

## European History and Society

# ‘Do as We Say, Not as We Do’: EU to Turkey on Roma/Gypsy Integration

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For many centuries, Roma/Gypsy people have been an oppressed and stateless minority. Until 1989 most Roma/Gypsy people resided in the former Central and Eastern European communist countries. After the fall of the Berlin Wall, the Roma/Gypsy became one of the communities that were regarded as a scapegoat for post-Communist society’s ills. Despite much rhetoric to the contrary, Roma/Gypsy communities were not welcomed in the West and much of the persecution they endured in the East they saw repeated in the West. The European Union (EU) has sought to place Human Rights as a focal point of its approach in all matters including the issue of Roma/Gypsy communities. Since 2007, Romania and Bulgaria, two states with large numbers of Roma/Gypsy, have become members of the EU. In the last few years France (and Italy) have been cautioned on their expulsion of Roma/Gypsy people. Not only have these actions contravened the European Union charter on Human Rights, but just as seriously, France and Italy have actually expelled citizens who are members of another European Member State because they were Roma/Gypsies. Turkey, on the other hand, as the home of one of the oldest and largest Roma/Gypsy settlements, had for long periods of time subjected Roma/Gypsy people to a life of social and economic disadvantage. Recently this has changed, ironically as part of Turkey’s EU accession process. The aim of this article is to explore and compare the actions of European member States (France and Italy primarily) on the question of Roma/Gypsy integration with their integration in future EU accession states such as Turkey. The EU’s moral high ground with regard to minorities seems to be ruined by the deplorable behaviour of some of its member states on the question of Roma/Gypsies while Turkey, which has an uneven record on human rights violations, has shown greater, although contradictory concern for the fate of the Roma/Gypsies.

### Terminology and Self-identification

Before entering into an explanation on the nature and activities of the Roma/Gypsies, some caution is offered in terms of the use of self-identifying nomenclature. Research on

the question of the name of this community has highlighted the lack of uniformity and differential approaches depending on locality. On the one hand ‘The Rom, popularly called Gypsies, ..., call themselves Gajo, Rom, Romani... Comprising three major divisions, Rom, Sinti, and Kale, and numerous subdivisions’ (Ref. 1, p. 463). They are called ‘Roman’ in Turkey and ‘Roma’ or ‘Rroma’ in Europe. ‘Roma-n’ refers to an international recognition and usage, names such as ‘Çingene’ (Turkish), ‘Tsigane’ (French), ‘Zigeuner’ (German) and ‘Gitano’ (Spanish) highlight the local recognitions and date back to an earlier period.

Gypsies in Turkey are divided into three groups. Apart from Roma, there are also those who are identified as ‘Lom’ and ‘Dom’. The European Commission, on the other hand, offers a different explanation for using the name Roma to define this community as such: ‘As it is most commonly used in EU policy documents and discussions, the term ‘Roma’ refers to a variety of groups of people who describe themselves as Roma, Gypsies, Travellers, Manouches, Ashkali, Sinti, as well as other titles. The use of the term Roma is in no way intended to downplay the great diversity within the many different Romani groups and related communities, nor is it intended to promote stereotypes’.<sup>4</sup> For a balanced approach, this article has assumed Roma/Gypsies as the preferred non-discriminatory term to embrace the holistic nature of this people.

### **Introduction**

The Roma/Gypsies, one of the largest ethnic minorities in Europe without a specific territory of their own, have lived most of their existence on the margins of society, with a sense of not belonging. However, they struggle to be a part of the society they live in, and thus they usually take on the specific characteristics of the region they inhabit. For instance, they usually ‘adopt the religion of the countries in which they live’ (Ref. 5, p. 2). Their names also change depending on where they reside. However, they share a common heritage that sets them apart as an ethnic group, one of the most distinguishing features of which is their Romani language. It is said that, ‘The Roma have adopted local languages and religions while retaining their separate culture and language, spoken in seventeen major and minor dialects’ (Ref. 1, p. 463). In some respects it is difficult to talk about a homogeneous group or language in which in Europe alone there are 60 dialects (Ref. 6, p. 140). However, the Romani language is still one of the features that help them to feel a part of their ethnic community in spite of being scattered all around the world.

It is the aim of this article to evaluate the level of integration of Roma/Gypsy in some EU countries – France and Italy foremost – and compare it with the Roma/Gypsy integration in Turkey – a country engaged on the EU accession process. The intention is to highlight the EU’s mixed message in taking the moral high ground with regard to minorities in the EU and yet be so deficient in living up to this in relation to Roma/Gypsy integration. Finally, there is the hypocritical stance of the member states mentioned in reproaching Turkey for its stance on minority rights when they themselves remain strangely silent on, and even wax aggressively opposed to these rights when it comes to the question of Roma/Gypsies within their own geographic jurisdiction. There is little doubt that Turkey has a less than perfect record on human rights violations, yet when it

comes to Roma/Gypsy integration it has shown greater levels of compassion than some of its European counterparts.

