

# Opportunities for and Obstacles to Roma Political Participation: Identity, Belonging and Special Rights

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## Outline

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Identity; self-understanding

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Belonging; to and with

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Special Rights; Slovenia as the illustration of Roma marginalisation.

# Identity

## Self-representation: What “makes” one Roma?

- *‘The state calls me Roma, the public calls me Gypsy, I call myself Slovenian.’*
- An experience - just feel it!

## Common identifiers

- Cultural
- Historical
- Contemporary
- Language
- Experience of discrimination

## Transnational iD?

# Belonging?

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Transnational iD

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Possibility of new ways of 'belonging'

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Belonging to... Belonging with

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Common cause with other oppressed,  
discriminated and excluded groups/communities?

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Proud to be Roma

# Special Rights

The question of deservedness: Slovenia as the example of how Roma can never do enough, be enough.

1991 Constitution

1990 Commission for Constitutional Questions

Mobilisation of bias

Reserved Representation

# Parliamentary Commission for Constitutional Questions (1990-)

- Historical context: Italian and Hungarian minorities were mentioned in 1974 Constitution of the Socialist Federative Republic of Slovenia ([1974](#)).
  - Articles 250 and 251 granted them linguistic and cultural rights and rights to self-organisation in municipalities in which they officially reside.
  - no mention of special political rights such as reserved representation in the Parliament or municipal council. These were introduced by 1991 Constitution.
- Should the same rights be extended to Roma? The minutes of the *Parliamentary Commission for the Constitutional Questions* reveal ongoing communication between members of the Commission and representatives of Roma. The Italian and Hungarian minorities were thus not the only groups lobbying for a more visible role in the new Republic (CCQ, 2001: 716–720). While they succeeded, Roma did not.
- The process of writing the first constitution of the independent Republic is very well documented in the minutes of the CCQ. Particularly striking is a discussion about the mechanisms for minority protection set out in Articles 64 and 65. The Commission first considered the rights of Hungarian and Italian minorities. Supported by the rights inherited from the 1974 Constitution and the emerging regimes of international minority protection, **the full extent of rights for Italian and Hungarian communities was uncontested** (CCQ, 2001: 687). Instead, the focus was on defining and essentialising the differences between minority groups.
  - National community and autochthoneity emerge as two key criteria in determining the extent of minority rights.
  - National community distinguishes the Italian and Hungarian communities and others, including Roma. (CCQ: 667–669; 687). Justifications for replacing the term minority with national community are grounded with references to the existing literature in sociology (CCQ, 2001: 670–671), the examples of African American communities in the United States (CCQ, 2001: 670), perceived differences – cultural and historic – between the two minorities and other ethnic groups (CCQ, 2001: 674–675), as well as acknowledgement that ‘the term minority is derivative of the nation state ideology’, which is considered as something that should be avoided (CCQ, 2001: 669).
  - The proximity of the ‘**mother state**’ becomes a factor when defining the rights afforded to Italian and Hungarian minorities and those of Roma (CCQ, 2001: 679). Roma cannot claim the status of a national community because they do not have a mother state (CCQ, 2001: 679), despite fitting with other explanations (sociological, historical) that the Commission used to justify the use of the term.

# Parliamentary Commission for Constitutional Questions (1990-)

- The second criteria concerns **autochthoneity**.
- The key effect here was to limit the rights of minority groups (national communities) to those with long-standing ties to the territory and existing political presence (CCQ, 2001: 673–675). Italian and Hungarian communities are automatically perceived as autochthonous (CCQ, 2001: 674–675), whereas other minority groups are not. This distinction enables differential protection of Italian and Hungarian communities on one hand and other minority groups (mostly from the former Yugoslav republics) on the other.
- Questions were raised about the status of small groups of **autochthonous Serbs and Germans, but the Commission deemed these groups lacked the necessary existing political subjectivity to legitimately claim rights** (CCQ, 2001: 670, 679).
- Autochthoneity, however, applies to Roma communities as well, as some have acknowledged (CCQ, 2001: 695), as does emerging political subjectivity (CCQ, 2001: 680, 716). Some even said that **Roma's relative political invisibility** was down to **direct and indirect suppression** (CCQ, 2001: 718) but despite that, it seems that maintaining the distinction between the Italian and Hungarian communities and Roma was politically expedient and crucial.
- The Commission underscored its wish to 'graduate' the rights of these groups, whereby Italian and Hungarian communities were afforded full protection and Roma 'something else' (CCQ, 2001: 670). The possibility of Roma gaining the same rights as Italian and Hungarian communities was not excluded completely but the protection framework for those rights was not provided by the constitution (CCQ, 2001: 679, 681). **Despite fitting into both categories set up by the Commission on which political rights were afforded to minorities, Roma remained without the same level of protection.**

