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The Romani People: Statelessness, Identity, and the Politics of Diaspora Recognition

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ABSTRACT

The Romani (or Roma) people constitute one of the most marginalised and stateless ethnic communities in the world today. Their population is dispersed across Europe, the Americas, and parts of Asia, with linguistic, genetic, and cultural evidence tracing their origins to the Indian subcontinent. This paper explores the historical, legal, and political struggle for a Roma identity and critically assesses the growing discourse surrounding their potential recognition as part of the Indian diaspora.

Part I examines the evolution of Romani identity, including their persecution- from centuries of enslavement in Eastern Europe to the genocide during the Holocaust- and the continuing denial of basic rights through statelessness and legal invisibility.

Part II analyzes the rise of Romani political consciousness through civil rights movements, claims for non-territorial nationhood, and efforts toward formal identity recognition under international law. It also evaluates proposals for granting EU citizenship as a remedy for statelessness while preserving Romani cultural identity.

Part III considers India's potential role in this discourse by examining past diplomatic gestures and the legal viability of incorporating the Romani within the existing diaspora framework. It interrogates the implications- both empowering and problematic- of such recognition in the current global landscape, including concerns such as political appropriation, cultural assimilation, and international diplomacy.

This paper argues that while symbolic recognition could affirm cultural solidarity, formal diaspora inclusion raises complex legal, political, and identity-based challenges. The relationship between India and the Romani must be navigated with nuance, balancing historical connections with present-day realities. In doing so, the paper contributes to broader debates on statelessness, diaspora politics, and evolving concepts of nationhood in international law.

Keywords: *Romani, Statelessness, Diaspora, India-Roma Relations, Transnational Ethnic Communities.*

I. INTRODUCTION

Among the various migrations from India throughout history, the journey of the Romani

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community is particularly intriguing. The Romani (or Roma) People are a unique and dispersed ethnic community who are believed to have migrated from the north-western region of the Indian subcontinent.² Today, they form an estimated population of 10-12 million in Europe alone, as part of wider global spread across Asia and the western world.³ The Roma community share a long and painful shared history of persecution in Europe, and the impact of which has resulted in their becoming one of the most impoverished, persecuted, and marginalized ethnic minorities in the world.⁴ They face persistent issues of identity recognition due to statelessness in several countries and continue to experience systemic discrimination and exclusion from social, economic, and political life in their host countries.⁵ Even in recent years, the stigma of being Roma has not diminished. Against this backdrop, this paper seeks to understand the complexities of Romani identity and the potential for their recognition as part of the global Indian diaspora. For this purpose, the paper is divided into three parts. Part I explores the complex Romani identity and their continued struggle through history. Part II analyses their claims for recognition of a transnational, non-territorial nation called 'Romanestan'.⁶ And finally, Part III examines the potential pathways for recognizing the Roma as part of Indian diaspora and assesses the implications of such recognition.

A. Statement of Problem

The modern Roma faces challenges such as forced evictions, poverty, limited access to education and healthcare. Despite living in Europe for generations, many Roma continue to exist in a legal vacuum- denied nationality, documentation, and access to rights- due to entrenched patterns of intergenerational statelessness and administrative exclusion.

In this context, the investigation of the critical issues surrounding the formal recognition of their ties with India could offer a possible roadmap to the Romani cause. The question of recognising the Romani people as part of the Indian diaspora presents a multifaceted challenge that requires a nuanced understanding of their complex identity. While there is a historical basis for linking the Roma with Indian origins, the issue goes beyond mere genealogical connections and delves into the heart of cultural, social, and political identities. The ongoing discourse around the Roma's potential inclusion in the Indian diaspora requires a

² Bela I. Melegh, et al., *Refining the South Asian Origin of the Romani people*, 18 BMC GENETICS (2017).

³ Multimedia Centre, *Romani People in the EU*, EUROPEAN PARLIAMENT (Apr. 4, 2025), <https://multimedia.europarl.europa.eu/en/topic/romani-people-in-eu_20901>.

⁴ IAN F. HANCOCK, *WE ARE THE ROMANI PEOPLE* (University of Hertfordshire Press 2002).

⁵ Elena Marushiakova & Vesselin Popov, *The Roma- a Nation without a State? Historical Background and Contemporary Tendencies*, POZNAN: SCHOOL OF HUMANITIES AND JOURNALISM (2004).

⁶ Maylis de Verneuli, *Nationality: Romani; Citizenship: European*, STATELESS WORKING PAPER SERIES No.3 (2016).

critical examination of what such recognition would entail, both for the Roma and for India.

Therefore, the crux of the problem lies in assessing the implications of such a move: How will it affect the Roma's standing in the global community? And how does the recognition align with the Roma's own self-conceptualization and their expressed desires for their community's future? To address these concerns, this paper seeks to dissect the intricacies of the Roma's identity, trace the historical roots, and explore the potential impact of formal recognition by the Indian government.

