

Paper Title: Comparing European Institutional and Hungarian Approaches to Roma (Gypsy) Minorities

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Comparing European Institutional and Hungarian Approaches to Roma (Gypsy) Minorities

Annabel Tremlett

Introduction

The expansion of the European Union (EU) to include post-socialist states can be seen as a turning point in the history of the EU. This process of expansion has highlighted Roma as the largest and poorest minority group in Central and Eastern Europe¹. Despite the potential of the EU to form a “truly historic role” as an influential arena for Roma politics (Kovats, 2001, p. 111), European institutions have been accused of not going far enough to make any real changes². Criticisms were particularly generated after the first European Roma Forum in Brussels in 2008. The outcomes did not match the high hopes placed on the Forum as an event that would shake up the apparent inertia of European institutional activity. European institutions were accused of having a “passive” stance towards Roma (EU Roma coalition), a lack of creative ideas (Lívía Járóka, Hungarian Roma MEP), along with missing the opportunity to create a pan-European strategy (Minority Rights Group).

This chapter focuses on the apparent impasse through examining a part of the process of implementing European institutional recommendations at a state level, using Hungary as an example. Some key differences are revealed in the way Roma minorities are discussed in the European institutional documents compared to the Hungarian state monitoring reports. These key differences may help explain why seemingly progressive European-level documents do not affect the lives of many Roma people. Two such documents are the European Charter for Regional or Minority Languages 1992 (henceforth the ECRML), and the Framework Convention for the Protection of National Minorities 1995 (henceforth the FCNM). Both documents are considered to be the most influential moves for securing Roma minority rights at a pan-European level to date. I examine the approach to Roma minorities in these documents before comparing the reaction at Hungarian level through state monitoring reports. The monitoring reports form the feedback process, showing how states have adapted these documents into their legislation and promoted the ideas to the public.

The approach to analysis is informed by Nancy Fraser’s writing on “recognition” and “redistributive” paradigms that she says have formed the basis of the dilemma of the “postsocialist” age (1997). These paradigms were found to be useful in examining the different approaches to the Roma. Through this analysis a tension between the European institutional and the Hungarian state approach to Roma is revealed. The chapter argues that the European institutional commitment to a multicultural or “recognition” approach is markedly different to the Hungarian state’s approach to Roma minorities, which is more ambivalent in its commitment to multiculturalism, and can be said to be more inclined towards the “redistribution” paradigm, yet with some use of deficit discourse about Roma minorities. The tension between

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the two approaches is highlighted as a reason behind the apparent stalemate of European institutional action. Considering the situation of Roma in Hungary as firmly rooted in problems related to poverty, this chapter suggests that the importance placed on recognition politics may impede European institutional efforts to help Roma minorities.

1. Approach to Analysis: Fraser's Recognition and Redistribution Paradigms

In her work on the "postsocialist" condition, Fraser describes two broad approaches to notions of injustice: a "redistribution" paradigm and a "recognition" paradigm. The paradigm of "redistribution" is described as based on the understanding of injustice as socio-economic: for example exploitation in the workplace or denial or access to a decent job and wage (Fraser, 1997, p.13). On the other hand, the "recognition" paradigm includes an understanding of injustice as "rooted in social patterns of representation, interpretation, and communication" – for example cultural domination, non-recognition and disrespect (ibid., p.14).

Despite both types of injustice being intertwined in practice ("far from occupying two airtight separate spheres, economic injustice and cultural injustice are usually interimbricated so as to reinforce each other dialectically" ibid., p.15), Fraser maintains that discursively, the redistributive/recognition paradigms still appear distinct from each other, producing different and often contradictory claims for the people they want social justice for. I have summarised these claims in Table 1 below:

Table 1. Summary of “Redistribution” and “Recognition” Paradigms

	“Redistribution” paradigm	“Recognition” paradigm
Injustice seen in terms of...	Exploitation in/marginalisation from labour force	Cultural misrecognition
Justice seen in terms of...	Socio-economic equality	Representational equality
Mode of collectivity (how people are seen)	People’s existence is rooted in the political economy, therefore any injustices suffered by members will be traceable to the political economy (Fraser, 1997, p. 14)	People are “differentiated as a collectivity by virtue of the reigning social patterns of interpretations and evaluation, not by virtue of the division of labor” (ibid., p.18)
Remedy	“Redistribution”: restructuring the political economy so as to alter the class distribution of social burdens and social benefits (ibid., p.17)	“Recognition”: recognise the value of all cultures and change the cultural variations that privilege a certain group (ibid., p.19)

Whilst recognition claims “tend to promote group differentiation”, redistribution claims “often call for abolishing economic arrangements that underpin group specificity [...] they tend to promote group dedifferentiation” (ibid., p.16). This leads to tensions,

“whereas the first tends to promote group differentiation, the second tends to undermine it. Thus, the two kinds of claim stand in tension with each other; they can interfere with, or even work against, each other” (ibid., p.16).

