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THEMATIC ARTICLES: CONSTRUCTING AND PRESERVING
IDENTITY

“I am not weird, I am Third Culture Kids”: Identifying Enabling
Modalities for Place Identity Construction among High Mobility
Populations

Anastasia Aldelina LIJADI

Abstract. The paper aims to identify the enabling modalities embedded in adult Third Culture
Kids (TCKs) – individuals who experienced numerous life disruptions as they move between
countries during their developmental years as a result of their parents’ employment – in
constructing their place identity. An asynchronous Facebook online focus group was used to
reach out to the adult TCKs from three different cohorts (young adult, adult and middle
adulthood, N=33 persons), who lived scattered around the world. The findings concur with
literature that TCKs find themselves to continuously questioning their sense of belonging;
battling with validating their upbringing. The middle adult TCK (aged >40 years and above)
are only aware of their TCK-ness in their adult life and reporting the scuffle in community
involvement. The adult TCK (aged 30-40 years) face a dilemma of contentment and
wanderlust. While the young adult TCK (aged 19-20 years) are more aware and exposed to
the term TCK, they are actively involved in introducing their presence –being a TCK- to the
society. In making sense of their high mobility experiences, the adult TCKs yield the need for
stability, belonging, direction, connectedness, and sense of community throughout their
developmental stages of life. Implication of the findings and advice are offered for
stakeholders involved in TCK’s upbringing, especially family and future expatriates family in
ensuring the well-being of TCK in their adult life.

Keywords: asynchronous focus group, Facebook, high mobility lifestyles, identity
construction, Third Culture Kids

Introduction

“There is no place without self and no self without place” (Casey 2001). Identity manifests itself on many levels (i.e., genetic, social, and cultural, etc.), one
of which is place—the built environment as affirmation of the notion “Where are you coming from?” For people that grow up in one place, their identity related to a sense of belonging and emotional attachment to a place, where memories, familiarity, attitudes, values, and preferences occur within that place (Easthope 2009; Proshansky and Fabian 1987; Manzo and Devine-Wright 2013). In the same time, the place in which they live provides means and modalities through the social interaction between individuals who live in the place for constructing their identity (Twigger-Ross and Uzzell 1996; Wester-Herber 2004).

This study focuses on Third Culture Kids (TCKs)—individuals who experience a high mobility lifestyle and a cross-cultural upbringing in their developmental years (Pollock, Van Reken, and Pollock 2017). As a result of numerous relocation and living in several places, the TCKs have difficulties and often felt frustrated to answer to the question “where are you from”. The definition of place identity (Proshansky and Fabian 1987; Twigger-Ross and Uzzell 1996) make sense only for those who have lived in the same country during their developmental years, and unsuitable to be applied to the TCK.

In this study, I aim to identify what means the TCKs have gained or needed to gain from their upbringing to have a coherent sense of identity throughout their life span. I implemented the place identity construction theory by (Lijadi and Van Schalkwyk 2017) proposed three enabling modalities in developing a coherent sense of self: (i) sense of stability for young child; (ii) sense of belonging for middle childhood; and (3) sense of direction for adolescent TCK. The purpose of this study is to extend the theory of place identity construction for adult TCKs (aged 19 years and above), using a unique focus group discussion—an online asynchronized Facebook focus group to reach this hidden population who lived scattered around the world. The central question in this study was: How do TCKs make sense of the world amidst their high mobility lifestyle, and what modalities do they gain or need to gain to construct their place identity?

Erikson 1994 stipulated that individuals’ sense of identity is not merely the sum of individuals’ early identifications, rather, it is a coherent and meaningful identity constructed throughout the life span. Erikson stressed that individuals may revisit unsuccessfully resolved crises later in life and resolve them successfully (Sneed, Whitbourne and Culang 2006). The life cycle approach is also being adopted by environmental psychologists in explaining the place identity construction among youth (Proshansky and Fabian 1987; Proshansky, Fabian, and Kaminoff 1983), that
depending on the psychosocial stages of development, individuals may have endless variety of cognitions and engagement with the place they lived environment on both conscious and unconscious level. For the TCK, they have additional life transition; which are relocating to another country, repatriation, and re-adjustment to their current country of domicile. I adopted the epigenetic principle in constructing the place identity of TCK, stipulating additional enabling modalities to maintain identity at each development stage begin at birth and continue throughout the TCK life.

Literature Review

As social, political and economic changes happen globally, the number of families worldwide moving cross-border is rising; more people than ever are living abroad. In 2017, the United Nations reported that the number of international migrants worldwide reached 258 million, up from 220 million in 2010 and 173 million in 2000. Nearly two thirds of the international migrants reside in Asia (80 million) or Europe (78 million). The world is facing the international immigrant phenomenon of finding home and adjusting to the new country. Among those international migrants are the expatriate families with Third Culture Kids in the making.

Ruth Hill and John Useem coin the term Third Culture Kids in the early 1960s to describe individuals who experience a high mobility lifestyle and a cross-cultural upbringing in their developmental years. Pollock and Van Reken (2017) further refined the definition of TCKs as individuals who find their sense of belonging with others in a similar situation and expect repatriation at some point in their lives. Most TCKs families move to a new location at the discretion of their sponsor organizations, which include Foreign affairs, Military, religious based missionary organization and multinational/business/education organizations.

High mobility upbringing provides the TCKs with benefits and relatively privileged lifestyles during developmental years (i.e., opportunities for expatriation, having first-hand experience of new and different locations, and opportunities to interact with others from many different cultural backgrounds), the TCKs experience a unique way to interact with the places where they have lived (Tarique and Weisbord 2013; Downie et al. 2004). TCKs were reported to have a high level of cross-cultural understanding and adaptability (Pollock, Van Reken, and Pollock 2017), multilingualism (Cameron 2006; Dewaele and van Oudenhoven 2009), having a three dimensional of the world (Bonebright 2010; Cockburn 2002), and high
interpersonal sensitivity (Lyttle, Barker, and Cornwell 2011) that are desirable as future workforces in international corporation (Selmer and Lam 2004). In the same time, the TCKs face frequent re-adjustment to new society and new schools (see the work of Lijadi and Van Schalkwyk 2016) and experienced countless losses (both hidden and recognized, such as persons, places, pets and possessions), in particular the loss of personal identity and the loss of home (Gilbert 2008).

Moreover, the TCKs are also challenged adjusting to adult life (Downie et al. 2004). Finding others that understanding their upbringing can be very problematic in adulthood as the number of TCKs is relatively small in any society and often dispersed and unidentifiable amongst the local population in the host country. The TCKs are reported to unable to relate positively with their current residence and to establish committed social relationships with other people (Tarique and Weisbord 2013; Choi, Bernard, and Luke 2013). Gaining a coherent identity is difficult for TCK, when their sense of belonging is constantly being challenged from a very young age (Fail, Thompson, and Walker 2004; Fanøe and Marsico 2018).

Yet, there are very limited number of studies focusing on the impact of a living in many places on the whole developmental trajectories of place identity construction of TCKs. Abe 2018 cross-examined the effect of high mobility upbringing among adult TCKs across the adult life span on the personality traits, dimensions of well-being, and cognitive-affective styles. Working with adult TCKs who used to study in international schools in Japan and had repatriated (N=782, 58% female, aged 18-80+), Abe (2018) claimed that overall the adult TCKs “showed normative changes in personality and well-being in the direction of greater maturity and adjustment during adulthood” (p. 811). However, the study also revealed that the same measures of cultural exposure (such as number of countries the TCKs have lived and years of studying in international school) may result in different acculturation process after repatriation of ATCKs (such as feeling uprooted or marginal). The TCKs may not acquiring positive feelings about any culture due to the hardships of high mobility lifestyle; and the repatriation may cause the TCKs to develop negative feelings about one’s home culture.

According to Proshansky, Fabian, and Kaminoff (1983) claimed that a person’s actual experience in life is altered by cognitive process of memory (what people remember vs. what is happening now in their life) and interpretation (what people imagine of their life). All these cognitions define the person’s place identity (p. 78). The memory of growing up in a certain place gave a physical realities, plus
social meanings and beliefs attached to the place by those who live outside as well as its residents. The social meanings are very much depending on the social interaction between individuals and various groups they meet on daily basis—such as racial, ethnic, age, gender, social class, religious groups, etc. Individual may merge all the values, attitudes, and behaviour tendencies from different groups with his or her own.

“When both physical settings and people change, then it is clear that the place identity of the individual is a changing as well” (Proshansky, Fabian, and Kaminoff 1983, p. 159), as of the case of TCKs. In the qualitative work of Lijadi and Van Schalkwyk (2017) with TCK participants from a very young aged of 7 to 18 years on their place identity construction, the authors claimed that the young TCKs were “longing for a safe, secure and, in some cases, an idyllic place where the TCKs can be in a norm-free context, free of the demands of having to adapt and adjust” (p. 7).

The authors identified three enabling modalities to ease the construction of place identity of TCKs. The authors advised the parents of young TCK (aged 7-9 years) to create a sense of stability as enabling modalities; for example to maintain and ensure the familiar day-today activities and to bring some keepsake from the previous place they lived to the new place to re-live the childhood memory. The second enabling modalities is the sense of belonging for pre-adolescence TCK (aged 10-12 years); as place for these TCKs are everywhere and anywhere as long as the family is together. The authors claimed that more abstract aspects of the pre-adolescent’s cognitive development were emerging with socio-emotional relationships (belongingness) starting to replace the physical space as representation of a place identity. The third enabling modalities is a sense of direction for adolescent TCK (aged 12-17 years), who at this current stage of life, like all children, the TCK face the task of figuring out their basic identity, career choices and future commitments in life and relationships upon which they will build throughout their life.

Methodology

The purpose of this study is to extend the theory of place identity construction initiated earlier (Lijadi and Van Schalkwyk 2017) to include the ATCKs (aged 19 years and above). The method to recruit the ATCK participants and to use an online asynchronized focus group discussion are based on discovery oriented decisions as follow. First, the ATCKs are a hidden population and not easily being
identified for research participants. The ATCKs lived scattered around the world, with different time zone, that unable face-face focus group. Second, the ATCKs are actively trying to connect and share their story in the social media sites (Hannaford 2016), such as Facebook, in addressing their upbringing and their current emotions and life decisions that might not be understood with other sub-populations within the society. Therefore, the online asynchronous focus group via Facebook method was initiated for reaching out and inviting adult TCKs to participate in the study.

Besides reducing costs and time consumption for transcription, using Facebook platform allows the participants to join, to read questions and post answers at their own convenient time. This flexibility permits more time for participants to recall their life experiences, reflect, think, and search for extra information before contributing to the discussion. Furthermore, there is a rapidly growing literature supported the reliability of utilizing Facebook as a novel tool for researchers to observe behaviour in a naturalistic setting, test hypotheses and recruit participants (see review of 412 academic journals studying Facebook phenomenon by Wilson, Gosling, & Graham, 2012). Facebook also allows for the formation of groups as a means for users to interact closely and according to a certain social agenda. Merits to Facebook group formation, I, as the administrator or moderator of the focus group, can create “secret and closed” group, which only invited friends can join and read all the posts. Therefore, I needed to befriend participants in order to invite them to the group. As a “friend”, the participants and myself have access to each other the personal page and their posts; thus enhance trustworthiness between ‘friends’.

To familiarize myself with the Facebook focus group discussion, I conducted a pilot study with one of the TCK group, by posting one question about what parents of young TCK could do to prepare and anticipate the next move in order to ensure the wellbeing of their children. Within less than a week, I received 50 comments on my post; thus boosting my self-assurance of the potential for fruitful data collection through this approach. Among the commentators on my post were TCK from various age groups, genders, nationalities, professions and all walks of life. I started recruiting my participants from these groups, and continued with snow-ball method by seeking referral to other TCKs.

The focus group questions are posted one at the time one, when moderator (myself) had received and satisfied with the responses from all participants; which are:
1. Memories: What do you remember of your high mobility lifestyle in your childhood; specifically about places you have lived?

2. Repatriation Experiences: How did you experience repatriation to your passport country?

3. Social relationships: How are your social interactions with the communities in the current place that you live?

4. Future: How do you plan on raising your offspring, and will you continue the same lifestyle?

5. A place called home: Where is home?

Each focus group is scheduled for two to maximum three weeks, based on participants’ availability. As a moderator, I made a geographical map with time difference of each participant in the focus group, to ensure that I was engaged and given full attention and response in timely manner to each post. From time to time, I sent reminder to participants to response to others’ post through the Facebook private message.

Participants

The adult TCK were invited to participate in the study via an online snowball-sampling method by announcement in tckworld.com, tckacademy.com, tck.com, and denizenmag.com, as well as approaching several TCK groups on Facebook. The criteria for participants were framed in terms of English speaking ATCK aged 19 years and above and who have lived in at least three different countries during their first 18 years of life following their parents’ careers.

Profile of participants

In total 33 ATCK were recruited via an online snowball-sampling method. The participants were grouped according to their cohort: young adult (N_{age 19-30} = 13; eight female and five male, M = 23 years); adult (N_{age 31-39} = 10; seven female and three male, M = 38.6 years) and middle adulthood (N_{age 40 and above} = 10; six females and four male, M = 49.2 years). Participants were the offspring of parents who worked in three different sponsoring organizations (N_{business} = 25, N_{diplomat} = 6, and N_{missionary} = 2) with an average, 4.5 relocations during their developmental years (i.e., before age 18 years). All participants graduated from high school and spoke on average three different languages.
Middle and older adulthood TCK (Aged >40 years)

The middle adulthood ATCK participants were born in the years 1970s and before. In their childhood, overseas telephone calls and travelling by airplane were expensive and rarely used. Personal computers were still quite a novelty, and the Internet had not existed. For parents of this cohort, taking an overseas job in the 1970s was definitely a very big decision and risk to move the whole family to a new place. One participant from missionary family reported that the preparation back then could two take up to four years from the time of getting the sponsors until final approval to conduct their missionary call overseas.

The TCK on this cohort entered the world in a time of relative hardship, but thanks economic recovery, they have arisen as a successful and affluent generation, as per the excerpt below.

“My parents were "Depression Era" children (a whole other category of fascinating childhoods) and were savers from the beginning. It was important to them to establish security and to not spend unwisely. They worked extremely hard to be able to maintain the lifestyle we ended up with, and as kids, we understood that moving around the world was part of their effort to achieve that goal, even was very young kids. We went where the opportunity was. Choice was made by my parents having been given an opportunity to move. It would have been in their best interest to take the offer each time, but it was not required. More of a career advancement thing.”

Some of the participants were still living as expatriate and married to a TCK as well; whereas others were settling down in one place.

Adult TCK (aged 30-39 years)

The participants (aged 30-39 years) endured their high mobility lifestyle in the early 1980s. The 1980s were marked by famine in Ethiopia, the discovery of AIDS, the movement against communism worldwide, the Tiananmen Square protest, the Warsaw Pact in Central and Eastern Europe, and the fall of the Berlin Wall. They witnessed great changes in the social, economic and political arenas worldwide due to globalization. It was also the beginning of television viewing in the developing countries of the world.

Among the participants, we identified a self-initiated relocation or self-
mobility among their parents, who were proactively seeking for overseas work and conducting most of relocation by themselves (i.e., immigration procedure, work permit, accommodation and living arrangement, education for children, learning the language of the new place, etc.). Self-mobility has increased rapidly with the advancement of transportation and communication.

Young Adult TCK (aged 19-29 years)

The ATCK in cohort aged 19-29 years were young adults who were either university students or just starting their careers. Born in the 1990s, the era of globalization, the young adult enjoyed the rapid development of technology and transportation. The participants witnessed and experienced how the computer and Internet gradually became an essential part of everyone’s life and they witnessed the transition from face-to-face social interaction to social media interaction.

More than half of the parents of the participants from cohort aged 19-29 years were TCK themselves, who raised their children using modalities they learned due to their own accumulated high mobility lifestyle experiences. For example, they were very much involved in informing and involving their children on the relocation, provided guidance and attention in adjusting to new places, learning new language, as well as maintaining contact with the relatives and friends in the passport country; as mentioned by participant in the excerpts below.

“We talked about it a LOT at home. We researched the country and even tried to learn the language. We had moved a lot previously, though in the same country, so we were somewhat accustomed to moving. We also did a two-week exit program at a training center in Colorado that helped prepare us for a cultural switch.”

Ethical Consideration

Ethical considerations were addressed by ensuring the privacy, confidentiality and anonymity of all participants. Recruited participants were asked to join the specially created online Facebook focus group in order to participate in the study. All participants were requested to give authorized consent for their
written comments to be used for research purposes in my project. I also asked participants to keep all discussions within the group and not to share these with anyone outside the group. I discouraged the participants from exposing any personal identification such as address, email address or other contact information to other participants during the online focus group discussions.

Trustworthiness and credibility of the research were established by transparency in all stages of the research. The transcripts were read and code separately by my doctoral supervisor, another PhD candidate (who are TCK and raising TCK herself) and myself. We met weekly to discuss on the coding, and to agree on emerging themes, which took in total three months. I am also an expatriate and raising two TCK. Therefore, I constantly reminded myself not to compare the focus group discussion with my own experience.

Results

The focus group discussion with adult TCK on their meaning making of their childhood memories and current live status were dynamic, sentimental and result in rigorous evidence on the impact of high mobility lifestyle to the TCK. The experience moderating the Facebook focus group is humbling yet fulfilling. It was not difficult to achieve data saturation, as in each focus group the TCK reported more or less the same emotional life experiences. The age difference between cohorts of TCK (aged 19-29 years, aged 30-39 years and aged 40 years and above) does not show distinctive difference in their discussion growing up across border. Yet in their current life, the cohort differences are apparent in their social relationships and adaptation to the current country they reside. Three emerging themes were identified from the focus group, which are (1) High Mobility experiences; (2) current social relationships, and (3) future life of TCK. The excerpts from participants were added per se therefore there might be unavoidable grammatical or spelling mistakes.

High Mobility Lifestyle Experiences by TCK
When to move? Where to move?

As a child, the TCKs were not involved on the relocation decisions, even more; their parents were discreet about the move to their closed relatives and peers until very close to the date. For the majority of TCK families, the sponsoring organization dictated the next destination and the length of stay. Parents of TCK
took on overseas assignments as a way towards career advancement and obtaining better remuneration and other benefits, even though the destination might not always have been favourable.

*Where to live?* The diverse living arrangements made each relocation experience unique yet unpredictable for the TCK; either to live within the premises of the sponsoring organization, living in the staff quarters, or being allowed to find their own accommodation. Some sponsoring organisations provided relocation assistance, and to some extent determined the living arrangement and schooling for the children of their employees. Another option for TCK and their family is to live within the expatriate community – people similar to themselves.

*Which school is available?* The school and education system vary in different countries in terms of the academic calendar, curriculum, languages on offer, requirements to learn the local language, and the observation of local cultures of the country. Most TCK went to international schools as these schools catered to the needs of expatriate families in terms of language (most international schools offer English as first or second language) and ensuring international accreditation. The cohort aged 19-29 years claimed that nowadays, the international schools are inundated with local children; who had formed a clique and spoke local language instead of integrating with the TCK; thus the social interaction within the school was very different compared to the participants aged ≥40 years (Lijadi and Van Schalkwyk 2016).

*Monoculture/Multicultural family.* Internationally, identification systems recognize the passport country as the national identity of a person, thereby providing legitimacy to travel between countries. TCK are identified with their passport country as their so-called national identity. Monoculture parents indirectly introduce the culture from the passport country at home. Having multicultural parents and being a second generation TCK added to the complexity of their place identity construction. TCK who have multicultural parents might have two passport countries if allowed, or they might have to choose one of the two countries when they turned 18 years old.

*What is home?* Some TCK reported a strong attachment to one or more places where they have lived; some reported to loathe certain places, when they experienced bullying or other difficulties in adjustment. Home for the TCK includes all the places where they had lived and established some kind of physical and social-emotional link, such as place of birth, passport country or the country of their
grandparents. TCK built attachment to many places, which emotional of the attachment (positive or negative) is depending on the outcome of the social relationships with others throughout their developmental years (i.e., the birth of siblings, marriage of relatives, acquisition and losses of friends or pets, experience in club or organizations that TCK joined, etc.)

**Current Social Relationships**

**Validating TCK-ness**

Participants from cohort aged 19-29 years are familiar with the term TCK; however participants from cohort aged 40 years and above and cohort aged 30-39 years declared that they only learned about the term third culture in their adult years, and that this has inspired them to look for articles and research related to the phenomenon.

“I am not weird, I am Third Culture Kids. Thank you Ruth (Van Reken) for your book.”

