

**Nationalism as a Driver of Racist Sentiment in Central Europe:
The Case of Roma Exclusion in the Czech Republic**

Annika Pettitt
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Advisor Dr. John Shosky

The fall of communism in the countries of Central and Eastern Europe signaled a great change around the globe. As the wall fell in Berlin, as Solidarity was welcomed into the government in Warsaw, as “*Havel na hrad*” was chanted in Prague, as the ceremonial burial of Imre Nagy emboldened the Hungarians, the world looked on in hope and wonder. This was a new beginning and a step-level change in international politics. Today, the countries of Central and Eastern Europe look drastically different than they did twenty years ago. Through government and society the changes have been astounding, as these states have joined their democratic neighbors to the west. However, even with all this progress, and the many strides taken towards progressive government and culture, these societies are still haunted by their past and the demons that have always plagued their forward looking ideals.

Today, the situation of the Roma¹ across these countries is in many cases worse than it was under the oppressive communist or Soviet regimes that once had control. The five million Roma² who live among the nations of Central and Eastern Europe experience persecution and discrimination both within the formal institutions of their state’s government and every day on a social level. Violent attacks, exclusionary practices in government and school and prolonged abject poverty are common among the hundreds of distinct groups of Roma that populate these states. The Roma are not the sole minority group facing such pressures and dangerous situations, they are however the singular group that has a presence in all these states and faces similar persecution and threat of violent attack or death simply because of their identity as Roma. An investigation of their unique situation sheds light on the culture and politics of this region in a way that similar topics cannot fully illuminate.

As the countries of Central and Eastern Europe continue to move toward the West, toward progressive policies, and toward the varied human and civil rights policies of the European Union, the plight of the Roma communities within their border is called into question time and time again. Looking at the problems which still persist today, the Roma’s unique circumstances of their position in society and the driving factors behind such behaviors is a necessary task when looking at the position of Central and Eastern Europe in regards to the rest of the world. A better understanding of the driving factors of racism offers both questions and answers about how solutions and liberal reforms can come to these countries which are today on a precipice between their past and their desired future as partners in the greater Europe.

The importance of nationalism in the countries of Central and Eastern Europe cannot be easily dismissed, particularly as a driver of racist sentiment. The people of these states trace their histories back hundreds if not thousands of years. In general they view the Czech, Polish, Hungarian, and Slovak people as ethnic groups rather than a political entity. Czechs for example will tell you their history beginning with their legendary 10th century dukes transitioning to the 14th to 16th centuries when Prague was

¹ Roma, rather than Gypsy, will be used throughout this work as the term to describe the group. Rom as the singular, Romani as the adjective, and Romany as the name of language common to many of these groups will additionally be used. This term was chosen as it is academically preferable and the term most Roma use to describe their groups on the global political level.

² Zoltan D Barany, “Ethnic Mobilization without Prerequisites: The Eastern European Gypsies,” *World Politics* 54.3 (2002): 277-307, Project MUSE, American U Lib. 30 Oct 2009, <<http://muse.jhu.edu>>.

one of the cultural and political centers of Europe. They describe the period of the Habsburg reign after the Thirty Years war and the defeat of Jan Hus as a "period of darkness" for the Czech lands, even though they were economically quite prosperous. The "First republic" after WWI is glorified describing Czechoslovakia as a prosperous democracy, one of the only on the continent. They will describe the horror of being sold off to Hitler in 1938 and the rise of communism after Soviet liberation at the end of WWII. Lastly they will describe the triumph of the Velvet Revolution and de-federation in 1993, through all this, they will never speak of losing what it meant to be Czech.³ Even when no state exists, when the political lines that divide the Czech Republic from Germany and Austria are erased off the map the people are still Czech. Nationality is independent of citizenship.

The same idea is generally true throughout the rest of the nations of Central and Eastern Europe. In these nations, which have faced so much turmoil even in recent history, the idea of the permanent nation of people is particularly important. It is a concept foreign to Americans who view their nation as the political state bounded by the oceans on two sides and Canada and Mexico on the others. The state and the nation are one in the same. There is no ancient history of what it means to be an American, no national heroes who represent the ancient cultural traits instead it is the civic achievements of our founding fathers that is shared. When a person takes the citizenship test and receives a social security number and is declared a citizen of the state, they also become a citizen of the nation. No such similar guarantee is made in the states of Eastern and Central Europe.

Understanding this goes a long way in explaining the deep issues of racism within the region. Knowing how the people view themselves, their state, and their nation better explains why 'the other' is so important, so dangerous, and, to them, so obvious. The intense nationalism of the Czech people presents a particularly difficult sticking point in the challenge to promote Roma rights and empower this minority. The Czech people inherently think of Roma as outsiders who are not legally entitled to the rights of citizenship. This deep seeded prejudice against Roma prevents a coalition of forces that might lead to productive and progressive change in favor of Roma empowerment.

Nationalism- Theory and Definitions

Theories of nationalism tend to take one of two sides on the issue of which entity creates the other. There are those who believe that the nation is an eternal reality, that there always has been and always will be the ethnic group of people living with the same culture, language, goals, and general geographic area. These scholars presume that from these beginnings the political state arose. They posit that the need to protect the fully established nation of people results in the formation of civic institutions, a government, and political boundaries recognized by the international community.

Others believe nearly the exact opposite proposition that the state preceded the nation which was created in order to lend legitimacy to the political functions of the state. These scholars assert that the elites of the political state reinforce the ideology of nationalism in order to make the functions of the state more pertinent and to keep the support of the public on their side. They refer to this creation as a kind of manipulation,

³ Petr Šrámek, Personal Interview, 15 Nov. 2009.

but not necessarily an entirely negative manipulation. Instead, this superficial creation of the nation strengthens the people, gives the state more legitimacy and protects the people in times of war when their loyalty to an otherwise esoteric political entity is needed. There is safety in nationalism, even if it is superficially imposed by the elites and not organically grown as scholars of the first theory surmise.

Eric Hobsbawm is one of the foremost authorities on the theories of nationalism and its foundations. He, belonging to the state first ideology, believes that the nation is an “invented tradition”.⁴ He asserts that the nation, the nation-state nationalism and national symbols are all relatively recent developments and do not have the long and concrete history that others would argue. Instead, the nation is seen as a recent social innovation, a product of social engineering.⁵ Hobsbawm does realize that that these constructs have their basis in some kind of remote antiquity, some kind of shared experience but that proving such connections is not the point of nationalism. The nation requires no definition outside of self-determination it is political reality not symbols that lend legitimacy to the state.⁶ Hobsbawm seems to assert that since the nation is a constructed entity meaning all of its subsequent parts and movements are dependent upon a created mystique, that it is not particularly permanent.⁷ Man-made institutions are more flexible, they were created once and Hobsbawm indicates that they have the ability to be changed to suit the needs of the people over time.

In the same vein of scholarship Elie Kedourie argues that the advent of nationalism today is merely a product of the self-determination movements of the past century. Instead of contradicting Hobsbawm, as Kedourie seems to do initially, he posits that the pressures of the state system forced people to band together in ways that didn’t; necessarily make historical sense but were politically feasible.⁸ Kedourie tackles the veritable ‘chicken or egg’ question by saying that for most of history small groups were enough protection for most people but that today, in a state based global system nationalism is needed to unite and protect.⁹ Nationalists today “make use of the past in order to subvert the present”, here meaning that the stories of triumph in centuries past, the ideology of the great conquests and defeats become the basis for nationalist connections today. The state is aided by the created shared collective of the past. It is a convenient tool in the struggle for self-determination as it united the people. In the global nation-state system such unity is vital to survival and competition.¹⁰ Like Hobsbawm, Kedourie argues that the man-made nature of nationalism makes it fluid and furthermore that its perceived origins can, and do, change as well. Kedourie points to two major ties often cited as the foundations of nationalism, religion and language.¹¹ At times the people’s shared language is the prime uniting factor, at others the shared religion

⁴ Eric Hobsbawm, “The Nation as Invented Tradition,” Nationalism, Eds. John Hutchinson and Anthony D. Smith, New York: Oxford University Press, 1994, 76-82.