Fraser describes a constitutive feature of the “postsocialist” condition as a shift away from political claims of redistributing wealth to an emphasis on the recognition of different groups and their value in society (Fraser, 1997, p. 2). However, rather than signifying a positive shift towards a multicultural, tolerant society, Fraser sees the so-called “identity politics” favoured by the “recognition” paradigm as decentring class, leading to a “decoupling of cultural politics from social politics,

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and the relative eclipse of the latter by the former” (ibid.). As we will go on to see, these two types of claims can be related to discourses about Roma from European institutional and recently acceded “postsocialist” states. We now turn to look at how European institutions increasingly use the “recognition” paradigm.

2. European Institutions: Use of the “Recognition” Paradigm

In this section the general approach of European institutions to Roma minorities is first outlined, both from the Council of Europe and the European Union. I then go onto look specifically at two documents: the ECRML (European Charter for Regional and Minority Languages) and the FCNM (Framework Convention for the Protection of National Minorities). I will show how the “recognition” paradigm is used in these documents to produce a certain way of looking at Roma which leads to a specific view on how to raise their social status.

The Council of Europe (COE), describes Roma people as a distinct minority with a unique and rich language and culture. In a 1993 recommendation that was said to have “paved the way towards a new phase in the activity of the Council of Europe” (*Legal Situation of the Roma in Europe 2002*: paras I/1, II/1), this approach was clearly set out:

“A special place among the minorities is reserved for Gypsies. Living scattered all over Europe, not having a country to call their own, they are a true European minority, but one that does not fit into the definitions of national or linguistic minorities.

As a non-territorial minority, Gypsies greatly contribute to the cultural diversity of Europe. In different parts of Europe they contribute in different ways, be it by language and music or by their trades and crafts.” (*Gypsies in Europe 1993*, Recommendation 1203: paras. 2 and 3).

The above paragraphs clearly show the tendency of the COE’s cultural approach to Roma minorities (also observed by Kovats, 2001, p. 102). In rather romantic terms, the COE describes Roma as a “scattered” minority who contribute to European culture through their specific language, music and trade.

A similar approach can be seen in EU documents. The resolution *Discrimination against the Roma* from the European Council (an EU institution), called for an “international level” approach to Roma, describing Roma minorities themselves as a “transnational people”, which appears to fit into the COE’s “cultural” approach:

“The European Parliament,

- A. recognizing that the Roma as a transnational people face special social problems,
- B. recognizing that there is widespread discrimination against the Roma in practically every country where they are settled, but that their

numbers in central and eastern Europe make the problem particularly acute,

- C. recognizing that, potentially, the conditions of life of the Roma people are a problem which can only be tackled at the international level,
- D. understanding that the Roma have a special culture that should be respected; recognizing, however, that their way of life in some cases causes frictions with their social environment,
- E. recognizing that the education of future generations is a key element in the integration of Roma into the societies where they are living and that particular attention should be paid to this.” (From *Discrimination against the Roma* Resolution 1995).

In the above extract, “the Roma” are said to face “special social problems” (point A) as well as having “a special culture” (point D). The word “special” indicates the Roma are a unique minority, and it seems that their “special-ness” may contribute to their problems, “their way of life in some cases causes frictions with their social environment” (point D). Roma are thus not portrayed as a part of the societies in which they live, as the following examples from the above extract show:

- “a transnational people” (point A) - therefore not “of” a nation state;
- “[...] in practically every country where they are settled” (point B) – “settled” in a country, therefore not “of” the country;
- “their way of life in some cases causes frictions with their social environment” (point D) - therefore different or opposing a “way of life” that other people have.

“The Roma” are thus represented as a particular minority living across Europe, yet in each place where they live they are set apart from the main society and their disadvantaged position can be attributed, at least in part, to their distinctive way of living. This is an important point, as we will see later that the notion of Roma as “different” from their social environment forms the basis of approaches designed to solve their marginalized position in society.

Both the COE and the EU document describe Roma in terms of “difference”. The similarities between the two documents’ descriptions can be seen in direct comparison below:

<i>Gypsies in Europe 1993</i> (CoE)	<i>Discrimination against the Roma 1995</i> (EU)
(i) “a non-territorial minority” (para. 2).	“a transnational people” (point A).
(ii) “Living scattered all over Europe, not having a country to call their own” (para. 2).	“[...] in practically every country where they are settled” (point B).

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| (iii) “they are a true European minority, but one that does not fit into the definitions of national or linguistic minorities” (para. 3). | “their way of life in some cases causes frictions with their social environment” (point D). |
|---|---|

The outcome of both descriptions is an emphasis on the Roma minority as a unique minority. “Transnational” or “non-territorial” refers to them as living across Europe, but not “from” any particular country (points i and ii). Their difference from the societies where they live is further established as their culture is seen as separate: a different “way of life”, and a minority that “does not fit into the definitions of national or linguistic minorities” (point iii). Roma culture and language is seen as unique and key to their integration.

