

CULTURAL IDENTITY AND CITIZENSHIP. THE CASE OF THE ROMA MINORITY IN ROMANIA

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Abstract

My paper focuses on the intersection between the Roma cultural-identitary construction and the political concept of citizenship, trying to reveal if such an approach can prove itself helpful in providing a better understanding of the unilaterality of the majority-Roma relationship. By unilaterality I understand the particular model in which the Roma-Romanian relationship has structured itself overtime. It mainly consists of a segregationist view that stresses the majority's responsibility with the minority's integration process and the failures to promote a partnership with the minority. This approach tends, in my opinion, to treat the minority in absentia, producing therefore the well-known effects of the so-called "Roma problem". On the other hand, the idea of empowering the Roma minority is also seen as being fundamentally within the majority's attributions, therefore contradicting the very essence of the concept. My approach seeks to apply a theoretical framework developed first by Gramsci and later by Bourdieu to this particular situation. Thus I hope to be able to provide a better understanding of both the history and the present of majority-minority relations and to highlight possible directions or outcomes relating to the dichotomy of integration/communitarian privacy in the case of the Roma minority.

Keywords: Roma minority, cultural identity, citizenship, Gramsci, Bourdieu

Motto: „Large scale immigration, within a society so *well fettled* as ours, can only be positively perceived provided that the immigrants have a solid background and that their religion and race do not prevent them from marrying and mixing with members of the host-population „
The Royal Commission on Population, 1949¹

I. Introduction

I came up with the idea for this paper on the basis of an event that took place not so long ago on the streets of Bucharest: coming back home one afternoon I saw an elder Roma woman, poorly dressed, going from one passer-by to another and addressing them. People were reluctant, turned their head away or even changing their path. I couldn't hear what the woman was saying to the others, but the situation seemed to confirm the supposition that she was begging. I went about my way until I inevitably got in her path: "Would you happen to know which is the way out of the passage that gets me to the University bus station?". I pointed her to it and went about my way home somewhat displeased with the fact that, although I often bear witness to such contexts, although I try to learn about what is commonly known as "The Roma Problem", I have not succeeded in finding appropriate answers to such otherwise legitimate questions as: What are the causes to such rejections? To what does this "Roma Problem", which is ever more frequently mentioned in Romania and Europe, amount? Can it be conceived in terms of "solutions"?

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¹ Apud Ferréol, Gilles (Ed.), *Cetățenie și integrare socială (Citizenship and Social Integration)* (Bucharest: INI Publishing, 1999), p. 54.

The main categories of answers usually arise either from the domain of a genuine mythology (both popular and academic), unavoidably leading to the constitution of a stereotypy which is completely useless scientifically and whose main discursive feature is in most cases negative with respect to the perception of the Roma, or from an academic field which thrives in hyper-specialization and value-bias. We are talking here about a positively meant bias, in the sense of political-correctness, but which produces (probably) involuntary justifications of the popular models – such as, for example, explaining crime through the lack of education or through extreme poverty, labeling Roma as the most genuine expression of poverty, derived from the discriminating politics and attitudes by the majority on historical level².

In other words, the most common claim regarding the Roma “problem” would be that all its stereotypical and prejudgemental *avatars* derive from a history of misunderstanding, misperception and refusal by the Europeans to understand the *other*, situation inexorably leading to the marginalization of an entire ethnic group, placing it outside of the *politeia*, fact that also brought about the waiver on its civic and political integration³. This commonly held approach, starting from the acknowledgement of the secular repression of the Roma, also sets forth a compensative formula, conceived of as a mixture of multiculturalism and cosmopolitan illuminism, attempting to stress the importance of the cultural dimension but on the basis of the assertion of education (which is thought of not as mere alphabetization, but in its civic and political dimension as well) as representing the link which is needed in order to ensure a solid base for the cohabitation of Roma and majority, whatever such may be. This pluralistic formulation, in the purest sense of the word, which aims at bringing the Roma on the common ground of the shared socio-political values, is still hindered by the persistence of a segregationist *forma mentis*, both with minority as with majority, abided by its very long use. The Roma, on the other hand, seem not to prefer integration and participation within the societies they reside in, instead choosing the closed environment of their own communities, fact usually explained in the same terms of majority-originated segregation.