The realization that there was a phenomenon such as third culture kids gave them validation for their experiences and existence as perpetual expats.

**Rekindle Friendships**

The development of digital technology allows the participants to rekindle their friendships using social network sites. During the focus group discussion, some participants were very excited as their paths were crossed in different places and time. By reconnecting with former peers from their childhood, the TCK came to realize that there was great comfort and trust with their former friends, usually other TCK, as they were fully understood and could also empathize with what the other person was going through.

The participants aged 19-29 years reported that their parents help them to maintain connection with their peers. They allowed their TCK children to spend as much time as possible with their close friends during transition to the new location. One participant in the cohort aged ≥ 40 years, who become a parent of TCK himself, stated that:

“Although I did have more transition issues to deal with when I was older, changing countries and changing cultures was already a way of life for our family and just a part of what we expected in life. Most problems I experienced when I went
[repatriated] to college in the US. Growing out of that, I made sure to help our kids when moving back to the US."

**Commitment Uncertainty**

Commitment uncertainty often leads to being unable to commit to a relationship, career or place. The participants claimed that even as adult, they were still indecisive and ambivalent about where they wanted to go or be 5 years or 10 years later. The commitment uncertainty was particularly evident in the college life experiences of TCK in the cohort of 19-29 years of age. More than half of the participants in this cohort reported that they have changed their major programme at least twice as they could not decide what to study. Yet they were reluctant to accept that their indecisiveness was due to their high mobility lifestyle and upbringing.

Establishing long-term friendships or even romantic relationships was difficult for TCK. Several participants asserted that they feared developing trust in friendships and would rather avoid allowing others to get too close to them—they did not want to risk being hurt.

“I think the average friendship for a TCK is somewhat shallow (and that is preferable because there is less emotional loss when you leave) but that there are a few those will transcend the walls we put up. I recognize that I can be fearful in those. I am fearful that my trust will be wasted (because of risk of moving as a child). It also takes a very patient person to wait for me to allow intimacy (of friendship) in the relationship. I will push people away at times to avoid developing the friendships.”

**Future and Possibility to continue High Mobility Lifestyle**

**Fitting in**

Most of participants reported that in their current life they felt not to belong and outcast. Some participant pointed out that settling in a place that was multicultural would be ideal for them, compared to settling in a small town without the necessary infrastructure and with monoculture people who did not understand their history of a high mobility lifestyle.

“I don't belong anywhere. I recently chose a citizenship - though I didn’t do it to belong or feel at home, I wondered if it would change my perception of home. This is the place I have lived the longest and it is nice to be known but the concept of
home is less achievable than the concept of love. I sometimes wonder if non-TCK’s have any different knowledge about home or if we just think they do.”

The TCK were often being misunderstood, misjudged. Furthermore, their local peers were not interested in knowing about their upbringing, often being prejudiced due to places the TCK had lived before. The participants also admitted that they faced difficulties opening up to people and that it took time to establish the intimacies that came naturally for those who grew up in the same place throughout their childhood.

“To be honest I felt more lonely living in a small town in UK than in any city of the world where I couldn’t speak the local language. Cities tend to have people from many nations, some TCK and people who have various interests. Small towns tend to be less exposed to foreign cultures, and quite stand-offish with strangers they can't immediately pigeon-hole.”

Wanderlust versus Saudade

“I agree that home is where the heart is. But my heart has been split up into pieces all over the world, where my memories and loved ones are, so home isn't just one place. I feel like a big part of being a TCK is never feeling complete in any one place, because you're always missing someone somewhere else.”

“I don't like being stagnant and like the adventure of going somewhere new. Meet new people, eat different foods, breathe in a different air and feel a new soil under my feet. Home to me is the world.”

The excerpts above are the evidence of the on-going struggle for TCK to overcome their wanderlust and nostalgia. The participants from cohort aged 19-29 years claimed that they have not decided what they want to do in the future, but they know for sure, they would like to continue explore the world. Thus they are finding career that allows them international experiences. Some participants in the cohort aged 30-39 years and cohort aged ≥40 years ended up spending their adult life in places where they lived previously in their childhood, as they held fond memories of the life they experienced there. Other participants prefer to stay as foreigner, continue the high mobility lifestyle and never attaching to any one place for too long.
Discussion

High mobility lifestyles upbringing gives the impression that during the ATCK’s childhood, they were living in a temporary mode, not knowing how long they will stay; only knowing that they will have to move eventually or to repatriate. Their interactions within a place are limited to the living arrangement with the sponsoring organization. In some place, the TCKs may be exposed to local culture, learning local language; hence, there were TCKs who stayed within their sponsoring organization compound and only interacted with other TCKs. It became habitual for TCKs to leave tasks unfinished or for them to be unexpectedly left by close friends (see also Lijadi and Schalkwyk 2014; Choi, Bernard, and Luke 2013). The unpredictability of their high mobility lifestyle have also lead to some participants expressing commitment uncertainty when, for example, changing university major more than once, changing jobs frequently, all of which confirm similar findings from other studies (see also (Fail, Thompson, and Walker 2004; Lijadi and Van Schalkwyk 2016; Gilbert 2008).

At some point of their life, TCKs may repatriate to their passport country. Depending on age, length of stay outside the passport country and language fluency, the transition to the passport country can be more overwhelming than moving to another country. For many TCKs, relocating to the passport country has the same implication as moving to a new country—they are foreigners in their country of origin. Some TCKs may not even be fluent in the language of the home country, they experienced a lack of belongingness, loneliness and a persistence of transient friendships even during college in the country of origin.

Growing up globetrotting, the TCK needed to develop enabling modalities in order to adapt appropriately within each new context at different stages of life. Every relocation to some extent demanded that the TCK re-visit earlier modalities; for example, it was evident that when the TCK moved to a new place, they needed to (again): establish stability, make new friends, re-examine their academic or career goals, join a new community, etc. The inability to acquire these modalities in place identity construction could cause place identity confusion and difficulties that could affect the ability of TCK to adapt and commit later in life. Concurrent to the previous findings by Lijadi and Van Schalwyk (2017), we identified the same three enabling modalities for TCKs aged below 18 years: sense of stability, sense of belonging and sense of direction. We further added two more modalities for ATCK: sense of
connection and sense of community.

**Sense of Stability**

“My furniture tends to be in the same place relative to each other regardless of where I live.”

“There is always a couple of little things I always take with me to the next place, a small silver train, a travelling Buddha a friend gave to me ...Whenever they are put on a windowsill or a mantelpiece. It means I have arrived in my new home”

Above excerpts were the voices of the participants about the importance of stability in their childhood. Providing a sense of stability is crucial so that individual could feel safe and secure to move on with his or her social interaction. In terms of schooling, the TCK appreciated when the relocation was scheduled to the end of school semester, and they could attend school with the same curriculum.

**Sense of Belonging**

The most unpleasant experience in moving to a new place is to lose the sense of self and to lose touch with the people closest to us (Ralph and Staeheli 2011). The TCKs reported countless farewell and loss as they move to another place. In the new place, the TCKs were prompt of their differences compared with local peers in terms of physical characteristics, language ability and a lack of understanding of the culture of the host country. Winter and Mace (2014) advised that, in order to avoid identity struggle in the future, the TCK needed to secure membership in at least one cultural group. The questions for TCK were with which cultural group did they want to associate and where did they want to establish a secure membership. Sense of belonging is the enabling modality for the TCK, particularly those in their pre-adolescent years, as a key aspect in promoting social learning behaviour, necessary to boosting the feeling of being accepted.

Unable to gain sense of belonging may cause continuous struggle to adulthood, and even loathing their upbringing as TCK, as per the excerpt below:

“I don't remember being "sad" about a move until I was 14. Up until then, it was another adventure. High school started, etc. We actually moved in the middle of my senior year of high school. It was traumatic for me, and I still feel angry about it, 35 years later. As a teenager you just want to belong. Being "new" is not belonging, and I felt awkward, ugly, outcast.”
Van Der Zee, Ali, and Haaksma (2007) found that emotional stability, in particular being accepted and belongingness appeared as an independent predictor of adjustment. Across three cohorts, TCK were found to develop a sense of belonging to the sponsoring organisation or the institution or organisation where their parents worked and as a result of attending organized annual staff gatherings and other celebrations. One participant from cohort ≥40 continued following his parents’ career path as missionaries because this career gave him a sense of belongingness. Learning local language and language of the passport country was found to ease adaptation for TCK. Other TCK reported that besides school activities, actively engaged in local activities such as sport, music and dance club allowed them to interact with local peers and eased their ways to understand social rules.

Sense of Direction

In order to escape possible dissonances of earlier (childhood) unfinished tasks or unresolved psychosocial crises, the TCK were in constant pursuit of new beginnings and rarely able to finish what they started. Purportedly, the high mobility lifestyle experienced as children left them with an avoidance of seriously engaging in physical or emotional intimacy, and with a notion that one could simply change one’s mind and walk away or switch to something else or a new interest. Their commitment uncertainty also seemingly generated negative behaviour that further made commitment to a place, a person or a career difficult.

“In college I changed my major a few times, from bio science to psychology to communication to journalism then to law. I don’t know if these can be attributed to my status as TCK. As for relationships, well, the longest relationship I have had lasted for about 3 months (I am 27 now). Growing up as TCK, studying at an international school, having friends from all over the world, it became a normal ritual to say goodbye to friends who had to leave and go back to their home countries. Having to experience the pain of separation so often at such early stages of life left me unable to understand the concept of commitment. I’ve become so accustomed to only experiencing temporary bonds that I tend to get freaked out at the prospect of a longer and deeper relationship. At the back of my head, I’ll always know that I can end up alone at anytime.”

“I lived in 7 different countries, with curriculums varying from US, to UK to Dutch. Imagine learning math on abacus one place and going to learning French another. Weird…I have always had this weird habit of growing frustrated quickly and wanting
to "walk away" easily. I think it might be attributable to bouncing around so much. Even in my adult life I find myself doing this, and I have to make myself focus in again and follow through things. Its subtle, but I feel it in my mind.”

Referring back to place identity theory by Proshansky et al (1983), the important or significant events that occur during adolescence period are most likely to be commemorated in the future and become unforgettable personal memories. These events and memories also give direction to the adolescents for their career choices and future commitments in life and relationships. As per the case from participant in the cohort aged 19-29 years; in most host countries, children can only stay abroad with their parents as foreign citizens under their parents work permit until they are 18 years old, at which time they need to repatriate. The TCK could feel anxious in their preparation for adulthood, because not only they needed to leave their parents, but also because this would be the first time they will have to undergo the rollercoaster of transition cycling on their own.

An enabling modality for place identity construction for the adolescent TCK is therefore a sense of direction for the future, to enable TCK to commit more easily and to utilize the great qualities they possess, such as an international education, multilingualism, intercultural competency, great tolerance to diversity and to think more on global perspective. Parental involvement and support from all stakeholders (i.e., sponsoring organizations, international counsellors) were crucial to direct the TCK in their life transition not only in academic adjustment, but more in the psychological adjustment. The TCK need a direction from their parents and social support on how to make the best of their skills and to avoid wasting their unique talents and capabilities.

**Sense of Connectedness**

The focus groups revealed that the ATCK still had an on-going battle in finding their belongingness, thus they were reluctant to put much effort in developing social relationships, as per the excerpt below.

“I sometimes feel guilty for being able to let people go so easily: out of sight out of mind attitude. As if they are objects I leave behind in one place, which get replaced in the next place I arrive at.”

The elder cohort participants recalled the hardship of maintaining relationships back in the 1970s due to the high cost of telecommunication.
Nowadays, the ATCK found the Internet to be a source of information and very useful for communication purposes. Social media can cut across time and geographical distance, and allow an unlimited flow of information. With the help of digital communication, there are many ways to maintain connectedness. The ATCK also mentioned that re-connecting with old classmates from childhood and college fosters them with reciprocal feelings of being acknowledged and significant.

The need to establish social support in host country is in congruent with the findings from qualitative study with 18 expatriate adolescents on their adjustment in host country (Weeks, Weeks, and Willis-Muller 2009). The study highlighted that each family member of the expatriate need a support network for different reasons; the parents need to develop new social network to overcome loneliness, while the adolescent need “a friendship network to help them fulfil needs in their initial identity formation, and this may be even more important for students who are thrust into a new culture in a new country” (p. 38). Therefore, the enabling modality for place identity construction of the young adult TCK is a sense of connectedness, the feeling that they are part of social relationships as well as their making an effort to seek out social relationships. Resolving connectedness can lead to comfortable relationships and a sense of commitment, safety and care within a relationship.

“It’s interesting that as an adult settled in one place, I have had to learn how to choose friends more carefully (before, it didn’t really matter, because we would be moving on soon, anyway). And, I have also had to learn how to maintain adult friendships rather than giving up on friendships as soon as there is conflict.”

*Sense of Community*

Once back in the passport country, the participants claimed that their expectations of the passport country were much different from the reality they experienced there in everyday living. The place (country) had changed. Finding others that understanding their upbringing can be very problematic in adulthood as the number of TCKs is relatively small in any society and often dispersed amongst the local population in the host country. The society often tries to fit the TCKs into their own mono-cultural mould. In so doing, they often interpret a single fragment of the TCKs’ identity as representative of the whole person while disregarding all other parts of their background and life experiences.

In narrating a coherent life story, the enabling modality for the TCKs in adulthood is having a sense of community. Sense of community is established when individuals practise and influence the daily customs, values and traditions in concert
with other members of the community, even though they might not know everyone within the community (McMillan and Chavis 1986). From the excerpts below, the TCK participants showed that having a sense of community could provide a meaning of life. The participants encouraged other TCK not only to limit their community involvement within certain place, but also to get involved to the world affairs.

“I’ve been working with different NGOs and social enterprises working on development and social change in the [Country A] and [Country B].”

“I volunteer with TCKid to work on building a community for TCKs.”

The adult TCKs may never develop salient place attachment with the current place they live. However, they believe in being connected and being part of the community in order to have a meaningful life. The adult TCKs look for symbols of continuity with the past and the future or a “familiar place” to confirm their existence. Some adult TCKs shared their experiences by publishing an autobiography along with accumulated narratives from other TCK as a way of influencing the daily customs, values and traditions of their TCKs community (see book review by Lijadi 2012). Parents, educators, expat family counsellors may benefit from Family in Global Transition (www.FIGT.com), a non profit organization initiated by TCK, which focus on the wellbeing of the mobile families.

Conclusion

Less and less individuals live in only one place throughout their lifetime. A high mobility lifestyle affects the negotiation and maintenance of a coherent identity in relation to movement between different parts of the world, as well as movement between multiplicities of cultures within the same place. The present study aimed to describe how the TCK made sense of a high mobility lifestyle and the meanings they attributed to places they have lived. In the process of constructing their place identity, the TCK need to acquire five enabling modalities in finding a coherent sense of self, which are stability, belongingness, direction, connectedness, and community. Age of TCKs during relocation, parents’ adjustment, schooling, length of stay and the outcome of previous relocation are all affecting the identity construction of TCKs.

The first three enabling modalities (stability, belongingness and direction) of place identity construction are concurred to the findings by Lijadi and Van Schalkwyk 2017 with TCKs aged 7 to 18 years old. Hence, with each relocation, the TCKs will need to re-acquire and revisit the enabling modalities. In their adult life, the TCKs
need to build sense of connectedness, in order to deal with constant prejudice and misunderstanding from the non-TCK. This enabling modality is developed when the TCKs learn to be sensitive to their surroundings, respect different cultures and accept that they are different compared to non-TCK. Other modalities needed in adulthood stage of TCKs is a sense of community, an ultimate modality that enable the adult TCKs to share their wisdom and insights of their high mobility lifestyles for the future generation.

Limitation of the study

This study has two main limitations. First is the usage of Facebook Focus groups, which limited to TCK that have Internet access, a computer or smart phone, have a Facebook account and respond to the invitations by the group administrator. Second limitation is the small number of participants to represent TCK from different sponsoring organizations, which may refrain from generality of the findings. For future research, there is a need to explore repatriation phenomenon and to develop intervention strategies, particularly for TCK adolescences, as this is the most crucial stage of development for most people, moving from childhood to adulthood.

References


Folklore and Post-Socialist Struggles: Contesting Identities in the Quest for Authenticity

Ilie Iulian MITRAN

Abstract. Folklore used to be one of the most efficient tools that some authoritarian regimes from Eastern Europe used to naturalize themselves, to gain the trust of the people through carefully reconstructing the oral heritage that was passed on to them by their ancestors in such a way that its message will not become a threat for the ideological hegemony that the communists had to create to secure their power. The 20th century was marked by the rough transition from an agrarian economy to an industrial one, this came in hand in hand with an ambitious urbanization plan which basically fragmented the very core of several societies, we can include here the Romanians, Moldovans, Belarusians, and Ukrainians. Particularly for Romanians, the newly created state-controlled culture, which included solo performers and groups that were responsible with popularizing the new brand of proletariat-friendly folklore which was deemed as more adequate by the authorities that it's preexisting form that was exclusively owned by the peasantry. The current paper aims at mapping the way the policies grouped under the umbrella of state-controlled culture manage to influence the content of the folk songs that were broadcasted during that time via state-owned radio and TV. We are interested in highlighting the narratives that were reinforced through the work of many beloved folk singer (cântăreți de muzică populară), being an integral part of what we can generally call soft propaganda. Folk music was never intended to act as an environment that would eventually create new nationalistic narrative, but rather to reinforce and popularize the already existing ones.

Keywords: folk, identity, nationalism, hybrid, new culture, urban, rural

Folk music can be in itself one of the most interesting and bizarre sources of soft nationalism for the nations and local groups of Eastern Europe and the Balkans, its evolution from the beginning of the 20th century up to the present-day is capable of showing us a lot of the turbulence and struggles for the creation and consolidation of new brands and nationalism among the groups of the region. It is important to note that there are several differences between folk and traditional music, even though they are used interchangeably in most cases; we are not
suggesting that the two genres, but the way they influenced social history in the last three to four decades if substantially different.

For the sake of not creating any sort of confusion, we will explain the manner in which the two terms will be used throughout this study. Traditional music, if we were to use the most simple definition, can be understood as being a collection of various forms of musical forms that are associated with a particular group of people, usually and ethnicity. It is important to notice that the apparition of folk music predated the consolidation of communist regimes in Eastern Europe, but particularly in Romania’s case, its golden age was reached during the regime’s second phase which was marked by the presence of a strong nationalist narrative. Unlike other forms of propaganda, the proletariat-friendly folklore was rather designed in such a manner to reinforce other already existing narratives of that time, not being used as a platform for spread of new messages (Velceanov 2012, 1-3). The proletariat-ized folklore of that time was used as a means to reinforce a few narratives that were popularized at that time: the continuity of Romanians within the territories of modern Romania; the purity and uniqueness of Romanian culture; the legitimacy of the second-class citizen status that Romanians had throughout history as a result of foreign rule. The current paper is seeking to map the way in which Romania’s vernacular folklore was reshaped by the communists, the new narratives that they introduced within the general perception of vernacular culture, and other talks that gravitate around the authenticity, or lack there of, of a particular form of vernacular/venacular-inspired culture. Usually traditional music tends to be exclusively associated with rural communities, but it can also be associated with urban dweller, to a lesser extent. It is passed on from one generation to the other through oral tradition, meaning that these musical creations are not conserved in a written form. This is the reason why it is almost exclusively associated with rural communities, written forms of culture were very rare, the only few notable examples would be those that came in the form of religious texts, but we need to keep in mind those had a standardized form and were used by a consistent number of communities. Adding to this, we need to keep in mind that they were not written by the peasants themselves.

The peasantry from the Balkans greatly struggled with illiteracy, this made possible the preservation of the musical heritage only in an oral form. Traditional music was played in order to entertain members of the family, or of the community, during specific holidays or events that were of particular importance. Some of the
songs were performed as part of various rituals, they could be heard at weddings, funerals, when people gathered to collect the harvest, or within various forms of folk magic. Always when talking about traditional music we are dealing with particularities that are directly sourced in a group’s ethnic heritage. Folk music is rooted to some degree in traditional music, but it also greatly diverges from it when it comes to the motifs present in the vast majority of songs, the demographics of the audiences affiliated to the two genres present several particularities, the same thing can be stated regarding the channels that are used to make the voices of folk singers heard (Stuparu 2017). Unlike traditional music, folk music appeared most probably in the second half of the last century, being a product of a series of major social and demographic changes that marked that era. In Romania the migration of rural dwellers to the country’s major urban centers that began in the 1930s had profound influence on the birth and popularization of folk music, this is mainly due to the fact the urban population was strongly split among social, economic and ethnic lines. This made it very hard to efficiently aculturate the newly arrived, as a result, they manage to preserve and to reshape their rural heritage, inserting various novelties that were picked up from the urban dwellers that they came in contact with, thus the result was a sort of hybrid culture.

