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**Roma and the Politics
of EU Citizenship in
France:
Everyday Security
and Resistance**

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ABSTRACT

This paper reflects on the politics of EU citizenship – and the ethical possibilities and limitations of a cosmopolitan or ‘normative power’ EU – via an analysis of the situation of the Roma in France, which was widely mediated in summer 2010. It argues in a first step that during this period the French government ‘securitised’ the Roma, ‘extra-ordinarily’ casting them as collective threat and thereby justifying their deportation. The European Commission’s outspoken response demanded that the French authorities refrain from discriminating against EU citizens as ethnic group; in so doing, the EU seemed to act as protector of minorities in accordance with its *raison d’être* as liberal peace project. However, in a second step, the paper draws attention to the deportations perpetrated before these high-profile events, highlighting that conditionality *within* the law pertaining to EU citizenship allowed for the securitisation of Roma. Thus, in a third step, it is argued that the invocation of citizenship may be a useful but limited strategy of political resistance by and with excluded groups such as Europe’s Roma. Rather, it is the inherently *ambiguous* nature of a multi-level EU liberal or cosmopolitan government – and concomitant EU citizenship – which opens an important space for resistance.

I – INTRODUCTION

The Roma have, according to some, always occupied “the interstitial spaces of European modernity” (Bancroft, 2005:7) and today the Roma remain the subject of widespread stereotyping and vilification in popular public discourse throughout the territory of the EU. It is notable in this respect that around one quarter of Europeans admit to being uneasy with the idea of having Roma for neighbours and in 2009 one in five Roma claimed to have been the victim of racially motivated crime at least once during the previous 12 months (Eurobarometer, 2008). In Italy – the scene of heated recent debates on ‘the Roma issue’ - a reported 68% of the population stated in 2008 that they would like to see the entire Roma population expelled, regardless of nationality (Kington, 17 May 2008) and in Hungary a reported 50% believe that the Roma are genetically predisposed to have criminal tendencies (Cette-France-lá, 2010). Such attitudes are mirrored in the rhetoric of populist politicians such as Berlusconi, who, during a 2008 election campaign, pledged a clampdown on “Roma, clandestine immigrants and criminals” (Nichanian, 29 July 2008).

The EU response to such widespread prejudice and racism has, to the extent that there has been one, tended to involve the assertion of non-discrimination and human rights doctrine in accord with its original *raison d’être* as peace project. In the context of its enlargement policy, this orientation extended to the championing of *positive* discrimination in favour of historically marginalised ‘minorities’ such as the Roma and the EU institutions continue to argue for the implementation of policies that foster the social inclusion of Roma (Commission, 2011, Commission, 2010). In this sense, the EU can be seen as championing a liberal policy in the face of discrimination perpetrated by

local and national governments in support of the popular prejudices of the sort described. The EU is, from this perspective, an important defender of the cosmopolitan values of tolerance and integration – a ‘normative power’ (Manners, 2002) – in the face of the sovereign and securitising excesses of nationalism manifest in the aforementioned vilification of Roma. This paper critically reflects on this assertion with reference to the treatment of Roma in France in recent years – widely mediated during the summer of 2010, when the French authorities and European Commission came into direct confrontation over the deportation of Roma from French territory. Through close examination of this particular case the paper considers the political and ethical possibilities and limitations of an ostensibly ‘cosmopolitan’ or ‘normative’ multi-level liberal government in the EU. In particular, via this case, it reflects on the politics of EU citizenship in a specific context and the associated possibilities and limitations of political resistance by and with marginalised or ‘othered’ groups such as Europe’s Roma.

The argument unfolds in three sections. Section II recounts the events of summer 2010, showing that these seemed to confirm the EU’s role as defender of a liberal cosmopolitan political order in the face of a ‘securitising’ of the Roma as ethnic group by the French government. Indeed, the Commission’s uncharacteristically outspoken reaction to the securitisation of Roma migrants and its threatened infringement proceedings seemed to return the issue to the realm of an ‘ordinary’ or ‘everyday’ liberal politics. Certainly the Commission’s invocation of anti-discrimination legislation and its call on the French authorities to ensure proper transposition of the legal safeguards contained in the 2004 Directive on free movement of EU citizens had the effect of softening the anti-Roma rhetoric emanating from certain quarters in France and led to the removal from administrative circulars of explicit reference to the Roma as a group.

However, section III argues that the EU – and, in particular, the law pertaining to the free movement of citizens which was invoked in this case – may *itself* have exclusionary or ‘securitising’ consequences, even for those, such as the Roma, who are endowed with a juridical post-national citizenship. Indeed, an ‘everyday’ form of security was evident with respect to the treatment of Roma EU citizens in France prior to 2010. The deportation of Roma under the ostensible authority of the EU’s own law pertaining to free movement had been ongoing in the years preceding this mediated event without any explicit discrimination on the basis of ‘ethnicity’ and without widespread condemnation of the sort witnessed in 2010. Thus, this case is shown to support recent assertions that security practices are not to be regarded as somehow *beyond* the normal of a multi-level liberal government embodied in the cosmopolitan EU peace project – they are not simply the *sovereign excess* of the constituent nation-states – but part and parcel of the ‘low politics’ of a multi-level bureaucratic and juridical liberal government *itself*. As Van Munster (2009:10) has said, “security has become more and more de-dramatized and integrated within administrative security apparatuses whose function is not to wage a battle against an enemy, but to regulate mobility within and into the EU.” As the case under consideration demonstrates, this holds true even for those endowed with ‘citizenship’; the ‘inside’ and ‘outside’ or ‘internal’ and