At the same time, this type of strategy is, in my opinion, fallaciously designed, as it throws all responsibility on the shoulders of the majority ethnic group, while treating the Roma *in absentia*. Here lies the very core of this paper, which *aims at studying whether the cross-point between the cultural-identity construction of the Roma and the political concept of citizenship can offer suggestions with regard to the unilaterality of the relationship between the majority ethnic group and the Roma*.

II. Thesis and theoretical perspective

As such, my paper aims at observing the intersection of two distinct conceptual pathways: cultural identity, on the one hand, citizenship, on the other, while attempting to analyze the extent to which their superposition could offer a clearer picture of the socio-political problems the Roma have to face, not only in Romania, but on the European level as well. More to the point, our main concern would be the extent to which the historical construction of the Roma identity, as considered from a relational-subjectivist perspective, can, once subjected to the modern civic and political concepts, carries forth within this intersection area the element or the elements leading to the alleged insolvability or persistence of the Roma “problem”. This paper was not intended as an attempt at reconciliation between the multicultural and the liberal-pluralist theories, but rather as a political and

² These historically determined conditions determine Emanuelle Pons to say that in Romania “the Roma loose on account of their mentality and analphabetism, leading to a lack of knowledge with respect to the rights and facilities they, as any other citizen, are entitled to in keeping with the law”. According to this logic, the centuries of exclusion are the ones that keep Roma parents from letting their children “to attend school” - - Pons, Emmanuelle, *Țiganiii din România – o minoritate în tranziție* (The Gypsy in Romania – A Minority in Transition) (Bucharest: Compania Publishing, 1999), p. 157.

³ István Pogány, *The Roma Café. Human Rights and the Plight of the Romani People* (London: Pluto Press, 2004), p. 2.

historical analysis of the two aforementioned dimensions, on the basis of a *conceptual framework* established by Gramsci and fundamentally developed by Pierre Bourdieu. Therefore, I will follow the interdependent evolution of citizenship and nationality in the modern western societies through the construction of a cultural-political model indigenous to this context, by combining the conceptual apparatus developed by Antonio Gramsci –especially the concept of *hegemony*- refined with Pierre Bourdieu's contribution, namely the concept of *habitus*⁴ and his theory on the administration of the symbolical goods⁵.

In the second stage, I will subject this entire conceptual framework to the specificities of the Roma cultural identity, as it has been shaped by the relations between the minority and the majority ethnic groups in the last hundreds of years, thereby attempting to identify the causes leading to the aforementioned unilaterality-feature with respect to the Roma integration process in the contemporary political societies.

III. Historical Construction of Citizenship

Modern societies regard citizenship as the cornerstone of their specific socio-political inclusion, any form of civic participation being conditioned by acknowledgement (either by birth, or by attainment through *ius sanguinis* or *ius solis*) of the citizenship or nationality⁶. Modern citizenship is understood in opposition with the old forms of socio-political inclusion – related to the membership within specific socio-economical organizations, such as guilds or states that were inherently very selective in nature, essentially depending on the inherited social status⁷ - as an extremely inclusive formula, and not by the mere fact that it eliminates the traditional membership criteria, but by the fact that it replaces these with the formal and universalistic view of certain specific political values, resulting in rights and obligations supported by the core-unity of the centralized national state. Citizenship is thereby equally attributed to all individuals, but only provided their being members of a nation-state⁸. This form of inclusion which is grounded on the fusion between state and nation – later on also ideologically framed – can be traced back to the French Revolution in 1789, when the state, which had been already centralized by the absolute monarchy, becomes also ideologically labeled with the concept of nation. The most pertinent example is probably the 1789 Universal Declaration of the Rights of Man and of the Citizen that establishes the right of every individual to belong to a nation, while at the same time asserting the sovereignty of the nation resulting in the sovereignty of the law⁹. At the same time, a second element which is relevant to the subject matter of this paper, brought about by the citizenship and its correlative rights is the establishment of the ownership right (and its protection) as being essentially related to the development of the political system, element that will implicitly differentiate among the citizens

⁴ Defined as „systems of transferable long term dispositions, structured structures predisposed at functioning as structuring structures, that is as generative and organizing principles of practices and representations that can be objectively adapted to their purpose, without requiring the conscious determination of the purposes and the explicit mastery of the operations needed to attain them” – Bourdieu, Pierre, apud Cuche, Denys, *Noțiunea de cultură în științele sociale (The Notion of Culture in Social Sciences)* (Iași: Institutul European Publishing, 2003), p. 119. Also see Bourdieu, Pierre, *Economia bunurilor simbolice (The Economy of Symbolical Goods)* (Bucharest: Meridiane Publishing, 1986), pp. 84-85.