The COE and EU’s converging approach can be termed an “intercultural” approach in what Fraser terms a “recognition paradigm” that “is celebratory and positive; it sees all identities as deserving of recognition and all differences as meriting affirmation” (Fraser, 1997, pp. 181–182). The two European institutional legal documents focused on in this article also fit into this paradigm – indeed, can be seen as a product of it. The ECRML (European Charter for Regional or Minority Languages), entered into force in 1998 (as of 2009, signed and ratified by 24 states), has been referred to as a key instrument in the European institutional emerging approach to Roma minorities³ and is also noted as a key instrument for the implementation of minority rights (see Morawa and Weller, 2005). The ECRML is concerned with the protection and promotion of minority languages, seeing their revival and institutionalisation as paramount to the successful integration of minority groups into mainstream society,

“[the Charter is] a system of positive protection for minority languages and the communities using them[...] in order to safeguard the rights of minorities to enjoy their own culture, to use their own language, to establish their schools and so on.” (*Explanatory Report to the Charter*, paras.1,2 p.1) [my addition]

The message is that discrimination debilitates the chances of minorities to fully partake in society, and discrimination can be tackled through official recognition and support of minority culture and language. The prohibition of discrimination and the support of the expression of minority language and culture are said to impact on the social and economic position of minority groups.

Following the ECRML, the FCNM (Framework Convention for the Protection of National Minorities) was adopted in 1994 and entered into force in 1998 (as of 2008 had been signed and ratified by 39 states). Like the Charter, the FCNM is seen as breaking new ground, the “first comprehensive treaty addressing minority rights anywhere” (Weller, 2005, p. 7). The FCNM consists of a Preamble and 32 articles that are grouped into five sections. In terms of Fraser’s redistributive/recognition paradigms, the FCNM can be said to follow the recognition para-

digm as its articles focus on minorities as a collectivity whose coherence is based on cultural differentiation rather than division in type of labour or socio-economic class:

“The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage” (Section I, Article 5 para. 1).

The stress is on “intercultural dialogue” (Article 6, para. 1; Article 12 para. 71) that aims to promote and protect the culture of minorities in order to raise their status in societies and therefore advance their integration. So, for examples:

- In education: better achievements in education are envisaged through fostering “knowledge of the culture, history, language and religion of their national minorities and of the majority” (Section II Article 12 para. 1).
- In anti-discrimination: the development of text books for schools, media outlets and separate religious and education institutions (Section II Articles 5, 6, 12 and 13).
- In freedom of speech: seen as the right to “hold opinions and to receive and impart information and ideas in the minority language” (Section II Article 9, para. 1, see also Article 10, 14).

All the above refer to what Fraser terms as the “recognition” paradigm, “changing the cultural variations that privilege a certain group” (1997, p. 19). The idea is that by allowing and encouraging minority culture in institutional life, the minorities will have greater access to these institutions and thereby become more integrated. There is no mention of what Fraser calls the “redistribution” paradigm: political involvement, labour division, poverty, unemployment are not brought up, apart from in the phrase that Parties should adopt measures to promote equality in “all areas of economic, social, political and cultural life” (Section I, Article 4 para. 2, similar phrase used in Article 15).

Thus both documents take the approach that the preservation and promotion of minority culture has the potential to help these groups out of a disadvantaged social and economic position. This closely follows the COE/EU approach to Roma outlined earlier, in which Roma culture was emphasised as a means through which Roma people can alleviate their marginalised and deprived circumstances.

As we have seen, the overall approach to Roma minorities falls into what Fraser terms the “recognition” paradigm. Through recognising the individual qualities of the minority groups and making sure they are present in all types of institutional life (social, economic, cultural), the members of minority groups will feel they have a presence in (and thus easier access to) these institutions which will improve their living standards. People are seen in cultural groups that need to understand, respect and interact with each other’s differences in order to get along and have equal status in society, the “building blocks for a liberal approach to minority rights” (Kymlicka,

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1995, p. 2). This approach is not unique to European institutions, and has been elsewhere referred to as “multiculturalism” and “cultural diversity”, an approach that is said to be an “effective intervention on a social and local level”, yet which attracts many critics (Verkuyten, 2004, p.53)⁴. Whilst aware of general criticisms of the multicultural approach, this chapter does not advocate a “for or against” argument for multicultural philosophy *per se*, but instead turns to look at how this approach progresses when put into practice.

I now turn to see how these documents have been dealt with in the monitoring reports produced by Hungary. The aim is to determine how the recognition approach taken by European institutions is reacted to in terms of the Roma minority in Hungary.

