

# **Misrecognition and Reinvention of Stigmatised Cultural Heritages**

## **The Case of the ‘Romani People’**

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**Abstract** In contemporary European societies, rhetoric and practices of cultural stigmatization, reductionism and discrimination may, by putting them at risk, deeply affect arts, traditions, customs and competences of several cultural and ethnic groups. From this viewpoint, this paper takes into account the situation of ‘Romani People’ as an emblematic, and maybe the most durable example of cultural construction based on prejudices and marginalisation. This ‘case study’ serves as a particularly good representative in order to question the actuality of the dynamic and inclusive assumptions which the Faro Convention places at the very basis of the processes of patrimonialization of CH.

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**Keywords** CH. Stigmatization. Romani People.

## **1 Introduction**

In the Faro Convention, the concept of CH finds an innovative definition: it is represented as a very broad notion with respect both to content – tangible and intangible cultural resources, without specifying the precise forms – and to the subjects who have to recognize cultural resources as such, i.e. the people who identify and assign a founding and constitutive value to cultural assets through a process of social construction.

Moreover, the Faro Convention strictly links the notion of CH to that of a HC, intended as

an extremely inclusive concept that does not refer to definitively constituted communities, but implies the perpetual opportunity of their creation and evolution, along with the possibility that everyone can belong to different heritage communities at the same time. (Sciorba 2015)

This is a very dynamic view of the relationships between cultures and people, and, on this basis, the “common heritage of Europe” can be identified by the Faro Convention with, for the most part, the roots of the European system of democratic values and human rights, considered as powerful instruments aimed at valorizing, recognizing and protecting the richness of human differences.

This kind of perspective explicitly challenges the risk of self-reference and conflictual dynamics, which could originate from an emphasis on cultural identities,<sup>1</sup> while implicitly dealing with the risks of *cultural reification*<sup>2</sup> which can negatively modify the relationships between cultural assets and citizens (Kirshenblatt-Gimblett 2006, 162).

Yet, this inclusive and flexible approach, in order to be effective, should be assumed by both the heritage community that can identify, maintain and renew CHs, and the rest of the society in which CHs are located. Unfortunately, in contemporary European societies, this kind of attitude seems far from being achieved, while rhetoric and practices of cultural stigmatization, cultural “reductionism” (Sen 2006, 24-37) and discrimination may, by putting them at risk, deeply affect arts, traditions, customs and competences of several cultural and ethnic groups.

In a contemporary European context increasingly marked by identitarian enclosures and the enforcement of imagined communities (Anderson 1991), this paper thus takes into account the situation of “Romani People” - usually called, in a derogatively and collective way, Gypsies - as an emblematic, and maybe the most durable example of cultural construction based on prejudices and marginalisation.

In this paper, the same definition of ‘Romani people’ is assumed from a problematic perspective. As underlined by Leonardo Piasere (2003), while the qualitative and quantitative definition of ‘who Romani people is’ represents a problematic issue in itself,<sup>3</sup> what is certain is that “the history of anti-Gypsyism coincides with the history of Gypsies, namely, with the history of people called Gypsies” (Piasere 2012, 126).<sup>4</sup>

1 To understand how these kinds of processes have developed in Europe, see Sennett 2011.

2 Generally speaking, reification means the process of transformation of human actions and relations, but also thoughts, concepts and knowledge into ‘res’, things, intended as whole and completed objects. This process undermines the understanding of the complexity lying under the production of CH, and can inhibit its implementation and transmission (Scieurba 2015).

3 Nevertheless, as assessed by Piasere (2003, 46), it is possible to identify a European community of some millions of members (from two to six, dependently on different estimates) for the most part composed of non-nomadic individuals speaking romanes dialects and called Roma (or variants of this name) or with a derivative accent, Gypsies. Regarding the presence of Roma people in Europe, see Piasere 2003 and, more recently, Richardson Institute 2014.