⁵ I also find Jürgen Habermas' contribution to be of use, especially with regard to the historical construction of citizenship and its relation to the nation - Habermas, Jürgen, *The Inclusion of the Other: Studies in Political Theory* (MIT Press, 1998).

⁶ Halfmann, Jost, „Citizenship, Universalism, Migration and the Risks of Exclusion”, în *The British Journal of Sociology*, Vol. 49, No. 4 (Dec., 1998), pp. 513-533.

⁷ Idem, p. 514.

⁸ Idem.

⁹ Touchard, Jean, *Histoire des idées politiques* (Paris:PUF, 1970), Vol. 2, p. 461. The law being the fundamental institution defining the aspects of citizenship.

between “active” and “non-active” (or *passive*, as the historians would have it) with respect to their involvement in the political life.¹⁰

The final stage of this nation - citizenship dialectic resulted in the emergence of a civil society which is capable of politically dominating the state¹¹. Citizenship and political nation are inextricably linked, reciprocally influencing each other along their evolution. As Miroslav Hroch has put it, constructing a nation has three indispensable requirements: 1. The memory of a common past, regarded as the “destiny” of the group in cause, 2. A dense network of linguistic and cultural relations that facilitate a high level social communication rather within the group than outside of it and 3. *A concept of in group equality of all its members organized as civil society*¹². As this latter aspect is definitive of national citizenship, it reflects the two main European models for nation formation, which, put in a nutshell, would sound something like this: “the nation creates the state”, respectively “the state creates the nation”.

Obviously both claims are empty of real substance, representing mere conceptual constructs that can be useful in identifying the *type of ideological discourse* elaborated by some political and cultural elite that ushered the fusion of the two concepts in a single one, namely that of the nation-state¹³. That which previously bore the name “People”-in all its correlative expression forms prior to the age of nations: serfs, krüner (old german name for the inhabitants of the city of Braşov - Kronstadt), subjects, clergy etc.- has been redefined according to certain criteria as *nation*, perceived as a group which is wider and more comprehensive than any other form of community, permanently homogenous and only superficially divided by status, class, residence or (less frequently) ethnic boundaries¹⁴. The citizenship is a civic-political concept associated with that of nation, that tends to follow a similar constitutive pathway, thereby representing *a concept of its time*- in keeping either with the French model of the civic nation synthesized in Renan’s thesis of the “daily plebiscite”¹⁵, or with the German ethno-cultural one grounded by Fichte, which is mainly voluntaristic and grounded on the concept of “educability”¹⁶. Citizenship is antinomically conceived with respect to the local and localist-centrifugal culture, as an access way to the “universality” of the nation as centripetal and unitary whole with respect to the common civic and political values which are definitive of the identity of the individual and of the community. Seen in these terms, citizenship was also conducive to a certain model for making politics and conceiving the political, which resulted in the creation of the very western European tradition of thought, criticized by Kymlicka from his liberal position for being difference-blind¹⁷.

¹⁰ A distinction which has been fiercely criticized ever since its beginning, on the grounds of its limitative view on political inclusion - Sutherland, D.M.G, *The French Revolution and the Empire, The Quest for a Civic Order*, (Oxford: Blackwell Publishing, 2003) p. 83.

¹¹ *Idem*, p. 382.

¹² Hroch, Miroslav, „From National Movement to the Fully-formed Nation: The Nation-building Process in Europe”, în Balakrishnan, Gopal (Ed.), *Mapping the Nation* (New York and London: Verso, 1996), p. 79, .

¹³ See Habermas, Jürgen, *The Inclusion of the Other: Studies in Political Theory* (MIT Press, 1998), p. 105. Also see Benedict Anderson’s contribution, *Imagined Communities. Reflections on the Origin and Spread of Nationalism* (London: Verso, 1991), revised edition, pp. 6-7.

