

The European States: new promoters of the “total institution”? The case of the Roma.

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On 16 October 2012, The International Network of Street Workers is holding a conference-debate on the topic "**Roma, street work and European policies**" at the European Parliament in Brussels. The basis of the Network's initiative is as follows: "As part of the discussion on national strategies for Roma integration and in compliance with the Commission's recent policy recommendations for the implementation of the EU Framework for Roma integration up to 2020, this event will encourage discussion between representatives of European institutions, key experts and grassroots actors about policy perspectives and effective practices in this field within the European Union".

During this event, two films will be shown to help fuel discussions. One was shot in Serbia and the other in three of the European Union's member countries: Romania, Italy and Greece.¹

We thought it would be useful to pick up on and share the harsh findings from these films in order to set the scene in terms of the issues the Network faces as part of its role to challenge and question, which is to be done here at European level.

September 2011. Approximately forty Roma, who have found refuge at the Gare du Nord, in Brussels, are evicted. They gather again on Place Gaucheret. Bernard De Vos, General Delegate of the French Community for the Rights of the Child (DGDE), decides to support these families, made up of many children, forced to live in unacceptable conditions. In particular, he provides them with his institution's bus so that the children can sleep under shelter. Edwin de Boevé, Director of Dynamo International and General Coordinator of the International Network of Street Social Workers, also goes on site to meet these families.

May 2012. The DGDE goes to Serbia to meet one of these families who returned "voluntarily" "to their country". There were 5 children in the family, the youngest of whom was born in Belgium. Shortly after their return to Serbia, the eldest, Sunita, 11 years old, with multiple disabilities, caught pneumonia and died.

A documentary was made of the DGDE's trip, *De Charybde en Scylla*. Using a specific case, this film illustrates the daily reality faced by many Roma families and the discrimination and violence, whether visible or more pernicious, they are victims of, both here and there. The Network needs to face the question of how to combat this violence. We want to support this struggle by assessing the type of violence and how it works, whilst pointing out, for strategic purposes, the role of European States in this reality.

Speaking the unspeakable - catastrophe versus annex

"It is difficult to imagine a family of seven, of which five are children, on the road of exile and facing the multiple dangers that go along with it", commented the journalist, David Lallemand.

The story of this family's journey from Serbia to the Place Gaucheret, then back to Serbia, is not a nice

¹The first film, *De Charybde en Scylla*, can be found on the DGDE's blog, enlignedirecte.be. The International Network of Street Workers was involved in producing it.

The second film, *Percorsi di cambiamento abitativo di Rom e Sinti* (with English subtitles) is available online at the following link: <http://vimeo.com/37727180>

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fireside tale. On seeing the film for the first time, one is struck by the complexity of this journey, which, by the way, is not told in chronological order; this is not a filming technique, but it rather effectively portrays the vicious circle these people are caught up in: is there a beginning, or indeed an end to their tragedy? "Catastrophe" repeats Sofia, the mother, when talking about the death of her child on their return. "What can I say? It was a real shock, it is a catastrophe". This word comes up time and time again at various stages of the story.

The lives of these people are indeed punctuated with catastrophes. The father fought during the war in ex-Yugoslavia and has been left psychologically scarred. He was attacked repeatedly, for no reason, by Serbian men from the neighbouring village.

In Serbia, the Roma face a great deal of discrimination. "**We are rejected left, right and centre, to such an extent that we no longer know where to go**", says the mother. Fear, but also hope to be able to take better care of Sunita, were what drove them to leave. Bit by bit, we learn that before coming to Belgium, they went to Kosovo, only to find the same animosity towards them; then they made a request for protection from France, went back to Serbia, and finally ended up at the Gare du Nord in Brussels, then on Place Gaucheret. Then in Serbia once again.

This family always finds itself back at square one. And yet, when it comes to the Roma, people always ask where they have come from, never where they will go. For the Belgians, this family came from Serbia; but, back in Serbia they are considered to have come from Belgium. "The police ask us: why did you leave?" And as for Europe, the family came through France, setting in motion its legal-administrative machinery. The Dublin II regulation² indeed organises the distribution of asylum applications within the European Union by identifying one Member State responsible for examining an asylum application, out of the countries the refugees have passed through.