Unlike their predecessors, folk singers exploited their talent in order to receive financial gains, some of them building long-lasting careers. As their careers started to evolve, many folk singers started to build their „resumes”, seeking to collaborate with the most prestigious folk ansambles and to go on tours at home and abroad. The peasants that would interpret occasionally various forms of traditional music would do it only for self-entertainment and for that of others. Also, during a major event, such as a wedding, song were usually performed by several people, being almost unheard of that a single person to fill in all the available space. The folk singer is often presented within an environment that tries to reconstruct the image of the vernacular village, or in some cases the singer in shown within a TV set decorated with various pan-Romanian motifs. The images often fail to fill the thirst of authenticity that is exhibited by some of the listeners and state officials; the overall sensation is that of stiffness, of a scripted scenario where the displayed elements fail to fall in an organic order (Diaconu 2016).

Most of the performers, especially the women, appear only in the traditional dresses that are only worn during various important family and community events. Unlike the dresses that were worn for performing day-to-day activities are never
shown, even though the peasants wore them on a daily basis when doing various chores within the household. More so, in certain scenes the peasants are shown wearing their Sunday clothes when collecting grapes, or when doing various agricultural works. This comes in full dissonance with the way the Romanian peasants made a very strict boundaries that Romanian peasants outlined between activities that involved labor, one that involve spiritual and religious communion, and some that involve the rights of passage and community entertainment (Petrescu 1959). The clothing items that the singer uses through the year are not usually changes according to the season, there are videos that show various performers singing winter carols in summer clothing, men wearing wool hats even though the show was filmed in the outdoors in July (Stoica 1980). The traditional dress also suffers various changes within its structure, many performers choosing to wear „costume stilizate” (reinterpreted version of the vernacular traditional dress). Simplified versions of various styles of vernacular dresses became even more popular with the rise of etno music, etno performers often switching between dresses decorated with various pan-Romanian motifs to gains that reflected were in tune with various trends from the „West” (Istratescu-Targoviste, 2003).

Etno music, unlike folk music, doesn’t show a coherent local or regional identity; we can define it as a collection of clichés that tend to highlight various cultural and behavioral features of Romanians from various historical regions. Besides the images that want present in ironic or comedic way the day-to-day struggles of rural Romania, etno music also centered some of its message around the archetype of the suburban redneck. Basically, we are specifically talking about those that live in the quasi-urban neighborhoods that lay at the outskirts of some major urban centers; these places usually being characterized by a residual rural culture. The songs that center their message around the daily struggle of the mitici—derogatively term used to describe the rednecks that one can come across in Wallachia, in some contexts its sense is narrowed to describe Bucharest rednecks, especially those that live in former working-class neighborhood and near the city’s outskirts. There are a few other narratives that were successfully developed within this genre, namely: the peasant’s ongoing struggle for emancipation, the subtle conflict between rural and urban civilization, and rural eroticism. The struggle for emancipation is not exclusively to the individual, but to an entire social group. The emancipation narratives the way consumerist behaviours twisted the minds of the peasant that is usually inclined to live within his needs.
Technology, in the form of various gadgets, and their subsequent use within the rural household is contrasted with the overwhelming image of poverty and underdevelopment. The fancy gadgets are present in day-to-day life, but they are not capable to better the general state of social decay in which the 21st-century Romanian village find itself in. Scenes from music videos that are built around this narrative also show us the manner in which the peasants use technology, preferring to promote themselves on social media rather than using the internet as a means to improve their knowledge about science and society. These videos also highlight the savage nature of the peasant, the patriarchal nature of rural communities and the marginal place that women have when it comes to decision-making. The conflict between rural and urban lifestyles is also widely exploited within etno music songs; this conflict is rather rooted in power struggle over the access to resources, or the manner in which resources are distributed unequally, thus creating a huge development gap between cities and villages. There are a few scenarios that are usually played out, even though it is hard to actually tell the exact frequency under which they are repeated: the peasant that goes to a city or he/she comes in contact with a city dweller, the peasant that dreams of a better life in the city. Etno music singers, unlike their folk counterparts, are not required, or let’s say limited to sing only musical compositions from their native region. Unofficially, this is a requirement that folk music singers had to conform to, it’s almost a taboo for a Transylvanian to sing Wallachian songs, and vice versa. On the other hand, foklorists are strictly limited to performing songs from the oral tradition of their native lands. This unwritten law is usually motivated by the fact that growing within a certain region you directly take part in performing and preserving the cultural costumes of the place. As a result, a Moldavian that sings Transylvanian songs doesn’t enjoy the same level of credibility as a native of the region that would perform the same songs. By contrast, etno music artists do not stumble across such limitation, most of them singing songs from all of the country’s historical regions. More so, they even appropriate songs from various national minorities and they repackage them in a more commercial form that can ensure their rise to popularity (Pop-Niculi, 2010).

Etno music enjoyed a great wave of sympathy at the beginning of the 2000s, some of the most representative band were Ro-mania and Etnic. Ro-mania is by some assumed to be the prototype of the boy band in etno music, while Etnic made up of three female singers. Another geanra, sometimes loosely affiliated
with etno music, but being part of a larger movement that was notable in the early 2000s that seek to act as a voice for Romania’s contemporary rural culture, is what we can generally label as “rural rap”. One of the pioneer bands was Fara Zahar (lit. Without Sugar), their songs depicted the in a humoristic manner the general state of social and economic decay present in many rural communities. The band managed to set a standard for a genre that was short-lived, its popularity slowly fading after 2010. Unlike the manner in which rural life is depicted in folk music videos, which still favors using images that remind us of the daily life of the Romanians peasant from the beginning of the 20th century, etno music bands don’t shy to use vivid images of the grotesque kitsch and poverty which rules over many villages.

The traditional peasant house was replaced with a Mcmansion, carts were replaced with luxurious cars brought from abroad, and traditional clothing was replaced by kitschy dresses and tops inspired by the various designs of luxury fashion brands. To a certain extent, etno music videos show us a candid image of the distorted reality in which many rural dwellers live their day-to-day life. A world that is generally dominated by the urge for survival, in which rules are applied preferentially, where people are more interested in gaining advantages and privileges at the expense of violating social order and good morals. The general state of lawlessness and mistrust in state authority is often analyzed in a light-hearted manner within many etno songs, thus we will see scenes from videos in which a “peasant girl” bribes a local policeman in order to not receive a speeding ticket, or scenes in which the promiscuity of the village priest is shown. Folk music still tries to preserve a dignified image of the traditional village, one that is grounded in the way in which its members strictly follows a series of ancestral costumes that was passed on to them by their forefathers. During the communist era, folk songs greatly emphasised the positive aspects of rural life, deliberately excluding songs that dealt with subjects such as famine, poverty, war, and the daily hardships.

It would be hard to acknowledge for many the fact that, in its very essence, folk music suffers from a lack a diversity when it comes to the range of subjects that it chooses to put emphasis on. This is particularly evident in the songs that were recorded in the communist era; many of which were rooted in three types of traditional songs, each of them being utilized in a specific context: love song (cântece de dragoste) – they usually take the form of love declaration, or they
reaffirm an already existing love: songs performed during as part of activities correlated to religious holidays, songs performed during the harvest period. The clothing worn by both and folk and etno music performers is an integral part of the identity and culture of the genres that they represent. As a result, there are particular trends that can be found on both sides, and some that are a little bit more particular (Pop-Niculi, 2010).

Folk performers usually wear „costume populare” (folk dresses), usually being replicas of the traditional dresses that were worn by peasants during important family and community events.

Each ethnographic region has its own set of particularities when it comes to the structure and the aesthetics of the traditional dress. The dress that is worn by folk singers is usually a little bit for simplified, lacking some elements and accessories. This can be often seen in the case of musical performers from Wallachia, the dresses that they wear don’t come along with the accessories that were once worn by peasant women – necklaces, belts, headdresses etc. The traditional dress is one of the most important visual elements that outline the stage persona of every folk music performer, the presence of the dress stresses the idea that folk performers are the rightful inheritors of Romania’s rural musical heritage. It is important to highlight the fact that from the early 1990s, up to the present day, the clothing choices of folk performers had undergone some notable changes. The aesthetic purism that was stimulated to a certain degree by the communist authorities from the second half of the 1960s up to the late 1980s, was basically put aside due to the liberalisation of the folk music industry. It is hard to generalize, mainly due to the fact that there are some folk performers that are known for wearing dresses that authentically resemble those worn by their forefathers, some of the most spectacular ones are actually inherited from their parents or grandparents (Deliu, 2010).

One the opposite side of the spectrum we have a significant number of performers that prefer to wear dresses quasi-resemble the ones that would still worn by peasants until the early decades of the 20th century. This choice is motivated in various ways, most debutant performers can’t afford a full traditional dress made by an artist, some choose to wear various slightly modified version of traditional dress in order to have a a more spectacular stage performance, while others simply do not care or have very little knowledge regarding the cultural identity of their native region. Etno performers, on the other hand,
almost exclusively wear stage clothing that mix various modern styles with traditional motifs. The clothing that they usually wear doesn’t actually resemble the style of a specific area or region, usually they are decorated with pan-Romanian motifs, geometric patterns or flowers. The fabrics that the clothing are made from also reflect a preference towards synthetic materials, generally speaking a high degree of popularity when it comes to the usage of industrially manufactured textiles. Some pieces of the outfits may actually attempt to reproduce in a simplified version elements of traditional peasant clothing, such as an apron decorated with geometric motifs of flowers. Even in this case, these pieces would still be made mechanically, this also adds to the fact that some of the fabrics that are preferred by these performers were meant to look good on camera and on stage. Light reflecting fabrics are well represented, the combination of traditional pieces and motifs that are industrially manufactured along with various other types of jewelry and accessories that are worn, referring strictly to those that are not indigenous to the traditional dress, have the potential of creating a general image of tackiness (Georgescu, 2017).

The folk music industry went through some dramatic changes after the fall of communism, especially at the beginning of the 2000s when two channels that were exclusively dedicated to broadcasting muzică populară (folk music) were established – Etno TV and Favorit TV. They had a tremendous effect on the evolution of folk and etno music from that point on, the two new channels came forward with new show formats that could host folk and etno performers. As time went by, they created a specific kind of media culture that would cater to a specific type of audience – in this case, most of it being represented by senior citizens living in rural settlements. It is truly fascinating to see how folk music transition from a genre that utilized as a means for softly reinforcing certain point from the nationalist agenda of the Romanian Communist Party, to being presented as a genre that can be marketed as any other type of music that is seen as being the product of a specific ethnic group.

Before Etno TV and Favorit TV made their presence notice in Romania post-communist music market, folk music was almost entirely synonymous with Tezaur Folcloric, a highly popular TV show dedicated to folk music hosted by the late Marioara Murărescu. Unlike Tezaur Folcloric, which was more inclined towards presenting folk and traditional music in a complex manner, which tried to not to distance folk and traditional music from the sphere of ethnographic research. The
new channels came with a totally different take on the manner in which folk music had to be presented and marketed to the public. To begin with, they made folk music marketable as any other musical genre, this being made possible through diminishing the emphasis on its sacred nature, this meant that if it will be taken down from its pedestal it could be reshaped in order to be able to outstand the unpredictable character of an emerging musical market. This period was marked by a boom of new content, this was facilitated by the fact that it became easier for musical performers to receive a spot in one of the numerous new TV shows which were solely dedicated to folk and etno music. The criteria that were put in place for the selection of the guest performers that were to appear within these shows also were subjected to numerous changes (Adevarul. 2010).

Until 1989 all of the performers that were competing in various folk music competition, or that received some air time at the national radio, would go through numerous committees that would analyse and validate if the content of their songs, the instrumentation and their clothing would follow the traditional pattern. They would also be responsible with closely analyzing the content of the song, so that it would not come in contradiction with the general nationalist narrative imposed by the communists. Beginning with the early 2000s, the liberalization and the folk music industry made it easier for performers to have more control over their music. It is unfortunate to say that this came with a price, the lack of any type of regulations basically filled the market with a lot of poorly produced content. Numerous new performers started to appear at the newly-created folk music channels, many of which shared the same producers.

As a result, most of the Favorit era singers lacked any type of stage identity and charisma, the strategy of these channels was that of guesting big numbers of no-names in order to gain profit from the fees that performers had to pay in order to come as guests in various shows. As time went, folk music almost entirely lost its arsside, it was left pretty much soulless, for many becoming just a means to gain money and to built a career.

There were numerous advantages that drove many performers to want to appear as guest in folk music shows, it had mainly to do with the fact that these shows were a very good platform for them to get known and to receive various contracts for payed performances. It is also important to mention the fact that the 2000s marked the start of a new era in open air concerts, we are talking here specifically about those concerts organized by the city halls in order to celebrate
various events. City hall-funded events became a great opportunity for folk performers to get some extra cash, harvest-day concerts also started to increase in popularity, all of the performers that were invited had to be affiliated with the genres of folk or etno music. One aspect that we need to notice right away is the fact that, unlike with pop music, folk and etno music is way less pretentious when it comes to the actual investments that a performer needs to do in order to begging a career and to stay relevant in time. The folk music industry has this its own dynamics, a performer’s relevance and popularity is usually secured by his/her charisma, and the stage image that he/she builds in time. Within this industry, it is more acceptable to reuse old songs, to record albums once every few years, and to reuse the same stage clothing again and again. The themes preferred by folk performers for their songs vary a lot, some are more keen when it comes to performing love songs, some are more comfortable with cântece de pahar – this type of songs are also associated with another genre called muzică de petrecere (lit. Party Music).

Cântecele de pahar are usually performed at parties and weddings, they usually emphasize the joy and happiness that are associated with drinking various types of alcoholic beverages. This types of songs are also found across a few other related genres such as muzică lautărească and etno music, it can also be found to some extent in manele (Velceanov, 2013).

Muzica de petrecere is actually rooted in folk music, as consequence, it doesn’t extract its inspiration directly from the traditional music performed by peasants. The years that followed 2007, the moment in which Romania became a member state of the European Union, were marked by an exodus of workforce to various western countries, especially Italy and Spain. The period that followed was marked by a rise in popularity of a new theme, one that can also be found in a certain form within some traditional songs: înstrăinarea. It describes the feeling of loneliness and abandonment, but on the case of traditional song this feeling was often link to the empty nest feeling, or with feeling associated with leaving the native village. A similar theme can be also found within cântece de cătânie (songs of conscripted men), they usually make a strong link between the period that men serve in the army and the feeling of loneliness and alienation that comes with it. The 1990s was marked by a musical market that was still relying greatly for its survival on the number of tapes that were sold, a performer’s notoriety was determined, mostly, by the number of sales.

A phenomenon that deeply plagued the folk music industry in this period
was the black market. Due to the bad state in which the national economy found itself in this period, inflation reaching a staggering inflation during the Văcăroiu government. The deep social and economical depression that the country was falling into generated a need for music, a particular types of music that the common people could relate to, sang by artists that would be trustworthy in the eyes of the masses. This decade was a fertile ground for the popularization of muzică de petrecere, which was in part performed by some consacrated folk singers. There is still a great deal of confusion between folk music and muzica de petrecere. Unlike folk and etno music which are very well represented across most of the commercial TV channels, muzica de petrecere doesn’t have channels specially dedicated to broadcasting only those performers that were associated, or associated themselves, with this genre. Singers that performed music related to this genre were usually loosely affiliated with folk or etno music, but there are some substantial differences between the three. As mentioned earlier, muzica de petrecere is solely dedicated to parties, the content of the songs that were associated with this genre were not meant to fulfill any type of nationalistic or identitaterian agenda, folk and etno music had interfied from time to time with various nationalistic agendas.

Conclusion

Folk and etno music can be considered stamples of modern Romanian culture, they embody a failed transition to an authentic modernism, usually marked by various hybrid forms of cultural expression, ones that usually are keen in gathering most of their content from rural art and music. Even though the several decades that Romania stayed under communist rule were beneficial to the popularization of non-folk inspired forms of musical interpretation, it still greatly advantages those that used local forms of folklore are their primary form of inspiration. We need to understand that folk and etno music are not isolated cultural phenomena, they also exist in the countries that neighbor Romania but morphed in different forms, taking along the way various particularities which outline their own identity. Folk music is reconstructionist in its very essence, it basically simulates the supposed many in which peasants would interpret the vernacular music of their native regions. Folk and etno music still greatly rely on certain nationalistic images that were developed during the 1960s, they usually are quite reluctant in reframing traditional
Romanian culture, to put it in a wider European context. Etno music was born out of the need of the masses that settled in the country’s major urban centers during the period in which the nation’s industrial giants were developed, specifically we are talking about the heavy industry, manufacturing, and the food industry. Romania’s urban centers were not capable of fully assimilating the newly arrived, the “resistance” towards assimilation was also strengthened by the fact that some of the workers were housed in specially designed working-class quarters where they formed homogenous communities of individuals that came from a similar background, and shared similar cultural values. Etno music, in the early 2000s, became an ambassador for those that were usually first, or second generation, born in the cities. Their parents never were fully emerged into the culture that was common to those that came from families that traced their roots in the cities already for a few generations. Also, we must keep in mind the fact that, even before the i of communism, the cultural landscape of many cities differed substantially depending on the social-economic profile of each quarter. Usually the downtown will be dominated by wealthy families, and as we progressed to the outskirts usually the dwellers become more emerged in poverty and exlussion. Simply said, etno music became popular due to the fact that a significant part of its listeners were brought up by parents that were of rural background, some of which were still strong in preserving some aspects of their lives lived in the countryside. We can mention here practices that involve a certain preference towards a specific type of diet, habits that are centered around Folk and etno music still greatly rely on certain nationalistic images that were developed during the 1960s, they usually are quite reluctant in reframing traditional Romanian culture, to put it in a wider European context. Etno music was born out of the need of the masses that settled in the country’s major urban centers during the period in which the nation’s industrial giants were developed, specifically we are talking about the heavy industry, manufacturing, and the food industry.

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Simply said, etno music became popular due to the fact that a significant part of its listeners were brought up by parents that were of rural background, some of which were still preserved some of their habits that were inherited from the rural lifestyle that they once used to live. Etno music greatly simplified that manner in which regional and national identities need to be understood; this genre downplayed the particularities associated with the country’s traditional ethnographic region and greatly emphasized those cultural elements that are common to all Romanians. The popularity of Etno music in the early 2000s can be in part explained by a certain level of cultural illiteracy among those that were part of the first generation born within the cities. This was mainly due to several reasons, first of all we need to keep in mind that this generation’s parents were born and lived in an already “reformed” villages, ones that underwent some significant social and economic changes that were meant to increase their productivity and force the Romanian peasant to fit the moral standards dictated by the communists.

Romanian villages in the 1980s resemble very little how their used to look in the 1930s, most of the songs and rituals that were part of local and regional folklore already were not performed anymore. This was determined by the fact that many rural settlements already went through some significant demographic changes beginning with the 1930s, when many peasants started to resettle into the regional urban centers. The systematization policies increased mobility and the penetration of various aspects of the urban lifestyle within villages. The 1980s found many Romanian villages in a semi-modernised state. The role of keeping the community’s oral heritage alive was passed on to the state which used it to reinforce certain identity politics. So, in most cases, the folklore that people grew up with in the ‘70s and ‘80s was already greatly subjected to some significant content changes. The widespread use of the radio made it possible for the new brand of “proletarian folklore” to replace the vernacular folklore. Unlike their predecessors, which had almost no access to any form of mass media, beginning with the late 1960s peasants from all over the country were exposed to folklore from other regions than their own. This increased the perception of a highly homogenous
traditional culture across the territory of Romania. First-generation city dwellers were facing an identity crisis, this became more evident after 1989. Th Etno music industry had as a mission that of producing songs that are catchy, leaving aside any attempt of creating content that could actually be accepted as authentic contribution to Romanian national culture. Artists associated with this genre were keen on creating catchy tunes and lyrics, the artistic part being almost entirely ignored.

Another aspect that is highly important is the fact that etno singers were not brought up in environment here folklore was still performed regularly within the family or at community events. Etno singers were brought up with reconstructed pieces of folklore, especially those that were produced during the 1980s, period that set the stage for the birth of etno music. Folk and etno music still greatly rely on certain nationalistic images that were developed during the 1960s, they usually are quite reluctant in reframing traditional Romanian culture, to put it in a wider European context. Etno music was born out of the need of the masses that settled in the country’s major urban centres during the period in which the nation’s industrial giants were developed, specifically we are talking about the heavy industry, manufacturing, and the food industry. Romania’s urban centres were not capable of fully assimilating the newly arrived, the “resistance” towards assimilation was also strengthened by the fact that some of the workers were housed in specially designed working-class quarters where they formed homogenous communities of individuals that came from a similar background, and shared similar cultural values.

