted – how successful can it be said to be in addressing the “Roma question”? In

fact, what does the new framework actually address and what does this tell us about the “Roma question” itself? Last but not least, in its third part, the paper sums up the findings and presents a rather complex result that circumvents an easy optimistic or pessimistic conclusion: a European citizenship clearly exists, but it also clearly continues to be a highly contested terrain.

2. The “Roma Question” as Citizenship Question

2.1 Historical and imaginological context

There are an estimated 10-12 million Roma living in Europe today, with most living in member states of the EU (European Commission 2011b: 1). This makes the Roma the largest ethnic minority group in the 27-member-states EU area and, depending on the estimates one uses, the largest ethnic minority group in the 47-member-states CoE area. The Roma population is not equally divided, however. While most EU and many CoE countries have some Roma in their midst, the percentages vary between 7-10 percent in the historical settlement societies of East Central and Southeastern Europe (Bulgaria, Slovakia, Romania, and Hungary) to about 1.5 to 2.5 percent in the historical settlement societies of Western Europe such as Spain (European Commission 2011b: 1).⁴ Although many still associate the Roma with the image of a constantly travelling people, today, the vast majority of Roma are settled and only a dwindling minority continues the (formerly)

⁴ It is notoriously difficult to provide an accurate headcount of any population. The difficulties are compounded in the case of ethnic identification, which is usually done via self-identification in census data collection and therefore turns even more problematic in the case of the Roma populations where the identity clearly carries a stigma within the broader society (Zamfir and Zamfir 1993, pp. 52-56). If one uses official census data *or* highest estimate numbers, Turkey has the largest Roma population in Europe and therefore the world (yes, this author counts Turkey as European). A good overview of the population data question (census and estimates from various sources) is provided by the Wikipedia entry for “Romani people” at http://en.wikipedia.org/wiki/Romani_people. See also the discussion “Third Migration” in Council of Europe (n.d.: factsheet 7.0).

traditional travelling life.⁵ And as interview and discussion partners from the Commission to civil society organizations insisted to this author, the present-day migrants that have put the European focus back on the Roma are labor migrants and have therefore nothing to do with a traditional nomadic life.⁶

Yet numbers and facts have never been the issue between the Roma and the societies they have and continue to live in or have travelled through in the past. As Legros has pointed out, what has come to be called the “Roma question” does “not exist a priori,” but is the complex result of social interactions that are themselves informed and formed by “discourses and practices of ordinary citizens, social organizations of the so called ‘civil’ type and [political-administrative; FPW] institutions” (Legros 2011: 43). It would certainly be too much for this paper to address the complex history that stands at the beginning and at the intersection of the present “Roma question.” However, some crucial points need to be made.

First, in the most general sense, the “Roma question” is the result of a differentiation process between a “self” and an (its) “other.” This process has assigned the Roma a bifurcated and ambiguous role in the European imagination: that of the exotic and hence also forbiddingly desirable (erotic) figure of the wayfaring gypsy and that of a *public* and *societal* “menace,” a stand-in or place-holder for perceptions of and concerns about anarchy. The construction of the Roma as a distinct population group holding both “exotic temptation” and public “menace” status occurs within the same historical-societal process that creates a European “self” that differentiates itself consciously from the wild and barbaric. As such, this process and its results are also part and parcel of the general modernization and consolidation of European societies and nation-states occurring in the long nineteenth century. In particular, the prism of the public “menace” through which

⁵ Interview and discussion partners in Brussels and Strasbourg noted that only about 2 percent of the Roma population could be classified as nomadic.

⁶ A nice recent example of the “nomad” myth or gaze that continues to inform coverage about the Roma: http://www.huffingtonpost.com/kisa-lala/the-new-nomads_b_929580.html Note, however, also how the presented pictures counter the nomadic myth.

the Roma have come to be seen is a product of the formation of modern societies and especially the national state, its territory, and its “people.”