Generally, it is the country where the asylum seeker first lodged his/her application that takes charge of the applicant, but not systematically, (it depends on a set of criteria, in particular to do with family). Dublin provides for the procedure to be suspended until States communicate and decide who will be responsible.

In the film, the narration becomes almost surrealistic when the family's lawyer explains the events her clients have gone through. Legal intricacies remain a mystery to the average person, so imagine this family's distress and confusion, not speaking French, with a newborn baby, and to be refused housing from a centre because they did not have the "annex", a document with photo ID. No "annex" – will this term become one of the few French words that Sofia will never forget? -, so it's back (or a detour, or departure?) to France and the family want none of it, because an appeal has been lodged.

They therefore find themselves on the street. Without any material solution while waiting for the European States' decision (since, as the lawyer points out, "the appeal shall not suspend the transfer", which is senseless), the family, succumbing to the strain, end up accepting "voluntary" return (or is it a detour, or a departure?) to Serbia³. Sunita then dies of pneumonia. And the discrimination starts over again.

These conflicting perspectives – on the one hand humans suffering from catastrophes afflicted on them and on the other, the sometimes truly absurd legal bureaucracy – demonstrate not only the extent to which they are fighting a losing battle; it is tangible evidence of an increasingly cautious European political stance when it comes to the asylum issue.

² Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national.

³ The family went through the organisation Caritas International, which has developed programmes for migrants wanting to return to their country of origin. These programmes are funded by the Belgian Ministry for Social Integration. For more details, see <http://www.caritas-int.be/fr/activity/return-reintegration>.

Double suspicion and double hypocrisy: the loop system

The legal landscape revealed by this family's lawyer is what all refugees seeking asylum in our country and in Europe come up against. In the publication *Les Roms - chroniques d'une intégration impensée*⁴, we have shown that the various legislations in force are far from being free from contradictions, and that as such they are a reflection of the hypocrisy of rich countries, which essentially strive to close the door on the poor, all whilst flying the flag of humanitarian principles and human rights. This family's experience serves to demonstrate this state of affairs.

They are first of all hit with all-round double suspicion, which they risk being stuck with for good. On arrival in our country, like with all asylum seekers, the family members are first of all suspected of being false refugees. Let's not forget the statements made by Maggie de Block, at the start of her mandate as Secretary of State for immigration and asylum: only 10% of requests for asylum are admissible. "*That means that 90% of these people have no reason to come here.*"⁵ Statistically, therefore, all asylum seekers are presumed to be fraudulent even before the procedure begins.

Back in Serbia under the aforementioned conditions, this family experiences the suspicion of the police. People who left only to come back again are questioned: "*Why did you leave?*" Instead of fraudsters they are branded as traitors, leading to all kinds of additional controls and humiliation.

And if by chance they decide to try their luck once again in a European country, the fact that they accepted to return "voluntarily" to their country will only reinforce their image as fraudsters: if they went back "home", that must mean there was little risk involved.

The presumed safety of countries of origin is increasingly becoming a reason for refusing asylum in European countries. In Belgium, on 23 March 2012, the Council of Ministers adopted⁶ a list of "safe origin countries" including Albania, Bosnia-Herzegovina, the FYROM (Macedonia), Kosovo, Serbia, Montenegro and India. "For asylum seekers originating from these countries, the asylum procedure is accelerated. The burden of proof is inverted: the asylum seeker will be considered, in theory, to have no need for protection. He/she must "clearly" prove that his/her country is not safe for him/her and that he or she has reason to fear being persecuted or to suffer serious harm."⁷

According to Maggie de Block, if this list had been around in 2011, "18% of asylum requests could have been processed using this accelerated procedure"⁸ (in other words, more than likely have been dismissed).

When the persecution in Serbia (considered a newly safe country) became unbearable, Sunita's family first tried to seek refuge in Kosovo (also considered a safe country). But there, the same problems raised their ugly head, on account of being different: stigmatisation, difficulty in terms of access to school, healthcare, and employment. For the Roma, Eastern Europe as a whole remains extremely inhospitable, if not to say outright hostile. These kinds of observations are common, reported by reliable sources; nevertheless this population is portrayed as not being at higher risk than any other, which therefore strips them of their rights to protection.

⁴ Under the direction of Jacqueline Fastrès and Ahmed Ahkim, *Les Roms. Chronique d'une intrégration impensée*, (The Roma. Chronicles of unthinkable integration) Charleroi, Ed. Couleur livres, 2012. The chapter referred to here is chapter 2, "Chronique politique et juridique" (Political and legal chronicles), pp. 41 ff.