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References

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Abstract. The integration of Kosovo Roma into social and institutional life in the Republic of Kosovo remains a challenge. The purpose of this article is to analyse and discuss the current situation of Kosovo Roma community. Analysis and discussion are placed in the context of the relationship between the real situation and the European dream of this community. The selected method for analysing literature and relevant documents is qualitative content analysis. After applying this method, the results are significant in several directions. It can be concluded that, despite all the problems and challenges faced by the Roma community in the path of achieving the European dream, they nevertheless consider Kosovo as their homeland. From the aspect of constitutional and legal reality, the Roma community has guaranteed rights and political representation, thus experiencing the European dream in this area. However, from the aspect of the implementation of the rights guaranteed by the Constitution of the Republic of Kosovo and other laws, this community is far from fulfilling the European dream. The importance of this paper lies in providing a thorough picture of the situation of the Roma community in the Republic of Kosovo as a basis for understanding the problems of this community and outlining the ideas for concrete action in terms of accelerating the integration processes and positive transformations of the economic, social, educational and cultural life of the Roma community in the Republic of Kosovo.

Keywords: Roma community, Republic of Kosovo, human rights, political participation, integration

Introduction

In most cases, when it comes to the Roma community, it is about poverty, history, origin, shifting around the world, Roma culture and tradition. At the same time, attention is paid to the discrimination of the Roma community at local and global level. The main purpose of this article is to identify the situation of the Roma community in the Republic of Kosovo, which is between the reality and the European dream: the relationship between the rights guaranteed to them and the factual situation of the implementation of those rights but also of their social, economic, educational and cultural inclusion and integration. Also, another aim of the article is to find a way to reduce the inconsistency between the reality of the Roma...
community and the European dream in Kosovo. In this regard, the reality for the Roma means the findings, facts, statistics, obstacles, problems of everyday life and dealing with them, but also the positive aspects of their integration into Kosovo society. While the European dream in this context implies full rights that a person can enjoy regardless of ethnicity, language, colour, religious and political beliefs or sexual orientation. Human rights can only be achieved and protected in a democratic society and state, which is based on human rights and universal principles.

Therefore, the fundamental issue addressed in this article is *to what extent is the European dream of the Roma community in Kosovo realised as well as what and how much can be done in this regard*. Consequently, the article provides information on how much is the Republic of Kosovo committed and oriented towards the implementation of these rights and principles.

The research method of this paper has been selected to be qualitative content analysis, as its primary tool is the interpretation of the researched text. This means reading certain texts, re-articulating ideas and information, understanding those texts in the perspective of assumed contexts, enabling research questions and answers to emerge from the texts provided. Through content analysis will be defined how the various political, economic and social problems of the Roma community in Kosovo are addressed.

**Facts on the ground**

Referring to all laws, strategies and the Constitution of Republic of Kosovo (Gazette, Official Gazette of the Republic of Kosovo 2008), the protection and promotion of the rights of the Roma community has been and will be a commitment of the Government of Kosovo. Consequently, the full social integration of all communities, the institutional involvement of all citizens living in the Republic of Kosovo, is inevitable. Following the independence of Kosovo 1, the Roma community, compared to other countries in the Balkan region, has more guaranteed legal space for a life free from discrimination by being provided with equal access to health, education, employment etc. Although the situation is not ideal, from a constitutional and legal point of view, the Roma community is guaranteed a safer future.

The Roma community, according to scientific-historical data, is confirmed

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1 Kosovo declares independence on 17 February 2008.
to have originated from India, namely from Central India (Europe, Roma facts, uni graz 2002). After the XIII-XIV century, had begun the influx of Roma towards Europe (Panayi 1999), and around the XIV century the Roma had almost reached Europe (Europe, Roma facts, uni Graz 2002). The Roma have their native language, which is the Roma language. Like the Roma themselves, their language too has Indo-European backgrounds (Kosovo 2013). But Roma are not like other minorities and ethnic groups in Europe because they do not have their own historic homeland, live in almost all of Europe (Ringold, Orenstein and Wilkens 2005), and also in the Balkans (De Soto, Beddies and Gedeshi 2005), respectively in Kosovo.

Analysing the engagement and representation of the Roma community in most areas such as politics, economy, culture, etc., it is very clear that they have become an integral part of state-building and state-formation of the Republic of Kosovo. Also, this community considers the Republic of Kosovo as their homeland. Referring to Article 3 of the Constitution of the Republic of Kosovo, which emphasizes that Kosovo society is a multi-ethnic society and based on the principle of equality for both the individual and all communities. The Constitution of the Republic of Kosovo (and in particular Articles 22, 59, 60, 61 and 62) guarantees the representation of the Roma community and at the same time fights discrimination against them. Also, a step closer to European integration means the integration of all communities, and in this case of the Roma community, which is also part of the strategy for the inclusion of communities in Kosovo society 2017-2021 (Prime Minister and Good Governance 2017).

In Kosovo, according to the census, there were 8,824 members of the Roma community in 2011 (Kosovës 2018). According to the census of 2011, there are 1,820,631 over 90% ethnic Albanian population, while the rest of the population consists of Serb, Turkish, Bosnian, Roma, Ashkali and Egyptian communities (Arifi and Nuhiu 2018). Here it should be taken into account that a part of the Roma have exiled from Kosovo after the war, and the rest have boycotted the census. If this translates into a percentage of the total population, then it turns out that Kosovo has about 0.5% Roma citizens. According to the European Roma Rights Centre, approximately 15,696 Roma live in Kosovo today. But many have fled to Western countries after 1999 (Rugova 2018), while a number of them are displaced in camps in neighbouring countries (Isufi 2018). For example, only in Podgorica, Montenegro, there are about 2,000 Roma living
as refugees since 1999. Most of them do not like to return to Kosovo for many reasons such as political, economic, etc (Maeker 2018). But for many Kosovo roma, the real reason for not returning to Kosovo is 'fear'. Because a part of the kosoovo population accuses the Roma community of having co-operated with ‘Slobodan Milosevic's regime’. That means they are afraid of revenge. Based on this data it can be concluded that by the end of the war in Kosovo (1999) more Roma people lived than the aforementioned number derived from the census of 2011.

The rights of communities in Kosovo are protected by the Constitution of the Republic of Kosovo, which defines the rights of communities and their members in Chapter III. Within this chapter of the Constitution, communities are provided with general rights (Articles 57, 58, 59), as well as specific rights such as representation in employment in public institutions (Article 61), then representation in local government bodies (Article 62). Furthermore, under the authority of the President of the Republic of Kosovo there is a Consultative Council for Communities (Article 60) (Gazette, Official Gazette of the Republic of Kosovo 2008), in which the Roma community is represented by two seats (Kosovo Republic 2018). It is understandable that the Roma community is also in a struggle for equality with other communities, such as Ashkali, Egyptian, Bosnjaks, Turks.

Also, Roma have their international day, known as the International Roma Day and celebrated on April 8th. In Kosovo, this day is also regulated by the law on official holidays (Gazette, Officiel Gazette of the Republic of Kosovo 2008). During the manifestation of the Roma Day by the Government of the Republic of Kosovo in 2009 and the space provided to this community in Kosovo after the declaration of independence (February 17, 2008), the former Kosovo Member of Parliament from Roma community Zylfi Merxha claimed, that "the Roma too, are equal with all nationalities that live in Kosovo" (Isufi 2018). In this regard, among the Roma community there are those who are satisfied with the rights offered in Kosovo, but there are some, who want further improvements and willing to take more responsibility (Isufi 2018).

One of the primary tasks of the Government of the Republic of Kosovo is to plan the distribution of textbooks in the Roma language at the level of primary education, and also to allocate an adequate budget for the project on Learning Centres for members of the Roma community. The situation of the Roma
community cannot improve only with aid but also with concrete projects that are related to its development, education, schooling and emancipation. Only in this way will unemployment, poverty and illiteracy be significantly reduced in the Roma community.

Regarding education, the Roma community in the school year 2017/2018 had a total of 9 pupils in pre-school education (Ministria e Arsimit and Agjencia 2018). At the level of pre-primary education in the school year 2017/2018 there were altogether 99 pupils (Ministria e Arsimit and Agjencia 2018). At the level of primary and lower secondary education in the academic year 2017/2018 there were altogether 1733 pupils (Ministria e Arsimit and Agjencia 2018). At the level of upper secondary education in the academic year 2017/2018 there were a total of 156 pupils (Ministria e Arsimit and Agjencia 2018). If the percentage of the Roma population is seen, then we can say that there has been a slight progress in this regard, but that does not mean that is enough, but still it is a good start. Referring to Kosovo as the youngest state in Europe, as far as university studies of the Roma community are concerned, the former Member of Parliament of the Republic of Kosovo, Kujtim Paçaku, emphasizes that in 2002 the Roma had only one student, while in 2017 there were more than 100 Roma students in Kosovo universities (Fazliu 2018).

This achievement is a result of the permanent insistence of Roma representatives in Kosovo institutions, but also a carefully added concern for the integration and inclusion of the Roma community in the Kosovo society, by Kosovo institutions themselves. According to their representatives, education is the strongest weapon of the human and only education would help Kosovo Roma move forward (Rugova 2018). In the field of education we have a partial reality and progress, fulfilling to a very small extent the European dream of Kosovo Roma.

Statistics in the field of employment show that the situation on the ground for all communities, especially for the Roma community, is quite grave. This is evidenced by the Human Development Report 2010, which reports that the unemployment rate in Roma families in 2009 was about 58%, while the unemployment rate for the general population was 45% (Prime Minister and Good Governance 2017). It turns out that the unemployment among the Roma community is 13% higher than the general population. In this regard, there is a significant stagnation because central institutions are not respecting the Law on
Civil Servants of the Republic of Kosovo, especially Article 11 paragraph 3 (Gazette, Official Gazette of the Republic of Kosovo 2010), which explicitly stipulates that at least 10% of positions should be reserved for non-majority communities that meet specific employment criteria (Fazliu 2018).

The reality of employment of the Roma community is in an important discrepancy in relation to the European dream fuelled by this community. Factors that contribute towards this reality are related to chain problems that have to do with the non-implementation of the law by the institutions, the poor economy and the low level of education of this community.

**Roma participation in a political life**

Under the constitutional order in Kosovo for the allocation of guaranteed seats for communities, the Roma, Ashkali and Egyptian communities have 4 seats guaranteed in the Kosovo Assembly. Each of these communities is guaranteed one seat, and the fourth seat is won by one of these communities, which has received the most votes in total (Gazette 2008). In accordance with this constitutional order, the Roma community has been represented by Roma political parties in Kosovo's institutions since the 2001 parliamentary elections, thus being part of the Kosovo Assembly and the Government of Kosovo. In each Kosovo government formed after the national elections, there is also a reserved place for deputy minister from the Roma community. The Kosovo Albanian winning political parties, as well as the communities that have the guaranteed seats, become automatically part of the ruling coalition. This participation is a powerful guarantee for the Roma community (and others community) to articulate its problems and to find solutions for them within the framework of the government's program of each government. Also, this is an opportunity for this community to contribute to governance issues at the national level.

Taking Kosovo's liberation in 1999 as the starting point, it is significant that Kosovo Albanian parties, whether being in the position or the opposition, have never articulated in their political programs, political action or in any other way any discriminatory or racist comment to the Roma community (Arifi and Nuhui 2018). This greatly facilitates the participation of the Roma community in political life, also serving as an important starting point for their full integration into society. In the last parliamentary elections in Kosovo in June 2017, the Member of Parliament, Albert Kinolli from the United Roma Party, represented the Roma community, although his election was with only 534 votes (Insajder 2017).
Bridging the gap between the reality and the European dream of the Roma community in Kosovo

Despite some positive developments regarding constitutional rights, increased participation in education, and the perception that the government should do more for them, as well as the feeling that Kosovo is their homeland, the Roma community faces a significant degree of marginalisation. An UNDP -2017 (UNDP 2017) survey confirms this degree of marginalisation through socioeconomic data. The following table summarizes some very significant data.

**UNDP: Regional Roma Survey 2017. Factsheet Kosovo Roma**

<table>
<thead>
<tr>
<th>Category</th>
<th>Indicator</th>
<th>Roma population</th>
<th>Non-Roma population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td>Completion rate of compulsory education (% of population, age 18-21)</td>
<td>60</td>
<td>95</td>
</tr>
<tr>
<td></td>
<td>Completion rate of secondary education (% of population, age 22-25)</td>
<td>20</td>
<td>78</td>
</tr>
<tr>
<td></td>
<td>Completion rate of tertiary education (% of population, age 26-29)</td>
<td>3</td>
<td>22</td>
</tr>
<tr>
<td>Labour market</td>
<td>Employment (% of population, age 15-64)</td>
<td>13</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td>Unemployment (% of total labour force)</td>
<td>49</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>Not in education, work or training (% of population 18-24)</td>
<td>78</td>
<td>47</td>
</tr>
<tr>
<td>Health</td>
<td>Self-perceived Health (% of the population reporting good or very good health)</td>
<td>69</td>
<td>78</td>
</tr>
<tr>
<td></td>
<td>Use of preventive care (% of population 16+)</td>
<td>54</td>
<td>64</td>
</tr>
<tr>
<td>Accommodation</td>
<td>Use of electricity for heating (% of population)</td>
<td>1</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>Access to toilets inside the apartment (% of population)</td>
<td>79</td>
<td>96</td>
</tr>
<tr>
<td></td>
<td>Computers (% of population)</td>
<td>33</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>Overcrowding rate (% of population)</td>
<td>72</td>
<td>49</td>
</tr>
</tbody>
</table>

The table above is indicative in the sense that Kosovo’s government, institutions and society have much to do to reduce marginalisation and integration of the Roma community. The first step is to change the approach to solving the problems of this community. Roma community problems cannot be treated as overcome (Tileagă 2016), as various studies and documents have underlined a number of mechanisms in general, and in sectorial policies in particular, with the aim of reducing the barriers that prevent the full integration of the Roma community in the respective
societies. For example, one way to reduce stereotypes in the health sphere is the increased presence of medical or other Roma personnel in health care. Such professionals would have the effect that Roma patients would trust more the health system, while the latter would respond more adequately to cultural differences (Aiello, Flecha and Sarradell 2018). Another approach to the empowerment and social inclusion of the Roma community is presented by Crondahl and Karlsson which is labelled work-integrated learning (Crondahl and Karlsson 2016). This study shows that working with the Roma community through participatory approach and learning through work brings important effects to their psychological empowerment, to a greater sensation of power and a sense of social inclusion in line with their culture, which undoubtedly finally would generate more empowerment and social inclusion processes directed by them.

A very significant report in the field of early childhood education recommends (Fundation and UNICEF 2017) that policies include more strategies to attract more interest from the Roma community to be in the profession of the teacher, enabling the alternative training opportunities and providing resources for social scholarships. Also, this document requires the most appropriate monitoring and evaluation of preschool institutions (kindergartens) in relation to inclusive practices, which will then be the basis for redefining state policies. Clearly, education is a very important tool in multi-dimensional growth of the Roma community on many levels. Anna Kende, talking about the obstacles to the success of children, raised in an economically deprived environment, racially segregated neighbourhoods, identifies two key elements: the low quality of education received and the lack of aspirations for the future (Kende 2007). Therefore, in this regard, it is highly recommended that policymakers should consider how to best assist minority families to support their children; how they can reduce personal and institutional racism in school; how can non-governmental organizations and successful role models for the aspirations and chances of life of ethnic minority youth be extended and assisted (Tileagă 2016). In the end, the obligation of the government, public institutions and Kosovo society is that the discrepancy between the dominant and the Roma culture to become as insignificant in the essential issues of life such as housing, health, education and employment.

Conclusion

The integration of all citizens in the social and institutional life of the Republic of Kosovo, and especially of the Roma community, is not only a matter of
meeting a certain criterion or standard, but it is far more than that. This is about accepting each other as people born equal, with equal rights and opportunities, such concepts defined and protected by the highest acts of human rights at the European and global level. Analysing the constitution and the space given to communities, such as Roma, the laws and strategies for the Roma community (and other communities living in Kosovo), results that the institutions of the Republic of Kosovo are making efforts for emancipation and integration of the Roma community into the Kosovo society. However, in order for these efforts to have long-lasting results, it takes time. The success of this process depends on many factors, starting with the engagement of the Roma community to seek what the constitution and the laws guarantee. An important, perhaps decisive role for the fastest and sustainable integration of the Roma community in society is also the economic factor. Kosovo does not have a sufficient economic growth to impose dynamic development in this regard.

Nonetheless, the fact that the Roma community recognises Kosovo as its homeland and wants to contribute both to its integration into Kosovo society and state-building is a powerful cornerstone for the future and joint efforts. A success story is also the political participation and representation of the Roma community in Kosovo’s institutions. Based on these positive premises, Kosovo’s institutions should put more energy and generate more ideas, specifically through drafting and implementing development projects, for integrating the Roma community into society. This should serve as a recommendation for Kosovo institutions that the European dream of the Roma community should make sense in their daily reality, and not have it limited to the aspirational level only.

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RESEARCH ARTICLES

How Safe Shall be a Third Country for Asylum-Seekers from a European Perspective? The Human Rights Implications of the EU-Turkey Deal and the Assessment of the ECHR/General Court

Radu CARP

Abstract. As a response to the refugee crisis of 2015, the European Union reached an agreement with Turkey for return of all new irregular migrants crossing from Turkey to Greek islands. The major question this paper address related to the application of this agreement is if Turkey could be considered a safe third country for the refugees it tries to contain. Even if the Turkey 2016 Report of the European Commission and the 2016 EU Annual Report on Human Rights and Democracy in the World are critical about the current respect for rule of law and human rights in Turkey, the treatment of migrants is not considered to be a major issue. The paper takes into account the ECHR and the General Court perspectives on human rights in the light of the EU - Turkey agreement which seems to be in line with the EU view. The conclusion is that the „offshoring” of the EU migration and asylum policy has been developed before the 2015 refugee crisis and the EU - Turkey agreement is just one step forward in this direction.

Keywords: asylum-seekers, ECHR, EU, human rights, General Court, migration, Turkey

EU - Turkey agreements 2015 - 2016

The EU - Turkey deal is an idea that emerged long before the refugee crisis of 2015. It was related to the Arab Spring events and subsequently the start of the Syrian civil war. Turkey is a natural gateway to Europe and it was affected by smaller influx of refugees before 2015. Apart from the response of the European Union and of the Member States, a Joint Action Plan has been signed between EU and Turkey1.

A statement of the European Council followed in March 2016\(^2\) and the final step was the EU - Turkey agreement during the same month.

The Action Plan is the result of a joint initiative of Turkey and the EU. Turkey promised to apply a policy of refugee containment, in order to stop them from coming to Europe. It offered protection to those refugees staying in Turkey. The EU offered financial support and it answered in a positive way to the Turkey demand of liberalising the visa regime for Turkish citizens.

When the Action Plan has been officially released, the EU has been criticised because it treated the same people as in need of protection while in Turkey and as irregular migrants as they reach the territory of the EU\(^3\). Member States were not so enthusiastic in adopting the relocation scheme proposed by the Commission and therefore they very much support the Action Plan. It is not the desire to fulfil international human rights obligations, but rather the will to find an alternative solution to the one proposed by the Commission. The Action Plan has been designed in such a way to give as much as possible protection to the refugees while they choose to stay in Turkey. The priority for delivering funds is given to

>的动作 providing immediate humanitarian assistance; provision of legal, administrative and psychological support; support for community centres; the enhancement of self-sufficiency and participation in economy and their social inclusion during their stay in Turkey; improved access to education at all levels; but also actions supporting host communities in areas such as infrastructure and services\(^4\).

Turkey promised to fulfil three major obligations:

> Continue to ensure that migrants are registered and provided with appropriate documents on a compulsory basis to enable to build a stronger migration management strategy and system.

> Continue to ensure efforts to adopt and implement policies, legislation and programmes facilitating for Syrians under temporary protection to have access, for


\(^4\) EU Turkey Joint Action Plan, *op. cit.*
the duration of their stay in Turkey, to public services including education for pupils, to health services and participation in economy.

Ensure that vulnerable people continue to be identified and taken care of”.

The main problem of refugee move across the borders is not mentioned as it would be the case. There is only a mention to EU support in order to weakening of „push factors forcing them to move towards Turkey”. The possibility of a humanitarian intervention in Syria or in the states from where the refugees are coming from is not mentioned at all. The Action Plan mentions the support for EU resettlement schemes - it was the specific demand of the EU in order to get a better position in the tough negotiation on this issue with some Member States.