This is not to say that different national states had not different ways of perceiving and treating the Roma in their midst. However, the view of the Roma as a distinct population group threatening not just individuals or a specific community at a specific point in time – as travelers coming through – but a public order in general, only emerged with the idea of the modern territorial-based public order itself. The modern state availed itself of the already existing prejudices (magic, thievery, vagabondism) and at the same time reinforced them, indeed generalized and diffused them, through its administrative and policing actions. The direct connection between the rise and consolidation of the national state and the rise and consolidation of the idea of a public order in bringing about the view of the Roma as a public menace – a “problem” or “question” – that needed to be dealt with in the same manner that other groups deemed outside of society – vagabonds, the poor, the mentally ill, etc., etc. – needed to be dealt with cannot be overstated.

Looking even in a cursory fashion at the history of the Roma in Europe, the “second discrimination” endured by the Roma from the middle of the 18th century onward differed from the “first discrimination” both in a qualitative and in a quantitative sense as one is able to draw a (late Frankfurt School, Foucaultian, Agambenian) line from the forced assimilation policies under Maria Theresia to German National Socialism’s concentration camps (CoE n.d.: Factsheet 3.1 and following).⁷

Admittedly, the historical-imaginological points in the above are very broad. Yet they provide a necessary larger context for what has come to be called (again) the “Roma question” in contemporary Europe. Let me now turn to two recent events that have come to define the “Roma question.” As we shall see, in both events, citizenship plays a defining part and therefore tells us a lot not only about the relation between citizenship

⁷ The above process also explains why and how Roma became settled, especially in the Western part of Europe: by brute force, but also by the fact that the social and economic spaces for leading a travelling life, including crossing borders, became ever more constricted.

and Roma but about the construction of and controversies surrounding citizenship in Europe today.

2.2 Reading events as discourse: conflicting visions of citizenship

It is not an exaggeration to note that after the Second World War and the horror of the concentration camps, the Roma actually disappeared from European view, not even their suffering was publicly recognized and remembered.⁸ When the state socialist regimes in East Central and Southeastern Europe collapsed, thereby re-opening the West/East border, the Roma regained attention again. The initial focus was predicated on viewing the Roma in East Central and Southeastern Europe as a population in special need of material assistance as the by far poorest population group in the former Eastern Europe. The view of the Roma as the truly disadvantaged guided early policy, be it public (European-level) or private-initiative assistance measures.⁹ However, this view of the Roma as the poor and disadvantaged in need of material assistance almost immediately was challenged by rising fears in the West of an invasion of Eastern labor migrants in general and “the gypsies” in particular. That the Roma in the former Eastern Europe immediately also faced heightened discrimination and violence in their own post-socialist societies – from violent acts in Romania to the consequences of the dissolution of Yugoslavia – was easily overlooked in this regard. Be it for work or safety concerns: Roma from the “East” moved to the “West” where their presence rekindled the old prejudices and concerns about public order and safety, concerns that could only intensify in conditions of social and economic stress.

⁸ A Roma representative was invited to address the German Parliament during its Holocaust memorial service for the first time in 2011. I think it is fair to say that this invitation, too, was an outcome of the very recent European re-focus on the Roma, including its citizenship-framing, of which more below.

<http://www.faz.net/artikel/C30923/gedenktag-der-vergessene-holocaust-30325798.html>

⁹ A point made by all interview and discussion partners in Brussels and Strasbourg.

With the accession of Slovakia, Hungary, and the Czech Republic to the EU in 2004 and the later accession of Bulgaria and Romania (2007), all of which had larger Roma populations, a new phase began. Since then, the Roma have become part of a larger debate about the merits and drawbacks of Eastern enlargement, namely, as ready-made examples in arguments against enlargement.¹⁰ Simultaneously, one also notes at the EU-European level an intensified and rather different policy-concern coupled by a shift in perspective or framework, as the Roma have become part and parcel of the EU-integrated social and economic space. The launch of the “decade of Roma inclusion” in 2005 by twelve countries, six of which are EU members with the others being candidates or expecting to be candidates for EU membership, and the work within the European Parliament leading to the first resolution on Roma inclusion in 2008 underline the new importance and the shift in perspective: away from Roma as “objects” or a “problem” to be (mis-) “treated” and towards an inclusive, participatory framework (Open Society Institute 2011). This shift in perspective or framing, if rather unfinished and itself problematic as we shall see below, has set the context for the renewed debate about the Roma and as such has challenged the traditional construction of the “Roma question.” What is different from the earlier state-centric concern with public order is that under democratic conditions, the state itself has to claim some form of democratic legitimacy in its actions and the notion of citizenship – of protecting and serving its citizens – is part of that claim. And it is exactly at this crucial nexus that the new “Roma question” has also become a placeholder or stand-in for the notion of a European citizenship.