⁵ *La Libre Belgique* +, 11 January 2012, p.5.

⁶ Decision adopted at second reading on 11 May 2012.

⁷ Press release from CIRE on 23 March 2012, "La liste des pays sûrs n'est pas une solution miracle" (The list of safe countries is not the magic answer), <http://www.cire.be/thematiques/asile-et-protection/720-co>

⁸ http://www.rtb.be/info/belgique/detail_asile-adoption-definitive-par-le-conseil-de-la-liste-des-pays-surs?id=7767828

We therefore face the first aspect of States' hypocrisy. The list of safe countries is part of an impressive arsenal of measures aimed at turning back "90% of individuals who have no reason to come to our country". In the aforementioned book we highlight a number of paradoxical requirements and Cornelian no-win situations created by this arsenal.

States have a great imagination when it comes to finding a ploy to get rid of undesirable people whilst avoiding being accused of discrimination⁹. And yet the Roma, who are part of the EU, and therefore in theory enjoy free movement within the Union, find this movement limited to three months, or even lose the right altogether.

The second aspect of this hypocrisy on the part of the States involves the increasingly marked shirking of collective and societal responsibility incumbent upon them in terms of the individual responsibility of persons.

This fate is not exclusively reserved for asylum seekers either: in our country the unemployed are judged with the same yardstick of individual responsibility (if they cannot find work, it is not because there isn't any – which would boil down to a political and societal issue –, it is because they are not looking – and it is therefore their fault as well as being their problem). In the case of our Roma family, the fact that they were pushed to accept "voluntary" return, even though an appeal procedure was underway, falls under the same principle: "Take control of your personal responsibilities, we will help you", rather than "the state is taking control of its political responsibilities and is going to help you". In short, "Help yourself and heaven will help you".

Except that by "assuming their responsibility" (in other words opting for a desperate solution, one which truly breaks the camel's back) and by going back "home" (where they are unwanted), the same hypocrisy repeats itself.

In a Roma camp near Belgrade, an elderly man in the film tells us: "**When we ask the social services for help, they tell us to find a job. But I am an old man, I belong on the scrapheap**". **In Serbia, it is extremely difficult for Roma people to find work because of the stigmatisation they are subjected to. Likewise, children's schooling is a prerequisite for receiving State support. However this schooling is also made very difficult. "I don't have the money to pay for school supplies"**, one mother says. And as we hear from the mouth of the Serbian alter ego of the General Delegate for the Rights of the Child, Tamara Luksic-Orlandic, Serbia's Deputy Ombudsperson for the rights of the child, there is a great deal of animosity on the part of the pupils against minorities, in particular the Roma. About 80% of Roma children are affected by discrimination and intolerance at school.

Furthermore, many Roma camps in Belgrade have been shut down and the families expelled to the suburbs, which makes continued schooling even more complicated.

Living: encampment or camp, slum or container, electricity or work

Literally, the Roma are ostracised from the town. As David Lallemand comments, they are "legally invisible". The Roma camps were shut down quickly, with only 48 hours notice. They were told not to take their furniture because they were going to be re-housed on the outskirts in especially fitted-out containers. The DGDE went to visit one of these new camps. Lines of containers in a bare no man's land. It is difficult not to recall Auschwitz-Birkenau's Zigeunerlager. Especially as swastikas have been painted on some of these containers.

The Roma complain about this forced relocation. "We were better off there [in town], we had more amenities. The children need to be fed and schooled, and we had that there. We were in the town, we had doctors nearby. Yes,

⁹This imagination can be found at all levels of power, incidentally, including for so called elements of "detail" which encourage extreme institutional violence: historian Henriette Asséo, in her publication *Les Tziganes. Une destinée européenne*, Paris, Gallimard, new edition 2010 p.145. quotes an example regarding the Travelling community. In order to refuse entrance to campsites without naming them, in the 90s France banned access to two-wheeled caravans.

it got dirty there, but several families were happier living there. Several had built houses. Here, we have water and electricity, but we don't have any food, nothing to live on, no work." "The conditions were better where we were. There was metal for recycling. Here there are not enough buses to go into town."

