ETHOS

'How does it feel to be a problem?' What we can learn about justice as political representation from empirical case studies

Bridget Anderson and Pier-Luc Dupont

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About ETHOS

ETHOS - Towards a European THeory Of juStice and fairness is a European Commission Horizon 2020 research project that seeks to provide building blocks for the development of an empirically informed European theory of justice and fairness. The project seeks to do so by:

    a)   refining and deepening knowledge on the European foundations of justice - both historically based and contemporarily envisaged;

    b)   enhancing awareness of mechanisms that impede the realisation of justice ideals as they are lived in contemporary Europe;

    c)   advancing the understanding of the process of drawing and re-drawing of the boundaries of justice (fault lines); and

    d)   providing guidance to politicians, policy makers, advocacies and other stakeholders on how to design and implement policies to reverse inequalities and prevent injustice.

ETHOS does not merely understand justice as an abstract moral ideal that is universal and worth striving for. Rather, justice is understood as a re-enacted and re-constructed lived experience. The experience is embedded in firm legal, political, moral, social, economic and cultural institutions that are geared to giving members of society what is their due.

In the ETHOS project, justice is studied as an interdependent relationship between the ideal of justice and its real manifestation – as set in the highly complex institutions of modern European societies. The relationship between the normative and practical, the formal and informal, is acknowledged and critically assessed through a multi-disciplinary approach.

To enhance the formulation of an empirically-based theory of justice and fairness, ETHOS will explore the normative (ideal) underpinnings of justice and their practical realisation in four heuristically defined domains of justice - social justice, economic justice, political justice, and civil and symbolic justice. These domains are revealed in several spheres:

    a)   philosophical and political tradition,

    b)   legal framework,

    c)   daily (bureaucratic) practice,

    d)   current public debates, and

    e)   the accounts of vulnerable populations in six European countries (the Netherlands, the UK, Hungary, Austria, Portugal and Turkey).

The question of drawing boundaries and redrawing the fault-lines of justice permeates the entire investigation.

Alongside Utrecht University in the Netherlands who coordinates the project, five further research institutions cooperate. They are based in Austria (European Training and Research Centre for Human Rights and Democracy), Hungary (Central European University), Portugal (Centre for Social Studies), Turkey (Boğaziçi University), and the UK (University of Bristol). The research project lasts from January 2017 to December 2019.

EXECUTIVE SUMMARY

This report examines the relationship between political representation and experiences of (mis)recognition by reflecting on the results of six national case studies on the Roma. It inscribes itself within the ETHOS strand of research on justice as lived experience and builds on previous project deliverables on different conceptualisations of justice. More specifically it develops insights derived from critical race theory and tries to overcome the methodological nationalism that underlies the social sciences in general and the literature on political representation in particular. We are guided by two overarching questions: what are the obstacles to the political representation of individuals who identify with a minority? How are these obstacles linked to experiences of (mis)recognition?

Methodologically, we draw on a critical-theoretical approach that brings into dialogue the ideals and arguments put forward by political philosophers, state practices and the individual views of key informants. For the empirical part, national teams carried out desk research on Roma-related policies and discourses. The University of Bristol, in its capacity as WP5 co-coordinators then elaborated common guidelines for semi-structured interviews with stakeholders, which were conducted between November 2017 and March 2018. Each partner conducted between five and ten interviews including individuals identifying as Roma - some (but not all) of them activists -, non-Roma people who are active on their behalf and non-Roma professionals who engage with them. Country reports were brought together, systematically analysed and contrasted with a selection of philosophical writings addressing problems of minority political representation. This allowed us to identify links between different forms of representation and (mis)recognition as well as avenues for conceptual and theoretical development.

We find that in the current European context, Roma is a contested, multidimensional and highly stigmatised identity which simultaneously evokes material poverty, racialised phenotypes, and cultural practices. It is frequently shunned by those to whom it is ascribed. Since the 1990s, EU member states have been encouraged to reverse this trend in part by improving the political representation of their Roma citizens. The results have been ambiguous. On the one hand, in some national and municipal contexts, those who identify as Roma have the right to elect Roma representatives in local, regional and national governments, and Roma civil society leaders have had opportunities to influence policymaking through permanent and ad hoc consultative mechanisms. There have also been attempts to symbolically recognise Roma history, including their persecution, in official discourses. On the other hand, these measures do not seem to have translated into substantive representation, to the extent that Roma interests and perspectives continue to be widely overlooked by public authorities. This may partly be attributable to the scarcity of policymakers identifying as Roma, but the class bias of political institutions also plays a key role in the powerlessness of a materially deprived population. Alienation from state institutions, coupled with financial support from international and transnational ones, has triggered a proliferation of civil society organisations claiming to represent the Roma on a non-territorial basis. To the extent that they challenge the legitimacy of the powers attributed to territorial states, such claims break with the Westphalian or nationalist frame in which justice for cultural minorities has been envisaged up to now. In this way, they offer an opportunity to rethink political representation beyond the sedentarist assumptions which reproduce the misrecognition of mobile and racialised populations such as the Roma.

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I. INTRODUCTION

What are the obstacles to the political representation of individuals who identify with a minority? How are these obstacles linked to experiences of (mis)recognition? This deliverable attempts to answer such questions by drawing on the empirical analysis gathered in six national case studies on the Roma in Turkey, Hungary, Austria, Portugal, the Netherlands and the United Kingdom. The aim is not only to illustrate and critique theory but also to reflect on how political justice as lived experience can contribute to the development of an empirically based theory of justice. The hope is that this in turn can offer conceptual and theoretical tools for activists, policymakers and the general public to deploy in their struggles against injustice. We follow the ETHOS definition of political justice as encompassing participation in politics, including the right to information, the right to vote and freedom of self-determination, but also having a voice in public debates and the power to influence decisions and processes concerning oneself.

Our initial hypothesis is that to access political justice one needs to access institutionalised politics. Access to institutionalised politics may in turn be greatly facilitated by coming from a certain group or possessing certain personal characteristics. Furthermore, institutional recognition of cultural minorities can sometimes be a form of mediation between states and 'communities' rather than representation of these communities. Questions of accountability and procedure and the role of civil society organisations are thus crucial factors to consider when elucidating the political implications of minority identities.

All the states covered in the empirical case studies have attempted to respond to minority claims for political recognition and justice, but their responses have differed depending on their particular history of state and minority formation (Anderson et al, 2018b). In recent years, nudged by European Commission requirements and incentives, they have also taken steps to recognise Roma claims often through pre-existing mechanisms of political recognition. Two general problems seem to have arisen. Either the Roma do not fit the model, in which case they are not a minority, or their claims are institutionalised in a minority framework that does not accommodate their particularities. To explore these issues, national teams were invited to identify a) gaps in the institutionalisation of political justice for minorities, and b) disjunctures between institutionalised political justice and experiences of political justice on the part of the Roma. Some teams identified a particular focus of interest: Austria – national-level consultative mechanisms; Hungary – education and Roma self-government structures; UK - processes of minority formation themselves.

While it builds on the case studies, the deliverable is not meant to do justice to their rich and important findings but rather to be read alongside them. These national studies illustrate how Roma are a 'neuralgic point' in historical and contemporary Europe, a painful spot where tensions, contradictions and trauma manifest. We should emphasise that the authors are not experts in Romani Studies and our aim is not to highlight the 'Roma problem'. Hence we do not give an overview of data that illustrates Roma people's increasing marginalisation, impoverishment and exclusion. There are many existing research projects, including studies commissioned and conducted by Roma themselves that do this far better than we could manage.[1] Rather, drawing on the empirical data generated by the national case studies, we begin to unpack the reasons behind the persistent challenges Roma seem to pose to political representation in Europe, in this sense illustrating and illuminating a 'European problem'. We hope the report will contribute to uncovering how concepts and theory have helped forge this problem and how they may be developed to help find ways out of it.

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[1] See eg the study on Roma education, conducted with Roma and from Roma, commissioned by the Austrian Federal Chancellery while updating the Austrian Roma Strategy on Roma education: http://minderheiten.at/index.php/rombas-studie; and the 2016-2017 report on anti-Gypsyism in Austria published by Romano Centro: http://www.Romano-centro.org/images/antiGypsyism%20in%20austria%202015-2017.pdf.

Methodologically, we draw on a critical-theoretical approach that brings into dialogue the ideals and arguments put forward by political philosophers, state practices and the individual views of people who identify/are identified as Roma and other key informants. To inform the empirics, research teams first reviewed the history of institutional minoritisation in their respective countries, allowing them to understand its underlying logics and relationship to current policy approaches to the Roma. Desk research was also carried out on Roma-related national policies and discourses. Based on this prior research, the University of Bristol team, in their capacity as WP5 coordinators, elaborated common guidelines for semi-structured interviews focussing on social justice and political representation, which were conducted between November 2017 and March 2018. Each partner conducted between five and ten interviews including individuals identifying as Roma - some (but not all) of them activists -, non-Roma people who are active on their behalf and non-Roma professionals (educationalists, social workers, academics) who are engaged with them. As described in the note on terminology below, we took a broad understanding of 'Roma' and we invited participation of people who may be characterised as related to the Roma or who are grouped together with them by social policies and explored their differences and common interests. At all times we respected participants' self-identification. Interviews were audio taped,[2] transcribed, translated and analysed. Specific emphasis was placed on respondents' perceptions surrounding the Roma identity as well as its political representation and the impact this has on the social position of those who share it. Case studies were then drafted to uncover the links between minority policies and discourses, Roma perceptions of recognition and how Roma are politically represented. Bacchi's 'what is the problem' approach and Leeuw's policy-analysis framework offered a template for the evaluation of Roma representation structures based on four key questions: 1) how is the problem defined? 2) what is the measure of success in solving this problem? 3) which actors are involved in implementing solutions? and 4) what language is used to describe realities and ideals?

Country reports were brought together and systematically analysed alongside re-reading ETHOS deliverables on disciplinary approaches to justice theorising, in order to identify links between different forms of representation and political justice. This analysis informed the structure of this report which has sought to find connections between national case studies rather than showcase the case studies per se. For this reason, again, we would urge readers to read this deliverable alongside the national reports and the report on minoritisation which are available on the ETHOS website. Additional data and analysis were requested from partners where necessary to probe these links further. The analytical dimensions identified were then contrasted with a selection of philosophical writings addressing problems of minority political representation, allowing us to identify promising avenues for conceptual and theoretical development.

The report addresses three key issues. Section 2 discusses the category of 'Roma', how they are marked and (mis)recognised and the continued salience of 'race' to (mis)recognition and representation. Section 3 examines political representation, describing patterns of Roma representation and political justice claims in the six countries under study, how these are framed, accommodated and overlooked. It discusses what these empirical case studies suggest needs more theoretical attention. Section 4 focusses on methodological nationalism, arguing that it structures some of the theoretical concerns, but also the paradigms that attempt to recognise Roma, yet nationalist ways of thinking are foundational to Roma marginalisation. The conclusion recapitulates our main findings and identifies some of the challenges they raise for current understandings of political justice in Europe.

A NOTE ON TERMINOLOGY

The term 'Roma' is contested and while now widely used in policy and activist circles, this dissemination is relatively recent. For some, it is a move away from pejorative stereotypes often summoned by words like

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[2] Detailed notes were taken in a few cases where respondents preferred this option.