Hungary and the European Charter for Regional or Minority Languages (ECRML)

The Republic of Hungary was among the first states to sign the ECRML in 1992, which then came into force in 1998⁵. The application of the ECRML in Hungary undergoes various monitoring procedures that take place in 3-yearly cycles, and up to 2008 there have been three monitoring procedures: in 1999, 2002, and 2005. The procedures include the production of three reports: a submission of a periodical report by the State Party; a monitoring exercise carried out by a Committee of Experts; and the Committee of Ministers’ (from the COE) recommendations to the States Parties⁶. The latter two reports are published within two years of the first periodical report by the State Party. This section focuses on the monitoring reports carried out by a Committee of Experts in Hungary (published in 2001, 2004 and 2007). These reports, through their descriptions of the implementation of the ECRML, show how the ECRML is perceived as relevant (or not) to the Roma minority in Hungary. In this analysis we see not only how the Hungarian reports differ in their approach to the ECRML’s descriptions of Roma, but also, over the years, differ from each other in an apparently uneasy attempt to become better aligned with the ECRML’s approach. In Table 2 below I have summarised the three reports:

Table 2: Summary of the Hungarian monitoring reports for the ECRML

	2001	2004	2007
Approach to Roma culture in Hungarian society	Little evidence of Roma culture: onus on Roma minorities losing their language and their culture.	Little evidence of Roma culture: onus on historical situation - state-forced integration of Roma minorities caused subsequent loss of language and culture.	Evidence of Roma culture: onus on "authorities" as not recognising Roma culture in their legislation, and society as not galvanised enough to raise the profile of Roma language and culture.
Approach to social exclusion	Social exclusion caused by poor socio-economic situation of Roma, rather than lack of linguistic or cultural recognition.	Social exclusion should be seen as socio-economic along with linguistic and cultural recognition.	Social exclusion can be tackled mainly through educational desegregation via identity politics.
Recognition or redistribution paradigm	Redistribution, but with disadvantage seen as a deficit of Roma.	Redistribution alongside some recognition, with disadvantage seen as a deficit of state action.	Recognition, with the state and general society blamed as failing to recognise Roma language and culture.

Table 2 above shows how the stance of the monitoring reports modulates over the years from a focus on redistribution measures to recognition politics, and with that a shift in blame from the minorities themselves to state deficiencies. The recognition of the existence of Roma culture increases with each report. The 2001 report was mostly concerned with the problems it found in applying the ECRML to Hungary's Roma minority⁷. Roma were the only minority group that was said to be problematic for the implementation of the ECRML. The main problem cited was the fact that most Roma in Hungary do not speak a Romany language and rather than focusing on language, social exclusion and discrimination should be tackled:

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“The majority of Roma/Gypsies have lost their native language, speaking only Hungarian as mother tongue (although often with severe deficiencies in linguistic skills). [...] For the purpose of the Charter, only these some 30% of minority-language-speaking Roma/Gypsies are relevant, not the large majority of Hungarian-speaking Roma/Gypsies whose main problems are social exclusion and discrimination” (2001 report, section 1.2, para. 13, p.9).

The above extract reveals a number of differences from the European institutional “recognition” approach. Most striking is the difference in the way Roma are viewed as a minority group: whereas the “recognition” approach in the ECRML sees minority language as fundamental to a minority community such as the Roma, the 2001 report from Hungary says that only 30 percent of Roma in Hungary actually speak a Romany language. This would therefore make the ECRML irrelevant to the majority of Roma in Hungary, and so a strategy in which Romany language is focused on would not improve their poor economic and social situation. Furthermore, the above extract refutes the “recognition” approach by saying that in fact, the main problems faced by Roma minorities are “social exclusion and discrimination” (see also section 2.1, para. 30 pp.15-16). This suggests the Hungarian viewpoint is more in a “redistributive” paradigm, which Fraser says is about injustice in the political economy rather than cultural misrecognition (Fraser, 1997, p.14).

It then follows that the approaches to anti-discrimination differ – whereas the ECRML, following the general European institutional approach of seeing Romany language and culture as the “essential common denominator” to Roma identity⁸ and therefore fundamental to anti-discriminatory approaches, the 2001 report from Hungary does not, saying in its conclusions, “it is not always easy to reconcile classical goals of anti-discrimination policy and modern approaches directed towards the preservation of linguistic identity” (Findings, para. D, p.35). The report states that in Hungary, Romany languages have not been regarded in a celebratory cultural way (i.e. the languages have not been held in high regard and have been discriminated against), and therefore encouraging their revival in this climate may actually exacerbate prejudice,

“the Republic of Hungary should pay primary attention to the problem and should take measures to preserve the languages of the Roma/Gypsy population, without endangering the important goal of putting an end to the marginalisation and social discrimination that have traditionally plagued members of this community” (2001 report, section 2.1 para. 34).

Whilst the ECRML conceptualizes the promotion and protection of minority languages as helping to combat discrimination, the above extract shows how the 2001 report says the exact opposite. The 2001 report sees any moves to integrate Romani

languages into public life as something that needs to be carried out carefully and strategically, so as not to endanger the path to social integration.