# Constitutional Asymmetry

- A constitutional acknowledgement of Roma as a special community without constitutionally safeguarded rights (CCQ, 2001: 713).
- The minutes demonstrate that the driver of this compromise was grounded in Roma's difference from the majority, the other two minorities, and other ethnic groups.
- In other words, Slovenian Roma were racialised into a separate category all of their own.
  - The Commission accepted that Roma are organised (CCQ, 2001: 690–692), but in a way that did not fit within the existing majoritarian understanding of group organisation or political subjectivity (CCQ, 2001: 712–713).
- Despite fitting the categories created to privilege Italian and Hungarian minorities, Roma were deemed *incapable* of enjoying the same political rights. **Commission noted that granting Roma equal access as the other two groups would be politically unacceptable** (CCQ, 2001: 712–713).
- Roma '**political adolescence**' - inability of Roma to *properly* participate in national politics ([Komac, 2007](#): 38).
  - In other words, the Commission tasked to write the new Constitution crafted Roma as an exception.
- They sought ways in which they could delineate between the characteristics of different minority groups and attach to them different mechanisms of special protection with Italian and Hungarian communities deserving full set of minority rights and Roma a halfway house.
- Asymmetry depended on claims about Roma's inability to fully participate in politics (CCQ, 2001: 712–713),
  - their apparent lack of organisation or expressed political will (CCQ, 2001: 718),
  - and, bluntly, their otherness (CCQ, 2001: 719).
- While some did propose equal protection for Roma and Italian and Hungarian minorities, they also acknowledged that existing power relations were not supportive of this outcome (CCQ, 2001: 713).
- These arguments are strongly anchored in logics of marginalisation and racialisation.

# Kaj so odgovorile stranke na naša vprašanja?

by admin | Apr 10, 2022 | Politika



V Zvezi za razvoj romske manjšine – Preporod aktivno spremljamo **Parlamentarne volitve 2022**, ki bodo za Slovenijo in s tem tudi za celotno romsko skupnost izjemno pomembne. Verjamemo, da so stranke pripravile dobre volilne programe s katerimi bodo želele prepričati na volitvah.

Da pa bi se **pripadniki in pripadnice romske skupnosti** lažje odločili, smo vsem strankam poslali **dve kratki vprašanji**, ki se nanašata posebej na romsko skupnost.

Vprašanja, ki smo jih posredovali strankam:

- 1 Ali podpirate predlog, da romska skupnost dobi svojega predstavnika v Državnem zboru RS?
- 2 Ali v vaših programih naslavljate romsko tematiko in kako?



**SVOBODA!**

**N.Si**

**lms**  
*Lista Marjana Šarca*

 **Pirati**

**SDS**  


 **VESNA**  
zelena stranka

 **SNS** Slovenska  
Nacionalna  
Stranka

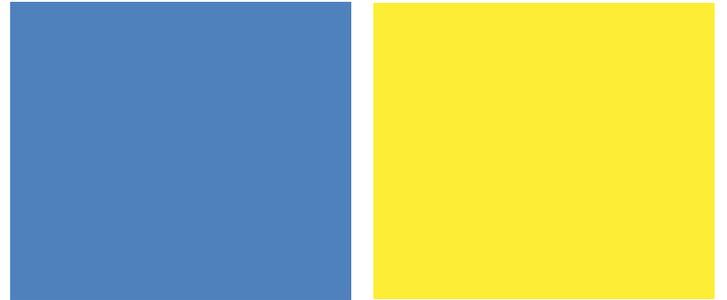
 **SD**

 **LEVICA**



- We estimate that the Roma ethnic community is **markedly marginalized in many areas**. With **targeted measures in the field of education, improvement of living conditions, health, non-discrimination and the promotion of employment and scholarship policy** we will improve the social inclusion of the Roma.
- We want to re-establish the Commission on Roma Issues.
- Optimize the work of the Office for Nationalities so that it actually becomes the coordinator of all measures, which are directly related to the situation of the Italian and Hungarian national communities and **more especially Roma ethnic communities as well as other ethnic groups living in Slovenia**.