In order to prevent irregular migration, EU and Turkey promised to strengthen the capacity of the Turkish Coast Guard for surveillance and boost cooperation with some Member States. Turkey promised to implement an agreement with Greece and Bulgaria for the establishment of a common centre in Capitan Andreevo but this was just a promise not fulfilled.

EU provided funding for Turkey to enhance the „capacities and developing a well-functioning asylum, migration, visa, and integrated border management system in line with the EU - Turkey visa dialogue”. Frontex is the EU agency in charge with the deployment of the liaison officers that were operating on the ground. Turkey promised to ensure smooth readmission procedures and the rapid processing of asylum requests in order that the status of refugee could be granted „without delay to those whose asylum requests are positively assessed”.

The second document that is relevant for the EU - Turkey common assessment of the refugee problem has been the Joint Statement of 7 March 2016\(^5\). They agreed the following:

- The return of all new irregular migrants crossing from Turkey into the Greek islands with the costs covered by the EU;
- The resettlement, for every Syrian readmitted by Turkey from Greek islands, of another Syrian from Turkey to the EU Member States, within the framework of the existing commitments;

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The implementation of the visa liberalization roadmap with all Member States with a view to lifting the visa requirements for Turkish citizens at the latest by the end of June 2016;

- The use of EUR 3 billion that were initially allocated in order to fund the first set of projects and to decide on additional funding for the refugee facility for Syrians;

- The opening of new chapters in the accession negotiations;

- EU and Turkey shall work to improve conditions inside Syria which would allow for the local population and refugees to live in areas which will be more safe.

On 18 March 2016 the EU - Turkey agreement has been reached, in the form of a Joint Statement between EU heads of state and government and the Turkish authorities. According to this agreement, the following issues have to be monitored every month:

- The principle of no blanket expulsion is the cornerstone of this agreement. The principle of readmission to Turkey of the migrants crossing from Turkey to Greek islands is connected with it. Migrants who reach Greece and claim asylum have to be registered in line with the Directive 2013/32/EU on common procedures for granting and withdrawing international protection. Those who remain (not applying for asylum or not eligible for protection) have to be returned to Turkey and the EU covers the expenses connected with.

- Another principle is that for every Syrian being returned to Turkey from Greece another Syrian will be resettled from Turkey to the EU. Then every person in such a situation will be send to one member state according to the commitments they made in the framework of the relocation scheme.

- Turkey promised to take all the available measures to block the possibilities of opening new routes for illegal migration from his territory.

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to EU, in cooperation with the neighbouring countries (including Syria) and the EU Member States.

- The next step, after the limitation of refugee influx, is the implementation of the Voluntary Humanitarian Admission Scheme - the hosting of refugees by EU Member States as a voluntary gesture.

- The EU shall liberalise the visa requirements for Turkish citizens, once the obligations of Turkey are fulfilled.

- The Customs Union between EU and Turkey will be discussed in order to enhance its content.

- Chapter 33 of negotiations between the EU and Turkey shall be open. The EU and Turkey have to work together to find better solutions to the humanitarian crisis.

Is it Turkey a safe third country for refugees, according to the EU standards?

The deal between the EU and Turkey has been criticized from the perspective of international and European asylum law. It has opened a discussion related to the relationship between democracy and the EU law. Another criticism has been related to the human rights protection safeguards. The fact that the EU delegates its powers to control external borders to countries with a weak judicial system and a non-governamental sector underdeveloped and not prepared to deal with a humanitarian crisis is considered a dangerous development that could lead to human rights violations.

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10 Adam LUEDTKE, “Crisis” and Reality in European Immigration Policy, Current History, 114(70):89, March 2015, 92.
Is it Turkey a safe third country for the refugees it tries to contain in order to not reach the shores of the EU? If the answer is positive, a refugee passing through Turkey cannot receive asylum because of human rights abuses. His application would be declared inadmissible according to the Article 33 of the Directive 2013/32/EU11, after an interview (Article 34). For an answer to this question we shall examine if Turkey fulfils the criteria of a safe third country that are described in Article 38. These criteria are the following:

- Life and liberty are not threatened on account of race, religion, nationality, membership of a particular social group or political opinion;
- There is no risk of serious harm as defined in Directive 2011/95/EU12;
- The principle of non-refoulement in accordance with the Geneva Convention is respected;
- The prohibition of removal, in violation of the right to freedom from torture and cruel, inhuman and degrading treatment as laid down in international law is respected;
- The possibility exists to request refugee status and, if found to be a refugee, to receive protection in accordance with the Geneva Convention.

In order to assess these criteria, we may look at the latest Turkey 2016 Report of the European Commission13. This Report underline that „significant steps have been taken to decrease deaths at sea and reduce the numbers of migrants leaving Turkey for Greece and also that out of EUR 3 billion of the total funding for 2016 and 2017, EUR 2.2 billion have already been allocated for actions in support of refugees and host communities in Turkey. Nevertheless, the human rights situation downgraded since Turkey notified the Council of Europe of a derogation from its obligation to secure a number of fundamental rights protected by the ECHR.

12 Directive 2011/95/EU on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted, OJ L 337, 20.12.2011, p. 9 - 26.
According the European Commission, there has been backsliding with regard to the independence of the judiciary. The implementation of the March 2016 Statement is considered by the Commission as satisfactory overall - cooperation has been „smooth, facilitated by liaison officers deployed by each party” and „return operations from Greek islands to Turkey are carried out on the basis of commonly agreed readmission lists” - but Turkey have to fulfil further requirements:

„Align the legislation on personal data protection with European standards and accordingly negotiate an operational cooperation agreement with Europol;

Revise its legislation and practices on terrorism in line with the ECHR”.

The conclusion is that, for the moment, Turkey is still a safe third country for the refugees it hosted, even if serious concerns could be raised in the framework of neglecting democracy and rule of law standards as Turkey moves towards an authoritarian regime.

The EU - Turkey agreement has been criticized because the Turkish asylum system was considered abusive even before the refugee crisis of 2015 and the failed coup d’etat in 2016. It has been considered that the agreement may have worsened the difficult situation of asylum-seekers. UNHCR has alleged that the asylum-seekers and migrants who arrived in Greece after the entry into force of the agreement (20 March 2016) have been detained and were subject to the new return policy. As a consequence of this situation, many international NGOs that worked in Greece with refugees have suspended their operations in the „hotspots”, fearing that they could be „instrumentalized for a mass expulsion operation” (Medicins sans Frontieres, International Rescue Committee, Norwegian Refugee Council, save the Children, etc.). Refugees started to be send to Turkey on 4 april 2016.\textsuperscript{14}

In the 2016 EU Annual Report on Human Rights and Democracy in the World adopted on 16 October 2017 it has said that:

„Reform and capacity-building needs under the rule of law and fundamental rights...remained a high priority in 2016, in a particularly sensitive context, not least in the aftermath of the July 2016 coup attempt. From the perspective of implementation, very large budgets have already been mobilised for Turkey in 2015 and 2016 for migration, asylum and border management as a consequence of the migration crisis and the implementation of the Visa Liberalisation Roadmap, while assistance relating to the refugee crisis will continue to be mobilised through the

\textsuperscript{14} Mauro GATTI, \textit{op. cit.}
facility for refugees in Turkey. Political and institutional uncertainties experienced by some key beneficiaries after the coup attempt are also being taken into consideration.\footnote{15}

This document is therefore more critical than the \textit{Turkey 2016 Report} about the implementation of the EU - Turkey agreement, even if it does not say who are the „key beneficiaries” that were not able to use the provisions of that agreement.

The European Commission have released a report on the implementation of the EU - Turkey deal. This report does not mention refugees human rights as an issue but it offers an important information: only 103 Syrian refugees has been resettled.\footnote{16}

It is not clear how Frontex and its supposed enhanced cooperation with the Turkish Coast Guards, according to the EU - Turkey agreement, is beneficial for the rights of refugees intercepted in the sea, a purpose that has been reiterated on a number of occasions by the EU officials. The Turkey 2016 Report mention only the positive role played in this regard by „Turkey’s law enforcement agencies”\footnote{17}.

\section*{EU - Turkey agreement in the light of the ECHR and of the General Court cases}

The ECHR has been confronted so far with two cases related to the EU - Turkey agreement. The first case, \textit{Allaa Kaak and Others v. Greece}\footnote{18}, is not solved yet. The applicants are 51 people detained on the Greek island of Chios, that irregularly arrived between 20 March and 15 April 2016, are complaining that they formulated asylum demands but their demands could not be registered. They complain about the detention conditions that are contrary, in their opinion, to Articles 2 and 3 of the Convention, to Article 5 §1 f) (detention conditions, based only on a administrative decision) and Article 5 § 4 (the authorities have denied their right to address to a judicial authority). The second case, \textit{J.R. and Others v. Greece}\footnote{19} is

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\textit{Annual Report on Human Rights and Democracy in the World,}
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\textit{European Commission, Managing the Refugee Crisis: Commission Reports on Implementation of EU - Turkey Statement,}
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\textit{Commission Staff Working Document, Turkey 2016, op. cit.}
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\textit{Requête no. 34215/16, Allaa Kaak et autres contre la Grèce} introduite le 16 juin 2016,
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\textit{Appl. no. 22696/16, 25.01.2018.}
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already solved on 25 January 2018. The applicants are Afghan nationals who irregularly arrived on the same Greek island of Chios where they were placed in a refugee centre. They complained about the conditions and length of their detention in the centre, relying on Article 5 § 1 of the Convention, they complained about denial of the right to be informed of charge, relying on Article 5 § 2 of the Convention and J.R. complains about the fact that they were questioned by the police in October 2016 concerning his application to the ECHR, considering that this is an attempt to intimidate him and dissuade him from pursuing his case. The ECHR considered that a detention period of one month cannot be considered as excessive and also that the conditions were not severe enough for their detention to be characterised as inhuman or degrading treatment. The ECHR found that „while the applicants could have been aware that they had entered Greece unlawfully, they might not known that their situation is covered by the EU - Turkey Declaration, signed the day before their arrest...even if they had received an information leaflet...its content was not such as to provode them with sufficient details about the reasoin for their arrest or the remedies available to them”. Therefore, the ECHR considered that there has been a violation of Article 5 § 2.

The ECHR does not tell everything in this case neither about the legitimacy of the Greek detention centres, nor about the issue if Turkey is a safe third country for asylum - seekers. The ECHR did not clarified the nature of the EU - Turkey Statement: it referes to it as an „agreement” („accord” in the French version) but does not say anything about its legal nature. The General Court of the EU has ruled already that it does not have jurisdiction over the EU - Turkey Statement\(^\text{20}\), leaving unanswered the question whether is only a political statement or a measure capable of producing legal effects. The General Court said the Statement was concluded between EU Member States and Turkey and not between EU and Turkey. The case is not over, since an appeal is pending before the Court of Justice\(^\text{21}\). According to one opinion, the General Court wrongly characterized the Statement as an agreement.


between EU Member States and a third country, since EU Member States have no competence to act on their own on a subject matter of readmission of refugees to Turkey.\(^{22}\)

**Conclusions**

The foundations of the EU-Turkey deal were laid much time before the refugee crisis emerged, since the beginning of a coherent EU migration policy. The so-called “offshoring” of immigration and asylum policy\(^{23}\) has been developed through Frontex, agreements with third countries about return of refugees and, the most remarkable achievement, the Dublin Convention. Requiring the application of asylum to be processed in the first country applicants arrived is the cornerstone of the current „offshoring” of the migration policy. Member States have a paradoxical position: they complain about the EU having more power on migration issues, but they are happy to create a European database for asylum seekers, because they do not want to be confronted with such a problem. The EU have also a paradoxical attitude towards migration: it tries to promote human rights in its neighborhood and oppose the neglect of them by third countries, but it see Turkey as a reliable partner in dealing with migration issues. EU Member States does not want to create a long-term, self-sustainable system for the protection of asylum seekers. They prefer to hide the lack of political will behind the support for the EU involvement in this matter. If the Court of Justice or the ECHR will challenge the current status quo by defining the EU-Turkey deal as a legal document and/or as a document not signed by the EU Member states but by the EU remains to be seen. After all, the main issue at stake are the human rights of the asylum seekers, but it seems that this is not considered to be at the heart of the current debate about how to tackle the migration challenges.


\(^{23}\) Adam LUEDTKE, *op. cit.*, p. 91.
“Balladur Visa” or “Visa of Death”? Questioning ‘Migration’ to Europe via the Comoros Archipelago

Rémi Armand TCHOKOTHE

Abstract. This article throws light on migration from Africa to Europe which happens on African soil. The Comoros Archipelago comprises Anjouan, Grande Comore, Mohéli and Mayotte, which has been part of France since 1975, and since January 1st 2014, an ultra-peripheral region of the European Union. This explains measures like the introduction, in 1995, of the Balladur Visa, which is commonly called “Visa de la mort” [Visa of Death] for inhabitants of the other three Islands. The privileged status of Mayotte has caused massive risky ‘migration’, which on the one hand is considered ‘illegal’ while on the other hand, is also regarded as ‘internal’ movement, given the historical ties among the peoples of the Archipelago. Constructing an argument from the works of two ‘francographe’ writers; Nassur Attoumani from Mayotte, and Soeuf Elbadawi from the Grande Comore; this paper challenges discourses on migration crisis and creates a venue for the visibility of critical texts by authors outside the main circuits of literary legitimation. Also, the analysis explores fertile points of dialogue between the economy of literature, history and sociopolitical geography by emphasizing the ambiguous relationship between Mayotte and Europe, while delving into conjectures on critical geography in order to understand an essential human concern: identity.

Keywords: Balladur visa, critical geography, the Wretched of the Sea, neocolonial balkanisation, anger writing, Nassur Attoumani, Soeuf Elbadawi, literary identity

Introduction

By far the most controversial aspect of France’s hold of Mayotte is the ‘Balladur visa’. Introduced unilaterally in January 1995 by Prime Minister Édouard Balladur to curb unwanted immigration, it targets citizens of the Union of Comoros [...] Little known to the outside world, the visa requirement has had far-reaching consequences, provoking thousands of deaths, detentions and expulsions, as well as setting Comorians against each other and deepening the tensions in the conflict-prone archipelago. Day after day, never-ending human tragedies are played out as people risk their lives trying to reach Mayotte in overloaded, rickety kwassa-kwassa boats to see family members, place their children in school, visit a health center, sell
products on the market or find an odd job. The waters between Anjouan and Mayotte have been described as the ‘biggest marine graveyard in the world and the Balladur visa as ‘legalized genocide’ ” (Sellström 2015, 317-318).


What is peculiar to the ‘migration’ described here is that it has been taking place during the last two decades, but has been happening far ‘beyond headlines’ and, as Sellström puts it, features ‘untold tragedies’. These tragedies reawaken both the question of the currency of discourses on places and spaces and the question of the imaginary struggle for spaces. In this regard, literature, as the following analysis shows, becomes a space for negotiating visibility for critical voices and for challenging the seemingly acquired ownership of space. Thus, literature turns to a field where the construction and the deconstruction of space can be very fertile.

Lefebvre (2000) draws attention to the ‘trialectics of space’ which can be lived, conceived or perceived. In a broad sense, the article touches on the multidimensional nature of space by highlighting a neglected aspect of mainstream discourse on migration, namely migration from Africa to Europe, which is taking place on African soil. This tridimensional South-South-North ‘migration’ emphasizes the constructed and ambiguous relationality between Mayotte and the other Islands of the Archipelago, and between Mayotte and France.

In addressing this tridimensional migration, the article transversally deals with history, sociological empathy, taxonomy (legal versus illegal), political geography and the economy of literature (i.e. the channels of canonizing or silencing texts). Moreover, the article opens up current events, in which massive migration to Mayotte, and to Europe, plays a prominent role.

The article is divided into three sections. In the first section, I briefly sketch out the referendum that ‘made’ Mayotte part of France with consequences like the ‘Balladur visa’. The second section analyses Autopsie d’un Macchabée, the tragico-magical play by the writer from Mayotte, Nassur Attoumani, and the bitter pamphlet Un Dhikri pour nos morts. La rage entre les dents by Soeuf Elbadawi, the writer from the Grande Comore.

I chose these writers because they officially represent both sides of what I

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1 See picture 2 at the paper’s end which illustrates this fear for a genocidal dimension of the ‘migration’ crisis in Mayotte.
regard as the Comorian puzzle. Moreover, they differ significantly in terms of a) their artistic engagement with the topic of migration, which is a prime concern for them; b) the politicization of space; and with regard to c) their ‘posture d’auteur’, which encompasses all strategies pertaining to the management and manipulation of their public identity, their public awareness, and especially how they market themselves (Meizoz 2007).

The analysis is done through the lens of the critical geography approach because this tool is particularly fitting for understanding the complexities inherent to the Comorian puzzle. Critical geography, as (Hubbard et al. 2002, 73) put it: “is united by a concerted and engaged encounter with issues of inequality, one that is increasingly recognizing multiple axes of power, with a commitment to emancipatory politics and social change.”

The third section places both texts in the general framework of the literary market by asking questions about their circulation and reception, and the positioning of both writers with regard to France where most of their faultfinding texts about France are published.

A contested referendum

According to Ahamadi (1999), Mayotte has been a French Island following the *Traité de cession de Mayotte à la France du 25 Juin 1841* which was signed by Andriansouli. Later, in 1975, contrary to the Islands of Grande Comore, Anjouan and Moheli, Mayotte chose by referendum to stay French. Sellström regards Ahamadi’s position as a ‘myth’. To Sellström (2015, 320) “like all Comorians, the inhabitants of Mayotte became French citizens in 1946. In Mahorian history, the year 1841 and a supposed voluntary union with France have taken almost mythical proportions.” The issue of ‘union with France” is still at the heart of the discussion on the results of the referendum:

In accordance with the 1973 agreement, in December 1974 the French government organized a referendum in which the Comorian population could opt for national independence or continued attachment to France. With a participation of 93.3% of the registered voters, an overwhelming majority of 94.6% voted in favor of independence. On the Islands of Grande Comore, Mohéli and Anjouan practically all – or 99.9% opted to break with France. On Mayotte, however, only one third (34.5%) supported independence, whereas a majority (64.9%) chose to remain under French administration. Faced with the popular verdict, the Paris government decided to
interpret the referendum Island by Island, signaling that Mayotte should remain attached to France. The violation of the 1973 agreement was strongly condemned by the authorities in Moroni, which under Ahmed Abdallah on 6 July 1975 proceeded to unilaterally declare the independence of the State of Comoros (État Comorien) consisting of the four Comorian Islands including Mayotte. Less than a month later – on August 1975 – Abdallah was overthrown in the first of a series of French-engineered coup d’états\(^2\) (Sellström 2015, 323-324).

This brief knowledge of the main historical event at the heart of all discourses on territorialisation or deterritorialisation within the Comoros Archipelago is necessary in understanding the argumentative thread in works that serve as the corpus for this analysis. This knowledge is especially relevant when it comes to discussing the emotional charge that goes with the concepts ‘legal’ and ‘illegal’ when they are used in the context of peoples’ movements within the Comoros Archipelago.

This explains why the topic of migration in this setting calls for empathy on the one hand, but, on the other hand, when one takes into account geography and un-truncated history, is about justice and restitution. The situation has been exacerbated by many factors, the following are just four examples, which I have chosen to highlight the ambiguity of the whole situation.

First, several attempts by delegates of the Union of the Comoros and other countries to draw the attention of the United Nations to this issue have been in vain. This appropriation of Mayotte has been criticized by the United Nations with respect to the United Nations Decolonization Declaration in 1975, but France has not altered its position. This is only strengthened by its status as one of the five permanent members of the United Nations Security Council.

Second, one should recall images that were broadcast to the world in August 1997, in which thousands of people from the Island of Anjouan proudly brandished the French flag and pictures of former President Jacques Chirac. They were asking to be recolonized by France, in view of the economic and social advantages that being a French Island would entail.

Thirdly, in 2016, public life in Mayotte was marked by two social movements which had an echo in media in France. On one side, there were the massive attacks\(^2\) For more on coup d’états in the Comoros, the reader may refer to Mohamed (2001). Comores : Les Institutions d’un État mort-né.
against Comorians by a few groups of Mahorians who held ‘illegal’ Comorians responsible for the growth of theft, crime and joblessness in Mayotte. Whether these assaults were called ‘opération de décasage’ [Clear their houses!], or ‘Mayotte Asphyxié!’ [Mayotte is suffocating!], they conveyed a main meta-message: many Mahorians are afraid of having to share their privileges with ‘migrants’ from Anjouan, Mohéli and Grande Comore.