⁵ Hobsbawm, 76

⁶ Hobsbawm, 76

⁷ Hobsbawm, 78

⁸ Elie Kedourie “Nationalism and Self-Determination,” Nationalism, Eds. John Hutchinson and Anthony D. Smith, New York: Oxford University Press, 1994, 49.

⁹ Elie Kedourie “Nationalism and Self-Determination,” Nationalism, Eds. John Hutchinson and Anthony D. Smith, New York: Oxford University Press, 1994, 49-55.

¹⁰ Kedourie, 49

¹¹ Kedourie, 51

becomes the more important factor.¹² Drawing on shared social and linguistic ties increases the size of the group to which you belong. Just as industrialization created a viable middle class and increased the number of people with the tools to connect and interact, nationalism depends upon creating a larger group. Shared ties in the pressures of the state system, combined with the enriching mechanisms of the Industrial Revolution all worked in concert to make nationalism a viable, and, indeed for many, necessary social construct that provided safety in numbers.¹³

This theory of the relationship between the nation and the state is important to investigate, how the people relate to the political apparatus of their state is directly impacted by the way their cultural history is constructed. The proponents of the state first model of nationalism view political leaders and their goals as the driving force behind nationalism. These forces are not any weaker or less legitimate because they are so constructed people feel equally as attached to their nation whether the past is manipulated to make them believe that or whether the physiological, geographic, linguistic, religion, ethnic and cultural ties are real and binding. As Walker Connor puts it so clearly, “what ultimately matters is not *what is* but what people *believe is*”.¹⁴ When one aligns himself with a nation it is not merely a political act, it is the definitive decision to align yourself with a people and their actions and beliefs in the past and present.¹⁵ That being said, there are scholars who believe that such attachment is not merely the process of elite manipulation but instead that such beliefs are deeply embedded within society, that these ties are not fabricated but always have been and always will be permanent.

Clifford Geertz is particularly known for this ideology. He promotes the existence of primordial ties that bind people on the level of “blood, race, language locality, religion or tradition”.¹⁶ These real connections are historic, even ancient. They are the ‘givens’ of any society. Today they are called tribalism, parochialism, and communalism but for Geertz they are not pejorative terms, merely facts of history.¹⁷ This distinction from other scholars in the field is particularly important because Geertz asserts that such ties are binding and not changing. They are not man-made or manipulated but facts of blood and genealogy. The primordial ties that group people together are seen as ties that divide, Geertz argues that the elevation of these ties to the national level are seen as dangerous, but that such ties cannot be ignored and are not necessarily worthy of the fear they generate. The nation, as a natural group, is what “when the chips are down, effectively commands men’s loyalty, overriding the claims both of lesser communities within it and those that cut across it or potentially enfold it within a still greater society”.¹⁸

Geertz is in the minority of nationalism scholars. While many believe that there are physical and historical connections for nations most have come to believe that they

¹² Kedourie 53

¹³ Ernest Gellner, “Nationalism and Modernization,” Nationalism, Eds. John Hutchinson and Anthony D. Smith, New York: Oxford University Press, 1994, 60.

¹⁴ Walker Connor, “A Nation is a Nation, is a State, is an Ethnic Group is a...,” Nationalism, Eds. John Hutchinson and Anthony D. Smith, New York: Oxford University Press, 1994, 37.

¹⁵ Connor, 39

¹⁶ Clifford Geertz, “Primordial and Civic Ties,” Nationalism, Eds. John Hutchinson and Anthony D. Smith, New York: Oxford University Press, 1994 30.

¹⁷ Geertz, 31

¹⁸ Geertz, 30, citing Rupert Emerson.

are primarily a political or cultural product. However, it must be understood that nationalism is not experienced in the terms and ideas of academia. People emote what academics explain, but not necessarily in the same clear but lines. Academics may agree that most nationalism is imposed by the elites and is a convenient tool used to direct and unite the people, but most nations believe in the strength and the truth of the myths that unite them. In general, the origins of such stories matters very little. In the day-to-day life of people in their states their knowledge of the validity of the claims matters much less than their belief in them. In short, many nations believe in the blood and bone of nationalism, even if no scientific or historical record reassures them.

The presentation and truth of nationalism in terms of day-to-day realities rather than academic preponderances in Central and Eastern Europe is most easily defined as cultural nationalism. Cultural nationalism assumes that nations are organic beings and not political entities, that the nation is the people and not the state.¹⁹ The nation is founded in the 'passions' implanted by nature and history and not by codified law or consent by the people. The state respects these ties but does not need to explicitly acknowledge or protect them. Cultural nationalism flows and changes throughout time, it is not a constant but rather a social force of the people. As new generations come to prominence they change and adapt the nationalistic ideas to suit their needs and the moral regeneration that is essential to the survival of the nation. Cultural nationalism is supported by scholars and artists who keep alive the unique creative features of a society. It allows for the rewriting of the social history, strengthening the nation through culture rather than codification. Cultural nationalists want the nation to move forward and become productive members of the established political framework but not by giving up its unique cultural features.

The Czech Republic and its neighbors in Central and Eastern Europe are particularly well defined by these features. The political dictates of what makes a citizen do not define the nation. It is cultural factors like music and literature, the shared history of war and peace and an ethnic tie that bind the people. Nationalism theorists would argue that while the people of these nations believe in the eternal existence of the nation, the state is necessary to the legitimacy and survival of the people. Alternatively Clifford Geertz and like-minded scholars would presume that cultural nationalists have the foundation of the society formulated correctly, with the cultural and natural ties being of prime importance. No matter how scholars come down on the issue of the formulation and legitimacy of cultural nationalism, the people of these nations virulently believe in it.

Conversely, the United States much of Western Europe have a distinctly different view of the nation. For these political nationalists the state is the purposeful entity that breeds nationalism.²⁰ For these groups the word nation and state have become synonymous. In academia these words are distinctly different but for the political nationalists there is no separating them. The goal of political nationalists is not to protect a shared culture but rather to secure a state that is representative of the community within their political jurisdiction so that they might be able to compete in the rational and cosmopolitan civilization that is the state system.²¹ Political nationalists tend to codify

¹⁹ John Hutchinson, "Cultural Nationalism and Moral Regeneration," *Nationalism*, Eds. John Hutchinson and Anthony D. Smith, New York: Oxford University Press, 1994, 122.

²⁰ Hutchinson, 122

²¹ Hutchinson, 122

what makes one a member of the nation.²² This is particularly well seen in the United States where one can become a member of the nation. There are not genealogical requirements, merely a civic understanding of the society. If one is born on United States soil, with few exceptions, they have the right to be an Americana citizen. There are no such exceptions for cultural nationalists.

In general, Americans have some difficult understanding cultural nationalism. There is not a common origin that explains one's place or purpose simply as an American. Excepting Native Americans, citizens of the United States can only trace their family's membership in the country back just over 400 years vast majority of the nation can't do even that. Walker Connor effectively describes this difference in perspective by saying; "It is difficult for an American to appreciate what it means for a German to be German or for a Frenchman to be French, because the psychological effect of being American is not precisely equitable".²³ They feel patriotism to be sure, Americans are willing to lay down their lives for a countryman but there is not the same idea of who an American is ethnically. In Central Europe, there is no question. A Czech is a Czech forever no matter his hometown.