'Ciganos', 'Cigany' and 'Gypsy': in Austria, the 'Roma' national minority label was retained in part because the word means 'person' in Romanes (Meier & Vivona, 2018). For others it is a term imposed from above that has little daily resonance: 'its use is a symptom of 'spastic… political correctness' (Zemandl, 2018). Those who use the term 'Roma' can find it has little traction on the ground – 'I worked in Tyrol for a while and there I said that I am a Roma woman and they asked, "What does that mean?". Then I told them, "Well, a Gypsy"… "Right, right, of course." Of course, then you face the first stereotypes. But it was ok for me because we started to discuss them' (Meier & Vivona, 2018). There is a broad consensus that its use since the 1990s has largely been driven by European institutions (such as the Council of Europe, the Organisation for Security and Cooperation in Europe and the European Union) and international bodies such as the Open Society Institute (Vermeesch, 2012). Roma-led organisations such as International Romani Union (IRU) and the Roma National Congress (RNC), supported by international funders, have also played a key role in its diffusion (Nirenbert, 2009). For the purposes of this report we have chosen to generally use the term 'Roma' partly because, even if it might be evidence of 'spastic political correctness' or misunderstood on the ground, it is rarely perceived as racist. It is also the term that is used by the European Commission under whose auspices we are writing this report. However, we do sometimes use the term 'Gypsy' or other nationally salient labels, such as Sinti, when reporting the discourse of specific speakers who prefer them to 'Roma'.

II. IDENTITY AND (MIS)RECOGNITION

The question of recognition is central to justice as political representation. To discuss the latter in practice we must know who is being represented and why they are being represented. The challenges that become apparent in attempting to answer 'Who are the Roma?' are directly implicated in both the reasons for the poor representation of the Roma and in why political representation is needed for justice.

There are several aspects of the minority political identity 'Roma' that point to its fruitfulness as a site of theoretical reflection. It is probably fair to say that in many contexts widespread Roma self-identification currently constitutes more of a project than a reality. The term's implications of cultural commonality may appear alien to the diverse array of local communities it is meant to designate (McGarry, 2014) and it is important to understand criticism of Roma 'disunity' in the light of this. As the President of one Romani NGO puts it 'before each election the parties play the Roma card to get support, but who is Roma? There are differences in ethnic and cultural sub-groups so political representation based on ethnicity will always face this problem' (McGarry, 2009: 112, cited in Zemandl, 2018). The heterogeneity of Roma features in all country reports. In Turkey distinctions are made by region between the Roma, Dom and Lom; in Austria difference is marked by national minority or recently settled status (as well as ethnic affiliations such as Lovara, Sinti and Burgenland-Roma); in the UK it is around language group and how people's mobility is understood (internal or international) and the portmanteau term Gypsy/Roma/Traveller (GRT) clearly indicates the composite nature of how the community/ies is/are understood. In Hungary there are differences between different language groups, the Romungro, Olah and Beás. In Netherlands the Social Inclusion Monitor explains: 'Roma and Sinti are, like other groups, not homogeneous: various [Roma and Sinti] groups came to the Netherlands at different times, from different countries. The [Roma and Sinti] families differ very much from each other' (MOVISIE, 2013 cited in Hiah and Knijn, 2018). These differences can also be used to draw distinctions between 'good' and 'bad' Roma (Hungary/Austria reference) including by Roma/Sinti themselves.

The imperfect correspondence between internal and external ascriptions of Roma identity raises the question of whether Roma labelling may sometimes be a form of symbolic violence or misrecognition, especially when the categorisation is systematically used to offer statistical evidence of disadvantage and marginalisation (see eg Gatti, 2016). Some historians suggest that the categorisation of the Roma as a population began with the dissemination of negative ideas about them by religious and state authorities (Lucassen, 1991, cited in Hiah &

Knijn, 2018). Diverse groups characterised as 'ciganos'/Gypsies/nomads have been persecuted for generations across Europe, partly in the drive to sedentarise and territorialise European populations. This persecution culminated in the *Porajmos*, or *Pharrajimos* or Samudaripen, the Nazi persecution which saw 'Gypsies' stripped of their citizenship, subjected to forced labour and murdered in death camps in their hundreds of thousands. Europe has been slow to acknowledge this anti-Gypsy history: for example, it was only in 1988 that Roma survivors of labour camps in Austria became entitled to state compensation (Meier & Vivona, 2018). There continues to be considerable anti-Gypsy racism and data indicates that they are currently Europe's most negatively perceived minority.[3] In institutional circles, 'repressive measures are argued to be 'instruments' to normalize and integrate 'deviant Roma' into society' (Hiah and Knijn). Explicit racist discrimination in everyday life is common, with Roma refused entry to restaurants, overcharged, being refused accommodation, and subject to racist abuse and violence. 'I feel a look that burns into you, it burns, burns, you can't imagine. I even somewhat fear walking alone on the streets, because the hate speech is so widespread. When TV mentions Gypsy it's always something bad, it is never a good thing… This is so institutionalized it's frightening. I have a name!' (Araújo & Brito, 2018). This racism in its most explicitly violent form has clearly not been eradicated from Europe even in the case of a group whose organised and state-endorsed persecution has been acknowledged and abhorred. While this finding is hardly new, it is nevertheless deeply disturbing and should be centralised in any attempt to devise an empirically informed theory of political justice.

In light of the abuse and violence to which they are subjected across Europe, including from the police (Araújo & Brito, 2018) it should come as no surprise that many Roma seek to avoid being categorised as such. At an individual level people may be able to 'pass' as non-Roma becoming a 'Gypsy 007' as one Portuguese respondent put it (Araújo & Brito, 2018). In the UK some Roma from Romania were comfortable with being 'Romanianised', that is, with being seen as non-Roma Romanians (Anderson et al, 2018a). In Hungary 315,000 people identified themselves as Roma for the purposes of the national census, but experts in Roma issues estimate the 'real' number at more than twice that (Zemandl, 2018). On the other hand, Roma individuals do not simply manage misrecognition on a daily basis but may actively construct an identity in opposition to it. Notable here is the distinction between Roma as a way of being and Roma as a way of doing: '"Not everyone is…" was how many of them started their answers: a burglar, a thief, or a beggar who sells the Big Issue on street corners' (Anderson et al, 2018a). Often this identity emphasises the worker citizen (cf Dupont & Anderson, 2018):

> The truth must be at the table, that has to be. And this is the truth. Not saying that were the asocial ones [deported by the Nazis] who did not work, and in the end it turns out, through the recordings we made, that all the Roma we interviewed were deported from school and from work (Meier & Vivona, 2018).

This dialectic suggests a more complex and closer relation between recognition and misrecognition than simple opposites. As an interviewee put it:

> I think it makes sense to continue to use the term Roma because, in spite of all heterogeneity and diversity and social diversity, there is one connecting feature and that is the history and the experience of discrimination. So that is that, that is what really affects the vast majority of Roma. And that is why it makes sense to name the group with a term. I would see it that way. (Meier & Vivona, 2018).

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[3]https://www.independent.co.uk/news/world/europe/Roma-Gypsies-most-negatively-perceived-european-minority-group-survey-finds-a6740746.html.

From the national reports we learn how minoritization and majoritization processes occur in very specific national contexts. However, there are three overlapping and common social 'markers', none of them fixed, and all inter-related that work to categorise people as Roma in their everyday experiences: socio-economic marginalisation, 'race' and culture. The question of how this identity is fixed, how the Roma subject is interpellated and by whom, is critical to experiences of (mis)recognition and their relation to political representation. But it also tells us about the ideological construction of the dominant group, which in turn shapes self-definitions and opportunities for identity-based political mobilization.

The first social marker of Roma identity is their marginalised socio-economic status. Roma identity is extremely difficult to disentangle from socio-economic factors. Poverty is focussed on by policymakers, media, academics and some activists, all with very different intentions. It is bound up with perceptions of a 'culture of deprivation' (Anderson et al, 2018a) or 'poverty' (Zemandl, 2018) and is often related to solutions focussed on 'responsibilising' people or training them away from deviance, or indeed removing them from settlements or states (Nacu, 2012; Cahn and Vermeersch, 2000). Roma association with ignorance, criminality, laziness and cunning is such that, when Roma are *not* poor, this too is suspicious (Araújo & Brito, 2018). The case studies indicate that at the national level Roma/Gypsies are often synonymous with vulnerable socio-economic groups and phrases like 'multiply disadvantaged child' (Zemandl, 2018) or 'multi-problem families' (Hiah & Knijn, 2018) are scarcely coded ways of referring to Roma people. The Roma themselves demand redistributive justice. The Turkish country report (Akkan, 2018) put it thus:

> Roma demands 'work, food bread' (is, as, yemek) … therefore the redistributive claims of Roma emerged as an important part of their recognition claims. They wanted their poverty and social exclusion problems to be seen in public and in politics. … this does not exclude the problems that pertain to discrimination.

On the one hand there was frustration that, while this marginalization is recognised it is not acted on:

> According to some activists, recognition without a genuine redistributive effort makes them even more vulnerable, as they are made visible in the society, recognised as a group with the identity of Roma, in a political atmosphere where identity claims are fragile (Akkan, 2018).

On the other hand, many respondents were critical of 'class reductionism or… excess of paternalism' (Araújo & Brito, 2018) which fails to promote a full picture of their lives, especially when marginal socio-economic status is stigmatized not simply as a description of one's earnings or living conditions, but also as a matter of 'culture' (see below). People did not want only to be seen as poor and marginal and as not able to contribute: 'We want the sharing, coming together. We can give really good things' (Araújo & Brito, 2018).

The second social marker is phenotype and more particularly skin pigmentation. This was widely experienced by Roma interviewees as a key marker of their identity and this is reflected in the discourse. In Turkey for example the Roma are called *esmer vatandas* or 'dark-skinned citizens', though this is interpreted as referring to discrimination rather than skin colour *per se*. In the UK, Roma who saw themselves as having darker skin found that super-diverse contexts enabled them to 'pass' as 'Indian' or 'Turkish' but perhaps not as 'white'. However,

> encounters with Romanians, at home and abroad, made it much harder to evade having one's darkness read as a determinant of one's alterity. Accent, language and dress, participants and the service provider added equally, were all giveaways that could be picked up on and deployed in narratives of incompatibility (Anderson et al, 2018a).

The above also indicates the third marker which is the marker of 'culture'. It is extremely important to recognise that this is imbricated with the first marker of 'race'. In mainstream European discourse there has been a significant shift away from biological racism towards markers of ethnic and cultural difference (Balibar, 1991: 21). Talk of cultural difference is far more acceptable than ideas of racial difference (Pettigrew et al, 1997), which

may explain why the latter rarely came up in the discourses analysed (see Araújo & Brito, 2018). This shift in emphasis from 'race' to 'culture' has been important in terms of delegitimising certain kinds of racist expression, such as pseudo-scientific associations of non-white phenotypes with lower intelligence (Banton, 1998). However, racism has rarely worked solely through skin colour and long drawn on a broad range of other signifiers and markers of culture and disposition. Moreover, the shared history signalled by ethnicity/culture, like race, is strongly imagined and claimed through ancestry. For instance, both Hungary and Austria have an ancestral requirement for official recognition of 'national minorities'. If 'culture' is understood as a way of life, then sedentarization, persecution and economic change have combined to make some forms of cultural expression important repositories for ways of life that have been subject to considerable pressure. Some cultural expressions may be celebrated and in attempts to demand recognition:

> Those who are more positive about revealing their ethnicity tend to be those who preserve their traditions or are musicians or are born into a musical family. Their Roma identity is more positive. They experience their Roma identity differently" (Zemandl, 2018).

But not every person can be a cultural worker, and moreover in cases of minority and racialised cultures, cultural difference is often associated with tradition and backwardness. Culturalist approaches can feed infantilising representations of 'joyous' music playing country folk, who sometimes indulge in picaresque 'naughtiness' (Araújo & Brito, 2018; Hiah & Knijn, 2018). Furthermore, a broader understanding of culture as way of life and social positioning rather than 'saris, steel bands and samosas' suggests that 'Roma culture' more generally is stigmatized and can be depicted as anti-social behaviour. As Solomos and Back (1996) have argued, when culture is invested with independent explanatory power it reduces complex situations to simple pathologies. 'Empowerment' then risks being interpreted as a 'civilising mission' correcting Roma/Gypsy 'pathologies of character' (Araújo & Brito, 2018).