B. Research Methodology

The study had been carried out using qualitative methods. The sources include a wide range of primary and secondary materials including research articles, reports, journals, official websites and news reports. The paper is limited to a descriptive study and does not collect primary data from the Roma community.

C. Literature Review

The literature on the Romani people and their relationship with India is a mixture of historical narratives, cultural studies, and contemporary socio-political discourse. The work of Ian Hancock⁷ traces the Romani origins back to India based on linguistic and genetic evidence, postulating a migration that occurred centuries ago. Yaron Matras⁸ expands on this, exploring the linguistic connections between the Romani language and ancient Indian dialects, reinforcing the theory of Indian origin.

While we understand the origins, Viorel Achim's⁹ historical account provides an insightful analysis of the Romani's integration into European society, documenting the centuries of marginalization and persecution they endured, which echoes the treatment faced by many diaspora communities. The legal and civil challenges that the Romani face in Europe is highlighted, a struggle for recognition and rights that has continued into the modern era. Their plight is further contextualized by Marushiakova and Popov's¹⁰ studies on the socio-economic status of the Romani in various European countries, revealing a consistent pattern of exclusion and poverty that shows the extent of Roma communities' marginalisation. This is complemented by the discussion at the Durban World Conference against racism in 2001¹¹,

⁷ IAN F. HANCOCK, *WE ARE THE ROMANI PEOPLE* (University of Hertfordshire Press 2002).

⁸ Yaron Matras, *Romacilikanes: The Romani dialect of Parakalamos*, 14 *ROMANI STUDIES* 56-109(2004).

⁹ VIOREL ACHIM, *THE ROMA IN ROMANIAN HISTORY* (Central European University Press 2004).

¹⁰ Elena Marushiakova & Vesselin Popov, *The Roma- a Nation without a State? Historical Background and Contemporary Tendencies*, POZNAN: SCHOOL OF HUMANITIES AND JOURNALISM (2004).

¹¹ Durban Declaration and Programme of Action, *World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance*, UN DEPARTMENT OF PUBLIC INFORMATION NEW YORK (2002).

which highlighted the need for a victim-focused approach to address racial discrimination against Roma community by stating the importance of education, cultural awareness, and fair representation in media and anti-discrimination policies.

In recent years, several scholarships focus on the recognition of the identity of Roma as a nation without a territory. This is supplemented by several others working towards formulating integration policies of the Roma within the EU framework, wherein this dual but distinct identity of nationality and citizenship is discussed,¹² and the discourse has simultaneously also shifted towards the potential recognition of the Romani as part of the Indian diaspora.¹³

The review of literature thus presents a multifaceted view of the Romani people, their historical ties to India, and the contemporary implications of such a relationship. It sets the stage for a nuanced discussion on the possibility of India's recognition of the Romani as part of its diaspora, a move that holds the promise of redefining the concept of nationhood and identity in the global context.

II. UNDERSTANDING THE POSITIONALITY OF THE MODERN ROMANI

Who are the Romani People

The Romani are a nomadic community dispersed across Europe, the Americas, North Africa, and Central Asia. They are known by various names, including Romani (or Roma), Domari, Sinti, and Gypsy, depending on the country and historical context.¹⁴ In archival records, they have been referred to as van-dwellers, tent-dwellers, tinkers, fortune-tellers, showmen, or vagrants.¹⁵ The term “gypsy” emerged in the early modern period due to the mistaken belief that they had originated from Egypt, largely based on their darker complexion.¹⁶ However, the term 'gypsy' is now widely regarded as a racial slur. At the First World Roma Congress held in 1971, 'Romani' was officially adopted as the preferred name of the community globally.¹⁷

¹² Maylis de Verneuli, *Nationality: Romani; Citizenship: European*, STATELESS WORKING PAPER SERIES No.3 (2016).

¹³ Nidhi Trehan, *The Contentious Politics of the Indo-Romani Relationship: Reflections on the 'International Roma Conference and Cultural Festival in New Delhi, February 2016 and Its Antecedents*, 78 THE INDIAN JOURNAL OF SOCIAL WORK (2017).

¹⁴ Bela I. Melegh, et al., *Refining the South Asian Origin of the Romani people*, 18 BMC GENETICS (2017).

¹⁵ Beckly Taylor & Jim Hinks, *What field? Where? Bringing Gypsy, Roma and Traveller History into View, Cultural and Social History*, 18 THE JOURNAL OF THE SOCIAL HISTORY SOCIETY 629-650 (2021).

¹⁶ Matthew Wills, *The Persecution of the Romani by the Nazis*, POLITICS & HISTORY JSTOR DAILY (Nov. 16, 2015), <<https://daily.jstor.org/roma/>>.

¹⁷ NMU, *The Romani*, NORTHERN MICHIGAN UNIVERSITY (2010), <https://web.archive.org/web/20210524174552/https://www.nmu.edu/sites/DrupalEnglish/files/UserFiles/Files/Pre-Drupal/SiteSections/Students/AwardEntries/Romani_Pickering_2010.pdf>.