### Origins of the Roma/Gypsy People

Although not much is known about the early history of the Roma/Gypsy, the general assumption is that Romani people are of northern Indian origin. Fonesca mentions that '[t]he Indian origin of the Gypsies has been known to scholars since the eighteenth century, when a few European linguists became aware of people in their midst who spoke their Oriental language (cited from Ref. 2, p. 31). It is assumed that Roma/Gypsies have lived in Anatolia – today's Turkey – since ancient times. They left India in waves as early as the fifth century, but the bulk of their migration to Europe occurred in the eleventh century. Oprisan observes that '[a] great number of Roma came in the Balkan area together with the Ottomans (XIV century), as members of the army or as companions of the troops' (Ref. 7, p. 2). Anatolia served as one of the main routes for the Roma/Gypsy on their journey towards the West.

They were well received in Europe at first, but their unfamiliar customs and closed society soon caused changes in the attitudes that prevailed. The Roma/Gypsy in Spain were free under Muslim rule until the completion of the Christian *Reconquista* in 1492, which led to the promulgation of laws prohibiting Romani dress, language and customs. In Germany they were first observed in 1407, in France in 1419 and in Italy in 1422. They acquired the name *Atsinganos* (meaning untouched or untouchable). This name became common throughout numerous countries and would be used as 'Zigeuner' in Germany, 'Tsiganes' in France, 'Zingari' in Italy (Ref. 8, p. 7). The Roma/Gypsy in France were eventually expelled from Paris in 1539, and had to leave England in 1563 under the threat of death. At the beginning of the fifteenth century, many Roma/Gypsy were forced into slavery by Hungarian and Rumanian nobles who needed labourers for their large estates. However, 'The status of the Roma in the Ottoman Empire was, certainly, superior to the one of the Roma in Western Europe, in the same historical period. A relevant example was the fact that many Roma slaves fled from the vassal principalities of Valachie and Moldavia, forward to find a safe place in the Empire' (Ref. 7, p. 3). Their suffering from maltreatment and restrictions in Europe continued in later centuries as well. In the eighteenth and nineteenth centuries Roma/Gypsy were poorly treated by numerous European governments. They were subject to special taxes, restrictions, official discrimination, and religious persecution: '...Only in the late 1800s were some of the most repressive laws rescinded in several Eastern European states; however, new restrictions and discrimination became common in Western Europe following World War I' (Ref. 1, p. 462).

In more recent times Roma/Gypsies fell victim to crimes against humanity through the slaughter of hundreds of thousands of them in Nazi concentration camps. 'German law had already legalized many anti-Gypsy restrictions when the Nazis came to power in 1933... Considered, like the Jews, to be of Asiatic origin, official Nazi persecution of the Rom escalated during the 1930s' (Ref. 1, pp. 463–464). Official figures indicate that as many as 500,000 gypsies may have perished in concentration camps and in other mass forms of execution.<sup>9</sup> In the post-war period, and especially in Central and Eastern Europe

where Roma/Gypsy make up to 10% of the population (Bulgaria, Slovakia, Romania), discrimination persisted. The Federal Republic of Germany determined that all measures taken against Roma/Gypsy before 1943 were legitimate official measures against persons committing criminal acts, not the result of policy driven by racial prejudice. This decision effectively closed the door to restitution for thousands of Roma/Gypsy victims, who had been incarcerated, forcibly sterilized, and deported out of Germany for no specific crime. The post-war Bavarian criminal police took over the research files of the Nazi regime, including the registry of Roma/Gypsy who had resided in the Greater German Reich. Only in late 1979 did the West German Federal Parliament identify the Nazi persecution of Roma/Gypsy as being racially motivated, creating eligibility for most Roma/Gypsy to apply for compensation for their suffering and loss under the Nazi regime. By this time, many of those who became eligible had already died.

### **Roma/Gypsy Social and Cultural Characteristics**

Across the globe, Roma/Gypsies have been the target of ethnic hatred. In many countries in the world, the Roma have few or no rights or even official status.<sup>1</sup> In Europe as elsewhere, Gypsies fall into the category of people that ‘everyone loves to hate’ and they often appear out of place and generally maligned.<sup>2</sup> Across many countries they were also kept on the move by negative legislation. Crowe and Kolst<sup>10</sup> refer to ubiquitous legislation against Roma/Gypsies: ‘current laws forbid Romani Americans to remain in some states, while in modern Britain Gypsies may only stop legally on government reservations, and in modern France they are obliged to carry passes that must be stamped by the police in each parish’ (cited from Ref. 2, p. 40). Moreover, the distinct origins, habits, and lifestyles of the Roma attract the ire of many nations and their law enforcement bodies. In more recent times they continue to suffer the straightjacket requirements of ‘normal’ societies and the rules and regulations of communities and local government administration. That some segments of Roma/Gypsies are semi-nomadic attracts the anger of city councils, and is at times used as an excuse for harassment along with their stereotype association with criminal and petty thieving, which makes them an easy target for victimisation. Above all, Roma/Gypsies were perceived as different and as failing to fit the ‘normal’ parameters of modern society, all of which not only attracts great interest but also allows for easy group identification. Their residence on the margins of society in both literal and real ways made them a ready target for identification and persecution.

