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**CONTESTED HISTORIES AND IDENTITIES:
ROMANI REFUGEES IN TORONTO**

(Thesis Format: Monograph)

by

Julianna Calder Butler

Graduate Program in Anthropology

A thesis submitted in partial fulfillment
of the requirements for the degree of
Master of Arts

The School of Graduate and Postdoctoral Studies
The University of Western Ontario
London, Ontario, Canada

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CERTIFICATE OF EXAMINATION

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requirements for the degree of
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Dr. Adriana Premat
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Abstract:

This thesis examines the larger themes and processes involved in identity reconstructions, and the appropriation of labels and categories at various levels as part of a struggle by the Roma against their marginalization and persecution. Through a focus on several significant sites of negotiation and contestation where Romani actors encounter and interface with hegemonic institutions and discourses, including current Canadian immigration policies and media coverage, I propose that “identities” invoke historical narratives, whether individual or collective, and are used in diverse ways. This research on the Roma is also useful in understanding the experiences of other refugees and minorities when examining state policies and is intended to fill the current gap in the anthropological literature on Romani communities.

Keywords: Roma, Romani, Gypsies, identity, refugees, immigration, persecution, Toronto, Canada

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Chapter I - Introduction

“Honk if you hate Gypsies”

On August 26th, 1997, about twenty neo-Nazi skinheads¹ held an impromptu demonstration outside the homes of some Romani inhabitants; they wore masks, marched with flags emblazoned with Nazi swastikas and Iron Crosses, carried signs rallying “Out, Gypsies, Out!” and “Honk if you hate Gypsies”, and performed Sieg Hail salutes to one another as they protested the existence of these “Gypsies” in their country. Three months later, six of these demonstrators were charged with “promoting hatred” towards an ethnic group, yet after years of appeals and acquittals, the eventual outcome ended with none of the protesters ever serving any kind of sentence for their actions (Makin 2003).

One of the most remarkable consequences of this event is that some of the protestors were put on trial, even if no sentence ended up being served. Across Europe, innumerable acts of violence, discrimination and intolerance towards Roma² are the norm, and incidents such as the protest described above happen frequently and without legal repercussion. Yet this particular protest did not occur in Europe; this particular neo-Nazi protest against Roma happened in Toronto, Canada.

Canada is recognized as a country with progressive and forward-thinking social programs and is among the most highly-ranked nations in the world in such fields as quality of life, education, and health³ (UN Human Development Report 2006). Canada enjoys an international reputation that is partially founded on its highly publicized multicultural model, based on ideals of equality and anti-discrimination, as well as its well-regarded refugee system. Yet Canada’s past and present policies towards various ethnic minorities leave much to be desired in international and domestic matters. The conditions, experiences and statuses of Romani populations in Canada contradict the standing Canada receives in formal polls. State policies and institutional practices in fact exclude and discriminate against Romani refugee claimants and immigrants in Canada.

¹ This term, as quoted by news sources, is generally understood as a subset of white supremacy movements with ideologies based on the core values of Nazism and ethnic nationalism.

² Roma are Europe’s largest non-territorial minority, with an estimated population between 5-25 million people, varying widely depending on the source of information. Reasons for this discrepancy are explored later in this chapter. The most important point here is that “Roma are the largest and most geographically dispersed minority group in Europe” (McGarry 2008:450), yet persecution is an everyday occurrence.

³ The UNHDR ranks Canada as 3rd best country overall using their Human Development Index scoring which includes life expectancy, education ratios, and GDP per capita statistics (2006).

While refugee and migration policies and programs have shifted over time, they are underpinned with bias towards particular population categories, including the Roma.

The focus of this thesis is to examine the factors and processes that result in discrimination and bias against the Roma on the one hand, and the latter's forms of resistance and negotiation. I propose that the struggle between hegemonic institutions and the Romani refugees in Canada, and a shared history of persecution are two key factors that generate a sense of collective identity and belonging, despite the heterogeneous composition of the Romani population. Adopting an anthropological approach allowed me to examine these issues at the local level, as experienced and perceived by Roma in Canada. However, I have focused on dynamic relationships and intersections, as opposed to simply a view "from below". In other words, the sites of research were the complex arenas where opposition, consent or negotiation takes place: neither state institutions, nor the Roma are homogeneous and bounded units, or simply oppositional actors. Rather, Romani communities and state institutions are differentiated and non-static and interface in complex ways.

This work examines the issues of concern that were central to the Roma in Toronto, and themes which emerged during fieldwork. Needless to say, because the fieldwork timeframe for the Master of Arts program is limited to a few months, and I was only able to conduct fieldwork in a limited area, the project does not cover all these issues comprehensively. Nonetheless, within these limitations I sought to encompass as wide an understanding of Romani issues as possible by identifying the underlying influences in multiple historical narratives about the Roma in relation to contemporary processes and narratives. Thus, the thesis may also be viewed as groundwork for future research, which will allow me to delve more comprehensively into some of the more complex theoretical and ethnographic issues. Consequently, I focus on four major sites where these various dynamic levels of interaction and struggle are played out: ethnic categories and their historical constructions; the refugee process; the Roma Community Centre in Toronto; and the Canadian media. Because of the importance that scholars, policy-makers and the Roma themselves place on "origins," and the implication this has on identity politics, I made an attempt to review various historical approaches and narratives as elaborately as possible, within the scope of the thesis.

Would a Gypsy by any other name be perceived any better?

As Shakespeare eloquently asked: what's in a name? Before delving into the different arenas in which Romani actors negotiate their identities and experiences, the labels themselves must be examined. What is a "Gypsy"? For that matter, who are the "Roma"? Are they different categories for the same people, or the same names for different people? Although this work cannot address all the issues that such questions invoke, it is important to note that I have adopted Barth's notion that ethnic labels depend on the maintenance of a boundary (Barth 1969:14). This is not to say that ethnic distinctions are the result of an absence of social interaction between groups; instead, social interactions and acceptance are often the foundations on which social systems are built, and cultural differences that form categorical distinctions persist, despite inter-ethnic contact and interdependence (ibid:10).

Partly resulting from long histories of socio-economic interactions between Roma and non-Roma in Europe and North America, the ethnic categories of "Gypsy" and "Roma" are contentious and not definitive. To understand the relationship between these labels and the forging of collective groups, histories and identities, I explore Roma stereotypes and self-representations, and their respective political and social consequences. The various meanings and purposes these names carry for diverse actors are briefly explored in the next subsections.

Getting gypped: the stereotypical "Gypsy"

Thieves, beggars, pests, criminals, and swindlers: the list could continue almost indefinitely, but there is little purpose in repeating the multitude of adjectives and qualifiers that many people associate with the term "Gypsy". Instead, it is more useful to understand the various processes that have evolved and which led to the stereotypes and representations of North American and European Roma.

For the most part, North American projections of "Gypsies" rely on extremely romanticized idealizations (think: crafty thieves living on the lam, wearing colorful exotic costumes, enjoying sexy, music-filled lives). These projections are reinforced by popular media, such as newspapers, literary works, television and radio segments, comic book characters, but also by historical and academic works. In popular culture, such

representations are reproduced by non-Roma who have appropriated the term Gypsy into their names, music styles, and performance characters (“Gypsy Nomads”⁴, Gypsy jazz⁵, “The Gypsy Temptress”⁶).

This is in contrast to many European conceptualizations of “Gypsies”, who are often described as filthy pests or animals, and good-for-nothing beggars and thieves. Widespread intolerance of these “Gypsies” is considered normal, partly because of the persistent stereotypes and racist policies and attitudes. Generally, people take single incidents involving a Romani beggar on the street or a Romani thief they once encountered as representative of all Roma. This kind of stereotyping occurs frequently to “visible minorities”⁷ of all kinds, whose physical characteristics are key defining features that are correlated to an overall behaviour of their ethnic category by outsiders.

Yet the stereotypical “Gypsy” is anything but a static character. Various Gypsy images and narratives have been modified through time and place as Roma have moved throughout Europe, North America, and beyond. These stereotypes live in the use of words like “Gypsy” and “gypped”, yet are also used by various actors – including Roma themselves. The catch behind implementing policies or actions based on stereotypes is that a stereotype does not have a way for accounting for the fact that outsiders are stigmatized in ways contingent upon various settings (Leudar et al. 2008:189). More than just broad regional perceptions that lead to a differentiation of stereotypes, the sheer number of “Gypsy” stereotypes paradoxically comes in part from the extreme heterogeneity that exists within Romani populations.

Therefore what purposes do stereotypes serve? At a base level, stereotypes divide and create/reinforce difference. They emerge as oversimplified notions that the part is representative of the whole, or of group membership. Stereotypes are a kind of mental categorization between “us” and “them” that is ultimately dependent on the belief that all

⁴ A band in the U.S. that plays a mix of European music styles, who chose their name due to their musical influences, not personal histories or ancestry.

⁵ Although believed to have its origins in the 1930s with a well-known Gypsy guitar player, Django Reinhardt, this genre continues to be popular today by many non-Roma musicians.

⁶ A fortune-teller and entertainer that frequents festivals in North America.

⁷ “Visible minorities” is primarily a Canadian term with specific connotations. I concur with Bannerji’s assessment of it as an identity category created by the state, understanding that “the adjective visible attached to minority makes the scope of identity and power even more restricted” and indicates difference and inferiority (2007:308).

the members of a given group share a particular trait or behaviour (homogenization). Stereotypes are often reproduced and reinforced through ethnic jokes that serve to distinguish “moral boundaries” and “acceptable behavior” (Davies 1982:384). This exaggeration of a perceived difference between groups disregards any shared elements and justifies unequal treatment at various levels. Stereotypes can be used as tools to define another’s identity through myths of origin, legal policies, community recognition, and popular media, as explored in this work.

Despite the knowledge that stereotypes may be based on erroneous and misguided facts or perceptions, many people treat stereotypical representations as reality and thus give legitimacy to such beliefs. “Prejudices and stereotypes concerning Roma are to be found across the entire political spectrum”, and these provide a form of “cultural legitimation for marginalizing the Roma” (Sigona 2005:746). There are numerous ways through which such stereotypes can be expressed and have consequences on peoples’ lives and their sense of individual and collective identity. Throughout this work, the issues involved in self-ascribed versus externally-imposed identities are raised and explored as part of a larger struggle and forms of negotiation and resistance.

Rom, Roma, Romani

For the purpose of clarity, this section details the use of the words “Gypsy”, “Roma”, and “Romani” in this work. It is important to note that in the past half century, there has been a noticeable shift in how Roma describe themselves, and how non-Roma portray and label Roma in public discourse. As a collective term, “Roma” is often understood as “the ethnocultural self-appellation of many of those perceived by outsiders as ‘Gypsies’...and has acquired the legitimacy of political correctness” (Petrova 2003:111). It is thus considered by many to be a “political label” (Simhandl 2006:97), rather than an accurate means of classification. It has become the preferred term used by “international and national organizations dealing with various aspects of the ‘Roma problem’” (Petrova 2003:114).

Unsurprisingly, “not all so-called Gypsies in the world today recognize themselves as Roma” (Petrova 2003:111). “Many ordinary Gypsies feel uncomfortable with the term Roma. This term sounds artificial, and as a result many continue to self-

identify as Gypsy” (Ladányi and Szelényi 2006:125). Thus the various forms of appropriation and negotiation of these labels can be seen as a negotiation for a positive term of self-identification as well as representing a battle within the power of naming processes. In this way, the struggle of relabeling “Gypsies” as “Roma” can be understood as an act of empowerment and of Roma emancipation (ibid:125-126). Roma themselves then construct “their ethnic group identity with the purpose of articulating their shared interests” (McGarry 2008:450).

With so many negative connotations attached to “Gypsy” and disagreements regarding the meaning of “Roma”, it can be difficult to discuss issues relating to Romani populations without offending someone. Some authors thus use “Gypsy” and “Roma” interchangeably, and others choose only one, no matter what the context. In this work, I have chosen to use the base term “Roma”, along with some of its derivatives, in order to describe my informants and the groups to which they belong. In the Romani language (of which there are many dialects and regional differences), “Roma” means “people” in a plural masculine gender, with a connotation of “us” as opposed to “them”⁸ (Petrova 2003:112; Matras 2002). “Romani” is a common adjective form that means pertaining to Roma (examples: Romani languages, Romani issues, a Romani person), and “Rom” means a singular male Romani individual. Although this seems quite simple to keep track of, there are various conflicting reports, claims, and interpretations regarding these terms. Some have suggested that the term Roma is a recent and fabricated term to benefit Roma in their manipulation of global audiences. For example, there is a heated debate in Romania concerning the use of the term Roma, as many Romanians are angered at the thought of being confused with Roma; some believe Roma chose this name purposefully to pass themselves off as Romanians (Woodcock 2007:504). Subsequently, Romanians have added an extra “r” to the term, making it “Rroma”, and many more “Roma” variations exist in spelling and form, including Roms, Romany, Romanies, and Romanis, depending on the use, user, and context.

⁸ The opposite term to Roma is *Gadje* or *Gadjo*: there are many variations of this word, which means “non-Roma” but often implies derogatory status (Matras 2002; Hancock 1987, etc.). This pair of words – Roma and *Gadje* – sets up a familiar binary for understanding identities and categories of people that is echoed and emphasized in English legal and political frameworks.

Adding further confusion, many news reports and articles, as well as official organizations, tend to be unfamiliar with the differentiation between Roma and Romani⁹. In this thesis, I follow the general lead of my informants and describe them in the terms they themselves have chosen to use. And when I describe a stereotype for either “Gypsy” or “Roma”, I use quotation marks to draw attention to the implied definitions. I also use the respective term or spelling used by the various sources quoted, for the sake of consistency.

Court declares Gypsies and Roma not synonymous: consequences of differential categorization

In the beginning of this introduction, I stated that the skinheads charged in the anti-Gypsy protest in Toronto never received judicial sentences. They were not convicted for punishment because the defense counsel used both “Roma” and “Gypsies” as terms to describe the victims of the hate crimes purported. After seven years of acquittals and retrials, the judge ruled that “Roma” were not the same group as the “Gypsies”, and thus the neo-Nazis had targeted a completely separate ethnic group (Makin 2003). Although this 2003 ruling was later overturned in 2005¹⁰ allowing for retrial, the accused have not been brought to trial again, the protest having happened too long ago (and as one informant presumed, considered too trivial).

Through this example, we can understand the very real effects that differential terms have on people in different situations, and start to see some of the motivations of the various actors involved behind the utilization of certain words versus others. This is only one of such ways in which categories have significant impacts on the people they describe in everyday life. This is not to say that the label creates or produces discrimination or for that matter reverses bias; rather, negative labels such as “Gypsy” reinforce or fuel oppression against a group. Even as we have noted that the general “Roma” label is being adopted by an increasing number of institutes and public discourses as a mark of respect as well as a “politically correct strategy”, it has also been taken by some as a means of equating it with older, racist stereotypes (Woodcock

⁹ However, my informants are glad that despite such linguistic errors, mainstream media in Canada has (for the most part) stopped using the words “Gypsy” and “Gypsies”.

¹⁰ R. v. Krymowski 2005, Supreme Court of Canada

2007:495). Simply replacing a term does not solve the underlying problem: if one views Gypsies as a problem for “civilized” society, chances are great that Roma, Sinti, and Gitanos will be viewed similarly. It is the existence of this particular ethnic group that is cause enough for controversy and heated debate, and it follows that no matter what word is employed to describe them, it will be intrinsically political at some level. According to Simhandl, this is partially due to the fact that categories themselves are instruments used to build political action programs and policies (2006:101). Only when the category itself is challenged, will these programs and policies (and their myriad political, social, and legal consequences) be challenged as well (ibid:101).

Therefore it is unwise to ignore the existence of stereotypical labels in the pursuit of “political correctness” when aiming to understand the contexts surrounding experiences and identities. For my research, I utilized the term “Gypsy” as often as “Roma” in media search engines, while some of my informants preferred the term “Gypsy”. Likewise, Simhandl’s political research on the Roma included the terms Gypsies, Travelers, itinerants, nomads, people with no fixed abode, Roma, and more, just to ensure all relevant policies and texts were being accounted (2006:100). It is especially relevant to seek out all the variants of Roma-related categories because of the way the variants are used by various agents for different purposes.

The ambiguity surrounding who is Romani is reflected in population estimates for Roma worldwide, which ranges from 5 – 25 million, depending on who is counted as Roma and how. The Council of Europe estimates 10-12 million¹¹ (2009); even this official number is garnered from population censuses that are widely acknowledged as underestimating the actual number of Roma. Unofficial estimates double, even triple such census numbers (Marklein 2005) due to a number of factors. Ladányi and Szelényi illustrate some of the causes behind erroneous Roma identification through examining how so-called “expert” opinions often clash with self-identified or otherwise externally identified Romani families (2006), while numerous other authors (as well as the Council of Europe, COE 2009) discuss how lasting historical processes have an impact on current population reports, such as through reluctance to identify for fear of persecution and

¹¹ Excluding many Roma from non-Eastern European regions (such as Kosovo Roma, which would, at minimum, add over 150,000 people) (COE 2009).

discrimination. Ethnic categorization may be used to stigmatize certain groups, and there is a long history of marginalizing the Roma in Europe (COE 2009). The category of “Roma” and its many corresponding labels thus deeply affects millions of people worldwide in innumerable ways.

All of these issues are of particular importance because of recent changes to Canadian immigration policies that specifically seek to limit the number of Romani refugee claimants; their legitimate claims to asylum are challenged because of their supposed manipulative “Gypsy” ways. Various governments, institutions, communities, and individuals are utilizing these various categories – and the respective stereotypes and implications – for their own motivations, and it is critical to understand the processes and consequences produced at each level. Through an anthropological perspective, I inquire how Canadian laws, policies and programs affect Romani communities and how, in turn, Roma interface and appropriate these policies with their individual and collective social and political agendas. This research on the Roma is also useful in understanding the experiences of other refugees and minorities when examining state policies and is intended to fill the current gap in the anthropological literature on Romani communities.

The following chapters are divided into broad sites and themes that demonstrate the changing processes of interaction, negotiation and struggle; the second chapter provides a framework to understand how theoretical and methodological influences impact understandings of Roma identity, the third chapter examines ethnic categories and their historical constructions, the fourth chapter focuses on the refugee process; and the fifth chapter looks toward the Roma Community Centre in Toronto and various examples of Canadian media to understand how different people conceptualize and utilize various forms of Roma representation and identity. The conclusion briefly brings these sites together to discuss future directions and discussions for Romani research.

Chapter II : Fieldwork and themes

This chapter aims to provide an overview of my fieldwork project by first outlining the goals and general framework of this research, followed by the literature review where I examine how the Roma have been represented and portrayed in earlier and contemporary research, and the contribution this thesis offers to the existing literature. Next, I delineate the main themes and key theoretical concepts that underpin the study. Finally, the fieldwork process itself is briefly outlined, with a focus on some of the challenges encountered while conducting research.

These topics are explored in order to understand why it is important to contextualize fieldwork methods and previous Romani literature when examining the various forms and processes of Romani identity reproductions. I argue against a trend in literature which relies on limited versions of histories that do not fully acknowledge Roma self-representations and their role as active agents in shaping their identities and experiences. I propose that Roma have actively selected and combined aspects of their histories and contemporary experiences to achieve different identities and for different purposes. As a non-Roma researcher, it is important to situate my own experiences and perspectives in relation to the various power dynamics and levels at work; that is, it is crucial that I am aware of my own biases and how I have interpreted various theories in understanding the kinds of relationships that emerge in the field.

The goals and framework of creating a project

Anthropology, the study of human cultures and societies, is exceptionally relevant as a tool for understanding the contemporary world, yet it is absent from nearly every important public debate in the Anglophone world. Its lack of visibility is an embarrassment and a challenge....Anthropology should have changed the world, yet the subject is almost invisible in the public sphere outside the academy...Anthropologists should have been at the forefront of public debate about multiculturalism and nationalism, poverty and economic globalization, human rights issues and questions of collective and individual identification in the Western world...But somehow anthropologists fail to get their message across (Eriksen 2006: ix-1).

Upon commencement of my Master's program in August/September of 2007, I had no confirmed Master's degree project. I was returning to the world of academics after taking three years to gain "real-world" experience in North America and Europe. A key

factor in bringing me back to the realm of anthropology was the intention of applying scholarly research to much-needed arenas like human rights abuses and discrimination. In this way, I am not an unbiased and “objective” researcher; yet situating myself within a particular context does not diminish from my ability to examine structural inequalities and how non-elite classes and segments of society are disenfranchised and impoverished. In this context, anthropology can play a role to draw attention to processes that reinforce inequalities and to question how these are experienced in the everyday lives of people. Thus, in this thesis I hope to draw the attention to the marginalization of the Romani refugees in Canada and the processes and policies that have contributed to their oppression. My objective is to shed light on the Roma as historical actors, and as a heterogeneous group with different histories, backgrounds and identities.

The decision to focus on Romani refugees in Canada was a result of three factors. First, I had previous first-hand research experience with Roma, as well as a general understanding of how Roma have been treated contemptuously as a group, after doing ethnographic fieldwork and interviews in Finland in 2002-2003. This enabled me to produce work on the patterns of exclusion and discrimination of Roma in Finland (Butler 2004). Secondly, after moving to Canada, I learned of a Roma centre in Toronto, which provided an excellent site of fieldwork because it is a focal point where multiple relationships intersect and cross, ranging from Roma themselves to agents of the extended host society, and state representatives. The third factor was the change in visa policies that Canada initiated in November of 2007. The lifting of certain visa requirements from select countries meant that new Romani refugee claimants were arriving as I was finalizing my research topic. After some preliminary research, I discovered that Canadian refugee and immigration laws, regulations and policies were neither neutral nor apolitical but were biased against certain categories of refugees and immigrants. This raised questions related to larger social and political processes, but instead of a top-down or a bottom-up approach, I aimed to inquire into the effects of policies on Romani refugees, and in turn, how refugees engage with government bureaucracies and rules. In the process, I noted that Roma foster and negotiate particular identities, whether by reinforcing or negating “Gypsy” stereotypes by invoking particular kinds of historical and political narratives.

The significant processes of identity-negotiation and navigating through power structures by the Roma are examined in order to ultimately demonstrate the need for better-suited and anti-discriminatory policies. Building on these goals, I believe this work can help fill a void in the literature on Canadian Roma and their lived experiences in the Canadian system. This comes at an especially poignant time, as even further visa restrictions and changes have been, without warning, imposed again as of July 15, 2009, on Czech nationals to specifically limit Romani refugee claimants coming to Canada (CBC 2009). These constant changes and discriminatory policies are indicators of larger processes at work that are widely ignored in mainstream literature and news; it is my hope that this work helps encourage greater attention to such influences.

Reviewing the literature: previous Romani research

Themes and topics relating to migration and immigrants – such as diasporas, multiculturalism, transnationalism, refugee identities, ethnic boundaries, language adaptation, determinants of integration, and gender differences – have been at the forefront of much recent academic inquiry (Dufoix 2008; Phalet and Örkény 2001). However, there are few studies on the Romani refugees in Canada. This is not entirely surprising, given that, historically, the Roma have been relegated to the margins of society and in turn are rarely seen as ‘legitimate’ subjects effecting change (Acton and Mundy 1997; Crowe 2007; Hancock 1987). For example, it is rarely noted that Roma lost an approximately equal percentage of their population as victims during the Holocaust as the Jews (Alt and Folts 1996; Hancock 1987, 2005). This lack of attention to Roma persecution is particularly unfortunate considering Canada has a Roma population well over 80,000 (Lee 1997), growing exponentially with recent major influxes from Eastern Europe in the past two years (See Appendices A and B; Walsh, Este and Krieg 2008).

The majority of significant research on the Roma is led by a few key individuals, although there has been an increase across disciplines in recent decades. Before delving in contemporary literature, however, it is important to examine Romani research from its beginnings to understand the shifts in theoretical approaches and assumptions over time and to demonstrate the need for further research.

In the early part of the 20th century, the Gypsy Lore Society (based in Great Britain) dominated Romani studies, being one of the only appropriate avenues in which to publish. Prior to this, almost all of the written record of Roma histories consisted of side-notes and allusions in non-scientific or non-academic venues. Much of the work published and encouraged by the Gypsy Lore Society was completed by linguists, historians, sociologists, and anthropologists of this time who were influenced by perceptions of Britain's Traveller minorities (Romanichals) and the romanticized versions of George Borrow's work¹². The Journal of the Gypsy Lore Society was renamed Romani Studies in 2000, an attempt I believe to distance itself from its questionable past, yet it continues to draw ire by scholars frustrated with its continued perpetuation of Romani stereotypes.

The mid-20th century saw another rise in interest about the Roma, especially topics that dealt with post-Communism, urban communities, and international policies. However, much of the work continued to reproduce the Roma as an "exotic" culture that distinguished "us" from "them". As explored in the following chapter on historical constructions of ethnicity, much of this kind of work was a product of the sustained racist and erroneous beliefs regarding the Roma. Fortunately, the late 20th century brought a renewed attention to Romani issues, and the number of researchers examining such issues, as well as challenging older conceptions, has grown exponentially (Spencer 2009).

There is now a variety of substantial and well-regarded works dealing with Romani issues that span the fields of anthropology, linguistics, history, law, social work, geography, education, political science, biology, music, genetics, international relations and security, economics, literature, and more. The creation of a worldwide Romani Congress in the 1970s (Kenrick 1971), international organizations like the European Roma Rights Centre (ERRC; which publishes exclusively on Romani issues), and projects undertaken by the EU for Roma awareness have all helped contribute to the creation of a new corpus of literature named Romani Studies, which illustrates a major shift in attention and interest. Although this now-present collection of works is impressive when compared to its availability two or three decades ago, there is still an

¹² George Borrow wrote a partly autobiographical work titled "Romany Rye" in 1857, as well as a book on the Anglo-Romany dialect in 1874, but the veracity his work is based on is often disputed.

overall deficit of research. A quick search for Roma-related books or articles in most library catalogues will return only a fraction of the hits received for searches on similar or proportionate minorities, despite their ubiquitous presence, relative size, or their long, complex histories in Europe.

Another problematic aspect of Romani research is the paucity of Romani scholars and authors; only in the past decades have some Roma been able to publish their own works. Various prejudices and factors have limited Romani individuals' means to education and publication, a result of limited public interest and legitimization by academic institutions. For example, Ronald Lee's autobiographical novel, "Goddam Gypsy" (1971), which details his life as a Canadian Rom during the 1950-1960s, is currently out of print because of a lack of interest.¹³ We can see that despite the increasing number of study arenas dedicated to Romani research, there are often few voices present by Romani individuals themselves. There is hope, as works published by Roma are slowly growing thanks to the efforts of key Roma activists like Ian Hancock, Ronald Lee, Thomas Acton, and Dimitrina Petrova, and Roma advocacy organizations and programs like the ERRC.

A comprehensive list of influential Romani works cannot be adequately explored here; however, this section intends to provide an overview of the types of work being published on the Roma so that the processes of identity construction and negotiation and power relations that influence such works can be explored in later sections. Nonetheless, no summary of Romani-focused works is complete without mention of Crowe's "A History of the Gypsies of Eastern Europe and Russia" (2007), Hancock's "The Pariah Syndrome" (1996) as well as his subsequent works, Fraser's "The Gypsies" (1992), or Matras' "Romani: A Linguistic Introduction" (1999). These works are considered watersheds in Romani research because of their contributions to furthering understandings of Romani histories and cultures. Yet these works were created by historians, geographers, and linguists. Further excellent researchers, such as Acton (1997), Marsh (2006), Strand (Marsh and Strand 2006), Willems (1997), Belton (2005), Liebich (2007), Weyrauch, Guy (2001), and many more received their degrees and

¹³ It is the only autobiographical novel on Roma in Canada I have come across. However, there are current plans to re-print it with the original title the author wanted: "The Living Fire".

specializations in the fields of sociology, Romani studies, history, education, politics, international relations, law, and more. So what has anthropology contributed towards Romani research?

There are few anthropologists who have chosen to focus on the Roma; in the past, reflexive perspectives on Romani cultures and peoples were rare, seeing as they challenged previous ethnocentric anthropological paradigms and were thus unacceptable subjects of study. In 1957, Fredrick Barth's anthropology PhD work was failed as a direct result of having undertaken an "unworthy" subject – the "Gypsy underclass" in Sweden (Spencer 2009). Nowadays, his name is highly recognizable for his distinguished and accomplished anthropological work examining ethnic groups and boundaries, although he never again worked with Roma. In his discipline-changing work, he challenged traditional anthropological understandings of bounded culture to argue that ethnic groups are not formed due to a shared culture but rather on the basis of cultural differences (Barth 1969), a perspective that was surely influenced by his experience working with Roma. Furthermore, he believes the on-going negotiations of group boundaries are necessarily not isolated or static; instead, ethnic identities are interconnected and interdependent and will persist even as group members move across boundaries or share other identities (Barth 1969, 2000).