The Roma are not prepared to swap the possibility of being part of the local economy, even doing an insecure job, even a second-class one, but right in the heart of the town, for a semblance of modern comfort in the middle of nowhere. And even if their makeshift camps meant they were living in a not-so-pleasant environment, in their eyes it was better than these standardised groups of huts where some of them were not even able to bring their personal belongings.

The Deputy Ombudsperson for the rights of the child recognises that the State should have done more for the Roma, but, she says, *"You could say that, in some respects, it is better for them in terms of their living conditions"*.

This is a classic colonialist argument: it is for the good of the colonised peoples that colonisers make them undergo progressive acculturation. Here, we are dealing with a type of internal colonialism as defined by the Cherokee anthropologist Robert K. Thomas. Internal colonialism concerns colonial-type practices which are not administered by one population on another, but rather by one community or section of society on another. The effects are the same: deterioration and decay of the subordinated people's institutions, social roles and interpersonal relationships lose their value, social isolation. Colonialism, whether classic or internal, prevents any real change in a population, because they are deprived of experience in their normal environment. *"Change really doesn't take place under such conditions, except in the form of internal decay."*¹⁰

A certain number of factors come into play here. The issue of housing is one of them. Living somewhere is not just about having a roof over your head¹¹; it is being part of a social fabric, having socio-geographical bearings, being able to make lifestyle choices. Take, for example, the Permanent Habitat Plan of the Walloon area of Belgium, aimed at re-housing, on a voluntary basis, people living in caravans or huts in unsafe conditions. A number of people refused to leave, preferring their natural living environment to social housing, refusing to leave their dog behind, holding on to their way of life. Likewise, for the Roma, holding on to their way of life, even if they live in poor conditions, has nothing to do with nostalgia for tradition and folklore: on the contrary, it is a wonderful example of resisting adversity as well as the adversary, and of how to be part of the future whilst holding on to one's own values.

The lingering odour of total institution

The fate set aside for the Roma in Serbia reminds us only too well, sadly, of the total institution processes condemned by Erving Goffman in his famous book, *Asiles*¹² (*Asylums*). By observing how mental asylums operate and the living conditions of the patients being treated there, Goffman observed that these institutions, just like other types of closed institutions (concentration camps, prisons, but also boarding schools, barracks, etc.) could behave like institutions which he qualifies as "total". By this he means *"a place of work and residence where a great number of similarly situated people, cut off from the wider community for a considerable time, together lead an enclosed, formally administered round of life"*¹³.

¹⁰Under the direction of J. Fastrès and A. Ahkim. Translated from the French in *Les Roms, chroniques d'une intégration impensée* p. 107. Inspiration and quotation ("Change really doesn't take place under such conditions, except in the form of internal decay.") taken from Robert K. Thomas. "Colonialism: Classic and Internal" *New University Thought* 4 (1969): 37-44 available at http://works.bepress.com/robert_thomas/26

¹¹Cf. Christine Mahy's analysis, "Habiter...bien plus qu'un toit" (Living...is much more than a roof), in *L'Esperluette*, Quarterly periodical from CIEP/MOC, No.68, April-May-June 2011, pp. 6-7.

¹²Erving Goffman, *Asiles. Etudes sur la condition sociale des malades mentaux*, Paris, Editions de Minuit, "Le sens commun" collection, 1968. (*Asylums: Essays on the Social Situation of Mental Patients and Other Inmates*, Goffman, Erving (1961), Anchor Books)

¹³Idem, *Ibidem*, p.41.

A certain number of processes are at work, in various forms, more or less visible or more subtly concealed, but they all lead to the same result: fulfilling the conditions for "death to the world", in other words, concentrated and systematic counter-organisation that denies the organisation of human social life.¹⁴

Moreover we have demonstrated that these processes, sadly implemented by totalitarianism (with concentration camps) and colonialism (in the work camps of large companies in the Congo for example), could also be found in open institutions, in a more subtle but equally formidable form¹⁵. These similarities should command the attention of European States.