4 For a complex definition of antiziganism or anti-Gypsyism, see Kyuchukov 2015.

Romani groups have been always perceived by the majority societies in which they have been living as different, inassimilable and unruly to the extent that “the lowest, most obscure and disregarded position in the hierarchy of Others – on the territory of Europe – would undeniably go to the gypsies” (Mladenova 2013, 14). As often underlined by the FRA,<sup>5</sup> this kind of radical racism against Romani people is everywhere on the increase in contemporary Europe.

This racist attitude derives from several levels of misrecognition of Romani variegated CH, starting with the fact that, as a diasporic people,<sup>6</sup> Romani groups have developed a “constellation of Romani cultures” (Guy 2001, 28), which have all been tempered, more than any others and over several centuries, through the contempt by and exclusion from what is recognised as the mainstream ‘Culture’.

Instead of recognising and valorising this peculiar history as one which has led to the creation of a CH which is particularly interesting for its intangible and syncretic character, contemporary anti-Gypsyism, on the one hand, continues to put in danger the survival of Romani traditions and, on the other, produces significant adaptive and reactive modifications of Romani social and cultural behaviours.

For all these reasons, this ‘case study’ serves as a particularly good representative in order to question the actuality of the dynamic and inclusive assumptions which the Faro Convention places at the very basis of the processes of patrimonialization of CH.

In the following section, I will thus outline the theoretical framework on (mis)recognition, power relations and the production of narratives and subjects that ground this analysis. Mainstream descriptions of Romani people’s traditions and social behaviours will then be taken into account by also considering their consequences in terms of social and cultural policies. Forms of cultural reaction enacted by Romani people will be thus considered within the complex tension between adaptation and performative resistance to oppression. The conclusive reflections are devoted to a more general question, emerging from this particular case, of what happens when CHs are continuously reinvented and implemented within the relation with misrecognition and dynamics and processes of stigmatization.

5 <http://fra.europa.eu/en/theme/roma> (2017-12-15).

6 On the complexity of the Romani diaspora, see Renard, Manus, Fellman 2007.

## 2 A Theoretical Framework: (Mis)recognition, Power Relations and the Production of Narratives and Subjects

As famously assessed by Charles Taylor, in a continuation of the Hobbesian dialogic concept of recognition,

our identity is partly shaped by recognition or its absence, often by the *misrecognition* of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves. Non-recognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being. (1992, 25)

Taylor's focus on the creation of 'distorted' identity as the main consequence of misrecognition dynamics is a productive starting point in order to investigate the case of Romani CH as forcibly modified by a violent interaction with prejudice and discrimination.

Indeed, in Taylor's word, misrecognition can lead not only to the endangering of cultures' survival, but also their alteration as a consequence of an interiorized self-deprecation.<sup>7</sup>

Yet, Taylor's perspective provoked a host of valid criticisms, as arguably failing "to address the root causes of misrecognition" (Petoukhov 2012); it reserved an inadequate attention to the struggle for a non-imposed recognition and to the unequal power distribution in the Hegelian master/slave dialectic (Coulthard 2007) and, as assessed by Nancy Fraser, it "effectively ignores distributive injustice altogether, by focusing exclusively on recognition" (Dahl et al. as quoted in Petoukhov 2012, 376).

Moreover, against any conception of culture as a 'natural-given' object which can just be perverted by misrecognition, each CH has to be intended, as the Faro Convention explicitly affirms, as a dynamic process which also originates in complex interaction.

Therefore, in order to explore our particular issue, Taylor's theory needs to be integrated into other models which can better consider some aspects of the process we are investigating, such as the ability of Romani groups to renew and implement their own CH in conflictual terms with respect to the rest of society, even when they have been forced to adapt their behaviours and lifestyle in reaction to prejudice and racist policies (Burgio 2015).

This conflictual dynamic has certainly contributed to divert some fea-

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7 In this respect, Taylor (1992, 65) claims to follow Franz Fanon's analysis on the relationship between colonizers and colonized people, in which "the major weapon of the colonizers was the imposition of their image of the colonized on the subjugated people".

tures of the Romani CH in a way which can be inserted among the consequences of non-recognition and misrecognition processes as they have been identified by Taylor. However, the reaction of Romani populations to these processes cannot simply be described as a passive response to forms of oppression that may have 'corrupted' a set of otherwise 'original' cultural elements.