In 1975, Anne Sutherland's anthropological book "Gypsies: Hidden Americans" focused on Roma, and she continued to publish on Romani topics such as the body as social symbol (1977). In 1983, Judith Okely's "The Traveller-Gypsies" was published as the first-ever socio-cultural anthropological book on British Roma. This work was born out of her anthropological doctoral work on English Travellers in the 1970s. She and Sutherland were able to succeed despite the fact that Roma were still deemed a risky academic subject upon which to make a career in that time (Spencer 2009). Soon after, Gmelch's work on the Tinkers in the 1970s built on this beginning foundation of Romani issues and helped secure Roma (in the UK, at least) as a suitable anthropological focus.

More recently, Michael Stewart's "The Time of the Gypsies" (1997), and his reflections on the processes within genocide and ethnic marginality (2001, 2007) and the politics of Holocaust remembrance for Roma (2004), has contributed to significant anthropological perspectives on the Roma. In addition, Paloma Gay y Blasco's work with

Spanish Gitanos (2001, 2002), and Alaina Lemon's examination of post-communist Romani performance and memory (1998, 2000) have been excellent works in a mostly empty field. The last book published involving an anthropological view of Roma (at the time of this review) applied anthropological theories to the contradictory positions Roma are often assigned within or subscribe to in England when understanding the concept of "Gypsiness" (Buckler 2007).

There have also been some works that attempt to use anthropological methods or are associated with anthropological research undertakings. However, works such as these often reinforce negative stereotypes and err on a simplistic model of analysis. For example, "Gypsies in the City: Culture Patterns and Survival" was written by a sociologist and tended to paint a negative representation of most North American Romani groups (Gropper 1987). The book "Rom" attempted to tease out the true origins of Romani people using interviews and multi-sited fieldwork, yet its author had no academic or anthropological training and erroneously arrives at conclusions that are ill-supported and stereotypical (Moreau 1995). These kinds of works, in addition to others by academics and non-academics alike, can unfortunately do more damage than good. Not only are policies and programs built on the foundations created by these works (such as the contemporary visa restrictions based on beliefs that "Gypsies" are criminals out to abuse the refugee system), but they also affect the relationships between Roma and the societies in which they live. Many Roma thus view this kind of body of literature as purposefully manipulative and misguided.

This is all the more reason that an anthropological approach is needed on Romani issues. Most of the anthropologists working with Roma today examine issues in the UK and Europe. David Sheffel is the only well-known Canadian anthropologist who examines Romani issues; he produces various works about Roma, including the documentary "The Gypsies of Svinia" (1998) and book "Svinia in Black and White" (2005), as well as helps coordinate development programs for Roma in Svinia. His dedication to the alleviation of human rights abuses and suffering is a much-needed endeavor in the field of applied anthropology. Yet Scheffel works mostly on European Romani issues, and we must inquire if there is any research being done that deals specifically with Canadian Roma.

Ronald Lee has written various articles on Canadian Roma history, language and immigration to Canada in journals such as the *Cambridge Review of International Affairs* (2000) and the *American Journal of Comparative Law* (1997), in addition to his autobiographical novel (1971). There is also a documentary produced by the National Film Board of Canada entitled "Opre Roma: Gypsies in Canada" (1999). In the book "Roma Migration", there is a chapter specifically on Hungarian Roma emigration to Canada by Hajnal (2002). Walsh, Este and Krieg produced a social work-oriented article on Romani refugees in Canada, detailing the goals of the "Roma Project" (2008).

Beyond these works, information and research on Canadian Roma is limited, especially when it comes to anthropological literature. Although anthropologists examining Roma have done exemplary work in Romani studies and projects, and continue to publish on Romani issues, none of them work specifically with Canadian Roma. However, with the recent upsurge in Romani refugee claimants in Canada, more attention is being drawn to this increasingly large population.

The concept of identity

There are innumerable processes and factors that intersect to produce various refugee experiences and subsequent identities, including: education, housing, host-language acquisition, family reunification and dynamics, persecution and violence, inter- and intra-ethnic relations, governmental policies, international politics, community resources, generational differences, assimilation/integration programs, diasporic and transnational networks, multiculturalism, economic and market conditions, physical and mental health resources, and more. These are all areas that shape the lives of refugees and thus create subjects and issues of research.

My work is chiefly concerned with issues relating to the discriminatory experiences and processes of a historically and contemporarily persecuted ethnic minority. To that end, I rely on many different anthropological theories and methods to bring these issues into focus. The primary concepts that underline my work are the various processes involved in producing and redefining identities. These are not rigid and unchanging processes: they must be understood as dynamic and intertwined concepts dependent and interacting within the varying contexts. Although briefly introduced in the

first chapter dealing with stereotypes and Roma representations, a foundation for the following discussions on Romani identities is gained through a general understanding of what identity “means”, both in individual and collective contexts, as well as significant factors that influence these notions, like ethnicity, stereotypes, displacement, and representations. Identities need to be conceived as concepts and agents of resistance and negotiation. These themes are interwoven and inseparable from each other as they are vital to understanding the dynamic processes that are discussed through how Roma experience and affect their identities through place, time, and varying contexts.

Identity is not an essential concept or a given that one sets about to discover, but a construction and process in constant reformulation (Hall 1990, 1997); most authors writing on “identity” agree that it is conceived in terms of an “other” (Said 1979, 1989). That is, who I or we are can only be constructed in terms of differences between a group and another. In this process of creating a common narrative and a unifying discourse of “us”, the past or historical narratives are often invoked, as well as differentiations based on ethnic groups, nationalities, religions, and any other characteristic, belief or decision that can distinguish one group from another. Ethnic groups may use a combination of such features in order to see oneself and be seen by others on the basis of a group’s presumed ancestry and common destiny (Zenner 1996:393). The “ethnic arena is a useful concept for describing situations in which individuals may have several different identities and where ethnic boundaries are often unclear...Ethnic identity is a product of interaction between people with different origins and identities” (ibid:393-394).

Thus identities must never be examined as static homogenous labels, as within collective terms that represent identities there are often many different narratives that distinguish individuality from an overarching collective identity. This is an issue that is discussed in later sections as it remains a contentious arena with many legal and social ramifications for Roma. The complexities of creating and reproducing collective identities, especially based on nationhood, as examined by Anderson (1991), creates an understanding that collective identities are partially formed through the use of ethnicity as a label and identity in order to delineate differences and make present claims. This perhaps is even more significant due to the fact that Roma do not seek to return to a particular territory or gain any particular citizenship identity, but instead mobilize

historical narratives to put forth a "Roma" ethnicity in order to achieve equal human rights under various laws to prevent further persecution.

However, as Roma are not a homogenous ethnic group, but rather a continuum of related subgroups, complex and with flexible, multi-level identities, "it is difficult to say to what extent a shared consciousness of belonging together can be ascribed to the larger group of communities labeled by the external world as Gypsies" (Petrova 113-114). This is a struggle that many Romani leaders, advocates and representatives face on a daily basis. Maybury-Lewis understands that "ethnicity is...a sense of relatedness that is ascribed to peoples, either by themselves or by others or both", but more importantly, that ethnicity is actually a latent concept that only comes into play once certain criteria are activated and deemed the defining characteristics of an ethnic group (2002:47-48). McGarry concurs that in the case of the Roma, one must not assume that a distinctive ethnic group possesses a strong and well-developed identity (2008:450). As mentioned in the introduction, Roma do not necessarily share cohesive identities, although actors may continuously attempt to construct such identities through intersubjective interaction within and between groups (ibid:450).

It is my intention to draw attention to the processes of identity as more than one-dimensional or directional methods; instead there are the various levels of agency (individual, collective and societal, and governmental/institutional) and multiple ways of conceiving and enacting power and agency through identity development. This can be achieved through looking towards Foucault's understanding of power relations and resistance as things that permeate all levels of society (Beers 2001), as well as how these ideas are now incorporated in ethnographic methods and conceptualizations (Gupta & Ferguson 1997:5). In addition, Bourdieu and Passeron (1977) allows a further understanding of social agents that reinterpret and reappropriate culture instead of only enacting it (Gupta & Ferguson 1997:5), making Roma active rather than passive agents, as they have been traditionally viewed.

Forms of identities created and negotiated through resistance make up particularly useful, albeit contested concepts as well. Ortner recognizes the limitations of resistance yet regards it as a useful category that "highlights the presence and play of power in most forms of relationship and activity" (1995:175). In this regard, Roma have their own

politics, which can be applied to the belief that actors do more than merely oppose domination and produce mechanical reactions as strategies of resistance (ibid:177), and these are accomplished on different scales and levels, including individual acts of resistance and conflicted, contradictory or ambivalent large-scale resistance movements (ibid: 179), such as the ones involving Roma naming and Roma representation.

Looking beyond dominance/resistance binaries, we see there are a variety of ways in which groups can respond and affect their identities. Some Roma have been less expressive in their struggle against persecution and are perceived as having passively resigned themselves to the status quo, while others have engaged their specific ethnic or group identity projected onto the majority in order to challenge dominant norms and practices (McGarry 2008:451).

The Romani community is targeted through discriminatory practices as a group, which means that their interests are shared. Put simply, Roma are marginalized and oppressed collectively because of their ethnic group identity, resulting in their interests being informed by this collective experience. Sometimes interests are general (addressing discrimination) and sometimes they are specific (preventing the perpetuation of negative stereotypes in the media), but as a rule ethnic identification will dictate which interests are articulated. Because Roma retain many interests (both individual and shared), the role of organizing structures of representation becomes important, for it is through these institutions that shared interests find expression (ibid:451).

The effects of displacement on individual or collective identities are often neglected issues with respect to Roma. Despite the fact that "displacement changes life so drastically that, in a sense, everything displaced people do is a response to their circumstances" (Cusano 2001:154), Romani cultures and people have been assigned static and stereotypical roles throughout history, which affects present dynamics on multiple levels. It is important to point out how the concepts of categories and boundary-creation/maintenance have been embedded in the premise of stable societies, not adequately taking into consideration how displacement inherently changes these processes (Colson 2003:4). Through later discussions on historical processes that have encouraged a particular version of history, not necessarily versions that Roma remember or have experienced, Romani identities are ascribed to certain marginal positions with continued political and social consequences.

Into the field: research methods

In order to gain a comprehensive view of Romani refugee experiences, my research included as wide a range of people as possible: instead of only interviewing Roma Community Centre (RCC) members and established Romani refugees, I expanded my fieldwork interviews to incorporate individuals involved with the refugee process and hearings in as many different positions as possible. My fieldwork is outlined through the methods I chose as well as the challenges I encountered so as to provide context for the research I conducted. Most of my fieldwork was conducted between June 2008 and August 2008 while I lived in Toronto, Ontario. During this time, I conducted numerous interviews, networked with a wide range of people, attended RCC-related gatherings and meetings, witnessed an Immigration and Refugee Board (IRB) hearing, and participated in many other activities. I met with and interviewed Romani refugee claimants still awaiting hearings, IRB translators, a psychiatrist who often works on IRB cases, a legal counsel who specializes in representing Romani clients at IRB hearings, an education settlement worker who works with Romani children of refugee claimant families, and community leaders and workers within various organizations whose main members include successful refugees and refugee claimants. This is in addition to interviews with new Romani refugee claimants, established Romani refugees, and any community members I met through the RCC. Overall, I carried out approximately 25 informal interviews and 15 further unstructured or semi-structured interviews, as well as many hours of participant-observation at the RCC and RCC-related gatherings.

My methods included participant-observation and informal, unstructured, and semi-structured interviews. All three of these interview types allowed me to follow the lead of interviewees in order to gain a more accurate sense of participants' lived experiences. Informal interviews generally meant 'hanging out' with informants (Bernard 2006: 211). This was best accomplished at large Roma gatherings and at the RCC, when it was not appropriate to single individuals out for interviews and when it was important to gain an overview of how the centre was run, how people interacted with one another, etc. Unstructured interviews are based on a clear plan but are characterized by a minimum of control over the participant's responses (ibid:211). I used this kind of interview with the majority of my participants and informants, especially in the beginning

weeks of my fieldwork so that I was able to get a better understanding of the issues and topics they felt were most important. Finally, semi-structured interviews were mostly used when it was likely that I would not have a chance to meet repeatedly with a participant one-on-one; since this interview type is based on a written specific questions and topics, there was still room to follow new leads in conversation since there is not an excessive amount of control, while also being able to come back to comparative points and questions (ibid: 212).

While conducting the interviews, I took copious notes when appropriate and used a tape recorder when I had explicit consent from the participant, as detailed in my ethics statement. I listened to each interview as I transcribed and coded relevant sections while also going over my notes. This enabled me to extract the issues that were discussed over time in a variety of manners by different individuals. Needless to say, I was not able to record every interview, nor able to even take notes at all times while conducting participant observation. At certain times, I was simply forbidden by law to take notes or record (at the IRB hearing), while other times I felt it best to observe, rather than draw attention to my work (at the RCC Board meetings).

However, my fieldwork was not only limited to the ten weeks I spent living in Toronto. I began initiating contact with future informants far in advance and kept in touch long after I moved back to London, Ontario. My first phone conversation with Paul St. Clair¹⁴, Executive Director of the Roma Community Centre, took place in December 2007, and our first in-person meeting was in January 2008. Meanwhile, another contact had returned my inquiry and we also began a lengthy correspondence via email and phone before meeting in person. In the coming months, I spoke with both contacts several times on a variety of topics, including my project plans. I was invited to the International Roma Day Party in April 2008, which was my first opportunity to meet many of the Romani community members of the area. In a similar manner, I continued attending Roma celebrations, like the Roma Christmas Party in December 2008, long after my summer fieldwork period was over. I continue to receive invitations to RCC gatherings and meetings, which I attend whenever possible.

¹⁴ Although my informants are represented in this work by pseudonyms, St. Clair is not. He is the official representative for most of the RCC's work, and he has given permission to use his real name.

Challenges

Every project has its own set of challenges – some are unique to the circumstances, others are more general obstacles faced by many anthropologists. It is important that some of the challenges I encountered are examined so that my work can be situated within its own framework. Although I certainly had more than a few difficult situations to navigate, I have chosen these examples to best represent the kinds of issues that must be dealt with in such a project.

As many anthropology students come to learn, starting “cold” in a new community and new surroundings is a very difficult thing. This is particularly true when doing work with oppressed and marginal segments of society or groups, such as the Roma, whose experiences taught them to be cautious when dealing with non-Roma. My fieldwork experience in Finland taught me that I should begin building contact and rapport with any potential Romani networks and individuals as soon as I was able. Because it was very important that my research would be achievable within my timeframe, I started work early on building a network upon which I could contact to confirm my project plans.

To this end, as noted above, I contacted St. Clair, because as the Executive Director of the RCC he is a critical actor within the Romani communities in Toronto. When I was finally able to get a hold of him, I was abruptly reminded of the fact that my work is in many ways an intrusion into another world. My initial excitement of a project quickly turned into despair; although he was enthusiastic about my interest in Romani refugees and volunteering at the centre, it was clear that I could not assist him in any capacity the centre needed. “Do you speak Hungarian?” “No.” “Do you speak Czech?” “No.” “Do you speak Slovakian, Russian, Turkish, Romani?” “No...” At this point, I had to question myself and reevaluate my project – was I just another out-of-touch scholar interested in capitalizing on the Roma as so many have done before? What value could I bring to the centre in order to justify my involvement? Would I even be able to communicate with any Romani refugees if I did not speak their languages?

Although I had prepared a list of things I thought relevant for our first meeting, the almost two hour-long meeting went off in directions I could not have predicted. I learned a great many things, one of which was the pressing need for research on the

biases that are inherent in the Canadian refugee system towards Romani refugee claimants. This became the first of many conversations I would have with St. Clair, as I gradually learned more about his role in the community. He also described to me the legal frameworks that Romani refugee claimants navigate in order to be recognized as legitimate refugees, and thus my project evolved to incorporate my interests along with issues that were of specific significance to the Roma Community Centre and its members.

Another kind of fieldwork challenge I encountered was a result of how anthropological methods are used in contemporary settings, as well as how researchers must overcome more general challenges when working with Romani groups. For example, participation-observation techniques are based on the premise that one can gain access to a community and participate within it. Not only are Romani communities often closed towards outsiders and many researchers have difficulties convincing Roma to participate (Hancock 2005, Ladányi and Szelényi 2006), but accessing individuals is a time-intensive undertaking in contemporary urban settings where people have full-time jobs, inflexible schedules, and often live long distances away (Low 2005). Although I made sure to try and fit in as many interviews and as much time as possible at the RCC, my research ended up much like how Cerwonka describes her own:

“the tempo of ethnographic research (like most knowledge production) is not the steady, linear accumulation of more and more insight. Rather, it is characterized by rushes of and lulls in activity and understanding, and it requires constant revision of insights gained earlier.” (Cerwonka and Malkki 2007:5)

I was able to help alleviate the challenge posed by urban ethnographic methods by initiating contact with two Romani community organizers well ahead of my fieldwork time and attending as many group meetings as possible. Through association with these contacts and early participation, I have no doubt I was able to gain more insight so as to be in a better position for individuals to speak more candidly with me about their experiences. Through this early building of familiarity, I was also able to partially work around informants' schedules as they felt more comfortable inviting me to their homes or their frequented coffee shops.

A second obstacle was the language barrier – as one can infer from my early conversation with St. Clair, most of the new Romani refugee claimants did not speak

English. Whenever someone could only speak in their own regional Romani dialect or any other Eastern European language (Czech, Hungarian, Slovak, etc.), I needed assistance with interpretation. But language was not a barrier when speaking to government officials, etc., and there were many Roma who did speak English.

Hopefully, this section has served to provide a basis to understand how I have come to be aware of the larger themes of contestation and negotiation that occur at multiple levels regarding Romani identities. Not only are Roma affected by various means of categorical processes, but they in turn affect how individual and collective identities are utilized for different purposes. The following chapter provides historical context through which to situate dynamic Romani identities and their implications.

Chapter III : Producing histories and ethnicities

He who controls the past, controls the future. He who controls the future, controls the past – George Orwell, *1984*

The vast majority of scholars today agree that all knowledge, including historical productions, cannot stand outside the “various sociocultural, historical, and political formations” (Said 1989: 211). Indeed, the past is contested, reshaped and reinterpreted depending on a particular present. This is especially salient in the case of the Roma, wherein Romani “origins” and histories have played instrumental roles in the experiences of Roma and the formation of Romani identities. The main issues in this chapter revolve around how various interpretations and traditions of Romani histories have limited or otherwise affected contemporary expressions of Romani identities.

The creation and reproduction of a specific and fixed notion of Romani ethnicity throughout history by non-Roma has untold implications on how Roma today experience individual and collective identities in various contexts. I argue that past beliefs regarding Romani ethnicities must be analyzed so that current issues of discrimination, persecution and human rights abuses may be better understood. It is important to acknowledge the variety of experiences that in turn influence collective notions and representations. Therefore, it is not surprising that one of the most debated topics within Romani research is the issue of an “authentic” ethnicity – do Roma constitute a distinct ethnic group, with the rights and privileges accorded to ethnic minorities? Such a question ineluctably leads to historical analysis in order to lend legitimacy to the concept of ethnicity. Consequently, the past and present are inseparable processes, whereby the past shapes the present as much as the present context and interests shape how we interpret the past.

Roma did not keep written records of their travels as histories and events were transmitted orally across generations. Written accounts of their origin, routes, culture, and language have come almost exclusively from non-Roma, usually Europeans. When acknowledged at all, what has been documented about the Roma has been “written in ignorance, prejudice and incomprehension” (Fraser 1992:10). The tendency of Europeans to ignore Romani history extends beyond simple ignorance: even when confronted with information by Roma detailing their Indian origins, no one believed it or took much

notice (Hancock 2005:2). When Fraser published his work, "The Gypsies", it was included within the series entitled "Peoples of Europe": as the very idea that Roma could be considered "European" prompted much controversy, Fraser had to justify their inclusion within this category (1992). As Iovita & Schurr have noted, this tendency to actively disregard Roma in historical frameworks (as noted by many authors like Mundy (1997), Crowe (2007), Hancock (1987; 2005)) has undoubtedly culminated in research biases across disciplines and is only very recently beginning to come under closer critique (267:2004). Hancock (2003), Okely (1982), and Lee (2000) are some of the few researchers that are working to dispel biases and histories concerning the Roma and instead piece together multiple lines of evidence that recreate and tease out Romani history through acknowledging differential power and identity dynamics.

In light of the above, this chapter examines the various versions of Romani history, as much as their absence from historical records, and how these diverse interpretations of Romani pasts and "origins" have led to different experiences in host societies. These discussions intend to provide a historical background on the Indian origins of the Roma as well as to understand the many varieties of origin myths that surround and influence the Roma as an ethnic group in the past and the present. Although the connections between Roma and India as their country of origin are not new, the debate on the specifics of their Indian past continues. This debate on origins has consequences to how individual and collective identities are reproduced through time.

The first section of this chapter, Out of India, focuses on various ways of understanding the Roma as a group whose ancestors left India in approximately 1000A.D. Within this section, methods and evidence are explored in the context of how histories are created. Then the full implications of why a particular Indian theory has caused such hostility and reluctance among researchers are discussed. Alternative origin beliefs are then explored, including the long-held Egyptian connections. The second section of this chapter explores the numerous ways in which these various origin myths continue to affect representations of the Roma, and the processes that foster a collective identity. I begin this discussion with two excerpts from Romani informants, showing the political consequences of issues pertaining to ethnic legitimacy and marginalization. I then move to explore the European contexts, which have long histories of xenophobic

attitudes and discriminatory policies. This is important to understand Romani experiences as refugees, and the effects of persecution as central to collective identity.

Out of India

Acknowledging India as the country of origin for Roma is not a recent finding; this connection was published in the late 1770s (Matras 2002:2), followed by other studies positing a similar origin. Yet this was only the beginning: further linguistic, cultural and genetic inquiries conducted all concur that Romani origins are based in India. Multiple aspects of Indian migration – such as routes, numbers, and causes – were explored, with some authors presuming a single exodus from India, while others proposing “a slow continuous trickle of small nomadic bands” (Kalaydjieva 2005:1085). Hypotheses regarding the population composition of proto-Roma “range from the lowest strata of the Indian caste system, to a mixed society of warriors and camp followers fighting off the early Islamic incursions in the north of India” (ibid:1085).

Using language, culture and bodies: historical contexts of Romani research

The various theories detailing Indian origins for Roma have used multiple methods and lines of evidence to support a wide range of speculations. Central to many of these theories are Romani individuals and communities: their language, culture, and physical bodies have been studied in numerous ways, often reaching different conclusions, depending on who did the research and within what technological limits and academic or social paradigms.

Romani roots and linguistic data

Romani language dialects and cultural traditions not only often play important roles for modern Romani communities and identities, they represent some of the most unique and identifiable aspects that can contribute to tracing their Indian origins. Similarities between the declensions, grammar and vocabulary in their language and in those of Central India makes an emigration around 1000A.D. seem probable (Block 1939:40). Furthermore, the primary unit of social organization in Romani groups closely resembles the professional *jatis* of India, interpreted as additional proof of Indian origins (Kalaydjieva 2005:1085).

One of the earliest recordings of a distinct Romani language group occurred in 1547 and was mistakenly assigned an example of “Egipt spreche”, i.e. “Egyptian speech” (Fraser 1992:10). Further misunderstandings and prejudices led to the definition of Romani dialects as mere jargon developed by thieves (Block 1939:39) – simultaneously negating any context for an “authentic” Roma/Indian ethnic identity and stereotyping Roma of the time as criminals and swindlers. It was not until a chance encounter between a scholar and some Indian acquaintances that produced a vocabulary list understood by neighbouring that a link was made between the Romani language and an Indian language of Aryan origin connected to the original Sanskrit (Block 1939:39-40). After Rüdiger’s publication of a systematic comparison of Romani with Hindustano in 1782, numerous studies then followed by fellow researchers (Matras 2002:2).

Any research of linguistic connections between Romani and Indian dialects will turn up many of the same authors and analyses. Willems has created a “top-ten” list of the most important contributors to Romani language studies: Pott, Grellman, Miklosich, Borrow, Leland, de Goeje, von Wlkslocki, Bataillard, Paspati, and Smart and Crofton (1997:12). Matras instead focuses on three notable authors/moments within Romani studies (ibid:3): Pott, for his grammatical and etymological dictionary of Romani in 1844-1845; Miklosich, for his sixteen-part dialectological surveys from 1872-1880 and 1874-1878 that partly reconstructed Romani migration within Europe; and the establishment of the *Journal of the Gypsy Lore Society* in 1888, for its role as the main forum for research on Romani language, despite its already noted unsavoury tendency to exoticize and publish fictitious accounts as truths. In general, Pott is acknowledged as the author of one of the first scientific works researching Romani language, and is sometimes called “the father of gypsy language” (ibid:2), yet this label is especially interesting considering he never was in direct contact with any Roma himself (Block 1936:40). This “analysis at a distance” is characteristic of many past and present works on the Roma.

The type of linguistic tools used in comparing Romani and Indian languages/dialects consist of sound, structure, and lexicon analyses (Fraser 1992:14). This means that although two closely related languages might have a large number of similar words, it is particularly important to observe grammatical structure and “conservative” words of basic significance, which are the least likely to have been

substituted or changed along linguistic evolution (ibid:14-15). This kind of analysis has been utilized to reconstruct Roma's physical and chronological routes from India into Europe, believing that the concentration of certain vocabularies from different languages directly correlates to the amount of time the Roma spent in that area (Block 1939:42-43). This can be imagined by visualizing an onion: the outer thin layers represent the most recent vocabulary additions to the language, varying from region to region, while the innermost thick core layers are mostly unchanged, representing the older basis upon which the language is built. Another such method, sometimes called glottochronology or lexicostatistics, examines language splits in terms of real time based on divergence from a common ancestor (Fraser 1992:29), and is used to predict variance through temporal analysis.

Biological and genetic research

More recently, sophisticated genetic research has yielded definitive biological "proof" of an Indian origin for modern-day Roma. The practice of using physical definitions to isolate or define a population has bad beginnings, as eugenics and early physical anthropology led to racial profiling and genocide. The first large-scale study that physically differentiated Roma from majority European populations was published in 1932 by Pittard, who applied tape and calipers in order to reach the conclusion that typical "Gypsy" was taller than his European average, legs comparatively long to the torso, heads were dolichocephalic (long headed), and that most had black hair, small ears, wide eyes, long narrow noses (Fraser 1992:22-23). This he deemed to be a very pleasing combination of physical attributes and awarded them a very honourable place in human aesthetics (ibid:22-23).

However, there were problems in finding a "racially pure" sample that would lessen confusion over the seemingly complex ancestral composition (ibid:22-23). Later methods used ABO blood group genetics to try and trace migration paths, but again encountered inconsistencies in how to define a "Roma sample" and account for "racial admixture", in addition to allowing for random genetic change (ibid:24). Even today,

popular DNA tests¹⁵ that determine genetic ancestry (usually using what is considered to be the four main “parent” populations: western European, west African, east Asian and indigenous American) depend on the conceptualization of a “pure” population in the past. This belief in a “pure” or “uncontaminated” sample population that can define a group through genetic means is often carried over into social beliefs and issues of legitimacy as to who is, and who is not, a member of a particular ethnic group.

Recent genetic research has new technology that combines detailed knowledge of the human genome with rapidly accumulating records of global genetic diversity that allows a more accurate comprehension and understandings of the routes and compositions of proto-Roma groups (Kalaydjieva et al. 2005:1085). There is also an interdisciplinary trend – as evidenced by geneticists citing “close interaction with cultural anthropologists” as a key component to their research (ibid:1085) – that aims to combine various sets of data into a more comprehensive and less exclusionary analysis.

Gresham et al. suggest that Romani founding lineages are Indian in origin and indicate “a limited number of related founders, compatible with a small group of migrants splitting from a distinct caste or tribal group” (2001:1328). Kalaydjieva et al. concur, and signal homogeneity among these founders, possibly being a small group of related individuals from a single, ethnically defined population (2005:1086). They also provide “unambiguous proof of the Indian ancestry...from three genetic marker systems”, one of which is a mutation found on the same ancestral chromosomal background in Gypsy, Indian and Pakistani subjects (ibid: 1085). The Indian origin itself is not surprising, but significantly, there is “strong evidence of the common descent of all Gypsies regardless of declared group identity, country of residence and rules of endogamy” (ibid:1086). Gresham et al. note that “geography has no relevance to genetic structure, even when Romani populations living in close proximity in the same small town are considered”; this contrasts with findings for other European populations (2001:1328). These points of data corroborate the conclusions made by many anthropologists who have stated the irrelevance of geographic borders/boundaries on the Roma (ibid:1328). Instead, a better

¹⁵ The DNA Ancestry Project encourages people to buy various tests that will trace paternal or maternal lines to “begin your journey”. Family Builder sells kits to “trace your ancient ancestors”. These tests cost into the hundreds of dollars. Many commercial laboratories – understanding the lucrative business of ancestry – are joining in this industry; for a comparative list, see USA Today’s article (2006).

means of classification criteria are language and the history of migrations (ibid:1328). This is a good example to demonstrate the arbitrariness of various categorical classifications: one researcher may use geographical boundaries, another may use linguistic, and another genetic markers.

Problematic evidence: challenges in "proving" ancestry

Research on Romani people's origins often presents itself as a kind of proven history, above critique because it is based on gathered facts. If nothing else, one must always question the contexts in which facts are gathered, the motivations behind their collection, and what flaws they may intrinsically possess.