A Dutch academic captured these stereotypes when trying to explain the social context of hostility to Roma:

> I also wouldn't want to live next to someone like that… a Roma family who… celebrated finding a house and invited three quarters of their family. The whole street was full of cars. In the evening a pig is slaughtered in the backyard that makes a lot of noise…all those children hanging out of the window looking at how the pig is treated. We can't have that can we? Or women crying rushing out of their house because they are being chased by their husbands, we can't have that either, right? (Hiah & Knijn, 2018).

It is notable that while ancestry is emphasised in ideas of how to claim ethnicity in terms of minority status, family receives greater emphasis in conversations about culture – as illustrated in the two quotations above. Indeed, a common trope in representations of minority cultures is that they are exceptionally prone to violate human rights and oppress women. In an instantiation of what Spivak (1988) brilliantly and dismissively calls 'White men saving brown women from brown men' Roma men are often described as perpetrators of domestic violence (as in the above quotation), forced marriages and other crimes. These discourses of victimhood and violence pose a particular challenge for Roma women, in part by creating a double bind between feminist and anti-racist forms of political engagement through investing culture with Solomos and Back's 'independent explanatory power'. As one woman from Portugal put it: "I have, however, to say that the great challenge is to criticize the internal patriarchal structures and, at the same time, to try to avoid reinforcing the negative stereotypes about our community" (Araújo & Brito, 2018). In contrast to the sexism of the dominant population which is acknowledged as complex and context dependent, that of minority cultures is simply attached to 'tradition' and detached from broader patriarchal and other social structures, meaning that dominant social norms appear innocent. The racializing gaze claims objectivity and fails to see that it is saturated with power:

> We do not look away from the Roma background. When I am sitting in front of you I see that you are neither Roma nor Dutch, that's fine… I do not have to do anything with that, but I save this information. I also do not have to be completely blank. And that goes for dealing with

Roma. That you can take note of the fact, 'hey that is a Roma'... but note down that information. Then look into the problem. (Hiah & Knijn, 2018).

These three social markers mean the repeated associations of Roma with a range of social problems which blur socio-economic location, race and culture. As Matt Wray writes of 'white trash': 'Is this a story about a residual, disposable class, or one about a despised ethnoracial group? Between these two choices, meaning is suspended' (Wray, 2006: 3). The association of culture, family, ancestry and ethnicity in the popular imagination triggers the attribution of certain beliefs or practices based on phenotypical appearance and, conversely, magnifies the latter's visibility in the case of individuals perceived as dressing or talking like Roma. Ethnicity is bound up with very material social processes. Bourgois' (1988) concept of 'conjugated oppression', derived from the experiences of indigenous plantation workers in Central America can be helpful here. He is interested in understanding the relation between ideological domination and economic exploitation and how they work through ethnicity, i.e. understanding ethnicity as a social process rather than a fixed attribute:

> conjugated oppression occurs when an economic structure... conflates with ideology...to create an experience of oppression that is more than merely the sum of its constituent parts: class and ideology. The "conjugation" of class and ideology expresses itself in distinct patterns of political mobilization and in differential margins of exploitation and labor control' (Bourgois, 1988: 330-331).

In this section we have seen that 'Roma' is, in the European context, a stigmatised identity that simultaneously evokes material poverty, phenotypical darkness and morally problematic cultural practices. Because of the various forms of discrimination it elicits, some of them violent, Roma identity may be rejected or concealed by those who are labelled as such. At the same time, the 'Roma' term can also be used to remember and denounce European racism as well as to vindicate positive artistic and other traditions. These multiple connotations underlie the modes and rationales of its current representation by institutional and civil society actors.

III.   POLITICAL REPRESENTATION IN THEORY AND PRACTICE

Ideas about what constitutes fair representation are imbricated with contingent and current political practices of representation (Plotke 1997). In part for this reason, 'the concept of political representation is misleadingly simple: everyone seems to know what it is, yet few can agree on any particular definition' (Dovi 2017). In one of the foundational discussions of the concept of political representation, Pitkin has argued that there are four ways in which the term 'representation' is frequently used, and which she termed 'substantive', 'formalistic' (hereafter 'formal'), 'descriptive' and 'symbolic'. Substantive representation signals acting in the interest of a constituency. Formal representation describes the institutionalised procedures by which a representative obtains, maintains and exercises political power. Descriptive representation refers to the similarity between the characteristics, interests and experiences of representatives and represented. Symbolic representation designates a constituency's adhesion to the ideas evoked by representatives (Pitkin, 1967). This typology is potentially useful as it enables us to distinguish the different means and functions of representation. However, understanding political (in)justice in the European context requires attention not only to Pitkin's different meanings of representation, but also how they relate to each other and to (mis)recognition.

JOINING PITKIN'S DOTS

For Pitkin, substantive representation as an activity defined by certain behavioural norms is the core, default (and therefore often unstated) meaning evoked by discussions on representation (113). Following in her path, Young argues it is best construed as a relationship linking the interests, opinions and perspectives of constituents

to the actions of their representatives. While the basic fact of difference means that the correspondence can never be perfect, gaps can be minimised through on-going communication and debate (Young, 2000: 121-141). The most direct way of promoting correspondence is through formal procedures of authorisation (typically elections) and accountability (eg consultative mechanisms). In the case of the Roma, formal representation takes place both through the general political rights associated with their citizenship status, including the right to vote and stand for office, and specific mechanisms in which they can participate *qua* Roma. The geometry of citizenship-related and Roma-specific representative arrangements varies from country to country. In Portugal and the Netherlands, the official stance is that specific representative mechanisms would 'discriminate' against ethnic minorities. This was a shift in the Netherlands as for many years, following the model of pillarisation, Dutch minority policies financed associations representing minority groups. At first 'Travellers and Gypsies' were included with migrant minorities but in 1997 they were excluded under a decentralising policy reform and became the direct responsibility of local government (Hiah & Knijn, 2018). Nevertheless, the Dutch government has signed various international covenants that recognise the Roma as a specific cultural identity and ethnic minority categories continue to be deployed in certain policy domains. From 2010 on, however, criticism of minority inclusion policies (associated with labelling and stigmatization) led to their abolition and a policy shift toward 'problematic social categories' (Hiah & Knijn 2018). The Roma have therefore stopped being recognized as a 'national minority'. This does not mean that they are not recognised as sharing Dutch history. Living in mobile homes has been classed as part of 'intangible Dutch heritage' though given that there is no right to roam in Dutch law this is of little material benefit to Roma or Sinti. More tangibly the genocidal deaths of Roma during WW2 are recognised through the *herstelgelden*, which are funds that can be used by Roma and Sinti for commemoration, anti-racism and improvement of their social position.[4] Despite this symbolic acknowledgement the continuing problematic social position of Roma and Sinti in contemporary Netherlands, and its relation to past racism and racialised policies is unrecognised. 'Roma appear to fall in between … victims of history and … deviants in a civic society' (Hiah & Knijn, 2018).

Similarly, the official narrative of the Portuguese state has been that the country is 'race blind' and, until recently, ethnically homogeneous. For many years the government did not recognise the existence of national minorities in Portugal, only signing the Council of Europe's Framework Convention for the Protection of National Minorities (FCNM) in 2002 as a gesture of solidarity (Araújo & Brito, 2018). This shifted in 2007 when Portugal officially recognised the existence of one ethnic minority on its territory, the Roma. This recognition is not reflected in legislative institutions, but the government launched the Roma Community Support Agency under the High Commission for Integration and Dialogue (ACIDI). This co-ordinates policies and projects aimed at facilitating inclusion and integration, including projects specifically targeted at the Roma. However, the starting point of the Portuguese state is that citizens are equal before the law and Roma can therefore be protected through adherence to civic principles of universal equal treatment. In practice Roma continue to be economically marginalised and impoverished, manifest for example in high school drop-out rates. In electoral politics, Gypsy/Roma are subjected to racialised hostility (Araújo & Brito, 2018).

Hungary and Austria both recognise Roma as constitutive communities of the state and have granted forms of institutionalized recognition. In Hungary the 1993 Minority Rights Act guaranteed both individual and collective minority rights and statutorily recognized the Roma and twelve other named groups 'as national or ethnic minorities' (Zemandl, 2018). These national minorities were given the right to establish local, regional and national minority self-governments (MSGs). Despite their title the authority of MSGs is limited to issues framed around protection of traditions and culture, with no power to address the structural socio-economic issues that

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[4]This recognition of Roma was subject to considerable criticism because Roma and Sinti people complained they had no say in how the money was spent, though attempts have been made to redress this (Hiah and Knijn: 36). For instance, Roma and Sinti individuals participate in the Advisory Board of the Fund.

are one of the key social markers of Roma. In a damning assessment following attempted reforms the Organization for Security and Co-operation in Europe (OSCE) found "The MSGs tend to marginalize Romani issues by depositing them in a parallel, fairly powerless, quasi-governmental structure rather than addressing them through established governing bodies".[5] The Hungarian government has also made some moves to respond to minority issues. In 2011 the new Constitution included provisions enabling 'nationalities' to be represented in Parliament through a system of preferential mandates and spokespersons. However, while a non-minority citizen can vote for both a candidate and a *party* list, a citizen who registers as a member of a minority can vote for a local candidate and the *minority* list[6]. They cannot vote for a party, and this mechanism of representing minorities in practice paradoxically increases the majoritarian character of the system since those registered as minorities are not participating in the same election[7]. As one interviewee in Hungary put it: "We are not ahead, no matter whether the government interferes or someone else. Everybody is only interested in their own interests and not looking at what could be good for us, only their own interests… official political institutions hide behind the law" (Zemandl, 2018). MSGs' perceived corruption, bureaucracy and dependence on local authorities for resources, as well as the continuous economic hardship experienced by some Roma communities, contributed to this sense of disempowerment.

There is a similar disenchantment in Austria where a Roma interviewee asserted: 'policies are made by others' (Meier & Vivona, 2018). Austria, like Hungary recognises certain Roma people as part of the nation.[8] Unlike Hungary, Roma issues are not incorporated into political party politics and no seats are reserved in elected bodies for national minorities though individuals from minority groups may serve as representatives of political parties and ethnic organisations may have links to political parties. The Ethnic Group Act 1979 attempted to introduce a uniform legal framework for minority issues and to institutionalise dialogue with minority groups. The Act designated specific funds for recognised minority groups (approximately annually €3.8 million) and established Ethnic Advisory Councils, bodies "to advise the Federal Chancellery and Federal Ministers in matters concerning ethnic groups," with the purpose of protecting the "overall cultural, social, and economic interests of the ethnic groups" and also to be consulted on funding disbursement and questions relating to legislation affecting national minorities. Half of the Council members come from organizations representing the ethnic groups; the other half from "members of a popular representative body" and/or members of the relevant religious community. Each member is appointed by the federal government for a four-year term. Ethnic Advisory Councils were strongly criticised by minority groups from their inception and they were sceptical about the effectiveness of minority policies and their associated instruments. Zemandl (2018) suggests that these Councils are regarded as weak, top down bodies, whose influence is very circumscribed.

It is important to note that for minority groups to constitute *national* minority groups both Austria and Hungary require ancestral residence. In Hungary the 1993 Ethnic Group Act required minorities to have 'lived on the territory of Hungary for at least a century' (Article 1.2). The Austrian Ethnic Group Act also had a strongly territorial understanding of minority, and national minorities were defined as Austrian nationals "living and residing in parts of the federal territory whose mother tongue is not German and who have their own traditions

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[5] https://www.ndi.org/sites/default/files/2163_hu_Roma_self_assessment_100106.pdf

[6] The Electoral Law on the Election of Members of Parliament, ¶7§(2), reads as follows: "A citizen who belongs to a minority can vote a) for a candidate of his electoral district and b) for the list of his own nationality."