### **The Search for Identity**

The discrepancies in the figures between the officially registered numbers of Roma/Gypsies and the estimates of their actual numbers undertaken by Non-Governmental Organisations (NGOs) are extraordinary (Ref. 6, p. 144). Moreover, although now dated, the Liegeois and Gheorghe report (Ref. 8, p. 7), summarised the generic conditions under which Roma/Gypsies live as difficult, with low levels of employment, in need of health facilities, and ultimately also the threat of loss of their Roma/Gypsy identity. Making the issue of identity even more difficult is the fact that Roma/Gypsy are stateless and are

scattered throughout Europe and beyond. The creation of a 'Romanestan' state was discussed as far back as 1971, at the first meeting of the World Romany Congress in London, but the concept never advanced beyond the level of theoretical discussion.<sup>11</sup> Minahan notes: 'Denied compensation by West Germany and with many of the survivors declared stateless, the Rom began to organize closer intergroup contacts and to develop ways to protect Europe's remaining Rom population. In the early 1950s Rom leaders pleaded at the United Nations for the establishment of a Rom Israel, an independent homeland to be called Romanistan. The Rom petition did not receive a sympathetic hearing' (Ref. 1, p. 464). Minahan<sup>1</sup> is of the opinion that the Rom nationalists may have lost their opportunity to join the world community as a specific identifiable community with the fall of communism in 1989–1991: 'In October 1991 a conference of European Gypsies at Rome put forward a new proposal for the recognition of the Rom as a transnational European community, a nation without a state but with the same guaranteed cultural, economic, and political rights everywhere in a united, federal European Union' (Ref. 1, p. 464).

It is generally acknowledged that the Roma/Gypsy are one of the most persecuted ethnic minority groups in Europe today. Their nomadism, economic opportunism, and supposed 'otherness' have prompted dominant sedentary cultures over a period of many years to attempt to exclude, contain or assimilate them (Ref. 8, pp. 8–9). Racist stereotypes and myths developed to justify persecution, concentrating on accusations of idleness, theft, witchcraft, child abduction, and parasitism, to name but a few. It is startling to find how deeply ingrained anti-Gypsy sentiment is in European tradition, as is evident in folk tales, beliefs and proverbs (Ref. 12, p. 37). In Germany, a shocking UNICEF report presented in July 2010 accused Germany of keeping some 12,000 Romany people living in Germany, including many children, under threat of deportation to Kosovo.<sup>13</sup>

### **Roma/Gypsies in Europe Today**

Exact numbers of Roma/Gypsies in Europe are extremely unreliable to ascertain because '...many governments count only nomadic Rom, others misrepresent Rom population figures, and some governments even deny the existence of Rom populations in their countries' (Ref. 1, p. 462). They are dispersed throughout the world, with the largest concentration in Europe. The European Commission asserts that 'Today, with an estimated population of 10 to 12 million in Europe (approximately six million of whom live in the EU), Roma people are the biggest ethnic minority in Europe. Most Roma are EU citizens'.<sup>4</sup> Of these overall figures for Europe, only two million are estimated to be living in Western Europe (Ref. 6, p. 143). Estimated figures related to Roma/Gypsies living in individual countries range from 650,000–800,000 in Spain, 280,000–340,000 in France, 160,000–200,000 in Italy, and 140,000–160,000 in Greece. The larger numbers of Roma/Gypsies are to be found in Central and Eastern Europe. These include Bulgaria 360,000–600,000, Hungary 190,000–600,000 and the Czech Republic 160,000–300,000. The Council of Europe's Roma and Travellers Division estimated the number of Roma/Gypsies in Turkey at 2.75 million, which makes it the highest in Europe. Since there are

no real statistics or any documents about Roma/Gypsies community in Turkey the actual number might be higher (Ref. 2, pp. 2–3). Tax registration documentation from the Ottoman Empire remains the only effective tool to estimate the Roma population.<sup>7</sup>

### **Roma/Gypsy and their Integration in the European Union**

Prior to the fall of the Berlin Wall in 1989 the plight of the Roma/Gypsy population was often used as a Human Rights ‘stick’ which the West, including Europe, used against the East. Although the situation of the Roma/Gypsy in Central and Eastern Europe remains pitiful, it is equally true that the established democracies of the West, including some member states of the European Union, have treated Roma/Gypsy living in their own countries with just as much contempt, hatred and fear as their Eastern neighbours.<sup>14</sup> After 1989 anti-Gypsy persecution reached new heights in the Central and Eastern parts of Europe with a surge of ultra-nationalists in these nations taking to the streets and venting their anger against the Roma/Gypsies. Many Roma/Gypsies sought refuge in Western Europe or even further West, where, however, they often found they were less than welcome:

Since Europe to this day has failed to purge itself of anti-gypsy myths and their harsh consequences, many Roma are attracted to Canada. Canadian society, they believe, offers the chance of a better life. However, prejudice is contagious, and on Jan. 21, 1999, the Immigration and Refugee Board rejected the refugee claims of two Hungarian Roma families, forcing them to return to Hungary ... Because Hungary and the Czech Republic now belong to the European Union, a facile excuse for rejecting Roma appeals is readily available. Are not the EU nations, on paper at least, committed to human rights? But violations persist and in some cases are worse than in the past because of the rise of neo-nationalism in economic hard times and the familiar search for scapegoats. (Ref. 15, p. 25)

Moreover, national governments and for some time even the European Union failed to confront the root causes and manifestations of anti-Gypsy attitudes. ‘Groups of travelling Roma have become an issue in much of Western Europe, all the more since 2007 when Bulgaria and Rumania joined the European Union and travellers from those countries no longer needed visas to crisscross much of the Continent’.<sup>16</sup> These prejudiced attitudes were not just the views of a small number of neo-fascists. Opinion polls have consistently illustrated the strength, potency and acceptability of anti-Gypsy sentiments in Central and Eastern parts of Europe. In one such incident in 1996 a Czech paper, ‘Prognosis’ reported that polling indicated that 77% of Czechs had a ‘negative view’ of the Roma and 30% thought they should either be deported or isolated in ghettos (Ref. 17, p. 183).

While gypsies struggle to survive outside of isolated encampments and are reviled as beggars in most of Europe, in Spain they are to a significant degree integrated and have been so since the end of the Franco reign. Integration programmes have guaranteed that virtually all gypsy children are in school and nearly half of their parents own their own homes.<sup>18</sup> Since the 1970s the Spanish Constitution has guaranteed gypsies’ rights as citizens and subsequent governments have financed the programmes of integration for gypsies, which have provided support to the estimated 700,000 Roma/Gypsies resident in Spain. Ninety-two percent of gypsies live in standard apartments or houses according to a 2009 study.<sup>19</sup> (Fundacion Secretariado Gitano 2009).

### Roma/Gypsies in France and Italy – Deportation and Rejection

Throughout the twentieth century, on numerous occasions France has engaged in anti-Gypsy legislation, including a number of times long before the infamous Vichy period in the 1940s. ‘The 18-member committee, which issues periodic reports on racial discrimination, prepared its findings on France coincidentally against a backdrop of passionate debate there over the government’s moves against foreign-born Roma, also known as Gypsies.’<sup>16</sup> While Sarkozy’s policies may have been unworthy of the French Republic, as his critics insisted, they were not unprecedented according to Miljanic and Zaretsky: ‘We need only consider earlier republican laws aimed at the Gypsies, passed in 1912, 1938 and 1940, to see that xenophobia flared at those moments when France faced the threat of war. Moreover, on the eve of both wars, France was awash in fears over the nation’s declining birthrate and its capacity to maintain its historical legacy as a dominant economic, cultural, political and military power’.<sup>20</sup>

In more recent times, French authorities closed 51 of the 300 Roma/Gypsy camps in August 2010. The total number of deportees had reached 700 by the end of that month. According to European Union law, EU citizens can stay without a visa in any member-state for up to three months. Beyond that, they must prove they can support themselves financially. The French authorities reported that the Roma/Gypsies were in no position to do this and therefore needed to return to their homeland. The deportees were ordered to leave and were given a once-off payment of \$380 for each adult and \$127 for each child. There was little new in the 2010 deportation accusations against France. Since 2008 the French government had expelled many Roma/Gypsy people, culminating in the deportation of 12,000 in 2009. ‘On instructions from President Nicolas Sarkozy, the French police have been dismantling improvised Roma camps in recent weeks and deporting Roma groups to Bulgaria and Romania’.<sup>16</sup> According to the Office of French Immigration and Integration, during the first quarter of 2010, 316 Bulgarian and 2,229 Romanian Roma/Gypsy people were repatriated. Why has the matter assumed greater public profile? In large part it was Sarkozy’s way of governing. As highlighted in one media outlet:

The French president is trying to expel Roma for quite some time so this is not new, but what is new is that the government has chosen to raise its political profile out of this issue.<sup>21</sup>

For the Romanian Roma/Gypsies, 31 December 2006 was an important moment. It was the eve on which Romania entered the European Union, indicating to many Romanians and Roma/Gypsies that their plight and difficulties of migrating to countries such as Italy would be overcome from the first of January 2007. However, this was an illusion as it turned out. Italian authorities on the eve of Romanian entry into the European Union knew that they would encounter greater legal obstacles after January 2007. The major cities (Rome and Milan) undertook major demobilizations of Roma/Gypsy camps and sites with tractors and bulldozers removing and destroying camps and shacks housing these communities. One such case was captured by catholic missionaries when on 15 December 2006 catholic priest Don Massimo Mapelli was awoken while away in Jerusalem and was advised that a Roma/Gypsy camp in Milan was being removed.