In this respect, the Foucauldian way to explore the mode in which power produces subjects not only through specific individual and collective techniques but also the practices of subjectivisation enacted by the very people who face these techniques (Foucault [1982] 2000) can be particularly useful. Indeed, the French philosopher, by taking power dynamics into account, always stressed the need to oppose any reference to fixed and transcendent elements but rather the necessity of looking at subjects, knowledge and historical events, as from mutable, complex productions and specifications within peculiar 'genealogies' (Foucault 1977).

This kind of regard allows considering the part of autonomy which oppressed subjects always maintain within *power relations*, and also to contrast what Amartya Sen (2006) has termed "cultural reductionism", according to which people are classified on the basis of a unique identity without taking into consideration the possibility of *multiple affiliations*, nor the interrelation of choice and responsibility, constraints and freedom, which mark the construction of social identities.

From this perspective, even without directly intervening in the atavistic debate on the tension between liberal and communitarian scholars regarding collective and individual rights (see, *i.e.*, Habermas 1996), I will assume Frasers' concern for the risk of reifying identity, in which the identity politics model of recognition has the overall effect of imposing

a single, drastically simplified group-identity which denies the complexity of people's lives, the multiplicity of their identifications and the cross-pulls of their various affiliations. Ironically, then, the identity model serves as a vehicle for misrecognition: in reifying group identity, it ends by obscuring the politics of cultural identification, the struggles *within* the group for the authority - and the power - to represent it. By shielding such struggles from view, this approach masks the power of dominant fractions and reinforces intragroup domination. The identity model thus lends itself all too easily to repressive forms of communitarianism, promoting conformism, intolerance and patriarchalism. (Fraser 2000)

As Fraser does, and Sen recommends, I will thus consider also the dialogical movements which define and reconstruct different identities within

the same group,<sup>8</sup> far from any model of pre-defined authenticity, even built in conflictual terms.

Finally, the Foucauldian approach is also fundamental in order to address the specific 'discourses' produced around Romani people and their particular CH, and not only with respect to the more explicitly racist rhetoric. According to Foucault

in every society the production of discourses is at once controlled, selected, organised and redistributed by a certain number of procedures whose role is to ward off its power and dangers, to gain mastery over its chance events, to evade its ponderous, formidable materiality. (1981, 52)

The order of discourse" on Romani people in contemporary society perfectly reflects these kinds of characteristics, particularly with regard to those discourses 'of truth that provoke laughter' -through their distance from rationality and objectivity even in the presence of precise data which could easily negate them - even while they "have the institutional power to kill. (Foucault [1975] 2003, 6)

Indeed, many institutional discourses seem to be based on specific 'culturalist' narratives of misrecognition which increase Romani people's stigmatization and are strongly influenced by common stereotypes and prejudice towards them. In this respect, the definition of prejudice elaborated by Norberto Bobbio<sup>9</sup> finds an extremely concrete application in the example of Romani people. In Bobbio's words, prejudice is

an opinion or a complex of opinions, sometimes even an entire doctrine, which has been accepted uncritically and passively by tradition, by custom or by an authority whose dictates we accept without discussing them [...] and we accept them with such force that they resist any rational refutation. (1998, 107)

This acritical acceptance is related to the fact that

the strength of prejudice generally depends on the fact that considering a false opinion as truth responds to my desires, urges on my passions, serves my interests. (108, transl. by the Author)

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<sup>8</sup> This view implicitly takes into account also the definition of 'intersectionality' offered by Crenshaw (1989) about how different types of discrimination interact in the lives of minorities.

<sup>9</sup> The strength of anti-gypsy prejudices is demonstrated by the fact that even Bobbio, despite this illuminating analysis, then he falls, at least once, in an uncritical acceptance of one of them. Cf. Piasere 2015, 90.