¹⁴ Greenfeld, Liah; Chirot, Daniel, „Nationalism and Aggression”, în *Theory and Society*, Vol. 23, No. 1, (Feb., 1994), p. 79.

¹⁵ Apud Girardet, Raoul, *Naționalism și națiune. (Nationalism and Nation)* (Iași: Institutul European Publishing, 2003), p. 19.

¹⁶ *Idem*.

¹⁷ Ethnic, gender etc., conceiving the political in idealized terms that imply citizens with common lineage, language and culture. Even in the cases in which the respective scholars were living in multi-language empires ruling over numerous and various ethno-linguistic groups, such as the Habsburg/Auto-Hungarian Empire, their claims about the *politeia* were still made in terms of the cultural homogeneity corresponding to the Greek city-states - Kymlicka, Will, *Multicultural Citizenship. A Liberal Theory of Minority Rights* (Oxford: Clarendon Press, 1995), p. 2.

The ideological artisans of the nation state and of national citizenship are, in the case of the West (corresponding to the “state creates nation” model) lawyers¹⁸, diplomats and military officers belonging to the royal administration, actors of the weberian style rational state bureaucracies¹⁹, while for the Central and East European space, they were writers and historians, intellectuals in general, that “formed the grounds on which some such as Cavour and Bismark realized state unity by propagating the more or less imaginary notion of the unity of the cultural nation”²⁰. The construction of nation and nationalism “reflects choices made by its (*ideological*) architects and not an ‘objective reality’ of some sort”²¹. We are speaking here of a certain class of intellectuals that, either after, either before the actual fact and its correlative political decision, they ideologically brought about the national identity and consciousness as political symbolical goods²², which were consciously integrated with the collective habitus by the use of symbolic violence²³ in view of attaining specific political objectives.

In nuce, citizenship as a western political concept, despite its universalistic aspirations resulting from its correlative rights, must be considered primarily in historical terms, namely in light of the evolution of the nation as its political assertion, be it civic-individualistic (as in the Anglo-Saxon case), civic-collectivistic (the French case) or ethnic-collectivistic (the German and the East-European model par excellence)²⁴.

Secondly, the duality citizenship-nation objectively represents the intellectual creation of some particular social groups, reflecting the ideologically grounded construction of some concepts that were destined for assimilation in the habitus of various social classes and groups for the purpose of its modification in accordance with the aim of creating a society which is wider and more inclusive. At the same time, the particular view on citizenship as an avatar of the nation leads to an explanation of the first part of the problem of this paper, namely explaining the integrative responsibility felt by the majority group with respect to the Roma minority in the sense of subjecting it to the “ideological treatment” with respect to education, rights etc. or even the multicultural passion that tries to double this process. However that which this first section of my paper does not account for is why the Roma appear to be so resentful and uncooperative with respect to the efforts that the majority ethnic group make for their sake, why the relation between the two groups seem to unfold, as I was previously saying, in the absence of the Roma.

IV. What is a Roma?

Some time ago, during a meeting regarding the stereotypes related to the Roma in general, Roma women in particular I witnessed a fierce debate between a few of the Roma women participants on the subject of Roma identity. More exactly, how can one tell a “true” Roma? The dialogue ended before the listener or the participants could retain any clear notion on the grounds of which to answer this real challenge. Obviously, a similar question can be asked about the Romanians as well – how can one identify a real Romanian? The answer is simple – it is not necessary, he/she

¹⁸ For example, speaking of the political system that emerged after the French Revolution, Sutherland stresses the fact that the administration –especially the elective one- was dominated by lawyers, although the membership right belonged to the nobility as well – Sutherland, *idem*, p.84.

¹⁹ Habermas, *op.cit.*, p. 105.

²⁰ *Idem*.

²¹ Greenfeld & Chirot, *idem*, pp. 83.

²² Bourdieu, Pierre, *Economia bunurilor simbolice (The Economy of Symbolical Goods)* (Bucharest: Ed. Meridiane, 1986), p. 31

²³ by association to the state political power, in the sense of symbolic violence i.e. „any authority that succeeds in imposing meanings and imposing them as legitimate”, definition that establishes the relative autonomy and relative dependence of the symbolic relations along their interaction with the power relations - Bourdieu, Pierre, Passeron, Jean Claude, *Reproduction in Education, Society and Culture Theory* (London: Sage Publications, 1996), p. 4.