[7] Notably Florian Farkas, the leader of the Roma minority political party Lungo Drom, is also the leader of the national level Roma minority self-government. He served as a member of Parliament under the Conservative-Christian coalition, and the Orban-Farkas alliance is 'an important mechanism of the Fidesz political machinery' (Zemandl, 2018: 26).

[8] It is worth noting that the struggle to gain formal political recognition as a 'national minority' was not supported by all Roma (Zemandl, 2018: 19).

and folklore".[9] According to legal practice, recognition requires continuity of residence for three generations or ninety years; residence, home and rootedness in Austria or 'Beheimatung'; and Austrian citizenship (Jurié Pahor, 2009: 27). Austria strongly distinguishes between 'allochthone' and 'autochthone' minorities and the Ethnic Advisory Councils only represent autochthonous Roma who have been resident for three generations.

Turkey, like Austria and Hungary, acknowledges Roma as a population that is part of the history of the nation, but nevertheless long regarded with suspicion. The contemporary Turkish minority rights regime is strongly influenced by the millet system which was organised around the recognition of particular religious communities most notably the Armenians, the Rums (orthodox Greeks) and the Jews. This system, based on a Muslim/Non-Muslim differentiation, separated Muslim Roma from other Muslim communities and designated them as ehl-i fesad (people of malice) (Özateşler, 2014). A turning point for Roma recognition took place in 2009 with the launch of the Roma Democratic Opening Process. In his inaugural speech, President Erdogan apologised for anti-Roma discrimination: 'If there is an apology, the Romani people in Turkey deserve it. I apologize to them on behalf of the state'. The Process led to the adoption by the Ministry of Family and Social Policy of a Strategy Document for Roma Citizens (2016-2021).

UK authorities have opposed EU requests to draft a National Roma Integration Strategy and reserved the term 'Roma' for migrants from Eastern Europe who have settled in the country since the 1990s. However they developed a number of laws and policies dealing with 'Gypsies and Travellers', who fall under EU Roma policy. These cover a large number of areas such as the provision of caravan sites by local authorities, the celebration of a Gypsy, Roma and Traveller History Month, health services and hate crime prevention. The Roma have been included as an ethnic category in the school census since 2003 and the Office for National Statistics is considering whether to add it to the national census in 2021. As in Turkey, formal mechanisms of Roma-specific political representation mainly take the form of parliamentary and ministerial consultations with civil society organisations (see below). In a trajectory that parallels the Netherlands, the government claims to have 'moved away from having national programmes and separate funding streams that target specific groups of people' and that 'achieving integration through mainstream programmes is the best approach' (Department for Communities and Local Government, 2017: 1, cited in Anderson et al, 2018a). This stance has been criticised by civil society organisations which have pushed for the adoption of a Roma integration strategy and the revival of fledgling targeted measures.

Theorists of deliberative democracy have highlighted various reasons why formal representation tends not to translate into substantive representation for marginalised groups (see Williams, 1998). Prevailing stereotypes can mean that their representatives are not considered fit for political office, eg too corrupt or not professional enough (Hiah & Knijn, 2018). In a context where a minority population is perceived as criminal, violent, or uncooperative, they are likely to find it difficult to make their way onto party lists and win votes. Responses to racist exclusion and discrimination may be misrecognised as behaving 'aggressively' (Araújo & Brito, 2018) or 'troublemaking' (cf Hartman, Dupont & Anderson 2018). Furthermore, the ideological constructs of a dominant group contribute to self-definition such that minority candidates may be less likely to put themselves forward as political participants. Members of stigmatised groups may not want or be accustomed to make themselves visible and (mis)recognition contributes to shaping the terms in which a person understands themselves. A person who feels that they have to preface discussion of their minoritised identity with 'Not everyone like me is a beggar or criminal' may feel reluctant to put themselves forward for office or as a partner to dialogue. Importantly, these barriers do not only arise for ethnic minorities, but are also classed. Formal political institutions may feel inaccessible to the socio-economically marginalized more generally. Limited education can impact on people's awareness of resources and opportunities for mobilisation (Gutmann, 1999), and lack of familiarity with elite linguistic or rhetorical practices can reduce people's capacity to put forward arguments in a manner that is

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[9] Volksgruppengesetz - Bundesgesetz über die Rechtsstellung der Volksgruppen in Österreich, BGBl. Nr. 396/1976, last amended by BGBl. I Nr. 84/2013, Art 1 (2).

recognised as being persuasive (Shorten, 2017). Given the growing emphasis on deliberation for legitimacy we also have to ask, who has the time and the resources to deliberate? Financial strain can reduce opportunities to acquire and use the tools that are necessary to convey the voice of subordinated minorities, as well as to engage in lobbying or donate to political parties (Valadez, 2001: 39-85). All these challenges can only be overlooked by those who reflect from the standpoint of university-educated, financially well-off and institutionally engaged males.

The national studies indicate that the biases of formal representation can actively generate mistrust: "This is the problem with our political parties, they're up there in the elites' sphere and don't even think about solving concrete problems", as a Roma woman in Portugal put it (Araújo & Brito, 2018). The relation between misrepresentation and socio-economic subordination that is experienced so directly by many of the Roma interviewed explains why the suspicion of representatives can be related to class: 'What kind of Gypsy is that who takes violin lessons at Stradivarius? (Anderson et al, 2018a). While the scarcity of ethnic monitoring in the countries covered by ETHOS renders impossible the compilation of statistical data on Roma political participation, their degree of alienation from political institutions and their representatives suggests that their electoral turnout is likely to be low. This means that formal political rights may not translate into sustained consultation and debate, as elected representatives and the wider population foresee no electoral cost in neglecting Roma views and interests.

The inclusion of minority voices through mechanisms of descriptive representation (alternatively known as 'quotas', 'reserved seats', 'positive/affirmative action' or 'reverse discrimination') may at least give the outward appearance of enabling a greater variety of 'perspectives', understood as specific knowledges deriving from individuals' particular position in the social structure, to inform public debate and policy (Young 2000: 144). Phillips (1997) has defended the 'politics of presence' (distinguished from the 'politics of ideas') to tackle the exclusion of some issues from political debates and the weakness of advocacy on behalf of disadvantaged groups, therefore promoting the consideration of a larger range of policy options. According to the theory of representative bureaucracy, the ideal of descriptive representation is not only relevant for elected legislatures but also for the unelected civil servants in charge of implementing political decisions. The reason for this is that public employees, in the exercise of their functions, do not mechanically apply pre-set rules emanating from higher administrative levels but enjoy a degree of leeway and discretion. This means that their behaviour and decisions, like those of politicians, is often influenced by their personal experiences, interests and opinions. A growing body of empirical studies has established the link between the composition and performance of public administrations, showing how racialised minorities tended to be better served by staff who shared their background. Such processes are thought to be driven by subtle and cumulative forms of individual biases which, in 'normal' circumstances of a mainly white public service, tend to disadvantage minorities in their dealings with the state (Ricucci, 2016; Rosenbloom, 2006). A Roma respondent in the UK thus talked about being told by healthcare personnel to go back to his country, and civil society organisations in Hungary have criticised teacher stereotyping of Roma students as 'stupid' and 'uncontrollable' (Zemandl, 2018). Awareness of these problems seems to be on the rise, with one field expert advocating 'the [descriptive] representation of the Roma/Gypsies at all levels of state institutions in proportion to their actual population—in other words, not only in the lowest rungs of state institutions, but also as department heads, in directorships, in decision-making and important implementation roles' (Zemandl, 2018).

Descriptive representation may also facilitate symbolic representation and combat misrecognition. That is, having a voice that is heard in the political sphere as politics (rather than as troublemaking) can contribute to both self-respect and pride in one's minority identity and to respect from the majority population. Even when this voice is not articulated, mere presence (cf Phillips, 1997) may also yield symbolic benefits. Some interviewees considered having individuals as role models in institutional politics was important in terms of combatting stereotypes of helplessness and victimhood, even if it does not necessarily give representatives authority or possibility to change things: "This interviewee perceives her political function as important for the visibility of

Roma in the local government. It is not so much about representing Roma issues, but rather to be visible as member of the Roma" (Meier & Vivona, 2018).

Despite these potential benefits, advocates of descriptive representation have been strongly criticised for paying insufficient attention to intergroup similarities and intra-group differences in perspectives, interests and opinions (Heller, 2011). The elite assumption that there is such a thing as a pan-European Roma constituency is a good example of this, and a UK Roma activist expressed outrage at some representatives' failure to engage with specific nationalities (Anderson et al, 2018a). EU Roma policy has also been criticized for paying relatively little attention to gender issues (D'Agostino, 2016). Suppression of difference is a problem for all representation but it becomes particularly noticeable with reference to minorities as the claim is to listen to unheard voices. This places particular burdens on the descriptive representation of minority groups. While dominant groups can accommodate negative representations – so wife beaters can be white middle-class men, but it is recognised that there are few of them – this is more difficult for minority groups. A minority parliamentarian, even if they are not a member of a national minority political party may be taken as both portraying and speaking for the national minority group. Spivak's (1988) distinction between *Darstellung* (representation as portrayal, which may be seen as akin to Pitkin's descriptive representation), and *Vertretung* (representation as 'speaking for', akin to Pitkin's substantive representation) captures this representative conundrum (Spivak, 1988). The conjunction of *Darstellung* and *Vertretung* is rarely noticed in the case of ethnic majority male (heterosexual and able bodied) political representatives. A middle-class white male speaking in a European state Parliament is rarely regarded as portraying the constituency of middle class white males or as speaking principally for middle class white males. This invites consideration of the consequences of what Frankenberg (1993) describes as the invisibility of whiteness, its all-encompassing presence as the unmarked norm. In the European case this requires a nuanced understanding of how the unmarked norm is ethnicised as much as racialised, and in political representation also gendered and classed. In effect it demands a shift of gaze from the subordinate to the dominant, and from minoritizing to majoritizing processes.

To maximise the compatibility of descriptive and substantive representation and reduce the dangers of 'essentialism', which could be cast as a form of symbolic misrepresentation or misrecognition, Mansbridge (2005: 635) has proposed that political quotas should 'be kept as flexible as possible, being instituted preferably at the party level rather than at the legislative level, by voluntary adoption rather than by legislation, and by legislation rather than by constitutional mandate.' Measures should also be taken to favour the descriptive representation of populations exposed to multiple sources of disadvantage, such as LGBT or disabled women (Celis, 2012). Here again, class issues should not be underestimated. Some respondents, particularly among NGOs, felt that one of the problems was precisely that there was not an 'educated' Roma class that could serve as representatives in formal structures. This perception may partly be due to middle-class Roma's reluctance to making their ethnicity visible, but it also reveals the strong class bias of representative institutions (Schattschneider, 1960). 'It [representation] would help, but it would have to be someone who cares about the poor too, not just for themselves' (Anderson et al, 2018a). Sometimes Roma elites are perceived as excessively concerned with the preservation of a cultural heritage that is of little interest their working-class constituency:

> There is such desperate culture-building and obsession with Roma culture, which I think is not supported by the Roma base. There is such an idyllic Gypsy image that they want to communicate about the Gypsies, for which it is very difficult to find the seed [because] in segregated communities where half the adults are illiterate or functionally illiterate, there is no storytelling and conversational culture. […] So, mixed up with poverty, there is a special subculture there which is contradicted by what the Roma advocacy would like to promote" (Zemandl, 2018).