From this perspective, the most dangerous prejudice is collective one “shared by an entire social group with respect to another social group” in a reciprocal way: the stronger the prejudice, the stronger will be the individual members’ identification with their own group. (109, transl. by the Author)

In Bobbio’s opinion, the main consequences of this kind of prejudice are discrimination – above all the juridical discrimination which prevents people from accessing rights – social marginalization and political persecution (121). All these consequences have clearly affected Romani people and their CH.

### 3 Mystifying Romani CH: Prevalent Narratives and Related Policies

Despite the mainstream cultural descriptions of Romani people (Bontempelli 2009, 149-50) it is worth remarking that no common Romani CH exists in the manner in which it is usually meant. Romani people also lack those forms of *imagined common identities* or *invented traditions* (Hobsbawm, Ranger 1983) which are usually produced by nationalistic rhetoric with respect to national groups. This is due to its diasporic history, the lack of a common territory, which has resulted in a complex mosaic composed by several different historical communities (Lapov 2004).

If a *common Romani identity* can be retraced, with exception made for the shared Indian origins, it ought to be searched for, in the most part, in a shared fate of prejudice and discrimination on which a heteronomously imposed, negative and imagined collective Romani CH has been built. In this respect, Radimila Mladenova has talked about the ‘imagined gypsy’ who, among others,

has been sculpted and re-sculpted by some of the most venerated white male writers in Eurocentric culture – Cervantes, Hugo, Pushkin, Mérimée, Heine, Hemingway. (2013, 18)

As Piasere has emphasised, “Roma people are Gypsies inasmuch as they suffered a forced process of gypsy-ization” (2012, 126). From the moment that

they are selected as Gypsies, from the moment in which they are recognised, identified, perceived and named as Gypsies, they find themselves reified via a series of appalling practices enacted by those who do not consider themselves as such. (126, transl. by the Author)

In this sense, the misrecognition of Romani people results in a pervasive categorization built on different kinds of narratives.

The main persistent prejudice which affects and categorizes Romani people by mystifying their CH is certainly their general definition as a nomadic group. This definition takes into account neither the above quoted extant differences between the groups which compose the diverse Romani diaspora, nor the historical and contemporary persecutions which continuously force Romani groups to move within national and international boundaries. This cultural misrecognition clearly enacts several contemporary official discourses, and, by consequences, specific policies elaborated by European and national institutional agents.<sup>10</sup>

For instance, the fact that Resolution (75)13 of the Ministry Committee of the CoE on the Social Condition of Nomadic People in Europe,<sup>11</sup> and Recommendation (83)1 of the of the same Committee on Stateless Nomads and Nomads of Undetermined Nationality,<sup>12</sup> “recognize nomadism as a cultural characteristic” of Romani people, has led directly to the proliferation of ‘nomadic Camps’, “with incalculable damages for the Romani population” (Spinelli 2016, 496, 498).

This kind of stigmatising approach appears to be transversely adopted in Europe in the vast majority of countries, including recently. In a letter sent to the CoE Commissioner for Human Rights in February 2016, as a reply to previous letter in which the Commissioner has expressed concerns regarding the evictions of Roma families in different Italian localities, the Italian government implicitly assumes the same mystified cultural perspective. Indeed, the Italian Ministry of Foreigners Affair and International Cooperation affirms that Roma people from Romania “usually live in improvised/spontaneous and/or unauthorized settlements” as if this were a choice enacted by these people. By consequence, as these camps

gave rise to many problems, with regard to public order and public health, with very poor sanitation facilities, cases of exploitation of women and children early school drop-out and so forth [...] when local authorities dismantle the above unauthorized settlements, this is done for the very interest of the people involved.<sup>13</sup>

**10** As assessed by Zagato (2015, 158), especially with respect to Roma minorities, a sort of “variable geometry” in intensity in the fight against discrimination can be found within the EU.