²⁴ Greenfeld & Chirot, *idem*, p. 82.

does it by him/herself. The Romanians (for example) have the apparently trivial notion of personal origin, that is conscious, voluntary and clearly defined. The Romanians are backed by those national traits that facilitate identification: common language, shared history, common territory, *a concept of in group equality among all the members of the group organized as civil society* etc., to which the aspect stressed in Renan's definition can also be added – the will of living together. I believe that here lies the answer to the second part of the question I asked at the end of the last section.

The first step must consist in identity definition and in this case I would rather go with a subjective-relational model, that is time changing²⁵. Therefore, by observing the diachronic evolution of the dynamic of the relations between the Roma ethnic group and the nationals of the various European states, we can find that they follow a line that has physical extermination at one end (for example the Roma holocaust – *Porajmos*²⁶) and extreme tolerance at the other, especially present during the Middle Ages. The history of these relations revolves around a *deaf struggle* whose main actors are the political authority (feudal or modern) explicitly seeking first the sedentarization and later the assimilation, or even extermination²⁷ of the Roma and, on the other hand, the Roma minority, perpetual rambler, caught in an eternal cat and mouse game with the authorities, preserving their life style at any cost – from lying and forgery²⁸ to seeming surrender to the indigenous normative codes – legal or otherwise. Could we point out a specific identity element during all this period? At a first glance, we could say that nomadism –therefore the lifestyle- could be such an element, thereby representing the very key to understanding the Roma identity. But history also shows us that Roma chose not once to become sedentary when and where favorable conditions were met. In my opinion, their nomadism can be regarded not as a mere aspect of their identity, but as a consequence of some other element, which is much more important with respect to the specific nature of the Roma identity: the *legal system*. Along their history, the most frequent request by the Roma populations in relation to the authorities concerned the acknowledgement and observance of their judicial and jurisdictional autonomy, namely the acknowledgement of the Roma communities' right to solve transgression and crime issues according to their own practice, even if the accused had not committed their deeds within the Roma community but in that of the indigenous population²⁹. But while in the feudal period, corresponding to the traditional state, such requests could appear reasonable, the emergence of the modern sovereign state after Westphalia and the English Revolution made such claims appear as being fundamentally undermining with respect to the legitimate authority, therefore anti-systemic. We can therefore infer, as a first step, that one of the most characteristic Roma identity features, also relevant to our discussion, is the claim of *romany*

²⁵ See Barth, Fredrik, *Ethnic groups and Boundaries. The Social Organization of Culture Difference* (Boston: Little, Brown&Co, 1969), especially pp. 9-39; 117-134.

²⁶ See especially Lewy, Guenter, *The Nazi Persecution of the Gypsies* (Oxford University Press, 2000).

²⁷ The problem regarding the physical elimination of the Roma does not emerge during the nazi period, its roots run much deeper – for example in 1714, in the Mainz Archibishopry the summary execution of all dishonest gypsies and drifters it is declared, without any trial, based solely on their forbidden life style: in 1725 Friedrich Wilhelm II imposes a decree by which in Prussia all gypsies above 18 –men and women- could be hanged without trial. Such examples can also be found in the Netherlands, Spain or Great Britain - Fraser, Angus, *Țigani (The Gypsies)* (Bucharest: Humanitas Publishing, 2008), p. 169.

²⁸ As in the case of the „Great Scheme” or *o xonxanó baró* in Romani – counterfeiting the documents needed for getting through the customs during the Middle Ages and taking on identity as an „Egyptian” in order to obtain favors with the local population by posing as a pilgrim - Fraser, Angus, *idem*, pp. 73; 75-98.