Moreover, if we go back to the previous extract, we can see a use of deficit language when describing the Roma minority: the Roma have “lost” their native language, and even when talking Hungarian have “severe deficiencies” in linguistic skills. The image produced is of a minority who are lacking the cultural tools of the majority population, and it is this lack that causes their exclusion from society. We will see later how this tendency towards deficit language can also be seen in the monitoring reports for the FCNM (Framework Convention for the Protection of National Minorities).

The subsequent monitoring reports for the ECRML in 2004 and 2007 reveal a moderation of ideas to better suit the ECRML’s multicultural recognition approach. In the 2004 report there seems to be an acceptance that the 2001 report was at odds with the Charter’s approach and the report aims to address this:

“The Committee of Experts considers it necessary to take the assessment it started in its first evaluation report a step forward and start including elements of a social and cultural nature in its evaluation” (2004 report, section 3.2.4, para. 45, p.11).

Note here that the way of aligning the 2004 report more to the ECRML’s aim is to “start *including elements* of a social and cultural nature” [my emphasis]. This is further established as the 2004 report still posits redistribution as the important goal with recognition as an additional factor:

“The Committee of Experts underlines that integration in line with the principles set out in the Charter, is one which allows for a full participation in economic, social and political life, combined with the preservation of one’s linguistic and cultural identity” (2004 report, section 3.2.4, para. 43, p.11).

The “recognition” paradigm of the ECRML that sees socio-economic participation through linguistic and cultural recognition is not fully endorsed – it is not seen as the means, but rather an addition, “combined with”. The aim is to increase the presence of Romany languages in institutional life which even mono-Hungarian speaking Roma can access, “recovering their language if they so wish” (section 3.2.4, para. 49). On an ideological level, the 2004 report from Hungary appears to view culture in terms of blocks that can be accessed and fitted in when required, rather than the ECRML’s approach which presents cultural and language in a much more integral, holistic manner. Nevertheless the cultural element of the ECRML *is* endorsed here, much more than in earlier documents. However it is seen as supplementary rather than fundamental, something that can be accessed as and when needed.

The 2007 report from Hungary then goes one step further to align itself fully with the ECRML's approach, and criticism becomes more directed at the Hungarian government itself. The 2007 report admonishes the Hungarian government for not including Romany language and culture into its strategy for raising the status of Roma minorities,

“the authorities have introduced a wide-ranging government programme aiming at the further economic, social and political integration of the Roma. However, this programme has no specific component aimed at the preservation or promotion of Romany and Beás” (2007 report, section 3.1, conclusion rec. no.1, p.35).

Here the report distances itself from the Hungarian government, thus aligning itself more to the “recognition” paradigm of the ECRML in which Romany and Beás languages would be specifically referred to. The recommendations in the report all focus on the recognition of these languages in education, media and other public spaces. Education is particularly focused on, with the term “desegregation” used. This is the first time the term is used in the reports, and links to a wider movement in Hungary and beyond to stop the ongoing discriminatory practice of wrongly placing Roma children into special needs schools⁹. Whilst other discourses on the desegregation of Roma children regularly talk of problems of socio-economic disparity in the “redistribution” sense of injustice, the 2007 report focuses on language, criticising the Hungarian authorities of not recognising Romany and Beás languages in their strategies.

The monitoring feedback, over the years, changes from questioning the ECRML's stance on Roma language and culture to endorsing the view that recognition is the route to promoting anti-discriminatory measures. As Table 2 shows, the monitoring reports thus move to distance themselves from the Hungarian authorities. The initial disquiet surrounding the potential effectiveness of the ECRML for Roma in Hungary is lost in the reports, along with mention of redistribution-type measures and, indeed, deficit type of discourses about Roma language and culture. However, this does not mean these approaches have disappeared – as the reports tell us, the Hungarian authorities are still involved in these types of measures, and are thus still prevalent. The monitoring process, I argue, could have held an important position in discussing the differences between European and Hungarian state level approaches to Roma. Instead, the monitoring reports move to reject the state's approach in favour of the European institutional approach. Perhaps this succeeds in reducing some deficit discourses around Roma culture and language, but at the same time, issues of effectiveness for the majority of Roma in Hungary, and socio-economic redistributive measures that might be useful alongside cultural recognition are not addressed.

Moving onto the FCNM, we can see similar problems in the way the monitoring reports attempt to discuss different cultural elements in the framework. Since Hungary has ratified the FCNM there have been two monitoring reports, one in 1999 and the second in 2004. Similar to the ECRML, the earlier report focuses much more on redistribution than then latter which is more concerned with recognition.