'external' categories underpinning a mainstream Inter-national studies are blurred in the context of a multi-level liberal security (Bigo, 2000). Individuals and groups, such as the Roma, that are designated or *produced* as 'delinquent citizens' become subject to a combination of a political realist logic of security, which seeks to eliminate existential threat to community or citizenry, and a liberal logic, which seeks to manage risks to the internal market as a space of mobility and economic freedoms.

Building on this argument, Section III suggests that strategies of political resistance must consist of more than a straightforward appeal to a post-national citizenship, even as they may include such an appeal. The paper suggests, in particular, that the ambiguity of a multi-level liberal government – and, in particular, the relationship between its ideal citizen-subjects – offers a space for contestation by and with Europe's excluded and marginalised. More concretely, it highlights the ambiguous demands embodied in EU governance in general and the legislation on 'free movement' in particular. In accord with the twin demands of the aforementioned realist and liberal logics, a liberal cosmopolitan government calls on EU citizens to be at once ideal 'sedentary citizen' and ideal 'mobile human capital' or 'entrepreneur'. Such ambiguity is, it is claimed, suggestive of the possibility of problematising the ideal European liberal 'self' against which an 'other' such as the Roma is constituted, as the possible starting point for strategies of resistance.

II – THE FRANCE-COMMISSION ROMA DISPUTE OF 2010: EXTRAORDINARY THREAT/ORDINARY EU CITIZEN

The atmosphere in which the targeting of Roma in France was both intensified and rendered explicit in the summer of 2010 was one of violent incident. The spark was ignited in July 2010 when a number of French 'gens du voyage' ('travelling people') attacked a police station in Saint Aignan in retaliation for the shooting by police of a 22 year-old member of their community whom officials claimed had been involved in a burglary and driven through a police checkpoint. The day before there had, similarly, been riots in Grenoble following the shooting of an armed robber.

Following the violence, President Sarkozy visited Grenoble and made a speech on public order and security. In this speech he rails against the 'gangsters' involved in the rioting and, more generally, declares 'war' on 'traffickers' and 'delinquents'; a war aimed at re-establishing the 'republican order' (Sarkozy, 2010:1-2). At a certain point his speech shifts from the specifics of these incidents to discuss the failures of France's system of immigrant integration, highlighting the inability of France to "welcome all the misery of the world" (Sarkozy, 2010:5). In this context he moots plans – highly disturbing even to many French centre-right politicians (Schofield, 2 September 2010) – to make it possible to remove French citizenship from individuals of 'foreign origin' if they commit certain serious crimes such as shooting at the police.

Having unashamedly made the discursive link between immigration and delinquency, Sarkozy narrows his focus to the Roma. He highlights, in particular, his request to the Interior Minister, Brice Hortefeux, to "put an end to the wild squatting and camping of the Roma" and declares that at least half of the 539 illegal Roma camps are to be cleared within three months (Sarkozy,

2010). Just two weeks after Sarkozy launched this 'war' on delinquency at Grenoble, Hortefeux reported that 40 camps had been cleared and by August 22 the authorities estimated this figure at 88. Later the authorities began to report the amount of foreigners that had been 'evacuated' (Fichtner, 15 September 2010).

Notably, foreign Roma – in France, mostly Bulgarian and Romanian - were not implicated in the violence in July. However, through an apparent conflation of French 'gens du voyage' – an administrative category referring to French citizens living in mobile residences – and Roma – a European ethnic minority, most of whom are not French citizens – the question of camp clearances and the deportation of foreign Roma was placed at the centre of Sarkozy's security and public order agenda (Romeurope, 22 July 2010, Sarkozy, 2010:5). This was not the first time that Sarkozy had confused these categories. As he stated in 2003 when Interior Minister, "[n]omades, gens du voyage, Roms, peu important les dénominations" (Coquio et al., 26 July 2010). Sarkozy's rhetoric in Grenoble and, in particular, his targeting of the Roma as ethnic minority seemed to ride roughshod over the French republic's values and, in particular, its historical refusal to discriminate, to the point even of refusing to recognise the presence of 'minorities' within its citizenry or collect data related to ethnicity (Economist, 26 May 2009).

Sarkozy and his government can be understood in the summer of 2010 as being engaged in a process of 'securitisation' – as understood by the 'Copenhagen school' of security studies (Buzan et al., 1998, Waever, 1996) – of various kinds of 'delinquent' in France, including immigrants that have failed to integrate and, in particular, the Roma. In other words, Sarkozy seeks in his Grenoble speech – as noted, without real justification given the identities of the actual perpetrators of violence – to, *inter alia*, present the Roma as threat to the integrity of state and, in particular, France's republican way of life. Perhaps it is through such 'securitising moves' (McDonald, 2008) that the French authorities thought that it would be legitimate to effectively renege on France's republican values of equality and solidarity in the name of safeguarding that very republic. In short, they perhaps sought to legitimise an explicitly discriminatory turn in public policy by presenting the Roma as *existential threat*.