Although very informative and impressive, linguistic analysis techniques that examine Romani history through the origin and evolution of Romani language have their own kinds of challenges. Romani has traditionally been an oral language with no conventional way for writing out dialects and therefore any written transcriptions have necessarily been recorded or translated phonetically in the alphabet or language of non-Roma (Fraser 1992:13). Early analyses of Romani as recorded by Europeans must therefore be examined within this context. In addition, methods relying on a constant rate of vocabulary and grammar acquisition/loss ignores the large impact social factors have on linguistic change, especially given the trend of Roma to move frequently and speak the languages of their countries of residence (ibid:30).

It is also very critical to understand that modern genetic research has limitations as well when using genetic evidence for insight into the past.

Current genetic data may not mirror accurately the original composition of the migrant proto-Romani population; the profound effect of genetic drift due to a small population size would have been complemented by the history of violent persecution of the Roma in Europe, culminating in the death camps of the Second World War... Whereas genetic differentiation appears to carry the imprint of the early European history of the Roma, social diversification seems to be the product of a recent restitution of the traditions of the ancient country of origin" (Gresham 2001:1329)

Geneticists can only look at the evidence that is left behind today from past events. The narrowing of the genetic gene pool that Gresham et al. cite is only one way in which Romani lineages have transformed in the past. Other social causes that would have a

narrowing effect include ethnic cleansing, extreme forms of discrimination, and forced adoption and sterilization measures. Various physical causes would include physical boundaries (affecting migration routes), environmental changes, and disease (like how the bubonic plague narrowed the European gene pool). All of these factors contribute to the ancestral lineages of Roma today.

Significantly, there are some negative consequences in relying on genetic research to identify and explain Romani heritages. This method, when used solely for determining ethnic identity, can be erroneous and not take into account the differentiation of power within legal or other frameworks. As with using any other bounded classification, biological definitions ignore self- and externally-imposed social and cultural means of identification. Ladányi and Szélényi provide an excellent discussion and analysis within their work, examining attempts that use external agents as “experts” in ascribing the “Gypsy” label onto individuals and families (2006:123-146). As already mentioned, certain companies now provide DNA testing and analysis for the general population. However, there can be extreme impacts on individual and collective identities when one’s oral history or belief of ancestry does not match to the biological “proof” that is found: as one person states in a news article discussing this topic, “I’ll never see my family tree in quite the same way” (USA Today 2006). Contemporary and past laws have actually depended on categorization based on genetics; one may claim “Indian Status” if certain requirements are met (INAC 2008), and previous laws in the US affected one’s legal status if they were of any “mixed” ancestry containing African heritage (Wright 1994). Much like how single physical characteristics are not effective means for setting fixed ethnic boundaries¹⁶, genetics alone cannot account for self-identification or group membership.

Genetic and other scientific findings can also be used to perpetuate false stereotypes or provide a means for legal discrimination. For example, controversial racial delineations are used by researchers such as J. Philippe Rushton, who is infamous for arguing that there is such a thing as a hierarchy of intelligence for the three “macro-

¹⁶ Drew Hayden Taylor provides funny but pertinent accounts of justifying his inclusion within his ascribed ethnic group (Ojibway) despite looking dissimilar in his books “Pretty Like a White Boy” and “Funny, You Don’t Look Like One”. People have preconceived ideas on how Indians are supposed to look and act, and he is constantly asked “you’re not Indian, are you?” from both White and Native people (p.9-10).

racess" (East Asians are first; Europeans second; Africans; last). His work also includes the Roma; through administering tests that do not take into account varying levels of socio-economic means or linguistic capabilities, he determined that Roma have equivalent IQ scores of 70, "about the level of...10 year olds" (Rushton et al. 2006:1). This kind of testing was prevalent in many European countries where Romani children were placed in "special" schools for mentally handicapped children due to poor test results. However, such tests are often only administered in the official language of the country, and many Romani children at young ages only speak their Romani dialect. Thus, it is clear that any evidence gathered in this manner must be understood in its context.

Whether using linguistic, genetic, or any other means of categorizing and defining the Roma (or any group), any history that depends on bounded categories is bound to disregard the porous and changing boundaries among groups. It also has repercussions on identity politics, or the stereotyping of a whole population. Fraser rightly warns that there should never be such assumptions based solely on language (1992:22), and this should be extended to all forms of single characteristic-defining classifications. Although useful in limited ways, defining Romani history may negate self-identification or externally imposed categories and thus erase structural differentials and agency. These kinds of categories often impose static features on what should be understood as dynamic processes and influences.

One such example of this is Moreau's conceptualization of Romani history. He argues that because the Roma of today are nomadic¹⁷ their ancestors must have also been nomadic (Moreau 1995:18). Further "proof" of Roma nomadism within India is based on the fact that Romani is derived from several different Indian dialects (ibid:18). Although acknowledging that his opinions are contrary to many Romani experts' theories, and that all he had to go on was a "gut feeling", he persists in seeking out the nomadic, "traditional", original Roma population (ibid:18). When his search of India failed to identify his predicted population, Moreau justifies his theories by stating that "inescapably, logically, as night follows day, miscegenation [of the original Romani group] had to be the answer" (ibid:22). Another researcher observes that, "on the whole

¹⁷ This is widely regarded as erroneous; even in 1893 a Hungarian ministry questionnaire demonstrated that 90% of Roma lived sedentarily (Willems 1997:6).

the gypsy is a landsman and a plainsman. He has no use for the sea. He only goes on board a ship in times of stress. It cramps his freedom of movement, and the lack of space oppresses him" (Block 1939:46-47). This kind of reasoning again homogenizes Roma as a whole, treating them as a single mode of livelihood, as passive players in an unchanging culture. By stripping away agency and approaching the Roma as incapable of change, Roma are romanticized into a fading and obsolete group with no value to contemporary society, much like the way of the "noble savage".

When Fraser warns that "too often the assumption has been made, in looking for traces of Gypsies, that any reference to a migrant group pursuing a Gypsy-like occupation can for that reason be equated with them", he was lamenting people's tendency to jump to "Gypsy" conclusions any time an itinerant group was mentioned in historical records (1992:35). Yet this holds true to our understanding of Moreau's (and many others') goals: discounting agency or ability of a culture or people to change over time and environment; subscribing to some outdated view of who is legitimate/authentic; and jumping to conclusions with no proof other than one's subjective feelings and anecdotal perspectives. It is easy to get lost in focusing too narrowly on a certain piece of evidence; instead, we need to step back and look at the evidence as a whole, understanding the contexts of each piece, especially with so many intersecting dynamics.

Indian warriors: origin theory controversies

For a long time, Romani origins were considered to be shrouded in mystery (as far as their European neighbors were concerned). The cause of their migration, as well as their composite population, has long been held under intense and controversial debate. It is important to review how many non-Roma tried to explain Roma presence in Europe, which will help us understand how and why Roma have become objects of ridicule, romanticisation, and xenophobic policies.

Before a definitive Indian origin was concluded through the earlier linguistic research described above, Europeans analyzed Romani intellectual achievements, efficiency at handy-work, musical talent, and fortune-telling customs in order to determine their geographical area of origin (Block 1939:37). The conclusion was to "Orientalize" them, ascribing them as a people borne of the East, due to the names and

shapes of their instruments and their methods of playing them (ibid). India was sometimes (correctly) identified as the country of origin, due to linguistic similarities of Romani and Hindi dialects, but scholars of the time argued that language is no criterion of race – the only proof yielded from linguistic study is that Roma spent a significant time in India, not that it was their necessary country of origin (Skot 1909:7-8).

Even when India was definitively identified as the country of origin for proto-Roma groups, many conflicting theories arose concerning which part of India they were from, if they were settled or nomadic there, if they were a particular class or caste, when exactly they left (and in what numbers), and for what reasons. Many past theories that proposed explanations to these unknowns did not take into consideration differential power structures and effects, or the non-static nature of cultures. They based their tracing of Romani ancestry on the assumption that Romani culture had remained unchanged and was isolated from external political, economic, and social influences.

However, one theory has been recently adopted by key Roma experts and researchers: it is the most comprehensive hypothesis that best pieces together all the various factors gathered so far. This is not to say it should be interpreted as a single “truth”; I include this theory as a means of understanding the processes involved when recreating histories with implications to the reproduction of identities. After decades of advocacy and research, Ian Hancock put forth a novel theory.¹⁸

In its simplest form, this theory suggests that the ancestors of Roma today are made up of an historical, ethnically diverse Indian martial society – the Rajputs – as well as by their camp followers and castes who contributed to the success of this military group (Hancock 2003; 2005). These Rajput tribes were located on the border regions of north-west India in order to effectively conduct warfare against Arab and Muslim forces (Petrova 2003:117) and were thus conquered and taken as prisoners of war by Ghazvinid forces around 1000A.D. A distinctive and unique Romani culture only emerged as the soldiers, followers, and members of different castes were forced to interact with each other on their journey westward as military slaves (Hancock 2003; 2005). For 200-300 years, the descendents of the Rajput military groups adapted to their Byzantine region,

¹⁸ Admittedly tweaking it over time in response to new evidence, ideas, and collaboration (1987; 2002; 2003; 2005).

learning and re-inventing skill sets (such as metal-working, crafts, and animal husbandry) that were valuable for survival as well as easily mobile, in order to be taken with them en route as they were dispersed in the region. This is a basic understanding of the “warrior theory” on how Roma developed as a distinct ethnic group before entering into Europe in the 1300s.

The Rajput-warrior theory indicates an ethnically and linguistically diverse founding population, which concurs with modern genetic and linguistic research findings (Kalaydjieva et al. 2005:1085). The timing also fits well into genetic research into chromosomal divergence studies, as the date of exodus from India is estimated to be between 835A.D. and 1045A.D. (ibid:1086), and the warrior theory necessarily depends on a small window around 1000A.D. In addition, modern day descendents of the Rajputs – named Banjara – recognize and acknowledge a connection to proto-Roma groups (Petrova 2003:117; Hancock 2002:13).

However, the warrior theory goes against many deeply ingrained and long-held beliefs regarding the Roma and has been met with continued resistance by academics and others. As the thinking goes, warriors are high-caste, aristocratic people (likened to nobleman and knights), and they would never stoop to “selling firewood door to door to village housewives” as many Roma have done (Moreau 1995:19). When putting forth the “warrior theory” to various Europeans, they regarded my words with extreme skepticism because they find it hard to reconcile their experiences with “dirty criminal Gypsies” to high-ranking, proud individuals (Butler 2004).

This is because the warrior theory contradicts much of the assumed knowledge and public opinion that has created, reproduced, and reinforced the long-held notions that Roma are, and have always been, low-caste, nomadic, criminal people. Not surprisingly, the very suggestion that this theory could be plausible has thus caused debate and controversy. Many researchers have built careers through working with Roma using a particular origin theory, and this kind of new paradigm necessitates reworking many previous assumptions and theories. The public is also reluctant to change their beliefs, since so many governmental policies and institutional practices have been designed under the racial assumption that Roma are sub-human and have not deserved the same rights of higher class peoples or “white” Europeans. This has resulted in justification for those

individuals in the general public who commit acts of violence against Roma in the belief they are “pests”, “vermin”, and sub-human (Fonseca 1996; ERRC Roma Rights Journal 2000).

The warrior theory is controversial and challenges long-held beliefs regarding Roma and their ancestors created by non-Romani scholars and researchers; this political struggle of defining another group’s identity demonstrates the power dynamics involved when examining history, ethnicity and policies. It has been suggested that this more attractive warrior theory is only naively concocted by Roma themselves, who would rather have warriors as ancestors than a “motley crew of minstrels and low-caste vagrants” (Fraser 1992:27-28). This echoes the introductory issue of Romanians accusing Roma of stealing their name. Forgetting for a moment the fact that many people purposefully gloss over certain elements in their ancestral background or hide “black sheep” within a family, it is very telling that in this case, Romani scholars and researchers are not allowed the chance to reinterpret their own history in a positive light. To understand the full extent to which non-Roma have laid claim to explaining Romani origins, some alternative theories are now discussed.

Alternative origins

Their rapid arrival in Europe between the fourteenth and sixteenth centuries, as well as the exclusiveness of their communities, meant that not much was known about Roma by their neighbours – who they were, where they came from, their cultural traditions, etc. What little the typical European knew of Roma came from the limited commercial interactions and exchanges or entertainment events and was heavily influenced by how Roma portrayed themselves to outsiders. The lack of information regarding these dark-skinned and “exotic” foreigners did not last long – a plethora of myths and legends sprung up to explain their existence and ways. Sometimes these theories were created and reinforced by Roma themselves, other times they were solely the invention of non-Roma Europeans often with no real experience with Romani communities. These beliefs are important because various origin myths of Roma continue to influence current public beliefs and attitudes.

Thieves and beggars

Many people throughout the centuries have believed that “Gypsies” were merely criminals or liars who concocted an ethnicity in order to more effectively swindle their prey. In the early 1600s, it was regularly stated that these “Gypsy” heathens were actually rootless merchants and scoundrels from various regions (Willems 1997:15). More specifically, they were a “social category of outsiders, originating from various countries, who had mingled with indigenous beggars and scoundrels and swarmed...like a ‘plague of tramps’” (ibid:15). These kinds of beliefs were reinforced, reproduced and influenced at macro levels, leading to such events as when the King of Spain, in 1633, declared Roma a random assortment of people that had created an artificial language (Hancock 2005:31). In 1787, the idea that Roma were nothing better than “vagabond trash” was sustained through the use of “Gypsy” as an umbrella term in judicial purposes, which included itinerant filth of questionable origins who had created a “secret language” (Willems 1997:16). A century later, de Peyster’s colourful interpretation echoes these sentiments:

These gypsies are nothing else than a congregated troop of bad characters, [who...] stain their faces with green nutshells in order to increase their ugliness and that they may more easily induce the inexperienced to believe that they come from the hot oriental countries (1887:15).

Another theologian of those times, Krantz, referred to Roma as people who were the “scum of the nation...who lived ‘like dogs’, without religion and day to day”, not an ethnic group, but rather a “community of drifters, thieves and beggars from many countries” (Willems 1997:15).

When not stripped of a legitimate ethnicity, Roma are often assigned to other regional or ethnic historical minorities. It takes only one similar or peculiar characteristic or custom (Skot 1909:7) to firmly square Roma away within another pre-existing category. There are numerous “obvious points of comparison” that have led many to believe Roma are actually Jews (Block 1939:36-37), but the list of other possibilities is long. To give the reader an idea of the extent to which Roma have been assigned within other groups, a partial list of how the Roma have been identified includes:

Huns, Priests of Isis, descendants of Cain, aborigines of the Alps, Cagots of the Pyrenees, Scythians, Dacians, German Jews, Circassians, Druids, Suders and

other India tribes, Tartars, Mamelukes, and even... tribes of Israel... Fakirs... Ethiopians or Moors... Thracian Bacchantes [descendants]... Persian Magi (Skot 1909:7).

Look like an Egyptian?

The Gypsies themselves said they were Egyptians, and said it so often and in so many places that...it [would be] a shame to doubt their word (Skot 1909:7).

That they practised deception is undeniable; but it is impossible to assert that their claims were never genuine (Block 1939:59).

Another widely believed origin link was to Egypt, as best evidenced through the continued use of the name "Gypsy". There are numerous plausible reasons as to how Egypt became known as the de facto country of origin for Roma, involving not only external assumptions by non-Roma but also self-identification and the dynamics of survival strategies. Many Roma and non-Roma today still believe that "Gypsies" originated from Egypt; this theory is widespread and prevalent in multiple actors' conceptualizations of identities. Therefore it is significant to understand how this common belief came to be, and how and why it is reproduced by different agents.

Hancock neatly explains the Egypt association as twofold: medieval Europeans used the term somewhat indiscriminately as a cover term for different foreign populations at that time, and secondly, upon arrival to Europe, Roma stayed in "Little Egypt" – a place on the Adriatic coast (2005:1-2). Contributing to this connection, Roma indeed sometimes called themselves Gypsies, and corresponding regional variants of this term, and some continue to do so today. It has been acknowledged that when the "Gypsy kings" of fifteenth century called themselves "the Dukes of Lesser Egypt", they were indeed referencing the Asia Minor and Greek areas from which they had actually traveled and weren't trying to purposefully fool European populations (Block 1939:35).

Therefore a question that often arises is: did Roma knowingly eschew their Indian heritage and instead "deceptively" put forth an Egyptian history? To understand the answer to this, it is important to first understand the various socio-cultural, political and economic contexts that were influencing European policies of that time. As already noted, xenophobic attitudes in Europe in medieval times were increasing in intensity and prevalence, meaning that Roma needed a safe way to continue traveling and thus

continue their livelihood. To most Europeans, they wore strange clothes, had dark skin and spoke a different language: they could not easily blend in. But some foreigners were considered "better" than others at this time, and so they assumed the guise of Egyptian Christian pilgrims doing penance (Willems 1997:15). In this way, Roma were thus freed of the suspicion that would have otherwise arisen from obvious cultural differences and were instead welcomed by churches and communities that gave them food and shelter, since people pitied their poor clothing and simple ways (Block 1939:59). A pardon obtained by the Pope on official writ meant safe passage, as "no one had an easier time than a penitent on pilgrimage to a holy shrine", and thus the "Egyptians" enjoyed "a sort of extraterritorial status" that accorded free passage and protections (ibid:59-60). This idea of banishment from Egypt continues in Spanish legends today (ibid:33), and is, obviously, "enshrined in the English and Spanish names of the race" – Gypsies and Gitanos, respectively (Skot 1909:7).

Other legends

There are many different legends that have been created and used by Roma and non-Roma to explain Romani culture, presence and origin. Some such legends tell of Roma in Central Asia in the fifth century A.D., while other folk legends trace Romani roots back to Alexander the Great in the fourth century B.C. (Crowe 2007:xvii). Fables such as these run the gamut of religious and magical explanations, as well as extend back to the beginning of human existence itself.

Block provides a section in his work where he cites a great many of these, including the belief of Roma having travelled round the world before the birth of Christ, with the giant buildings in Mexico being the work of Egyptian gypsies (1939:36). There are also other beliefs making Roma responsible for the spread of bronze and iron work, having supposedly been in Europe for over 3,000 years, headquartered at the foot of Western Alps, supplying the Celts with metals (ibid:38). In yet another, Block relates of "a gypsy who once told me...that their former ruler had come from the East over a great sea, that he had been drowned while crossing, but would some day return to found a mighty empire" (ibid:33). Another popular legend is derived from an eleventh century chronicle by a Persian historian, describing a group of 10,000-12,000 musicians and

entertainers that were given as a gift to the ruler of Persia, Shah Bahram Gur, by an Indian Maharja, during the fifth century (Gresham 2001:1327). The Persian king gave them oxen, corn and asses with the intention of turning them into peasants, yet they “foolishly” ate the corn and oxen, and have since been forced to travel around on the asses, never settling (Block 1939:41).

Roma have also featured extensively in Christian mythology, being described as “chosen people” similar to the Jews, except that their ancestors denied Mary lodging when she was with the baby Jesus (ibid:34). In a nod to the popularly depicted “Gypsy” thieving nature, one legend says that Roma’s ancestors stole the nails used in the Crucifixion and they are thus compelled to journey for repentance (ibid:43). The first of these stories is no doubt in reference to famed Romani knowledge of metal-working and other skill sets, while the second religious-themed legends mostly derive from Gypsy stereotypes. These kinds of applications stand as examples of incorporating contemporary knowledge and understandings of Romani trade skills and stereotypical connotations retrospectively onto conceptualizations of the past.

It is most interesting to note that there is a common tendency of these legends to incorporate themes of migration into Romani history explanations. Much like the themes of displacement and dispossession found in Karen creation and migration myths in Burma (Cusano 2001:151), Romani origin legends also rely on their experiences, beliefs and attitudes, and cultural identities in relation to their migration routes and causes. In this case, it is not the veracity of the legends that is most significant.¹⁹ Rather, it is imperative to understand the processes behind how and why these narratives emerge, especially in relation to their changing roles in identity formation and politics and how they counter or provide alternative versions to hegemonic discourses. Marsh deconstructed the Persian musician legend using these questions behind his analysis to examine processes where various elements play a seminal role in the development of Gypsy-loreism and Romani studies (2006:41). He thus noted that even though such stories (as recorded by poets and historians in historical and factual frameworks) must not

¹⁹ Yet Block *is* mainly concerned with the truth, and warns his readers to view all such myths as suspicious since “Gypsies” are crafty story-tellers who adopt material wherever they go and thus cannot be trusted to tell or even know the truth (1939:33).

be regarded as “historical truths”, one must pay respect to the inherent processes at work when understanding any myths or origin beliefs (Marsh 2006:44-45).

The impact of origins on ethnic identities

Every facet of Romani history has been debated – such as where they originated, what populations they came from, how they developed their ways – while many aspects of their cultures and identities continue to be contested. The tendency to disregard new contradictory interpretations – like the warrior theory that counters the view that the Roma are a homogeneous and unchanging community – originates from a persisting belief that Roma belong to lower classes and castes, not part of legitimate “European” history and identities (e.g. Fraser 1992; Hancock 1987). Similar to the difficulties Fraser had in reporting Romani history as a facet of European histories, Wolf described the tendency to refer to “black history” apart from “white history”; instead, “the more ethnohistory we know, the more clearly ‘their’ history and ‘our’ history emerge as part of the same history” (1997: 19). In this same manner, Romani history and identities are not formed outside of or insulated from majority societies or populations. Rather, they are formed, reproduced, and constantly revised in relation to the changing dynamics of the societies in which they live.

Constructing and connecting histories

An individual’s identity often incorporates, to varying degrees, his or her family’s history and ancestry. Family and kinship relations are considered to be strong mediums through which cultures are reproduced and negotiated (Bertraux and Thompson 1993). What happens when a person feels disconnected from his or her family history, or is removed from the family unit? The notion of a “stolen generation” is prevalent in indigenous research and experiences and often understood or considered to be an effective attempt to eliminate or eliminate negative aspects of aboriginal or other cultures and ethnic groups (Kennedy and Wilson 2003).

In light of the above, I have chosen to relate two very different informants’ stories that illustrate some of the points I raised earlier. Natalia is a woman who discovered her Romani heritage shortly before my fieldwork. Ilona is another woman who, adopted out of her Romani family at a young age, was poised on the edge of re-immersing herself in

her Romani biological network when I met her. These women are not representational of Romani experiences; rather, they chose two very different ways of approaching their own individual histories, as well as collective Romani history and identities.

Ilona and I met at the RCC's Roma Day party; this event was my first time meeting many members of the Romani community, and it was Ilona's first time at the centre as well. Although she had been born into a Romani family, state intervention and social workers deemed her mother unable to take care of her children, and Ilona was adopted by non-Romani parents. The Roma Day party was Ilona's first time reconnecting with her cousins and aunts from her mother's side in a long time; many of them had remained within the Romani community and family. She had decided, last-minute, to attend the event after receiving an invitation, but she was wary of how she would fit in and whether or not she even wanted to reconnect with her "old" family.

Over the course of the summer, Ilona and I met many times and talked about her position within and outside of the Romani community. She felt distant and reluctant to reengage with her family, as she had negative memories of what life was like for her before her adoption. One of the most striking and emotional things she remembered was her mother preferring her other siblings over her, due to their coloring (Ilona has brown hair and brown eyes; the favoured children had lighter hair and blue eyes). This kind of preference is not uncommon among minority groups persecuted due to a physical characteristic, where colonial power structures are echoed through ethnic favouritism. If one can "pass" as a majority member, it stands that they will have a better chance in life²⁰. When Ilona recalled these and other memories, like her mother's reluctance to send the children to school, she would reflect on Romani traditions and how thankful she is to have been adopted. Her adoptive parents and siblings are her "real" family, and she feels loved; she could not say the same about her biological Roma family.

Ilona said she felt judged by her Romani family members for not trying harder to stay in touch. She said that she tried to explain her position to them once, recalling her negative memories and bad experiences and why she was happy with her "new" family, but they did not believe the memories she told them. In this way, her identity (based on

²⁰ An excellent (albeit fictional) example of this is "The Human Stain", by Philip Roth, whose main protagonist "passes" as white the majority of his life in order to lead a more successful life, despite being born "black".

her memories and experiences) is challenged by the very people who are urging her to claim their same collective "Roma" family history and identity. Ilona feels that she cannot take on the full "Roma" identity, despite community members' acceptance of her legitimacy should she decide to accept it; her identity is viewed and perceived as a more binary "either-or" choice, and she is unwilling to forgo her non-Romani family and history to take on a singular Roma identity. Ilona once commented to me, "you are more Roma than I am, you know more about the history and issues. You actually like attending the events". Although I disagreed that I was more "Roma", it is interesting that she feels that by forgoing any identification as Romani, she has no entitlement to being Romani at all.

Natalia, however, has an entirely different perspective and attitude when it comes to claiming her family history and identity. Like Ilona, Natalia was a new member in the Romani community, and also attended the same Roma Day party as her first event within the community. Unlike Ilona, who kept to the side, Natalia was enthusiastic and wholeheartedly involved in the event, dancing with other women to the music and chatting with many of the people there. She also wholeheartedly accepted a full "Roma" identity, repeatedly calling herself Roma and Gypsy, and saying she was proud of her heritage and the Gypsy blood in her veins.

As she described her ancestry to me, I learned that she was born and raised in Toronto by her parents. Her family tree included Czech, Hungarian, and Turkish origins. Later on, she added Greek and French roots to their history as well. After many hours of discussion piecing together her family history for me, it emerged that she actually had only recently found her Romani connections when reviewing the known facts about her deceased grandfather. "It all made sense", she said, when one considered the evidence. Her family name, her grandfather's hook nose and lean facial features, his dark skin, and lack of history on that side; in addition to that, the more she thought about it, the more she was sure that there was Romani ancestry on her grandmother's side, despite the fact that it was never admitted when asked. As further emphasis, Natalia described that she could "feel the Gypsy connection" through her blood: not only did she repeatedly point out her physical characteristics, she loved to "dance barefoot in the grass" and feels a yearning to travel.

I cannot judge whether Natalia's Romani identity is based in ancestral fact or merely a construction of who she desires to be; there are many Romani individuals who will indeed deny their affiliation to being "Roma" when asked due to continued fears of persecution, memories of being treated poorly for their ethnic classification, and wanting to have a clean slate in a new environment. The important point is that Natalia herself firmly believes that she is "a Roma" and has accordingly, and very rapidly, shifted her entire identity to incorporate this new fact. All of the Hungarian customs, traditions, and material goods she has inherited and showed me, she now adds descriptions of traditional Gypsy connections to them. Her apartment is filled with books like "Gypsy Magic: A Romany Book of Spells, Charms, and Fortune-telling" and traditional Romani religions research. She has even explained to her half-siblings their new Romani identity, but unfortunately they do not "get it" like she does.

Natalia quickly became involved in the RCC, volunteering her time and energy, despite her outspoken criticism of some of the leadership. She wanted to help change the RCC to make it more hospitable to Romani members and combat what she saw as blatant racism operating within the community. She yearned to "bring all Roma together". Yet within her desires to participate within the community, one notices a few contradictions in her attitude and beliefs. She is angry at issues like the "blood quantum"²¹, whereby some Roma are more "legitimate" than others through having "enough blood to be recognized" by the community; she believes Romani identity is better defined by one's "soul, heart and spirit: that makes you who you are". But she also states that it is her blood that makes her Gypsy; that one cannot escape the connections drawn by blood. At one point she even suggested to me that because I am so sympathetic to Romani issues (and after confirming I have Irish roots), I probably have Gypsy heritage somewhere in my family too. Like with Ilona, but for a different reason, I have once again been pulled into another person's vision of what Romani identity entails.

Although these are quite different situations, it is interesting to find the points of intersection between Ilona's and Natalia's conceptualizations of Romani identity. Despite a relatively more tenuous connection to the Roma community in Toronto, Natalia has

²¹ A term Natalia used to describe eligibility within ethnic communities based on blood ancestry or purity of "racial" inheritance.

unreservedly assumed her new Romani identity, which she reinforces through working with the RCC. And despite Ilona's continued familial relationship to the RCC and Roma community, she has decided to forgo reaffirming her Romani identity and instead chooses her adoptive family and her career aspirations as her main identity focal points.

Legitimizing events: past beliefs into present actions

There are many more ways that the past becomes reproduced and reappropriated by different agents in the present. It is generally accepted that Roma entered Europe around 1300 A.D. from Greece having come in a westward course through the Byzantine Empire. The twelfth century began to see documentation that underscored a Roma presence in the region, especially in the regions that make up the present-day nations of Hungary and Slovakia (Crowe 2007:xvii). Mentions of "Egipt-sprache" (Egyptian speakers) began in the European written records in 1315 (Fraser 1992:10), with other somewhat uncertain accounts of "atsincani" recorded in Crete in 1322 and Corfu in 1346 (Block 1939:55). There is also a note made in 1340 of a Serbian prince who gave "Gypsy" families as presents (i.e. slaves) to a Tismana monastery in the Carpathians (ibid:55).