In the 1999 report, unfair housing treatment suffered by Roma minorities is mentioned twice (with regards to Articles 1 and 6), whilst problems in the labour market particularly around lack of job opportunities are emphasised (Articles 1 and 4). Poverty and educational segregation are also referred to. However, there is no direct solution given to these problem – all recommendations refer to cultural phenomena such as: the setting up of museums (Article 4); Gypsy cultural centres (Article 5); separate places of worship (Article 8) and minority broadcasting (Article 9). Therefore whilst flagging up injustice in the redistribution terms of the labour market and socio-economic inequality, the measures are all based on recognition-type solutions.

The 2004 report continues in a similar vein, but now with even less mention of any redistribution phenomena: only school scholarships and measures to reduce segregation in schools are mentioned in Articles 5 and 6. Recognition phenomena are far more emphasized, with minority media programmes on the agenda (Articles 9 and 10), and more Romany language development in schools and institutions (Articles 12, 14). We might conclude that the “recognition” paradigm has eclipsed any particularly redistributive-focused recommendations, and the monitoring reports have fully endorsed the European institutional pathway of celebratory recognition-type solutions. However, an interesting aspect of the 2004 report is in Part III of the report which deals with “Further evolvments affecting the situation of the Roma minority” (para.6, pp.102-113). In this section, economic and social integration and employment problems of Roma minorities are emphasized beyond any recognition measures. The Roma are referred to here as a “disadvantaged” minority, a phrase that up until this point has barely been used in the FCNM or monitoring process. Whilst measures in a “recognition” paradigm might be flagged up in the main body of the report, disadvantage and poverty in “redistribution” terms are still an area the report wants to acknowledge.

Furthermore, in Annex XII (pp.159-161) two “case studies” are described which are said to have “created a stir and were hotly discussed recently in the media” (p.159). In both case studies, despite their written appearance as official reports (both are said to be from the Minister of the Interior, and are in keeping with the layout of a factual report e.g. the first begins “On 1 November 2002 at 13.16...”), both use deficit discourses in describing the Roma people in the incident, drawing on recognizable negative representations of Gypsies.

The two cases describe tensions between police and Roma people in which the Roma are presented as an unruly, uncontrollable mob. The first case reports on an incident at a hospital where the family of a deceased woman has gathered and

subsequently cause a disturbance. We first learn that the security service at the hospital were alerted to an incident,

“the security service of the Bugát Pál Hospital in Gyöngyös received a notification that at the surgery class of the hospital, on the third floor, a mass of some 40 to 50 people had gathered and annoyed the calm of patients with their loudness.” (*FCNM state report 2004*, p.159).

From the above extract we can see the types of bias against Roma. First of all, instead of presenting us with a simple number of people involved in the incident, (which could have been presented as a “fact” in a similar way to the date, time, location at the opening), we get the phrase “mass of some 40 to 50 people had gathered”. The words “mass...” and “had gathered” suggests something aligned to a demonstration, a large quantity of people brought together for a specific purpose (thereby suggesting it could be premeditated), with connotations to being anti-establishment and of lower class (the word “tömeg” is used in the Hungarian version that has similar connotations to “mass” in English). The next phrase describes what this “mass” of people did: they “annoyed the calm of patients with their loudness”. So the hint at the meaning of “mass” as something anti-establishment is confirmed – the crowd are differentiated from the “calm of patients”, the ordinary people who are justified as being there because they are members of the hospital, “calm patients” - unlike this “mass” who are “annoying” and “loud”.

We then learn that these “some 40 to 50 people” had come to the hospital because of a death of a relative: “They came together because one of the members of their family, the mother of the family of 82 years of age had died.” The deceased relative is described as “the mother of the family”. Thus the sentence groups the crowd together as one huge unit, drawing on the strong – often pejoratively used – representation of Roma people as overly fertile with large and unruly families (see Durst 2002). The next few sentences confirms this unruliness of the Roma:

“The relatives, a lot of them in a drunken condition, rushed into the room and stroked and pulled the deceased. The patients and nurses took fright and there was a just operated patient who left the room with fear, even in a reduced condition, barefoot [...]. The policemen arriving called upon the blustering relatives to leave the building. Some of the company tried to comply with this notice, though reluctantly, but the lift could not start due to its overload. The policemen tried to direct the mass through the staircase when temper got out of hand [...]. One of the fighters took a jack out of his pocket while the mass was scanning that they would beat the policemen to death.” (*ibid.*, p. 159).

The Roma are described as a dangerous, unruly mob who are somewhat uncivilized in their behaviour: they “stroke” and “pull” the dead woman, they “try” to comply with the policemen’s orders but their “temper” gets the better of them, even leading to the suggestion of intent to kill. The reporting of this incident shows that

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even in what is presented as a factual report, deficit stereotypical descriptions of Roma minorities as a rowdy, uncontrollable family mob prevail.