Whether these securitising moves were successful in their own terms – in the sense that they garnered popular support and were somehow 'normalised' - is debatable. While some French ministers, particularly Hortefeux, claimed that the policy had public backing (Schofield, 2 September 2010), the zeal with which the government reported its process of camp clearances and deportations caused palpable unease for many within France. A member of Sarkozy's own UMP party, Jean-Pierre Grand, compared the targeting of Roma camps to the large-scale arrests - known in French as "rafles" - of French Jews and Gypsies during World War II (BBC, 19 October 2010) and the socialists branded the whole episode a 'summer of shame' (Fichtner, 15 September 2010). Outside of France, the widely mediatised camp clearances also drew condemnation from the European Parliament, the Council of Europe, the Vatican and UN Human Rights Council among others.

While a preliminary internal European Commission analysis suggested in early September that the Roma might have been discriminated against as an ethnic group, assurances were offered to the Commission by French ministers that this had not been the case. However, barely a week after these assurances were given, a leaked administrative circular dated 5 August proved that following Sarkozy's speech there had in fact been an explicit targeting of the Roma as ethnic group by the French authorities (Lemond.fr and AFP, 12 September 2010). It was both the fact of discrimination and the apparent act of concealment by French ministers which prompted the outspoken critique from the European Commission. Commission Vice President and Justice and Fundamental Rights Commissioner Viviane Reding characterised the French action as 'a disgrace', stating that,

I personally have been appalled by a situation which gave the impression that people are being removed from a Member State of the European Union just because they belong to a certain ethnic minority. This is a situation I had thought Europe would not have to witness again after the Second World War (14 September 2010).

Picking up a similar theme, in a BBC interview, Reding owed the strength of her criticism to the fact that the case touched "upon the fundamental values on which Europe has been built since World War II: respect for the individual and non-discrimination against racial, ethnic or national groups" (Lungescu, 14 September 2010). In a sense, the French government's actions were interpreted from the perspective of Commission as existential threat to the European peace project of which this organisation has, at times, presented itself as guarantor. These bold references to the war, perhaps unexpectedly, prompted a response. It is reported that Sarkozy angrily accused the Commission of 'insulting' France and certain other European leaders criticised the language deployed by Reding, even as they (with the exception of Berlusconi) failed to explicitly back France's policy (Charlemagne, 16 September 2010, Euractiv, 17 September 2010).

Certainly the 5th August circular is peppered with references to the Roma as a group and the fact that the group is explicitly named and targeted is irrefutable. The circular calls for a "systematic dismantling of illegal camps, prioritising those of the Roma" by local 'prefects', who are asked to ensure that "at least one significant operation" is conducted each week. While the aforementioned inability of the government to properly distinguish between French 'gens du voyage' and foreign Roma seems to again be apparent in this circular, there is a concern with *foreign* Roma in particular. Indeed, attention is drawn to the fact that "the operations carried out since 28 July have resulted in an unsatisfactory number of deportations" and, in the context of camp clearances, the circular calls for "the immediate deportation of foreigners in an irregular situation" (Circular, 5 August). As if predicting the potential for the aforementioned response to its activities, a follow-up circular issued by the Interior Ministry and dated 9 August called on the local authorities to inform the ministry of any large scale evacuations likely to provoke an 'écho médiatique'. Certainly the legality of the circular in terms of

both French and EU law was at the very least highly questionable (Lemonde.fr and AFP, 12 September 2010).

Following the leak of these circulars and the Commission reaction to them, on 22 September the French government notified the Commission that it had 'corrected' this circular, by effectively removing references to 'Roma'.¹ On 30 September the Commission nevertheless launched infringement proceedings against France. These focused, in particular on the fact that France had not fully transposed aspects of the 2004 Directive on Free Movement into its national legislation. This had enabled France to avoid deploying various safeguards specified within this Directive in order to protect EU citizens targeted for removal either on the basis of their being a 'threat to public order or security' or on the basis of their 'insufficient [economic] means'. In relation to the 'public security' rationale for deportation such safeguards include, *inter alia*, ensuring that the expulsion order is invoked on an individual basis; that measures of 'general prevention' are not deployed; that such rationale is not "invoked to serve economic ends"; and that access to judicial review of the proportionality of such decisions is granted in the host member state. As regards those thought to be a burden on the social security system after they have resided in a 'host' member state for greater than three months, the Directive states that:

The host Member State should examine whether it is a case of temporary difficulties and take into account the duration of residence, the personal circumstances and the amount of aid granted in order to consider whether the beneficiary has become an unreasonable burden on its social assistance system and to proceed to his expulsion. (EEC, 2004)

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The various administrative circulars issued by the French authorities – even a far more soberly worded circular of 24 June – place the accent on the need for speedy camp clearances and deportations and include very little in the way of legal safeguards or references to the importance of considering individual cases on their merits (Niosi, 15 October 2010). As Commissioner Reding put it, "France did not correctly transpose the rules on free movement of European citizens and, as a result, she has robbed these citizens of essential procedural guarantees" (BBC, 29 September 2010).