- 1. No: We believe that at this point it is more important that the representatives of the Roma communities are more they are actively involved in **solving everyday problems at the level of municipal councils**, because there, in order to better know individual topics, they can listen most appropriately and resolve matters promptly.
- 2: In addition to addressing Roma issues in the SDS, we supported it in our programs during this term quite a few measures. Within the framework of social policy, with **active employment** we are raising the period for involvement in public works in order to facilitate the integration of Roma into the work process and increase their work opportunities to obtain regular employment. We have dedicated special services to municipalities that have Roma communities funds for the **development of their settlements (infrastructure, water)**, and we also implemented individual measures from National Program of Measures of the Government of the Republic of Slovenia for Roma for the period 2017 to 2021.



- We do not support the proposal that the Roma community get its representative in the National Assembly, because they are **Roma citizens of Slovenia and are not minorities**, so the position of minorities does not accrue to them in the National Assembly.
- In our program we have points that deal with Roma issues, especially in the direction **increased crime and the inaction of the police, the prosecution and the judiciary when it encounters the Roma community**.

The logo for SNS (Slovenian National Party) features the letters 'SNS' in a bold, black, sans-serif font. The letters are centered within a large, bright yellow downward-pointing triangle. The background of the entire slide is a light yellow gradient.

- In the program of the Marjan Šarc List party for the period 2022-2026, we have in the field of work, family, social affairs and equal opportunities under the challenge “Strengthening equal opportunities in accordance with the constitutional protected rights” the following solution is written, which addresses the Roma issue: Elimination of the shortcomings of the Roma Community Act with an emphasis on **additional incentives for municipalities** in appropriate regulation of spatial issues or improvement and **provision of adequate housing situation** for members of the Roma community.



- No. We believe that all citizens of the Republic of Slovenia must have the same right to vote and opportunities for political engagement. Thus, **we cannot support the proposal that one ethnic group should be privileged in such a way.**
- The current coexistence with certain Roma communities is an increasing reason for the surrounding residents for fear, people feel as if no laws and rules apply to these groups of people. What's more, it seems that they are also feared by law enforcement. It is a large and complex topic that the state has failed to do solves for many years. This only deepens the problems, and at the same time increases people's dissatisfaction. We see the solution in the fact that all citizens of the Republic of Slovenia are treated equally. Not at all we can give more or even more rights to these same groups at the expense of someone being part of a minority to privilege in some way. We all have the same rights and duties, and the same applies to everyone legislation. In this way, we support the decriminalization and **greater accountability for crime, active role in the upbringing of children from Roma communities and the enforcement of rules that apply to other residents** Of the Republic of Slovenia. We in no way support the view that enclaves should be set up where special rules apply, while the same community demanded from the RS only what suits it. When we talk about social transfers, we have to be aware that it must be taken from someone so that it can be given to someone else. We support raising social transfers for those who really need our help. For those who take advantage of this help and at the same time do not recognize the legislation of the Republic of Slovenia, abolish it or link it to the performance of public works. In Slovenia we can see quite a few successful examples of integration of Roma communities and we believe that **Representatives of Roma communities also want the word Roma to no longer have a negative connotation.** We support the preservation of Roma culture and believe that it is fundamentally free of theft and violence actions. We believe that even within Roma organizations and associations, more should be done to make it so sanction and appropriate punishment. We want more successful cultural coexistence, which is currently not possible in certain Slovenian places due to non-compliance with Slovenian legislation.