In a similar style, the second incident also reports Roma as a tempestuous, hostile mob against the state order. In brief, the report describes a traffic incident that turned into a more serious confrontation. We learn that whilst police were carrying out road traffic control in a town not far from Budapest (“Valkó”), one van did not respond to their “stop” arm signal and carried on driving. After a car chase and attempted arrest in which the driver threatens the police with a crowbar and a policeman drew his gun, “30–40 people” are reported to come out onto the streets “shouting and aggressively threatening” the policemen. The policemen ended up fleeing without arresting anyone:

“Due to the aggressive action of the ever increasing group equipped with various devices (hoes, scythes, forks) and the lynch feeling evolved, the policemen gave up their further action in order to protect their own safety, left the site with the service car, and then notified the duty of the Police Headquarters of Gödöllő.” (ibid., p.160)

Here the Roma are an “ever increasing group” equipped with weapons (once again the image of a growing mob) and in a comparable vein to the last story, the police flee the scene – the Roma are lawless, even the police cannot deal with them.

Neither stories are elaborated on, nor shown as to where they might fit in to the FCNM framework. Without any further contextualization, these incidents work to show the Roma in a stereotypical, deficit light as an uncontrollable mass. This way of talking about Roma clearly does not fit into the ‘anti-discriminatory’ approach of the FCNM that is cultural and celebratory, and does not fit into the increasingly cultural view of Roma taken by the main body of the FCNM monitoring reports themselves. At this point, I suggest that the negative representations of Roma both here and in other documents relates to a culture in Hungary in which deficit discourse about Roma is widespread and regularly circulated. Discriminatory discourses towards Roma in Hungary are well-recognized as a problem and commented on in both academic literature and different media sources (see Kende, 2000, p. 200; Csepeli and Simon, 2004, p. 129; Stewart, 1997, p. 4) and as we have seen in this article, can even surface in reports that purport to be pro- celebrating Roma culture.

Conclusions

The European instruments for minorities rely on the existence of a specific identity for a specific minority, and the idea that people (should) want to celebrate distinct identities. European institutional approaches to Roma strongly emphasize cultural recognition that sees Roma culture as celebratory, and sees this celebration as a means to encourage and facilitate their social and economic inclusion into mainstream society. This approach has been taken to newly acceded post-socialist countries who have high numbers of Roma, such as Hungary. The Hungarian response (at

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least as shown in the monitoring processes) is ambivalent in fully endorsing the celebratory stance as the central answer to Roma exclusion.

This chapter has outlined the struggle the Hungarian monitoring reports have with embracing the recognition paradigm. In the monitoring process for the ECRML, for example, early reports emphasise redistribution first and foremost, with only the later reports moving to endorse recognition politics. The later reports stand rather uneasily vis-à-vis the “Hungarian authorities” onto whom the blame is laid for not taking up the recognition baton, whilst the earlier alignment to this stance is left unquestioned. In the same process for the FCNM, recognition solutions are flagged up, which could appear to suggest the reports wholly embrace the European institutional approach. However, redistribution-type discourses on poverty and disadvantage do appear, but are pushed into the latter sections or annexes of the reports, along with some stereotypical, deficit descriptions of Roma communities.

It appears that in the attempt to integrate Hungarian discourses into European discourses on Roma, an uneasy position is struck in which “anti-discrimination” is only linked to the recognition paradigm, and separated from the redistributive measures of dealing with poverty and disadvantage. Redistributive measures could possibly be much more effective than attempting to celebrate a certain culture and language that is not necessarily practiced by most members of the minority. The European institutional response thus appears inadequate to deal with the severe inequalities suffered by Roma communities. However, this is not to say that the Hungarian response would therefore be wholly effective in solving problems faced by Roma minorities. Both monitoring processes have shown that redistributive measures are often expressed alongside deficit discourses about Roma – the most striking example is in the FCNM monitoring process, in which descriptions of incidents involving Roma are highly discriminatory. These, however, are limited to the end of the report, and therefore are not properly aired or dealt with.

Here we come to the main tension between the two approaches to the Roma minority. This chapter has shown how the ‘Hungarian voice’ has been modified through the monitoring processes to distance itself from state-measures towards Roma, whilst still including elements of these measures in various guises, mixed with occasions of deficit discourse that tap into wider negative representations of Roma “without culture”; “unruly, dangerous, violent” and “opposing mainstream norms”. These deficit discourses run the risk of seriously impeding any redistribution or recognition integratory measures, yet the monitoring process does not help debate these issues, but rather forces them into the corners of reports, closing down any possibilities for discussions.

If the European institutions do want to play a role in helping Roma minorities, then they will have to deal with redistributive issues alongside identity politics, and open up dialogues with “postsocialist” countries in order to help identify and engage with discriminatory discourses about Roma as not only a potentially cultural minority in need of recognition, but also as a minority that suffers from extreme poverty. Setting up a binary division between celebrating positive cultural aspects, and the hard struggle of enduring poverty, only reduces the opportunity for effective intervention.