It is also widely acknowledged that by 1500, Romani communities were found in practically every European region, stretching as far north as Sweden and Finland, and as far west as Spain. As they journeyed across Europe, many settled in the various regions along the way or became semi-nomadic. As one might imagine, Roma posed a dilemma of sorts for medieval Europeans. They were clearly outsiders, with dark skin and foreign customs, yet they initially filled an important niche. Roma who remained at least partially nomadic existed outside "normal" European communities, yet were welcomed due to the roles they fulfilled. Travelers at this time brought not only materials, objects or food from different regions but also provided an information highway of sorts, in addition to entertainment and skills. Spices, clothes, metals, and more were in demand, as well as letters and mail from extended family and networks.

In addition to filling this niche, another cause behind the initial reception of Roma by Europeans could be the definitive boundary they existed within: being "ultra" exotic ensured there was no confusion or negotiation regarding the divide between

foreign/native. Such boundaries are often the mechanisms for maintaining ethnic group persistence (Maybury-Lewis 2002:49), yet these boundaries gradually shifted and changed with time and context (Barth 1969). More and more Roma settled permanently in close proximity to European communities, while adopting some of the linguistic and cultural norms of the regions and peoples. Although remaining a distinct group, Roma were perhaps not appreciated by Europeans who viewed their fluid adoption and reappropriation of European ways as altering or eroding what should remain fixed boundaries. At this time, there were also many factors that lent themselves to widespread xenophobic attitudes, one notable example being the fear of people like nomads who spread disease through their travels (i.e., the Black Death). Roma who had once played important economic and social roles within European communities thus became regarded as undesirable, people to be feared or looked upon with suspicion.

There are many more explanations of how Roma came to be vilified in Europe and beyond. Ruch interestingly noted, as summarized by Willems, that in pre-1500s, there was no conceptualization of Gypsies being negative or criminal: instead, it was only when a particular emperor needed a reason to ensure more taxes collected from his people that it became profitable to play on the fear of spies (1997:14). Being pagan, nomadic exotics, Roma provided an easy scapegoat (ibid:14). There soon followed a change in European attitudes: sedentary, steady work with ties to land became prioritized as the epitome of civilized lifestyles, and Roma were soon downgraded from "foreigners" to "heathens", "criminals", or "like dogs" (ibid:14-15). This gave moral justification to persecute Roma, which spread across other regions and countries, with the purpose of ridding their areas of Roma; friendly approaches with requests to alter their lifestyles devolved into "making their life hell" so that they would leave on their own accord, be ordered to leave, or be declared outlaws (Block 1939:61). If Roma were defiant against such bans, the men would be shot, the women would be raped, there would be no trials, and whatever they possessed would be taken; a 1711 edict declared an eight day notice before any remaining Roma would be considered property of the state, to be sent to death, prison, the gallows, or orphanages depending on the age and gender (Block 1939:62). This is an interesting pattern that comes to the surface: even as the very concept of Romani ethnicity was not fully accepted by governments or the public, the

states themselves had no problems legitimizing such a category by singling them out for special laws and punishments.

Furthermore, many Roma had been stolen and used as slaves throughout this time, and the last remaining slaves were only given freedom in 1864 (Hancock 2005:25). No reparations were given to those who had toiled and been tortured under such conditions, not even in general form of acknowledgement that Roma were ever slaves. It is no surprise, therefore, that public regard towards Romani people in Europe is so often poor, as there is no general acknowledgement that Roma have been forced, time and time again, to start from scratch and build their lives surrounded by intolerance and intense acts of discrimination.

O Baro Porrajmos: "the great Devouring"

After enduring centuries of such negative representation and acts of persecution by individuals, publics, and institutions/governments, these beliefs culminated into what, in Romani, translates as "the great Devouring" of human life: the Holocaust (Hancock 2005:34). Although widely acknowledged as one of the world's largest ethnic cleansing acts of genocide, Roma often go unrecognized as victims of this event. As already mentioned, many do not realize that Roma were another ethnic group that were targeted, and suffered similar losses to the Jews in proportion to their populations. Various other targeted groups, including homosexuals and the physically and mentally handicapped, have been recognized as legitimate victims and are reaffirmed as such by various monuments and events held in commemoration of the Holocaust. Yet the Roma – despite having petitioned to be included in Holocaust remembrance speeches and plaques – have often been denied voices at such proceedings²². Through such means, Roma are denied "official" recognition of their status as a persecuted people through time and place. This affects individual identities and experiences at multiple levels as well as collective identities: by denying or failing to include Roma as victims targeted in the Holocaust because of their ethnicity, it also denies them their past and history of suffering, central to

²² The UN not only did not assist any Roma during or following the Holocaust, the US War Refugee Board did not mention Roma once (Hancock 2005:50; Hancock 1987:4). Former US President Clinton finally acknowledged Roma targeting during WWII by appointing Ian Hancock as a UN Roma delegate to the Commission of the Holocaust Museum as a means of recognition, but Former US President Bush then removed Hancock, effectively negating the right of Roma to representation in this manner (Harris 2006).

a group's sense of identity. It also gives justification to those individuals, groups, and governments that continue to treat Roma with indifference and hostility.

Also undermining Romani claims to history and identity are many state-sponsored programs involving forced sterilization programs for women, taking children away from Romani parents to be adopted or put in orphanages, the "special" schools designated for Romani children that in fact are for mentally handicapped students, forced relocation into marginalized "ghettoes", and much more (Fonseca 1996:255; Sloane 1995; Butler 2004; informant interviews, etc.). These are not actions that happen isolated in the past; these are programs and acts that occur frequently in the present. At a more individual level, there have been innumerable violent acts rendered against Romani villages and communities, like burning their houses and beating pregnant women, that all go unheard in the media and unprosecuted in the justice systems. These acts continue today, especially in areas with large Romani populations with histories in the region, such as the Czech Republic and Hungary (ERRC 2009; O'Neil and Leung 2009; Speigel 2008).

Current conditions in the Czech Republic and Hungary

There has been discrimination and persecution against in almost every Eastern European country for centuries. In recent decades, however, human rights laws and treatment of a country's minorities are issues that come to the forefront of political discussions. The Czech Republic and Hungary were admitted into the European Union in 2004. In order to be accepted as a member state of the EU, a state must prove it abides by European standards such as the Copenhagen criteria, according to which a prospective country must be a stable democracy that respects human rights and the rule of law, have a functioning market economy, and fulfill responsibilities as obligations of membership (European Commission for Enlargement 2009). The widely acknowledged discrepancies in their human rights' records regarding their Romani populations caused both countries, for a short time, to become much more vigilant in their laws and practices, and with these promises of better treatment of Roma, they became full-fledged EU member nations. It is not surprising to note that since these countries have gained status²³, there is substantially

²³ It is extraordinarily difficult to remove or alter this status; it is unprecedented in current EU history.

less pressure influencing their discriminatory treatment of their Roma populations, and violent acts without fear of reprisal have once again become commonplace.

Romani women are today arriving in Canada and applying for refugee status with barren wombs from recent forced sterilization measures. Through informants, I learned that one woman's child was born with permanent bruises due to the severity of the beatings the mother received while pregnant. Other Romani claimants arrive, telling stories of neo-Nazi confrontations and murders of family members, friends, and acquaintances. Romani community members at one gathering I attended encouraged donations to a fund set up for a Czech Romani girl's medical funds; her body was badly burned because of firebombings directed at Romani households (O'Neil and Leung 2009). All of these acts are being committed in countries that are supposed to protect their citizens under a stable and just democracy; instead, centuries of mistrust and misinformation have led to ill-informed and implemented policies, as well as a general disregard for following human rights law with specific reference to Roma.

Through these discussions, examples, and narratives, I hoped to have emphasized how the creation and reproduction of a particular notion of Romani ethnicity has greatly affected how Roma have experienced their histories. These experiences no doubt contribute to and help produce various forms of individual and collective conceptualizations of identity that are then utilized in different arenas for different purposes. Through this more comprehensive perspective regarding the various contexts contributing to different perceptions of ethnicity, one may better relate current issues of discrimination, persecution and human rights abuses against Roma as dynamic interactions between changing actors. Having now acknowledged the variety of historical experiences that in turn influence collective notions and representations, the following chapter now examines these various levels of interactions and their impacts on Romani identities through a different operating scale: the refugee process.

Chapter IV : Refugee processes

Setting the scene: the refugee hearing

During my fieldwork, I succeeded in securing an invitation to observe a refugee claim hearing for a Romani couple. The husband had arrived months before, rejoining his Romani parents, who had secured Canadian citizenship after having left Slovakia in 1997. Not long ago, I myself had been going to immigration offices to be interviewed repeatedly on why I should be allowed to continue to live in Germany and later, why I should be allowed entrance into Canada. Yet those experiences were not even close to a refugee hearing, and I was eager to gain a better understanding of this aspect of the process.

The Canadian Immigration and Refugee Board (IRB) does not allow any photographs or recording devices (besides its own) within its buildings; only a select few works on IRB hearings actually describe the process at all from the perspective of the claimant. It is largely and purposefully a mysterious process, despite its detailed requirements and the sheer amount of paperwork and number hearings completed each year. I spent the first hour chatting with the four Romani family members present; the husband and wife couple who were applying for refugee status, and his father and mother who came to attend the hearing. The father's English was the best and he often served as an ad-hoc interpreter for his wife when conversing with me. His son spoke some English, while his daughter-in-law and I found a common language in German. Later, during the hearing itself, the daughter-in-law would become visibly ill and faint at my feet, but for now she was friendly and optimistic.

As with many Romani cases, this case revolved around family reunification, police and governmental neglect, discrimination, and specific instances of persecution, violence and ethnic targeting. The husband and wife's stories were not, sadly, unusual. The wife spoke of constant fear of violence and recent memories of being beaten by strangers, intermingled with her husband's experiences of discrimination in the workplace and police stations, and much more. I had already heard many similar stories by other Romani refugee claimants at the Roma centre, but this time the accounts would be delivered officially and under a great amount of pressure.

In the hearing rooms, Canada's official coat of arms is displayed prominently on the back gray wall, flanked by a Canadian flag. In front of these symbols, the judge sits behind a large raised wooden desk, the claimants' counsel to his left, and the claimants and their interpreter directly across from him (to the left of their counsel). Witnesses like me (and any extra family members) sit behind the claimant(s)/interpreter, facing the judge as well. At the beginning of the hearing, the judge does a kind of roll-call, establishing the individuals involved and the case before him for the record – every hearing is audibly-recorded, although due to sheer number of hearings, tapes are only re-played to if there is an issue or problem (Rousseau et al. 2002). Some of my informants have told me that all cases – as a matter of policy – should be listened to by IRB committees to ensure fairness of translating and upholding protocol, but because there is such a backlog of cases, 99% of cases are never re-heard. Although I do not know if this is true²⁴, this remains, for the majority, their one and only shot at orally presenting their case to a single individual, the judge.

We sat and listened to the hearing for hours, which ended abruptly after the wife was overwhelmed with emotion and fainted. Instead of feeling elated at having had this unique fieldwork opportunity, I was troubled by what I had witnessed. With so many obstacles in the process, I couldn't help but wonder at the negative probability of receiving refugee status. I left the room with sobering thoughts of skinheads, persecution, and the futility of being anonymous within the system. The act of applying for refugee status is a life-changing event, and one that does not come easily. Beyond the official forms, legal hoops, and nerve-wracking trials, an individual seeking asylum undergoes major identity and lifestyle changes, reshaping networks, conceptualizations, and experiences. Therefore this chapter seeks to answer the seemingly innocuous question – what kinds of factors influence refugee claimants and their communities as they experience the Canadian system? Does being Romani impact the chance of refugee status success, and as a result, how are Romani identities reconstructed, reaffirmed or denied through the refugee process?

²⁴ Though I do know there is a shortage of IRB resources, illustrated by Graph 4, and confirmed by IRB informants.

Biases in the refugee process

I initially set out in my fieldwork to understand Romani refugees' networks, experiences and identities. Yet the refugee determination process in Canada kept coming to the forefront of my work as informants repeatedly voiced concerns over biases towards Romani claimants in the refugee process. Even Canadian-born Romani informants who never had to experience this system first-hand²⁵ focused on these issues in my interviews; from what they have seen in their familial and community networks, they also believe that Canadian refugee policies are discriminatory and enable further persecution of European and Canadian Roma. I was encouraged to research the statistics on Canadian refugee claims, as many of my informants were well-informed about specific policies, and were sure the numbers would prove their concerns²⁶.

Moreover, in this research I discovered Romani claimants and Canadian Roma are not only being affected by IRB processes but that they in turn also affect its policies and the way it is experienced. As Rousseau et al. have stated, determining refugee status through claims is the "single most complex adjudication function in contemporary Western societies" (2002:43). Therefore instead of examining the experience of refugee claimants as a top-down process that starts with policy and ends with the claimant, I aim to provide a more comprehensive view of the claimant experience as a dynamic, interlocking set of processes that – while operating in a somewhat set framework at a macro-level – also produces unique situations that ultimately affect every actor involved in the process in varying degrees. These discussions are meant to answer the question: can the refugee system in Canada be conceived of and enacted upon as a neutral process, when it depends on static definitions, ethnic categories, and uncomplicated collective identities, especially regarding such a heterogeneous group as Roma?

I argue that labels are perceived and utilized at different steps in the refugee process according to various actors' own motivations and experiences, especially in reference to Roma, who often deal with a wide range of changing contexts that necessarily alter and shift their individual self-representation and collective identity. I

²⁵ Although they did not experience this process first-hand, their ancestors all experienced some form of immigration proceedings, which have been incorporated into their understandings of their identity and history.

²⁶ And the figures I gathered indeed supported these claims, discussed further in the follow sections.

propose that the historical experiences of persecution and contemporary – mostly negative – experiences as refugees have been central to Romani experiences and perceptions of themselves and the countries in which they live. The refugee process, dependent as it is on labels, is inherently biased because it cannot be isolated from the existing structures of power, where impoverished refugees are regarded with suspicion and treated as unequal citizens. Moreover, identities, even when “legitimized” by official policy, are subjective and constantly in flux due to dynamic interactions of people, contexts, and motivations. In the context of liberal western democracies, concepts of nationhood and state sovereignty have generally disfavoured the poor and refugees from the South²⁷. With their facile classification of populations, even within “multicultural” societies such as Canada, and the primacy placed on human rights, notions of “us” and “them” are reproduced to disenfranchise certain people politically and economically. This helps explain why individual and collective identities are often utilized and perceived in such drastically different ways by multiple actors; that is, it helps explain the ways in which Roma engage with collective representations while simultaneously drawing on public and hegemonic discourses that can be quite different and sometimes oppositional to hegemonic narratives.

Coming back to Foucault’s understanding of power relations and resistance permeating all levels of society, it follows that the refugee process is reflective of the varying levels and fields of power, resistance and renegotiation. Instead of treating policy as neutral, as it has been traditionally treated in many anthropological academic analyses, examining policies and their contexts can better draw out anthropological issues like norms, ideologies, knowledge/power, and rhetoric that exist in various forms (Shore 1997:4-6). Policies codify social norms and values, and articulate the principles within society’s implicit and explicit models (ibid:7). Policy can be understood to shape the ways individuals construct themselves as subjects and are categorized and given statuses or roles like citizen, refugee, criminal, deviant; people are classified, shaped and ordered from cradle to grave according to policies (ibid:4). The study of policy is inseparable

²⁷ See Chimni’s article “The Geopolitics of Refugee Studies: A View from the South” (1998) for more explanation on this trend.

from power issues, because humans create meaning through forms of communication like law (Shore 1997:88).

However, before these issues can be explored, the underlying concepts of “refugeeness” within the Canadian system must be outlined. The first section, *Categories in flux*, provides the reader with an overview of the UN’s contributions to a global definition for the category “refugee” and how this label, through differential interpretation and implementation, has come to affect millions of individuals. The next section, *Canadian Refugee Process*, then explores perspectives on the IRB’s history, how it is experienced by Romani claimants, and what kinds of resources claimants are able to access. The final section, “On paper, a paradise”, builds upon the previous sections and their narratives in order to illustrate their points to show the varying contexts, issues and biases Romani claimants face in the Canadian system.

Categories in flux: creating concepts

A brief history of the creation of the label “refugee” and how it has changed over time is necessary to situate it within the also-changing Canadian refugee processes. Since the emergence of a definitive category of ‘refugees’ in the early 20th century²⁸, many changes have occurred altering its meaning, dependent on the political, social, and other contexts of the times in which it has been interpreted. During the time that the definition of refugee was coming into existence as a globally recognized label with corresponding state responsibilities, wars, recessions, uneven prosperity, and economic depressions were creating antipathy towards immigrants and refugees and discouraged the movement of newcomers to Canada (Knowles 2007:127). The transformation in policies and popular perceptions of the refugee as a persecuted individual who escaped authoritarian communist regimes to unwelcome aliens who are economic migrants and not “real” refugees created a hostile attitude and environments in western societies, including Canada. This furnished a climate of fear or at least indifference to refugees that could have brought needed skills to Canada (Knowles 2007:127, 143-144).

²⁸ However, the concept behind a specific category for persons in need of asylum is not new: many forms of persecution throughout history have forced humans into the undesirable position of fleeing to seek safety in other areas. It is only the modern incarnation of the term “refugee” that is discussed here, understood as a direct result of the millions of people that were displaced during WWI and WWII.

The motivations behind the policies of Western states regarding refugees has shifted from neglect in post-WWII to their use as pawns in Cold War politics and finally to one of containment, which continues today (Chimni 1998:350). It is in this manner that one may understand that refugees in the Cold War era possessed ideological and geographical values to their receiving Western states, and one may also see how restrictive measures were only introduced once the need for political gambits were no longer necessary and states no longer felt refugees were to their advantage (ibid:351). Through this means, refugee and asylum-seeking policies were created in response to, as well as reinforced the notion of a “myth of difference” (ibid:351).

This is significant because institutions, governments and international organizations are key vehicles through which categories are created, such as legal definitions and policies. It is the function of any large organization, including governments, to “see” human activity relevant to its interests and simplify an approximation of it through documents, statistics, and categories (Scott 1998:77). Because of this, refugee claimants are inundated with forms and documents the moment they arrive, meaning these “papers become the material expression of subjectivity: their ‘file’ is who they are in the eyes of the bureaucracy”, and as they are filled out and categorized according to status, claimants become acceptable to the state (Lacroix 160-161). Therefore it is important to understand the historical contexts around which the modern and legal terms “refugee” and “asylum seeker” have been defined and reproduced.

UNHCR refugee definition

The League of Nations established a High Commissioner for Refugees in 1921 as a result of the Russian revolution and subsequent genocides occurring in other areas. Soon after, in 1930, the Nansen International Office for Refugees was created as the successor agency to this Commission. Although its aims were admirable (and was awarded the 1938 Nobel Peace Prize for its refugee passport idea), it was based on a weak agreement between nation-states and was soon overwhelmed by the sheer number of refugees created by the conflict leading into World War II. Following the dissolution of the NIOR, the United Nations Relief and Rehabilitation Administration (UNRRA) was

created by the Allies in 1943 for the specific aim of providing aid to areas liberated from Axis powers. In 1947, the newly formed International Refugee Organization (created in 1945) took over UNRRA's responsibilities (Ziring 2000:317). Finally, the United Nations High Commissioner for Refugees (UNHCR) was created in 1950 and continues today to provide protection and assistance for many genres of asylum seekers in addition to the newly revised definition of refugees built out of previous organizations' definitions (Weiss 2001:188; Ziring 2000:371). The ensuing 1951 UN Convention of Refugees has the distinction of being the most widely ratified and implemented international convention today (Sales 2007:116).

The current definition of refugee, the basis upon which UN member nations have thus created their own refugee policies, is stated as:

A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it (UN 1951 Declaration).

This definition is clearly detailed in Article 1 of the 1951 UN Convention Document²⁹. Along with the principal of non-refoulement³⁰, the definition of a refugee is a provision that, although meant to be "interpretation-free", is interpreted by states that apply the definition variously, including the notion of what kinds of acts constitute "persecution". This definition of a refugee is distinguished specifically as a legal status that someone receives as a result of a general recognition of a specific group's vulnerability (Bohmer and Shuman 2008:24); thus in order to be a refugee you must be "visible" to the state, as well as be recognized as a member of a group that is specifically targeted in some way. An unknown person suffering persecution will never be allowed to claim refugee status unless he/she actively demonstrates their situation in some way to a government other than his/her own. Although new provisions have been added to the original 1951 Convention in order to reflect changing refugee situations, most notably the 1967

²⁹ For the Preamble and Chapter 1 (Articles 1-11) of the Convention Document Relating to the Status of Refugees, see Appendix C.

³⁰ No member state may expel or return a refugee against her or her will to a territory where persecution is feared.

Protocol³¹ (Weiss et al. 2001:188), the UNHCR admits that refugee policy creation and implementation is not carried out equally by member states.

States themselves make the final determination of who is a Convention refugee and who is therefore entitled to temporary asylum from persecution... Particularly when faced with an influx of unwanted persons, states may show a racial or ideological or other bias in their procedures that determine who is recognized as a legal refugee (Weiss et al. 2001:188).

Further exploring the differential intersections of various dynamic power relations and actors, attention should also be paid to the UNHCR's contexts as an institutional body that helps create and implements policies and negotiate member relations. The UNHCR necessarily operates under a wide range of policies and motives in conjunction with multiple political actors; it should not be forgotten that the UNHCR's funding comes directly from the UN and thus from well-developed and influential member nations (Schenker 2002:37). Indeed, from its very beginning, the UNHCR has been influenced by a coalition of powerful Northern states, and thus the concepts it put forth in its refugee mandates are a means to "operationalize the vision of containment of the powerful donor countries" (Chimni 1998:366-7). The UNHCR's dominant framework for creating and implementing policies is centred on the idea that law is separate from politics (a positivistic approach), yet it can be clearly seen through the above examples that there are multiple ideological and functional parameters in place that heavily influence the UNHCR and its processes. Thus, even though UNHCR's work and aims are put forth in discourse as "strictly humanitarian and non-political", we can clearly see how political, social, and economic contexts indeed play roles in influencing refugee policy implementation (Ziring 2000:373). On its part, the UNHCR does acknowledge that it is dependent on the cooperation of host states and their willingness to negotiate the three long-term solutions³² envisioned for refugees (Weiss 2001:191-192).

In addition, the UNHCR is a large overarching international institution, and as such its focus is not on individuals but on larger, well-publicized and "visible" groups needing assistance (Ziring 2000:373). This focus on large, identifiable groups

³¹ In addition to the Geneva Convention definition – which only covered those who became refugees due to events before January 1 1951 – the 1967 Protocol included persons who flee war or other violence in their home country at any time (see Appendix D: UNHCR 1967 Protocol).

³² Repatriation, integration, and resettlement.

contributes to strong motivation by refugees to create or present certain images or narratives in order to fit within the perceived definition of refugee in order to successfully navigate the legal processes of obtaining official status. This process of representation by refugees in certain situations for specific aims is further explored in Chapter V. From this cursory background, one can understand that the very concept of refugee – and the creation and implementation of refugee policies – is constantly changing based on the geopolitical environment (e.g. Cold or post-Cold war), the interests of states, and the ability of refugees as individuals or groups to navigate through the obstacles presented by the complicated process. Therefore what happens when further non-static issues and processes, such as nationality, ethnic group or religious identification, immigration and population concerns, and many more, further complicate how the definition of a refugee is implemented?

When is a refugee not a refugee? Problems of migration categories

As already mentioned, there is no universal interpretation of the refugee label, and state policies change over time. I cannot explore the inherent political dynamics of (non)binding international agreements such as the UN Convention in this space; however it is important to understand that although member nations may have signed the 1951 Convention (and the subsequent 1967 Protocol), they are free to create their own refugee policies and processes and deal with other asylum seekers in possibly unfair and biased ways that create human rights abuses, without interference from the UN.

Until there existed a specific refugee category to classify such people, states paid little attention to the causes of why people left or fled specific areas (Colson 2003:4). This creates a cycle in which organizations and institutions are always reacting to situations, instead of anticipating and planning. We see this pattern again carried out in the case of Roma in Canada, but for now it is important to recognize the limitations that a label or policy has on individuals and groups.

Would you be able to define (and prove) yourself under one singular label? Would any such label express your person and heterogeneous experiences, accurately and definitively, and would you trust state officials or even lawyers to decide for you whether that label is appropriate or not? No, because it is simplistic to reduce an individual's life-

trajectory to a single category, such as “refugee”, and yet that is precisely what happens when applying for asylum or refugee status. In the course of applying for refugee status, one must filter out any non-relevant information about oneself and only focus on why one should be able to legally claim refugee status. This ignores the complexity and richness of individuals while simultaneously neglects any personal biases of individual actors involved in the labelling process.

So what good are categories and why does the state hold them sacrosanct? The notion that policies sometimes fail to function as instruments of governance as intended fuelled Scott’s research into how individuals are “seen” by the state, as he began to understand how policies create their subjects as objects of power, thus creating subjectivities and identities (1998:3). Categories play a large role in this, and if there is any doubt, recall how much money and effort goes into the population census every ten years. As mentioned earlier in this chapter, labels serve to make people “legible” to the state. Yet definitions are exclusionary and much as they are inclusionary, and thus many people are left outside the convention “refugee” category, raising important issues pertaining to violations of human rights and other provisions in international law.

Internally displaced persons (IDPs), economic migrants, and many illegal immigrants all fall outside the traditional definition of refugee. For example, IDPs are excluded because they do not happen to cross an international boundary. Or in the case of economic migrants, they happen to not have enough “proof” through official documents that they are subjected to persecution in their home country. This creates situations that the UNHCR is unable to directly address within its jurisdiction, as already noted when state sovereignty issues and the motivations that fuel policy creation were discussed.

One of the major consequences of the refugee label is the impact it has on an individual and/or group’s identity. Like so many legal definitions, this category sounds straightforward but in practice it is quite complex (Bohmer and Shuman 2008:17). Like many of the informants I spoke with, refugee claimants are ready to consider themselves refugees, ready to be accepted as such, but the bureaucracies in place require that they prove it, sometimes in nearly impossible ways or “Catch-22” situations (Lacroix 2004:162). Thus, through Lacroix’s use of Malkki’s concept of “refugeeness”, a way of

understanding refugeehood emerges as the particular subjective experience in relation to existing policies (2004:163).

Many sources come back to the notion of a binary system in which immigration policy and the labels it creates exist in extreme and opposite dichotomies (Bigo 2005; Dauvergne 2005; De Genova 2002). There is great value in examining binary systems; they “are important to an identity-based analysis of legal discourse because so many of the categories are used to identify individuals” (Dauvergne 2005:31). Immigration policy is essentially concerned with exclusion and inclusion, defining insiders/outsideers in relation to the nation-state and the access of noncitizens to rights within that state, central to constructions of national identity (Rosemary 2007:3). Thus nations necessarily operate within inclusionary/exclusionary frameworks, defining citizens and non-citizens, and the hierarchal scale of non-citizens (refugees, asylum seekers, economic migrants, temporary workers, to name a few). Yet it must be noted that

each of these categorizations simplifies and fixes reality in an artificial way, particularly in cases at the margins...and each of these identity labels has consequences that affect their realities, even if the labels do not accurately reflect those realities...migration law creates a long list of categorizations and corresponding entitlements (Dauvergne 2005: 31-32).

This binary legal reasoning works through “a series of either-or choices, leading to an ultimate pronouncement in the same framework: guilty – not guilty, liable – not liable, eligible – not eligible...there are ultimately only two alternatives, which are diametrically opposed to each other” (ibid:31).

Identities do not exist solely in binary systems, and these dichotomous labels “presuppose an unchanging national homeland and boundary, which doesn’t reflect non-static, continually shifting, complex realities” (Rosemary 2007:3). As an example, one can look towards the EU: Eastern EU member states are both insiders and outsiders at different stages and in different ways (ibid:3-4). Instead of an “either-or” relationship, they occupy changing roles within a fluctuating hierarchy of insider-outsider rights and responsibilities, much like the refugee claimant who must don many different hats at different levels before successfully claiming legitimacy as a “real” refugee.

Identities, individual or collective, are not necessarily exclusionary or determined by the state; indeed, they often are at odds with a state or society’s categorization of a

particular person or group. If one is denied refugee status, it assuredly has a deep impact on one's life, whether pertaining to livelihood, place of residence, and more, as well as to their sense of identity and how they are perceived by multidimensional actors (for example, a specific public, government, or community). Yet denial of refugee status does not mean that a person is subsequently not considered a refugee to both to oneself and to one's networks and communities. Unfortunately, such a person's continued conceptualization of him/herself as a legitimate refugee will not often be supported by various forms of discourse in governments, institutions, communities, or publics.

The voices and experiences of refugees are often "muted" by powerful institutions that exert influence over what is remembered, especially when it contradicts their "official" versions (Eastmond 2007:257). This can be demonstrated when, as an example, Hungarian claimants are denied refugee status due to their "un-credible" stories of persecution that occurred in Hungary. They are told, by various authority figures, that their memories and life-stories are erroneous or concocted falsities because they do not have supporting documents from police stations to buttress their claims, as if such documentation is a stand-in for any accurate representation or life-story of an individual. Instead of dismissing such refugee narratives, Board members and refugee policy makers must understand that life-stories are interactive sites of social and political life, and offer unique opportunities for examining these processes (ibid:251). It is vital to remember that refugees are in the midst of the story they are telling, which is filled with uncertainty and liminality (ibid:251). Issues of trauma, cultural differences, and psychological factors should all be addressed and provided for within the refugee determination process. Yet some Board members dismiss expert testimonies, do not read the reports, do not follow procedural rules (in some cases, refuse to hear evidence or listen to the claimants), make inappropriate comments, sometimes even act in aggressive and outright cynical manners and in general "fail to carry out their duties effectively" (Rousseau et al. 2002:53-57).