The camp had 70 Romanian Roma/Gypsies living there, all with legitimate visas and all legally resident in Italy. Two weeks later they would all have benefited from a legal security of abode. However, the Milanese authorities knew this and acted pro-actively.<sup>22</sup>

There is much media attention for how Roma/Gypsy people have been flooding into the urban Italian centres. Much of the tabloid accusations are of course exaggerated. Official figures indicate that Roma/Gypsy make up 2% of the population in Europe, and in Italy just 0.2% (Ref. 22, p. 135). Roma/Gypsies in Italy number between 140,000 and 160,000 as best as can be accounted for. Moreover, 50% of Roma/Gypsies are Italian citizens and originate from a series of countries including Macedonia, Serbia, Kosovo as well as Romania.<sup>23</sup>

Over the last two decades anti-immigrant demagogy has become rife throughout the Italian political system. The Northern League has been one of the stronger xenophobic organizations directing attention to the presence in the north of Italy of all ‘non-desirables,’ meaning foreigners. In September 2008, the Deputy Mayor of a key northern town, Treviso, made an inflammatory speech against Roma/Gypsies aimed at whipping up hysteria against foreigners. This kind of demonization, however, is not limited to centre-right governments or sectors of local government. The centre-left, as has been pointed out by Sigona,<sup>23</sup> has not been immune from these witch hunt operations against Roma/Gypsy communities. The so-called ‘Nomad Emergency’ of 2007 was put together by the Prodi centre-left government, received bi-partisan support, and eventually targeted the ‘encroaching Romanians flooding into Italy’. The politicization of the campaign against Roma/Gypsies received a greater profile when, for the first time, the issue of Roma/Gypsies became an election slogan during the 2008 election campaign. Berlusconi’s coalition People of Freedom issued posters stating ‘... opposition to unauthorized nomad camps and the removal of those without any legal standing and without legal residence’ (cited in Ref. 23, p. 150). Two weeks after assuming the government in 2008, Berlusconi issued his first decree on Roma/Gypsies declaring ‘the state of emergency in relation to the nomad settlements’ in the territories of Campania, Lombardia and Lazio (Ref. 23, p. 151). Immigrants and Roma/Gypsies have become the battering ram for the security scare that has appealed to many in Italy. Retaliatory attacks against Roma/Gypsy settlements have become common, including the firebombing of camps.

### **The EU Commission Takes Up the Cause of Roma/Gypsies... Against Member States!**

In what can only be described as an irony, Roma/Gypsy communities were being deported from France to Romania, which – since 2007 – has been a member state of the European Union. The basic principles of free movement of European member state citizens within the European Union were abandoned, yet France stood not alone amongst European members States in this. Sarkozy’s actions against the Roma/Gypsies were defended by the then Italian Prime Minister Silvio Berlusconi, who himself had overseen the deportation of Roma/Gypsies. Such actions by two of its key member states negatively affect the very core of the intended humanitarian nature of the European Union and the freedom of movement of EU member citizens within the European Union.



As part of its case in taking France to task, the European Commission opened a discussion in relation to the French treatment of the Roma/Gypsies from France. In rebuking France's actions against the Roma/Gypsies it secured compliance on matters of freedom of movement for Roma/Gypsies:

1. The right of every EU citizen to free movement within the Union is one of the fundamental principles of the EU. As the guardian of the Treaties, it is the Commission's duty to ensure its full and effective implementation by all Member States.
2. The Member States are responsible for and entitled to take the measures to protect public safety and public order on their territory. In doing so they must respect the rules laid down in the 2004 Directive on Free Movement, the fundamental rights of EU citizens, and avoid discrimination, notably on grounds of nationality or belonging to an ethnic minority.
3. Recent developments in France have led to a detailed exchange between the Commission and the French authorities on the application of EU law on free movement of people. The Commission took note today of the assurances given by France at the highest political level on 22 September 2010 that Measures taken by the French authorities since this summer did not have the objective or the effect of targeting a specific ethnic minority, but treated all EU citizens in the same manner.
4. The Commission noted equally that France reaffirms its commitment to a close and loyal cooperation on these matters. The Commission will pursue the exchange with the French authorities and is sending a letter to the French authorities with detailed questions regarding the practical application of the political assurances provided.<sup>24</sup>

As a directive against not only France but also other member states, these clauses were couched in strong language with a series of deadlines. The European Commission was going in hard on this matter for the sake of European credibility.