**11** <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800899bc> (2017-12-15).

**12** <https://searchworks.stanford.edu/view/1776008> (2017-12-15).

**13** <http://www.coe.int/da/web/commissioner/-/european-countries-must-stop-forced-evictions-of-roma> (2017-12-15).



In the same period, the French government sent the CoE Commissioner a very similar letter, responding to the same concerns expressed by the Commissioner regarding the eviction of Roma families<sup>14</sup> In this letter again, the main justification for evictions is the necessity “to protect the occupants from the risks related to their health, security and other dangers”.<sup>15</sup>

In both cases stigmatisation, in which the degrading conditions of Romani living situations are treated as a kind of cultural attitude and choice, is strictly related to a paternalistic tactic aimed at justifying evictions as an attempt to protect Romani people from themselves, and the rest of society from the social danger represented by this inassimilable population. The reality, of course, is entirely different, as ‘camps’ are often the only solution left to racialized and marginalized persons who have many difficulties in finding other alternative housing,<sup>16</sup> while evictions simply force them to move on yet again, towards other informal settlements that will, in their turn, be dismantled.<sup>17</sup> Moreover, the difficulties in obtaining formal residence for people living in ‘nomadic camps’ is often an obstacle in the process of gaining regular documents, the lack of which reproduces marginalization and social exclusion, even in respect to minors.

This kind of vicious circle is both grounded on prejudice towards Romani people as a culturally nomadic people, and continuously reinforces it (Sigona 2002; Argiropoulos 2011; Bontempelli 2009; Burgio 2015).

For Romani people, therefore, the ‘camp’ continues to be “the only practical substitute for a non existent homeland” (Arendt 1979, 284) on a perverse continuum (even if with undeniable differences) with the under-acknowledged fact that ‘Gypsies’ were one of the firsts categories of person to be interned in concentration camps of the first half of the twentieth century (Kotek, Rigoulot 2000, 307 ff. and 348 ff.; Center for Advanced Holocaust Studies, 2002).<sup>18</sup>

**14** France is particularly used to practices of evicting Roma, a practice which has often been followed by expulsions from the national territory. As of 2013, for instance, Amnesty International (2013) reports that “more than 10,000 Roma were evicted from informal settlements” in France.

**15** <http://www.coe.int/da/web/commissioner/-/european-countries-must-stop-forced-evictions-of-roma> (2017-12-15).

**16** Moreover, as happens in Italy, the possibility of accessing social housing is connected to the possession of formal residency which, in most of times, is not allowed when people live in camps.

**17** About the interlacement between material discrimination and symbolic stigmatization of Romani people in Italy, see Di Noia 2015.

**18** The near complete collective removal of this part of the history, also in exceptional authors such as Hannah Arendt, is a significant element of the building of such discrimination. Everyone in Europe knows what the holocaust is; only a minority will answer if questioned on the ‘Porrajmos’.

The cultural mystification of the Romani population as a nomadic group, finally, has concretely led to quite precise forms of cultural misrecognition: in Italy, for instance, in the name of their alleged nomadism, Romani people have been excluded from the provisions which protect other linguistic and cultural minorities.

A more general prejudice affecting Romani people is their representation as a people without history (this could represent a sort of collective removal of the fact that Romani history has always been strongly determined by persecution enacted by majority societies). This specific misrecognition is linked to the mainstream narrative of Romani people as a people without culture, despite the fact that Romani artistic production has always been markedly prolific, and that, in peculiar fields such as music, it has had significant influences on mainstream European culture, including, at different levels, composers such as Liszt, Haydn, Schubert, Beethoven (see, e.g., Colocci 1889, 295), and above all Ravel and Bartók (Brown 2000).

Therefore, along with a physical confinement, we can talk about a

cultural confinement enacted by the majority society with respect to the art and, more generally, the culture of Roma people. (Mannoia 2013, 411; transl. by the Author)

In this regard, the Romani population has also been stigmatised and misrecognised with respect to its CH by precise rhetoric of folklorisation linked to an exotic imaginary. The imposition of a forced mobility, for instance, is narrated as the product of an innate sense of liberty; the Romani artistic production in terms of music and dance is never regarded as culture, but just as the confirmation of idleness and wilderness.

At the same time, the impossibility of finding a regular, normal job is perverted in the refusal to perform an ordinary life, and in the will to live by one's wits without committing to anything.