This fear was reinforced in a second social movement namely; the campaign against ‘la vie chère’ [protest against the high cost of living]. This protest was mainly addressed to France, asking that Mahorians receive the same rights and advantages to which other French citizens are entitled; this was in order to survive on an Island in which the majority of goods are imported.

As an affiliate, each year, I offer a one-week intensive course in sociolinguistics at the Centre Universitaire de Formation et de Recherche of Mayotte. In September 2017, I taught during a tense period. Paris and Moroni had started negotiations on the cancellation of the ‘Balladur Visa’ without consulting Mayotte. This situation caused several strikes, including one major strike on the day I was flying back. Everyone had to walk to the [la Place de la République] where one takes a boat between [Petite-Terre] and [Grande-Terre].

[La Place de la République] was overcrowded with angry Mahorians complaining about this state of affairs and my colleagues had advised me to be at the airport well ahead of time. They were right, because after I had reached the airport, the tensions increased on [Grande-Terre]. In addition to the airport, the

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3 As it went many of the victims were living ‘legally’ in Mayotte and some even had the French citizenship.

4 The reader can refer to the flyer at the end of the paper to have a gist of the tenets of the movement.

5 When I taught in September 2018, the situation was still very uneasy because for reasons of security, the Prefecture had been closed for several months. This resulted in the fact that thousands of people, among them students in my class, were not informed about their ‘legal’ status on the Island.

6 Since February 2018 Mayotte has been going through another social turmoil at the heart of which the question of insecurity which is sold as a consequence of ‘illegal migration’ still plays an important role. In order to find a way out of the crisis that has been lasting for a month, the French overseas minister Annick Girardin, accompanied by three envoys was in Mayotte from March 12 to March 13. Some results of this attempted dialogue with different delegates include the discussion of 14 points among which the appointment of a senior official in charge of the fight against ‘illegal migration’, the later will work together with citizens and members of different associations that fight against ‘illegal migration’ to Mayotte.
French army base, the Conseil Général and many strategic offices are located on [Petite-Terre], which means that in the case of a serious threat, the connection to [Grande-Terre] can be cut in the twinkling of an eye and the happy few, to which I belonged that day in September 2017, would already be near the airport. It is this absurdity of the politics of place and power that Nassur Attoumani and Soeuf Elbadawi deal with in *Autopsie d’un Macchabée* and *Un Dhikri pour nos morts La rage entre les dents*. Attoumani uses an unusual satirical and magic realist touch, while Elbadawi poetically engages with anger writing.

**Nassur Attoumani and Soeuf Elbadawi as ‘critical geographers’**

This section presents the tragico-magical play by Nassur Attoumani and the bitter pamphlet by Soeuf Elbadawi as pieces of critical geography. I understand critical geography as a hyperonym for critical discourses about all kinds of social injustice, since both authors reflect on historical, economic, political and security aspects in the lives of the people of the Comoros Archipelago.

(Hubbard et al. 2002, 62) argue that critical human geography has a concern ‘to expose the socio-spatial processes that (re)produce inequalities between people and places’. Critical geography invites scholars to interrogate acquired knowledge of political geographies and to see space as a site for discourses on power, which Attoumani and Elbadawi do in both texts, which portray space, not only as a site for contesting power hierarchies, but also as a mode and a node of resistance to inequalities. In this sense, their imaginary endeavor brings to mind Toni Morrison’s stance on imaginary spaces, as well as the need to deconstruct African-American identities as they are presented in ‘American literature’ by writers such as Hawthorne, Melville and Hemingway.

In her call to question the ‘American Literature canon’, (Morrison 1992, 3) states her intention as follows: “I want to draw a map, so to speak, of a critical geography and use the map to open as much space for discovery, intellectual adventure, and close exploration as did the original charting of the new world - without the mandate for conquest.” In the following, I propose a close reading of *Autopsie d’un Macchabée* & *Un Dhikri pour nos morts La rage entre les dents* as critical maps.

In *Autopsie d’un Macchabée* [Autopsy of a Dead Body], Attoumani shows the stupid and inhuman turn that the concept migration has taken. This satirical play
features four characters namely Macchabée (the dead body), Mahossa (a fundamentalist Mahorian), Docteur Chikungunya (a forensic pathologist) and Iblis (Satan the outcast). Mahossa who embodies Mahorians, discovers the dead body, the third body to be found in a week in the mangrove swamp and is happy that villagers are already digging a grave for the body at the cemetery for adults (Dieu soit loué, les villageois sont déjà en train de creuser sa tombe, au cimetière des adultes, Autopsie d’un Macchabée 2009, 12). At that very moment, the forensic pathologist, whose name resembles that of a terrible disease, comes in; Dr Chikungunya is upset because, as the spokesperson of the French Republic, he has to make sure that French laws are enforced on the Island, which in this case means an autopsy of the dead body should be carried out. This creates the great misunderstanding on which the play centers, i.e. the disharmony between Mahorian cultural practices and French cultural practices on an Island that is ‘officially’ French.

Mahossa is busy organising the burial of the dead body according to the tenets of Islam, whereas the forensic pathologist goes as far as blaming the dead body for having transcended space and for being ‘illegally’ in French territory. The consequence is that the dead body should first account for its irreverent act towards France. The forensic pathologist goes further by warning Mahossa:

When one is ignorant about all of medicine and all of justice, one should not ask clueless citizens to dig graves ... French Law can take you to court for complicity in murder

quand on ignore tout de la médecine et de la justice, on ne demande pas à des citoyens inconscients de creuser des tombes... La loi française peut vous poursuivre en justice pour complicité de meurtre (Attoumani 2009, 15).

We found the dead body at your place. You should be happy that the State is not lodging a complaint against you for the concealment of a sovereign good (Attoumani 2009, 21).

nous l’avons trouvé chez vous. Soyez déjà heureux que l’État ne porte pas plainte contre vous pour recel de bien régalien.

Not only is Mahossa traumatised by the fact that a Christian stops him from going ahead with the planning of the burial for his ‘Muslim brother’ with dignity, moreover, he is threatened because of his good intentions to do what he holds as right with regard to the dead body, which fell from a ‘kwasa-kwasa’ (Attoumani 2009, 18). Kwasa-Kwasa (probably from the Congolese music genre implying the idea of
shaking) are adventurous and overloaded fishing boats\(^7\) that people take in their attempt to reach Mayotte.

It has commonly been referred to as the ‘visa of death’ because of the number of people who have died when these boats capsize, break down at sea or are chased at night by the Border Police (Paf: Police aux Frontières). As the story unfolds, it is revealed that the dead body came from the Grande-Comore.

You had a paradise, too. Do not turn ours into hell. It was the deliberate choice of your people. Take responsibility for your madness! (Attoumani 2009, 51)

Vous aviez un paradis, vous aussi. Ne transformez pas le nôtre en Enfer. C’était le choix délibéré de ton peuple. Assumez votre folie!

The above passage helps one remember the referendum mentioned in the first part of this article; the latter referendum which led to the introduction of the ‘Balladur Visa’ in 1995, separating families; and later on in 2006, of Sarkozy’s law against immigration. These laws have caused the dead body to become one of the thousands ‘damnés de la mer’ [The Wretched of the Sea] as the Senegalese writer (Diop 2014, 7) calls them in a series of letters which he exchanged with the cultural resistance leader Aminata Traoré of Mali between January 2012 and October 2013. These letters deal with, among others, the political situations in Mali, Libya, Tunisia, Senegal, the Ivory Coast and Guinea.

Obviously, ‘les damnés de la mer’ makes reference to Fanon’s *Les Damnés de la Terre*, which is fitting here because migration as a consequence of uncertainty about the future and poor living conditions applies to both the West and Central African contexts, and the Comoros Archipelago. Although, the case of the Comoros Archipelago is unique, in the sense that these [Wretched of the Sea] face a double predicament: the geographic-cultural predicament and the media predicament. Regarding the media predicament (Sellström 2015, 318) notes that:

the disasters bear a close resemblance to those occurring when African refugees and economic migrants try to reach the Mediterranean Island of Lampedusa, Italy, in search of EU shelter and jobs. In the case of Mayotte; they take place in silence, far away from any international media coverage or public debate.

\(^7\) In a twist of magic realism, the dead body later speaks of 47 people in a kwasa-kwasa which was initially made for six fishermen. He adds that he was the only survivor from that boat (Attoumani 2009, 55).
The dead body is depicted as a victim of the “illegally imposed Balladur Visa” (Attoumani 2009, 63). To Nassur Attoumani, it is the Balladur visa which is illegal, not the people. Together with the silence of the international media on this human tragedy of the last two decades, this ‘visa of death’, forcefully introduced by foreigners, forms a central motif in *Un Dhikri pour nos morts La rage entre les dents*.

*Un Dhikri pour nos morts La rage entre les dents [An anger song of mourning for our dead]* opens with the warning “ouvrez bien l’oreille Retenez bien votre souffle” [Open your ear well and hold your breath, Elbadawi 2013, 7]. A Dhikri is a Muslim prayer, a ritual, an act of remembrance which generally takes place 40 days after the death of a person. By asking whether God was drowsing when all this was happening and saying this prayer with anger, even rage, “between the teeth”, as the title suggests, Elbadawi embarks on a violent and scathing imaginative criticism of the ‘Balladur Visa’ which manifests itself as a measure of neocolonial balkanisation.

Comorian memories are divided into two fronts regarding the (unnamed) cousin to which this poem for the dead is dedicated. The cousin is a symbol for the thousands of people who have died at sea during attempts to cross the so called wall of hate (mur de la haine8). This piece can therefore be read as a common burial ceremony for all the faceless and nameless dead in this silent tragedy of the past two decades, despite attempts by Comorian presidents, the African Union and the United Nations to change the state of affairs. Clinging to its status as a permanent member of the United Nations Security Council, France has remained resolute; refusing to withdraw, despite 22 United Nations Resolutions against their presence in Mayotte.

The ‘Balladur Visa’ has turned Comorians into ‘illegal migrants’ on the ‘Land of their Ancestors’ [la terre de ses aïeux, Elbadawi 2013, 25]. Elbadawi criticises this illogical state of affairs, which, in his pamphlet, is shown to have caused the death of ninety-eight Comorians, among them children and pregnant women who were packed up as slaves on a frail boat. Elbadawi describes the power of space in this tragedy as follows:

> On one side were the guardians of a border of usurpation On the other side

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8 ‘Ce mur dont je vous parle Érigé en nos eaux par la lointaine République de Paris est le résultat d’une politique de désespérance remontant aux premiers émois de la colonie Dans cinq siècles on en paiera encore la facture.

[This wall I am speaking of, which was Erected in our waters by the distant Republic of Paris is the result of a policy of despair dating back to the first distress caused by the colony. In five centuries we will still be paying the bill.] (Elbadawi 2013, 22)
were the forgotten of a nation being dispossessed\textsuperscript{9}

D’un côté les gardiens d’une frontière d’usurpation De l’autre les oubliés
d’une nation en déshérence (Elbadawi 2013, 8)

The author deplores both the physical and imaginary borders that were
imposed upon peoples with a common history. In doing so, he acts as a critical
geographer; using the stage of fiction as a space for decrying the abusive politics of
‘conceived’ space. This pamphlet has all the traits of a transformative faction, i.e. the
combination of fiction and facts, with the aim to generate critical awareness of a
seldom mentioned, yet important, aspect of migration. He uses faction to draw
attention to the “falsifications of history done by the foreigner-the colonizer\textsuperscript{10}"
(Harchi 2016, 150). This work of faction sheds light on a hidden side to the motto
“Liberty, Equality, Fraternity’. The depiction of this ridiculous possession of space-
place reaches its peak when Elbadawi poetically and satirically rephrases a verse of
La Marseillaise (Elbadawi 2013, 57-58).

allons noyés de la fratrie  
le jour du deuil est arrivé  
sur nous souffle un vent de tyrannie  
les requins sanglants sont dressés  
sanglants requins dressés  
etendez-vous près de nos rivages gris  
mugir ces féroces soldats qui renversent  
nos boutres d’infortune  
aux armes enfants de catins  
bâtards et tortillons  
pardon partons  
nous qui ne sommes rien

come on! drowned children of brotherhood
the day of mourning has arrived
on us blows a wind of tyranny
bloody sharks stand ready
trained bloody sharks
near our grey shores do you hear
the roaring of these fierce soldiers who capsize
our dhows of misfortune
grab your weapons children of harlots
bastards and twists
never mind Let’s go
we the worthless ones

There are striking oppositions between the original French national anthem
and the version that Elbadawi has tailored to his glaring but very poetic
condemnation of French politics of place, which have made Comorians placeless in

\textsuperscript{9} In an interview with Anssoufouddine Mohamed (2013), Elbadawi connects the deliberate
absence of any punctuation mark in the text among other reasons to the abject situation
which a standard language cannot describe, the desire to answer disorderly to the disorder
introduced in the Comoros Archipelago by the ‘masters’ and the speech of the ‘mad’ man
Ibuka known in the cultural repertoire of Moroni for his public and pauseless speech.

\textsuperscript{10} Speaking of the Algerian writer Rachid Boudjedra (Harchi 2016, 150) states that
« L’écriture devient cet outil de repérage et de dénonciation « des falsifications de
l’histoire » opérées par la figure de l’étranger – le colon, notamment – mais aussi des
mensonges, « des mythes » entretenus par le groupe d’appartenance de l’individu. »
Mayotte. One needs to keep these oppositions in mind to fully appreciate Elbadawi’s angry writing and his positioning as a critical geographer; the oppositions are: fatherland versus brotherhood; glory versus mourning; freedom versus tyranny; bloody flag versus bloody sharks; citizens versus children of harlots and countryside versus grey shores with the emphasis on the sea. The sea was one way in which slaves were uprooted from their homes, in contrast, Comorians voluntarily choose this route, as a means of reconnecting with a part of their heritage from which they were forcefully detached.

It is ironical that the sea, which was the imposed route in narratives of slavery, is nowadays the route that despairing Comorians choose from their own free will, if we can even call it that. Elbadawi speaks of ‘dhow migration’ [migration Mdjahazi\(^{11}\), Elbadawi 2013, 11] due to the fact that the ‘Master of Possessors - Goliath’ has redrawn the map of the ‘Land of Loose - David’ according to their fantasy. (Diop 2014, 137) also stands against this attitude of the master-conqueror that has pushed people with geographical and historical links to fight against each other. In his words:

\[
\text{in these turbulent times, those who have so long been masters of the universe feel their position threatened and, as in 1885 in Berlin, they draw lines on maps according to their interests. They do so regardless of the fate of the people who they set against each other.}
\]

\[
\text{par ces temps difficiles, ceux qui ont été si longtemps les maîtres de l’univers sentent leur position menacée et, comme en 1885 à Berlin, tracent des lignes sur des cartes en fonction de leurs intérêts, sans se soucier du sort des populations violemment dressées les unes contre les autres.}
\]

Boris Diop is speaking of the ‘Opération Serval’ led by the French government under Hollande in the northern part of Mali with all its political and geographical ramifications. This operation which started on January 11, 2011 aimed at freeing the country and its neighbours from ‘terrorists’, but Diop’s timely statement, as in Attoumani’s play and Elbadawi’s pamphlet, can be seen as saying

\[\text{Elbadawi’s text is full of untranslated excerpts in Shikomori and Arabic. In an interview with Anssoufouddine (2013), he states that this conscious choice of languages reflects the multilingual reality of the Island which will be distorted if they were to be narrated solely in French which de facto is a minority language on the Island.} \]
that playing with maps is, in itself, a subtle kind of terrorism. The 2017 French presidential elections provided evidence for the resentment that this kind of terrorism can fuel.

These elections bear witness to the link between political geography and the need to resort to critical geography in understanding current events. In the first round of elections, Marine Le Pen (Front National, right wing conservatives) was second (27.3%) to François Fillon (Socialist Party) (32.6%) in Mayotte. In the second round, she received 43.2% of votes whereas Macron (En Marche!) secured 53.8% of votes (France Info). This means that Mayotte was the constituency where Marine Le Pen gained her second highest share of votes (after New Caledonia).

An explanation to these election results could be her campaign, during which she repeatedly insisted on plans to reduce migration. This appealed to many Mahorians, who have been made to see people from Anjouan, Mohéli and Grande-Comore as ‘migrants’, and hence, as a source of growing insecurity on the Island and a threat to the promise of their well-being. Le Pen can be seen as one of these players with maps to whom Attoumani, Elbadawi, Boris Diop and Morrison have referred.

The ‘symbolic power’ which maps can also have on the publication, circulation, reception, critical appraisal, translation, authorisation and canonisation of both texts, solely depends on the ‘literary configurations’ which determine the existence of these texts. I now turn to this aspect.

**Autopsie d’un Macchabée, Un Dhikri pour nos Morts La rage entre les dents and ‘literary configurations’**

On 21 March 2014, Pierzo-Laffond published the following thought-provoking contribution in *Le Journal de Mayotte* titled: ‘La littérature mahoraise, c’est Bonjour détresse’ [Mahorian Literature is all about Distress]. In this short notice the author writes:

The Ministry of Overseas will participate in the 2014 edition of the Paris Book Fair taking place on March 20-24 at the Palais des Expositions in the Porte de Versailles. [...] The Atlantic Ocean will be represented by several writers and publishers, including forty Guadeloupeans, as many Guyanese, a dozen Martiniquais, even one from Saint Pierre and Miquelon; and the Indian Ocean will be represented by the Reunionese Jean-François Samlong, Rose-May Nivar and André Rober and by ... a unique Mahorian production of an author living in France, Théodora Chastagnol with the children’s book, “Zaïna the Little Mahorian Girl”. Every year, Mayotte is
illustrated, no pun intended, by its very small representation at the Salon du Livre de Paris.


This quotation is relevant with regard to the general stance of books from the Comoros Archipelago on the global literary market and especially their dependence on the French Market. It raises questions such as: is Paris the only place to discuss the visibility and the reception of works by authors from the Comoros Archipelago? How can the latter authors do away with circuits they criticise, but which remain instrumental for the reception and canonisation of their works? Is a writer from Mayotte who lives in France representative of literature from Mayotte? Which criteria foregrounded the choice of a children’s book to represent writing from Mayotte which is known for its puzzling relationship to France? Is there anything such as a book chain in the Comoros Archipelago? Can one speak of the identity of Comorian Literatures?

In *The Metaphysics of Morals* (Kant 1797; translation by Gregor 1991) describes a book as an ‘opus mechanicum’ – that is, a material product whose existence owes to the technical, economic and political know-how and contributions of different actors. This is what is commonly referred to as ‘the book chain’ which distinguishes between the book’s internal architecture and the book’s external architecture.

The book’s internal architecture involves actors such as manuscript readers, editors, the legal aspects, translation issues, book designers and printing whereas the book’s external architecture includes marketing, press, promotion through channels such as libraries, book fairs, schools and the media.

The two texts analysed in this article are critical of the politicisation of ‘migration’ within the Comoros Archipelago but were both published in France with L’harmattan and Vents D’Ailleurs. Soeuf Elbadawi is outspokenly critical of France and its institutions in his texts and his blog (muzdalifahouse.com). Interestingly, during the 2014 Paris Book Fair, he received ‘le Prix littéraire des lycéens, apprentis et stagiaires de la formation professionnelle en Île de France’ for Un Dhikri pour nos morts La rage entre les dents.

The jury which consisted of 1200 pupils shows that there is sensitivity to the topic from the side of young people living on mainland France. Nonetheless, it stresses the role of mainland France, which holds “the power of consecration” (Bourdieu 1992, 303) because, once again, a powerful mainland France institution is giving credit and visibility to the text, even though this visibility was not a foregone conclusion.

The piece has been performed by eight actors in the Comoros, but has also been performed as a one-man-show (by Elbadawi himself) in France. This is for the obvious reason that it is not an easy task getting a French visa for the purpose of performing a scene that so fiercely denounces French policy (Elbadawi in the interview with Doucouré 2013). Earlier on in 2009, the theatre group O Mcezo* led by Elbadawi was censored by the ‘Alliance Française’ of Moroni due to Elbadawi’s decolonial position, which was regarded as an incitement to violence (http://comores4.skyrock.com, 2009). Elbadawi’s approach differs completely from Attoumani’s means of denouncing injustice in the Comoros Archipelago.

Attoumani is a proponent of departmentalization, but he focuses on unkept promises; demonstrated through regular social turmoils found in his works, in particular absurd and unexpected events. His criticism is essentially of a literary nature, which differs from Elbadawi’s more medial and activist approach.