The Romani culture is marked by its unique customs, religious practices, languages, and heritage. The history, however, is not well documented, as the Romani language lacks a formal script, and the community has historically relied on oral traditions rather than written records.¹⁸ Over time, some Romani have had to abandon their traditional lifestyle and assimilate into their host countries, losing cultural connections with other Romani groups. As a result, genetic and linguistic studies are relied upon, which trace their origins to migrant communities from north-western part of the Indian subcontinent.¹⁹

The Romani are believed to have descended from Indian nomadic communities like the Dom, Banjara, Gujjar, Sansi, Chauhan, and Sikligar.²⁰ The languages they speak, known as 'Romani' or 'Domari', are closely linked to Sanskrit and belong to the Indo-Aryan language family.²¹ They have retained many words from Punjabi and Hindi, with phonetic similarities to Marwari, and grammatical structures closest to Bengali.²² Over centuries, the Romani have also integrated with local populations across various regions. Genetic research indicates that while Romani communities in Eastern Europe have largely maintained genetic isolation, those in Southern Europe have experienced greater admixture.²³

Continuing Persecution of the Roma

The Roma arrived in medieval Europe in the 14th and 15th centuries, with one of the earliest legal documents from 1385 recording the gifting of 40 Romani households to a monastery by the Prince of Wallachia²⁴ (present-day Romania), reflecting the beginning of their long history of enslavement. In the province of Wallachia and Moldavia, the Wallachia's penal code legally declared that all Romani people are born slaves.²⁵ The term 'tzigan', which referred to the Roma, gradually began to mean 'slave,' and this status extended from the Byzantine to the Ottoman empires. The Roma were subjected to 500 years of enslavement in this region before

¹⁸ Babes Bolyai, *The Untold Story. An Oral History of the Roma People in Romania*, EEA GRANTS (2014), <<https://eeagrants.org/archive/2009-2014/projects/RO14-0021>>.

¹⁹ Bela I. Melegh, et al., *Refining the South Asian Origin of the Romani people*, 18 BMC GENETICS (2017).

²⁰ Smriti Kak Ramachandran, *India Should Declare Romas as National Minority of Indian Origin*, HINDUSTAN TIMES (Feb. 12, 2016, 1:37 AM), <<https://www.hindustantimes.com/india/india-should-declare-romas-as-national-minority-of-indian-origin/story-xlQJRtOLtSTUqId652QOnJ.html>>.

²¹ The Traveller Movement, *Romani (Gypsy), Roma and Irish Traveller History and Culture*, <<https://travellermovement.org.uk/gypsy-roma-and-traveller-history-and-culture>>.

²² Abhinav Singh, *All Gypsies of the world came from India and it's time we recognize them*, TFIPOST (Dec. 7, 2021), <<https://tfipost.com/2021/12/all-gypsies-of-the-world-came-from-india-and-its-time-we-recognize-them/>>.

²³ Isabel Mendizabal, et al., *Reconstructing the Population History of European Romani from Genome-wide Data*, 22 CURRENT BIOLOGY 2342-234 (2012).

²⁴ Rit Nanda, *India: It's time to recognize the Romani People as Indians*, THE EASTERN HERALD (Apr. 28, 2020), <<https://easternherald.com/2020/04/28/romani-people-indians/>>.

²⁵ Euractiv, *Romania turns its back on dark past of Roma slavery*, EURACTIV (Mar. 3, 2016, 08:20), <<https://www.euractiv.com/section/social-europe-jobs/news/romania-turns-its-back-on-dark-past-of-roma-slavery/>>.

slavery was abolished in the 1860s.²⁶ However, even after the abolition, the lack of sustenance left the Roma suffering from poverty and discrimination- a situation that continues to affect their descendants.²⁷

The Roma faced forced assimilation attempts across Europe, including in Norway, where a law passed in 1896 allowed the forcible removal of Romani children from their parents.²⁸ The persecution of Roma preceded the Nazi era, with the Bavarian police maintaining a Roma registry as early as 1899,²⁹ and in 1936, Roma were relocated to an encampment in Marzahn during Berlin Olympics, which served as a precursor to the horrific violence of the Holocaust.³⁰ The Nazis, who deemed the Roma racially inferior, viewed them as a threat to their genetic pool.³¹ While the Holocaust of the Jews is well documented, the death of over two million Romani in the Holocaust still remains unknown to many.³²

Today, the Roma are Europe's largest minority, with approximate population of 10-12 million people.³³ Yet they continue to face discrimination and are often stereotyped as anti-social elements. Racist slurs, ethno-racial insults or harmful jokes continue to reinforce negative stereotypes,³⁴ despite the significant cultural contributions of Roma descendants such as Charlie Chaplin, Elvis Presley, and Rita Hayworth- all of whom were pressured to hide their heritage.³⁵ In 2019, the city of Gabrovo in Bulgaria witnessed violent anti-Roma riots, where mobs attacked Romani families, burned homes, and drove much of the community to flee amid fear and abandonment by the state- an eruption of racial violence that reflects the rise of

²⁶ Abhinav Singh, *All Gypsies of the world came from India and it's time we recognize them*, TFIPOST (Dec. 7, 2021), <https://tfipost.com/2021/12/all-gypsies-of-the-world-came-from-india-and-its-time-we-recognize-them/>.