Just hours before the expiration of the Commission's deadline the French government communicated its undertaking to transpose the legal safeguards associated with the process of deportation enunciated in the 2004 Directive. This seemed to quietly draw to a close the mediatised debacle of the summer of 2010 when European Commission and one of the EU's largest founding member states had so heatedly and publically clashed over the treatment of perhaps Europe's most persecuted minority, the Roma (Euractiv, 18 October 2010). In many respects, the Commission seemed to come out of the row with the French government rather well and the praise heaped upon Commissioner Reding by media and NGOs for daring to tackle a large

¹ It did so by issuing a circular of 13 September replacing the circular of 5 August and referring to the detail of a previous circular of 24 June which had not made explicit reference to the Roma.

member-state on a question of fundamental rights. Theorising the events in terms of the ‘securitisation’ theory mentioned above, it might be said that the Commission had successfully ‘de-securitised’ the Roma issue in France (Waever, 1995), bringing it back into the domain of a ‘normal’ juridical liberal politics that cannot tolerate discrimination on the basis of ethnic origin and insists on the equal treatment of all (EU) citizens.

Less optimistically, it is notable that the aforementioned quotation from Reding and, indeed, the official infringement proceedings, place the accent on ‘procedural guarantees’ rather than critiquing the deportation of EU citizens *per se*. This alludes to the fact, discussed with reference to the 2004 Directive in section II, that *within* the operation of this ‘normal’ or everyday liberal government deportations of the sort that were mediated in the summer of 2010 are not outlawed. Indeed, as discussed in the previous and following sections, discrimination is a possibility afforded by modern liberal government in general and EU law and the Directive on Free Movement in particular. The concern of the EU and a liberal European society was, in this case – in accord with the emphasis of Waever’s ‘securitisation’ theory (McDonald, 2008) – focused largely on the rhetoric of significant actors aimed at justifying ‘extra-ordinary’ means. The obvious reaction was, therefore, to ensure that both rhetoric and associated action conformed with various legal safeguards.

While understandable, such a narrow focus may lend itself to a complacency with regard to ostensibly ‘normal’ or everyday practices of exclusion in juridical liberal societies. Indeed, the Copenhagen school emphasis on the ‘extra-ordinary’ realm is to ignore that the ‘ordinary’ legal and bureaucratic realm within liberal government may itself be regarded as securitising. As a burgeoning, sociologically informed, perspective on European security has noted, liberal government always involves the designation of subject positions and their various ‘others’ (see, inter alia, Aradau et al., 2010, Bigo, 2000, Huysmans, 2006, Van Munster, 2009). Indeed, such practices may have been that which emboldened Sarkozy to make his securitising move in summer 2010. Such an ‘extra-ordinary’ move was, in other words, rendered possible by the ‘ordinary’ practices of security by which it was preceded. It is therefore important in both theory and practice that we consider the everyday practices of security at play within liberal government and their effects on those groups, such as the Roma, that tend to become the object of a more explicit securitising rhetoric (Huysmans, 2006:142-4). Indeed, this case points to the need to explore the relationship between a political realist logic of security – which seeks to eliminate existential threat to community or citizenry – and a liberal logic which seeks to manage risks to the internal market as a space of mobility and economic freedoms (Van Munster, 2009). A consideration of the French authorities’ treatment of Roma populations prior to the mediated events of summer 2010, demonstrates how such logics exist in an ambiguous relationship in the context of a multi-level liberal EU government.

III – BEFORE THE SUMMER OF 2010: THE SECURITY OF ‘NORMAL(ISED)’ DISCRIMINATION

The general orientation of the French authorities – similar, it should be noted, to certain other ‘old’, EU-15 member states – has been for the past 20 years to create a situation where it is difficult for Roma to live in France. In 2002 visa restrictions for Romanian and Bulgarian citizens were lifted as part of those countries’ ongoing accession processes, permitting them to travel to EU member states within the Schengen area without a visa and stay for purposes of tourism for up to three months. Like certain other EU member states, France has since this time sought to exploit conditions in EU law in order to restrict the entry of citizens from these countries. While, prior to 2010, there was no explicit or publicised targeting of Roma populations in these attempts, the particular means deployed had, long before these events, led a number of French associations to suggest that it was indeed just such populations that the French authorities had in their sights (Cette-France-lá, 2010). In fact the events of 2010 prompted a deeper exploration of previous discriminatory practices, which led to the publication in the newspaper *Le Monde* of evidence of the long term systematic but covert collection of data on Roma by the Gendarmerie (Lemonde.fr, 7 October 2010). The existence of such practices – which are in clear contravention of the aforementioned republican refusal to collect data on ethnic groups or ‘minorities’, even for the purposes of *positive* discrimination – speak to a deeper *always-already* present discrimination *within* liberal government.