The legal bases on which both France and to some extent Italy have centred their approach to Roma/Gypsies include the European Union's escape clause and the conditions pertaining to the new member states Romania and Bulgaria. According to the European Union statement of integration:

Starting in January 2014 – seven years after accession – there will be complete freedom of movement for workers from Bulgaria and Romania. For EU citizens, the free movement of persons is one of the fundamental freedoms guaranteed by EU law and includes the right to work in another Member State without needing a work permit. It is an essential part of the Single Market and of European citizenship.

Roma people who are Bulgarian or Romanian nationals enjoy the same rights under EU law as other EU nationals. But as transitional arrangements still apply regarding the right to free movement of workers on the basis of Bulgaria's and Romania's Accession Treaty this means that all Bulgarian or Romanian nationals may face restrictions to this right until 31 December 2013 at the latest.<sup>4</sup>

But the real situation for the new two entrant states Bulgaria and Romania was that ten other states, including Germany, France, and Italy '...typically require Bulgarian and

Romanian citizens to have a work permit. Only the individual Member States can give detailed information on the restrictions they apply'.<sup>4</sup> Only after 31 December 2013 is there a guaranteed and non-proscriptive condition as to the absolute free movement of citizens from these two countries.

The European Commissioner for Justice and Fundamental Rights, Viviane Reding, announced the start of 'infringement procedures' after the leaking of a French government memorandum instructing police to specifically target Roma/Gypsies when breaking up illegal camps of travellers. The Commissioner went on the offensive even further over the French deportations of 8000 Gypsies during 2010 by comparing the French policy to Nazi round-ups of Gypsies and Jews. Reding did not mince her words: 'I personally have been appalled by a situation that gave the impression that people are being removed from a member state of the EU just because they belong to an ethnic minority. This is a situation I thought Europe would not have to witness again after the Second World War'.<sup>25</sup>

In response to the EU's reprimand in October 2010, French President Nicholas Sarkozy defended his actions on the matter doggedly and vigorously with the claim that the expulsion of the gypsies had been an act of 'cleaning up of criminal elements'.<sup>25</sup> Reactions to Sarkozy's anti-Roma/Gypsies actions came swift and from all sectors of civil society. These included Romania's Foreign Minister Baconschi being concerned about the effect of 'creating xenophobic reactions at a time of economic crisis'.<sup>25</sup> The United Nations Committee for the Elimination of Racial Discrimination criticized France at a UN anti-racism panel in August 2010, with one committee member expressing concern that the measures on Roma/Gypsy people in France were reminiscent of France's Vichy government, which collaborated with the German Nazi occupiers during the Second World War.<sup>26</sup>

### **The Position of the Roma/Gypsy in Turkey (Then and Now)**

Turkey has long been a significant place for Romani settlement and culture. Sulukule in Istanbul is thought to be the oldest Roma settlement in the world and has been home to the Roma/Gypsies for centuries. Modern Turkish Roma/Gypsy populations in Turkey, which include the three major linguistic groups under the overall term 'Gypsy' (Çingene), the Roma (Roman), Domari, and Lomari, are separated into three main groups: Nomads, semi-nomads and settled Roma/Gypsies. All three main linguistic groups, '... have maintained a distinct culture and many of the traditional occupations and crafts that Gypsy populations elsewhere have long-since lost' (Ref. 3, p. 22).

Kolukirik<sup>5</sup> in his exhaustive research on the Roma/Gypsy in Turkey has observed that: '[t]he Gypsies serving in the [Ottoman] Empire army had a higher social status and prestige. Gypsies preserved their ethno-cultural characteristics, nomadic way of life and traditional jobs, and they expressed their identity in a better way compared to the Medieval Europe' (Ref. 5, p. 1). Similarly, Marsh focuses on the Ottoman heritage still shared by many Romani people in Eastern European and Balkan countries. He writes that '[t]hese communities maintain traditions, cultural forms and linguistic patterns that are part of what might be seen as the imperial legacy of the Ottomans' (Ref. 3, p. 22).

Many Roma/Gypsies consider Turkey to have offered their ancestors a 'place of greater safety' during the population exchanges of the 1920s and 1930s. For Roma/Gypsies, the identification with the Turkish state was paramount to their own conception of identity (Ref. 3, p. 22). After the population exchange and the foundation of the Turkish Republic of 1923, 'a high Gypsy population' chose to immigrate to Turkey (Ref. 5, p. 2), and '[l]ater records show the Gypsies to have an important role in the Turkish state as musicians, smiths and entertainers' (Ref. 27, p. 172). Moreover, as mentioned by Marsh, 'Gypsies from elsewhere still continue to come and trade with Turkish Gypsies, and celebrate the annual festival of Kakava, in Edirne, or Erdelezi as it is known throughout the Balkans' (Ref. 3, p. 22).