Narratives should be valued for their creation of a dynamic view of the subject, as they provide opportunities or entry points into grasping the complex interplays between self and society (Eastmond 2007:250). They create "a meaningful and coherent order, imposing on reality a unity which it does not inherently possess", and thus should not be seen as simply reflecting life as lived, but instead "as creative constructions or

interpretations of the past, generated in specific contexts of the present” (ibid:250). It is critical to acknowledge, however, that other actors in the refugee process also bring their own narratives and memories to the hearings and refugee process. It has been repeatedly stated in official documents by the IRB that the hearings and refugee process does not allow for acknowledgement of actors’ perspectives and beliefs; the process is viewed and treated as a neutral and unbiased arena in which refugee claimants can make their case.

I learned that a variety of issues permeate and influence the seemingly simple flow of the claimant process as it is presented by official government. Indeed, my findings concur and can be combined with research by others done on the Canadian refugee system to present a multifaceted, complex, dynamic system that is shaped by numerous actors and contexts. The following stories are intended to highlight some of these contexts and dynamics that are intertwined within the “neutral” refugee process.

Making a list, and checking it twice...

It can now be understood that governments depend on paperwork and classifications to “see” their citizens and residents of various statuses. It is then especially important to recognize that, subsequently, people who do not fit into categorizations on paper in a sense do not exist to the state (Scott 1998:83). Furthermore, an error in a document has more power, for a longer time, than an unreported truth (ibid:83). It should be also understood that there is no single definitive “Roma” characteristic. Nation-states prefer more bounded groups that can be conclusively defined through one or two attributes, such as religion, geography, language, citizenship status, cultural traditions, skin color or physical features, blood relations/DNA ancestry, political affiliation, sexual orientation, or mental or physical capabilities, to name but a few. These classifications can be seen as mechanisms for segregation based on “sharp ethnic boundaries” which then limit choices available to individuals in classifying others or themselves (Ladányi and Szelényi 2006:140). Yet there is no single overarching characteristic that conclusively determines if one is Romani or not.

Such categories were the basis of the request handled by the not-yet-fully-created RCC in 1997-1998 by the IRB: they wanted RCC-affiliated individuals to act as “experts” to create a list pinpointing some key characteristics of who a typical Romani

person was. The IRB was having difficulty at that time judging whether or not claimants were "authentic" Roma³³. Although one can be sure such a request was couched in inclusionary terms, such a list would have undoubtedly been used for more exclusionary purposes: used for denying claims, not accepting more. Authenticity is a highly problematic term in that it presumes a belief in cultural purity or untouched cultures (Ortner 1995:176). The RCC refused to cooperate with such a request, and one informant recalled that creating such a list would be impossible due to the fact that "some speak Romani and some don't, some are light-skinned, some are dark skinned, and some know about Romani traditions, some don't. We said, we're not going to participate in anything that smacks of Nuremberg Law³⁴."

A compromise was then offered: in lieu of a steadfast list that judges may have cherry-picked for the most significant factors in order to justify denying refugee claims, the RCC offered to do "assessments" of Romani claimants. These reference letters would come from the RCC as evidence that they had seen and discussed with the claimants and were satisfied that they were indeed individuals that should be considered "Roma" by the IRB. Although this method seemed to possess better chances for the claimants to not be rejected outright based on questionable claims of ethnicity, it still carried with it many inherent difficulties. First and foremost, the entire issue of self-representation vs. external-identification was simply reinforced, albeit in a different manner. Instead of the government deciding who fits under the "Roma" category, it would now be the RCC (a more sympathetic and informed actor, to be sure, but nonetheless an external actor). Second, as the RCC soon discovered, it was still an incredibly formal and time-consuming process that deterred many Romani claimants from visiting their office (then housed in the Metro hall where one had to pass through security, creating an intimidating and formal atmosphere) and thus limiting the individuals who were able to obtain such a letter. Even in the RCC's current incarnation, with a more relaxed office environment and central location in Toronto, there still exists a chasm across which many Roma cannot or

³³ Which would not have been a problem had the cases been heard on an individual basis, like they are supposed to, and had the IRB Board members been properly educated and informed about the ethnicity of their clients, also something that is supposed to happen.

³⁴ Anti-Semitic laws imposed in Nazi Germany that distinguished between "German" and "Jewish" citizens based on ancestry; also prevented "mixed blood crossbreeds" by prohibiting marriage outside of the assigned ethnic group, and revoking citizenship from Jews.

will not navigate. Perhaps they do not know of its existence through using certain channels or networks, or perhaps they are dissuaded from visiting the RCC from their communities, but in any case, a letter from the RCC – although helpful – is by no means an overall positive method for all the different Romani cases and people that exist.

Even more alarming are the biases that exist in the refugee system, list or no. Certain judges are reported as having 100% rejection rates, and there are many more who consistently maintain greater than 75% rejection rates (Jimenez 2004). Concurrently, there are also judges with nearly 100% acceptance rates (ibid). The key point is that judges indeed have biases and opinions they carry with them into hearings, and a pick-and-choose list or letter system, as is favoured by the government, can be used by extremist judges (whether positive or negative) to justify pre-determined decisions. Humans often selectively choose facts to bolster their side of an argument; judges, as humans, are not exempt from these processes and make decisions based on fixed opinions. Thus, lists that can never accurately reflect the full scope of an individual or claimant's personhood are bound to have an effect on how that person sees him/herself as well as larger communities and networks exist within.

Protected person or extradited criminal?

Although I did not meet Adolph Horvath³⁵, many of my informants brought up his situation to me as a means of expressing their own opinions and worries regarding his case. Although his circumstances are atypical in several respects and cannot be considered the “average” Romani claimant experience, several extremely significant issues are raised that demonstrate what a critical impact categories and labels may have on Romani experiences and identities. Adolph arrived in Canada, with his family, in 1999 from Hungary after surviving neo-Nazi and police attacks in 1998 that left him severely injured. Presenting their case to the Canadian IRB, Adolph's wife and child were given refugee status in 2002, and Adolph was further labelled a “protected person” in 2004 “after an immigration officer found he had been abused repeatedly by police in Hungary and although the country could offer most people protection”, such protection remained out of reach for Adolph (Taylor 2008).

³⁵ Real name; he is not one of my informants and his name is well-known through newspaper coverage and other media events reporting his story.

The Hungarian government, however, meanwhile charged Adolph in relation to blackmail and extortion charges stemming from a "lucrative" 1998 business deal. It is sensible for readers to keep in mind the negative international image Hungary was suffering at this point due to its high number of Romani refugees seeking safe havens in Canada. One interpretation of such an extradition request is that Hungary wished to do some "damage control" of its human rights abuses by painting Romani refugee seekers as liars and thieves. Thus, despite evidence of trumped-up charges by the very police who had assaulted Adolph, as well as withdrawn testimonies from people who claimed they were coerced by Hungary to testify against him, the Canadian Minister of Immigration withdrew Adolph's refugee status in 2005 (Taylor 2006). Furthermore, despite Citizenship and Immigration's conclusion that "no concrete evidence of any criminal activity [by Adolph exists] either here in Canada nor in Hungary", the Ontario Court of Appeals and the Supreme Court of Canada both upheld the extradition, and ordered Adolph sent back to Hungary to face the charges (CBC 2008). Adolph understandably, but illegally, has gone underground and did not show up to the Detention centre that was the next step in being sent back to Hungary.

Although obtaining "protected person" status involves more detailed and stringent procedures than being a refugee, Citizenship and Immigration Canada (CIC) ignored its original findings and research in revoking Adolph's status, as well as ignored specific US State Department human rights reports on the abuses enacted by Hungarian police. In addition to disregarding such research, Canada blatantly ignored its highly publicized humanitarian policy regarding family reunification, one that is often touted to bolster Canadian international and domestic reputation. Instead of reuniting conflict-divided families, the IRB is actively choosing to send a man away from his family. This is a good time to remind the reader that evidence and its contexts are always shifting, as demonstrated by Canada's active decision to reinterpret its rules and findings in different ways. It can be clearly understood that categories and labels, and any kind of official status or classification, are constantly changing due to various processes (including international politics, as evidenced in this case, but also by public discourse and individual and community agency).

Refugee status, especially the process during which one is merely a refugee claimant and not a full status refugee, is an already liminal and fragile position for many Roma. The category of refugee and protected person no longer apply to Adolph. It is this temporality that worries many of my informants. Adolph was a successful business man (which angered those who did believe Roma deserve to win big business contracts), and thus “on the radar” for continued attention by the Hungarian government, but nonetheless, an average Romani claimant cannot help but feel their position is even more tenuous, when hearing of someone who was supposedly recognized as “protected” now facing certain violence with no representative sticking up for him. The knowledge that your status (and thus access to resources, family, networks, a safe environment, and more) can be revoked at any time absolutely impacts how one conceives one’s own identity. How would you feel about your identity, knowing that at any moment your Canadian citizenship could be taken from you, that you could become a stateless person? With these pressing issues in mind, it is vital to examine how the Canadian system for determining refugees was created in order to draw attention to its flaws and challenges, especially when involving Romani claimants.

The Canadian refugee process

The refugee process is subject to continuing revision and change. However, far from being a neutral and apolitical institution as is suggested³⁶, the IRB is deeply entrenched within varying political circumstances that in turn affect, and are affected, by refugee claimants. It is important to point out before outlining the process itself that the culmination of the IRB process, the refugee hearing, is meant to be a “non-adversarial” proceeding (Rousseau et al. 2002:44). The Board member who attends this hearing has a main task of “assessing the credibility of oral testimonies and documentary evidence” of the refugee claimant (ibid:44).

The IRB has only recently celebrated its 20th anniversary: it is a very new institution that has the challenge of dealing with long-standing situations that were often put in motion before its creation. Refugees weren’t even legally acknowledged or included within official policy for most of Canada’s 20th century (Knowles 2007), and the

³⁶ The IRB factsheet states that “IRB tribunal process is based on Canadian law, Canada’s international obligations, and Canada’s humanitarian traditions”, all of which have deep political structures (2009).

1976 Immigration Act finally included planning that pertained to and outlines refugee/humanitarian statuses – innovative new acts (ibid:209). This means that prior to 1976, selection of refugees had been done on an “ad-hoc basis” (Lacroix 2004:150). But even the 1976’s policies were riddled with problems, such as providing no oral hearings for claimants, only having paper submissions of evidence (ibid:150). Before the IRB’s creation in 1989, immigration policies regarding refugees fell under the jurisdiction of the Minister of Employment and Immigration Canada (EIC), acting upon the advice of an advisory body, the Refugee Status Advisory Committee (IRB 2009).

The Singh decision of 1985 entitled refugee claimants to an oral hearing when credibility issues arose, and is widely cited as a key watershed in the formation of a separate refugee board (Lacroix 2004; Knowles 2007). This decision directly led to the Plaut Report to the Minister of the EIC in the same year, proposing a restructuring of the refugee determination process and advocated an independent board to determine refugee status, incorporating oral hearings (IRB 2009). These events led to the creation of the IRB in 1989 through Bill C-55, which amended the 1976 Immigration Act, and was composed of two divisions: the Immigration Appeal Division (IAD) and the Convention Refugee Determination Division (CRDD). The third division, the Adjudication Division, was transferred to the IRB in 1993 and conducts inquiries and detention reviews.

Without devoting too much time to the specifics, the IRB process itself (as it stands right now) is made up of three basic approximate steps. The actual number of steps can vary, depending on the claimant’s circumstances and outcomes, but in general, the checklist for achieving refugee status is:

1. Declare intentions/file a claim (whether in home country or in Canada)
2. File a Personal Information Form (PIF) and arrange for the necessary requirements and documents for the tribunal process
3. Attend hearing

Not included in this description are the various kinds of hearings (fast track vs. expedited vs. full hearings), differences in removal orders (departure vs. exclusion vs. deportation orders), or one’s options after being refused refugee status (filing a sponsorship, removal, residency, or Minister’s appeal; or applying for Pre Removal Risk Assessment or humanitarian/compassionate grounds). It is evident by the length of information included

within the preceding parentheses that the seemingly simple three-step IRB process is anything but straightforward and simple.

There have been amendments that have significantly restructured the IRB process in the last decade. One of the latest (and most contested) restructuring movements was in 2002, when Canada implemented the Immigration and Refugee Protection Act (IRPA). Before this, two IRB board members would adjudicate each hearing, ensuring fair hearings heard by more than one experienced personnel. After 2002, there are now two big problems: there is no appeal process, despite provisions for it as an integral part of the law process, and there is now only a single Board member at each hearing (Lacroix 2004:151). This effectively lessens the amount of experience brought to the hearings, while ensuring an appeal process cannot be accessed.

Another revision occurring within the past decade limits an individual's chances to apply for refugee status in Canada to only once per lifetime. Thus, no matter how old they were at the time of their first claim, they are now forever barred from ever applying again. This obviously does not take into account any changing political or social contexts³⁷, or provide for persons who had their claims unjustly denied without chance for appeal from ever applying again.

Navigating the system

Not included in this brief break-down of refugee claim process are the resources necessary to actually complete a full application. At every step there are lawyers and counsels to be consulted, forms and official documents that need notarization, meetings and appointments at various ends of the city, and more. It is possible to file a refugee claim application without legal assistance but due to the myriad and perplexing deadlines and "small print" requirements (often in a non-native language of the applicant), an applicant hardly stands a chance fulfilling these conditions perfectly and thus may not even be able to proceed to a hearing. Many shady businesses and individuals profit from refugee claimants: as a claimant is in a particularly vulnerable position throughout this process, there are many opportunities for fraud and theft through promising legal or other

³⁷ To illustrate the illogical manner of this law: someone whose parents applied for refugee status when the claimant was age 5 due to ethnic persecution and rejected; war has now broken out 20 years later, and despite different circumstances and age, the rejected claimant may never apply again.

services in this time. Unfortunately, such practices were described to me by various informants as experienced by their acquaintances and others.

There are community legal services available for applicable refugee claimants, such as Legalaid, but these services are also limited and in turn limit whom the claimant can work with³⁸. The main point here is that numerous and wide-reaching resources are necessary in order to file an application: I want to illustrate to the reader how complicated and time consuming the process is. Speaking as an immigrant currently undergoing the process of obtaining permanent residency in Canada myself, I can speak to the extreme frustration and time-consuming nature of bureaucracies. Yet I am fortunate enough to be in a privileged position (native English speaker, with an income and savings, etc.); for others, navigating the appropriate resources to successfully file a claim (not be approved, just file) is nearly impossible. This can result in high numbers of withdrawn or abandoned claims, which is currently the cause of the new visa policies discussed later.

As research has shown, the experience of the refugee process is different for each person involved, and so is their access to resources. Lacroix has observed three areas directly having an impact on a refugee's life and experiences: work, family, and encounters with state (2004:153). Her conceptualizations of the macro, meso, and the micro³⁹ levels (ibid:154) are all useful, but I wish to go beyond the understanding of the state as a "power exercised through different control mechanisms put in place by institutions", to look at the state as being a major player in claimants' lives and as reminders of their precariousness (ibid: 160). Claimants are also agents themselves, and engaged in resistance, and change. They do more than simply oppose domination, they have their own politics with multiple local categories of friction and tension (Ortner 1995:177).

The refugee process, in reality, then "becomes a test of a claimant's ability to construct the appropriate image of a Convention refugee, satisfying the decision-makers expectations" (Rousseau et al. 2002:51). There is a constant worry that claimants, as immigrants, are inherently distrustful and lie to abuse the system, possibly stemming

³⁸ I learned from informants, for example, that some psychiatrists will refuse to work with any claimants using Legalaid due to monetary compensation and time-investment issues.

³⁹ The international regimes' definitions and laws; the different restrictive policies; and the particular experiences of individuals, respectively.

from the traditional history of intolerance and mistrust of refugees (Knowles 2007: 144). Although Board members *should* grant the claimant the benefit of doubt when evidence is lacking, many are instead rejected based on “implausible” stories (Rousseau et al. 2002:47). For in-depth analyses of the hearing process and how its actors often play different roles, studies of the Canadian refugee process conducted by Lacroix (2004) and Rousseau et al. (2002) are excellent, and unfortunately rare examples. Their findings reiterate and concur with many of the stories my informants told me during my research, especially regarding the inadequacies and biases within multiple levels of the refugee determination system.

Translators, counsels and psychiatrists as agents of influence

Through interviews with different actors, including translators, counsels and a psychiatrist, I was able to gain a better holistic understanding of the refugee process than if I had only relied on my own perception of the hearing I attended, or only interviewed people who had successfully navigated the system, or only examined it from the perspective of the claimant, as important as that is. I was also able to gain understanding of how each of these agents within the system in turn view and affect refugee determination and identities, even when it is not consciously recognized as having an effect.

A Slovakian translator I interviewed was adamant that the translator was a neutral party that would not influence the proceedings. Although she acknowledged that influence is possible at every level, she insisted that translators would have nothing to gain by it. However, she then discussed other translators she heard about that “arrange” things with clients for money, and how there are networks of counsels and translators that work together to abuse the system. This can result in more money, or better/more cases for translators, thus gaining an advantage. She didn’t know of these things first-hand and was quick to assure me it probably didn’t happen still, as it was only hearsay she had heard from other translators in the past. She was clearly not comfortable discussing the possibility that her work was anything but neutral, and instead preferred to talk about her experience with Gypsies in her home country growing up. Many are fine and deserve the refugee status because of persecution, she said, but she also knows of many who

purposefully fool the system and think Canada is “heaven”, stating, “these Gypsies take advantage of the system, they are very clever, and costs us money”. Harrell-Bond discusses the various processes behind hostility and suspicion for staff and aid workers who work with refugees, including overwhelming amounts of work that distance and reduce individuals to case numbers, and the reaction by refugees to “dramatize” their frustrations creating a cycle of distrust (1999:141).

The psychiatrist I spoke with presented a compelling argument in that she bucked the system by refusing to fill out the standard forms for refugee claimants hearings. She does not believe that labels in this case should be thrown around arbitrarily, yet acknowledges how categories often help claimants⁴⁰; she is dismayed that in the end, her expert opinion is most often whittled down to one or two medical words/categories describing an individual. So instead she will sit with clients for hours, listening to them in their own terms, trying to tease out the narratives. She says that others don’t do this – they aren’t paid enough through Legalaid, and they don’t have the patience to sift through unfamiliar cultural differences in storytelling to get to “the point”. So a client is reduced to sound bites. She tries to negate this, and is thus in high demand by certain counsellors, knowing her tendency to take time with the claimants’ so that their stories may be better heard and understood by the IRB.

The counsel can also fight for the claimant, which Rousseau et al. think is part of the reason the dynamics change in a hearing⁴¹ (2002:60). In order to attempt to maintain IRB’s “neutral” process, IRB workers are not supposed to hold strong opinions or advocate certain issues. The counsel I spoke with was originally involved as an IRB translator; he was open in his activism towards his Romani clients, and thus removed as an IRB employee. Yet another Romani activist is still currently an IRB translator, due to the rarity of the language skills that he provides. Thus, it is not a hard-fast rule of “no-

⁴⁰ Post-traumatic stress syndrome or disorder was the particular example she discussed with me. It’s an effective label that summarizes the details the Board does not want to take the time or energy to listen to, she said. And yet, the majority of refugee clients will be “diagnosed” with PTS as a natural result of the events that led them to apply as refugees: she thinks it is valid and necessary understanding of a refugee claimants’ narrative, but still a simplistic category that does not manage to convey their stories or health.

⁴¹ In Rousseau’s understanding, which I concur from my limited experiences, the counsel becomes the defender of a client and though has good intentions, may subject the client to retraumatization through the desire to have a successful trial. Since there is now a “defendant” at the trial, the judge sometimes slips into the “prosecutor” role to balance the relationship (2002:60).

activism”, rather, it is implemented as best serving the IRB depending on the circumstances.

“On paper, a paradise”: Roma and refugee statistics

One of my informants referred to Hungary as a paradise for minorities, at least, in theory (“on paper”). Hungary indeed has numerous provisions and institutions set in place for the many different minorities within its borders⁴². Yet there exists a wide gap between the theoretical protections for minority individuals (like the Roma) and the realities that exist and are reported by various external watchdog groups like Amnesty International and Human Rights Watch. What is recorded in official documentation, as we have seen, can be implemented or interpreted in many ways.

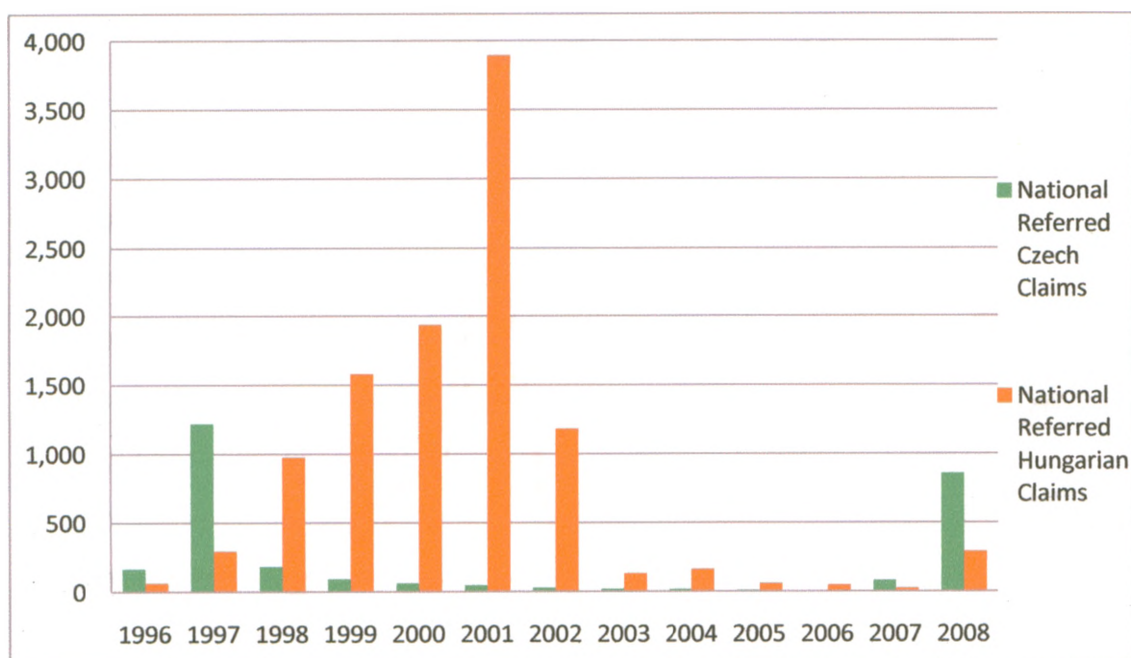
In the same way, Canadian protocols and processes “on paper” are experienced much differently in reality by people navigating the system. Nowhere is this more visible than in statistics and data collections. It is important to understand how data is always presented in relation to the many dynamic relations of agency and power, yet can still provide valuable findings on refugee contexts, issues and biases. For this purpose I present graphs to illustrate the contexts involved in earlier narratives and understandings of the refugee process⁴³.

Statistics in various formats (census numbers, maps, lists, etc.) all represent techniques for states/nations/governments to grasp large, non-static realities reduced to schematic categories (Scott 1998:77). In other words, numbers are a simplistic method of viewing complex circumstances; human experiences are once again reduced to categories and numbers. This enables authorities and privileged individuals a “vantage point” (ibid:79) from which to build and extract findings. I do not suggest that numbers, such as the ones presented below, reflect the entire nuanced refugee determining process or experiences that Romani refugees encounter and act within. Rather, they must be examined both in respect to their enormous potential to discover “new social truths” (ibid:77) as well as their destructive capacity to exclude important realities and report erroneous trends that in turn affect policies and individuals to a life-changing degree (Bohmer and Shuman 2008).

⁴² Most of which were created or bolstered in the last decade or so in preparation for their EU application.

⁴³ The data that has been used for the purposes of this research is presented in Appendices A-B.

Data and numbers have not traditionally been treated as a critical manifestation of societal norms and values in the same manner that policy is often viewed as neutral; policy is presented as data-driven and does not disclose that the data itself has been chosen and manipulated in non-neutral methods (Shore 1997:55). Similar to how the definition of refugee has severe limitations, so do numbers. Numbers alone cannot explain why “hot spots”⁴⁴ sometimes go “cold” for legitimate reasons, effectively translating into claimants no longer able to claim asylum from these areas once the crisis has passed (Bohmer and Shuman 2008:24). This is clearly shown in the following graphs, where the sharp dips and peaks in Graphs 1, 2 and 3 represent different ways of looking at areas producing refugee claimants.

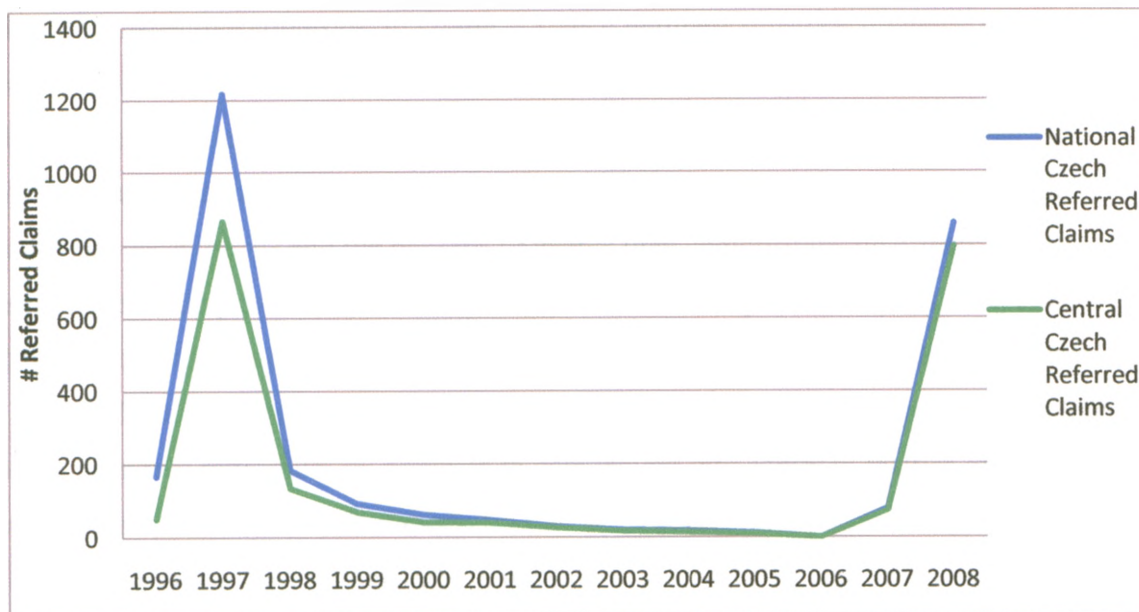


Graph 1: Total Czech⁴⁵ and Hungarian National Referred Refugee Claims⁴⁶

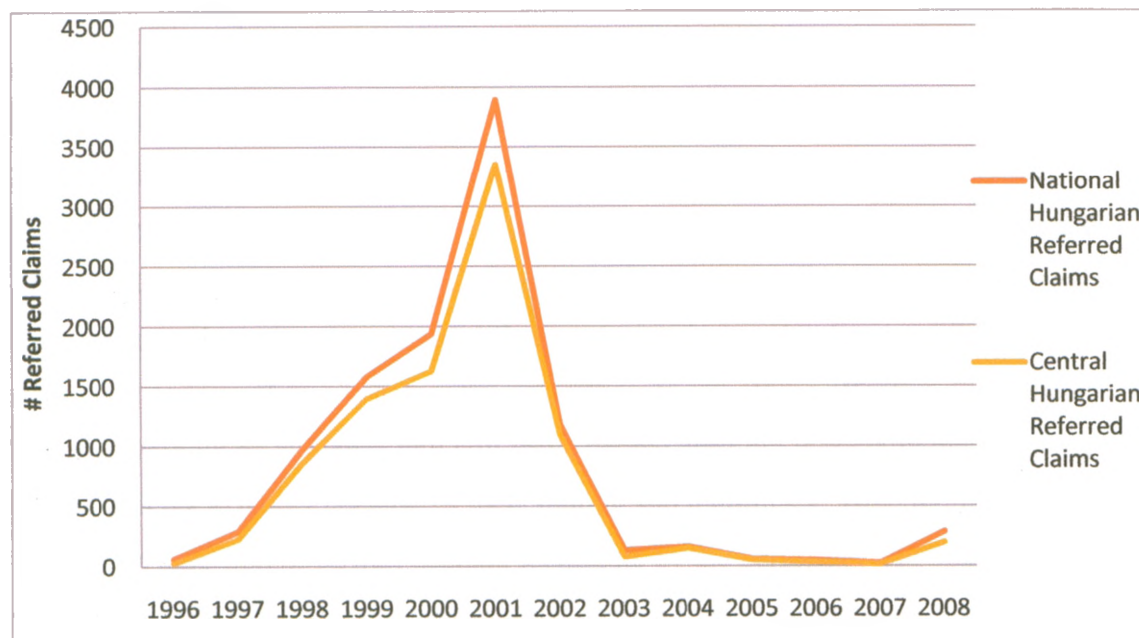
⁴⁴ Areas that produce a high number of refugee claimants or asylum-seekers.