It is particularly notable in this respect that exclusionary restrictions on Roma have persisted even since Romania and Bulgaria became EU members and their citizens – including large Roma populations - EU citizens in 2007. Indeed, the majority of member states, including France, have imposed ‘transitional measures’ on citizens from Bulgaria and Romania. In France these arrangements require employers to pay a significant tax whenever they wish to sponsor the application of Bulgarians and Romanians for a work permit. This is a major disincentive to employ these citizens – many of whom are Roma – even in those occupations that have been identified by the French authorities as having a shortage of workers. In practice, efforts to gain work authorisation have, according to various French NGOs – far from resulting in the granting of relevant permits – led to the issuing of deportation orders on the grounds of ‘insufficient resources’ (HALDE, 2009:4). There is, then, a disincentive on Roma to even attempt to acquire ‘legitimate’ work, but without a work permit it is impossible to acquire the residence permit required to legally remain in France even as EU citizen. This has a knock-on effect in terms of access to social services, including health care, because such access is conditional on the provision of proof of legal residence for more than three months. Significantly, the conditions surrounding the access to such social services have actually been toughened since 2007 when the ‘humanitarian’ residence permit from which many Roma had benefitted was abolished.

It is arguably these very obstacles that have pushed the Roma into illegal squatting and begging in France (HALDE, 2009:5-6), which – as the 2010 circulars highlight – may be punishable in various ways within the law, particularly through clearing camps and issuing deportation orders. Indeed, the French authorities have not only made life difficult for this particular group

of EU citizens, they have also actively sought to facilitate their deportation. In 2008 a reported 8 470 Roma were repatriated (HALDE, 2009:3), in 2009 a reported 10 000 (Fichtner, 15 September 2010) and in 2010 – when the practice hit the headlines – a reported 10 000 plus Roma were deported (BBC, 19 October 2010). A circular of December 2006 created a system of ‘humanitarian aid for return’ (ARH – *Aide de retour humanitaire*) targeted at facilitating the return of those EU citizens in deprivation - in practice 90% of these have been Roma (HALDE, 2009:3) - by offering them 300 Euros per adult and 100 Euros per child (Auffrey, 18 August 2010). Notably, this is much less than the amount given to non-EU ‘illegals’ – so, ‘non-citizens’ (Cette-France-lá, 2010). Since August 2007 the authorities have been issuing these deportation orders (called *OQTF* – *obligation de quitter le territoire français*) at the same time that they have cleared camps. In order to prevent individuals returning and claiming the aid multiple times, in September 2010 the authorities began to take the fingerprints of those issued with OQTFs (this followed the approach of the Italian government, which in 2008 also targeted Roma for fingerprinting (see, for instance, Milne, 10 July 2008)). In France, OQTFs have been issued to Roma on the basis that they variously constitute an unreasonable cost for the social security system and/or a threat to public order. While, as noted, the implementation of a deportation policy might not have sufficiently offered the appropriate legal safeguards – particularly the requirement to treat cases on an individual basis – the point is that deportations are possible on these grounds within the legal framework associated with EU citizenship (Niosi, 15 October 2010). Indeed, as late as August 2010 (prior to the leaking of the circular) the French government explicitly justified its actions with reference to the very 2004 Directive that subsequently formed the basis of the Commission’s infringement proceedings (Auffrey, 18 August 2010).

While exclusion through deportation is the tool of preference for dealing with the vast majority of Roma in France, there have been limited efforts aimed at their integration. Indeed, a handful of Roma have been permitted to reside in so-called ‘villages d’insertion’ (Hollinger, 27 August 2010). Such villages are a government sponsored initiative, backed by certain local authorities. The Roma in these villages are provided with basic accommodation (often a caravan) for a small rent and the threat of expulsion from the site is removed. In exchange, these Roma contractually undertake to send their children to school, learn French, seek employment and follow the rules of the site. The policy orientation accords in many respects with more general integration strategies deployed in France aimed at integrating those that are legally resident and who wish to stay through the use, for instance, of ‘integration contracts’ - ‘contrat d’accueil et d’intégration’ (CAI) - aimed at ensuring a good knowledge of the French language, French republican values and administrative facilities. The difference in the case of the Roma is that they and their potential employers face the abovementioned obstacles and so work permits are extremely difficult to obtain even with the support of the associations that run these ‘villages’. Moreover, these projects have been widely criticised by NGOs because only a handful of Roma are selected to participate, with the majority facing dispersal and/or deportation. The high fences and security guards surrounding these settlements – designed, at

significant cost, to keep out 'non-selected' Roma – are illustrative of the selectivity involved. Strict rules are in place regarding visitors to these sites. In some cases such visits are forbidden altogether, even by the non-selected family members of the selected few that live in these 'villages' (see, for instance, the documentary presented by Villardière, 2009).

In short, it can be said that French policy has generally – and mostly successfully - sought to operate within the boundaries of EU law and its own laws on discrimination, while *in effect* targeting the majority of the Roma population in France for deportation and a minority for integration. It has done this firstly by taking advantage of an anomaly in EU law that permits discrimination on the basis of nationality: namely, the transitional arrangements applicable to Romanian and Bulgarian EU citizens (in France most of whom are Roma). Such measures have allowed it to effectively block access to the French labour market for such citizens and pushed them into activities (begging, squatting and so forth) which are considered 'delinquent' by society and, in many cases, law. Thereafter, local authorities have been able to use both public order justifications and forms of economic discrimination in order to justify the expulsion of Roma. Such deportations have taken place largely without the dramas of Sarkozy's summer 2010 rhetoric and the explicit identification of Roma as delinquent by virtue of their ethnicity. That said, the designation – even *production* – of Roma as delinquent through everyday practices of security can be regarded as the condition of possibility for the more explicit attempts to target the Roma in summer 2010.