However, the perception of the minorities during the post-Ottoman period was not always a positive one. They were suspected of political opposition, and their articulation of a minority identity was seen as a kind of 'challenge to the integrity of the state' (Ref. 3, p. 22). 'Minority rights' was never an easy concept in Turkish politics according to one scholar (Ref. 28, p. 49). Although Turkey has known culturally diverse structures for hundreds of years, this diversity has not always been easily recognized (Ref. 29, p. 6). More recently it has been noted that in Ottoman times '[t]hey [Romani/Gypsies] never suffered the racist violence that gypsies met in Europe, but discrimination has now become widespread'.<sup>30</sup>

Turkey is party to most of the international and regional human rights instruments prohibiting the discrimination and protecting the rights of minorities. However, minority and anti-discrimination policies in Turkey are based on the Treaty of Lausanne, the peace treaty signed between the allies of the First World War and Turkey in 1923 (Ref. 31, p. 41). This treaty plays a crucial role here, for it regulated Turkey's approach to the protection of minorities. Since the Treaty of Lausanne refers only to non-Muslim minority protection, the existence of Muslim minorities has in effect been denied by Turkey (Ref. 29, p. 6). The only minorities acknowledged in Turkey are consequently the Greeks, Armenians and Jews (Ref. 29, p. 15).

Ever since the foundation of the Turkish Republic there has been a strong tendency to institute a homogeneous state structure. The nation building process of the Turkish Republic mostly focused on the 'one-nation one-state' principle. 'The principle of equality has been prioritised over the principle of difference, consequently, universal citizenship (addressing all citizens as single, unified and as an equal subject category) became hegemonic in Turkish politics' (Ref. 28, p. 49).

A decade after the foundation of the Turkish Republic, Roma/Gypsy began to experience systematic exclusion. An article of the 1934 law (Article 4 of the Resettlement Law, Law Number 2510) stipulates that 'Gypsies cannot be accepted as a refugee to Turkey.' This article resulted in acts of racial violence during Roma/Gypsy migration from Bulgaria to Turkey, for it forbade the migration of Roma/Gypsy from the Balkans into Turkey (Ref. 2, p. 60). Hamrén argues that '[r]ecognition of minorities contradicts the ideological foundation on which the Republic of Turkey is based, though there are indications that this is beginning to change' (Ref. 29, p. 6). Since 18 May 1954, Turkey has been a party to the European Convention for the Human Rights and Fundamental Freedoms (ECtHR) and is also bound by the jurisdiction of the European Court of Human Rights (ECtHR) (Ref. 31, p. 38).

### **‘Do as We Say, Not as We Do’: EU to Turkey on Roma/Gypsy Integration**

Since its recognition as a candidate for EU accession in 1999, democratic developments, human rights and minority rights have been the main items of discussion between the EU and Turkey. In 2005, when formal accession negotiations began, institutional and legal frameworks to protect fundamental human rights, and in particular minority rights, have been implemented in Turkey with an eye to the route leading to EU accession:

The Republic of Turkey is party to most of the major human rights treaties. It ratified the International Covenant and Political Rights (ICCPR) on 23 September 2003 ... Article 26 of the Covenant guarantees equality before the law and equal protection for all ... The ICCPR is the only global treaty that includes a provision specifically referring to minority rights. Article 27 guarantees the right of minorities to enjoy their culture, to profess and practice their religion, or to use their own language in community with the other members of their group’. (Ref. 31, p. 31)

In September 2002, Turkey ratified the International Convention on Elimination of All Forms of Racial Discrimination (ICERD). According to Danka, ‘This Convention guarantees the right of equality before the law and equal enjoyment of civil, political, economic, social and cultural rights. The Convention applies to citizens and non-citizens alike’ (Ref. 31, p. 36). However, on a more pessimistic note, Kolukirik argues that the present situation fails to offer grounds for improvement of the social status of Roma/Gypsies in Turkey and in many other places in Europe. He argues that at present Roma/Gypsies have sought to organize themselves to obtain their rights in parallel with the democratic improvements in those countries they live in (Ref. 5, p. 2). Still, Kolukirik further argues, ‘Gypsies, who possibly form the poorest population of the country in which they reside, seem to fail to display a strong attitude concerning this matter’ (Ref. 5, p. 2).

As they are not an integral part of Turkish society, Roma/Gypsy communities in Turkey fail to be provided with fundamental rights on an equal footing with other citizens. Although there have been important deliberations about fundamental human rights, particularly minority rights, in Turkey, there have not yet been many discussions about the issue of Roma/Gypsy rights (Ref. 32, p. 1).

Like many other social groups in Turkey, precise data on the Gypsy/Roma community are lacking. Irrespective of the lack of these data, it is still clear that they live under difficult circumstances. According to Ceyhan they lack educational achievements and reside in ghetto-like segregated urban areas, which are the poorest quarters of the cities. Furthermore, they do not have adequate access to health, infrastructure and housing amenities. All this reflects the disadvantaged position of Gypsy/Roma in Turkey along with other disadvantaged groups (Ref. 2, p. 2).