Roma in Central Europe

The history of the Roma as a minority in the Czech lands is as long as the history of the region itself. There are differing academic opinions of how the original group of Roma reached the lands of Central and Eastern Europe, but today many scholars and Roma themselves have come to agree on a common history. The story goes Roma are originally from India and can trace their history linguistically and through historical record through the Middle East and Egypt²⁴ and then into the Balkans and from there into Eastern Europe.²⁵ More recent migrations have brought the Roma people into Western Europe and into the United States, Canada, and many other countries around the globe. Depending on their location, language, and self-identification, these different groups are known by different names and have vastly different experiences in their larger society.

Roma groups in different states speak different dialects of what is generally considered the same language. *Romany* shares traits with some European languages but because of the nomadic nature of its early speakers, it encompasses influences from languages across the Middle East and Middle Asia.²⁶ In general Roma from different places can understand each other even though their dialects differ so significantly.

Questions of shared Romani genetic heritage are contested. Some Roma feel that they are one ethnic group spread out geographically across states. Others feel that their specific group is its own ethnic group, as different as a Czech is from a Hungarian are the Roma in the Czech lands and the Roma in Hungary. In her book, *Bury me Standing the*

²² Hutchinson, 124

²³ Walker Connor, "A Nation is a Nation, is a State, is an Ethnic Group is a..."

Nationalism, Eds. John Hutchinson and Anthony D. Smith, New York: Oxford University Press, 1994, 38.

²⁴ According to Fonseca this part of the supposed migration gave the Roma the more common, but often pejorative, name Gypsy. This title stems etymologically from the word Egypt.

²⁵ Isabel Fonseca, Bury Me Standing: The Gypsies and Their Journey, New York: Vintage by Random House, 1995, 85.

²⁶ Fonseca, 58

History of Gypsies in Eastern Europe. Isabella Fonseca describes the Roma as a group in diaspora. This is a particularly interesting classification for this group, and one that is not repeated in other scholarship. However, it deserves analysis because it provides a greater context for discussing the issue of Roma discrimination. If the Roma are indeed a full nation in diaspora, what are the ramifications in the current self-determination focused nation-state global system? Addressing solutions to issues among the Roma is greatly impacted by the viability of this line of thinking.

Documenting Romani populations is a particularly difficult task. While they are culturally known as nomadic or roaming peoples most Roma communities today are settled. This does not make collecting or securing accurate census data significantly easier. Many states have highly discriminatory census procedures that qualify certain Roma as ethnically Roma and others as citizens of non-Roma ancestry. These practices significantly reduce the number of Roma among the general population, making them seem like a smaller and thus less significant minority population than the actual demography reflects.

After the fall of Communism Czechoslovakia performed its first national census in 1991. Results from this census show that of over 10.3 million citizens only 33,000 were classified as “of Roma origin”.²⁷ This number is considered to be particularly skewed because the definition of Roma was then codified as those who self-identified as Roma and who were classified by the state as in need of special “social and re-educative care”.²⁸ By 1999, when the European Roma Rights Center, based in Budapest, Hungary, released its most recent country report on the Czech Republic unofficial but respected population estimates placed the Roma population in the country between 250-300,000 people, nearly 3% of the state’s population. Even today proper demographic data is still difficult to find. The Czech official census data is released largely in Czech and what foreign language publications are made public are largely absent of ethnic demographic breakdowns. In 2001, the latest state census, the Czech Republic determined that there were only 11,746 Roma citizens in the country with a total of 10.23 million citizens overall.²⁹ This vast difference in the numbers from official census counts and NGO calculations is a phenomenon experienced by Roma and their advocates in many countries. False classification of Roma allows countries to under report a minority exclusion problem this lessens the internal and external pressure to provide for better situations for minority groups. Additionally Roma are often officially uncountable as their position on the fringes of society often deprives them of identification cards or accessible communities for data gathering.³⁰

The Czech Republic has one of the smallest Romani populations in the region. In Hungary the state counts over 200,000³¹ while NGO’s estimate that there could be up to

²⁷ European Roma Rights Center, “Country Report, A Special Remedy: Roma and Schools for the Mentally Handicapped in the Czech Republic,” Budapest: The European Roma Rights Center, 1999, pg 6.

²⁸ European Roma Rights Center, “Country Report, A Special Remedy: Roma and Schools for the Mentally Handicapped in the Czech Republic,” pg 6.

²⁹ Czech National Census, 2001, Accessed at, <<http://www.czso.cz/sldb/sldb2001.nsf/tabx/CZ0000>>.

³⁰ Fonseca

³¹ Hungarian National Census, 2001, Accessed at, <http://www.nepszamlalas.hu/eng/volumes/06/00/tabeng/1/load01_10_0.html>.

one million³² Roma might calling Hungary home. In Slovakia 2.7% of the population is classified as Roma³³ and in Romania the government identifies over 500,00 citizens as Roma making them the third largest ethnic group in the country.³⁴ While the size of the Roma population in the Czech Republic is remarkably smaller than its neighbors in the region, it deserves significant attention because of its role as a leader in the area. The Czech Republic is one of the most Westward leaning countries, a political and cultural force in the region, and a particularly strong ally of the United States. The condition of its Roma population, even at only 3%, is important because of what it means to the definition of the New Europe. The day-to-day situation of the Roma and the political and cultural changes and progress made here can be considered a useful barometer for the situations in the rest of Central and Eastern Europe.

Racism in Central Europe

Racism holds a different place in the societies of Central and Eastern Europe than it does in the United States and other Western states. It is not formulated in the same mindset, carried out by the same means, or treated with similar reactions. Racism is, with all due respect and concern, in many ways a part of everyday life in Central and Eastern Europe. There is a certain level of understanding that people of different races and ethnicity are known to be outsiders and are often treated as thus. Racist phrases and terminology are a part of popular culture, crimes against ethnic minorities are common and economic sectors of society are largely absent of minorities. Laws like the so-called language law in Slovakia, which prohibits the use of a language except Slovak in public places and proceedings³⁵, firmly places minority groups outside of mainstream society.

All of this is not to say that the states of Central and Eastern Europe are backwards or somehow deficient in the civilized and cultural norms of the West. They have not ignored the great liberalizing forces of the 20th century; they have simply employed them in a different way. Racist sentiment holds a different place in society, a place that is being addressed and threatened by the advance of Western culture into the states of Central and Eastern Europe. New regulations by the European Union and documentation of human rights abuses encourage a look at the definitions and instances of racism in Central and Eastern Europe. The people here, not vile or backwards, have been forced to look at the tenants and values of their society, their attachment to their nation, and their exclusion of the ethnic or cultural other as a step in the process of Westernization.

Racism against Romani people in particular is a recurring fact of history throughout Central and Eastern Europe. From everyday social interactions to institutionalized and codified discrimination, the Roma people face different and often hostile situations that the ethnic majority does not face. Across the region there are countless cases each year of documented abuses against Romani families. They face

³² Colin Woodward, "Hungary's Anti-Roma Militia Grows," Christian Science Monitor 13 Feb 2008, 20 Nov 2009, <<http://www.csmonitor.com/2008/0213/p07s02-woeu.html>>.

³³ "Slovakia," CIA World Factbook, 2009, Central Intelligence Agency, 10 Nov. 2009 <<https://www.cia.gov/library/publications/the-world-factbook/geos/lo.html>>.

³⁴ Romanian National Census, 2001, Accessed at, <<http://www.recensamant.ro/pagini/tabele/t47.pdf>>.

³⁵ Pavol Stracansky, "'Language Police' to Enforce Slovak-Only Law," Global Information Network 20 July 2009, ProQuest, American U Lib, 25 Nov 2009 <<http://proquest.umi.com>>.

attacks of arson and personal brutalization, exclusion from public services and spaces, discrimination in the job market, and a general persecution in public life.³⁶ From east to west and north to south, no country of Eastern and Central Europe has a positive record or relationship with their Roma population.