The experience of the Roma in France can, in short, be regarded as a testament to the exclusive securitising potentialities inherent in a multi-level liberal government (Bigo, 2000, Van Munster, 2009). This is reflected in the legal framework surrounding EU citizenship in general and the 2004 Directive in particular. The directive makes clear that EU citizenship is conditional on the fulfilment of the obligations and duties of citizenship of the member state in which an individual resides. Failure to meet such conditions can result in deportation and the effective removal of rights associated with EU citizenship. Thus, as alluded to in the foregoing, the rather vague reasons of "public policy, public security or public health" are valid grounds for expulsion of EU citizens from a particular member state (Article 27) (EEC, 2004). Furthermore, the directive states that after an initial period of residence of up to three months "[p]ersons exercising their right of residence should not... become an unreasonable burden on the social assistance system of the host Member State..." In order to remain resident in another member state – and effectively maintain the rights of EU citizenship – an individual must fulfil one or more of the following conditions: (a) be a worker or self-employed person (b) have sufficient resources not to become a burden on the social assistance system of the 'host' member state (c) be enrolled in education, (d) be a family member of an EU citizen satisfying one of the other conditions (see Article 7) (EEC, 2004). In summary, discrimination between EU citizens *is* possible within EU law on the basis of considerations related to (i) 'public security' or 'integrity of state' and (ii) various economic criteria.

This framework and the experiences of the Roma in France that are subject to it, demonstrates that EU citizenship is not a privileged category that is somehow beyond security practices. The rights granted to EU citizen – essentially, the right to many of the rights of a member state other than one’s own – are conditional on free movement and residence. But, as we have seen, mobility and residence rights are not extended unconditionally to all those with the status of EU citizen. The legal framework pertaining to free movement makes those rights conditional variously on a judgement pertaining to the ability of EU citizen to assume the responsibilities of ‘settled national citizen’ (associated with the particular member state of residence) and to the ability of EU citizen to display the characteristics of ‘mobile human capital’ or ‘entrepreneur’. Such a framework thus permits the deployment of various securitising moves rooted in a combination of political realist and liberal logics. Furthermore, as we have seen, such securitisation can be deployed in a manner which facilitates the targeting of particular minority groups, such as Europe’s Roma.

In summary, then, we can say that this case is illustrative of the way in which the Roma are treated as ‘the other’ of both of contemporary liberal government’s ideal subjects – both its ‘settled citizen’ and its ‘mobile entrepreneur’. Moreover, as described with reference to the Roma’s treatment in France, different aspects of this exclusionary liberal government can be mobilised in such a way that their very delinquency becomes self-fulfilling prophecy. This, however, is not to claim that a multi-level liberal government *inevitably* casts Europe’s Roma to its margins.

IV – TOWARDS A POLITICS OF ROMA/EUROPEAN RESISTANCE

In the context of the mediatised events of summer 2010 a group of Roma NGOs sought to highlight the fact that Roma expulsions in France were perpetrated against European citizens, with their campaign motto, ‘ROMA=CITIZENS’. The campaign invoked the “equality and dignity of all persons and the common rights of all citizens” (Fundación Secretariado Gitano (FSG) and the European Roma Policy Coalition (ERPC), October 2010). At the European level at least, these representative organisations were engaged in an attempt to identify the Roma with a broader community of European citizens. Such a position was, as we have seen, largely supported by the European Commission, which, in response to the explicit discrimination of Roma-as-ethnic-group in France, also appealed to their status as European citizens, apparently seeking to ‘de-securitise’ them as group and return a discussion of their status to the realm of the liberal ‘normal’ (Waeber, 1995).

However, the elaboration of the case of the Roma in France is testament to the limits of de-securitisation conceived in these terms. As we have seen, the category of European citizenship *itself* has a securitising potential; the conditionality associated with it implies the identification of the “improper and irresponsible exercise of freedom” (Van Munster, 2009). This is not to deny the potential contingent or strategic importance of the invocation of citizenship in this particular case or in general. It is, rather, to argue that citizenship ought not to be conceived as a stable foundation upon which to base political resistance, because to treat it as such is itself potentially exclusionary and depoliticising. It is not, then, simply a matter of correcting a mistake – seeking its conformity with the ideal, the ‘normal’, the ‘ordinary’ – but of confronting the

extra-ordinary that is always-already present within the ordinary, the *ab-normal* within the normal, the contingent within the regime of truth. The possibility of an *ongoing* dialogic politics – a politics with no end in sight – is thereby *repeatedly* opened. From this perspective, the possibility of politics lies *between* securitisation and de-securitisation; it is “an intervention in a situation of contested representations” (Aradau, 2006: 86). In other words, the *very condition of possibility* of resistance or politics is maintained in preserving a space of uncertainty; an instability in the foundations underpinning both ‘other’ and ‘self’. This is to concur with Kristeva’s (1993: 51) insight that, “in the long run, only a thorough investigation of our remarkable relationship with both the other *and strangeness within ourselves* can lead people to give up hunting for the scapegoat outside their group.” An exposition of the ‘strangeness’, the uncertainty or ambiguity inherent within any identity – including any notion of citizenship – opens the space for a variety of strategies of political resistance (see, for instance, Vaughan-Williams, 2009:140-6). Such strategies may be enacted variously by those who are subject to exclusionary or securitising practices or by members of the community in whose names such practices are enacted (Aradau, 2004).