This kind of narratives can lead to paradoxical forms of jealousy in the confrontation with people who are considered as the dregs of society (Piasere 2012, 134) but are simultaneously regarded as someone able to reach towards an unacceptable lifestyle, replete with the privilege of a lighter approach to life. The necessity of making recourse to charity, a role delegated to Romani women who wander the streets, begging from 'respectable' people, reinforces the stereotype of their lasciviousness and immorality. If this activity is performed by bringing children in tow - because mothers have no other place where to leave them, or because the presence of children is often the only way to convince people to offer some money - this image immediately nourishes the prejudice which deems them as irresponsible parents who 'produce' babies solely to exploit them.

It is into this conceptual framework that we can insert the ease with which Romani children are removed from their families and given up

for adoption, with the double objective of protecting children from their parents and protecting society from future Romani adults brought up in Romani communities.<sup>19</sup>

Along with a criminalising rhetoric and patronising, assimilationist attitudes towards Romani people, there are further ways in which their human dignity is reduced, by misrecognising their potential and competences (see, with respect to Italy, Argiropoulos 2001). These approaches have also been enforced by some non-Romani experts in 'Romani studies'<sup>20</sup> who, through emphasising specific Romani cultural elements, have contributed to producing "a gypsy stereotype, a dehumanized prototype" (Spinelli 2016, 207), which infantilises individuals and continuously reproduce their image as incapable and non-productive members of society.

#### 4 Building on Prejudices a Lifestyle

As assessed in the previous pages, the long history of misrecognition and mystification of Romani CH has produced an imagined stereotype of Romani traditions which has enforced stigmatising rhetoric and specific discriminatory practices and policies.

In their turn, these, practices, policies and this rhetoric have deeply influenced the way in which, on multiple levels, different Romani groups have reproduced their behaviour over centuries as a complex reaction to discrimination and persecution suffered since their first appearance in Europe, in the fourteenth century. Indeed, as assessed by Taylor,

We define our identity always in dialogue with, sometimes in struggle against, the things our significant others want to see in us. (1992, 33)

On the one hand, when people perceive that the cultural resources they owned cannot help them to find a place in society, and to achieve good living conditions, these resources, doubly devalued, will be at risk of disappearance (Sciurba 2015). On the other, in comparable situations, specific forms of adaptive and reactive resistance can take place, again by enforcing the common cultural elements which have been stigmatized by the majority of society. Indeed, as assessed by Burgio (2015, 48), stigmatized people can finally consider themselves as part of the same group exactly

<sup>19</sup> As Carlotta Saletti Salza (2010) has demonstrated, the percentage of children removed from Romani families and given over for adoption is widely disproportioned with respect to the same percentage of Italian children, taking into account that Romani people in Italy are a broad minority.

<sup>20</sup> The predominance of non-Romani authors' writing about Romani people can certainly be ascribed also to the lack of written history accounts in Romani cultures.

on the base of the oppression that they have in common. As noted by Carol Silverman, this kind of reaction has often lead to what Gayatri Spivak has termed “strategic essentialism” (as quoted in Silverman 2014, 142): through a form of reinvention of common identifying cultural elements, people may be forced to modify their lifestyle and behaviour in order to adapt to, and at the same time defend themselves from, dominant stereotypes. It is certainly true that

for Roma, identities are always emergent, constructed, fragmented, due to the changing constraints of marginality. Moreover, Romani cultural identities have always been construed in relation to hegemonic powers such as patrons of the arts, state folklore officials, and market forces. (Silverman 2014, 142)

Even though many Romani people have been socially integrated since they have accepted to completely abandon the more visible symbols of their cultural traditions, Romani groups

have often been able to respond – through inventing strategies and tactics of containment, response, resistance and resilience – to the gypsyization process they have suffered. (Piasere 2012, 130; transl. by the Author)

In particular, starting from the seventeenth century, Romani groups have developed specific reaction to the normalizing power enacted by the European nation-state model, with the direct consequence being the resurgence of anti-gypsy policies and the birth of a true (and unarmed) resistance struggle by Romani people (Piasere 2003, 49). In Piasere’s opinion, the main result of this dynamic was the creation of a Romani “social organization of dispersion” (*struttura sociale a polvere*) (2003, 50), by dispersing on the territory in more or less mobile or numerous groups in order to resist policies of annihilation.