²⁷ Euractiv, *Romania turns its back on dark past of Roma slavery*, EURACTIV (Mar. 3, 2016, 08:20), <https://www.euractiv.com/section/social-europe-jobs/news/romania-turns-its-back-on-dark-past-of-roma-slavery>.

²⁸ Nils Muiznieks, *Time to Cure Amnesia about the History of Roma in Europe*, THE COMMISSIONER OF HUMAN RIGHTS COUNCIL OF EUROPE (Jul. 30, 2015), <<https://www.coe.int/en/web/commissioner/-/time-to-cure-amnesia-about-the-history-of-roma-in-europe>>.

²⁹ Jason Dawsey, *The Bavarian Precedent: The Roma in European Culture*, THE NATIONAL WWII MUSEUM NEW ORLEANS (Jan. 25, 2021), <<https://www.nationalww2museum.org/war/articles/bavarian-precedent-roma-european-culture>>.

³⁰ Matthew Wills, *The Persecution of the Romani by the Nazis*, POLITICS & HISTORY JSTOR DAILY (Nov. 16, 2015), <<https://daily.jstor.org/roma/>>.

³¹ Matthew Wills, *The Persecution of the Romani by the Nazis*, POLITICS & HISTORY JSTOR DAILY (Nov. 16, 2015), <<https://daily.jstor.org/roma/>>.

³² Euractiv, *Romania turns its back on dark past of Roma slavery*, EURACTIV (Mar. 3, 2016, 08:20), <<https://www.euractiv.com/section/social-europe-jobs/news/romania-turns-its-back-on-dark-past-of-roma-slavery/>>.

³³ Multimedia Centre, *Romani People in the EU*, EUROPEAN PARLIAMENT (Apr. 4, 2025), <https://multimedia.europarl.europa.eu/en/topic/romani-people-in-eu_20901>.

³⁴ Karen Feldscher, *Opinion: Romani people face racist tropes that must be curbed*, HARVARD T.H. CHAN SCHOOL OF PUBLIC HEALTH (Feb. 26, 2025), <<https://hsph.harvard.edu/news/opinion-romani-people-face-racist-tropes-that-must-be-curbed/>>.

³⁵ DONALD KENRICK, *HISTORICAL DICTIONARY OF THE GYPSIES (ROMANIES)* (The Scarecrow Press, 2d ed. 2007).

antigypsyism and systemic state neglect.³⁶

Statelessness and Legal Invisibility

The consequences of the long-standing marginalisation of Roma extend beyond social exclusion into the legal realm. Statelessness- the lack of recognised legal nationality- remains a persistent, intergenerational issue for many Roma in Europe, despite being birth and upbringing in these countries.³⁷ This legal invisibility stems from a combination of factors: the absence of birthright citizenship (*jus soli*) in most European countries³⁸, systemic barriers to civil registration³⁹, and exclusion following from state succession- particularly after the breakup of Yugoslavia, where many Roma were denied nationality due to missing documentation or administrative erasure⁴⁰. In countries like Italy, Slovenia, and across the Western Balkans, Roma families with roots in former Yugoslavia continue to be excluded from citizenship. One such example is Slovenia's 1992 removal of approximately 25,000 individuals from its civil registry- many of whom were Roma.⁴¹ Even today, Roma parents without formal identity documents are often unable to register their children at birth, perpetuating statelessness across generations.⁴²

This condition denies Roma access to education, healthcare, employment, and political participation, effectively rendering them “invisible” in the eyes of the state. Although European countries are party to international conventions aimed at reducing statelessness- such as the 1954 and 1961 UN Conventions- implementation has been partial and often inaccessible to the community.⁴³ Across the European Union, Roma continue to face systemic

³⁶ Denise Hruby, *Their Homes were Burned down in racist violence. Then officials told them to flee*, CNN, <<https://edition.cnn.com/interactive/2019/05/world/roma-bulgaria-violence-eu-elections-cnnphotos/>>.

³⁷ Zoe Gardner, *Breaking the Cycle of anti-gypsyism and statelessness in Roma communities: Recent progress and the road ahead*, EUROPEAN NETWORK ON STATELESSNESS (Apr. 6, 2023), <<https://www.statelessness.eu/updates/blog/breaking-cycle-anti-gypsyism-and-statelessness-roma-communities-recent-progress-and>>.

³⁸ Daniela Di Rado, *Trapped in Limbo: Italy's Stateless Roma*, OPEN SOCIETY FOUNDATIONS (Jul. 25, 2013), <<https://www.opensocietyfoundations.org/voices/trapped-limbo-italy-s-stateless-roma>>.