The Particular Condition of Roma in the Czech Republic

In general the Romani community in the Czech Republic is isolated from the general population in all sectors of public life. This applies particularly to the discriminatory practices in public schools, the job market, and the delivery and reception of public services and aid.³⁷ Roma have much higher levels of preventable disease, illiteracy, poverty and unemployment.³⁸ Ultimately, when the Roma community and their advocates attempt to address such issues and see change they are greeted by an uncomprehending or even explicitly antagonistic public.

This exclusion is a traceable historic trait. During World War II the Roma were targeted by the occupying Nazi regime and over 95% of the Czech Roma population was eliminated by Nazis either through deportation or execution at concentration camps.³⁹ During the communist regimes, the Roma were theoretically more incorporated into society but their traditional culture and way of life was decimated by the communist's universal employment schemes and the outlawing of official classification as Romani.⁴⁰ Records of these groups only exist under files for those of "Gypsy origin", a classification based almost entirely on skin color and not meant to document the group as a relevant cultural or ethnic minority.⁴¹ The Roma communities were increasingly dependent on state aid at this time and nearly all children were deemed unfit for regular school and were placed into remedial centers because of their lack of proficiency in Czech, as it was not their mother tongue, characteristics which continue today.⁴²

The fall of communism did not provide any significant increases in social or political incorporation for the Roma. While Vaclav Havel has called the treatment of the Roma population a "litmus test of civil society"⁴³ for Central and Eastern European countries, the plight of the Roma in the Czech Republic continued and in some cases worsened under his watch. The privatization of businesses meant that the first fired and last re-hired were the Roma.⁴⁴ Unemployment and economic pressures were significantly higher on this portion of the population. In 1998 the Roma unemployment rate was

³⁶ Daniel Stanislav, "Rise of Violence Against Roma," European Roma Rights Centre, Roma Decade, 9 June 2009. Web, 12 Nov. 2009, <<http://www.romadecade.org>>, 1.

³⁷ Stanislav, 2.

³⁸ Minorities At Risk, "Assessment for Roma in Czech Republic," University of Maryland Center for International Development and Conflict Management 31 Dec 2006, 25 Nov 2009, <<http://www.cidcm.umd.edu/mar/assessment.asp?groupId=31602#>>.

³⁹ Minorities At Risk

⁴⁰ Marta Miklusakova and Jirina Siklova, "Denying Citizenship to Czech Roma," East European Constitutional Review 7 Spring 1998:59, *HeinOnline*, 15 Nov 2009 < <http://heinonline.org>>.

⁴¹ Miklusakova, 59

⁴² Miklusakova, 59

⁴³ Isabel Fonseca, Bury Me Standing: The Gypsies and Their Journey, New York: Vintage by Random House, 1995, 293.

⁴⁴ Marta Miklusakova and Jirina Siklova, "Denying Citizenship to Czech Roma," East European Constitutional Review 7 Spring 1998:60, *HeinOnline*, 15 Nov 2009 < <http://heinonline.org>>.

estimated to be nearly 66% while the nation as a whole experienced economic success and national rate of only 4% unemployed.⁴⁵ Political fragmentation in the early 1990s meant almost no political incorporation for Roma; even with minimal representation in the Parliament their needs were nearly completely unaddressed.⁴⁶

The particular problems of the Czech Roma are compounded by the issue of the federation of Czechoslovakia and the subsequent separation of the Czech and Slovak Republics in January 1993. Many Roma claimed no particular hometown, as they were traditionally nomadic peoples, at the time of the separation were left literally between two states for some time. Most importantly, between two states that didn't particularly want them as citizens. The Czech Republic, by adopting the Law on the Acquisition of Citizenship, effectively forced much of its Roma population to either live as foreigners in the Czech Republic or to move to Slovakia. This law required that people retain the citizenship they had claimed while the two states had been a federation. Many Roma who were historically from the Czech lands had been classified as Slovak during the brief federation primarily because of circumstance or family rather than political preference. Additionally, those filing for a change in citizenship had to prove their permanent residency within the Czech Republic for two years and have a clean criminal record for two years as well.⁴⁷ This law effectively and purposefully classified the Roma as Slovak citizens living in the Czech Republic, making their citizenship determinant of their rights to state resources rather than their historical place in the country.⁴⁸ The Roma were asked to legally file for a change of citizenship, a daunting task for a semiliterate ethnic group living outside of city centers.

In short, the Roma of the Czech Republic have experienced documented political and social marginalization for all of recent history. No matter the political regime or system the Roma have continuously been on the outskirts of society. In recent years anti-Romani discrimination has intensified and according to the human rights watch group Human Rights First has become extended "to the full range of civil, political, economic, social, and cultural rights".⁴⁹ Even this fails to speak to the real day-to-day dangers of living as a Roma among the ethnic majority.

Violence against Romani people is a widespread phenomenon in all of the countries of Central and Eastern Europe. Arson, beatings, killings, police brutality, segregation in camps or ghettos, denial of access to education, restricted access to the formal job market and even refusal of state citizenship are common issues Roma face on a regular basis.⁵⁰

Official reports and calculations of hate crimes against Roma are relatively low in the Czech Republic. Human Rights First, an anti-discrimination organization reports that in 2006 there were forty-six reported hate or bias driven violent crimes and fifteen instances of further physical violence against a person committed for racially motivated

⁴⁵ Mikulsakova, 60.

⁴⁶ Mikulsakova, 60.

⁴⁷ Mikuslakoava, 62.

⁴⁸ Mikuslakova, 63.

⁴⁹ Tad Stahnke et. al, "2008 Hate Crime Survey: Czech Republic," Human Rights First, 10, Web, 28 Nov 2009, <<http://www.humanrightsfirst.org/pdf/FD-081103-hate-crime-survey-2008.pdf>>.

⁵⁰ Human Rights First, "Violence Against Roma: Fact Sheet" Human Rights First, Web, 14 Nov 2009, <<http://www.humanrightsfirst.org/discrimination>>.

reasons. The report claims no homicides or attempted homicides.⁵¹ It points out that the nearly all of prosecuted crimes were classified by the government as “right-wing extremist” crimes, there were no serious crimes classified as anti-Semitic and only two were classified as anti-Islamic.⁵² Human Rights First concludes that in essence all but two of the documented hate crimes during that time were directed towards Roma. The Office of the United Nations High Commissioner for Human Rights has noted in reports concerns about “both private individuals and State actors who have threatened the lives of Roma”⁵³ Additionally, Amnesty International and the Commissioner for Human Rights of the Council of Europe have also published reports with concerns for the safety and position of Romani peoples in the Czech Republic.⁵⁴

These hate crime statistics are significant for a country with a small and relatively peaceful population. While forty-four crimes seems like a small number, in comparison to the small size of the official Roma population it is quite significant. When violent crime rates in the general public are as low as they are in the Czech Republic, such a spike against one portion of the public is significant and worth consideration.

A nonexhaustive list of recent violent crimes against Romani people includes arsons, beatings, and near riots. In an arson against a Romani family in Vitkov in northern Moravia in April of 2008 three Molotov cocktails thrown through windows in the middle of the night destroyed the house completely and put the youngest daughter, just two years old, in the hospital with severe burns on 80% of her body.⁵⁵ After the attack the matriarch of the family heard the alleged attacker yelling from his car “Gypsies! Burn to Death!”⁵⁶ A few days later the driver of the car was cleared of all wrongdoing and no one was prosecuted in the case.⁵⁷ Just twenty-two days later a similar arson attack occurred in a Prague suburb, fortunately no one was as severely injured in this attack.⁵⁸ In November of 2008 a march of neo-nazis turned into a near riot as the group marched towards a Roma settlement inciting violence. Police stopped the group before entering the settlement but not before fourteen people were injured by rocks and weaponry.⁵⁹ Similar attacks occurred in the following months as far-right groups gained prominence in the nations of Central and Eastern Europe. A year earlier, in August of 2007, two Romani men aged 18 and 23 were violently attacked in an open air cinema, one sustained major facial injuries the other was knocked to the ground receiving a broken nose and concussion.⁶⁰

⁵¹ Human Rights First, Fact Sheet.