The domination of political parties by the privileged is not only a problem for the Roma: 'an educated middle-class… is crucial to pursue a career as a politician, quite aside from discrimination and racism' (Meier & Vivona, 2018) and has been flagged as a key driver of frustration and populism in many democracies.

Civil society can play a vital role in redressing representation imbalances by offering members of marginalised communities an opportunity to find each other, share their common experiences, develop new ways of seeing the world, label the injustices to which they are subjected and contest the hegemonic framings of public debates (Young, 2000: 164ff). NGOs seem to make a particularly important contribution when it comes to representing 'subaltern counterpublics' (Fraser 1990) who have been minoritized by the state. They clearly are important actors when it comes to Roma rights in many countries. In Turkey for example, local, regional and national associations, often offering solidarity and assistance to Roma communities, have proliferated since the 2000s. Today there are some 500 Roma associations across different cities, 20 federations and two confederations (Akkan, 2018). A Roma interviewee in Hungary nicely expressed his feeling of representation by civil society organisations: they 'treat us as human beings', 'ask our opinions' and 'try to come up with solutions that are good for both. The respondent explicitly contrasted this with state indifference: 'nobody else comes here' and 'the government would forget about us' if CSOs disappeared parties' (Zemandl, 2018). It has been widely recognised in both the academic and political literature that civil society organisations play a huge role in the promulgation of Roma issues. These organisations are sometimes but not always staffed by Roma themselves.

In all countries under study, Roma NGOs have been invited to offer expertise to public authorities when drafting Roma strategies or specific policies expected to affect them. In Turkey, the formulation of the Roma Integration Strategy was preceded by two years of 'Roma workshops' convened by the Ministry of Family and Social Policy (Akkan, 2018). Roma NGOs also received a draft of the Strategy to provide feedback (Akkan, 2018) In the UK, authorities have established both ad hoc and long-term consultative mechanisms, such as a parliamentary inquiry on GRT inequalities (during which submissions by civil society organisations have been published on an official website), an All-Party Parliamentary Group on 'Gypsies, Travellers and Roma' and a Gypsy Liaison Group in the Department of Communities and Local Government. In the Netherlands, members of Roma and Sinti communities advise on applications to the Roma and Sinti restorative justice fund. However, a common concern among Roma interviewees is that their views are often neglected when it comes to making decisions: 'When we meet with government officials, there are many smiles and many hugs, but there is much cynicism. We know that behind those smiles and those hugs nothing is going to change' (Araújo & Brito, 2018). 'We only have something to say when we are called upon in meetings. They listen to us to tick a box. But I have seen no change. […] We are just being talked to and the questions are the same: where do you come from, how long are you here for.' (Anderson et al, 2018a). These perceptions of formalism coincide with the account of a Dutch official: 'You invite them and ask about their story or just, how are you, just, something very basic. How are you doing, what is going well and what is not going well and I am listening.' (Hiah & Knijn, 2018). If substantive representation is about being 'acted for', then being 'listened to' is clearly not a sufficient condition for it to happen. For the reasons outlined above, Roma representatives often lack the power to be 'treated as equal partners and taken seriously by state institutions' (Zemandl, 2018).

Even if they feel they decry their lack institutional influence, NGOs still claim to 'give voice' to Roma as social stakeholders. Such claims are not uncontested. In Turkey responses to the flourishing of Roma NGOs have been mixed. Some interviewees were very proud of these developments among 'the most discriminated, the lowest group in Europe indeed' (Akkan, 2018), while others are more sanguine: 'this is not a process that the Roma community supports or participates… majority of them … are formed on personal interest basis, that is why there is so much fighting' (Akkan, 2018). While some view NGOs as an important mediator between the Roma and the state, and as offering a space of mutual political deliberation they have been criticised by some as clientelist, as corrupt, working for their own agendas and effectively acting as a brain drain by attracting people who would otherwise have been engaged in political parties where they may have exercised greater political influence. On the other hand Kovats (2000), Vermeersch (2006) and others have argued that the NGO sector grew precisely because of the failure to integrate Roma representatives in mainstream political parties.

This ambivalence echoes broader debates on the virtues and limitations of civil society in democratic theory. Young points out that civil society organisations are 'even more susceptible to autocratic takeover than governments' (Young, 2000: 164) and Habermas has argued that the role of bourgeois public sphere which confronted and critiqued the state has declined and been re-feudalized and replaced by professional specialists. This has been contested by those who argue that civil society extends beyond the bourgeois and often continues to hold the state to account (Thompson, 1995). Proponents of "associative democracy" have proposed to maximise the participation of civil society organisations in the delivery of public services as a way of making them more responsive to a range of preferences and interests (eg Bader, 2003). However, the price to pay for a closer collaboration between public authorities and civil society may be a reduction in the latter's capacity to criticise the state and influence the political process (Young, 2000: 194-195). More generally, different forms of authorisation and accountability seem to be operating in NGOs. Staff members/volunteers may act on behalf of individuals and groups even if they are not elected. What makes their claims to 'represent' legitimate? On what basis can they claim a constituency, particularly if many who might fall into that constituency do not sign up to their principles even if they use their services?

Rehfield (2005) has raised these questions with respect to international actors, pointing out that international and transnational actors make claims to 'represent' without having authorization or any structure that holds them to account. He argues that more attention should be given to the 'audiences' that designates one individual rather than another as representative of a group. Thus, it is interesting to think not only about who is being represented, but who is the audience that this representation is speaking to? And what is the role of funders? In European post-Socialist states, for instance, Romani NGOs have not been the 'more or less spontaneously emergent associations' described by Habermas as civil society, as they have received considerable resources not only from the European Union but also Open Society Institute. In Turkey, their growth in numbers became particularly marked following the opening of EU membership negotiations in 2005, when they worked to channel European funding to local communities. National case studies also report various forms of state funding for their cultural or educational activities. This prominence of public authorities as audiences/funders raises the question of how civil society representation relates to state political representation, particularly in contexts where there is a revolving door between some CSOs and government. For instance, there has also been a shift in non-governmental, non-elected actors taking a greater role in advancing policies (Grant & Keohane, 2005; Saward, 2000) and the boundary between civil society and state is blurred – consider for example the Austrian Ethnic Advisory Councils half of whose members must come from organisations 'representing' minority groups, but who are appointed by the federal government. Some actors can also find civil society as a way of getting into politics (Akkan, 2018). In short, NGOs and civil society more generally is a highly contested space, able both to confront and reinscribe state power.

Summing up: 'representation' has several different meanings and, while these tend to complement each other, there are also cases of tension. One of them arises when representatives are expected to act or speak for an entire minority in a way that is rarely expected of majority representatives and which exposes them to exacerbated criticism from majority and minority populations alike. The national case studies show that in practice the relation between political representation and recognition is extremely important, since stigmatised identities can hamper institutionalised forms of political participation but also stimulate civil society formation and consultation. The ways in which civil society claims to represent clients/supporters/members in terms of everyday experiences suggest that non-electoral forms of representation would benefit from more theoretical attention. Furthermore, we have suggested the relevance of analysing not only the exclusion (or at least differential inclusion) of cultural minorities but also the classed nature of representation.

IV.   REPRESENTATION, SCALES AND METHODOLOGICAL NATIONALISM

For most people, day-to-day activities unfold in neighbourhoods, not in nations, and political representation must take this basic fact seriously (Erlingssen & Erdalen 2013). Municipal governments play an important role in daily life and political justice (Barber, 2013). In Portugal for example, municipal mediators facilitate communication and manage conflict – what one might regard as critical political roles, even if they are not representative – and many of them are young Roma males. In the UK, most national-level Gypsy policies were developed by the Department of Communities and Local Government and emphasised local issues such as the provision of caravan sites or the management of fly tipping, noise nuisance and straying livestock. In the Netherlands certain municipalities have made special representations to the central state and undertaken specific (often disciplinary) policies directed at Roma. Indeed, in the Netherlands it seems that the municipality is often regarded as a site of injustice by Roma:

> they also blame the municipality for losing their jobs and source of income because they were
> at a certain point prohibited to live 'on the road' in caravans. In addition to this ban, they were
> also expelled from society because they were put on encampments in these peripheral areas
> where there were little resources (Hiah & Knijn, 2018).

While some municipalities have worked to improve Roma living conditions, influenced by the EU framework that stipulates living in mobile homes as a fundamental right, others have been repeatedly warned for discriminatory practices. These tend to justify failure to reform through their lack of expertise on human rights implementation. They claim they need more guidance and financial assistance with directing and implementing Roma appropriate housing policies and, more generally, that this is the responsibility of the national government which is the signatory of human rights treaties (Hiah & Knijn, 2018). Local level reluctance is not restricted to the Netherlands. In the Hungarian city of Nyíregyháza for instance a Greek Catholic Church school was reopened in 2011 by local authorities following opposition to desegregation by the white majority in the community. The school has operated as a segregated institution since then and the European Commission launched an infringement procedure in May 2016 (Zemandl, 2018).

There is far less theorising on local political representation than there is at the national level, and work analysing and justifying local government tends to be done in the spirit of functional efficiency at the expense of other types of normative reasoning (Chandler 2008). There has been some work on the relation between different levels of government however. Young (2000) identifies the dilemma of choosing between the virtues of small-scale political units, which facilitate self-determination, participation in public affairs, accountability and diversity, and those of larger ones, which have the capacity to coordinate the complex sets of actions by which people influence each other. She argues that the scope of a polity 'ought to coincide with the scope of the obligations of justice which people have in relation to one another because their lives are intertwined in social, economic, and communicative relations that tie their fates' (2000: 229). For instance, since many 'dense relations of causal influence' obtain at the metropolitan (or regional) level, some decision-making should take place at that level rather than within smaller jurisdictions which encourage people to disregard some of those with whom they stand in relations of justice. However, the value of self-determination should create a 'presumption of non-interference' in the affairs of local governments in order to maximise their opportunities to pursue their own ends. Based on these premises, Young puts forward an ideal of 'relational autonomy', whereby different governments and levels of government would have a right to make claims on each other and 'negotiate the terms of their relationships' to the extent that their decisions and activities may adversely affect others. But what if the members of a self-governing minority want to secede from a larger political unit? For Kymlicka, what should be prevented is not secession per se but the violence that often accompanies it. In practical terms, this means that international norms should be set to reduce the stakes of secession, particularly by upholding minority rights within newly formed polities, and thus de-securitize intercultural relations (Kymlicka, 2001).

While normative theorists have only started to work out the implications of justice principles for international institutions (see Rippon, De Maagt, Zala & Van den Brink, 2017), these have been at the centre of much Roma minority politics. The role of the European Commission in disseminating the term 'Roma' has already been noted, and the European Union funded a number of initiatives to support the Roma during the eastwards expansion process, though structural weaknesses and top down approaches limited their effectiveness (Guy 2009). The Copenhagen criteria, outlining the fundamental requirements to be met by candidate countries before they could join the EU, included ensuring 'stability of institutions guaranteeing democracy, the rule of law, human rights and respect for minorities'.[10] Roma-related issues have also been included in the progress reports submitted by Turkey as part of its EU accession process, allegedly 'pushing' the government to launch the Roma Democratic Opening Process (Akkan, 2018). Simhandl (2009) highlights how the shift from 'Gypsies' to Roma was also a shift from characterising the group as nomadic and belonging nowhere to discursively settling the Roma as a minority in 'Eastern' Europe. The settling of Roma as a 'national minority' in specific countries has meant that 'Eastern Roma' could be portrayed as obstacles for 'pre-modern Eastern Europe' to draw level with 'post-modern Western Europe', while rendering the situation in Western Europe itself largely invisible' (Simhandl 2009: 82-83). This changed in 2011, when the European Commission published an EU Framework for National Roma Integration Strategies up to 2020. Recognising the "prejudice, intolerance, discrimination and social exclusion' faced by Roma throughout Europe, the Framework summoned all member states to develop targeted policies for Roma inclusion in the fields of education, employment, healthcare and housing. The policies were to be designed and funded mainly by states themselves but should be aligned with the Basic Common Principles on Roma Inclusion (adopted in 2009 by the EU Council of Ministers in charge of Social Affairs) and could draw on EU structural and cohesion funds earmarked for social inclusion. The Framework's invitation to draw up Roma integration strategies at the national level, as well as to designate national focal points for the internal and external coordination of Roma policies, had the effect of pushing 'downwards' and 'westwards' the institutionalisation of Roma identity and representation. This process was highly visible in the UK country report, which showed the progressive incorporation of the 'Roma' category in political discourse alongside, and increasingly as a substitute for, the more established 'Gypsy' and 'Traveller'.