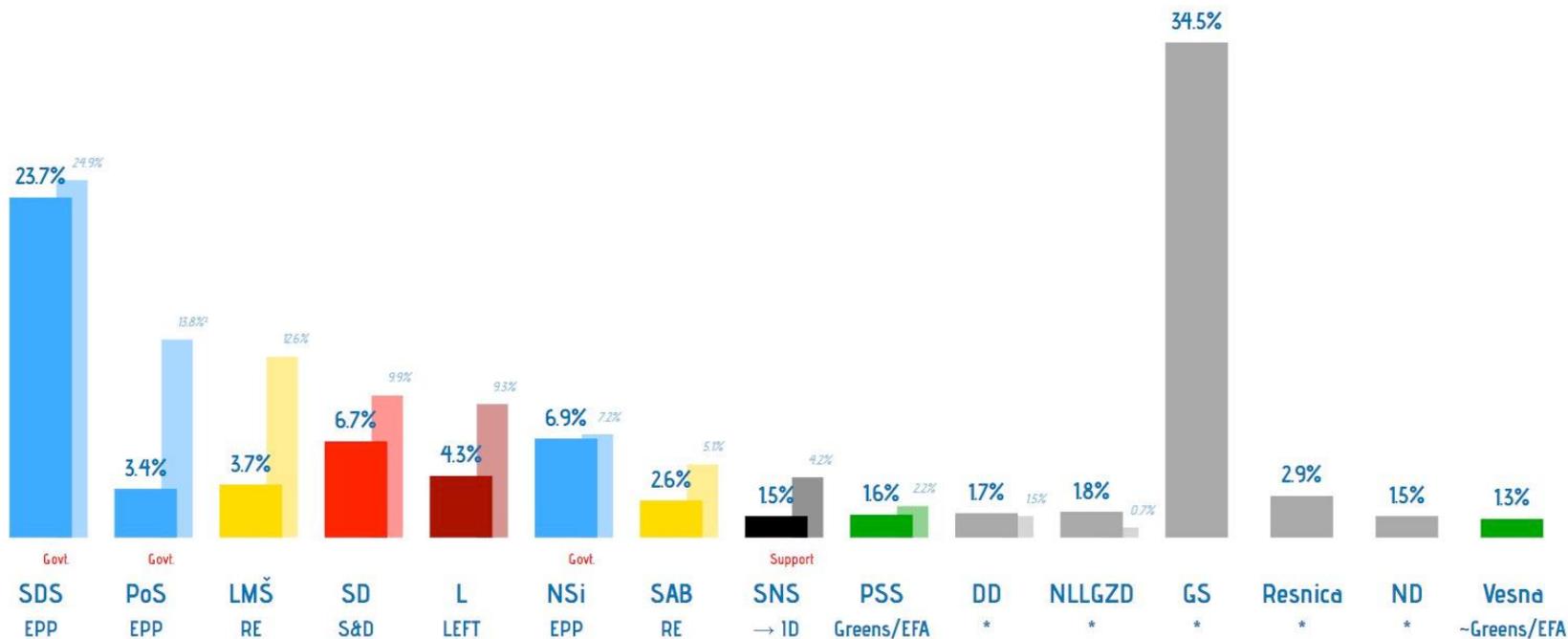
**VESNA**  
zelena stranka

- 1 **YES**
- 2 Not directly, as we do not specifically mention any ethnic minority in our program, but we emphasize in the pillar of democracy that we are against any discrimination. In VESNA - the green party [we are fighting for Slovenia, which cares for marginalized communities, addresses structural inequalities and accepts all people, regardless of the source](#). We want policies and services that deal with all forms of discrimination and violence and recognized the diversity of the people of Slovenia and their contribution to society.
- We are aware, that [the issue of the situation of the Roma goes beyond the structural segregation and discrimination of the Roma in Slovenia, and is directly related to the situation of the Roma in other EU and European countries as well](#). That is why we want it in our work address this aspect as well. We will be grateful to the Roma community and look forward to cooperating and helping addressing these issues and finding systemic solutions at national and supranational level.

# Slovenia

99.2% counted, source: Central Electoral Commission · 24 April 2022

Threshold: 4%



<sup>1</sup> Compared to SMC (RE), SLS (EPP), ZS (\*) and GAS (\*) 2018 election results

ECR: national-conservative · EPP: centre-right · ID: right-wing · NI: mixed · RE: liberal · S&D: centre-left · \*: unaffiliated

# Reserved representation for Roma

Case for Equality

In terms of Slovenian Constitution the anomaly is bewildering.

Campaign for Roma Representative/ Survey.

Process not event.

Roma Representation is necessary not sufficient.