This leads to Meizoz’s concept of ‘posture d’auteur’, which describes the efforts authors undertake to sell their images and works. In the case of Elbadawi,

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13 Even the fact that both texts were written in French instead of Shimaore or Shikomori attests to the imbalanced relationship between the authors, the language of writing and the editors. They use a language for their daily lives but resort to a language endowed with more symbolic prestige for their writing projects, which already limits their creative freedom since in practice French is to them a minor language but a major language for the literary game.

14 The reader may refer to Ippolito’s (2017) article ‘Résistance Culturelle aux Comores. Soeuf Elbadawi et le Blog de Muzdalifa House’ for an insightful analysis of Elbadawi’s medial discursive practice and the blog which was born out of a contestation of French hegemonic cultural practices.
who worked for Radio France Internationale as a media expert, one could even talk of mediature because of his consistent use of new media technologies such as the internet, Facebook and blogging to give his voice more prominence.

Attoumani still commits in ink every sentence of his works in a ‘cahier’ [notebook] and he does not devote energy to advertising his works, although he is aware of the embarrassing fact that recognition of Comorian writers owes a good tribute to Paris. While receiving The Knight of the Order of Merit of France for 31 years of service as an English teacher in secondary schools in Mayotte and his Oeuvre on November 17, 2014 he made this statement:

my wish is that this recognition might open up new avenues, so that we may, for example, participate in the Paris book fair. I wish that our talents in the francophone culture no longer be confined only to the lagoon of Mayotte. [...] Writing in Mayotte for an uncertain audience is not an easy task. We never know who will read our work. We never know who will come to our shows. I thank the authorities for having believed in what we do in Mayotte, even if it may not visible at the national level, despite the fact our books are not studied in Mahorian schools, and notwithstanding the fact that our books are not on the curriculum, as in the West Indies, where some writers are studied at the university or school level.

mon souhait c’est que ça puisse nous ouvrir des portes, pour que l’on puisse participer au salon du livre à Paris par exemple, que nos talents dans la culture francophone ne soient pas confinés dans le lagon de Mayotte. [...] écrire à Mayotte, pour un public incertain, n’est pas évident; on ne sait jamais qui va nous lire, qui va venir à nos spectacles. Je remercie les autorités d’avoir cru en ce que nous faisons à Mayotte, même si ce n’est pas visible au niveau national, même si nos ouvrages ne sont pas étudiés dans les écoles à Mayotte, ne sont pas au programme, comme ça se fait aux Antilles pour certains écrivains qui sont étudiés à l’université ou à l’école.

Here again Paris is presented as the point around which anything revolves. This brings to mind Casanova (1999) La République Mondiale des Lettres, which (Damrosch 2003, 27) regarded as “an unsatisfactory account of world literature in general, Casonova’s book is actually a good account of the operation of world literature within the modern French context”. Damrosch went so far as to call Casonova’s book La République Parisienne des Lettres because of its exaggerated Parisian perspective. In the same vein, Boris Diop (2015) has remarked that ‘In French-speaking Africa one is considered a writer only if one fulfils the following two conditions: to write in French and to be published and accepted in Paris with the
understanding that it is even more rewarding to live in Paris.\textsuperscript{15}

Attoumani recognises the centrality of France when he complains about ‘uncertain’ audiences in Mayotte due to ‘literary configurations’ (Bourdieu 1992) which do not facilitate the circulation of works by writers from the Archipelago within the Archipelago. However, there are two more aspects that should be mentioned here. First, the school system in Mayotte follows the French school system, despite the fact that most children in Mayotte grow up learning the Bantu language Shimaore as a first language, before moving on to writing Arabic, which is the dominant language of religion in Mayotte. Most only really get acquainted with French at a later stage when they attend formal schools. This is important because potential readers of literature in Mayotte live in-between the languages and the cultures they embody. Second, in an interview I conducted with the author in June 2017, he states that

The reality is that we are French on paper but culturally we are not considered French authors. I see it with publishers in France. They tell us that they do not publish Francophone authors, even though you thought you were a French person just like the others. You understand that your place is not listed there. In France, I found \textit{Nerf de Boeuf} in the Haitian literature section and I was made to understand that this is because the novel deals with slavery. This has nothing to do with the real geographical belonging of the author.

La réalité est que nous sommes Français sur le papier mais culturellement nous ne sommes pas considérés comme des auteurs Français. Je le vois au niveau des éditeurs en France qui nous disent qu’ils ne publient pas des auteurs francophones alors que tu pensais être un Français comme les autres. Tu comprends que ta place n’est pas repertoriée là-bas. En France, j’ai trouvé \textit{Nerf de Boeuf} dans le rayon de la littérature haitienne et on m’a fait comprendre que c’est parce que le roman traite de l’esclavage. Rien à voir avec l’appartenance géographique réelle de l’auteur.

\textit{Nerf de Boeuf} (2000, also published with L’harmattan Paris) is a violent account of displacement caused by slavery, but the fact that the book was found in the section for Haitian literature expresses the situation’s ambiguity, which boils down to the question of literary identity. Is a writer from Mayotte who writes in

\textsuperscript{15}“Dans l’Afrique francophone on n’est considéré comme écrivain que si on remplit les deux conditions suivantes : écrire en français et être publié et légitimé à Paris, étant entendu qu’il est encore plus valorisant d’y être installé…”
French, a Mahorian, a Comorian, a French writer or simply a ‘francographe’; one who uses the French language/graphy?

It is in view of this complicated state of affairs that writers under the lead of Nassur Attoumani and Alain Kamal Martial worked on a Mayotte Book Fair whose first edition, after years of preparation, finally took place on September 21–24 at different venues at ‘Grande-Terre’\textsuperscript{16}. Prior to this book fair, the first \textit{Salon du Livre Comores Océan Indien} also took place at Moroni, Grande Comore in March 2017; aiming “to take stock of what has been produced so far, to make it available to those who come from the outside and who do not know these works because Comorians are published in small outlets which do not have a widespread distribution” (Saindoune Ben Ali; writer from the Comoros and participant in the event 2017)\textsuperscript{17}.

It is not clear how much competition or cooperation will exist between both initiatives but during the 1\textsuperscript{st} Book Fair at Mayotte to which I was a witness, literary agents from the Comoros Archipelago, Madagascar, Reunion, Tanzania, Kenya and Mozambique participated. Features included keynote lectures; readings by authors; reading and writing workshops for children and pupils plays and songs in French and Shimaore; round tables etc. The book fair was also used to initiate a network for the circulation and translation of works by authors from participant countries.

The participants in different events did not shy from addressing the French status of Mayotte in this regional network; including, for example, the controversy of needing a ‘Balladur Visa’ (or a nameless visa) to travel from Dar es Salaam to Mayotte. Nonetheless, the fact that things will happen regionally and even take place in all countries of the network gives a reason to hope that ‘the scramble for Paris’ (Diop 2017, 197) will diminish and that recognition from Paris will be a secondary addition to regional notice.

Conclusion

This article started with a brief background to the contested referendum of 1974 following which France claimed territorial rights over Mayotte, thereby isolating it from the rest of the Comoros Archipelago. This was followed by a thematically complementary and a stylistically comparative examination of the

\textsuperscript{17} “C’est faire le bilan de ce qui a été produit jusqu’ici, le faire découvrir à ceux qui viennent de l’extérieur qui l’ignorent parce que les Comoriens sont publiés dans des petites maisons qui n’ont pas une grande diffusion.”
magical-satirical play *Autopsie d’un Macchabée* by Nassur Attoumani and the enraged mourning of the dead *Un Dhikri pour nos morts La rage entre les dents* by Soeuf Elbadawi.

I have provided an analysis of both texts which addresses urgent contemporary political issues through the lens of critical geography. This is a crucial tool for reconfiguring space as an arena for testing and contesting power relations; even extending to the question of literary configurations which I touched upon in the third section. Critical geography is current and opportune because it suggests transformative actions towards (re)creating literary canons and literary configurations, striving for equality and justice. This is the main leitmotif of both writers who use ‘lived’ space as an imaginary court where neocolonial injustice and cynical actions can be judged. Speaking of cynicism; the following disrespectful and tasteless ‘joke’ was made about kwassa-kwassa by a smiling Emmanuel Macron (filmed unknowingly during a visit of a sea rescue center in Brittany on June 2, 2017):

“The kwassa-kwassa is not really used for fishing! It is used to carry Comorians, which is a different story altogether!”

*Le kwassa-kwassa pêche peu! Il amène *du* Comorien! C’est différent!“* (Macron, 2 June 2017). In French, a language which pays excessive attention to stylistics, the use of ‘*du* comorien’ equates the Comorians to livestock. This ‘joke’ only serves to reiterate how urgent it is to denounce the neocolonial balkanisation of the Comoros Archipelago.

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Appendix:

Picture 1. Flyer: Mayotte Asphysié. [http://lejournaldemayotte.com/societe/mobilisation-associative-avant-de-nouvelles-expulsions-de-comoriens-prevues-a-boueni/]
https://muzdalifahouse.files.wordpress.com/2017/10/2-mamudzu1.jpg
Temporary Protected Status for the Nationals of the Third Countries and Stateless Persons: A Notion to be Promoted in Fighting Xenophobia

On the memory of the Sturma’s Romanian Jews sunk in the Black Sea

Lia POP and Irina POP

Abstract. The Temporary Protected Status (TPS) is one of the key-notions in the ultra-contemporary debates related with the migrants and refugees’ issues. It is the politico-judicial notion of human solidarity and democratic support in cases of political disasters. It is the practical alternative to the xenophobic ideas and attitudes enrooted in the forgetfulness of the tragedies of mankind and solutions commonly agreed to prevent or fight them. It is also the obvious results of the public confusions. The present paper is an attempt to draw the attention to its political meanings and dimensions, as well as, to remember a collective tragedy, the Sturma, as a case for which an active mechanism as TPS could have been the political savior mechanism. It is a call for the public support in immediately saving the people in risks of political persecutions or executions.

Keywords: Temporary Protection Status, Asylum procedures, Sturma case

Introductive considerations

There are four main reasons to insist on the TPS, meanings and role (i) the limited covering in the Romanian media; (ii) the political complexity of the mechanism itself which made them hardly to be used; (iii) the TPS actuality in the context of raising xenophobia in the world, Europe included; (iv) the human tragedies are too rarely reminded.

To them a conjectural factor added, in the spring 2018, (v) a study on the TPS use in the US under Trump administration.

(i)Because of the technical meaning of the TPS the single channel to familiarize the public with it is the media.

Or, the Romanian media eluded the notion of the Temporary Protected Status (TPS) of a third country national or the stateless persons, as a status complementary to these of refugee or subsidiary protection. Nevertheless, under
the pressures of the events - episodes of the “migrants’ crisis” - the political and legal meaning of TPS (not the term) is evoked in the Romanian media in regrettable confusions. Unfortunately, in the Romanian media, even in the political talk shows, the TPS is blurred or even diluted in the notions as refugees or migrants.

As it results from the media mentions, the TPS is limitedly associated with the term asylee – recommended used in the UNHCR Handbooks, common in the EU political documents. The term asylee seems to be also avoided, in favor of that of migrant. The term migrant - suggested as being a reflection of the categories as the illegal migrants and terrorists - is used to develop xenophobic attitudes. So Romania, developed migrant-phobia, in the absence of its very subjects: the migrants.

Why such a disinterest for accurately communicate the TPS and mobilize the public support to assist the persons in major risk of political oppressions?

(ii) For us, the lack of the accurate communication contents on TPS in Romania is caused not only to the limited-information of those who should cover it. The complexity of the topic is also a factor. Indeed – the TPS is a mechanism of protection of the individuals aside the Refugees status and Subsidiary protection, which intersect them but also has its own peculiarity. It applies exceptionally in the case of massive influx of migrants. In Romania, in the absence of the “official” List of the citizens countries whose qualify for it, it is difficult to make it understandable for the public and do it in one single action, or the institutions unfamiliar for the public. That is why any new discussion on TPS could help it to cross the line and influencing the public sphere to become sensitive and develop solidary with the victims of the political persecutions.

(iii) The TPS, in spite of its technicalities, is a needed notion. It should be delivered to the public as a normative standard, with a long history in Europe which transformed in an European brand, and as a practical instruments, just because we see a raising xenophobia in the world, Europe included. The public manifestations – forums, graffities, demonstrations, electoral behaviors –; the xenophobic anti-migrants parties’ electoral success; elements of the governmental political positioning against TPS are extremely worrying. They are threatening to European way, to the peaceful and democratic climate here.

(iv) The lack of TPS in the international agreements in the last centuries is rarely associated with the humanitarian disasters. Or, the Sturma’s case proves it. During the WWII, 1942 a ship with refugees after a nightmare of four months, sank into the Aegean Sea. The refugees were the Romanian Jews citizens to whom for
long time the free world refused the human solidarity. In today Romania, there are too few reports or comments that continue to inform the public on what happened, on the tragical consequences of the refuse the sanctuary for the desperate people fleeing the wars. We did not identify any parallel on what happened in 1942 with what happened in the “migration crisis” at the EU borders and in the case of the Aquarius’ refuse, in 2018.

(v)The conjectural reasons to bring into attention the TPS is a study proposed on the US new approaches on TPS. The July 2018 study, Temporary Protected Status and Immigration to the US, emphasizes the role of the Presidents’ executive actions in regulating the inflows of new international immigrants and the status of those already in the US and, after detailed economic analyses, comes to a special recommendation: to allow the access of the immigrants to the US labor market on a temporary base (1 year, renewable). The status required is similar with the humanitarian instrument, Temporary Protected Status [TPS].

Before the study presentation a brief review on the TPS will clarify the specific role of the instrument in the humanitarian protection and the need to be preserved as such.

**On Temporary Protected Status in the EU and Romania**

The Temporary Protected Status is a special type of protection granted collectively, in case of mass migration. It is granted under the international agreements, to the displaced persons with origins in the countries hit by humanitarian crisis caused by natural disasters, wars, civil wars, political persecutions against the groups of opponents, terror and similar.

On brief, the TPS is a special protection mechanism, exceptionally activated in cases of mass migrations caused by facts above the individuals’ control.

It is decided collectively, but activated by the highest political official. (In the US it is activated by the President of the US. In the EU, for now, it should be activated, according with the logic of institutions functioning, the Head of States or of the Executives, accordingly with the existing type of the political regimes, presidential, semi-presidential or parliamentary. When the law specifically, provides, there are specific institution entrusted to take such a decision.)

Politico-judicially, the TPS is an international term - largely supported by the the UNHCR – transposed in the national laws on immigration active in the states.
which signed 1951 Geneva Convention on Refugees and the fallowed agreements. It was the Recommendation E of the Final Act of the 1951 United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, which “…expresses the hope that the Convention relating to the Status of Refugees will have value as an example exceeding its contractual scope and that all nations will be guided by it in granting so far as possible to persons in their territory as refugees and who would not be covered by the terms of Convention”.

It becomes more concrete in judicial terms with humanitarian crisis occurred in the last half of the XX century.

In the European Union the TPS is provided under the provisions of the Council Directive 2001/55 EC. According with the Directive, art. 2., (a) ‘temporary protection’ means a procedure of exceptional character to provide, in the event of a mass influx or imminent mass influx of displaced persons from third countries who are unable to return to their country of origin, immediate and temporary protection to such persons, in particular if there is also a risk that the asylum system will be unable to process this influx without adverse effects for its efficient operation, in the interests of the persons concerned and other persons requesting protection;”

The decision to activate such an exceptional measure is taken by the Council and it is “adopted by a qualified majority on a proposal from the Commission,” (art. 5). It becomes binding for the signing member states (No UK, Ireland, and partly Denmark).

According with the art. 5 (4) of the Directive, “the Council Decision shall be based on:

(a) an examination of the situation and the scale of the movements of displaced persons;
(b) an assessment of the advisability of establishing temporary protection, taking into account the potential for emergency aid and action on the ground or the inadequacy of such measures;
(c) information received from the Member States, the Commission, UNHCR and other relevant international organizations.”

The term “temporary” means here a protection for the beneficiaries of 1 year, plus 6 and other 6 months (2 years) or maximum 3 years (art. 2. (4.).)

The syntagma “mass influx” means arrival in the Community of a large number of displaced persons, who come from a specific country or geographical
area, whether their arrival in the Community was spontaneous or aided, for example through an evacuation programme” (art.2).

The TPS does not replace, the accords on the refugees’ status and it comes in addition to the asylum procedures. It intervenes when the EASO is overpassed by the mass influx of displaced persons.

The TPS provides rights for the temporary protected persons, rights comparable with those of the refugees: access to work, housing, education, of an interpret in Courts and so one. It also provides the persons with such a status with the right to apply for asylum.

The end of the Status comes when the period of granting expires or when the Council decides, on the motivated reasons.

The voluntary return is the procedure of ending the protection. “1. The Member States shall take the measures necessary to make possible the voluntary return of persons enjoying temporary protection or whose temporary protection has ended. The Member States shall ensure that the provisions governing voluntary return of persons enjoying temporary protection facilitate their return with respect for human dignity.” (art. 21.1.)

The Directive 2001/55 EC was long time ago adopted and transposed in the national legislations. In the Romania’s legislation it was overtaken in the Law 122/2006, The asylum law. It is entirely compliant with the Directive. The general principles – solidarity and respect for human dignity and rights are limitedly emphasized in the Romanian law, but the practical provisions are all and details incorporated here. What it is of much aid in the Law 122/2006, is the contextualizing of the TPS. At the art. 2, the law rules that Romania state protects the foreigners under: the refugee’ status, subsidiary protection, temporary protection status and temporary humanitarian protection status.

The EU enacted the current form of TPS, in the context of Yugoslavian wars and applied its provisions to the ex-Yugoslavian displaced persons. Romania was a receiving country for them. The difficulties appeared when, in 2015 the mass influx of Syrian and Afghans displaced by the wars arrived in Europe mixed with the “economic migrants” from Near, Far East and Africa. Then, the Europeans faced multiple problems, largely known as the sharing burdens among the EU Members States under the “quotas” mechanisms. De facto – the well-established European society with historical traditions in offering sanctuary – got difficulties to accept the TPS!
The public ignorance on what it is about combined with political-partisans manipulations amplified the crisis of managing the phenomena and pushed Europe to xenophobic attitudes and violence enrooted in the xenophobia.

On brief, according with the EU Commission summary, the TPS

“...is an exceptional measure to provide displaced persons from non-EU countries and unable to return to their country of origin, with immediate and temporary protection. It applies in particular when there is a risk that the standard asylum system is struggling to cope with demand stemming from a mass influx that risks having a negative impact on the processing of claims.”

On Temporary Protected Status in the United States of America

The term TPS is also defined by the US Immigration Act, 1990, (TITLE III - FAMILY UNITY AND TEMPORARY PROTECTED STATUS). The US act defines the TPS in congruence with the UNHCR documents in the field. It is an instrument to provide immediate aid, in case of mass influx of immigrants from countries hit by humanitarian crisis.

In the study, the The Temporary Protected Status evoked above, is seen only as the appropriate mechanism to be used by the US President to regulate the immigrants’ inflows to the US. It analyzed, according with an economic goal, the increasing the economic contributions of the immigrants both in the country of destination and origins. (The TPS term’ content, as it is defined legally, is out of the explicit humanitarian consideration of the authors, except a mention in the page 3 of the provision of the US Act on Immigration of 1990.)

The aim of the article is to get to the conclusion, that more TPS is needed in US, not only for the humanitarian reasons, but also for the economic ones and the President should use it, in economic benefits: remittances increasing and migrants inflows control.

The arguments of the study are deduced from the economic analyses of the remittances’ effects on the immigrants’ inflows.

The universe of research comprises 40 years of the executive actions signed by the US Presidents (Republican and Democrat). The list of the US Presidents that proceed to such actions comprises all the US Presidents in office, after the WWII and it is made available, by the Authors, in the Annex A of the study.
The context in which the article emerged is a dramatic one: “Executive actions by President Trump and current Secretary of Homeland Security Kirstjen Nelson... recently ended TPS protections for more than 400,000 immigrants from El Salvador, Honduras, Haiti, Nicaragua, Sudan, and Nepal.”

The theoretical framework of analyses is the NELM (new economics of labor migration) with its three main axioms:

1) “migration decisions—especially from countries in the global south—are made by the family/household unit and not the individual (e.g., Stark and Levhari 1982; Stark 1984; Katz and Stark 1986; Massey et al. 1998). (Migration is part of a household’s strategy to diversify its labor portfolio, which helps decrease potential risks to its long-term income (Massey 2009). p 4.