⁵² Human Rights First, Fact Sheet.

⁵³ Tad Stahnke et. al, “2008 Hate Crime Survey: Czech Republic,” Human Rights First, 11, Web, 28 Nov 2009, <<http://www.humanrightsfirst.org/pdf/FD-081103-hate-crime-survey-2008.pdf>>.

⁵⁴ Stahnke, 11.

⁵⁵ Sarah Borufka and Wency Leung, “Roma Family Recounts Arsonist Attack,” Prague Post Online, 6 May 2009, 10 Nov 2009, <<http://www.praguepost.com/news/1212-roma-family-recounts-arsonist-attack.html>>.

⁵⁶ Daniel Stanislav, “Rise of Violence Against Roma,” European Roma Rights Centre, Roma Decade, 9 June 2009. Web, 12 Nov. 2009, <<http://www.romadecade.org>>,1.

⁵⁷ Stanislav, 2.

⁵⁸ Stanislav, 5.

⁵⁹ Human Rights First, “Violence Against Roma: Fact Sheet” Human Rights First, Web, 14 Nov 2009, <<http://www.humanrightsfirst.org/discrimination>>.

⁶⁰ Daniel Stanislav, “Rise of Violence Against Roma,” European Roma Rights Centre, Roma Decade, 9 June 2009. Web, 12 Nov. 2009, <<http://www.romadecade.org>>,1.

These attacks are certainly not an exhaustive list; they are just some of the outwardly hostile acts against Roma that can conclusively be deemed bias or racially motivated. In all of these attacks the victims survived, but more a longer-range examination shows that violent attacks against Roma often did end in deaths in the very recent past. The European Roma Rights Centre offers nine examples of racially motivated murders of Rom in the Czech Republic between February 1991 and February 1998, one of which was a six-year old boy beaten to death in a park by a neo-nazi.⁶¹

Reactions among community members to such attacks are equally as shocking. In the case of the arson that so severely burned the two year-old child the townsfolk interviewed by reporters later that day were quoted as saying “They deserved it” and that until one had lived with Roma as neighbors they would not understand.⁶² In the case of the riot in which neo-nazis attempted to march through the Roma part of town with cars full of weapons, police stopping the march from continuing were greeted by town members gathered *en masse* chanting “Let them go!”.⁶³ Czech nationals, in general, do not perpetrate crimes of hate against Roma on a daily basis but they also do not outwardly condemn those that do. Prison sentences for those who commit violent crimes against Roma are statistically much lighter than for other violent crimes and particularly in comparison to the punishments Roma receive for crimes they commit against ethnic Czechs.

Attacks against Roma are not merely physical violations of security. There is a discourse within the mainstream political realm that reflects the tension among the citizenry. Political parties those within the mainstream and those on the extreme fringes find electoral benefit in anti-Romani rhetoric. By reflecting the tensions within society and reiterating the fears, prejudices, and desires of the majority, politicians ultimately promote a society of intolerance and some would argue they encourage the violent nature of the Romani-Czech relationship.

Recent high profile examples of such inflammatory rhetoric include public speeches and political platforms that demonize Roma and speak directly to the fears of the public which soak up such language readily and without any political backlash. The Deputy Prime Minister and the leader of the Christian Democrat party was quoted as saying “in order to be entitled to same subsidies like Roma, other people would need to get a suntan, behave in a disorderly way, and light fires in town squares before politicians would regard them as badly off”⁶⁴, his comments refer to the widely held public opinion that the Roma population lives off of state aid and not their own effort. Similarly a Senator and Mayor of a district in Ostrava was quoted as saying that “dynamite” would solve the Roma settlement problems and later that she “disagree(s) with the integration of Gypsies and their living across the district...therefore they will be there, behind a tall fence with electricity”.⁶⁵ The Senate pursued no investigation of her comments and

⁶¹ Stanislav, 5.

⁶² Sarah Borufka and Wency Leung, “Roma Family Recounts Arsonist Attack,” Prague Post Online, 6 May 2009, 10 Nov 2009, <<http://www.praguepost.com/news/1212-roma-family-recounts-arsonist-attack.html>>.

⁶³ Stanislav, 2.

⁶⁴ Tad Stahnke et. al, “2008 Hate Crime Survey: Czech Republic,” Human Rights First, 11, Web, 28 Nov 2009, <<http://www.humanrightsfirst.org/pdf/FD-081103-hate-crime-survey-2008.pdf>>.

⁶⁵ Stahnke, 10.

refused to strip her of her parliamentary immunity in the context of an outside investigation of her hate speech.

Political parties also contribute to this hostile discourse. In recent years far-right political parties have risen in prominence across the region. Their campaigns have been explicitly anti-Romani. An ad by the National Party that aired on the Czech national television station discussed the Roma population and called for a “final solution” for the Roma problem.⁶⁶ Similarly it urged the people to consider ways to rid the country of “the parasites” using the symbolism of white sheep kicking out black sheep.⁶⁷ Such language not only incites the extremists but it instantly conjures images of Hitler’s regime in Nazi Germany, particularly the invocation of the final solution. Such discourse is explicitly violent. Racist dialogues like this occur across the country in news, politics, and every day speech. Romani people not only face the dangers of physical attack but the pervasive public discourse that encourages violence and persecution against them and their way of life.

Institutionalized Racism a Case Study in Education Discrimination:

The D.H. Case

An excellent case study in the area of discrimination against Roma in the Czech Republic is the recently ruled upon suit of *D.H. and Others v. The Czech Republic*, more commonly known as the Ostrava Case. This litigation, brought by the European Roma Rights Centre on behalf of elementary school students in Ostrava, Czech Republics is a landmark case in the field of Roma rights. The case, presented before European High Court for Human Rights, focuses on the institutional framework within Czech public schools that adversely affects Romani children ensuring that the cyclical nature of discrimination against this group perpetually continues. According to the assessment of the European Roma Rights Centre one of the only Roma Rights groups in Central Europe that focuses its efforts on litigation on behalf of Roma groups, this ruling was ground breaking in its assertions about the rights and responsibilities of states to prevent racially prejudicial practices.

The background of the Ostrava case is relatively simple, but its impact in international law is extensive. In 1999 the European Roma Rights Centre (ERRC) along with local counsel filed suit in Czech courts on behalf of eighteen Romani children who had been sent to remedial schools.⁶⁸ The case was not resolved at this level and was then taken to the European High Court for Human Rights as the discriminatory practices that place far more Roma children in remedial schools than Czech children were thought to be in violation of the European Convention.⁶⁹ The filing alleged that the testing which

⁶⁶ Daniel Stanislav, "Rise of Violence Against Roma," European Roma Rights Centre, Roma Decade, 9 June 2009. Web, 12 Nov. 2009, <<http://www.romadecade.org>>,2.

⁶⁷ Stanislav, 2

⁶⁸ “Background, Ostrava Case: D.H. and Others v The Czech Republic,” European Roma Rights Centre, 10 April 2009, 20 Oct 2009, <<http://www.errc.org/cikk.php?cikk=2945>>.

⁶⁹ The case was submitted as an instance of governmental institutional violations of Article 14 of the European Convention (prohibiting discrimination) and Article 2 of Protocol number 1 (securing the right of education).

determined that a child ought to be assigned to these schools was culturally biased against Roma and that placement procedures allowed for racial prejudice in school officials or teachers to have influence on student placement.⁷⁰ Additionally, it alleged that such discrimination has lasting implications on the lives and futures of the affected students.