The Roma/Gypsy communities often face prejudices and are frequently represented as ‘strangers’ and ‘potential criminals’ in Turkey. However, ‘...[t]he perceived otherness of Gypsies should not be regarded as a characteristic peculiar only to Turkish society’ (Ref. 5, p. 2). The stereotypical, prejudiced representations mainly through the use of negative adjectives, legends, anecdotes, and stories, create a negative Roma/Gypsy

image, which puts pressure on Gypsy/Roma identity and affects their integration and interaction with non-Roma/Gypsies (Ref. 5, p. 2).

On the Asian side of Istanbul, some Roma/Gypsies live in shacks surrounded by rubble and flies because municipal workers bulldozed their homes when they refused to accept an urban-renewal scheme. As reported by one media outlet, a Romani who shared a tiny shed with 16 family members declared: ‘We [Roma/Gypsies] have no water, no electricity, no toilets, and nowhere to go’.<sup>30</sup>

Encouraged by Turkey’s European aspirations, Roma/Gypsies within Turkey are asserting themselves. A Roma/Gypsy journalist took a case against an encyclopaedia that called gypsies ‘polygamists, prostitutes and thieves’ to the European Court of Human Rights, thereby forcing the publishers to delete the words ‘immoral and shameless’ from its ‘gypsy’ entry. As a demonstration of the hidden forms of discrimination against this community, ‘[t]he few gypsies who succeed in politics tend to conceal their roots; so do the many who have made it in music and cinema’.<sup>30</sup>

There have been some reforms by the government to improve the social status of the Roma/Gypsy over the last few years. By way of example, Turkish Prime Minister Erdoğan spoke to a rally of 10,000 Roma/Gypsies in Istanbul in early 2010 declaring his goal was to restore their full rights. Erdoğan said, ‘from now on your problems are my problems ... nobody in this country can be treated as “half” a person’.<sup>33</sup> He added that more than 3400 houses were under construction specifically for Roma/Gypsies throughout Turkey. Erdoğan added that he hoped the process would successfully continue and in time they would put an end to their [Roma/Gypsies] poverty and lack of education’.<sup>33</sup>

If there are significant improvements, then, in the Turkish approach towards the Roma/Gypsies, the same cannot be said for the ‘advanced’ member states of the EU such as France and Italy. In early January 2012, with indirect reference to Roma/Gypsies, France declared it ‘had expelled more illegal immigrants in 2011 than ever before’.<sup>34</sup> This tough anti-immigrant approach has been a catch-all for many, including the Roma/Gypsy. As some kind of ‘justification’ for the French ‘approach’ the French Interior Minister Claude Guéant adduced that 10% of all crimes in France had been committed by Roma/Gypsies.

Even after repeated reprimands from the European Commission France continues to pursue an immigration policy that contravenes numerous European and Human Rights conventions. Yet at the same time Turkey is closely scrutinized on the handling of Roma/Gypsies in its national jurisdiction. It will be a difficult exercise for France to assert any moral authority over Turkey or any other nation while the Roma/Gypsy deportations continue.

## Conclusion

It is commonly stated that Roma/Gypsies remain the largest ethnic minority in Europe without rights or a homeland. Moreover, they remain the most actively persecuted people across numerous borders – a community ‘everybody loves to hate’. As the Italian example shows, the persecution of Roma/Gypsies crosses party lines and enjoys

bi-partisan support. Most likely it is the recent economic crisis, stagnation, and the decay of their inner cities that has driven countries such as France and Italy to pursue their aggressive campaign of minority persecution. Although the country has been a significant place of settlement for their ancestors, the Roma/Gypsy still lack genuine security and full-fledged recognition in Turkish society. They are mostly excluded from the mainstream of normal life and many of them experience difficulty in having access to public services and face extremely poor living conditions. As in many other countries, so too in Turkey the fight against the prejudices and negative attitudes of the society towards Roma/Gypsy has failed.

Many countries in Europe are wrestling with the perplexing question of national identity and national security. The Roma/Gypsy community has become a scapegoat for many ills across many nations and in all these cases the outcome for this community remains that of a people finding no empathy or understanding. The shockingly insensitive behaviour towards their Roma/Gypsy populations of two member states of the European Union is by no means isolated or limited to these states and makes the vigorous defences of Human Rights issued by the European Union ring hollow. At the same time, reproaching EU accession countries such as Turkey on their attitude towards minority groups smacks of double standards. While Turkey's record on human rights has been less than satisfactory, on the question of Roma/Gypsies the country has shown greater comprehension and empathy than countries such as France and Italy. The deportations of Roma/Gypsies from France and Italy since 2009 highlight the double standards of these EU member states and their behaviour of 'do as we say not as we do'. Given the lack of social integration of Roma/Gypsies in both member States and nations, such as Turkey, seeking accession to the EU, much remains to be done before the prospect of integration of the Roma/Gypsies will be guaranteed.

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