Interestingly some developments foundered because decentralisation and privatisation, also pursued by the Commission, meant that municipalities were able to oppose the implementation of EU Roma policies. At the same time, European institutions have attempted to insist that all levels of government shared a responsibility for inclusion (Agarin, 2014). What exactly does this responsibility consist in, and how can fair representation be achieved at all relevant levels? One particularly interesting issue is the relationship that should exist between Roma representatives working at different institutional scales. The Roma are so heterogeneous, often even within one state, that the umbrella grouping of them as Roma is clearly constructed by European institutions and other powerful stakeholders. So what does it mean to be recognised as part of this umbrella group, rather than as eg Rom or Dom? Should European representatives be chosen by national, regional and local ones, or should they be directly accountable to individual Roma? In the latter case, how? In the former, should they only be chosen by representatives who explicitly identify as Roma or also by other groups which are lumped under this label by institutional experts and decision-makers? Our answers to these questions are likely to be shaped both by the kind of representation and the kind of Roma identities that are claimed and promoted in specific socio-political contexts.

TERRITORY

So far we have discussed 'minority groups' on the assumption that the pre-eminent minority groups for the purposes of political representation are indigenous/ethnic/national minority groups. This is in part because of

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[10] https://ec.europa.eu/neighbourhood-enlargement/policy/glossary/terms/accession-criteria_en.

the nature of the empirical work, but it also reflects the theoretical literature which has tended very much to focus on indigenous and migrant groups. One might characterise the outlines of the model of political representation that political theorists, activists and policymakers have been drawing on thus: liberal democratic states can be faced with demands by minorities that are difficult to accommodate within 'normal' democratic structures. There are a range of ways that this can be responded to, but these responses in turn raise normative issues of how to deal with illiberal minorities, how to respond to heterogeneity within the minority group, what is the scale of governance and how to accommodate secessionist claims. However, it is worth reflecting on why there is such a focus on ethnic groups: many people have in the past experienced identity disrupting changes - farmers, weavers, women, different religious groups etc- and indeed such disruptions may be accelerating. This raises the question of why it is that the intellectual and the political focus has been so very much on the recognition and representation demands of those who call for just recognition and representation on the grounds of ethnicity.

As is clear from the minoritization paper (Anderson et al, 2018b), the nation state and its projection of political and symbolic power over a territorialised population makes ethnicity or nationality a critical marker of difference. Nationality/ethnicity/culture is elevated to a key vector of difference because, as Goldberg has analysed so perceptively, the nation state form is 'racial':

> States are racial… because of the structural position they occupy in producing and reproducing, constituting and effecting racially shaped spaces and places, groups and events, life worlds and possibilities, accesses and restrictions, inclusions and exclusions, conceptions and modes of representation. They are racial, in short, in virtue of their modes of population definition, determination and structuration (Goldberg 2002: 104).

Goldberg stresses the difference between the racial state and *racist* states such as Apartheid South Africa. However, the racializing force of the state form requires navigation around racist ideologies: "Contemporary racisms share some central features. They attempt to fix human social groups in terms of natural properties of belonging within particular political and geographical contexts" (Solomos & Back, 1996). This fixing can be quite literal. Meier and Vivona (2018) for example describe the conflict between Roma and the town of Oberwart with the placement of a city limits sign directly in front of the Roma settlement, a symbolic act of exclusion to signify that they did not belong. Thus, to claim that recognising ethnicity institutionalises discrimination (pace the findings of the Dutch and Portuguese studies) is to miss the fact that difference has already been institutionalised through the nation state form itself. Given this insight, it is often difficult to cast states as 'honest brokers' in providing redress. Responses to state attempts to recognise discrimination and racism must be understood in this context. For example, in Portugal, where the state claims to be 'race blind', the debate around collecting ethnic data in the census focussed on the tension between the opportunity it offered to understand the socio-economic position of Roma, and suspicion about what would be done with the data. By contrast in Austria the proposal to amend the National Census Act and introduce a mother-tongue census was seen as infringing on people's freedom to declare their association with a minority (rather than *being* declared a member of a minority)[11] (Anderson et al, 2018b). While in Hungary the argument that it is not possible to prove that students are ethnically divided was used to undermine segregation claims. Both the Dutch and Hungarian case study describes a vicious circle of criminalisation and stigmatization and considerable alienation from state authorities. This raises the very practical question of how, under these material conditions, where populations experienced significant state discipline, one can move to a situation of just political representation without transforming the structure of the state itself.

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[11]The amendment was passed but refusal to co-operate made it unworkable, and since 2006 no more data on language and everyday use is collected.

Theorists such as Kymlicka have emphasised the importance of cultural rights as facilitating individual autonomy and argued for decentralised political arrangements as a way of accommodating the aspirations of 'national' minorities, contending that territorial autonomy is the only way to ensure the flourishing of a vibrant 'societal culture' among spatially concentrated and historically self-governing populations (Kymlicka 1995). The problem is that, as Kymlicka acknowledges, there is no democratic way of indefinitely preserving existing political boundaries, and these borders are contingent (Kymlicka, 2001). But beyond that, the national case studies suggest that we have to problematise the often taken-for-granted link between political justice and inclusion into a territorial polity. As well as denouncing various forms of *exclusion* at the hands of territorial authorities, some Roma have also resisted their *forced inclusion* into the institutions of the societies where they live, including schools, workplaces, hospitals and housing. In human rights language, they have fought for their right to self-determination, but not territorial terms (Rovid, 2011). It is not simply that Roma are felt to lack a national consciousness, but that they do not lay claim to a particular territory that materially gathers together nation and state. Roma nationalism is transnational in character and territorial claims are absent because Roma are a stateless nation and cannot rely on the support of a kin state. Indeed, the 'problem' for the Roma many commentators have noted is that they do not have a state literally and metaphorically gunning for them (e.g., as opposed to the Hungarian state promoting and sponsoring the Hungarian diaspora in neighbouring countries).

Fraser (2010) has pointed out the problems that territorial thinking raises for justice claims, and more specifically for principles of representation. This goes beyond the problems that are traditionally discussed within the ambit of democratic theory under the rubric of, for example, electoral systems and their accommodation of minorities. Much mainstream political theory assumes a Westphalian frame of justice according to which the problems are national problems and societies are closed with closed membership. According to Fraser, this is inadequate for dealing with many, though not all, forms of contemporary injustice. The imposition of the nation state as a frame of reference for political justice is an injustice of *misframing* – of framing who is entitled to representation, and in which institutions. This links to methodological nationalism, which assumes the nation state as the appropriate unit, and national citizens as the appropriate subjects, of justice (Anderson, Hartman & Knijn, 2017). Fraser describes misframing as a kind of 'political death'. Those subject to misframing can become the subject of benevolence but not of pressing justice claims in a given political community. One of the ways in which misframing delegitimates non-territorial political claims is by assuming participation in the culture promoted by territorial institutions. This smuggles in teleological hierarchies of civilization and development: "'majority institutions' need to be prepared to 'explain to these people' (not in a 'condescending' way, but in an 'understandable' way) what the 'rules/laws are that one needs to accommodate to in the interest of integration" (Zemandl, 2018). The Roma must integrate in the territorial state or catch up – the discourse is decidedly developmental.

The elaboration of Roma nationalism in the transnational political context has become an elite-driven process. Thus it is possible that ordinary Roma have no clear understanding of what Roma nationalism actually is, never mind that it 'exists' in the first place' (Zemandl, 2018). The idea that there is a need to inculcate Roma nationalism is rather surprising in a context where the growth in nationalist sentiment is seen as a significant problem for the European project and the general trend in EU institutions is to encourage the de-nationalisation of political consciousness. Drawing from their experience some authors have suggested that cultural development need not go hand in hand with political control over a specific territory. According to the proponents of 'national cultural autonomy', ethno-national conflicts and secession could effectively be prevented by 'offering national and ethnic minorities constitutionally guaranteed collective rights, wide cultural autonomy and nonterritorial self-determination'. Such a system would allow people to choose their political membership, and its associated rights and obligations, regardless of their place of residence (Nimni, 2005: 1). Klimova-Alexander (2005) argues that non-territorial self-determination would be the fairest way of dealing with the Roma. Perhaps rather than being backward, the Roma are paving the way to the future.

In all countries the relationship between mobility, belonging, and state territorialisation is a cross cutting challenge for both recognition and political representation, that intersects in the experiences of people who are designated 'Roma', and not only in the countries of this study. Germany conducted a 'voluntary' expulsion of 50,000 Roma in 1990s, while France paid Roma to return to Romania and Bulgaria in a policy introduced under the Sarkozy government. Most recently, in June 2018 the Italian Interior Minister Matteo Salvini undertook to expel non-Italian Roma people from Italy and said, in an interview with the television station Telelombardia on 18th June 2018: 'Unfortunately we will have to keep the Italian Roma because we can't expel them'.

Analytically this can be seen across two related axes: the problematisation of not belonging to the dominant nation, and state concerns to sedentarise the general population living on their territory. In Austria the Roma's alleged lack of attachment to territory meant the authorities were reluctant to grant them national minority status for many years: 'they are nomads, even if Austria is putting in major efforts to make them sedentary' (Veiter 1979: 36, cited in Meier & Vivona, 2018). In the Netherlands the Roma are categorized along with Sinti and Traveller groups as people living in mobile homes or *Woonwagenbewoners*. Despite them being explicitly described with reference to mobility, Dutch law does not give the right to roam and travel, and Roma either live in regular housing or on permanent sites (Hiah & Knijn, 2018). Historically it is the mobility of certain groups across and within the Netherlands that seems to have marked them out as a special population, rather than shared characteristics and from the early twentieth century Roma mobility within the state was constrained along with that of other poor subjects (Hiah & Knijn, 2018). This control was bound up with local government anxieties about Poor Relief in much the same way as migrants to Europe promote concerns about welfare benefits. Impoverishment and poor conditions were mobilized as part of a 'discouragement policy'. The 1968 Dutch Caravan Act aimed to 'normalise' and 'integrate' Roma communities and deprived many people of trades which relied on them being mobile. While this act has been abolished, there is now a 'fade out policy' to discourage caravans and mobility within Dutch territory. This drive to sedentarise is temporal in that, once settled, the population must stay as expressed in ancestral requirements across generations (as discussed in Section 2), but also in distinctions between allochthone and autochthone and between migrant and citizen.