Two central events that have brought the Roma into sharp focus again can serve as examples of the new phase and the noted shift in framing. First, during the summer of

¹⁰ During a recent round-table discussion about the Roma in Europe (EUobserver 2011b), Nigel Farage, MEP (EFD), actually used the treatment of Roma in Romania and Bulgaria to criticize Romania and Bulgaria’s accession to the EU. He also clearly stated that “prime ministers” [meaning: any elected head of the executive in a member state; FPW] should be able to actually decide who is allowed to live in their respective country and who is not, and that in 2014 after the last stipulations against free movement of Romanians and Bulgarians have fallen, one might see a massive wave of Roma emigration and that member countries have the right to be worried about that (he noted that 1 million Poles had come to Great Britain after 2004).

2008, the governments of Romania and Italy clashed over the treatment of Roma, some of whom were Romanian citizens, in Italy. Then, in the summer and early fall of 2010, the government of France found itself at the center of a European-wide uproar because it pursued a policy of expelling Roma from France, sending them “back” to their supposed home countries.

The clash between Romania and Italy began when the then newly re-elected Berlusconi government introduced an “anti-crime” policy package.¹¹ This policy package eventually featured measures that would target the Roma living in Italy via a “census” and fingerprinting. The measures were the result of the Italian population’s heightened concern about crime, especially singling out the Roma as perpetrators; a concern that arguably swept Berlusconi’s new right coalition to electoral victory. As Berlusconi openly stated at the time:

“The state has to return to being the state ... The security measures will allay the fear that citizens have ... It is their [citizens’] right not to be afraid anymore.”¹²

The right that Berlusconi invokes – the right not to be afraid – is the Hobbesian “right” of subjects as wardens of the state. In order to fulfill the role of a warden, the state, in turn, must be the guarantor and protector of security; it must itself be a “security state”.¹³ Citizens have the right “not to be afraid”, to feel secure. The state has the duty to “ally the fear”, to protect its citizens. Berlusconi’s vision of the state, then, is the state as “pater familias” (head of the household), while citizens are returned to the status of frightened children.

Obviously, to be protected is part of our general understanding of what it means for a person to have citizen status. One quickly notes, though, that in our general

¹¹ For an in-depth discussion of the clash in the context of Italian and Romanian politics, see Wagner (2009).

¹² “Berlusconi unveils anti-crime measures for Italy”, *International Herald Tribune*, May 21, 2008.

¹³ In its classical Neo-Marxist formulation, the term security state designated the articulation of “welfare” and “surveillance/policing” functions of the state in late Fordism (Hirsch 1980).

understanding of what it means to be a citizen today, a citizen can also rely on being protected *from* the state itself: political authority itself is bound by laws, and for good historical reasons. International law – meaning here: human rights law – traditionally has interfered with the boundary between citizens and non-citizens in this regard as the doubling of protection – protected by the state and from the state – has become a general right that all human beings (should) enjoy as members of the same species, irrespective of their concrete citizen status or place of residence. Yet this doubling of protection also points to the positive meaning of being a citizen: to be on the “inside” of a community and to have the right to participate in the community as political equal. The “[s]ecurity a la Italiana” (European Roma Rights Center 2008) here reminds us that the Roma are clearly not considered citizens: they are seen as an outside threat from which the rightful, Italian citizens have to be protected. As Berlusconi had to learn, making that distinction in the contemporary EU-context is simply not European anymore.