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A multiculturalist or “recognition” approach needs to progress along two lines: firstly, it needs to take into account the idea that ‘a’ minority might not always neatly link to ‘a’ culture and ‘a’ language. This might mean measures to promote and encourage cultural difference may need to take plurality, hybridity and even aspects of nationality into account - for example whilst Romany languages are of the utmost importance for Romany speakers, in Hungary the majority of Roma do not speak a Romany language and therefore documents such as the ECRML will not be directly useful in improving their access to services (e.g. the schooling system). Secondly, a “recognition” approach also needs to integrate redistribution measures to deal with certain aspects of inequality in order to really tackle disadvantage at a structural level. As Fraser puts it, “in other words, to reconnect the problematic of cultural difference with the problematic of social equality” (Fraser, 1997, p. 187).

Finally, any recognition approach also needs to be careful in its pursuance of the need to identify and celebrate “difference”. Whilst acknowledging the advantages of diverse cultures in a society, this chapter has shown how a commitment to “difference as best” can limit the potential for dynamic debates with other viewpoints, and prevent the progress of anti-discriminatory developments that can tackle inequality.

Endnotes

1 The EU accepted ten new countries in 2004: Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia. Bulgaria and Romania then joined in 2007, and Croatia and Turkey began membership negotiations in 2005.

Numbers of Roma in the recent post-socialist accession countries range from approximately 8,000 in Latvia, to 600,000 in Hungary and about 2 million in Romania (Source: *European Union support for Roma communities in Central and Eastern Europe*, 2003 (Brussels: European Commission) p. 4).

2 The term “European institutions” here refers both to institutions affiliated to the Council of Europe and those affiliated to the European Union.

3 See *Gypsies in Europe* 1992 (COE/Parliamentary Assembly Recommendation 1203, para. 11.iv), *Legal Situation of the Roma in Europe* 2002 (COE/Committee on Legal Affairs and Human Rights report, paras. I/2, 6, 15.a.v; IIB/54).

4 Verkuyten neatly sums up the critics of multiculturalism by saying, “it has been suggested that multiculturalism can lead to reified group distinctions that become fault lines for conflict and separatism. Similarly, others have argued that multiculturalism endangers social unity and cohesion, and is also contradictory to the notion of equality and the ideal of meritocracy” (Verkuyten, 2004, p. 54; See also contribution of Malloy, this volume).

5 The significance of the ECRML for the Central and Eastern European region is shown in the increase of interest in the charter since the fall of communism 1989/90: “The CLRAE [Congress of Local and Regional Authorities] conceived and presented its draft charter before the dramatic changes in Central and Eastern Europe and in the light of the needs of the countries which at that time were already members of the Council of Europe. Nevertheless, the relevance of the charter and its approach to the situation of the countries of central and eastern Europe has since been confirmed by the considerable interest expressed by the representatives of a number of these countries in the establishment of European standards on this topic” (Explanatory Report: para. 12 p.3) [my insertion]. Although the Explanatory Report does not expand on exactly who the “representatives” were who displayed interest in the charter, we can speculate that this does, in part, point to parties interested in languages spoken by Roma people. Subsequent calls for standardising Romani languages have referred to the ECRML as the legal background for this process. For example, a version of the Romani alphabet was devised and written by Marcel Courtiade, with EU funding, and was adopted by the International Romani Union at its Fourth World Congress, held in Warsaw 1990 (Acton and Klimová, 2001, p. 162).

6 For the full monitoring process plus all the reports, a useful website is from the Budapest-based Public Foundation for European Comparative Minority Research ("EÖKIK"), see webpage <http://languagecharter.eokik.hu> (accessed 20 December 2008).

7 Minority languages pertinent to the ECRML's application in Hungary are listed as follows: Croatian (17,577 speakers), German (37,511 speakers), Romanian (8,730 speakers), Serbian (2,953 speakers), Slovak (12,745 speakers), Roma/Gypsies (48,072 speakers), (figures according to the Population Census 1990, probably conservative).

8 "The Roma culture being an essentially oral culture, the language is not highly codified; and incessant travels and exchanges with the populations of the places they passed through have transformed Romani into a multitude of languages: a Rom from Romania, for example, will not be understood by a Spanish or Portuguese Kalo. But even if it is not used by all groups, the language remains an essential common denominator of this people scattered all over the continent" (*The Situation of Gypsies (Roma and Sinti) in Europe* 1995: Introduction, p. 8).

⁹ Hungary was the first country in the region to adopt and implement a government initiated and supported school integration programme. It was launched in 2003, and provides financial incentives to schools that commit to integrating Roma students into the mainstream classrooms. In an outline of the government initiated and support school integration programme (Mohácsi and Járóka 2005). Implementing integration and desegregation has become one of the priorities to be dealt with in the pan-European programme *Decade for Roma Inclusion* 2005-2015, see webpage www.romadecade.org (accessed 2. March 2009).

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