Roma people have been caught by the history of mobility control both within and across national borders and the category of Roma exposes the constructed nature of the distinction between indigenous people, national minorities and immigrants. In the early years of the Turkish Republic 'itinerant Gypsies' were explicitly linked to immigrants. Article 1 of the 1934 law on Settlement started with the phrase 'the settlement of immigrants, refugees, nomads and itinerant Gypsies within the country shall be arranged…' Article 4 stated that itinerant Gypsies as among the groups that would not be accepted as immigrants to Turkey.[12] In Portugal Roma insist they are not 'migrants', yet institutionally their issues are seen as related to migration, and the uncertain nature of this relation is reflected in the changing name of the organisation that they fall under: in 1996 ACIME - The High Commissioner for Immigration and Ethnic Minorities (Alto Comissariado para a Imigração e Minorias Étnicas); in 2007 ACIDI - the High Commissioner for Immigration and Intercultural Dialogue (Alto Comissariado para a Imigração e Diálogo Intercultural) and in 2014 - ACIME is replaced by ACM - The High Commissioner for Migrations – (Alto Comissariado para as Migrações). In the UK, which hosts a considerable number of EU citizens from post 2004 accession states, 'Roma' are associated with 'migrants', and state responses to Roma must be understood within the landscape of immigration policies as much as the landscape of ethnic minorities and anti-racism. Despite the institutionalisation of differences between Roma and 'Gypsy', in some cases practices of mobility and protest look to be joining up the Eastern 'Roma' and the western 'Gypsy'. The control of mobility in order to protect vulnerable people, most notably in anti-trafficking policies, has been particularly foregrounded

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[12] The law was changed in 2006.

in the case of the Roma. In the Netherlands, the Roma are also distinguished in four groups depending on the period when they immigrated, and the 'New Roma' are distinguished from more longstanding populations.

Roma identity, like that of the 'migrant', both slips and potentially reifies ethnic boundaries. This connection between Roma and 'migrants' is reflected in everyday practice and enhances the permeability of the boundaries of Roma. This connection can be imposed or rejected by state authorities. In Austria for example the state distinguishes between autochtonous Roma, who have been living in Austria for more generations and are recognised as 'national minorities' and allochtonous Roma, who are characterised as migrants. In the Netherlands while the language of autochthony has been repudiated, when Roma/Sinti families date their arrival in the Netherlands is highly relevant to their status and to their position vis-à-vis social inclusion policies (Hiah & Knijn, 2018). In both cases the autochthonous can be claimed as 'good Roma' and the 'foreign' or 'allochtonous' as 'bad Roma'. National reports find that some Roma align themselves with 'migrants' and racialised groups, including in Hungary, where there is a move to put them 'one rung up' from migrants (Zemandl, 2018). In Portugal Roma find common cause with migrants in terms of racism, even as they insist that they should not be regarded as 'migrants' on account of their generational presence in Portugal (Araújo & Brito, 2018). The Austrian study reports that an extension of the definition of national minority to allochtonous Roma was discussed as problematic by some of the majority population because it could lead other, non-Roma, migrants, to claim for minority status too (Meier & Vivona, 2018). In the UK some NGOs that had previously been geared towards servicing Roma as national minority now also offer non-citizen/non-national minority Roma services. In the UK among Roma from Romania there is an interest in being identified as Romanianised Roma – an interest that the civil society activist recognised yet was not in sympathy with –, but there was also an ease with being associated with Gypsies and Travellers (Anderson et al, 2018a).

Thinking beyond the nation state allows us to problematise the basic assumptions that have underlain debates on Roma representation and to ask not only *how* but also *in what* representation should take place. Current EU Roma policy should be commended for attempting to involve all levels of government in political inclusion, but its primary focus on national strategies reveals a reluctance to challenge the power of states, even as the labelling of Roma as a 'national' minority indirectly challenges their legitimacy. More fundamentally, insistence on representation in territorial institutions appears to be at odds with the self-understanding of a population that makes no territorial claims. At least some Roma aspire to be 'citizens without frontiers' (Isin, 2012: 161-164) but, like that of (other) migrants and (other) racialised groups, their representation remains trapped in the forced sedentariness of the Westphalian frame.

V. CONCLUSION

Attitudes toward Roma people are structured by three mechanisms of negative racialisation –phenotype, culture/ethnicity and socio-economic deprivation- which are inextricably related even if drawn on differently in different contexts and states. It is important to note that this is by no means peculiar to the Roma. As discussed in previous ETHOS deliverables (Bugra, 2017 and Anderson, Hartman & Knijn, 2017) the past two decades have seen a discernible shift from concerns about maldistribution to misrecognition, from the politics of class to the politics of identity, but lived experience tells us that they cannot be separated. To see maldistribution and misrecognition as disconnected or pulling in different directions is to misunderstand both how people hold multiple identities and the relation between economic inequality and social status (Bauman, Lister & Fraser 2005; Bugra, 2017). The national reports illustrate the imbrication of redistribution, recognition and representation and point to the continued salience of race, racism and nationalism to all three. The relevance of socio-economic status and its perceived relation to 'culture' suggest the urgency of complicating simplistic ideas of the 'native' or 'white' working class, and the importance of historicising popular understandings of the nation. There has been strong theoretical work on this, and theoretical debates on contradictions and tensions between the political value of self-conscious racial identities on the one hand and understanding race as a social construct on the other (Anderson, Hartman & Knijn, 2017) are of particular relevance here. However, what is clear is that this

theorising, which is of very practical import to both policymakers and practitioners, is not speaking to political practice.

In Section 2 we found that policy and practical conversations about representation would benefit from clarity about what people mean by representation and how those who represent are held to account (which often cannot be through electoral processes). We believe that typologies such as Pitkin's will be helpful in guiding these discussions. The distinction between substantive, formal, descriptive and symbolic representation is useful for analytical purposes, but in practice these concepts work together and the relation between different types of representation and accountabilities deserves more attention. We have further found that the representation offered by different types of NGOs suggests interesting new directions for the theoretical literature on political representation and democracy, which has heretofore focussed very much on issues of formal or institutional representation. We have also suggested that political representation at the municipal level and its relation to other scales of representation, including the European, is an important arena for daily experiences of justice. Finally, we invite reflection on the class bias of representative institutions. Again, the literature has engaged very much with matters related to minority representation but has less to say about class. Yet, class is a key factor that potentially connects the legitimate frustrations of minority and majority with current representative systems.

In Section 3 we argued that a consciousness of methodological nationalism can help analyse the relation between recognition and representation. There are groups who are excluded by the very nature of the nation state form and its association with territoriality which inevitably turns certain people, including formal citizens, into outsiders as they are not considered settled, or settled for long enough. This framing can also lead to problems of exclusion being perceived as problems of integration. Historical narratives matter, and poor, nationalised understandings of majority populations can have very negative consequences for those who are constructed as minorities, whether Roma, national minorities or 'migrants'.

Taken together our findings point to the importance of theoretical literature, and in particular the literature on race, to understanding contemporary problems of political representation. W.E.B. Dubois' question, 'How does it feel to be a problem?', resonates as loudly today for Roma, migrants and ethnic minorities in Europe as it did for African Americans in the early twentieth century. Debates about rejecting and politicising lines of difference are critical to formulating demands for justice. Our findings also raise very practical problems about the role of the state as arbiter for justice. The theoretical literature on indigenous minorities has grounded claims to justice in territoriality and in stasis; similarly the work of political theorists on migration argues that migrants acquire claims on states over time, that is to say as they remain settled. Both have sedentarist assumptions. But can this be supplemented by a mobile theory and practice of justice?

To begin to develop this we propose that we should start with people who are mobile or who are otherwise perceived as not belonging because of the racialised/ethnicised and territorialised nature of the nation state. This would include the Roma, but also asylum seekers, and (undocumented) migrants. That is, rather than taking these groups as exceptional challenges to ideals and practices of justice, we propose to take them as foundational to it and the measure of justice. By this measure, Europe in 2018 is not doing well. The fact that, despite the recognition and condemnation of the horrors experienced by the Roma still in living memory, the hostility and racism directed against them continues is a salutary reminder of the ongoing and institutionalised challenge of racism to Europe.

There is no obvious precedent to turn to when it comes to devising fair representation for the Roma in Europe. Except in processes of decolonisation, the status of different forms of self-determination also remains a largely unsettled issue in the legal arena. This is true both for territorially based, already self-governing populations and *a fortiori* for those which are dispersed and lack electorally accountable institutions. The project of Roma representation thus advances in fits and starts, sometimes in opposition to attempts to promote inclusion into territorial polities. The normative question then becomes how these two conceptions of political

justice -as inclusion and self-determination- can be reconciled. The underlying political question is not what kinds of policies is the state producing, but what kind of state is being produced by policies?

RESEARCH: AN AFTERWORD

The Roma are a marginalised population that poses particular difficulties for research access. Several of the country reports relied on previous work with Roma groups and their reputation for integrity in their workings with them in order to be able to interview them at what was often short notice. For this we are extremely grateful. We are also grateful to the Roma interviewees who are subject to so much investigation when, as we have discussed in this report, what often rather needs investigating is the majority population. They raise matters that need to be met with more than gratitude however. To quote from one of the Portuguese interviewees:

> Academy has been one of the main accomplices of the hegemonic political power, because academia has produced false knowledge, like Luso-tropicalism, like this idea of racialization and exotification of the Gypsy people, especially when it defines them from a behavioural and cultural point of view in a highly reified way. Just as in the past you had Jesuits legitimising slavery with theories like Cain's descendants, and therefore we are all cursed, you have had the academy justifying a racist system during a long time. Some studies were commissioned by the state.[13]

And again:

> I think it's important, when you [the interviewer] have these kind of projects, to invite Gypsy institutions as partners. I'm frank, I am a very blunt person, what I'm saying isn't politically correct, but if it's about Gypsy it is with Gypsy! [...]. If it is about the Gypsy community, it is with the Gypsy community, not for the Gypsy community. If I am committed to giving my testimony as a Gypsy woman, I Olga Mariana, I'll be committed in double.

This theme also emerged several times in the Hungary report, albeit in a different way – with reference to political justice (or justice in all its manifestations) as a two-way street, where the majority must treat minorities as equal partners in deliberation. Considerable effort went into obtaining ethical approval for the national case studies, yet the constraints of time, money and the project design meant that Roma individuals and associations were not able to be treated as full partners. This research process was extractive. It was not driven by an interest coming from Roma communities about the nature of justice and political representation and in many senses was 'elite driven', as the Hungarian team pointed out in during the reflective process that led to this report. Academic researchers, like anyone else, not only have their own biases, but also their own intellectual and material interests. One 'way out' of this dilemma is often felt to be that one is 'giving voice' to people who are unheard. This speaks very much to the theme of this deliverable, and highlights that academic research too often claims to 'represent' its subjects. However, having concurred with some of the respondents that benevolence and speaking for Roma is a problem, and that representation is always and ever only partial we must also accept the implications for research that: "It is not a solution, the idea of the disenfranchised speaking for themselves, or the radical critics speaking for them; this question of representation, self-representation, representing others, is a problem" (Spivak, 1988: 63).

We do not mean to suggest that research should only be done on the issues that communities themselves believe should be researched, and we also recognise that practical constraints facing academic work are very real, though we need to guard against taking these constraints for granted. But how do we take the critique of

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[13] Piménio Ferreira, Romani activist, public presentation "Racism in Portugal: Challenges to the Left in the 21st century", 12 January 2018.

Olga Mariana seriously and what does this mean for this report? We do not think it is enough to use everyday experiences to 'feed' theory, particularly when those everyday experiences are of domination, abuse and exploitation. Theory must speak back to these experiences, and theorists recognise that everyone deploys concepts and theoretical reasoning even if it is not labelled as such. Engaging with this and learning from it has the potential to be of considerable benefit to academic theorising and enable it to connect and engage with the world of policy and practice more directly. It also means engaging with people as subjects and agents of knowledge, not only 'an object of knowledge' (Spivak, 1988: 65) – in other words, reflection on dominant cultural assumptions and what can be learned *from* as well as *about* minority groups. This is the work that is being undertaken by WP8 of the ETHOS project, and also by national teams. Concretely, the Portuguese team will be hosting a workshop within the Popular University of Social Movements early in 2019 to discuss the results of the project, with a focus on Portugal and input from other national case studies. The UK team is also proposing to move forward by organising a workshop for participants in all UK case studies (Roma, young mothers, migrant domestic workers, trades unionists, educationalists, Grenfell Tower activists, and BAME activists) to discuss findings and representation in theory and practice. Continuing the conversations initiated by the research, bringing together groups that do not come together in the course of their work, and discussing the relevance of theory to practice is a small next step in building justice together.