Romanian President Traian Basescu’s response to the Italian measures came at a press conference after a crisis visit to Rome:

Romanian citizens, irrespective of their ethnic background, are citizens of the European Union... They [Roma] are our citizens... Romanian citizens are citizens of the European Union and are to be treated according to the standards of the European Union.¹⁴

Basescu’s response is remarkable in its usage of citizenship as an inclusionary term. In the Romanian case, prejudice (and violence) against Roma has a larger context. The other – the Roma – are intricately linked to Romanians’ own negative self-image, which as such appears also reflected in West Europeans’ negative image of Romanians as “gypsies.” Thus, for Romanian politics and society, the differentiation between a Romanian identity and a “gypsy” identity has made it even more difficult to acknowledge

¹⁴ Press conference with Berlusconi during Basescu’s visit in Rome, July 31, 2008; http://www.presidency.ro/?_RID=det&tb=date&id=10108&_PRID=ag. “Roma – Basescu: Romania does not approve Italian Measures,” *AGI News On*, July 31, 2008; <http://www.agi.it/english-version/italy/elenco-notizie/200807311756-cro-ren0084-art.html>.

citizenship because such an acknowledgement would retransfer the negative “other” into the self. Yet the Italian security measures ultimately forced such an identification precisely because those measures concerned and threatened the rights associated with citizenship and thereby in effect did not make a distinction between “gypsy” and “Romanian”. As President Basescu’s noted reaction points out, the Italian measures questioned in the end the Romanian citizens’ standing inside the Union as co-equals to the citizens of all other member states and the Romanian state’s ability to protect its citizens both in bilateral relations and in EU affairs.

Thus, although for Basescu, a “Roma problem” still existed and was characterized as a European problem, the clash between Italy and Romania demonstrates the emergence of a European citizenship as a powerful new context. The fact that the definition of citizenship within the EU is not anymore the sole (and simple) prerogative of a national state, that a (EU-) European understanding has indeed emerged, and that this new understanding of citizenship has an impact both within and between the member states are all in ample display here. What is still missing is the European-level response itself. As we now know, in this case, the European Commission played a rather mediating role in the end, giving its assent to the Italian fingerprinting scheme in the early fall 2008. The Commission declared itself satisfied that the fingerprinting scheme would only serve in instances where no other means of establishing a person’s identity is available.¹⁵

If the Commission proved to be conciliatory in the Italian case, two years later, in the summer and early fall of 2010, the Commission played a rather different role in the case of France. In the summer of 2010, the French government stepped up its efforts to send Roma living in France back to Romania and Bulgaria; ostensibly, one might surmise according to the identity documents presented in each individual case, the countries

¹⁵ “EU gives blessing for Italy’s Roma fingerprinting scheme,” *EUobserver*, September 5, 2008. <http://euobserver.com/22/26691>. Last accessed: August 30, 2011. “L’UE: ‘Le misure italiane sui rom non sono discriminatorie’,” *Corriere della Sera*, September 4, 2008. http://www.corriere.it/politica/08_settembre_04/nomadi_ue_misure_c277b0f0-7a70-11dd-a3dd-00144f02aabc.shtml. Last accessed: August 30, 2011.

where they came from. The renewed efforts – France has been sending Roma “back” continuously over the past years (“Frankreich fliegt mehr als hundert Roma aus,” *Der Spiegel*, August 20, 2010) – allegedly were taken in response to concrete occurrences and leading politicians of the conservative French government framed the measures as directed against crime and in support of public security (“Sündenböcke auf der Müllkippe,” *Der Spiegel*, August 18, 2010).

Yet the French government encountered that it is not as easy anymore as it used to be in European history for any politician to define an entire population group as a “problem” or “question” and to send it back to another state, even if that state were that group’s “country of origin.” The European Commission eventually stepped in and threatened the French government with a failure to comply proceeding based on the EU’s internal freedom of movement and residency policy. Viviane Reding, the Commissioner for human rights issues, even went as far as comparing French government policy to Nazi-era “deportations”; a comparison that led to an unanimous outcry among French government officials and considerable tension between the Commission and the French government.