Research conducted on behalf of the students, and presented as evidence in the case, found that in Czech public schools over half of Romani children were educated in remedial schools and that subsequently over half of the population of such schools was Romani when they comprise barely 3% of the overall population.⁷¹ Romani children are twenty-seven times more likely to be sent to remedial schools, which are meant to be pedagogically dedicated to special-needs and learning disabled children.⁷² Additionally, when Romani students are not sent to such schools they often attend primarily Romani schools, or classes within more diverse schools, which have far worse facilities, supplies, and faculty.⁷³ Educational policies in the Czech Republic were alleged to be segregated, unequal, and discriminatory.

The tests that place students in these schools, are largely psychology based and what intellectual components do exist are largely biased towards native Czech speakers and those who are culturally Czech.⁷⁴ Romani students are placed in schools designated for mentally handicapped children most often not because of mental deficiencies but rather because of psychological, language, or cultural differences from their ethnically Czech peers.⁷⁵ The schools to which these children were assigned follow a remedial curriculum, which is significantly slower and smaller than the curriculum for mainstream schools. According to a brief submitted to the court on behalf of the ERRC, these schools do not require students to know the Czech alphabet or to be able to count to ten until the fourth year, a task which is required in the first year of education in mainstream schools.⁷⁶

In a similar brief submitted by the European Network Against Racism and the European Roma Rights office on behalf of the ERRC it is asserted that the practices of school segregation and assigning Roma children to schools for the mentally disabled has implications far beyond the school age. The long-term consequences of assigning children to such classes and school sets them further back in terms of social and academic development. The European community in general accepts education as an indispensable factor needed for the relation of other human rights. Furthermore, the Committee on Economic, Social and Cultural Rights asserts that education must be available, accessible, acceptable and adaptable to European citizens. The system in the Czech Republic, according to court papers and the brief denies Romani Children these inherent rights promised to the ethnic majorities of most European nations, including the Czech Republic.

⁷⁰ Background, ERRC

⁷¹ Background, ERRC

⁷² Background, ERRC

⁷³ Background, ERRC

⁷⁴ Cynthia Morel, "Amicus Brief by Minority Rights Group International, The European Network Against Racism and European Roma International Office for D.H. and Others v The Czech Republic," Web, European Roma Rights Centre 29 Nov 2009, <<http://www.errc.org/db/02/D6/m000002D6.pdf>>.

⁷⁵ Morel, 4

⁷⁶ Morel, 4

The ERRC asserts in the case that the Czech school policy towards Roma is inherently racist and is a form of indirect discrimination. In another brief presented on behalf of the prosecution by Interights and Human Rights Watch, it is posited that indirect dissemination reflects “systemic inequalities in society – echoing accepted social stereotypes and commonly held prejudices”.⁷⁷ The case also alleged that even though discrimination was not explicitly racist it reflected prejudiced policies against the minority population with the understanding that such policies would in fact more negatively impact minorities than the majority groups.⁷⁸

Ultimately the court ruled in favor of the European Roma Rights Centre’s clients and awarded damages of 4,000 euros to each of the eighteen applicants and 10,000 euros jointly to cover legal fees and expenses.⁷⁹ These rewards, while sizeable, were delivered after every applicant had graduate or dropped out of the education system. Additionally, when spread over the eight years of litigation that the case incorporated, such rewards were minimal in size and scope. However, the lasting implication of the Ostrava case is the legal precedent it presents to other cases of racial discrimination within the Czech Republic and the European Union as a whole.

The following is a summarization of the Centre’s conclusions about the importance of the ruling by the court. The judgment broke new ground in its assertion that this case was found to be a violation of Article 14 of the convention on human rights in relation to a pattern of racial discrimination in a particular area of public life. The court reasserted that the convention applies not only to specific acts of racism but also to patterns of discrimination that systemically deny rights to racial or ethnic majorities. In addition to this the court found that segregation is discrimination, and a breach of Article 14 once again. The court also asserted that self-segregation, in which Roma choose to live together in separate or largely homogenous communities is not a waiver of the right to non-discrimination. The court asserted conclusively that there was no waiver to such a right, that the state cannot accept implicit or explicit waivers from groups and that such discrimination is a violation of the Convention, a foundational document to the European Union.

Additionally, the ruling found that while the laws of the Czech Republic are not explicitly discriminatory to Roma the resulting patterns and social practices are racially discriminatory. The court found that facially neutral laws can be violations of the Convention. The long-term implication of this is that the required changes in Czech law cannot merely be word changes on paper. To satisfy this requirement the law change must represent real and system-wide change to address the problem of discriminatory practices and outcomes for Roma in the public education system.

This final piece of the legal framework likely presents the biggest difficulty to implementing widespread and effective change within the Czech Republic. In order to find solutions for system-wide problems of racially motivated discrimination and prejudice a cultural change is necessary, mere legal word-work is not sufficient. The

⁷⁷ Andrea Coomber and Nikki Naylor, “Amicus Brief by Interights and Human Rights Watch for D.H. and Others v The Czech Republic,” Web, European Roma Rights Centre 29 Nov 2009, <<http://www.errc.org/db/02/D7/m000002D7.pdf>>.

⁷⁸ “Background, Ostrava Case: D.H. and Others v The Czech Republic,” European Roma Rights Centre, 10 April 2009, 20 Oct 2009, <<http://www.errc.org/cikk.php?cikk=2945>>.

⁷⁹ Background, ERRC.

social and cultural forces pushing against these kinds of changes are significantly more persistent in the Czech Republic and other Central and Eastern European nations because of the importance of nationalism and identity in these nations. Addressing such issues is a vital step in improving the situation of the Romani people in the Czech Republic.

The Intersection between Nationalism and Racism- Challenges to Progress

The previously discussed theories of nationalism and the distinct form of nationalism in Central and Eastern European culture is vital to understanding the situation of the Roma. By the logic and cultural realities of these theories of nationalism there is an interesting dichotomy between the legal and social status of the Roma. Only nationalism can explain this fully and an understanding of nationalism leads directly to conclusions about why racism is such a long-lasting and difficult problem in this part of the world.

A Romani man living in the Czech Republic his whole life is a citizen of the state. He is conferred the rights of a citizen. He is allowed to attend public school, he is expected to pay taxes and is eligible to vote. He is allowed to get a job and to be treated in the hospitals. His passport would say *Česká Republika*, but he is not Czech. This man is a Roma. Political nationalists, like those of the United States, understand and experience racism, but the kind of deep and accepted tendencies of Central Europe are not merely hatred based on color or creed. Cultural nationalism dictates a different kind of racism; it makes that man who may be able to trace his roots in Bohemia back centuries an outsider living in the Czech Lands.

There have been efforts in recent years to formulate a separate and equally potent form of nationalism amongst the widely dispersed and relatively heterogeneous group of Roma across Europe. However efforts have failed time and time again.⁸⁰ There is not a cohesive cultural, linguistic, biological, or geographical connection between different Roma groups preventing the formation of the necessary prerequisites for nation building.⁸¹ Thus, Roma across Europe attempt to fit into their civic states with different levels of success. Efforts to form a pan-Roma nationalism, a sense of a group in diaspora across diverse lands, is an effort to combat the nationalism that so powerfully excludes them in their home states, an effort to find the protection in numbers that the age of nationalism initially provided to the larger ethnic majorities.

In general Roma people are reluctant to self-identify as such because of the immense history of persecution and discrimination against them. Additionally they are reluctant to co-identify with other Roma as historic roots often put different groups in competition with each other over resources and scarce social capital. The Roma view themselves as a “continuum of more or less related subgroups with complex, flexible, and multilevel identities” but not necessarily as a united or unite-able group.⁸² Scholars agree that there is a specific difficulty in establishing a shared consciousness between different Romani groups because of the external nature of their label. Classifications such as

⁸⁰ Aidan McGarry, “Ambiguous Nationalism? Explaining the Parliamentary Under-Representation of Roma in Hungary and Romania,” *Romani Studies* 19,2 (2009): 103.