BIBLIOGRAPHY

ETHOS reports

AKKAN, Basak, 2018. *Institutionalised political justice and experienced recognition of national belonging, gender equality and ethnic and religious pluralism.*

ANDERSON, Bridget, Claudia HARTMAN and Trudie KNIJN, 2017. *Conceptualisation and articulation of justice: Justice in social theory.*

ANDERSON, Bridget, Dora-Olivia VICOL, Pier-Luc DUPONT & Julia MORRIS, 2018a. *Political representation and experienced recognition among Roma in the UK.*

ANDERSON, Bridget, Sara ARAÚJO, Laura BRITO, Mehmet ERTAN, Jing HIAH, Trudie KNIJN, Isabella MEIER and Maddalena VIVONA, 2018b. *Comparative report on the history of minority formation in Europe.*

ARAÚJO, Sara and Laura BRITO, 2018. *Tensions between institutionalised political justice and experienced (mis)recognition. Portuguese case study on the experiences of Roma communities.*

BUGRA, Ayse, 2017. *A theoretical review of the conceptualization and articulation of justice in political theory*.

CALDAS, José Castro, 2017. *Economizing on justice.*

HIAH, Jing and Trudie KNIJN, 2018: *Country report on the current and historical minoritization of Roma minorities in the Netherlands.*

MEIER, Isabella and Maddalena VIVONA, 2018. *The tension between institutionalised political justice in Austria and Roma's experienced (mis)recognition.*

RIPPON, Simon, Sem DE MAAGT, Miklos ZALA and Bert VAN DEN BRINK, 2017. *Report on the European heritage of philosophical theorizing about justice.*

SALÁT, Orsolya, 2017. *A theoretical review of the conceptualization and articulation of justice in legal theory contributing to task 2.3.*

ZEMANDL, Eva, 2018. *The Roma experience of political (in)justice: The case of school (de)segregation in Hungary.*

Other sources

AGARIN, Timofey, 2014. Travelling without moving? Limits of European Governance for Romani inclusion. *Ethnicities* 14(6), 737-755.

BADER, Veit, 2003. Religious diversity and democratic institutional pluralism. *Political Theory* 31(2), 265-294.

BALIBAR, Étienne, 1991. Is there a neo-racism? In Étienne BALIBAR and Immanuel WALLERSTEIN, eds. *Race, Nation, Class: Ambiguous Identities.* London: Verso.

BANTON, Michael, 1998. *Racial theories* [2nd edn]. Cambridge: Cambridge University Press, pp. 81-116.

BARBER, Benjamin, 2013. *If mayors ruled the world: Dysfunctional nations, rising cities.* Yale University Press.

BOURGOIS, Philippe, 1988. Conjugated oppression: Class and ethnicity among Guaymi and Kuna banana workers. *American Ethnologist* 15 (2), pp. 328-348.

CAHN, Claude & Peter VERMEERSCH, 2000. The group expulsion of Slovak Roma by the Belgian government: A case study of the treatment of Romani refugees in western countries. *Cambridge Review of International Affairs*, 13 (2), pp. 71-82.

CELIS, Karen, 2012. On substantive representation, diversity, and responsiveness. *Politics & Gender* 8(4), pp. 524-529.

CHANDLER, Jim, 2010. A Rationale for Local Government. *Local Government Studies*, 36 (1), pp. 5-20.

D'AGOSTINO, Serena, 2016. *Five years of EU Roma integration policies: Vanishing gender awareness?* Institute for European Studies Policy Brief 2016/14.

DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT, Explanatory memorandum on European Union document 11801/117, COM (2017) 458, 18 September 2017.

DOVI, Suzanne, 2007. *The Good Representative*, New York: Wiley-Blackwell Publishing.

FRANKENBERG, Ruth, 1993. *White women, race matters: The social construction of whiteness*. University of Minnesota Press.

FRASER, Nancy, 1990. Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy. *Social Text*, 25/26, pp. 56-80.

FRASER, Nancy, 2010. Reframing justice in a globalizing world. In *Scales of justice: Reimagining political space in a globalizing world.* New York: Columbia University Press, pp. 12-29.

GATTI, Roberta et al., 2016. *Being fair, faring better. Promoting equality of opportunity for marginalized Roma.* Washington: World Bank Group.

GOLDBERG, David Theo, 2002. *The racial state.* Oxford: Blackwell.

GRAND, Ruth and Robert O. KEOHANE, 2005. Accountability and Abuses of Power in World Politics. *American Political Science Review*, 99, pp. 29–44.

ÖZATEŞLER, Gül, *Gypsy Stigma and Exclusion in Turkey, 1970: Social Dynamics of Exclusionary Violence*, New York: Palgrave Macmillan, 2014.

GUTMANN, Amy, 1999. *Democratic Education.* Princeton: Princeton University Press.

GUY, Will, 2009. EU initiatives on Roma: Limitations and ways forward. In Nando SIGONA and Nidhi TREHAN eds, *Romani politics in contemporary Europe: Poverty, ethnic mobilization, and the neoliberal order.* New York: Palgrave Macmillan, pp. 23-50.

HELLER, Agnes, 2012. Self-representation and the representation of the other. In John RUNDELL ed, *Aesthetics and Modernity*, Plymouth: Lexington Books, pp. 189-202.

ISIN, Engin, 2012. *Citizens without frontiers*. New York: Bloomsbury, pp. 161-164.

JURIÉ PAHOR, Marija, 2009. Hidden identities within national minority groups: The case of Slovenes in Carinthia and in the province of Trieste. In PROMITZER, Christian, Klaus-Jurgen HERMANIK and Eduard STAUDINGER eds, *(Hidden) minorities: Language and ethnic identity between Central Europe and the Balkans.* Berlin: Lit Verlag.

KLIMOVÁ-ALEXANDER, Ilona, 2005. Prospects for Romani national cultural autonomy. In Ephraim Nimni, *National cultural autonomy and its contemporary critics*, London: Routledge, pp. 107-115.

KOVAT, Martin (2000) The political significance of the first National Gypsy Minority Self-government in Hungary, Contemporary Politics, 6:3, 247-262.

KYMLICKA, Will, 1995. *Multicultural citizenship.* Oxford: Clarendon Press.

KYMLICKA, Will, 2001. Reply and conclusion. In Will KYMLICKA and Magda OPALSKI eds, *Can liberal pluralism be exported? Western political theory and ethnic relations in Eastern Europe.* Oxford: Oxford University Press, pp. 346-413.

LUCASSEN, L., 1991. The power of definition. Stigmatisation, minoritisation and ethnicity illustrated by the history of gypsies in the Netherlands. *Netherlands Journal of Social Sciences,* 27, 80-91.

MANSBRIDGE, Jane, 2005. Quota problems: Combating the dangers of essentialism. *Politics & Gender* 1(4), 622-638.

MCGARRY, Aidan, 2009. Ambiguous nationalism? Explaining the parliamentary under-representation of Roma in Hungary and Romania. *Romani Studies*, 19 (2), pp. 103-124.

MCGARRY, Aidan. 2014. Roma as a political identity: Exploring representations of Roma in Europe. *Ethnicities* 14(6), 756-774.

MOVISIE (2013). *Monitor Inclusie: nulmeting.* Utrecht: Movisie.

NACU, Alexandra, 2012. From Silent Marginality to Spotlight Scapegoating? A Brief Case Study of France's Policy Towards the Roma, *Journal of Ethnic and Migration Studies*, 38 (8), 1323-1328.

NIMNI, Ephraim, 2005. 'Introduction. The national cultural autonomy model revisited'. In Ephraim Nimni ed, *National cultural autonomy and its contemporary critics*, London: Routledge.

NIRENBERT, Jud. 2009. Romani political mobilization from the First International Romani Union Congress to the European Roma, Sinti and Traveller Forum. In SIGONA, Nando and Nidhi TREHAN eds., *Romani politics in contemporary Europe: Poverty, ethnic mobilisation, and the neoliberal order*. Basingstoke: Palgrave Macmillan, pp. 94-115.

PETTIGREW, Thomas F., James S. JACKSON, Jeanne BEN BRIKA, Gerard LEMAINE, Roel W. MEERTENS, Ulrick WAGNER & Andreas ZICK, 1997. Outgroup Prejudice in Western Europe. *European Review of Social Psychology*, 8 (1), pp. 241-273.

PHILIPPS, Anne, 1997. *The politics of presence.* Oxford: Oxford University Press.

PITKIN, Hanna Fenichel, 1967. *The concept of representation.* Berkeley: University of California Press.

PLOTKE, David, 1997. Representation is Democracy. *Constellations*, 4: 19–34.

REHFELD, Andrew, 2005. *The Concept of Constituency: Political Representation, Democratic Legitimacy and Institutional Design*, Cambridge: Cambridge University Press.

RICUCCI, Norma and Gregg VAN RYZIN, 2016. Representative bureaucracy: A lever to enhance social equity, coproduction, and democracy. *Public Administration Review* 77(1), 21-30.

ROSENBLOOM, David and Julie DOLAN, 2006. La bureaucratie representative. *Revue française d'administration publique* 118, pp. 251-263.

ROVID, Márton, 2011. One-size-fits-all Roma? On the normative dilemmas of the emerging European Roma policy. *Romani Studies* 21(1), pp. 1-22.

SAWARD, Michael (ed.), 2000. *Democratic Innovation: Deliberation, Representation and Association*, London: Routledge.

SCHATTSCHNEIDER, E. E., 1960. *The Semisovereign People*, New York: Holt, Rinehart, and Winston.

SHORTEN, Andrew, 2017. Four conceptions of linguistic disadvantage. *Journal of Multilingual and Multicultural Development* 38 (7), pp. 607-621.

SPIVAK, Gayatri Chakravorty, 1988. Can the Subaltern Speak? In Cary NELSON and Lawrence GROSSBERG eds, *Marxism and the interpretation of culture*. London: Macmillan Education, pp. 271-316.

SPIVAK, Gayatri Chakravorty, 1988. Can the subaltern speak? In Cary NELSON and Lawrence GROSSBERG eds, *Marxism and the interpretation of culture.* Basingstoke: Macmillan, pp. 271-316.

THOMPSON, John. *Meida and Modernity.* Stanford: Stanford University Press.

VALADEZ, Jorge, 2001. *Deliberative democracy, political legitimacy, and self-determination in multicultural societies.* Boulder: Westview Press.

VEITER, Theodor, 1979. *Das Österreichische Volksgruppenrecht seit dem Volksgruppengesetz von 1976.* Braumüller Verlag.

VERMEERSCH, Peter, 2005. Marginality, advocacy, and the ambiguities of multiculturalism: Notes on Romani activism in Central Europe, *Identities: Global Studies in Culture and Power*, 12 (4), pp. 451-478.

VERMEERSCH, Peter, 2012. Reframing the Roma: EU initiatives and the politics of reinterpretation. *Journal of Ethnic and Migration Studies* 38(8), 1195-1212.

WILLIAMS, Melissa, 1998. *Voice, trust and memory: Marginalized groups and the failings of liberal representation.* Princeton: Princeton University Press.

WRAY, Matt, 2006. *Not quite White : White trash and the boundaries of whiteness.* Durham: Duke University Press.

YOUNG, Iris Marion, 2000. *Inclusion and democracy.* New York: Oxford University Press.