⁴⁵ The IRB only records nationalities of claimants, not ethnicities. However, it is widely recognized that almost all Czech and Hungarian claimants are Romani claimants (Walsh et al. 2008:905).

⁴⁶ All graphs include a 12 year time period, 1996 – 2008. Although a wider span would provide more comprehensive understandings of trends and effects in the IRB system, the current IRB protocol for recording statistics started in 1996; thus any earlier information would skew data results.



Graph 2: National and Central⁴⁷ Czech Referral Refugee Rates



Graph 3: National and Central Hungarian Referral Refugee Rates

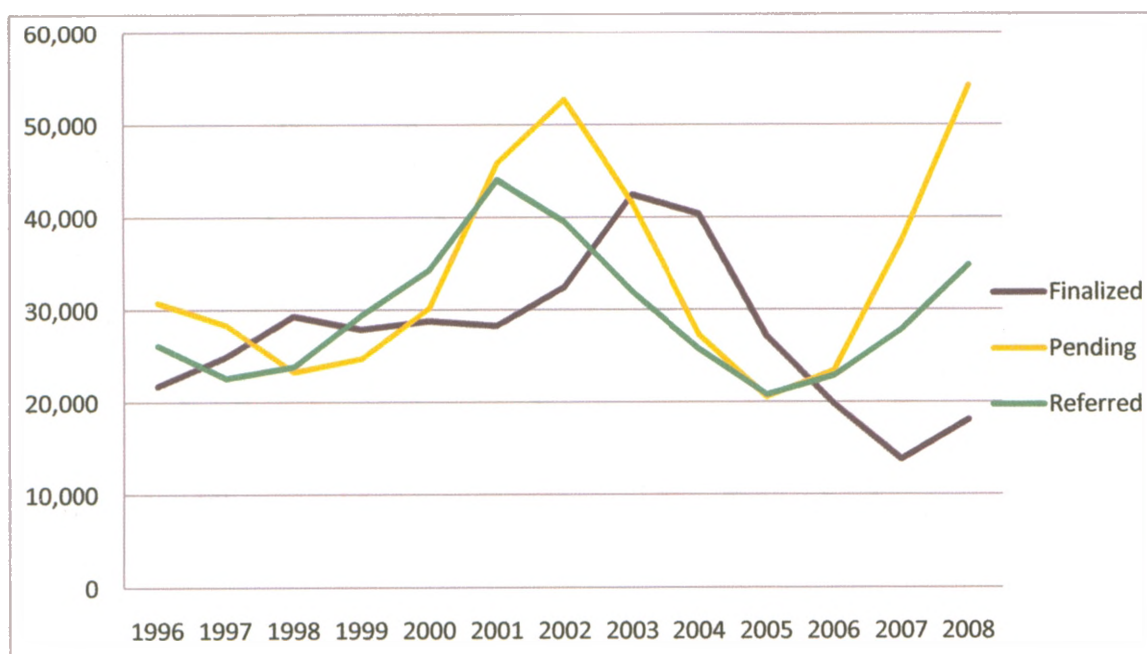
⁴⁷ "Central" refers to the geographical region that includes Toronto. Central patterns are included on Graphs 2 and 3 to illustrate how Toronto's patterns are nearly identical to National figures, and thus National rates can be used effectively as markers of events and trends when discussing broader implications for Roma in Toronto.

In each of these graphs, one may note different patterns in the number of claims coming from the respective countries. In Graph 2, Czech numbers illustrate dramatic and relatively isolated peaks in the years 1997 and 2008; for Hungarian numbers in Graph 3, they are represented by a peak in 2001, with substantial claims leading up to that year. Without understanding the political, social, and other contexts that accompany such numbers, these graphs and the patterns or events they demonstrate are effectively meaningless. Graphs alone do not indicate the cause of why Czech claims from 2000-2007 trickled to a halt, or why they began again in 2008 after years of inactivity (Graphs 1 and 2). Data may shift and change radically, or be purposefully manipulated, and thus one must never rely solely on numbers to gain insight into complex realities of human beings' situations and circumstances. Further context is always needed.

This is illustrated poignantly in the case of many Roma who are fleeing countries that are now part of the European Union and thus considered to come from "safe" countries and therefore do not need asylum (Bohmer and Shuman 2008:28). The decisions regarding what a "safe" country is (or is not) are often made by officials who are many steps removed from the actual process or circumstances (Scott 1998:76). Therefore these officials and policy makers are often unaware that violence isn't confined to intergroup conflict, instead, it is something related to individual subjectivity that structures people's everyday lives even in the absence of war conditions (Schmidt and Schroeder 2001:1); "removed" officials cannot or will not always see or believe areas where violence is structuring peoples' lives and experiences. Violence needs to be understood as more than a spontaneous act, rather, as something effective and logical: "violence without an audience will still leave people dead but is socially meaningless. Violent acts are efficient because of their staging and legitimacy" (ibid:4). Thus violence becomes an assertion of power, deemed legitimate by the performer and often the witnesses as well (ibid:3). Some persecution against Roma is encouraged by many communities in Eastern European countries, and this violence provides necessary context for the causes of Romani migration. Yet if we understand constant violence against Roma as the impetus behind migration to Canada, why do these graphs illustrate wide variances in claim referral rates?

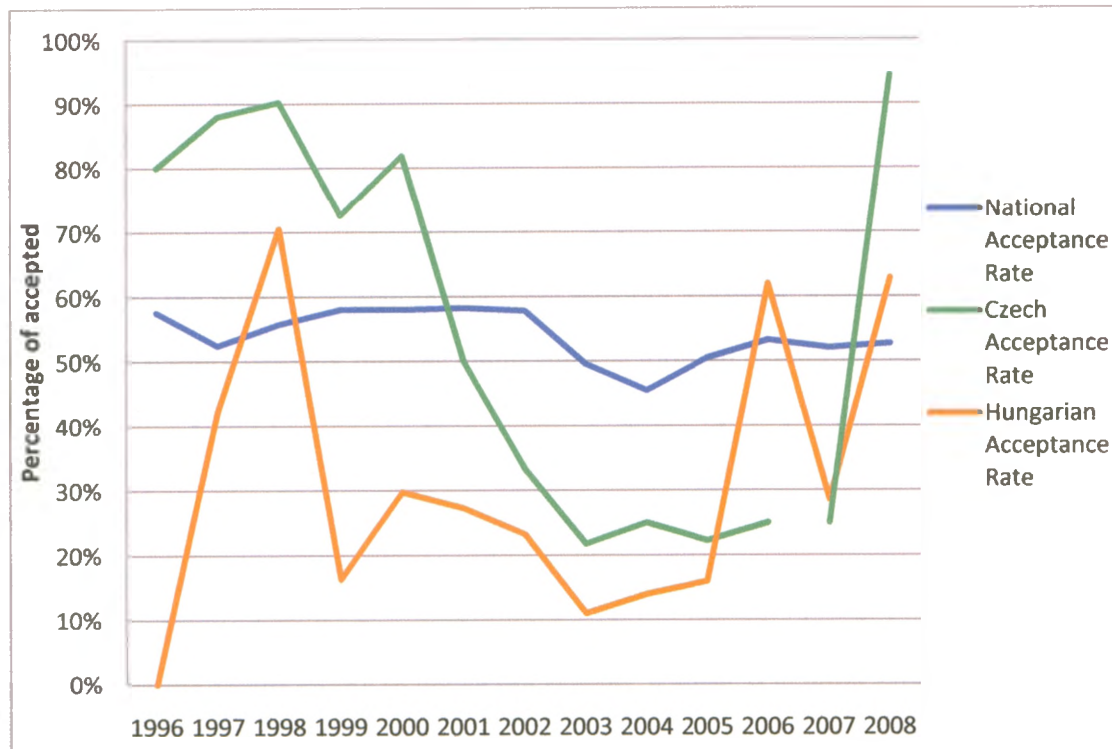
The peaks and dips in Graphs 1 – 3 are instead due to policies and laws. It was not the cause for migration (violence) that changed; rather, international and domestic restrictions have been lifted and imposed at various points that coincide exactly with the rise and fall of numbers as seen in the graphs. Visa limitations were lifted for Czech nationals in 1997, and reimposed in 1998, resulting in the subsequent decline in Czech refugee claims between 1998 and 2007 (Graph 2). In November 2007, these visa restrictions were once again lifted, and so the numbers increased to the same range as the pre-visa time period, 1997 (Graph 2). Similar visa restrictions caused Hungary's ebbs and flows, in addition to Canada-specific IRB policy changes⁴⁸ that created a template to discourage Hungarian applicants in 2002 (Graph 3).

Canada is currently in a state of political flux in regards to its refugee policies. As of July 15, 2009, Canada has reinstated visa restrictions to Czech citizens as a direct result of "too many" Romani refugee claimants from the Czech Republic (CBC 2009). Immigration Minister Kenney has indicated that due to a large number of abandoned and withdrawn refugee claims which indicate non-"genuine" refugee conditions, Canada is unwilling to have her system be overwhelmed by the costs accrued by such false claimants (CBC 2009).

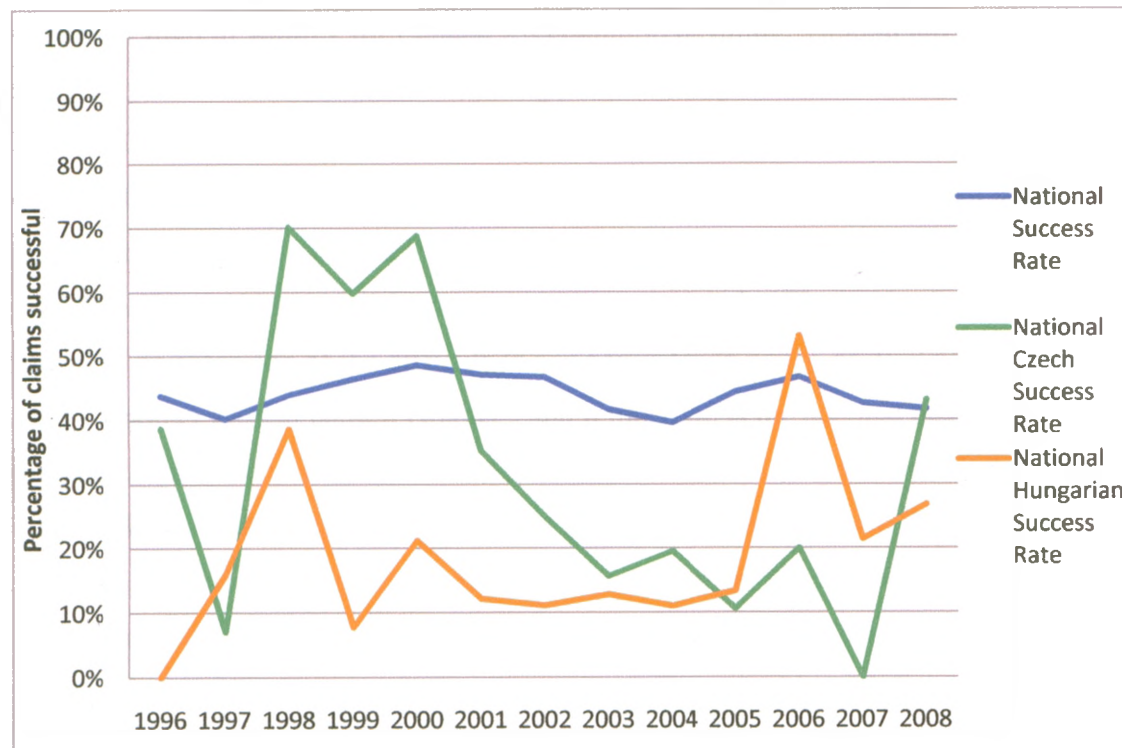


Graph 4 : National Finalized, Pending and Referred Refugee Claims

⁴⁸ Precedent-setting cases affected the result for thousands of Hungarian Romani claimants (Sarick 1999).



Graph 5: National Refugee Claim Acceptance Rates⁴⁹



Graph 6 : National Refugee Claim Success Rates

⁴⁹ Gap in 2006 is due to 0 referred or pending claims accepted; the graph picks up at the rate from the previous year. The gap does not occur in Graph 6 because one claim was finalized as unsuccessful.

These discrepancies between graphs are easily explained through understanding how various means of “success” is represented for a refugee claim, as well as through policies that have been imposed on Romani refugee claimants at different periods. Graph 5, the preferred reported statistics by the Canadian government, determines refugee claim success through only examining the number of claims that were officially accepted as compared to the number of claims that were rejected. Graph 6, developed by the author, determines a more realistic refugee claim success through examining the number of claims officially accepted as compared to not only the rejected claims, but also the withdrawn, abandoned, and otherwise not finalized claims. In my opinion, these claims are essentially ignored in Canadian policy implementation and consideration, and when they are recognized at all (like Kenney’s statement that withdrawn claims indicate non-legitimate refugee claims), the people withdrawing or abandoning their claims are only seen as false claimants trying to abuse the system. Rather, it is quite often the case that a person’s claim process has been in procession for years (in part due to the IRB’s lack of resources and subsequent rising “pending” numbers, Graph 4). This person may move elsewhere, tired of waiting for Canada’s recognition or ruling. Though not deceitful, others may move to Canada and seek refugee status, only to have to return before their claim is fully processed to help ailing family members or other unique circumstances. In addition, there are also those who have filed formal claims, yet have not kept official appointments or deadlines. Their lack of knowledge regarding formal application procedures (such as declaring intent to move, or missing deadlines) may be interpreted instead as an extension of the difficulties one navigates to apply, as discussed above.

Another critical pattern Graphs 5 and 6 illustrate is the unequal manner in which refugee claims are accepted in relation to Romani claimants. If cases were truly heard on individual bases, and judges were prepared by reading reports on how Roma are treated in Europe, one might expect the overall average of Romani claim acceptance to be at least on par with the national average as is seen in certain years. Instead, we witness periods of abysmally low acceptance rates, whose dips coincide with “lead cases”⁵⁰ and Canadian visa policies.

⁵⁰ One example is the 1999 lead case involving Hungarian Roma claimants that led to a dramatic decrease in acceptance rates (St. Clair 2008; Sarick 1999).

It is my goal that this addition of numerical analysis to this research bolsters the perspectives and opinions of my informants, as well as contributes towards a counterbalance of data manipulation by popular media and reporting agencies. Through such graphs, various influences that affect processes involved in identity conceptualization may be teased out and deconstructed; one can also understand more easily some of the patterns concerning differential dynamics and power hierarchies present in multiple scales and dimensions. Graphs may help illustrate the truth that asylum policies are often carried out arbitrarily. So much depends on where the person comes from. If an applicant is unfortunate enough to be persecuted by a government that is a friend of the [the nation receiving refugee claims]...chances of getting asylum are minimal” (Bohmer and Shuman 2008:15).

The above quote is now particularly relevant considering the sweeping visa restrictions Canada has enforced, starting on July 15, 2009. Instead of relying on the refugee process as it was supposedly set up, Canada now arbitrarily excludes any Czech Roma from seeking to apply for refugee status based solely on their citizenship. This kind of generalization has innumerable impacts on the Romani refugee communities in Canada, as well as Roma in Europe, and diplomatic ties between Canada and the European Union. The following chapter now examines how differential representations in different arenas (the RCC and the media) affect, and are affected by, such implications and utilizations of identity constructs.

Chapter V : Representations through centres and newspapers

The refugee process can be understood as a site where differential levels of agency, power, and identity are negotiated and performed; next we turn to two other sites where identity is manifested in multiple ways: the Roma Community Centre (RCC) and the Canadian news media. Although they are very different institutions, they have critical and transformative effects on Roma. The key questions that are answered in this chapter include: how does the RCC on the one hand, and the media on the other, manifest the struggle where state policies and hegemonic practices, as well as Romani resistance and negotiation take place? What do these intersecting processes and local level struggles tell us about identities, and the reproduction of stereotypes or their subversion?

The RCC tends to be conceived of as a place that is representative of Canadian Roma issues and solutions. I argue that the RCC should instead be viewed as a site of negotiation that acts as a catalyst in reproducing individual and collective Romani identities, especially the latter, since it is required to be representative of the collective. The media is another site of such identity negotiation and I argue that Roma and refugee news articles are not merely demonstrative of popular notions and stereotypes of Roma, but the media requires that Roma respond to such images and selective narratives, albeit in various ways. This concurrently acts to reinforce the terms by which Roma are conceived and in turn how they conceive of themselves and others.

Nation-states often focus on issues of cultural rights and recognition of differences when different minority ethnic groups make claims of their status relative to the respective government (Nordberg 2006:88). This emphasizes homogeneous conceptualizations of minority ethnic groups, such as the Roma. Therefore in order to look beyond collective identities as a prerequisite for recognition policies, it is informative to instead examine the processes and practices of struggle, as well as claims making and the negotiation of difference in communal spaces (such as the RCC and newspapers) in which competing positions and claims are brought together (ibid:89).

Roma Community Centre (RCC)

The Roma Community Centre (RCC) was the main site through which I met many of my informants. It acts as a physical location for many different community

members to access information, have social gatherings, and plan future programs. Newcomer Romani refugee claimants frequent its office, as do second-generation, Canadian-born Roma, and many other members of varying backgrounds, such as countries of origin, legal status and kinship relations.

The RCC is a fairly recent organization, established in 1997 as a response to the large numbers of incoming Romani refugees (RCC website, Interviews). Before this time, there was no other organization or institution specifically for Romani citizens or refugees in Canada. This is partly due to how previous Romani communities were formed and functioned in Canada: coming from well-established separate groups and/or families in Europe and then settling in many areas throughout Canada did not lend itself to group cohesiveness or identification, much less to provide the impetus to create and fund a generally accessible centre on the basis of a collective identity. Much like Roma in Europe, Roma in Canada often do not identify solely under an overarching label of "Canadian Roma". Instead, they also belong to different networks, some of which represent a continuation of previous social and cultural relations, and others that are forged in Canada.

Additionally, many Roma coming to Canada from Europe did not identify themselves as Roma to outsiders, nor were they encouraged to do so. For example, the 1956 Hungarian exodus to Canada was in part comprised of large numbers of Roma. However, the record-keeping and policies of the Canadian authorities reflected Canada's ideological concerns of the time (that is, anti-communist policies), thereby neglecting to define the Roma as such. Similarly, many Roma did not want to publicly announce or advertise their ethnic identity due to their continued intense fear of persecution. As with many other refugee groups who experienced severe and prolonged conflict, many Roma simply wanted a chance to "start fresh" in a new country.

It is also important to recognize that Roma living in Canada represent geographically, culturally, and linguistically different Romani groups. As discussed in the introduction, when further incoming Roma migrated to Canada, they favoured specific group identities over a generalized Roma label. Thus the creation and maintenance of a Roma centre is an event that marks a shift in self-identification. In this sense, the RCC can be seen as a similar watershed to the first World Romani Congress in 1971, and the

creation of the European Roma Rights Centre (ERRC) in 1996. These groups/centres directly confront previous notions that Romani individuals and groups lack a collective sense of belonging, or a shared history. Thus, a broad understanding of the RCC – what it is, how it works, and who is involved – is important to understand this site as one where larger processes of identity formation and power/resistance are played out and negotiated by and for Roma.

As an officially recognized and funded community centre, the RCC follows a number of basic guidelines. At the time of my fieldwork in 2008, there was only one paid full-time position, the Executive Director (occupied by Paul St. Clair since 1998). The centre has since expanded and relocated to a larger premise. The rest of the job positions within the RCC were purely voluntary. The Board of Directors, comprised of elected members of the community, is determined by vote at the Annual General Meeting (AGM). In addition, there is an advisory committee, as well as other volunteers who help or contribute in other ways.

Connections to CultureLink

Although many members of the RCC would prefer a separate centre unaffiliated with other parent organizations, it does not stand alone, mainly because it currently does not have the means to operate independently. RCC funding and resources are therefore in part directly linked to its mother organization, CultureLink. CultureLink is a non-profit community-based organization that creates and provides programs and resources specifically for the settlement and integration of newcomers to Canada (CultureLink 2009). It was created in 1988 (though its current name was only adopted in 1992), and its official website describes its goals as mainly in three areas: to enhance self-sufficiency skills; to promote positive interaction and understanding between host and newcomer communities; and to promote well-being for all participants (ibid).

CultureLink receives its funding from the CIC, the Ontario Ministry of Citizenship, Culture and Recreation, the Ontario Ministry of the Attorney General, the United Way of Greater Toronto, Human Resource Development Canada, Service Canada, and the city of Toronto (CultureLink 2009). The executive director of CultureLink, Ibrahim Absiye, explained to me that one of CultureLink's current goals

was to increase funding revenues from non-governmental sources, such as foundations and private corporations and individuals (Absiyé 2008). The fact that over 90% of CultureLink's funding comes from the government is not the ideal situation, according to Ibrahim. "I'm not saying that the government is bad, it's good to have funding from them, but it's always with strings attached, everything has strings attached" (Absiyé 2008).

CultureLink works in conjunction with over 20 different organizations, some of them "ethno-specific" (such as the RCC), some are multi-million dollar agencies, with many in-between (Absiyé 2008). However, its primary focus remains on serving newcomers, which is a different goal than that of the RCC, which also provides services for well-established Romani community members of the Toronto region. Naturally, these differing goals create different priorities, which are often contested and revised by members and the Board.

To illustrate some of the complex dynamics that in turn affect Romani refugee claimants, the following discussions are intended to give examples of some of the daily situations that are contested through (and by) the RCC.

A house divided? Challenges facing the RCC

Some of the major recurring issues that were raised by many informants were those of Romani representation, leadership problems, and centre accessibility. There are long-held frustrations by many Romani individuals who, in their European homelands, had no formal or official Romani representation of any kind. This corresponds to the paucity of Romani studies, historical accounts, and media portrayals (covered in the next section). The mere existence of a centre like the RCC is therefore a somewhat unique situation, in that it is one of the few places where Roma expect to find an accurate reflection of their identities and needs.

Unfortunately, many members of the community then end up even more frustrated than before when the centre fails to cater to exactly their projections, needs or desires. The RCC covers a wide range of issues that correlate to the diversity of its community; yet limits on its resources constrain and hinder its ability to fulfill every responsibility proposed. The issues of representation and a unified collective voice,

leadership issues, and accessibility and resources challenges are raised in the next sections to provide a better understanding of the dynamics that influence Romani refugees, including issues pertaining to representation and identity.

"People having one voice" – unity through collective representation

On the RCC website, and on flyers at RCC events, there is a strongly worded slogan "Call us Roma, not 'Gypsies'!!" There is a further three paragraph explanation, from which I have selected the following excerpt:

Like other minorities, the Roma wish to be called by a name of their own, and not one forced on them by the dominant culture. The Roma see the word "Gypsy" as a derogatory description. It connotes a stereotypical, mythological creature created by authors of fiction as a vehicle of escapism rather than a member of a genuine ethnic community. It is never capitalized, as it should be if it refers to a legitimate ethnic and cultural minority. The Roma, who left Northern India a thousand years ago, are a genuine ethnic group with their own language, history and culture. In Europe, the term "Gypsy" has been replaced by Roma. We hope that Canadians will also stop calling us "Gypsies", and instead start to use the singular Rom, the plural Roma, and the proper adjective Romani. Please help us to eliminate this stereotype. It would make our efforts to integrate into Canadian society that much easier. (RCC 2009)

Recalling the discussion on Roma/Gypsy labels from the introductory chapter, it is clear that these categories have a strong effect on how Romani individuals see themselves and their group. Yet there are some incongruities in how the "anti-Gypsy" label is manifested and carried out among community members in Toronto, which in turn affects both their conceptualization of collective identities and individual agency in self-categorization.

Identity politics and representations of collective identity are complex and may be used to promote the struggle of an individual or community for recognition or rights, but it simultaneously acts to suppress internal schisms and differentiation. The category "refugees" for example ignores the fact that it includes a wide range of identities and experiences. As Malkki has noted, the label refugee can demand that certain kinds of social conduct and moral stances are upheld, while precluding others; the 'wrong' kind of behaviour can actually anger fellow refugees seeking a certain kind of conduct (1996:381). This is indicative of a diverse group seeking to emphasize a particular collective identity. In the case of Roma, many wish to distance themselves from all of the negative characteristics associated with the term "Gypsy"; thus informants were

apologetic to me when they confessed of knowledge of a community member who sometimes breaks the law ("criminal"), or squanders their money ("lazy") or relies on welfare checks ("good-for-nothing"), or manipulates officials ("cheat") or lives in sub-par conditions ("dirty"). They reject or distance themselves from such individuals, who are seen as representatives of the collective group.

Another example will clarify the tensions arising in the processes of categorization and self-identification, and the frustration and anger that was expressed whenever the thorny "Gypsy" label was raised. At one of the RCC meetings, there was a group of newcomer Kosovo Romani refugee claimants. In addition to Czech and Hungarian Roma, these individuals and families are part of a fast-growing population of Romani refugees in Canada. At the moment, they are also at the forefront of the RCC's attention, and many community members spoke to me at great length over the atrocities they have heard of, and rallied behind the right of Kosovo asylum-seekers to gain refugee status.

However, at this particular RCC meeting, one of the Kosovo women raised her hand so as to contribute her thoughts towards the discussion topic on the table: what kinds of programs the RCC should prioritize. She was proposing a kind of children's program so that they could retain or learn various important aspects of "Gypsy" culture, including dance, music, and language. Before she could finish, a Board member interrupted her in order to correct her language: "We are Roma, not Gypsy". This was met with a kind of acknowledgement by the woman, and after a brief moment she continued with her idea, only to use the word Gypsy again towards her closing remarks, gesturing to herself and her family. Again, she was corrected, but now by multiple community members echoing the previous remarks. These corrections, especially the second, more involved response from many community members, were a means of reaffirming "Roma" identity not only to the newcomer Kosovo members, but also a way in which older members could reiterate and identify with one another as non-"Gypsy". It is particularly interesting that the older, more established community members negated the newcomer Kosovo Romani woman's right to self-identification as "Gypsies", a right the RCC proclaims in its statement "Roma wish to be called a name of their own".

Self-identification is a complex process. There are a number of reasons why many groups appropriate and subvert originally derogatory names or labels that were coined by dominant institutions. Some indigenous peoples in North America have experienced a very similar process: "Indians" and "Eskimos" are two such externally imposed, and negatively viewed, ethnic labels that have persisted until today. Although alternative names exist and are used by many relevant groups, such as First Nations and Inuit, some groups have preferred to keep (reappropriate) the terms "Indian" and "Eskimo".

The issue of agency is raised again at this point to underscore the challenges many Roma face when reconciling individual and collective identities. Is it the right of anyone to dictate someone else's identity, even when said identity label contains negatively perceived values and historical meanings? At what point does a positive alternative become yet another forcefully externally imposed term? The choice of the wording used by the RCC in its explanation of why one should use the term Roma is indicative of its stance towards deviation from the norm: by reiterating the collectiveness and inclusiveness of the term Roma, and emphasizing the notion of an "authentic" ethnic group, it is a method of resistance not only towards outside or external forces (towards those who have kept Roma as a persecuted, underrepresented minority) but also towards their own members who either consciously or historically identify as "Gypsies".

Too many priorities mean zero priorities – leadership and goals within the RCC

It is difficult being a leader, even when the group being led is fairly homogeneous in its goals. At the risk of using a sports analogy, one may look at the coach of a sports team. He/she is a leader of a unique group of individuals and must take into consideration their different personalities, yet the team itself can be considered to be fairly united in its highly singular and understood methods and goal of winning, whether it be a single game or the Stanley Cup.

Imagine then how much more dramatically and exponentially more difficult it is to be a leader of a massively heterogeneous group coming from dozens of countries, speaking different languages, all with an extremely wide range of varying and (and even opposing!) aims and ideas of what it even means to be part of a team. Continuing the analogy, this is akin to the same coach trying to head up a team composed of hockey,

soccer, football, basketball, and lacrosse players, all with their own tactics and equipment, playing “Calvinball”⁵¹ in a swimming pool.

The main challenge seen by the Romani community is that of unity: how to maintain an active and effective community and centre with such a diverse and heterogeneous population of people from different regions with different cultures and languages, all reproducing and creating multiple identities from unique perspectives. What processes are involved in such a community centre and how can the centre, as a site of identity creation and reinforcement, act as catalyst towards reinforcing a collective Romani identity? When something like “identity” is assumed by individuals to mean the same thing and is then juxtaposed with the reality, many contentious issues like belonging and legitimacy are raised.