Thinking this through with reference to the case under consideration, it is, as noted in the foregoing, possible to identify an ambiguity within the legislation pertaining to the freedom of movement of EU citizens, which is suggestive of an important ambiguity in EU citizenship and its cosmopolitan government; at root, an ambiguity in the ideal of European *identity* itself. In particular, as alluded to in the previous section, it is possible to highlight an ambiguity at the heart of a multi-level liberal government’s desire to *at once* promote citizens as ‘settled national citizens’ and ‘mobile entrepreneurs’.

It is perhaps not surprising that the EU institutions are prone to present a coherence between these subjectivities. From this perspective, the mobile entrepreneur is understood to contribute to the general wealth and well-being of nations and post-national entities such as the EU and break down various ‘barriers’ in the pursuit of larger and more open markets. From this perspective, as Foucault (2008: 230) says, “[m]igration is an investment; the migrant is an investor. He is an entrepreneur of himself who incurs expenses by investing to obtain some kind of improvement”. The entrepreneurial competitive subject – or mobile ‘human’ capital – is therefore understood as *constituting* post-national citizenship in Europe. Such arguments lend a coherence to the Directive on Free Movement, which, as noted, seeks to promote the rights of European ‘citizen’ as conditional on the assumption of such a subjectivity; post-national citizens – to the extent that wish to and are able to claim the rights associated with that citizenship – are mobile entrepreneurs of themselves. Going further, these entrepreneurs might – in accordance with a functionalist discourse on integration associated with its founding fathers – serve as the *condition of possibility* for the emergence of more substantive political and social conceptions of European union and citizenship. Indeed, the market and its ideal subjectivities are valued because they open the way to peace; specifically, to the abovementioned non-discrimination – on the basis of nationality, race, gender, ethnicity and so forth – associated with the contemporary EU.

However, it is also possible to identify a potential incoherence between the ideal subjects of a contemporary multi-level liberal government: between

mobile 'entrepreneur' and 'settled citizen'. Indeed, the entrepreneur – as self-interested competitive subject – is, in many respects, the antithesis of the citizen as more traditionally conceived; the citizen who constitutes nation-state on the basis of solidarity and a general will. Consider, for instance, the widespread practice of tax avoidance among Europe's ultra-mobile super-rich, which is a far cry from the commitment to social contract and solidarity implied by the category of national citizenship. As noted by a number of scholars critical of the EU's neo-liberal tendencies, the prevalence of an economic constitution may have served to de-limit the emergence of a more substantive set of rights, particularly the social and economic rights commensurate with a more substantive concept of citizenship (Habermas, 2001). Indeed, a post-national economic constitution may even have eroded such rights at national level to the extent that a neo-liberal single market project has promoted a jurisdictional competitiveness, putting pressure on the welfare state and the national solidarity on which it relies and is premised (Scharpf, 2002). From this perspective, it could be said that an economic constitution is *condition of impossibility* for the emergence of political constitution and substantive EU citizenship and might even erode important aspects of citizenship at the level of nation-state.

In summary, then, the entrepreneur is the *condition of possibility* of EU citizenship – to the extent that the common market that he/she constitutes is precursor to a substantive social/political EU – but he/she is *at once* the *condition of impossibility* of EU citizenship to the extent that a self-interested subject undermines the settled solidarist citizen who founds and constitutes nation-state. There is, in short, an *ambiguity* in the relationship between the ideal subjects promoted by a multi-level liberal government – reflected in the conditions associated with EU citizenship rights – which offers a space for resistance for the excluded and marginalised. This is an ambiguity around which excluded groups such as the Roma and those concerned with their plight might construct strategies of resistance. They might, in concrete terms, find contingent cause with those values of a liberal government that are pertinent to particular aspects of their securitisation. In short, a recognition of the ambiguity or 'strangeness' of European citizen – or European 'self' – opens up a range of contexts within which gaps between ideal principle and extant practice (Aradau, 2004:402-3, Van Munster, 2009:139) might be articulated in an ongoing fashion.

This can be illustrated with reference to the particular case analysed in this paper. Opponents of securitising practices targeted at the Roma in France might appeal, on the one hand, to those aspects of a French popular political discourse – particularly vocal in the context of the rejection of the 'constitutional treaty' in 2005 (Parker, 2008) – that emphasises the tensions in the relationship between market and welfare state; essentially between mobile self-interested entrepreneur and settled solidarist French citizen. In France, a number of Roma representatives and human rights groups have in fact pursued this line of resistance, criticising the French government's long-standing discrimination against the Roma, which, they say, is rooted in "a presumption of guilt based on poverty" (Cette-France-lá, 2010). Moreover, at European level, both the EU and Council of Europe have repeatedly highlighted the issue of social exclusion of Roma (for instance, CoE, 2010, Commission, 2011, Commission, 2010). In so doing the liberal economic