In this context, along with forced mobility, the ‘culture of parenthood’ becomes an element common to Romani traditions. The strong unity of Romani families, along with ethnic endogamy, thus mainly derives from the need to be protected from a hostile external society.

For the same reasons, “daily life and the Immediate become the priority” (Aparicio Gervás 2014, 144) in Romani people’s perception. Building a long-term project of life becomes impossible when that life is continuously marked by evictions and forced mobility. This form of perception can also explain specific forms of resistance or the lack of interest towards children’s education as intended by the majority society.

Similarly, Romani groups’ economic organization seems to be significantly influenced by an immediate need for daily survival, enforcing fam-

ily enclosure: Romani groups have always been pushed, depending on different contexts, to insert their productive activities in the interstices of majority society's economy via developing a strong cooperation within and between families (Burgio 2015, 54-55). Furthermore, the varied and complex Romani religious dimension has been strongly permeated by the persecution and discrimination which they have suffered: due to their peculiar diaspora, and in order to maintain their peculiar form of invisibility,<sup>21</sup> different Romani communities have traditionally assumed the majority religion of countries in which they were living. Nevertheless, Romani people were also able to integrate this religious assimilation into a creative syncretic adaptation which has mixed ancient traditions with local rituals. Yet this adaptive ability also has been interpreted by anti-gypsy rhetoric as an inassimilable element of superstition (Burgio 2015, 62 ff.).

As I already said above, the same kind of misrecognition has affected Romani artistic production which has always been a strong instrument of resistance in the preservation of different Romani identities and their cultural transmission. The diverse Romani musical styles, for instance,

have developed in parallel with the evolution of historical and social events of a people forced into mobility, dispersion and oppression throughout the world, but [who], to an extraordinary extent, have been able to preserve their essential cultural elements (*romanipé*). (Spinelli 2016, 328; transl. by the Author)

Yet the difficulties encountered by these various people can also explain, among other things, the lack of systematisation of Romani literature and cultural production which has strongly contributed, caught within a vicious circle of anti-gypsy propaganda and discrimination, to reducing Romani CH to invisibility and silence, or to stigmatising it through *processes of empty folklorisation*.

In these difficult historical and social conjunctures, Romani groups have formally developed a form of common identity, in some instances adopting a model of nationalistic identity which had always left them at the margins of majoritarian Western societies.

A Romani anthem and flag were approved in 1971 during the first World Roma Congress, while "the formation of a Romani literature language and the production of a Romani dictionary were mandated several years [previously] by the International Romani Union" (Silverman 2014, 139).

It seems therefore that we finally have a Romani collective identity and

<sup>21</sup> The persistence and strength of Romani people's misrecognition seems to be proportionally related, at the same time, to the peculiar 'visibility' of their external 'appearances' and to the specific social and political invisibility to which they are relegated (for the concepts of appearances and visibility/invisibility, see Arendt 1959).

CH to preserve and protect against racism and discrimination. Yet, in the light of the social constructions analysed up till now, is the question so simple?

## 5 Conclusions

Starting with The Strasbourg Declaration on Roma, delivered by the CoE (2010), several recent European initiatives have been launched in order to remove discrimination and prejudice regarding Romani people, by recognizing the value of their CH.

The ERIAC, for instance, is a joint initiative of the Alliance for the European Roma Institute, the CoE and the Open Society Foundations, aimed to set up as an independent institution to promote Romani arts and culture. This last is one of the formal objectives of the CoE *Thematic Action Plan on the Inclusion of Roma and Travellers (2016-2019)*.<sup>22</sup>

Another initiative of the CoE is the Route of Roma Culture and Heritage, which has the objective

to increase the knowledge of people in Europe about Roma history, culture, values and lifestyle, to encourage the contribution of Roma to Europe's cultural life and diversity and ultimately contribute to giving a positive value to an image of Roma which are, more often than not, perceived in a negative and stereotyped way.<sup>23</sup>

At the same time, the 'Dosta!' awareness-raising campaign against prejudice, stereotypes and anti-Gypsyism and for the promotion of Romani culture, language and history is part of a wider CoE/European Commission Joint programme.