Absiye, as Executive Director of CultureLink, stated to me that nothing can be effective without unity (2008). Additionally, his experience as both a business manager and executive director of various ethnic community organizations taught him that if an organization or centre has “too many priorities, there are zero priorities” (Absiye 2008). These are two different ways of saying a similar statement: in order to be successful, a group must have the same, selectively few goals. If there are too many responsibilities or activities, and if there is no agreed “top” priority, the group’s resources become stretched too thin. By focusing on one or two key priorities, this ensures that everyone is working towards the same goal. The Executive Director of the RCC, Paul St. Clair, concurs with these ideas: to have a team, one must first have a goal to work towards (2008). This is especially relevant when one considers that the RCC must not only have a unified goal for its settled Roma community members, but also for newcomer Roma refugee claimants.

The problem with our centre, the big problems with it is that we would like to do too much. So we got involved in cultural events, organizing two to three parties a year, trying to organize children’s programming, trying to organize language programming, all while doing this immigration assistance. And we had volunteers to do translations, and take people to the doctors and welfare offices, all kinds of appointments, so there was also coordinating all of that, plus making applications

⁵¹ A fictitious sport created in Bill Watterson’s comic strip “Calvin and Hobbes”, meaning a game that can never be played the same way twice, where the rules are created during the game and do not need to be approved by the other players. In essence, an unpredictable game with a set of ever-changing rules.

for funding and doing reports, all of that takes a lot of time...we even had programs to assist schools in integrating the children (St. Clair 2008).

There are tensions I witnessed at the RCC in various combinations as a result of the centre "trying to do too much": members expressing their displeasure with the RCC and Board through arguments or non-participation, Board members expressing their frustration through resignations or official measures, and community leaders expressing their dissatisfactions through loud discussions and policies.

It is not surprising that leadership at the RCC is a contentious issue. Many informants shared with me their opinions, some negative, concerning the RCC executive director, as well as the RCC co-presidents and Board members. The backgrounds, languages, ethnicities, and socio-economic statuses of the individuals leading the RCC were invoked in various negative ways. Many members felt as though some members are too distant and removed from newcomer Roma situations to accurately represent and provide for the community. This is another form of resistance, as even when the representation is without question by "one of us", a Romani person, differences are emphasized so that members may convince themselves and others that the RCC is not being run by "authentic" or "genuine" enough Roma who truly understand what *real* Romani members need. The disconnect people feel from their leaders can be reinforced by notions of legitimacy of identity and collective definitions.

Almost every leader of any community has faced similar criticisms. The idea that a leader should be fully representational of the entire group is a fallacy, but one that has an emotional appeal. It is therefore not surprising that, when I asked Romani interviewees whom they would perhaps prefer as a leader, they named a man of considerable education and resources. The man they aspired to have as a leader is a middle-aged immigrant to Canada, and his personality is more "relatable" to more traditional Romani community members. He is considered to be more charismatic and strong-willed, and thus able to bring together the different factions that exist in the community. And unity, after all, is the perceived value that is believed to create better communities.

If the board is not speaking with one voice, there is no way they can work together. How does that happen? It's up to the leadership of the board and the organization to create a common vision so that everybody belongs to the same vision. And everybody is working towards the same goal. So if we are going to

work together to achieve the same goal, we have to have the same vision, so there would be one voice (Absiyé 2008).

However, various dimensions must be considered in order to be an effective leader. It is all well and good to have a unified voice from above, creating a common vision. Yet general consensus must be obtained and the community must agree to this vision.

Dissatisfaction with the RCC leadership was also demonstrated at an annual meeting. This meeting was disrupted when one member of the community stalled the proceedings by not agreeing to the agenda. Every federally funded organization is required to hold an annual general meeting following certain procedures, such as consenting to the last year's minutes, which was the source of interruption in this meeting. Josef raised his concerns at this time, despite the fact the majority present suggested that it was not the proper time to do so. In the end, the Board was forced to listen to his opinion, as he disturbed and eventually forced the meeting to be postponed.

Josef's concerns were centred on the notion of "Roma-ness". He had singled out Absiyé as a non-Rom, presumably because of his physical attributes, and asked him to leave the meeting so that Romani concerns were only discussed by "real" Roma. Remember, Absiyé is executive director of CultureLink and therefore key funder of the RCC. Even when the rest of the Romani community present voiced their displeasure at this request, Josef persisted in calling for his removal from the meeting, only to be allowed in again once Roma had discussed their issues privately, saying that it is unnecessary to "air our dirty laundry in front of non-Roma". Afterwards, as I stood with other community members discussing the unsuccessful meeting, I was told that Josef's issue with Absiyé had mainly been a front in order to gain control of the meeting. He had previously been on the Board, and in charge of some programs, years before causing some scandal regarding budget issues, and he wanted to be back in control and part of the RCC Board.

Josef was described to me by various informants as uneducated, conservative, passionate, criminal, power-hungry, a leader, exploitative, and a nice guy. These characteristics were not seen in opposition to one another: many who viewed him as a passionate leader were also the ones who lamented his manipulative ways, uneducated status, and his need for control. Yet above all he represented a strong (albeit disruptive)

voice representing lower-educated, conservative Romani members. It was generally noted by many informants that more capable leaders would have been able to handle this "situation" before it got out of control. Instead, some were frustrated by the fact that Josef was then physically barred from attending the second AGM. They disagreed with his methods, but identified in some way with his views and ideas.

Balancing the needs of the community: managing accessibility and resources

Similar to the challenges that leaders may face in uniting diverse communities, there are many inherent obstacles in community building arenas and activities. There is always the need for participation, ensuring that as much of the community feels welcomed and can be represented, and finding and providing resources.

Finding resources (i.e. funding) can be one of the most difficult aspects of creating an organization or centre. This is why the RCC had to join with CultureLink in its beginning; as a young organization, many benefactors and revenues prefer to back organizations that have been proven to be fiscally responsible and effective in their goals. It is easier to get funding now that the RCC is established as an organization, especially with its relationship to CultureLink. Ibrahim reiterated the point that he is also working towards the goal of the RCC being able to be an independent office that can fully serve the needs of its community (2008).

Various leaders and members of the RCC also lamented the lack of a separate and independent centre with enough resources to serve the long list of priorities they have created. The lack of funding to implement programs can have negative effects when community members perhaps interpret the fact that their ideas are not being carried out as apathy on the RCC's part, instead of a result of lack of resources.

This directly feeds into another challenge the RCC faces on a daily basis: participation. This might seem like an odd observation from anyone who has ever visited the RCC, as its office door constantly had people waiting outside and the events are very well attended. However, the waiting line outside St. Clair's office was often filled by newcomer refugee claimants, not all of which were Romani. Although the RCC would help innumerable individuals and families in setting up the process to file a claim or go through with a hearing, not all of these people completed their claims, gained refugee

status, or updated the RCC with their new information. Thus it can be assumed that a significant portion of the people who have waited outside the office only did so for a few months at most, never to visit again once they obtained status, relocated within Canada, or returned to their countries of origin.

St. Clair confirmed the fact that Romani refugees are in fact doubly hard to keep track of: not only do refugees (once accepted) have high rates of relocation, Romani refugees have networks that they prefer to move within and will also have high rates of relocation (2008). Indeed, many claimants live with other family members or contacts when they arrive in Canada, or stay in hostels, or do not have the money for a phone line. Thus many cannot leave a formal forwarding address or make phone calls to update the RCC on their whereabouts.

There are some annual events, and most of them are well-attended. When I attended some of the 2008 events, for example the International Roma Day and the Roma Christmas party, there was hardly enough room to fit all the participants, who often spilled out into the hallways and outside area of CultureLink, while the 2009 fundraiser was attended by some 200-300 people. However, the second AGM was poorly attended, partly a result of last minute changes: normally there should only be one AGM per year, and the first was well attended, but due to the interruption by Josef (as discussed above), the second AGM barely had enough people to make the required minimum for voting in new Board members. This is an important indicator in a community's measure of success: a strong participation regarding representation. In addition, the summer picnic was attended by only 20-30 people and it is widely believed that many more would have shown up had there been better planning (and better Toronto parking).

All of these issues and tensions that the RCC and its members navigate are not unique to Romani communities; however, they are experienced and reappropriated in various and distinct ways in order to contest and reaffirm Romani identities for different purposes. Whether trying to forge alliances amongst or between themselves, or reacting towards external homogenizing influences, the members and participants of the RCC are constantly trying to emphasize their common denominator (being "Roma") within the dynamic relationship that exists with other Toronto, Canadian and international actors.

Flooded by claims: analyzing recent Canadian media reporting on Romani refugees

Another key site of Romani identity representation occurs in the media. In 1997, there was a barrage of articles in popular newspapers in Toronto that drew the public's attention to the increase in numbers of refugee claimants that were coming from the Czech Republic. The headlines ranged the emotional and factual gamut; some were erroneous and inflammatory while others tried to gain reader empathy by sharing personal narratives of the claimants. It is incredibly helpful to utilize these kinds of reports as an important site that contributes towards identity and power/agency dynamics of both collective and individual agents.

In the interest of space and time, I limited this analysis to readily accessible media articles from 1993-2009. *The Toronto Star* and *The Globe and Mail* are two very prominent newspapers in the Toronto region, and I focused on their coverage more intensively through searching their individual databases with keywords. In addition, I gathered articles from the CBC, Canwest News agency and the *National Post* when relevant, as these more general agencies often create articles that are later picked up and repeated by other news outlets.

As a key central arena of citizenship agency and identity formation, newspapers can play multiple roles, in that mainstream media are strongly connected to state institutions, which aim at creating shared narratives and values (Nordberg 2006:87-88). As an arena of negotiation and contestation, ordinary citizens participate alongside elite actors; this "potential for diversity of voices turns the daily press into a powerful arena for empirical analysis of citizenship agency" (ibid:88). This is not to say there is equal access to all forms of various mainstream media outlets; although the internet and free local papers level the field somewhat, there are still major inequalities in access to, and participation within, various media forms.

This process can be witnessed through the number of follow-up letters to the editor, opinion pieces and opposition articles that come after major Romani refugee stories. Each piggy-back one another, addressing numerous issues that fall under a wide range of opinion. Individuals may see their opinions printed alongside official institution reports; community leaders or government officials representing their respective agencies have their side of the story in print; and journalists report the stories handed to them by

their organizations (it is worth noting that the overall goal, and therefore underlying motivation, of a newspaper is to sell papers and earn profit through stories deemed of interest). Thus, newspapers are ideal mediums in which identities are played out. In this setting, one can read local news from nearby neighbourhoods, while simultaneously being connected to global policies and information. This is not to assume all sides are given equal attention or rights; I acknowledge that newspapers and popular media agencies screen and edit the range of opinions and stories to an “acceptable” (profitable) range. Yet the media expressions of Romani refugee identities in print still play an interesting role in identity politics and dynamics.

Following the idea that the news media can involve all kinds of voices and agents and debate a large range of issues, it also has the power to influence successful claims in the public arena (Nordberg 1996:100). Newspapers often represent a sampling of the kinds of information disseminated to the Canadian public and international observers. In addition, when a situation is not being handled acceptably, it is a common tactic for individuals, consumers, and businesses to take their case to the media in hopes that newfound public awareness and/or increased scrutiny or responsibility will enable a satisfactory conclusion. The same general process dictates that media coverage, depending on its treatment of the issues can either help or hinder the respective people involved. Although the media can be understood as a neutral search for ‘the truth’, much like the refugee system is painted as ‘neutral’, it is widely acknowledged that the news business has its own motivations and biases. This is especially evident when one hears about the ‘liberal media’ or ‘right-wing’ agendas in news organizations. Depending on their political slant, news media outlets can either put forth positive stories on successful immigration claims or damning reports on increased crime as a result of illegal immigrants⁵².

Negative portrayals of minority ethnic groups in the news are, unfortunately, commonplace. Rather than conceive of such expressions of prejudice and hostility as individual matters, media analyses can help us to understand that issues raised in this manner are usually socially shared (Leudar et al. 2008:189). The diverse list of

⁵² Gale provides an excellent study of the blurred boundary between information and entertainment (profit versus truth) in news reporting through examining fear, populist politics and media discourse (2004).

descriptions that are inevitably contained within immigration reports, such as the negatively regarded terms like floods, tidal waves, invasions, animals, weeds, and disease (ibid:189), often underscore general policies to refugees and migrants, as well as key individual and collective identity processes – how one conceives of oneself, as well as others. Through looking at newspaper articles, we can recognize the groups discussed (in this case, Romani refugee claimants) as political subjects, even though they are perceived of in negative terms as non-citizens or non-people; instead, there are multiple dimensions that emerge for strategic legitimization and extra-statal forms of membership (Sassen 2005:87).

Illustrations that accompany news articles are also vehicles that are used to depict particular images or stereotypes and pictures are often used more than narratives in text to demonstrate the article's main points (Malkki 1996:386). Helplessness is one of a refugee's key identity characteristics, at least in the way the public is encouraged to conceive of a refugee (ibid 1996:388). This attribute is directly linked to speechlessness, that is, that refugees need someone to speak on their behalf; this kind of coverage precludes any narrative, history, or political details and makes refugee agency hard to trace (ibid:388).

A close examination of the kinds of narratives and facts that are being reported, as well as how the stereotypical portrayal of the "Gypsy" is played out in Canadian mainstream news, provides valuable insight into how identity and power dynamics directly affect refugee claimants lives and experiences, and furthermore, how such portrayals are re-appropriated, utilized and negotiated by Roma.

The focus on Roma in Canadian news

Currently, there is another rise in Roma-focused news articles and reports; since the 2008 IRB claim numbers have been available publically (approximately February 2009), media outlets have been once again extensively covering the increase in Czech Romani refugee claims. It is especially interesting to compare today's headlines and articles with their 1997 counterparts: the rhetoric and choice of terms used to describe the current situation are practically verbatim the same headlines used by the same Canadian media in 1997 – 1998, during the first "unexpected" increase of Czech Romani claimants.

In 1997, titles like “*Families fill Metro’s hostels to the brim*” (Lackey 1997) and “*Hostels officials warn of overload with Gypsy influx, ‘We’re at the breaking point’*” (Monsebraaten 1997a) were used in many variations in order to bring attention to the “overwhelming” increase of Romani migrants. In 2009, headlines again ran with similar stories: “*Roma influx putting strain on services*” (Valiante 2009), and “*Canada flooded with Czech refugee claims*” (O’Neil 2009). The worries are still the same – Canada will be overrun with claimants that use up all the services – but most noticeably the terms have changed. Instead of “Gypsy”, all of the most recent reports use the term “Roma”. Although a positive change from the negative connotations that the stereotypical Gypsy carries, more respectful identification appears to be the only conspicuous lesson the media has reconciled from past experience with the 1997 “wave”.

While nearly all articles contain elements that stem from the ever-present “other”ing/exoticizing of another group, they can be broadly separated into negative portrayals and humanitarian perspectives. There are many facets through which Roma-related articles may be analyzed; however, I have focused on news articles as sites where labels, identities and information are contested and negotiated, where various actors can participate and express their relative conceptualizations. Although not mutually exclusive, these are two very important tendencies the media uses which stir strong emotions: fear/anger and sadness/sympathy.

“Gypsy refugees pose risk, Canadian police say” – constructing hostility and negative perspectives

A large proportion of the articles accessed contain various forms of negative representations of Romani refugees. Part of this is due to the overall negative portrayal of immigrants in the media, and part of this is because of the stereotypes and public conceptualization of Roma in relationship to the majority society. In this way, the fear of a specific immigrant group of people who are presumed to represent a threat to social cohesion and public order is compounded by the public’s more diffuse fear of being “under siege” by large scale immigration movements (Spellman 2008:10).

In a similar study that instead focuses on Fujinese migrants, Hier and Greenberg (2002) demonstrated how the Canadian media helped to construct a moral panic around

their arrival (Leudar et al. 2008:190). This kind of fear mongering and hostility is fed by local and national mass media as they focus in on the perceived negative aspects of new immigration (Spellman 2008:11). This kind of reporting, including issues such as culture, crime, discrimination, and racism, can be understood as a reactive form of coverage, in line with official views and concerns of the majority, particularly those of political and administrative elite (Nordberg 2006:91).

Media coverage in this medium differentiates the nation from the state; the former understood as a shared history, shared culture, shared community (Spellman 2008:11). In this way, media helps to reinforce shared notions of citizenship and society, such as in articles that focus on border protection and threats to national interest as a means of differentiating between “deserving” and “undeserving” refugees (Gale 2004:330). In such articles, the “us” are the deserving citizens, who are at “war against the ‘other’”, a conflict that is not between fellow, equal human beings but rather between good and bad entities (ibid:331).

Leudar et al. point out that refugees and asylum-seekers do not necessarily have to consciously internalize such hostilities in their host societies for them to have direct effects on their self-presentations. Instead, if identities are constructed in terms of what they are not, this is a form of acknowledgement of the negative aspect they try to oppose, which becomes part of the refugee’s identity, with negative consequences for the individual or collective group’s well-being (2008:191). It follows that hostile representations contribute to the already problematic and complex circumstances of refugees, especially when one considers that “the self is social in origin and narratively structured” (ibid:190). Mead (1934, as cited by Leudar) also “postulated that people react to their own actions from the perspective of others and that these reactions become internalized parts of oneself as the ‘other’ and the ‘generalized other’” (ibid:190).

These processes of and implications for the constructions of identity is evidenced in the RCC, where a major portion of their literature and events are intended to combat the negative stereotypes of “Gypsies”. St. Clair is one of the main voices representing Romani claimants in the media, as he is quite often interviewed in articles in order to provide “the other side” to the generally negative views on Romani migration to Canada. Other Romani advocates also publically react to negatively constructed stories or articles

about Roma, yet the negative portrayal is in a way reinforced through its negation. But how can one create an independent identity that is mainly defined by what it is not?

Beyond the general negative stories on how the refugee system is too lenient in Canada, letting in “prostitutes and terrorists” (Cernetig 1994), “cheaters and frauds” (Wente 2001), and others who aren’t “bona fide asylum-seekers” and seek to abuse the system (Westhead 2009; Selley 2009), there are numerous articles on how overwhelmed Canada’s resources are by these “fraudulent” asylum-seekers. Just a few examples over time: “*Metro warned of hostel crisis*” (Monsebraaten 1997b); “*Families fill Metro’s hostels to the brim*” (Lackey 1997); “*Repeat refugees strain system*” (Oziewicz 2000); “*How to stay in Canada by cooking up a story*” (Keung et al. 2007). Even more specifically, Romani claimants are singled out in many of the headlines as creating an undesirable situation for Canada. “*Hostel officials warn of overload with Gypsy influx ‘We’re at the breaking point’*” (Monsebraaten 1997a), “*Canada flooded with Czech refugee claims*” (O’Neil 2009), and “*Roma influx putting strain on services*” (Valiante 2009) all demonstrate the level of alarm that some authors are trying to convey over Romani migration to Canada.

Another level of interaction displayed through media coverage is the intense and controversial international debate between Canadian and European governments on how the “Gypsy influx” should be dealt with. This involves a different level of agency and identity awareness corresponding to official institutions, governments, and international policies. This refers to the visa regulations and (re)instatements described in Chapter IV on the refugee process; how these international policies are portrayed in the media, however, provides further insight into how the Canadian public is encouraged to perceive such international relationships. Many of these articles again focus on the negative aspects of immigration in general and how the Canadian refugee system should be reserved for “genuine” asylum seekers, not “Gypsies” from Europe.

These kinds of articles repeatedly refer to Canada’s actions in this matter, perhaps in a move to persuade the audience (Canadian public) that they are actively protecting Canadian resources. They also serve to reinforce a notion of “Canadianness” that is at stake, using terms like “Canada” as a homogeneous society with a single, internal voice and policy. Some examples include “*Canada tells Gypsies that moving is risky*” (The

Toronto Star 1997); warnings that Gypsies will be “undaunted by the federal government’s attempt to dissuade them” (Sarick 1997), “*Canada, Hungary discuss Roma refugees*” (Thompson 2001), and what responsibilities are entailed by various governments (Anandasangaree 2009). One particular article in the *National Post* published the statement that Romani migrants should remain solely the responsibility of the European Union, and Canada should not allow people from “safe” EU countries to apply for refugee status at all (Selley 2009). Unfortunately, the latest visa restrictions seem to concur with this statement. This not only dismisses the severity of the human rights abuses taking place and goes against Canada’s commitment to the UN’s human rights declaration; it also sets up the sense that some asylum seekers are more worthy than others. This can then have severe repercussions on Romani refugee claimants reading these articles. What should they think, after reading articles that present Canada as single identity that is uniting in keeping people like them outside the borders?

Politicians can act as a particularly effective voice, as they occupy a position that is simultaneously representative of their government and institutions while also influenced by personal desires and biases. They are often cited and used as sources in these immigration and Romani claimant debates, both using mainstream and popular media to advance their platforms as well as to defend their perceptions (that were in part created by media reports on Roma, creating an interesting cycle of continuing stereotypes). The Immigration Minister at that time (Lucienne Robillard) had to respond to the allegations of immigration officials “harassing the Gypsies upon their arrival in Canada” (Matas 1997) and treating Romani arrivals “brutally” (Druzin 1997). Metro Councilor Gordon Chong was forced to amend his claim to the Metro council that “Gypsy refugees from Europe are pimps and criminals” after admitting he was swayed by popular newspapers reporting things like petty crime (Swainson 1997). However, his perceived half-hearted apology did not sit well with the Romani community in Toronto, as one member stated that “he insulted [Roma] in the public media” and that his apology therefore must be publically directed at Roma, not to a political council (ibid). It has been observed that politicians use the media to attribute Romani qualities that are negations of those which they value themselves (Leudar et al. 2008:189), which is

perhaps another means of identification validation and motivation (with an underlying goal of being re-elected/appointed).

Most recently, the Minister of Immigration, Jason Kenney, has been repeatedly quoted in many articles as dismissing accusations of the Czech Republic and Hungary as places where extreme violence is enacted upon Roma. "It's hard to believe that the Czech Republic is an island of persecution in Europe" (Taylor 2009; Valiante 2009). This stands in stark contrast to the various Canadian and IRB reports clearly demonstrating the kind of persecution that takes place precisely in the Czech Republic (IRB 2007). When the top official of immigration matters has clearly not even bothered to take the time and read reports his own ministry has published, and publicly ignores the injustices Roma face in their homelands and thus their legitimate cause for seeking asylum, it is bound to impact many Roma, both in their self-perception as well as collective identity. When they read such wide-spread statements, they are also extrapolating and imagining how the Canadian public interprets this information. Thus their identities are not only impacted by an official's opinion but also influenced by the perceived reactions of the media audience. In this manner, one can view that there is no clear "top-down" or "bottom-up" process of identity formation. Instead, it is a convoluted process that bounces back and forth, and in-between the various dynamic levels, broadly understood here as institutional (including government), general public and communities, and individual.

A consequence of being subjected to such hostile media representations means that Roma rarely have the opportunity to assert their own identities in this medium (Leudar 2008:188). This can be doubly hard for Romani claimants, as they are in liminal positions already, their identities and statuses (legal, familial, communal, etc.) yet to be secured. Thus the media is one site that helps demonstrate the various ways in which Romani characteristics can be negatively constructed and viewed. However, it is only one of the two main themes that are reproduced on what it is to be Roma: if not protesting negative "Gypsy" stereotypes of criminality and fraud, then Roma are silenced as victims of horrendous violence.

Seeking safer havens: constructing humanitarian (and silencing) perspectives

The opposite side of the media coin are the seemingly positive perspectives on immigration, refugees, and Romani asylum-seekers in Canada that are presented; these more humanitarian centered articles may impart more accurate depictions of the realities of human rights abuses that many refugee claimants suffer, yet paradoxically, they often serve to silence the voices of asylum seekers.

Humanitarian interventions and reports are often constituted as the opposite of political ones, and through abstraction from their political, historical, and cultural contexts, they actually silence refugees (Malkki 1996:378). This can be easily compared to how, although painted neutral by various agents, the refugee process is also afflicted with biases and changing objectives. Thus, it is important that humanitarian perspectives be viewed with respect to their own "complicated histories" involving, among other issues, law making, historical contexts, peace-keeping missions, diplomacy efforts, missionary work, development initiatives, etc., and therefore displacing and obscuring the political, economic or socio-cultural contexts (ibid:389).

The "human face" theme that represents the humanitarian perspective is usually illustrated by images and headlines of human suffering, which is held oppositional to government or ideological forces (Gale 2004:327). This disregards the contexts and individuality of refugee processes and representations, often reducing individual stories to a collective archetypal identity based only on experiences of suffering. It should also be noted that in this manner (except in cases of a threat, when considered to be agents of reprehensible acts), immigrants are more often than not presented in passive roles which further dehumanizes them (Leudar et al. 2008:188). Even the majority of "positive" Romani media representations also rely on non-Romani experts and individuals (like myself), all with their own perspectives and identities influencing coverage. Thus even the rare narrative or perspective given by a Romani individual is tailored to often disregard individual identity in favour of a homogeneous representation.

Moreover, even when the rights of asylum seekers are reported, these stories are not as prominently located. They are more often limited to the margins and usually located in the commentary and review section; there are few front-page stories on such issues (Gale 2004:331). Compounding this misrepresentation the major problem that, in

studying refugee immigrant identities, one is mostly analyzing how others speak and write, not how refugees would construct them in their own voice (Leudar et al. 2008:188). The narratives that do get exposure in media coverage tend to silence their subjects in this manner, in that testimonies are given by experts and officials (Malkki 1996:390). One of the biggest outrages reported in the Toronto skinhead protest coverage was how the court banned an expert's testimony on hate crimes; however Roma who actually experienced the demonstration were almost entirely absent from the articles relating to this case.

Instead, refugee "voices" that are published conceptualize refugees as "a miserable sea of humanity" (Malkki 1996:377), or concentrate "on 'the sadness of exile', the 'longing for home', and how 'grateful' refugees are to those who...assist them" (Harrell-Bond 1999:140), fulfilling the public's desire to feel compassionate. The Canadian public in particular has partially built a national identity founded on the beliefs that Canada is an internationally benevolent, peace-keeping, neutral, and humanitarian nation. Sad stories of Romani claimants escaping bad conditions simultaneously reinforces the Canadian audience's identity as "humanitarian" and a desirable place to live, while silencing individual or dissenting other (Romani) identities and narratives (Hutcheon 2007; Bannerji 2007). There were few articles relating the complexities involved I heard from my informants, such as one informant who did not feel strongly connected to Canada at all and stays here out of a kind of apathy. She followed her mother here as a teenager and appreciates her subsequent opportunities in education and employment, but has realized that these things could be gotten elsewhere as well, and oftentimes feels shut out and distant from any bond with "Canadian values or lifestyle". She cannot go home due to persecution, but has no rapport with Canada; these are not the narratives one hears broadcasted in the media surrounding patriotic Canada Day news coverage. This is only one such way in which Romani refugee media coverage in Canada emphasizes more collective humanitarian perspectives over individual or dissenting narratives.

In light of the above, an understanding of Romani identities, that is, how they are forged and change over time, necessitates analyses of historical dynamics and larger processes, including state policies and hegemonic representations and the way Roma

challenge or negotiate such representations. Despite the great diversity and variance within Canadian Roma populations, and the vibrant debates on multiculturalism, citizenship rights, etc., there remains a narrow agenda on Romani issues that “reproduces the familiar image of Roma as outsiders, as entertainers, criminals and victims” (Nordberg 2006:100). Although Nordberg’s media analysis covered not Canadian press coverage, but rather Finnish, her conclusions ring true for Canadian news as well:

While the increasing coverage of issues relating to human rights and discrimination highlights the insufficiency of the welfare state in catering for all the different forms of exclusion embedded in a formally equal notion of citizenship, writings on discrimination are still contributing to the construction of Romani identity as that of being victims. This construction is underpinned by the lack of Romani representatives debating discrimination in the press. There is also a surprising shortage of features stories recognising the Roma not only as representatives of a collective ethnic identity, but as individual citizens with multiple identities triggered in different settings. (ibid:100)

Her work accomplished similar goals through looking at how Roma are represented as a particular citizenship group, as part of a political community, as well as through understanding different national models at work in Finnish media and newspapers (ibid:88). Nordberg also raises the somewhat contentious issue of accessibility by Roma to such public spaces like media, newspapers and the internet. Issues like illiteracy, language, and discouragement from politics (ibid:89) contribute to a perceived apathy by Roma towards their own representation. It is important to understand that in their home countries, most Roma suffered active political marginalization, in addition to socio-economic discrimination and violence (Burton 2007:85), rather than having been simply passive within a political arena.

Accessing spaces like the media or a community centre are extensions of the individual’s belief of entitlement. People who write letters to the editors and opinion pieces necessarily believe their voice not only counts, but should be heard by as many people as possible. This is a confirmation and proclamation of one’s identity as a valuable and contributing member of society. However, historically Roma have been denied a voice in the public arena in most societies. Expressing the yearning for

recognition as equal citizens, one Czech Romani refugee observed in a news article (featured within Canada Day coverage):

At the time when the incident with the skinheads occurred, most of the gypsies were in Canada only a couple of days. They came here with fear from the same neo-Nazi movement. At the start of the demonstration, this fear was in them. But later they find something different, something absolutely new – the official authority, the police, came to protect THEM and not the skinheads. And that's why we stay here (Jozef Sarkozi's words; Landsberg 2000).

This account describes the relief he felt when he realized that, unlike in the Czech Republic, the Canadian police were protecting Roma from skinhead protestors. This is an example of learning a lesson in what rights and entitlements Roma may expect as claimants in Canada, a far cry from the experience of rights in their home countries.