³⁹ Zoe Gardner, *Breaking the Cycle of anti-gypsyism and statelessness in Roma communities: Recent progress and the road ahead*, EUROPEAN NETWORK ON STATELESSNESS (Apr. 6, 2023), <<https://www.statelessness.eu/updates/blog/breaking-cycle-anti-gypsyism-and-statelessness-roma-communities-recent-progress-and>>.

⁴⁰ Nicole Garbin, *Roma Belong- Discrimination, Statelessness and Marginalisation of Roma in the Western Balkans and Ukraine*, EUROPEAN ROMA RIGHTS CENTRE (Oct. 26, 2017), <<https://www.errc.org/reports-and-submissions/roma-belong--discrimination-statelessness-and-marginalisation-of-roma-in-the-western-balkans-and-ukraine>>.

⁴¹ Jasmika Dedić, *The Erasure: Administrative Ethnic Cleansing in Slovenia*, EUROPEAN ROMA RIGHTS CENTRE (Oct. 29, 2003), <<https://www.errc.org/roma-rights-journal/the-erasure-administrative-ethnic-cleansing-in-slovenia>>.

⁴² Daniela Di Rado, *Trapped in Limbo: Italy's Stateless Roma*, OPEN SOCIETY FOUNDATIONS (Jul. 25, 2013), <<https://www.opensocietyfoundations.org/voices/trapped-limbo-italy-s-stateless-roma>>.

⁴³ 29 LAURA VAN WAAS, NATIONALITY MATTERS: STATELESSNESS UNDER INTERNATIONAL LAW, (School of Human Rights Research Series 2008).

forced evictions and high levels of unemployment and poverty.⁴⁴ In countries like France, Italy, Bulgaria, and Hungary, thousands have been deported, often in breach of EU human rights standards and with little political resolve to enact protective legislation, further entrenching social exclusion and discrimination.⁴⁵

III. ROMA NATIONALISM

Roma's quest for social justice: The Roma Civil rights movement

The struggle for Roma civil rights is a new phase in the politics of Romani resilience. The Roma ethnic mobilization can be traced back to the 19th century, however it was after the fall of Nazi regime in 1945 that the modern Roma Civil Rights movement begins.⁴⁶ The marginalisation, exclusion, and demonisation faced by ethnic groups like the Roma are rooted in racism, “othering,” and projection of stereotypes that result in cultural misrecognition. These conditions are further aggravated by the lack of access to services and resources, pushing the community to the fringes of society.⁴⁷

The Roma civil rights movement has seen significant progress, with Hungary acknowledging the Roma's Nazi persecution in the 1980s, and other Eastern European nations engaging in discourse following the end of state socialism.⁴⁸ The European Parliament's recognition of the Roma Holocaust and its call to combat antigypsyism reflect a growing awareness of Roma identity and historical injustice.⁴⁹ Civil society has played a pivotal role in empowering communities, shaping policy, and fostering advocacy grounded in the lived experiences and aspirations of the Roma. This includes providing training opportunities and platforms for a growing number of progressive Roma lawmakers, artists, and activists contributing to the broader movement.⁵⁰

⁴⁴ Euractiv, *Romania turns its back on dark past of Roma slavery*, EURACTIV (Mar. 3, 2016, 08:20), <<https://www.euractiv.com/section/social-europe-jobs/news/romania-turns-its-back-on-dark-past-of-roma-slavery/>>.

⁴⁵ Cécile Barbière, *France continues evicting Roma, cuts re-housing and integration efforts*, EURACTIV (Jan. 14, 2016, 07:04), <<https://www.euractiv.com/section/economy-jobs/news/france-continues-evicting-roma-cuts-re-housing-and-integration-efforts/>>.

⁴⁶ Mirga-Kruszelnicka, et al., *Roma Civil Rights Movement*, ROMARCHIVE (2017), <<https://www.romarchive.eu/en/roma-civil-rights-movement/>>.

⁴⁷ Andrew Ryder, *The Roma: Redistribution, Recognition and Representation in a Social Europe*, EUROPEAN ROMA RIGHTS CENTRE (Jun. 21, 2016), <<http://www.errc.org/news/the-roma-redistribution-recognition-and-representation-in-a-social-europe>>.

⁴⁸ Jan Selling, *The Politics of Historical Justice and Combatting Antiziganism- Narrative Essay*, ROMARCHIVE, <<https://www.romarchive.eu/en/roma-civil-rights-movement/politics-historical-justice-and-combatting-antizig/#fn12>>.

⁴⁹ Breifing, *Roma and Sinti Holocaust: Recognition, Education and Justice*, THINK TANK EUROPEAN PARLIAMENT (Jul. 17, 2023), <[https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI\(2023\)751424](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2023)751424)>.