At the EU legal level, several antidiscrimination norms and formal guarantees on minorities' rights characterize the EU framework: from articles 2 TEU and 19 TFEU, to art. 21 of the European Charter on fundamental Rights, to the Race Directive (2000/43/EC). Nevertheless, concrete application of these provisions, especially in the case of Romani people, are far from being effective instruments in order to improve equality and combat discrimination.

In sum, as observed by Melanie Ram, if by obeying to European Institutions guidelines

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<sup>22</sup> [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectID=09000016805c5a1d#\\_ftn5](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805c5a1d#_ftn5) (2017-12-15).

<sup>23</sup> [http://www.coe.int/t/dg4/cultureheritage/culture/routes/roma\\_en.asp](http://www.coe.int/t/dg4/cultureheritage/culture/routes/roma_en.asp) (2017-12-15).

all CEE “States with large Roma populations adopted a variety of inclusionary policies and institutions that have enabled the defence of equal rights, some Roma participation and various programs and projects supporting Roma integration, [...] these policies are complemented by exceptionally exclusionary practices by both government and society that tend to negate these very efforts. (2014, 37)

Moreover, as assessed by the famous Italian Roman artist and University professor Santino Spinelli, despite the benevolent European initiatives listed above, Romani people are today considered as a ‘social question’ instead of an immense

human, artistic and cultural heritage, meaning that billions of euro are squandered every year by public bodies and European funds for fake or unimportant social projects in the name and on the behalf of Romani communities, who in the end receive very little or even nothing, and no support for their art, language or culture. (2016, 205; transl. by the Author)

Failures in these kinds of policies and initiatives can be traced back to the persistence in the misrecognition of Romani people with respect to the idiosyncratic elements which have produced and continue to mark their so-called CH.

First, this heritage is a resilient one, and in some way has been produced by the constant discrimination and oppression meted out by majority societies. The focus on this specific element is necessary not in order to identify and separate ‘original’ Romani cultural features from ‘constructed’ or ‘perverted’ ones, but so as to comprehend the *cultural complexity* involved.

Which part of Romani groups’ behaviours and traditions would have been maintained in a social context set free from evictions and discriminations? Would we still talk about a Romani population if the different Romani communities had been allowed to insert themselves into the society in which they have been living?

These questions, of course, are impossible to answer. Yet historical and social complexity in the ‘production’ of what is defined as Romani CH should be recognised as a starting point in order to implement effective policies against anti-gypsyism and, in general, for a useful reflection on how to implement minorities’ cultural rights.

Instead of promoting, for instance, stereotyped and folkloristic views of an imagined Romani culture which inevitably finds an assimilationist counterpart in attempts at normalisation of this presence, European policies should be devoted to understanding the historical and actual role of majority societies in marginalising and oppressing these particular groups of citizens. This role has enforced separation and enclosure, with the con-

crete consequence of the construction of an imagined CH based on defensive strategies.

“Europe invented the gypsies” (Bogdal 2011) is the first sentence we should read not only in more enlightened scholars’ books on this issue, but in all European Declaration on anti-gypsyism and antidiscrimination. Perhaps what makes this admission so difficult to be assumed is the fact that, as Mladenova claims,

gypsy representations are at the core of modern European culture, they are a product of its normative world view”, and reveal the dominant ‘grammar’ of our culture. (2013, 14)

For this reason, a deep and serious reflection on the complex dualistic relation which has built what is defined as Romani CH might allow some form of “new level of cultural consciousness” (Mladenova 2013, 23) in European societies; a form of recognition which appears indispensable in the general reflection on CH and the processes of patrimonialisation envisaged in the Faro Convention.

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