One has to acknowledge that the measures taken in Serbia with regard to the Roma summon up the list of processes revealed by Goffman:

- **isolation** (in inhospitable outskirts and without resources);
- **admissions procedures** which aim to put people on a lower, more vulnerable footing (swastikas on containers, a painful reminder of the absolute total institution of concentration camps, of which the Roma were long forgotten victims);
- **dispossession of personal and symbolic possessions** (under the pretext that the accommodation is fully equipped), which removes their stamp of personality and reduces them to a number;
- **deterioration of self-image** (by reducing people to useless beings and the community to a group without an institution) which leads to despair;
- **contamination of personal space** (unjustified and random aggression, police suspicion, unceremonious eviction, forced to live in close quarters);
- **disruption of usual relation of individual actor and his acts**, in particular through inconsistent expectations (like conditioning help to elements that are impossible to achieve because everything is done to ensure that is not possible: finding a job, sending children to school).

Similar observations in the European Union

The second film that we wish to comment on, *Percorsi di cambiamento abitativo di Rom e Sinti*, deals with this very delicate issue of Roma housing in Europe.

It has been produced as part of a pilot project called Transition. The Transition project is the result of a European initiative that is also supported by Dynamo International, subsidised by the European Union's Progress programme, and is partnered by the Italian, Greek and Romanian platforms of the International Network of Street Social Workers.

The project, running from June to December 2011, focused on the housing problems encountered by the Roma in Italy, Greece and Romania.

The testimonies gathered in this film and during the meetings organised as part of the Transition project echo the experience of the Roma in Serbia: families are evicted from the area in which they have been living insecurely, perhaps for over 20 years, and they are barely given a few days notice; the relocation confines them to isolated places, in the outskirts, and often in inappropriate places, with degrading overcrowding conditions.

One mother says "there are 24 of us in this housing, look at the bathroom, how are we supposed to wash?" A father says: "They have put us out in the midst of rubbish. We are not rubbish." The Roma suffer from being cut off from the world. Enforced exile to the countryside and suburbs "disconnects" them literally, socially and technically. They are cut off from jobs they can do, and these citizens have to get by in a new unknown environment, but they are branded with stereotypes which never change.

All these little "trifles" which bring with them social roots and resources (negligible perhaps, maybe even

¹⁴Robert Castel, in presenting the work of Goffman, *Op.cit.*, p. 30. Translated from the French.

¹⁵J. Blairon, J. Fastrès, E. Servais, E. Vanhée, *L'institution recomposée. T.2, L'institution totale virtuelle*, Bruxelles, Ed. Luc Pire, coll. Détournement de fond, 2001.

trivial, but together these constitute things people have) disappear. A mother explains that before their forced eviction, her children had internet access to do their schoolwork using the local Internet cafe. The Internet cafe is gone, and there is no internet access where they are now.

The Transition project demonstrates that the perception we generally have of the Roma and their environment is mistaken. We perceive them to be (most conveniently, sometimes) nomadic; this is far from always being the case. Often, they do not choose to move, but rather they are made to move. Because they occupy (and have done for 20 years) unauthorised land; because the local council needs to build collective infrastructure, because, because, etc.

The types of accommodation they occupy are more varied than people think, and if many are confined to insecure shacks, it is only because they are poor. The Transition project highlights the demand for alternative solutions according to the needs of people in specific situations, with their own backgrounds and individual needs. Ghettoization is, in any case, not the solution the Roma want: just as they value their culture and family-based organisation, they also value being a part of society and living amongst others.

Street worker associations, armed with these interviews which, unfortunately, consolidate each other, must insist on the importance of not pushing the Roma people "to the sidelines", but to make them people "in their own right". As part of their work, they do not try to bring them to something that would be better for them (along the lines of internal colonialism, with the "better thing" viewed from outside), but to give them support, better knowledge of their rights, the tools to understand their situation and speak for themselves. In terms of housing, it is essential to involve these populations in the process. The International Network of Street Workers has a duty to speak out about this unacceptable situation and call for the end to hypocritical humanitarian attitudes and solutions established without involving the people themselves.

A report was produced at the end of the Transition project¹⁶. On 16 October 2012, the recommendations stemming, in particular, from this project will be presented. **The stakes are high, even though on 23 May 2012, the European Commission invited member States to set up national programmes for Roma integration**¹⁷. The International Network therefore must show that the situation of the Roma demonstrates a deterioration in European social policies and that the time has come, in addition to policy strengthening, to stop seeking technocratic solutions.

¹⁶Transition project. Research on the housing issues of Roma, Italy, Romania, Greece, July/December 2011.

¹⁷ See [IP/11/400](#), [MEMO/11/216](#) and [IP/11/789](#).