Despite the questionable grandstanding (on both sides, I might add), there was a real issue here directly linking the notion of a European citizenship to existing EU policy: the EU directive 2004/38/EC “On the Right of Citizens of the Union and their family members to move and reside freely within the territory of the member states.”¹⁶ The directive explicitly mentions expulsion as a policy measure for two reasons: on the grounds of public security/safety/health and in case of “beneficiaries” becoming “an unreasonable burden on the social assistance system of the host Member State” (Directive 2004/38/EC, [22] and [16]). However, already these general recognitions of expulsion are embedded in a language that signals that expulsion is only to be used as a last resort (for example “unreasonable”: the fact that someone merely applies for social assistance is explicitly excluded). One should duly note that the relationship between the provisions

¹⁶ Directive can be retrieved via EUR-Lex:
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0038:en:NOT>

for long-term residency (over 3 months) and expulsion are not spelled out. Furthermore, Articles 28 and 29 of the directive explicitly address the protections against expulsion by spelling out who (no minors, for example, unless backed up by UN Convention on the Rights of the Child), the grounds for expulsion (imperative grounds of public security, for example), and how an act of expulsion can move forward. Article 31 then explicitly spells out the procedural safeguards, which include the usual rule of law “judicial redress procedures” except, again, for example, in cases involving “imperative grounds of public security.” Article 27 (2) of the directive, which explicitly deals with restrictions on the grounds of public policy, public security, and public health, uses the principle of proportionality and personal conduct and states that an individual (!) “must represent a genuine, present and sufficiently serious threat affecting one of the fundamental interests of society.” It is clear beyond any reasonable doubt that the expulsion provisions in the directive cannot be applied to an entire group of people *as a group*.

The clash between France and the Commission nicely demonstrates how European citizenship emerged as a quasi-“spill-over effect” through the creation of the integrated, single market and its four freedoms (Guild 2004; Maas 2007). While the clash itself was – more or less – amicably settled in the end with France adjusting policies and the Commission accepting, the actual outcome was far more substantial and important. In the first place, the connection between Roma and European citizenship was for the first time made explicit in a policy-relevant area, freedom of movement and residency. The Roma in this case became placeholders for the notion of a European citizenship: a level of rights and freedoms beyond the confines of the national (member-) state and protected as such by EU law. Arguably most importantly, the clash led to a renewed effort on the part of European Parliament and Commission to address the situation of the Roma within the EU area. The question to which I will now turn concerns the degree to which the notion of a European citizenship can be said to have become part of this most recent and thus far most ambitious effort.

2.3 Response/s: Europeanizing citizenship?

The above two events have demonstrated how European citizenship has become a powerful context that has in fact reframed the “Roma question.” In the light of the French/European conflict, European-level actors – EP and Commission – have acted to address the situation of the Roma. The final result of this most recent and thus far most ambitious initiative has been *An EU Framework for National Roma Integration Strategies up to 2020* (European Commission 2011a and b). Yet how truly ambitious is this recent initiative? And, more to the point for the purposes of this paper, can one observe a qualitative change in both the identification of the Roma and the construction of what is at issue? If one takes the challenge that the conception of a European citizenship has posed to the very root of the “Roma question” as a guide, *An EU framework* presents a Janus-faced result.

Undoubtedly, the new framework is the result of a concentrated effort, spearheaded by members of the EP, most notably Lidia Járóka MEP/EPP and her team, and aims to move beyond the kind of “soft law” approach of broad goals and open declarations. As Járóka put it, the general aim of the framework approach is

to change from the very ethnic understanding of this minority into something more open, giving Roma more possibilities especially from an employment point of view. We have European laws to fight discrimination, but they are not implemented in all European countries (quoted in McCarley 2011).

As a framework, the (actually: *an* – and yes, semantics do matter) new EU Framework focuses on the member states as the central actors tasked with addressing the issue of the integration of the Roma. The reasoning – and indeed a point of pride for all champions of the new framework (author interviews, Brussels and Strasbourg May/June 2011) – is that the situation of the Roma is both nationally and locally defined and that integration can therefore only be accomplished by enlisting local authorities, with the national state as the legitimate and powerful task master in this regard. Furthermore, and again a point of pride for all champions of the new framework (author interviews, Brussels and Strasbourg May/June 2011), the crucial accomplishment is that member states actually

have to draw up their own respective plans, inform the Commission what each of them wishes to accomplish, report on their progress, while also being subjected to a monitoring process. In order for the new framework to be concrete and not another soft law approach, the framework defines integration by essentially dividing it into four policy-fields to be tackled as each member state sees fit: housing, health, education, and employment.