⁵⁰ Andrew Ryder, *The Roma: Redistribution, Recognition and Representation in a Social Europe*, EUROPEAN

Contemporary Romani nationalism is strongly supported by human rights ideologies and the work of supranational organizations like the International Romani Union (IRU), the European Roma Rights Centre (ERRC), and others. These organizations collaborate with local NGOs to promote shared values, influence policies, and exert pressure on unresponsive governments or officials.⁵¹

At the Durban World Conference against racism, there was a consensus on the need for victim-focused approach to address racial discrimination against Roma. It acknowledged the plight of the Roma, and highlighted the importance of access to education, recruitment of Roma teachers, promotion of cultural awareness, and the establishment of fair media representation and anti-discrimination policies.⁵²

Claim to non-territorial nationality: A Roma Nation

Under international law, the definition of ‘Peoples’ includes ‘territory’ as an important part of their identity.⁵³ However, the Roma are unique because they have never identified themselves with any territory. As a transnational community, the Roma have used the tool of ethnonationalism to seek greater social and political representation. The idea of Roma nation combines traditional paths of nation-building- such as a homogenised language, culture and history with novel ideas like non-territoriality, transnationalism, and multiculturalism, shaped by the developments in globalisation and post-nationalism.⁵⁴

At the 1971 World Roma Congress, Roma community representatives adopted a flag, anthem, and international day- marking significant steps in constructing a collective identity.⁵⁵ Following the Congress, discussions began around establishing a Roma nationality that would not claim a territory- unlike the Jewish model of a separate state. Instead, it envisioned ‘Romanestan’ as the world’s first non-territorial nationality for all stateless Roma.⁵⁶ The Roma nation-building involves the creation of formal historical narrative, cultural codes, symbols, traditions, and language- not based on geographical boundaries but on shared

ROMA RIGHTS CENTRE (Jun. 21, 2016), <<http://www.errc.org/news/the-roma-redistribution-recognition-and-representation-in-a-social-europe>>.

⁵¹ Nadezhda Georgieva-Stankova, *The International Romani Movement: New Visions and Strategic Positions*, 13 TRAKIA JOURNAL OF SCIENCES (2015).

⁵² Durban Declaration and Programme of Action, *World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance*, UN DEPARTMENT OF PUBLIC INFORMATION NEW YORK (2002).

⁵³ Joshua Castellino, *International Law and Self-Determination: Peoples, Indigenous Peoples and Minorities*, OXFORD ACADEMIC 27-44 (2014)..

⁵⁴ Nadezhda Georgieva-Stankova, *The International Romani Movement: New Visions and Strategic Positions*, 13 TRAKIA JOURNAL OF SCIENCES (2015).

⁵⁵ Nadezhda Georgieva-Stankova, *The International Romani Movement: New Visions and Strategic Positions*, 13 TRAKIA JOURNAL OF SCIENCES (2015).

⁵⁶ Maylis de Verneuli, *Nationality: Romani; Citizenship: European*, STATELESS WORKING PAPER SERIES No.3 (2016).

identity, and this may offer a precedent for the reimagining the very notion of the nation-state.⁵⁷

The concept of a transnational non-territorial nation was first formally articulated at the Fifth Romani Congress in 2000. It draws on theories developed by Austrian socialists Otto Bauer and Karl Renner, and its adoption by the Romani movement reflects a continuation of these historical ideas in the context of a global diaspora rather than within the confines of a single state.⁵⁸ The International Romani Movement continues to mobilise approximately 12 million people under the umbrella term “Roma” in a pan-European Roma nation.⁵⁹ It also seeks recognition under international law- particularly by advocating for a redefinition of the the right of self-determination that prioritizes participation and allows non-territorial entities to act as equal stakeholders in international governance.⁶⁰

Claim to EU citizenship

Statelessness is a significant issue in Europe, with more than half a million people being stateless or having undetermined nationality.⁶¹ The debate on reducing statelessness contemplates extending EU citizenship to individuals who face difficulties obtaining national citizenship. While EU citizenship acts as a supplement to national citizenship, it offers important political rights and freedoms, including right to move and reside freely within the Union. Extending these rights to the Roma can allow them to maintain their distinct national identity while also securing fundamental rights, access to essential services, and participation in the European Parliament.⁶² This would position the Roma as a ‘stateless nation’ within the EU framework- an approach that requires a reimagining of citizenship beyond traditional, state-bound boundaries.

⁵⁷ Nadezhda Georgieva-Stankova, *The International Romani Movement: New Visions and Strategic Positions*, 13 TRAKIA JOURNAL OF SCIENCES (2015).

⁵⁸ Morag Goodwin, *The Romani claim to non-territorial nation status: Recognition from an International Legal Persepective*, EUROPEAN ROMA RIGHTS CENTRE (May 27, 2004), <<https://www.errc.org/roma-rights-journal/the-romani-claim-to-non-territorial-nation-status-recognition-from-an-international-legal-perspective>>.