logic at play in many deportation decisions is confronted by a logic of welfare that exposes EU citizenship as an austere 'market citizenship' (Downes, 2005). As noted, this is a citizenship that effectively sanctions discrimination on the basis of an assessment of citizens' worth as 'human' capital. And this is because what Donzelot (2008:124) (drawing on Foucault, 2008) calls a principle of 'equal inequality' is a driving force of the (neo)-liberal competitive market system that to a large extent represents the contemporary EU's *raison d'être*. In short, the appeal to a 'social model' – whether European or French – allows groups such as the Roma to find common cause with those uncomfortable with a competitiveness logic which erodes social and economic rights – concretely, rights to, *inter alia*, housing, education, welfare and health care. It allows the Roma to declare their status and commensurate rights as settled national citizens.

Such opponents might, on the other hand, find useful recourse to various institutions – particularly the European Parliament and European Commission – in seeking to underwrite the subjectivity of Roma as worker or entrepreneur. Various actors in these organisations may be predisposed to oppose not only explicit discrimination on the basis of ethnicity (witnessed in summer 2010), but also the use of the abovementioned transitional measures which effectively render permissible the exclusion of EU citizens from labour markets on the basis of nationality (HALDE). In assuming the subjectivity of worker, the Roma and those concerned with their plight may find common cause with powerful groups interested in promoting the value of freedom as mobility and freedom to work.

These strategies of resistance are but two possible ways in which the Roma and those concerned with giving voice to their plight might strategically respond to attempts to securitise them either as an ethnic group or as a delinquent citizen-cum-entrepreneur. They are not exhaustive possibilities, but potentially effective responses to the exclusionary and securitising effects recounted in this paper, which might be contingently deployed in particular local political spaces. They are possible ways in which the Roma might 'dis-identify' with particular representations of themselves (Aradau, 2006: 87) which have led to their securitisation and exclusion within the framework of a multi-level liberal government. This is to argue for a *flexible* political resistance, which, as noted, is only possible when it is premised on a conception of truth or identity – a conception of 'self' – which is itself rendered strange or ambiguous. It is to concur with Aradau (2006: 88) that "[p]olitics is about the aporia of identity... the difference of the political community from itself."

V – CONCLUSION

The EU-France debacle over France's deportation of Roma in the summer of 2010 can be interpreted as an important recent instance of the securitisation of a vulnerable ethnic minority in Europe. Sarkozy's rhetoric in the face of various outbreaks of violence – as it happens, largely unconnected to the Roma – prompted him to present the Roma as existential threat to the French republican order: it prompted a 'securitisation' (Buzan, et al., 1998, Waever, 1995) of the Roma in France. The outspoken response from the EU – as well as from French and European civil society and media – successfully prompted the French government to engage the issue on the terrain of a 'normal' liberal

law and politics and refrain from its *explicit* targeting of the Roma. However, in accordance with a political sociology approach to liberal government and security in Europe (Aradau, et al., 2010, Bigo, 2000, Huysmans, 2006, Van Munster, 2009) the paper has sought to make clear the securitising and exclusionary potential *within* the EU law pertaining to citizenship and free movement and *within* a multi-level liberal or cosmopolitan government in general. An analysis of this law in the context of the deportation practices of the French authorities *prior to* the summer of 2010 has served to demonstrate this potential. It is somewhat ironic that of all EU citizens a group such as the Roma – so often associated in the popular imagination with mobility and nomadism – should be denied the EU citizenship rights that *require* the mobility of citizens. Post-national citizenship offers, after all, the right to rights: the right to many citizenship rights within a member state other than one's own (Bellamy, 2008). However, as discussed, EU citizenship carries other conditions: notably the twin requirement to be adjudged by 'host' member state as both 'settled citizen' and 'mobile entrepreneur'. As highlighted throughout, the Roma have been variously judged as delinquent in terms of both demands and such demands have been deployed in such a way that the Roma in France are *produced* as delinquent. Indeed, the situation confronted by Bulgarian and Romanian Roma in France is illustrative of the many limits – in both theory and practice – of the liberal, even cosmopolitan, promise offered by a European citizenship (Habermas, 2001, Linklater, 1998).

This is not, however, to suggest that this cosmopolitan promise or a post-national citizenship is *necessarily* exclusionary. As argued in the final section, the performative evocation of the *ambiguity* at the heart of a contemporary multi-level liberal government renders 'the ordinary' 'extra-ordinary' or the 'normal' 'strange' and opens the space for a variety of ongoing contingent strategies of resistance by and with marginalised groups such as the Roma. Specifically, in highlighting the uncertain and equivocal relationship between the ideal subjects that a liberal government champions the paper essentially draws attention to the uncertainty of the ideal liberal European 'self' against which internal 'other' is judged and rendered delinquent. As soon as we highlight the uncertainty of the liberal 'self' in theory and practice – and the concomitant *impossibility* of cognitively *fixing* or actually *becoming* the constantly moving target that is the ideal liberal European subject – this production of 'other' is rendered absurd or even tragi-comic. It is thus to the extent that a post-national citizenship can be repeatedly (re)-politicised – rather than asserted as juridical category – that it might be ethically valued.

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