This policy-field approach to integration has drawn much criticism from the Roma community and both Roma and non-Roma civil society organizations. Three criticisms in particular stand out. First, that the monitoring process is left rather unclear and that the *non*-achievement of set goals does not really carry any significant consequences for member states. Second, that for all of this to work, Roma actually need to be integrated into the policy-making and implementation process, at the local, national, and European level and that this in itself should be a task and goal. And, last but not least, criticism has been raised against that too little attention is being paid in the framework to the interrelated issues of discrimination, prejudice and violence against Roma (EUobserver 2011a; Open Society Institute 2011; European Roma Policy Coalition 2011a; author interviews, Brussels and Strasbourg May/June 2011).

Those three major criticisms have considerable merit in the eyes of this author. Yet the criticism that the new framework should have focused more on the interrelated issues of discrimination, prejudice and violence against Roma, oddly enough seems to miss a larger point. The four policy-fields of the new framework address concrete conditions that define the lives of Roma in their respective communities. As all of this author's interview partners noted, the Roma first and foremost identify themselves as members of their national communities and only then as Roma. The Roma's "second citizen" status is a matter of national and local contexts and is defined in socio-economic terms. Better housing, access to and better health services, and access to both education and employment is therefore seen as providing the Roma with exactly those life chances (R. Dahrendorf) that would enable them to leave their second citizen status behind and become productive members of their respective societies. Indeed, as all interview

partners insisted to the author and as champions of Roma integration continue to note, the Roma population is a tremendous demographic and economic resource whose integration into their respective national societies would mediate Europe's aging population problem and raise the GDP (see also on this EUobserver 2011b). A curious result of this kind of thinking is the continuing struggle of defining Roma integration as along side and not above or against other population group issues (mainstreaming) and yet insisting that the Roma as a population group are special (specificity and singularity of the issues/problems involved).

While this kind of thinking may indeed underestimate the interrelated issues of discrimination, prejudice and violence against Roma, it definitely also underestimates the issue of socio-economic stratification and inequality beyond integration defined as the provision of socio-economic life chances. If money, status, and class did not exist within and across EU- and rest-Europe, if "blood" were indeed truly thicker than water, socio-economic inequality and its resulting political inequality would at the very least not exist within the confines of a national/ized "people." But they do and because of that, the notion of citizenship carries additional weight beyond an ID card or passport. Citizenship – at least from the American and French Revolutions onward – has also been a concept and narrative challenging socio-economic inequalities through the claim of political equality (*l'état, c'est nous*, so to speak). Seen from this perspective, it is disappointing to note that within the new framework, the Roma are wardens of the (national) state and not co-equals in a common process to make European societies more just and more equal and have them live up to the very ideals that are supposed to animate European integration.

3. Citizenship as Europeanization, Europeanization as Citizenship

I have to confess that writing this paper in these rather troubled times felt at times like a somewhat frivolous exercise: do we (all) not have more pressing problems that are in need of our attention? Yet the notion of citizenship is never a mere luxury item for any politics and polity claiming to be democratic, the (ongoing) negotiations within societies

about who is “in” and who is “out” (and why and how) are never simply business as usual, and the treatment of people/s considered “strangers” or just “the disadvantage” or “the less fortunate” is always a solid gauge for the realities behind much vaunted and often times rather flaunted norms.

What, then, can one conclude about citizenship in its relation to the Roma communities in Europe today? Several questions were at issue in this regard. What can the discourses that have developed around the notion of a “Roma question” and the policies that are being initiated to combat it (including the existence of a “question” itself) tell us about different and differing conceptions of citizenship at stake? Has European integration provided the opportunity for a new engagement between majority and minority in this case, an engagement that stresses both rights and equal participation for the minority? To what extent can one discern an empowering process based on the notion of a common European citizenship? Or do both recent “events” and their normative and political fall-out point to the continuing, perhaps even renewed, relevance of the national and intergovernmental in the construction of who is “inside” and who is “outside”?