However, as is the case with other newly-arrived refugees, the law can also be used against them, simply because they are not provided with proper orientation and information. One informant related to me the following situation, which he described as "not uncommon". Both newcomers to Canada applying for refugee status, a Rom husband threatened to hit his wife. Encouraged by her broader network of Canadians and settled refugee friends, she called the police in order to exert her newfound power over him without realizing that it would cost him the chance to successfully become a refugee. Upon learning these consequences from the police officers, she tried to take her accusation back, to no avail. Another member of the Romani community runs a business that takes advantage of the vulnerable position of newcomer Romani women to Toronto. He exploits (informant's choice of words) these women because he knows that they do not know how to "play the game" yet: they often don't speak English well and they are unsure of the Canadian work restrictions as a refugee claimant. As a result, they are pressured into extremely underpaid and overworked positions.

Further delaying many Romani individuals' understanding of their rights and entitlements is because of their past experiences of involvement in public arenas. In a hostile environment towards Romani communities, such as the Czech Republic and Hungary, it is dangerous to merely exist, much less draw attention to oneself. Therefore collective action and representation are only beginning to become more mainstream activities and identification, as Roma learn the "art" of visibility as a deserving and

legitimate ethnic minority in political and public spheres while also endeavouring to maintain safety for themselves and families. It is a process that can be seen happening at an accelerated rate in Canada (compared to Europe), partially through the RCC and the media, as changing attitudes and more self-representative information is circulated.

The RCC is a site that attempts to refract the recent drastic changes in refugee and immigration policies that in turn lead to the realigning of social networks through its heterogeneous members and wide range policies. In contrast, public discourse as reinforced by media images has remained relatively consistent in representing Roma as a homogenous group. Both of these sites have demonstrated some of the implications that Roma face and interact with when confronted with internal and external notions of individual and collective identities. These examples and the narratives within hopefully shed some light on some of the further issues and struggles that are present in many modern day Canadian Roma's lives.

Chapter VI – Conclusions and future directions

This work has attempted to illustrate the larger themes and processes involved in identity reconstructions, and the appropriation of labels and categories at various levels as part of a struggle by Roma against their marginalization and persecution. I focused on significant sites of negotiation and contestation where Romani actors encounter or interface with hegemonic institutions and discourses. I proposed that “identities” are closely tied to historical narratives, whether individual or collective, and used in diverse ways. Roma are no exception, their ethnic and historical origins instrumentalized in ways that validated their persecution. It is actually because of the heterogeneity of their experiences, and their diverse countries of origin that Roma are able to utilize an even wider range of identities and histories than many other ethnic groups or communities. Romani refugee identities and histories are varied and complex, sometimes even existing in opposition to one another, unlike the often simplistic stereotypes or definitions assigned to Roma and/or refugees in different media. In general, Romani identities (especially when contradictory to mainstream notions or not fitting into public stereotypes) are not taken into consideration at higher levels of government or society; nor are Roma believed to have agency, in that they are actively involved in the historical or social processes as actors.

The challenges Roma are currently facing in the Canadian refugee system can be more broadly understood as influences that affect how persecuted ethnic minorities and/or refugee claimants negotiate and utilize their individual and collective identities. “This is where the question of voice – the ability to establish narrative authority over one’s own circumstances and future, and, also, the ability to claim an audience – begins to show its teeth” (Malkki 1996:393). The case of Romani refugees in Canada supports the notion in refugee literature that states being a refugee is incredibly complex and is a result of many different dynamics; however the case of Romani refugees in Canada challenges legal notions in policies and governments that simplify and reduce people to categories, resisting various forms of binaries.

The recent development of Czech visa restrictions that target Romani claimants is a critical moment that must continue to be analyzed. It is not a single, isolated event; rather, it is part of a long history which culminated with a decisive policy with untold

ramifications on Romani communities on both sides of the Atlantic Ocean. It is crucial to understand and include the narratives and experiences of Romani refugees in the political discussions that are sure to follow.

There is another upswing in media reports; but where are the voices of Roma? The tendency of Western governments to limit the number of refugees (as a response to the attitudes that believe economic reasons are the only cause for migration) has created a constant cycle of changing administrative processes (Bohmer and Shuman 2008:30), dependent on static notions of ethnicity and refugee definitions, with little attention given to the experiences Romani refugees have lived through, and thus also limiting the amount of representation in various arenas like refugee systems, or the media. Canada, unfortunately, is no exception to this.

Many Canadian Roma are involved in some form of resistance and identity formation; one of the most interesting consequences of the new visa restriction is the collaboration between the RCC and other community-based or civil society groups⁵³ in Toronto concerned with governmental biases against refugees and other at-risk people. Cooperating with other opposition groups is a relatively new strategy by the Roma in Canada that aims to incorporate the wide range of different Romani experiences and backgrounds (while simultaneously celebrating a kind of shared Romani identity) with other non-Roma. In their fight against oppression, the Roma have to draw on existing categories that are amenable to the struggle for rights, which define most western liberal democracies, such as human rights, citizenship, “national” or “ethnic” groups (“minorities”) and so on. Therefore one must consider questions such as: what is a nation anyway? Can the Roma constitute their own nation, and how do they negotiate within others’ constructs of nationhood and citizenship? What factors contribute to Romani individuals being less or more successful than Romani groups (who may more effectively utilize specific collective identities) at securing human rights within and across nations?

Although I have broached these ideas and introduced some of their implications in this work, I have been limited by restrictions in the research timeframe and scope of the

⁵³I learned from an informant that the RCC is now collaborating with well-known “No One is Illegal” movement, as well as the Canadian-Mexican communities who have also been targeted by the new restrictions. There is also a movement to file a complaint (sue) Jason Kenney, since he, as Canadian Immigration Minister, is responsible for instituting these changes (Czech News 2009).

project. I hope to pursue these issues in my future research, which would enable a more thorough and complex understanding of some of these issues, which is of growing importance to Canada. Romani refugee experiences have the potential to shed light on other refugee experiences in Canada, and clearly reveal that despite shared refugee experiences, there are important specific differences that an anthropological approach can help illustrate.

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Appendix A - Official IRB National Statistics

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
National													
Referred	26120	22584	23838	29396	34253	44038	39498	31937	25750	20786	22873	27865	34800
Accepted	9541	10031	12884	12954	13990	13336	15161	17682	16005	12061	9252	5885	7554
Rejected	7037	9107	10231	9378	10134	9551	11053	17994	19180	11846	8117	5423	6784
Unsuccessful	12262	14912	16441	14975	14819	14981	17305	24795	24403	15151	10575	7937	10558
Accepted/ Rejected	57.6%	52.4%	55.7%	58.0%	58.0%	58.3%	57.8%	49.6%	45.5%	50.4%	53.3%	52.0%	52.7%
Accepted/Unsuccessful	43.8%	40.2%	43.9%	46.4%	48.6%	47.1%	46.7%	41.6%	39.6%	44.3%	46.7%	42.6%	41.7%
Central													
Referred	9894	9054	9865	13267	18464	26233	25434	19732	16940	12741	13343	14724	18563
Accepted	4288	4712	5600	5855	7191	6488	9189	10953	10317	7658	5758	3822	4785
Rejected	3095	3870	3229	2966	4065	4753	5005	10319	11924	6959	4944	2767	3286
Unsuccessful	5003	5819	5124	4968	6097	7626	9066	14800	15262	9044	6470	4093	5263
Accepted/ Rejected	58.1%	54.9%	63.4%	66.4%	63.9%	57.7%	64.7%	51.5%	46.4%	52.4%	53.8%	58.0%	59.3%
Accepted/Unsuccessful	46.2%	44.7%	52.2%	54.1%	54.1%	46.0%	50.3%	42.5%	40.3%	45.9%	47.1%	48.3%	47.6%
Czech National													
Referred	166	1218	183	92	62	47	30	20	17	11	0	79	859
Accepted	12	22	739	119	77	12	7	5	8	2	2	0	84
Rejected	3	3	80	45	17	12	14	18	24	7	6	0	5
Unsuccessful	19	290	314	80	35	22	21	27	33	17	8	1	111
Accepted/ Rejected	80.0%	88.0%	90.2%	72.6%	81.9%	50.0%	33.3%	21.7%	25.0%	22.2%	25.0%		94.4%
Accepted/Unsuccessful	38.7%	7.1%	70.2%	59.8%	68.8%	35.3%	25.0%	15.6%	19.5%	10.5%	20.0%	0.0%	43.1%
Czech Central													
Referred	51	866	133	69	42	40	27	17	14	9	0	74	796
Accepted	12	22	572	86	53	6	7	4	3	2	2	0	80
Rejected	2	1	22	19	7	9	11	11	24	7	0	0	5
Unsuccessful	4	174	211	41	12	17	17	18	33	17	2	1	102
Accepted/ Rejected	85.7%	95.7%	96.3%	81.9%	88.3%	40.0%	38.9%	26.7%	11.1%	22.2%	100.0%		94.1%
Accepted/Unsuccessful	75.0%	11.2%	73.1%	67.7%	81.5%	26.1%	29.2%	18.2%	8.3%	10.5%	50.0%	0.0%	44.0%

Appendix B - Official IRB National, Czech and Hungarian Statistics

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Appendix A - Official IRB National Statistics (continued)													
National													
Hungary National													
Referred	64	294	977	1581	1936	3895	1180	132	162	58	48	24	288
Accepted	0	11	153	74	334	217	248	173	65	51	67	6	22
Rejected	19	15	64	378	789	579	820	1392	399	267	41	15	13
Unsuccessful	24	58	243	881	1242	1572	1983	1182	526	331	59	22	60
Accepted/ Rejected	0.0%	42.3%	70.5%	16.4%	29.7%	27.3%	23.2%	11.1%	14.0%	16.0%	62.0%	28.6%	62.9%
Accepted/Unsuccessful	0.0%	15.9%	38.6%	7.7%	21.2%	12.1%	11.1%	12.8%	11.0%	13.4%	53.2%	21.4%	26.8%
Hungary Central													
Referred	30	228	867	1396	1629	3355	1095	81	153	53	35	17	197
Accepted	0	4	132	67	251	91	88	106	32	16	52	3	12
Rejected	17	4	17	341	691	481	630	1258	265	96	21	11	12
Unsuccessful	17	36	146	815	1090	1384	1675	1694	313	115	26	16	44
Accepted/ Rejected	0.0%	50.0%	88.6%	16.4%	26.6%	15.9%	12.3%	7.8%	10.8%	14.3%	71.2%	21.4%	50.0%
Accepted/Unsuccessful	0.0%	10.0%	47.5%	7.6%	18.7%	6.2%	5.0%	5.9%	9.3%	12.2%	66.7%	15.8%	21.4%
Equations													
Accepted/Rejected	$\text{Accepted} / (\text{Accepted} + \text{Rejected}) \times 100$												
Accepted/Unsuccessful	$\text{Accepted} / (\text{Accepted} + \text{Unsuccessful}) \times 100$												

Appendix B - Official IRB National, Czech and Hungarian Statistics

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
National													
Claims Referred	26120	22584	23838	29396	34253	44038	39498	31937	25750	20786	22873	27865	34800
Claims Finalized	21803	24943	29325	27929	28809	28317	32466	42477	40408	27212	19828	13826	18112
Pending	30756	28357	23293	24737	30177	45804	52761	41575	27290	20552	23476	37513	54232
Central													
Claims Referred	9894	9054	9865	13267	18464	26233	25434	19732	16940	12741	13343	14724	18563
Claims Finalized	9291	10531	10724	10823	13288	14114	18255	25753	25579	16702	12229	7915	10048
Pending	10581	9299	8913	11516	16752	28833	35806	26512	17812	12915	13922	20614	28996
Czech National													
Claims Referred	166	1216	183	92	62	47	30	20	17	11	0	79	859
Claims Finalized	31	296	1053	199	112	34	28	32	41	19	10	1	195
Pending	165	1065	203	94	47	56	57	45	23	14	4	81	752
Czech Central													
Claims Referred	51	866	133	69	42	40	27	17	14	9	0	74	796
Claims Finalized	16	193	783	127	65	23	24	2055	36	19	4	1	182
Pending	50	737	119	58	36	49	47	832	19	8	4	76	696
Hungary National													
Claims Referred	64	294	977	1581	1936	3895	1180	132	162	58	48	24	288
Claims Finalized	24	69	396	955	1576	1789	2231	22	591	382	126	28	82
Pending	74	298	896	1528	1894	3987	2938	42	498	149	71	68	272
Hungary Central													
Claims Referred	30	288	867	1396	1629	3355	1095	81	153	53	35	17	197
Claims Finalized	17	40	278	882	1341	1475	1763	1800	345	131	78	20	56
Pending	29	217	806	1326	1616	3470	2705	350	173	90	47	47	189

Appendix C

United Nations Convention Relating to the Status of Refugees Documents

Preamble and Chapter 1 (Articles 1-11)

Preamble

The high contracting parties,

considering that the Charter of the United Nations and the Universal Declaration of Human Rights approved on 10 December 1948 by the General Assembly have affirmed the principle that human beings shall enjoy fundamental rights and freedoms without discrimination,

considering that the United Nations has, on various occasions, manifested its profound concern for refugees and endeavoured to assure refugees the widest possible exercise of these fundamental rights and freedoms,

considering that it is desirable to revise and consolidate previous international agreements relating to the status of refugees and to extend the scope of and protection accorded by such instruments by means of a new agreement,

considering that the grant of asylum may place unduly heavy burdens on certain countries, and that a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature cannot therefore be achieved without international co-operation,

expressing the wish that all States, recognizing the social and humanitarian nature of the problem of refugees, will do everything within their power to prevent this problem from becoming a cause of tension between States,

noting that the United Nations High Commissioner for Refugees is charged with the task of supervising international conventions providing for the protection of refugees, and recognizing that the effective co-ordination of measures taken to deal with this problem will depend upon the co-operation of States with the High Commissioner,

have agreed as follows:

Chapter 1: General Provisions

Article 1

Definition of the term “refugee”

A. For the purposes of the present Convention, the term “refugee” shall apply to any person who:

(1) Has been considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 or the Constitution of the International Refugee Organization; Decisions of non-eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugee being accorded to persons who fulfil the conditions of paragraph 2 of this section;

(2) As a result of events occurring before 1 January 1951 and owing to wellfounded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. In the case of a person who has more than one nationality, the term “the country of his nationality” shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

B.(1) For the purposes of this Convention, the words “events occurring before 1 January 1951” in article 1, section A, shall be understood to mean either

- (a) “events occurring in Europe before 1 January 1951”; or
- (b) “events occurring in Europe or elsewhere before 1 January 1951”, and each Contracting State shall make a declaration at the time of signature, ratification or accession, specifying which of these meanings it applies for the purpose of its obligations under this Convention.

(2) Any Contracting State which has adopted alternative (a) may at any time extend its obligations by adopting alternative (b) by means of a notification addressed to the Secretary-General of the United Nations.

C. This Convention shall cease to apply to any person falling under the terms of section A if:

(1) He has voluntarily re-availed himself of the protection of the country of his nationality; or

(2) Having lost his nationality, he has voluntarily re-acquired it, or

(3) He has acquired a new nationality, and enjoys the protection of the country of his new nationality; or

(4) He has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution; or

(5) He can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality;

Provided that this paragraph shall not apply to a refugee falling under section A(1) of this article who is able to invoke compelling reasons arising out of previous persecution for refusing to avail himself of the protection of the country of nationality;

(6) Being a person who has no nationality he is, because of the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, able to return to the country of his former habitual residence;

Provided that this paragraph shall not apply to a refugee falling under section A (1) of this article who is able to invoke compelling reasons arising out of previous persecution for refusing to return to the country of his former habitual residence.

D. This Convention shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance. When such protection or assistance has ceased for any reason, without the position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations, these persons shall *ipso facto* be entitled to the benefits of this Convention.

E. This Convention shall not apply to a person who is recognized by the competent authorities of the country in which he has taken residence as having the rights and obligations which are attached to the possession of the nationality of that country.

F. The provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that:

(a) he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes;

(b) he has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee;

(c) he has been guilty of acts contrary to the purposes and principles of the United Nations.

*Article 2***General obligations**

Every refugee has duties to the country in which he finds himself, which require in particular that he conform to its laws and regulations as well as to measures taken for the maintenance of public order.

*Article 3***Non-discrimination**

The Contracting States shall apply the provisions of this Convention to refugees without discrimination as to race, religion or country of origin.

*Article 4***Religion**

The Contracting States shall accord to refugees within their territories treatment at least as favourable as that accorded to their nationals with respect to freedom to practice their religion and freedom as regards the religious education of their children.

*Article 5***Rights granted apart from this convention**

Nothing in this Convention shall be deemed to impair any rights and benefits granted by a Contracting State to refugees apart from this Convention.

*Article 6***The term "in the same circumstances"**

For the purposes of this Convention, the term "in the same circumstances" implies that any requirements (including requirements as to length and conditions of sojourn or residence) which the particular individual would have to fulfil for the enjoyment of the right in question, if he were not a refugee, must be fulfilled by him, with the exception of requirements which by their nature a refugee is incapable of fulfilling.

*Article 7***Exemption from reciprocity**

1. Except where this Convention contains more favourable provisions, a Contracting State shall accord to refugees the same treatment as is accorded to aliens generally.

2. After a period of three years' residence, all refugees shall enjoy exemption from legislative reciprocity in the territory of the Contracting States.
3. Each Contracting State shall continue to accord to refugees the rights and benefits to which they were already entitled, in the absence of reciprocity, at the date of entry into force of this Convention for that State.
4. The Contracting States shall consider favourably the possibility of according to refugees, in the absence of reciprocity, rights and benefits beyond those to which they are entitled according to paragraphs 2 and 3, and to extending exemption from reciprocity to refugees who do not fulfil the conditions provided for in paragraphs 2 and 3.
5. The provisions of paragraphs 2 and 3 apply both to the rights and benefits referred to in articles 13, 18, 19, 21 and 22 of this Convention and to rights and benefits for which this Convention does not provide.

Article 8

Exemption from exceptional measures

With regard to exceptional measures which may be taken against the person, property or interests of nationals of a foreign State, the Contracting States shall not apply such measures to a refugee who is formally a national of the said State solely on account of such nationality. Contracting States which, under their legislation, are prevented from applying the general principle expressed in this article, shall, in appropriate cases, grant exemptions in favour of such refugees.

Article 9

Provisional measures

Nothing in this Convention shall prevent a Contracting State, in time of war or other grave and exceptional circumstances, from taking provisionally measures which it considers to be essential to the national security in the case of a particular person, pending a determination by the Contracting State that that person is in fact a refugee and that the continuance of such measures is necessary in his case in the interests of national security.

Article 10

Continuity of residence

1. Where a refugee has been forcibly displaced during the Second World War and removed to the territory of a Contracting State, and is resident there, the period of such enforced sojourn shall be considered to have been lawful residence within that territory.
2. Where a refugee has been forcibly displaced during the Second World War from the territory of a Contracting State and has, prior to the date of entry into force of this Convention, returned there for the purpose of taking up residence, the period of residence

before and after such enforced displacement shall be regarded as one uninterrupted period for any purposes for which uninterrupted residence is required.

Article 11

Refugee seamen

In the case of refugees regularly serving as crew members on board a ship flying the flag of a Contracting State, that State shall give sympathetic consideration to their establishment on its territory and the issue of travel documents to them or their temporary admission to its territory particularly with a view to facilitating their establishment in another country.

Appendix D

1967 Protocol Relating to the Status of Refugees

The Protocol was taken note of with approval by the Economic and Social Council in resolution 1186 (XLI) of 18 November 1966 and was taken note of by the General Assembly in resolution 2198 (XXI) of 16 December 1966. In the same resolution the General Assembly requested the Secretary-General to transmit the text of the Protocol to the States mentioned in article V thereof, with a view to enabling them to accede to the Protocol

entry into force 4 October 1967, in accordance with article VIII

The States Parties > to the present Protocol,

Considering that the Convention relating to the Status of Refugees done at Geneva on 28 July 1951 (hereinafter referred to as the Convention) covers only those persons who have become refugees as a result of events occurring before 1 January 1951,

Considering that new refugee situations have arisen since the Convention was adopted and that the refugees concerned may therefore not fall within the scope of the Convention,

Considering that it is desirable that equal status should be enjoyed by all refugees covered by the definition in the Convention irrespective of the dateline 1 January 1951,

Have agreed as follows:

Article 1. General provision

1. The States Parties to the present Protocol undertake to apply articles 2 to 34 inclusive of the Convention to refugees as hereinafter defined.
2. For the purpose of the present Protocol, the term "refugee" shall, except as regards the application of paragraph 3 of this article, mean any person within the definition of article I of the Convention as if the words "As a result of events occurring before 1 January 1951 and..." and the words "...as a result of such events", in article 1 A (2) were omitted.
3. The present Protocol shall be applied by the States Parties hereto without any geographic limitation, save that existing declarations made by States already Parties to the Convention in accordance with article I B (I) (a) of the Convention, shall, unless extended under article I (2) thereof, apply also under the present Protocol.

Article 2. Co-operation of the national authorities with the United Nations

1. The States Parties to the present Protocol undertake to co-operate with the Office of the United Nations High Commissioner for Refugees, or any other agency of the United Nations which may succeed it, in the exercise of its functions, and shall in particular facilitate its duty of supervising the application of the provisions of the present Protocol.

2. In order to enable the Office of the High Commissioner or any other agency of the United Nations which may succeed it, to make reports to the competent organs of the United Nations, the States Parties to the present Protocol undertake to provide them with the information and statistical data requested, in the appropriate form, concerning:

(a) The condition of refugees;

(b) The implementation of the present Protocol;

(c) Laws, regulations and decrees which are, or may hereafter be, in force relating to refugees.

Article 3. Information on national legislation

The States Parties to the present Protocol shall communicate to the Secretary-General of the United Nations the laws and regulations which they may adopt to ensure the application of the present Protocol.

Article 4. Settlement of disputes

Any dispute between States Parties to the present Protocol which relates to its interpretation or application and which cannot be settled by other means shall be referred to the International Court of Justice at the request of any one of the parties to the dispute.

Article 5. Accession

The present Protocol shall be open for accession on behalf of all States Parties to the Convention and of any other State Member of the United Nations or member of any of the specialized agencies or to which an invitation to accede may have been addressed by the General Assembly of the United Nations. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 6. Federal clause

In the case of a Federal or non-unitary State, the following provisions shall apply:

(a) With respect to those articles of the Convention to be applied in accordance with article I, paragraph 1, of the present Protocol that come within the legislative jurisdiction of the federal legislative authority, the obligations of the Federal Government shall to this extent be the same as those of States Parties which are not Federal States;

(b) With respect to those articles of the Convention to be applied in accordance with article I, paragraph 1, of the present Protocol that come within the legislative jurisdiction of constituent States, provinces or cantons which are not, under the constitutional system of the Federation, bound to take legislative action, the Federal Government shall bring such articles with a favourable recommendation to the notice of the appropriate authorities of States, provinces or cantons at the earliest possible moment;

(c) A Federal State Party to the present Protocol shall, at the request of any other State Party hereto transmitted through the Secretary-General of the United Nations, supply a statement of the law and practice of the Federation and its constituent units in regard to any particular provision of the Convention to be applied in accordance with article I, paragraph 1, of the present Protocol, showing the extent to which effect has been given to that provision by legislative or other action.

Article 7. Reservations and declarations

1. At the time of accession, any State may make reservations in respect of article IV of the present Protocol and in respect of the application in accordance with article I of the present Protocol of any provisions of the Convention other than those contained in articles 1, 3, 4, 16(1) and 33 thereof, provided that in the case of a State Party to the Convention reservations made under this article shall not extend to refugees in respect of whom the Convention applies.

2. Reservations made by States Parties to the Convention in accordance with article 42 thereof shall, unless withdrawn, be applicable in relation to their obligations under the present Protocol.

3. Any State making a reservation in accordance with paragraph I of this article may at any time withdraw such reservation by a communication to that effect addressed to the Secretary-General of the United Nations.

4. Declarations made under article 40, paragraphs I and 2, of the Convention by a State Party thereto which accedes to the present Protocol shall be deemed to apply in respect of the present Protocol, unless upon accession a notification to the contrary is addressed by the State Party concerned to the Secretary-General of the United Nations. The provisions of article 40, paragraphs 2 and 3, and of article 44, paragraph 3, of the Convention shall be deemed to apply *mutatis mutandis* to the present Protocol.

Article 8. Entry into Protocol

1. The present Protocol shall come into force on the day of deposit of the sixth instrument of accession.

2. For each State acceding to the Protocol after the deposit of the sixth instrument of accession, the Protocol shall come into force on the date of deposit by such State of its instrument of accession.

Article 9. Denunciation

1. Any State Party hereto may denounce this Protocol at any time by a notification addressed to the Secretary-General of the United Nations.
2. Such denunciation shall take effect for the State Party concerned one year from the date on which it is received by the Secretary-General of the United Nations.

Article 10. Notifications by the Secretary-General of the United Nations

The Secretary-General of the United Nations shall inform the States referred to in article V above of the date of entry into force, accessions, reservations and withdrawals of reservations to and denunciations of the present Protocol, and of declarations and notifications relating hereto.

Article 11. Deposit in the archives of the Secretariat of the United Nations

A copy of the present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, signed by the President of the General Assembly and by the Secretary-General of the United Nations, shall be deposited in the archives of the Secretariat of the United Nations. The Secretary-General will transmit certified copies thereof to all States Members of the United Nations and to the other States referred to in article 5 above.



Office of Research Ethics

The University of Western Ontario
 Room 4180 Support Services Building, London, ON, Canada N6A 5C1
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Use of Human Subjects - Ethics Approval Notice

Principal Investigator: Dr. A. Walsh

Review Number: 14079S

Review Date: October 31, 2008

Revision Number: 1

Review Level: Expedited

Protocol Title: Roma Immigrant Experiences in Canada

Department and Institution: Anthropology, University of Western Ontario

Sponsor:

Ethics Approval Date: October 31, 2008

Expiry Date: February 28, 2009

Documents Reviewed and Approved: Revised study end date.

Documents Received for Information:

This is to notify you that The University of Western Ontario Research Ethics Board for Non-Medical Research Involving Human Subjects (NMREB) which is organized and operates according to the Tri-Council Policy Statement: Ethical Conduct of Research Involving Humans and the applicable laws and regulations of Ontario has granted approval to the above referenced revision(s) or amendment(s) on the approval date noted above.

This approval shall remain valid until the expiry date noted above assuming timely and acceptable responses to the NMREB's periodic requests for surveillance and monitoring information. If you require an updated approval notice prior to that time you must request it using the UWO Updated Approval Request Form.

During the course of the research, no deviations from, or changes to, the study or consent form may be initiated without prior written approval from the NMREB except when necessary to eliminate immediate hazards to the subject or when the change(s) involve only logistical or administrative aspects of the study (e.g. change of monitor, telephone number). Expedited review of minor change(s) in ongoing studies will be considered. Subjects must receive a copy of the signed information/consent documentation.

Investigators must promptly also report to the NMREB:

- a) changes increasing the risk to the participant(s) and/or affecting significantly the conduct of the study;
- b) all adverse and unexpected experiences or events that are both serious and unexpected;
- c) new information that may adversely affect the safety of the subjects or the conduct of the study.

If these changes/adverse events require a change to the information/consent documentation, and/or recruitment advertisement, the newly revised information/consent documentation, and/or advertisement, must be submitted to this office for approval.

Members of the NMREB who are named as investigators in research studies, or declare a conflict of interest, do not participate in discussion related to, nor vote on, such studies when they are presented to the NMREB.



Office of Research Ethics

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Use of Human Subjects - Ethics Approval Notice

Principal Investigator: Dr. A. Walsh

Review Number: 14079S

Review Level: Full Board

Review Date: March 7, 2008

Protocol Title: Roma Immigrant Experiences in Canada

Department and Institution: Anthropology, University of Western Ontario

Sponsor:

Ethics Approval Date: April 9, 2008

Expiry Date: October 31, 2008

Documents Reviewed and Approved: UWO Protocol, Informed Consent Script, Letter of Information and Consent (Roma Immigrants), Letter of Information and Consent (Service Providers).

Documents Received for Information:

This is to notify you that The University of Western Ontario Research Ethics Board for Non-Medical Research Involving Human Subjects (NMREB) which is organized and operates according to the Tri-Council Policy Statement: Ethical Conduct of Research Involving Humans and the applicable laws and regulations of Ontario has granted approval to the above named research study on the approval date noted above.

This approval shall remain valid until the expiry date noted above assuming timely and acceptable responses to the NMREB's periodic requests for surveillance and monitoring information. If you require an updated approval notice prior to that time you must request it using the UWO Updated Approval Request Form.

During the course of the research, no deviations from, or changes to, the study or consent form may be initiated without prior written approval from the NMREB except when necessary to eliminate immediate hazards to the subject or when the change(s) involve only logistical or administrative aspects of the study (e.g. change of monitor, telephone number). Expedited review of minor change(s) in ongoing studies will be considered. Subjects must receive a copy of the signed information/consent documentation.

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- a) changes increasing the risk to the participant(s) and/or affecting significantly the conduct of the study;
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