⁸¹ Zoltan D Barany, “Ethnic Mobilization without Prerequisites: The Eastern European Gypsies,” *World Politics* 54.3 (2002): 277-307, Project MUSE, American U Lib. 30 Oct 2009, <<http://muse.jhu.edu>>.

⁸² Brigitte Krieg and Christine Walsh, “Roma Identity: Contrasting Constructions,” *Canadian Ethnic Studies* 39,1-2 (2007):171, Project MUSE, American U Lib. 29 Oct 2009, <<http://muse.jhu.edu>>.

Roma, Gypsy or *Cigani* are largely externally imposed and represent external feelings of homogeny and pejorative relations rather than a self-identified shared characteristic. Such terms are derogatory and rob Romani groups of the ability to identify as unique subgroups within a larger social setting.

This issue of external versus internal classification is an important component in the question of nationalism as a driver of racism. In general the ethnic majorities, and even the governments of many Central and Eastern European nations view the Roma as a largely “homogenous group” with which they associate a stereotypical personality fraught with negative bias.⁸³ They are viewed as a clear racial minority, one feels that they can pick a Roma out of a crowd, that they could identify the Roma parts of town and that the loud and boisterous Roma are responsible for many of the blights of modern society.

Alternatively, Roma do not self-identify as a homogenous group spread across nations. While some share a belief in the original story of migration from India across the Middle East and into the Balkans, they do not view their communities at present as comparable groups.⁸⁴ Language and cultural barriers are prominent to the Roma who prefer to internally classify as members of their specific group, just as most Native Americans in the United States feel a deeper and more authentic attachment to their tribe than the externally imposed terms and social constraints given to them. Even the term Roma is an externally imposed term, which today some accept as their own, but for some is seen as the politically correct way of referring to a group that is indefinable in so many ways.⁸⁵

Alternatively and as previously discussed, Czechs hold very closely to their nationalist labels. The idea of being Czech is important because of the internal implications of believing in the nation and the ideals and history of the people and as an external force because of its meaning in the cosmopolitan state-centric world. For the Czech majority knowing one is Czech and having the passport to prove it to the international community are *both* of vital importance. The establishment of the pejorative other is vital to strengthening this view of the nation as a whole. The discursive importance of the other or the external danger allows the safety in numbers benefit of the nation to become even more pertinent. The other is a widely accepted notion in international relations theory that supposes that the group cannot fully exist unless it defines itself in opposition to some other entity. In the case of the ethnic majorities of Central and Eastern Europe, this other is often the Roma.

While Roma are a physically present, and in most cases legally codified, member of the state, they are still an ‘other’ and most certainly an outsider. Language surrounding the violent attacks against Roma and the discourse of political and social leaders paint a clear picture of the Roma as a convenient and ever-present other.

⁸³ Krieg, 170

⁸⁴ Aidan McGarry, “Ambiguous Nationalism? Explaining the Parliamentary Under-Representation of Roma in Hungary and Romania,” *Romani Studies* 19,2 (2009).

⁸⁵ Academic discussions of Roma largely externally place a label on all Roma groups as sharing some level on similarity. These classifications depend upon correlating factors of economic and social positioning rather than strictly ethnic or racial lines. While this classification is not entirely fair or respected by the Roma themselves, it is used and accepted in academic work as a way to study the many groups as a whole, to relate their experiences and place in society rather than their ethnic or social connections or similarities.

The history of the Roma as a group from India that migrated to Europe is often cited as proof that the Roma are outsiders. The European Roma Rights Centre reports instances of political parties calling for Roma to be “sent back to India” and for the Roma to either return to where they came from or stay where they belong.⁸⁶ Roma are systematically referred to as different, distinct, “non-Czechs”, “foreigners”, “immigrants”, and “less than citizens”.⁸⁷ No other internal group faces the same kind of discursive prejudice. Such language is particularly interesting in light of the fact that Roma are neither immigrants nor foreigners but have been living in the state for much of its history and have historical ties to the land for a significantly longer time frame.

Such discursive characterizations are specific to Central and Eastern Europe which define the state in terms of the nation. The Roma can never be a part of the nation so long as such ties to the bonds between ethnicity and citizenship stand. Roma are forever a distinct group. Nationalism’s social construction means very little in terms of everyday life for the Roma. The people of Central and Eastern Europe believe in Geertz’s blood and bones nationalism and in the myths and legends that unite them as a distinct people. At no time in history were the Roma treated as equal or included members of the nation. They have at present, and for much of recent history, problems with even obtaining citizenship, a concept separate from the social protections of the state. In a country where 50% of the population admits that they would feel uncomfortable with having a Romani neighbor⁸⁸, the chances of the psychological change needed to create lasting change actually occurring is slim if not non-existent. Cultural nationalism, even if imposed by elites is deep and powerful, needing more than superficial processes to see real change.

Many will argue that the racism and discrimination the Roma suffer particularly in Central and Eastern Europe is very reminiscent of the recent past of the United States. Indeed, the extreme racism of the Southern states, particularly before the Civil Rights movement and the establishment of civil rights laws resembles the situation in Europe. Both the Roma and African Americans experienced similar political, social, and physical racism. Attacks of arson, unprovoked beatings, discrimination from housing and jobs, institutional discrimination and drastically higher levels of illiteracy, poverty, poverty related health problems, and unemployment are common among both groups.⁸⁹

How, one might wonder are the situations different? Can nationalism truly be a driving factor behind the racism in the Czech Republic if the United States, which clearly has political rather than cultural nationalism has had similar experiences? The answer is quite simply, yes. Nationalism was not a driving force in American racism, historical circumstance and the progressive political and social changes that have taken place prove this conclusively.

⁸⁶ Daniel Stanislav, "Rise of Violence Against Roma," European Roma Rights Centre, Roma Decade, 9 June 2009. Web, 12 Nov. 2009, <<http://www.romadecade.org>>,2.

⁸⁷ Stanislav, 1-5

⁸⁸ Statistic taken from a Eurobarometer poll as cited by the ERRC. The average response across Europe was that 25% of Europeans would feel “uncomfortable” with Romani neighbors. This drastic difference in response reflects the added pressures of nationalism that Central and Eastern European cultures place on the Romani and their place in society, a pressure that the political nationalism of Western Europe does not place upon its citizens. Cited in Stanislav, 2.

⁸⁹ Marguerite Ro and Herie M. Treadwell, “Poverty, Race and the Invisible Men,” American Journal of Public Health 98,1 (Sep 2008):142.

The Civil Rights movement of the 1950s and 60s achieved prominent successes in its time, but its legacy of legal and social change is a vital part of modern America too. Interracial violence is down in the United States, more African Americans are employed, and homeowners, living out of poverty, sending their children to school and college, and living within mainstream society than in the past. The African American community has political representation, even in the Deep South, is an important demographic group for national campaigns and this year the country saw the election of the first African American as President. The problems are of course not solved, but in the past fifty to sixty years there has been astounding progress in quantifiable measures of political incorporation and general acceptance.

In general African Americans operated within the existing political framework to pursue their goals of equality and incorporation. They formed coalitions with the racial majority and worked together to produce lasting change. Part of this success is indeed attributed to the place of African Americans within society. While ostracized and marginalized, African Americans were not widely considered an 'other' to the American nation. American nationalism is a political concept that defines the nation as the citizens. Anti-Democratic Jim Crow laws stripped many African Americans of some of their rights as citizens but in general they were not denied the inherent rights of citizenship. Places where such rights were denied was in fact that main stage of the Civil Rights movement and today the impact of the movement is most heavily felt there. African Americans were instead viewed as an internal problem, one that through segregation and violence could be handled, but one that was inherently American in nature. African Americans, while clearly from a different historical and genetic background were placed in a society of immigrants that not only understood but also necessarily needed to appreciate the nature of immigrants and the idea that at one time, all people were outsiders.