The above discussion presents a rather complex result. The notion of a European citizenship clearly has found its way into European political discourse and policy-making, yet the reasons for its development and use point to the continuing strength and responsibility of national states as addressees *and* actors in the process. All interview partners – and especially those from civil society organizations – insisted that the Roma are national citizens (e.g. Romanian, Bulgarian) and clearly linked the issue of rights and treatment to their status as co-nationals. In addition, the focal point of people’s work and concern was directed towards the national level, namely, at member states and their specific problems and initiatives. As the author’s interview partners unanimously expressed the matter, the central problems of discrimination and socio-economic “second citizen” status for Roma are clearly residing within the national member states (with specific issues also for each member state). This national focus and concern, we have seen, has found its most recent and most powerful expression in the EU's new

"Framework for National Roma Integration Strategies up to 2020." This indicates a national framing of both "identity" and politics/policy.

However, at the same time, all interview partners admitted that the European dimension of shared norms and values and their development into a "European citizenship" referent was real and provided the normative basis of their work (including the development of the recent "Framework"). All interview partners also mentioned the Europeanization of civil society organizations and pressure and acknowledged that the "Roma question" has developed from materially aiding disadvantaged populations to the contemporary goal of participation in society (-ies). Moreover, the dimension of participation was also framed in the context of the EU as a capitalist democracy: the Roma were presented as a potential economic asset to an otherwise aging population. In our discussion of the two recent "Roma question" cases – the controversy between Italy and Romania with the Commission as quasi mediator in 2008 and the controversy between France and the Commission in 2010 – the logic of Europeanization and a European citizenship could clearly be applied, including the expected dynamic of an increasing normative pressure that needed to be addressed (managed, as one might say) via policy-action. As we have seen in the discussion of the new EU Framework, member states are being tasked to address the issue of Roma integration and member states actually have to report back on their progress on implementing the framework. While both mainstreaming and devolution of the "Roma question" should be seen critically, the above has therefore confirmed that the notion of a European citizenship – a citizenship beyond the confines of national political-administrative prerogatives – is part and parcel of the complex interaction between norms and policies that challenge member states' sovereignty within the EU's "ever closer Union" integration-dynamic.

Thus, as has been expected, the Roma clearly have proven to be an exceptional "test case" for the interaction of norms and policy-making in Europe today. One is clearly able to observe a challenge to the traditional state-centric construction of the Roma as a problem of public order through the emergence of a European citizenship: it is at the very least not that easy anymore to view the Roma as a public "menace" and there are

encouraging signs that citizenship is shifting both discourse and policies towards participation, engagement, and normalization. At the same time, one should note that citizenship in its relation to the Roma also poses a special challenge to the Roma themselves, namely, defining for themselves what is at stake for the community in the push against discrimination and for greater opportunities to participate. I do not think that this issue has been tackled sufficiently yet and that therefore a crucial internal struggle to clarify the full meaning of “participation” still awaits.

This complex result therefore does not invalidate the concern and its noted expectations. On the contrary, it actually reflects the central problematic of what has become known as “multi-level governance” and the crisis that European integration has been experiencing for some time now. As the paper has demonstrated, the notion of citizenship within the EU-area is the product of two larger movements. On the one hand, we find citizenship as part and parcel of “integration through law.” Yet in this case that means a process based on common market requirements and pressures. On the other hand, we find that the notion of citizenship can be traced to the normative commitments to a common European home, a Europe of peace and shared prosperity, which animate the EU’s “ever closer Union” vision. In between, so to speak, we find a process of governance that suffers from the tension between the supranational and the national as citizenship continues to be defined both as a European-level norm and a national-administrative prerogative. The present crisis of EU-defined European integration, I like to point out in this regard, is the result of having traded much needed institutional reform and political direction for (“Eastern”) enlargement in the late 1990s; the EU’s version of NATO’s “out of area or out of business.”¹⁷

As a general conclusion, then, this paper has explicated the tensions between “norm” and “reality” in the case of citizenship. It could be called a good sign that the norm of citizenship, like other norms associated with democracy, continues to provide both a

¹⁷ I should note here that in my view the even larger context is the crisis of both a nationally defined state and [its] democracy. Thus, European integration finds itself in a crisis not really of its own making.

check on and an aspiration for European politics. What would happen if both check and aspiration should fail is something that the history of the Roma communities in Europe could certainly remind us about.

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