⁵⁹ Nadezhda Georgieva-Stankova, *The International Romani Movement: New Visions and Strategic Positions*, 13 TRAKIA JOURNAL OF SCIENCES (2015).

⁶⁰ Morag Goodwin, *The Romani claim to non-territorial nation status: Recognition from an International Legal Persepective*, EUROPEAN ROMA RIGHTS CENTRE (May 27, 2004), <<https://www.errc.org/roma-rights-journal/the-romani-claim-to-non-territorial-nation-status-recognition-from-an-international-legal-perspective>>.

⁶¹ Zoe Gardner, *Breaking the Cycle of anti-gypsyism and statelessness in Roma communities: Recent progress and the road ahead*, EUROPEAN NETWORK ON STATELESSNESS (Apr. 6, 2023), <<https://www.statelessness.eu/updates/blog/breaking-cycle-anti-gypsyism-and-statelessness-roma-communities-recent-progress-and>>.

⁶² Maylis de Verneuli, *Nationality: Romani; Citizenship: European*, STATELESS WORKING PAPER SERIES No.3 (2016).

IV. RECOGNITION OF THE ROMANI IN INDIA

Roma-India relations

The First World Roma Congress 1971, held in London, aimed to unite Roma communities globally and symbolically reconnect them with India, their ancestral motherland. W.R. Rishi, an attaché at the Indian High Commission in the UK, played a pivotal role in incorporating the Ashoka Chakra into the Romani flag, symbolising their ties with India.⁶³ The flag has since become a symbol of the Roma civil rights movement.

In 1976, the first International Roma Cultural Festival held in Chandigarh and attended by Roma from European and Soviet Union. Indian Prime Minister Indira Gandhi, extended her support, remarking that the Roma are part of the global Indian diaspora.⁶⁴ At the 1979 World Romani Congress in Geneva, India and Yugoslavia both voted in favour of Roma rights. Subsequent initiatives, including the 1983 International Roma Festival sponsored by the Indian government, have continued to foster Roma rights and identity.

This tradition of Roma-India relations was further reinforced by the 2001 conference in India and the 2016 International Roma Conference and Cultural Festival in New Delhi.⁶⁵ These events signified an interest in strengthening of cultural ties and discussing the potential recognising of shared heritage. Similarly, statements from the president of the World Roma Organisation (Romanipen) urging India to formally recognise the Roma as a national minority of Indian origin suggest that the dialogue between the two remains ongoing.⁶⁶

Should India formalise ties with the Romani

The term ‘Diaspora’ refers to individuals who have migrated from their homeland and who continue to influence both their country of origin and host societies through cultural, economic, and social contributions.⁶⁷ Diasporas may be forced, voluntary, or temporary. These groups often maintain strong cultural connections with their ancestral homeland and can

⁶³ Nidhi Trehan, *The Contentious Politics of the Indo-Romani Relationship: Reflections on the ‘International Roma Conference and Cultural Festival in New Delhi, February 2016 and Its Antecedents*, 78 THE INDIAN JOURNAL OF SOCIAL WORK (2017).

⁶⁴ Nidhi Trehan, *The Contentious Politics of the Indo-Romani Relationship: Reflections on the ‘International Roma Conference and Cultural Festival in New Delhi, February 2016 and Its Antecedents*, 78 THE INDIAN JOURNAL OF SOCIAL WORK (2017).

⁶⁵ Nidhi Trehan, *The Contentious Politics of the Indo-Romani Relationship: Reflections on the ‘International Roma Conference and Cultural Festival in New Delhi, February 2016 and Its Antecedents*, 78 THE INDIAN JOURNAL OF SOCIAL WORK (2017).

⁶⁶ Smriti Kak Ramachandran, *India Should Declare Romas as National Minority of Indian Origin*, HINDUSTAN TIMES (Feb. 12, 2016, 1:37 AM), <<https://www.hindustantimes.com/india/india-should-declare-romas-as-national-minority-of-indian-origin/story-xlQJRtOLtSTUqId652QOnJ.html>>.

⁶⁷ Grechen Dobson & Yana Mokhonchuk, *Diaspora as Community of Impact: A four-part series*, TETRA TECH INTERNATIONAL DEVELOPMENT (Sept., 2023) <<https://intdev.tetrattech.com.au/insights/diaspora-as-community-of-impact-a-four-part-series/>>.

support new migrants while contributing to their origin countries through remittances, cultural preservation, and resource support.⁶⁸ In the Indian context, diaspora is understood primarily as ‘connectedness’- the desire remain connected to the homeland.⁶⁹

While it is accepted that obtaining citizenship in the host country may require a degree of assimilation into the host societies, this raises important questions about how identity and assimilation affect diaspora policies of the country of origin- particularly in the current context of the Roma community.