²⁹ For example the right of free pass given by Sigismund King of Hungary to Ladislau, the King of the gypsy in 1423: “we hereby expressly command our loyal subjects here present to support and shelter the aforementioned King Ladislau and his gypsy subjects, without any resistance or confinement. Should any quarrel or problem arise among them, none other than the same Ladislau shall have the right to judge and forgive” - Fraser, Angus, *idem*, p. 88. There are many more such cases and they are not restricted to any geographical or temporal frame. Also see Weyrauch, Walter O., *Gypsy Law. Romani Legal Traditions and Culture* (Berkeley&Los Angeles: University of California Press, 2001), especially Chap. 2 Weyrauch, Walter O.; Beli, Maureen Anne, „Autonomous Lawmaking: The Case of the „Gipsyes””, pp. 11-87; Cap. 6: Fraser, Angus, „Juridical Autonomy among Fifteenth and Sixteenth Century Gypsies”, pp. 137-149.

precedence over the local legal systems. And this element inexorably opposes the Roma to the Western political and legal constructs, especially those related to citizenship, conceived as an expression of a structured system of legal norms implying rights and obligations. This element however does not fully account for the absence of the Roma from the official decision processes regarding their own situation, for example, or for the reluctance in basically assuming their rights as citizens.

Secondly, as I have previously attempted in showing, citizenship represents a construct which can be understood only in relation to the concept of nation and its corresponding evolution. And here we are forced to come back to the issue we discussed in the beginning of this section: considering that, by virtue of the way in which the main features of the European *politeia* evolved in time, state authority can answer to claims made only by clearly defined and identifiable groups, stating their claims through leaders which are found to be legitimate by the system, *what are the Roma* with respect to their potential relation to the institutions of the majority ethnic group?

Some may think it is easy to identify someone who is Roma, by race traits for example: Roma have darker skin. But not all Roma correspond to this taxonomy and, on the other hand, Sicilians or Turks are not Roma. Obviously, they have a common language, fact that would make them discernable – notwithstanding the fact that there are a lot of persons who claim to be Roma but who don't speak Romani, the Romani language is nothing but an immense collection of dialects that would render the understanding between, say, a Swedish *Tattare* and a Turkish or Spanish Roma almost impossible³⁰. Also, the cultural identity features – from clothing, religion to music belong to a similar tendency towards extreme variety (from traditional Balkanic gypsy music to the Spanish flamenco, for example), to which we must also add the preconceptions of the majority ethnic group with respect to them³¹. The message of such a fragmentary community can be neither coherent, nor intelligible for the institutions of the majority.

V. Conclusions

Briefly put, the Roma population did not undergo a process of cultural unification and identity reconstruction as the Europeans did, therefore lacking a specific identity which is capable of manifesting itself politically, as in the case of the other European minorities. And this aspect derives from the fact that the Roma still lack, while the other European nations do not, a legitimate intellectual class acknowledged as such by the very Roma community, capable of producing the kind of cultural and ideological goods assumable by the Roma habitus with the clear purpose of producing political effects. The Roma intellectuals which presently constitute their interface with the majority ethnic group are not the organic product of their own community, thereby reflecting its characteristics in their ideological production, but the results of the assimilation of the values of the majority group³² and therefore the Roma manifestation within the civil society is next to null. Adding to that the informal persistence of the old *romanya* “legal” system, fundamentally producing a rejection by the Roma of the rights and obligations involved with citizenship and membership to the state, I consider that our study has also attended the last of the elements which are required in answering the problem at hand – the non-participation by the Roma to a dynamic, constructive and mutually beneficial relationship to the majority ethnic group. The answer lies mainly in the specific nature of some of the defining characteristics of Roma culture – traditional judicial autonomy directly opposing the European

³⁰ See Fraser, *idem.*, pp. 17-54; Matras, Yaron, *Romani. A Linguistic Introduction* (Cambridge University Press, 2004), especially Chapter 2.

³¹ Saul, Nicholas; Tebbutt, Susan, *The Role of the Romanies. Images and Counter-Images of Gypsies/Romanies in European Cultures* (Liverpool: Liverpool University Press, 2004), pp. 53-118.

³² Bearing in fact the distinct name of *Romanized*.

construct of national identity – and, secondly, Roma community's incapacity in producing an authentic intellectual class capable of becoming involved with the discussions with the majority ethnic group and also producing, on ideological level, the desired identity project, compatible with the European civic and political thought and capable of discussing its fundamental values.

From this perspective, the greatest chance of the Roma could be the launching of a real debate over the European citizenship, offering the Roma leaders the opportunity to propose a reconfiguration of the concept of citizenship in such a way as to include their community as well. The partnership with the majority ethnic group, that I mentioned in the beginning of this paper, can only be realized from *equal positions*.

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