When the Civil Rights movement gained momentum it was through a coalition that pulled upon the feelings of community within the American public. To be sure, it was not a nationwide movement, a majority of Americans were frightened by the fast-paced change the movement brought about. Today, there are still deeply seeded tensions in all parts of the country and violent hate crimes motivated simply by race are a serious problem with serious consequences. Institutional racism is in no way eradicated and as much as some members of the public would like it to be true the United States is not a post-racial society. That being said progress has been made.

There is not such progress in the Czech Republic. The social ties that prevent ethnic Czechs from uniting with Roma to improve their conditions have been around much longer than the democratic government. There is a case to be made that the actual state of the Czech Republic is young and that a comparison with the United States is unfair in this respect, but such a comparison is a blatant manipulation of fact. The Czech culture and its institutions have a long history, and yet there is not progress on the frontier of eradicating racism towards the Roma.

The clear difference here is the specific lens that nationalism lends to such issues. The ethnic majorities feel entitled to the land and thus the state, and feel that it is their right and duty to dictate the social and cultural norms of the nation.⁹⁰ Roma do not fit into

⁹⁰ Cristian Tileaga, "Representing the 'Other': A Discursive Analysis of Prejudice and Moral Exclusion in Talk about Romanians," *Journal of Community & Applied Social Psychology* 16 (2006): 19-41, EBSCOhost. American U Lib. 29 Oct. 2009, <<http://web.ebscohost.com>>.

this group and are thus not entitled to a voice in the process of shaping the nation. The discursive reality of Roma as others and outsiders make it clear that the ethnic majority need not stand up for the Roma, that their place is outside the nation and making public space for them is neither necessary or just.

Simple logic drives the salience of this difference home. African Americans have been present in American society for less than 400 years. For 350 of those years they suffered discrimination, violence and severe prejudice that threatened their human rights and general safety. In the past fifty years structural and social changes have greatly changed the position of African Americans, improving their place in society. Such progress was brought about in concert with the racial majority and only action between the two groups has produced long lasting change. Alternatively, the Roma have been living among the Czechs for over six centuries. They have faced political, social, cultural, and economic exclusion and marginalization for the entirety of those 600 years. No major social or political movements have arisen in support of Roma rights or empowerment. There is not immediate hope of their situation improving via internal forces, only through the effort of litigation and laws on the greater European level have made changes in their position in relation to society.

There are many differences between society in the United States and the Czech Republic but the only factor that speaks directly to how groups of people relate to each other and their state is nationalism. In the Czech Republic the cultural nationalism that defines the Czech people separates them from minority groups in a way that political nationalism, which benefits from inclusion and repairing factions, cannot.

American society is strengthened when all of the people inhabiting the land are united because political nationalism equates the nation, which inspires patriotism and devotion in times of tragedy and war, with the state which depends upon such support in times of need. Alternatively, the Czechs value their identity as a nation more than their identity as a state, which is an accidental outgrowth of the nation state system rather than internal desires by the people. The Roma conveniently provide a local and visible other that fit into the necessary dangerous and mysterious categories of otherness. Higher crime rates, higher poverty, and cultural differences reinforce the otherness of the Romani people and the Czech idea that exclusion of such others is beneficial to the rights and protections of the Czech majority.⁹¹

The same logic applies to the culturally and geographically closer countries of Western Europe, which also experience a political rather than cultural nationalism. In Britain, France, and Spain there are significant groups of Romani peoples, though called by different names and experiencing much different social circumstances than the Roma of Central and Eastern Europe. To be sure, they are not fully incorporated members of society, but their cultural identity is generally more widely accepted and reports of human rights abuses are significantly lower in these political states than the nations of the east. Again, the only salient identifiable difference relating to the ways in which citizens interact with their state between the west and east of Europe is the formation of the nation in relation to the formation of the state. This difference impacts how these groups experience and express nationalism. The same discursive differences occur in the western half of Europe as occur in the United States, Roma are seen as a different cultural group

⁹¹ Tileaga, 25.

but not an outsider. The distinct characteristic of Roma as foreigner within their own state is not widely experienced outside of nations that have a culturally formulated sense of nationalism.

Prospects for Change- International Pressures on Nationalism

Today there are significant pressures against the nationalism that encourages and empowers racism in Central and Eastern Europe. There is a movement with the European Union to increase the strength of a Pan-European nationalism, an effort to unite the different peoples of Europe around one similar ideology.⁹² It encourages people take pride in the concept of Europeaness more than in an individual nation. This progressive ideology pushes directly against some of the defining characteristics of the nations west of the Rhine River. The cultural nationalism of these nations competes with a politically led ideology that the European Union encourages with its campaigns positing the idea of a unified Europe and a shared culture that all Europeans can identify with. This pan-Europeanism is meant to internalize the externally defined European characteristics, it is not meant to widen the cultural precepts of the nations involved.

The European Union stresses, or rather requires, that political identity be more important and salient than cultural. While political borders are virtually erased on the continent, the importance of having a European passport and working papers becomes increasingly significant. Immigration laws break down the barriers between countries, between nations of people, but they increase the value of citizenship in Europe even more. Beyond that the European Union requires its members to stand up for the progressive and liberal ideals of the Western world. Dedication to such norms and political systems is imperative to membership and more importantly to leadership positions within the organization. The European Union, in its quest for political homogeneity ultimately requests a sizable change in traditional values and social mores in member countries. These changes are sometimes difficult for the people of definitively cultural nations to accept and implement. However, membership within the European Union and the benefits thereof also come with concessions, many of which today appear to be cultural.

Laws passed by the European Union have recently put much pressure on states to reform their practices regarding minority rights, the subtext of these laws in the eastern half of the union is, clean up your Roma problems. The European Union has dedicated agencies and offices to address the issues of human rights abuses against the Roma and such offices have come out strongly to support Roma rights and change the political and social barriers between the Roma and success and political incorporation.

The European Union has held multiple conferences on Roma specific issues and has sent legislation back to the member states for incorporation into their legal codes. Such legislation addresses the issues of employment and housing discrimination but does not, and cannot, address the underlying issues of racism. Empowering the minority through work and resources is important, but it is not the route to full political and social incorporation for the Romani minority.

⁹² Aidan McGarry, "Ambiguous Nationalism? Explaining the Parliamentary Under-Representation of Roma in Hungary and Romania," *Romani Studies* 19,2 (2009).

Ultimately, there is much work ahead for the nations of Central and Eastern Europe if they hope to reach the high levels of political incorporation and acceptance found in the West. Nationalism is an increasingly important roadblock in this progress. The people of the Central and Eastern European nations identify strongly with their perceived ethnic similarities and thus have trouble seeing the need for inclusion of 'outsiders' like the Roma. It would be pleasant to believe that the movements of pan-Europeanism, which present the only current viable alternatives to cultural nationalism, are being successful. However, political and social events of recent months have shown that movements toward a more open and accepting society are slow coming if not being reversed entirely. The election of far-right politicians and the ever-increasing visibility of such groups in these countries make it clear that the roadblock of nationalism is not waning in the least. If the countries of Central and Eastern Europe wish to continue their fruitful and pleasant relationships with the West their attachment and protection of these groups ought to be considered, the continued primacy of cultural nationalism puts the political goals of these states at risk. The policies of the European Union have a hope of improving the situation of the Romani people while preserving their unique culture, but such reforms cannot beat the deeper and stronger bonds of nationalism. Only once change is seen in the level of attachment to the nation, is progress possible.

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