India’s legal framework provides recognition to its diaspora primarily through the status of Overseas Citizenship of India (OCI) or Persons of Indian Origin (PIO). This offers the closest form of affiliation to Indian citizenship status for individuals of Indian ancestry.⁷⁰ For Roma individuals, this presents a potential pathway to state support while allowing them to retain their originality, if they possess one. The OCI designation would enable Roma to access assistance from Indian consulates in host countries- offering an alternative form of protection in cases of local discrimination. It thus opens possibilities for grassroots empowerment and strengthens bilateral dialogue.

However, the eligibility for OCI or PIO status is limited to individuals whose parents, grandparents, or great-grandparents (up to four generations) held Indian passports. This policy excludes communities with older or undocumented ancestry- such as descendants of indenture-era emigrants in the French Reunion Islands and Guadeloupe- who often lack the necessary documentation to establish eligibility. This issue has also arisen in France and Netherlands, where diaspora communities of Indian origin exist but are excluded due to these generational limitations.⁷¹

The recognition of the Roma community as part of the Indian diaspora could broaden India’s global cultural influence on the world. At the 2016 International Roma Conference held in New Delhi, an initiative of the Indian government supported by the Rashtriya Swayamsevak Sangh (RSS), a call was made to formally recognize the Roma as part of the Indian diaspora. While these initiatives offer the Roma community a sense of belonging and cultural affirmation.

⁶⁸ Grechen Dobson & Yana Mokhonchuk, *Diaspora as Community of Impact: A four-part series*, TETRA TECH INTERNATIONAL DEVELOPMENT (Sept., 2023) <<https://intdev.tetrattech.com.au/insights/diaspora-as-community-of-impact-a-four-part-series/>>.

⁶⁹ Alwyn Didar Singh, *Working with the Diaspora for Development Policy Perspectives from India*, CARIM-INDIA RESEARCH REPORT EUROPEAN UNIVERSITY INSTITUTE 2012).

⁷⁰ Rit Nanda, *India: It’s time to recognize the Romani People as Indians*, THE EASTERN HERALD (Apr. 28, 2020), <<https://easternherald.com/2020/04/28/romani-people-indians/>>.

⁷¹ Alwyn Didar Singh, *Working with the Diaspora for Development Policy Perspectives from India*, CARIM-INDIA RESEARCH REPORT EUROPEAN UNIVERSITY INSTITUTE 2012).

While some Romani activists desire the recognition as part of the global Indian diaspora, the identity of the Romani people is complex and multi-layered, and therefore terming them as Indian diaspora would open many challenges.⁷² The long term contact with different non-Romani societies has led to the adoption of dominant religion of their host countries, therefore in today's context the Roma are Catholic, Orthodox Christians and Muslims,⁷³ with various different cultural practices.

Therefore, the relationship of India and the Romani people is intricate, and formal recognition of their Indian ties would necessitate a careful consideration of policy to ensure that it does not hamper the current diplomatic relations with EU. The aim should be to strengthen Romani identity through the promotion of cultural and economic capital, and not to displace them or seek dual citizenship, to reinforce their integration and safety within the European nations.

V. CONCLUSION

The recognition of the Romani people as part of the Indian diaspora represents a pivotal moment that could result in a significant socio-cultural and political advancements for the Roma community. Their history, marked by profound struggles against discrimination, slavery, and erasure from public memory, particularly during the Nazi regime's atrocities, is a testament to their resilience as an ethno-cultural identity. The Romani have not only survived but also enriched the world through their cultural contributions, influencing arts and literature. The Indian government's potential recognition of the Roma could serve as a powerful affirmation of their identity, promoting empowerment and solidarity with a community that continues to confront stereotypes and social exclusion.

As the Romani movement seeks formal recognition and the status of a non-territorial nation, it is crucial to understand this pursuit within the broader context of identity politics and the quest for self-respect. The international recognition of Romani nationhood is not just about preserving a rich cultural heritage, but also about rectifying historical injustices and addressing the harm caused by centuries of misrepresentation. The Indian government's role in supporting the Romani people should go beyond political interests and focus on genuine aid for a community deserving of global support and inclusion. Only through such purposeful efforts can the long-standing plight of the Roma be alleviated, and mutual contribution to their homeland in India can be achieved. Therefore, this recognition could serve as a significant

⁷² Nidhi Trehan, *The Contentious Politics of the Indo-Romani Relationship: Reflections on the 'International Roma Conference and Cultural Festival in New Delhi, February 2016 and Its Antecedents*, 78 THE INDIAN JOURNAL OF SOCIAL WORK (2017).

⁷³ Factsheets on Romani, *Religion and Beliefs*, ROMA AND TRAVELLERS TEAM, <<https://rm.coe.int/factsheets-on-romani-culture-1-9-religion-and-beliefs/1680aac36d>>.

gesture of solidarity and support for a community that has faced centuries of marginalization, or it could pose challenges in the host countries where the Roma currently reside. This type of recognition may impact the Roma's existing legal status, social integration, and efforts towards self-determination within European societies. Finally, this potential recognition must be sensitive to the varied expressions of Romani identity that have been shaped by centuries of cultural assimilation and adaptation across numerous countries.