2) “remittances help the migrant’s family smooth consumption in the face of domestic (home country) economic volatility ... and provide the household with a way to accumulate savings and overcome deficiencies in local credit markets (Stark 1984); and represent “a mechanism that bolsters economic development in migrant sending countries (Taylor 1999). p.5.

3) “remittances to a country of origin decrease migration out of that country” p.7.

There are some critical points, that we saw in the study. Not all the major terms used in the study are defined as operational. The TPS and Synthetic Control are not treated with a similar attention as those of the NELM are. The concept of NELM is privileged, and no explanation why is visible for the usual reader. The views on migration - specific to the NELM - are extensively presented, and the operational terms deduced are correctly applied. The proves are coherent with the NELM standards. That is why it underlines that TPS could be taken “… as a potential policy lever that executives can pull to decrease flows of immigrants from particular countries in the event of crisis”. p. 19.

The humanitarian aspects do not seem to open a discussion on a policy devoted to support the Presidents’ intervention in migration regulation, based only in the economic analyze.

The content of the TPS status - granted to some special immigrants - through the Presidents acts is reduced to one single dimension: access to the labor market.

Although, the humanitarian core of the concept is not obvious there, the comparisons with the US approaches suggests for EU generally, and Romania
specially, to see the TPS as an asset too.

The mechanism – correlated with the regular asylum procedures – could ensure the needed labor for the economic increase.

The lack of TPS and the immorality of humanity in the Sturma case

Beside the humanity experiences, advise to keep the TPS as a major humanitarian achievement; to preserve it beyond any economic or partisan reason. The terrible disasters suffered by the Jews and Roma people during the WWII Nazi persecutions and the others states limited actions to curve them, taught humanity a lesson. The morality of the civilized world fades in the crisis. That is why, a political and legal mechanism must be invented when it does not exist or carefully preserved when it is already agreed. Only as a legal instrument, granted internationally or supra-nationally, it is activable immediately in the hard times (wars, natural disasters, and pogroms too).

By concept, such a mechanism was designed to be over the political interests and resistant to the political maneuvering. In the short and concrete form, the rationale beyond the TPS is done by a famous formula of the Chaim Weitzmann, in 1936, before the British Peel Commission, quoted in the press: “The world seemed to be divided into two parts: those places where the Jews could not live and those where they could not enter.” (On the behalf of the Roma, nobody registered the tragedy’s words.)

In the memories from the terrible times, the Sturma case tells humanity what means to be out of any protection, out of any human solidarity. Rememorizing the case, it is to say that the Sturma is about 769 Romanian Jews sunk in the Bosporus strait, February 1942, by a soviet submarine, after a long stay in the strait. The embarked refugee, Romanian Jews – payed around 1000 dollars – to immigrate to Palestine, fleeing from a country controlled by an dictatorial regime, already guilty by two Progroms: in Baneasa Forest and Podul Iloaiei’ train with Jews embarked to be deported in Germany.

The refugees headed to Palestine as immigrants for good and waited for the permission to enter there. (The British administration refused it - according with its own regulations to respect a quota of Jewish immigrants of 15,000 annually.) The Romanian Jews lives were over the quota!

The ship that the Romanian Jews succeed to get – under the organization of the Alyiah-Bucharest, led by Samuel Leibovici, Iacob Leberman, Eugen Maissner, Lipa Haimovici și Emma Guttman - was the Sturma/Struma. It was an old boat (constructed in 1867). In its state at the time of the renting, the ship was totally improper (previously,
it was used to transport cattle on the Danube river). The Sturma was also over loaded. Beyond, its capacity three times more people were embarked.

After repeated temptations to depart and several returns for reparations in Romanian ports, finally, the refugees arrived in Bosporus. Again, with the emergency need for engine reparations. Turkey, a neutral country then, accepted to do the reparations needed, but because of British pressures, Turkish authorities did not permit passengers to get on the shore to buy water and food. (The reparation took two months.) A cablegram send from the board by Marcel to his fiancé (published recently in Romania), told about the human dimensions of the sufferance of people fleeing from the Nazi hell to the hell of the human lack of solidarity. No substantial protests of the democratic countries are noticeable against the inhuman treatments of the passengers. No moral impulses drive the civilizations to firmly intervene in the favor of victims.

When the reparations were done the passengers were not allowed to immigrate to the British Administrated Palestine. More than this, after intense pressures of the British on Turkey, the Sturma was pushed out of port, in the international waters. There, a Soviet Submarine torpedoed the refugees. The unique survivor David Stoliar told the story.

The Sturma’s case calls for the TPS, immediately activable in the benefices of the people fleeing from hell. The others terrible European experiences with people designated to extinction at home and with all the world doors closed before them taught the lesson to design a mechanism of protection: the TPS! We like to belief that the Sturma’s tragedy directly inspired the initiators of the 1951 Geneva Convention and the TPS. We do belief that the Romanian Jews did not dye for nothing. It is a special instrument of the humanitarian solidarity across the globe, which provides for people distress immediate access in the signatory countries, shelter, access to the labor market and possibility to individually apply for asylum. That is why, we do believe, that it is to be preserved as it was conceive: for the humanitarian case.

Instead of conclusions

The preservation of the TPS as the name and the brand of the international mechanism to be activated only in the humanitarian crisis time, is necessary.

The long debates and deep misunderstanding in the EU countries over the solidarity with the coastal states hit by mass influxes of displaced persons argue the same position. Much efforts in communicating TPS as a exceptional mechanism to
save displaced persons for humanitarian disasters and to prove EU solidarity in doing it, are of incontestable utility.

The difficulties faced in implementation of EU Council Directive 2001/55, in the context of the “migration crisis”, the acceptance of the minimum standards and solidarity quotas, are caused by the people misunderstandings manipulated by the political-partisan interests. The solidarity with the victims as humanitarian standards, faded on the attacks of the political campaigns conducted by politicians – visible in the Brexit case - via some influencers. Fighting the manipulation is curving the xenophobia and mobilized the human solidarity in front of the disasters.

In concrete case, such difficulties were overpassed. It is for us, the TPS that saved the Aquarius passengers, by embarking them in the Mediterranean waters and, again, by, disembarked them at the Valencia harbor.

The Temporary Protection Status, as an instrument to protect the displaced persons during the major humanitarian disasters; to avoid tragedies caused by politics and humanitarianly unassisted individuals - as the Sturma passengers were, is to be largely taught, known and supported.

References


The Concept of Human Rights in Approaching the Refugee Crisis. An Analysis from the Perspective of the European Heritage

Alexandru Ionuț DRĂGULIN

Abstract. The crisis of the totalitarian regime in Syria and the option for democracy of a large proportion of the population from this country are, undoubtedly, the consequences of the intense promotion and media coverage of the concept of human rights. On this way, the European Union plays an important role both in terms of its democratic regime – where human rights constitute a fundamental pillar – as well as from the fact that its common cultural heritage includes the material and spiritual assets of the continental nations, but also the resources generated by the ethnic minorities. The recent European summit have not completely solved the problem of the Syrian refugees, which has become a political and a cultural one. This article analyses the implications and advantages of enforcing human rights and civil liberties to solve efficiently the refugee crisis in the EU by integrating them as much as possible across the multicultural and the multi-ethnic space of the continent. This space is part of the European heritage and it is characterized by value and variety in all its dimensions.

Keywords: human rights, European heritage, political consensus, cultural democracy

1. The migration crisis in the statistics: an increasing trend

Since the beginning of the civil war in Syria, the European Union is confronted with continuous waves of refugees. But in the European space are also coming other categories, in the same time: temporary migrants, asylum-seekers, and job-seekers. Generally they are included as foreign population – persons who are not citizens of the country in which they reside, including persons of unknown citizenship and stateless persons.

The European Union was unprepared to manage a such-extensive crisis. Initially the leaders proposed a solution through the concept and practices of multiculturalism, then the discussions were centered on the Dublin Regulation, but we do not have yet a consensus. A main cause of this permanent disagreement are the differences between the member-states concerning their decisional influence, their economic power and thus the responsibilities are not efficiently distributed.
To know the nature of the problem and clarify what categories of people are the object of enforcing the human rights and other laws in order to offer equity and to protect the migrants, it is necessary to provide a clear and short definition of the term of refugee. Thus, in the view of the United Nations High Commissioner for Refugees, the term “includes individuals recognized under the 1951 Convention related to the Status of Refugees, its 1967 Protocol, the 1969 Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa, those recognized in accordance with the UNHCR Statute, individuals granted complementary forms of protection, and those enjoying temporary protection. The refugee population also includes persons in refugee-like situations” (European Stability Initiative 2017, 4).

While the number of immigrants and refugees accepted by European countries has risen and fallen with changes in the international situation, these are processes that have been in place since the end of World War II. This historical experience has led to emergence of multicultural societies, a relatively new reality for Europe in the 1950s-1960s, but a patent fact in the beginning of the 21st century.

Now interactions with other cultures are a daily fact. In a survey conducted in the EU Member States in 2007, two-thirds of respondents stated that “they had daily contact and interaction with people whose cultural background differed from their own” (European Commission 2007, 4). In countries such as the UK, Germany and France “nearly 20% of the overall population is from an immigrant background, and the percentage is even higher among the younger generations” (Alba and Foner 2014, 265). This means that both the benefits and challenges of multicultural societies are already “woven” into the fabric of European life. These realities give a crucial background against which to consider the influx of refugees that Europe has experienced since 2015.

This permanent process is one of the key subjects of discussion on human rights and the ability of democracies to guarantee the rights and freedoms of citizens coming from conflict zones. In the case of the European Union, the challenge is much more complex, as the policies of some member countries on immigration and human rights do not always coincide with those promoted at supranational level by the Union.

Massive actual migration to the European continent is a subject that mainly develops two challenges to the territorial security and good coexistence among Union citizens. First of all, the idea of a Europe without frontiers was raised,
emphasizing the importance of cultural heritage enriched by the contribution of immigrants in the conflict zones, and simultaneously stressing the long-term commitment of the member countries to the Schengen Agreement. This aspect has gain amplitude in the light of the terrorist attacks in Paris (2015), resulting in calls by the political staff to strengthen border security to counter future similar dangers. Second, the high volume of immigrants and the complexity of the situation have put the European system to the test. Certain countries, especially those on the southern border of the Union, have reached the greatest limit in managing the unexpected flow of refugees and have respected European standards in asylum rules. However, the problem is brought to the forefront by the intentions of those who cross illegally, because some of them are human traffickers or carry out other illegal activities.

Migration and cultural heritage – the latter defined generically as a strategy for managing ethnic diversity – are closely related. Mass migrations inevitably raise issues of social and political management of ethno-cultural relations, and this becomes problematic when mass migrations intensify and/or significantly alter the established ethnic composition (as well as the sociocultural status quo that accompanies it).

In the most general sense, the recent intensification of mass migrations (estimated globally at 210-250 million people, with 45 million refugees alone) is an integral part of globalization – the increasing cross-border flows of information, internationally portable capital, globally tradeable goods and services, values and norms, and, most importantly, ever more “mobile” people (Livi-Bacci 2014, 26). This last dimension of globalization – the increasing mobility of people – has proven the most problematic and difficult to manage on the European continent. There are six interrelated reasons for these difficulties and the accompanying anti-immigration backlash:

- The recent waves of mass migrations have been sudden, powerful, and less controllable by the receiving states than past waves. In Europe, they involve not only “intra-EU” migrations – which produce only moderate strain – but also much more socially problematic and politically traumatic “extra-EU” movements of economic and political refugees, for example crisis migrations from Africa and the Middle East, often from regions ravaged by conflicts, such as Syria;

- These waves involve, often for the first time, large number of people who are very different from the host populations, not just in their languages, cultures and identities, but also in their religious beliefs, outlooks, lifestyles and everyday practices. Absorption of such immigrants, especially Muslims from the destabilized regions of
Middle East, has proven more difficult than the absorption and integration of more similar immigrants in the past;

- Europe’s immigration regime bifurcate. The eastern neighbourhood of the European Union, which comprises a distinct group of former Soviet Union countries (the Russian Federation, Ukraine, Belarus, Moldova, Georgia, Armenia and Azerbaijan), is an area of competing influence between Russia, which hopes to keep and strengthens its regional hegemony, and the EU, which has forged cooperative relations with Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine, mainly on the basis of Partnership and Cooperation Agreements. The competition also involves quite distinct strategies of management of mass migrations and immigrant integration, thus creating a competing migration system within Europe;

- Many “external” (extra-European) immigrants have limited knowledge and experience of their European host societies, and therefore less integration capacity than intra-European migrants. This is often exacerbated by the traumatic experiences of migration, thus producing a tendency for ethno-religious communalism, sometimes even defensive particularisms, which, in turn, provoke a hostile backlash from host populations;

- Mass immigrations in the 1990s and 2000s has coincided with waves of terrorism and the national security scares which accompany them, especially those related to Islamist terrorism. They also coincide with “backlash terrorism” (as illustrated by Breivik’s murders in Norway). Consequently, “others” – especially Muslim immigrants – are suspected of disloyalty, anti-western sentiments and, generally, of reluctance to integrate with their host societies. Radical declarations by religious zealots, themselves leaders of backlash movements, further increase such suspicions;

- The Great Recession, hitting the “Mediterranean belt” of the EU, which also receives the largest number of “non-EU” immigrants, exacerbates tensions. These immigrants face high unemployment and hostility from local workers forced to compete for scarce jobs.

Statistics provided by the UNHCR and the European Union are very relevant for the dimensions of this problem (UNHCR 2016, 7). As Eurostat show on its diagrams, in 2017, 650 thousand first-time asylum seekers applied for international protection in the Member States of the EU; 538 000 asylum seekers were granted protection status in the Member States of the EU in 2017; In 2017, nearly half (46 %) of EU first instance asylum decisions resulted in positive outcomes.
Countries of destination: Germany, Italy and France the main

With 198 thousand applicants registered in 2017, Germany accounted for 31 % of all first-time applicants in the EU-28. It was followed by Italy (127 thousand, or 20 %), France (91 thousand, or 14 %), Greece (57 thousand, or 9 %), the United Kingdom (33 thousand, or 5 %) and Spain (30 thousand, or 5 %). Among Member States with more than 5 thousand first-time asylum seekers in 2017, the number of applicants compared in relative terms with the previous year rose most in Spain (+96 %, or 15 thousand more first-time asylum seekers in 2017 than in 2016), France (+19 %, or 14 thousand more), Greece (+14 %, or 7 thousand more) and Italy (+4 %, or 5 thousand more). In contrast, the largest relative decreases were recorded in Germany (-73 %, or 520 thousand less first-time asylum seekers in 2017 than in 2016), Austria (-44 %, or 18 thousand less), the Netherlands (-17 %, or 3 thousand less) and the United Kingdom (-15 %, or 6 thousand less).
Having peaked in 1992 (672 thousand applications in the EU-15) when the EU Member States received many asylum applicants from former Yugoslavia and again in 2001 (424 thousand applications in the EU-27), the number of asylum applications within the EU-27 fell to just below 200 thousand by 2006.

Focusing just on applications from citizens of non-member countries (see Figure 1), there was a gradual increase in the number of asylum applications within the EU-27 and later the EU-28 through to 2012, after which the number of asylum seekers rose at a more rapid pace, with 431 thousand applications in 2013, 627 thousand in 2014 and around 1.3 million in both 2015 and 2016. As such, the number of asylum applications within the EU-28 in 2015 and 2016 was about double the number recorded within the EU-15 during the previous relative peak of 1992. In 2017, nearly 705 thousand asylum seekers applied for international protection in the Member States of the European Union (EU). This was just over half the number recorded in 2016, when nearly 1.3 million asylum applicants were registered. This figure is comparable to the level recorded in 2014, before the peaks of 2015 and 2016.
2. The European heritage and its significance in an era of conflicts

The European Year of Cultural Heritage 2018 is not only a moment to celebrate the existence of a very rich collection of material and spiritual assets belonging to each member state of the Union. It is also a moment of reflection to the latest transformations and processes (less or more visible) regarding the social and demographic profile of the European population within the Community. The European Union is a geopolitical conglomerate in which there are a permanent population movement and consequently the cultural and ethnic contacts are more and more intense. No one can contest the fact that the cultural establishment are a major challenge to the Union’s future on medium and long term. In this context, we can initiate a discussion with respect to the possibilities and opportunities for the European Union to create a space of liberty, security and justice for all its nations, through the cultural heritage as a unity factor.

The European Culture Forum, which took place in Milan at 7 December 2017, has emphasized the importance of connecting political Union with other elements...
subjected to the heritage of each nation living on the continent. This is a biennial flagship event organised by the European Commission, aimed at raising the profile of European cultural cooperation, uniting the sector’s key players, taking stock the European Agenda for Culture’s implementation, and sparking debate on EU culture policy and initiatives. The 2017 edition marked also the official launch of the European Year of Cultural Heritage 2018, the thematic EU year devoted to our common cultural assets and all their aspects.

Behind this event we can discover some aspects related to the diversity and complexity of European society. After the waves of migration from the regions affected by military conflicts, the configuration of European multi-ethnic spectre has changed and the issue of conciliating the autochthonous and new cultures has risen. At the institutional level of the European Union and within the political structures of the countries that received the highest number of immigrants, the question of managing this afflux become a constant point on the public agenda.

Not coincidentally, this issue appeared similarly with an accelerated promotion of the concept of human rights among the migrants, mostly through the media. But it is good to know that the largest proportion of the migrants go to the Western European countries where the living standards are better by comparison with the Eastern Europe.

Following these findings, we understand that the assimilation and integration of the continuous waves of migrants are the major challenge for the citizens of the Western Europe. The rise of far-right populism and of nationalism is also a barrier to the implementation of an efficient strategy at the European level to join the autochthonous people with the new comers. From this point of view, a plan based on the cultural heritage which overcomes the political and national issues are a suitable solution.

The European Year of Cultural Heritage is an intellectual project designed for the people. Its aims and scopes are linked to the rising prejudgment about ethnic and cultural minorities. Its necessity is justified in a fractured Europe, where it is a real “wall” between the Christians and Muslims, the Eastern people and the Western, the developed urban population and the rural. The main purpose is to raise awareness of the social and economic importance of cultural heritage. Thousands of initiatives and events across Europe will provide the possibility to involve citizens from all backgrounds. The aim is to reach out to the widest possible audience, particularly children and young people, local communities and people who are rarely
in touch with culture, to promote a common sense of ownership.

Statistics are encouraging and these actions to promote cultural variety and tolerance in Europe are welcome. According to a new Eurobarometer survey released in December 2017, 8 out of 10 Europeans think cultural heritage is not only important to them personally, but also to their community, region, country and the European Union as a whole. A large majority take pride in cultural heritage, whether it is located in their region or country, or in another European country. More than 7 in 10 Europeans also agree that cultural heritage can improve their quality of life. The survey also shows that 9 in 10 think cultural heritage should be taught in schools. Three quarters of Europeans primarily Member States and the EU should allocate more resources to protecting Europe’s cultural heritage.

But, if things are ok when we take in consideration the Europe’s cultural heritage, everything is changing when we speak about integrating new populations into the existing establishment. At this moment, the social framework in the EU is too fragmented to allow a successful assimilation of the newcomers. Moreover, the extremist movements and their political claims are in contradiction with the objectives mentioned before. To prove these statements, the case of immigrants from Syria is very eloquent and we present there a detailed situation.

3. The refugees and the EU’s policies: integration through the human rights and „cultural democracy”

Solving the refugee crisis and integrating them to the Europe’s life is insufficient without an approach based both on human rights and the cultural heritage. Human rights are, in this case, an instrument to ensure that the refugees have same chances compared to the autochthonous citizens. But the cultural heritage is a warranty for creating a common framework of cohabitation. It should not be a barrier between civilizations; on the contrary, ethnic culture must be a way to a better understand of the integration process within the European Union.

The EU’s institutions are challenged by the problem of refugees, mainly because the point of view from each member state are different, but also the legislative lack is very visible.

From the first perspective, the member states do not have the same opinion. In other words, the political consensus does not exist yet because the governments „color” is different in each country.
Germany, Greece, Hungary and Italy are only four examples offered by Human Rights Watch to prove that there are different ways to approach the refugee crisis (HRW World Report 2017). The conflict between the migration control and the respect of fundamental values including human rights are the source of conflict in all these cases. As Sonia Morano-Foadi says, „the debate underpinning the nexus between human rights and immigration law, concerns, above all, the scope of the European Convention of Human Rights (ECHR) and EU laws at the national level. There is a human right of every person, citizen or foreigner, to leave a country, which can be found in the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, International Convention on the Elimination of All forms of Racial Discrimination and Article 2 of Protocol 4 to the ECHR. However, non-EU citizen’s rights to enter and reside in a Member State are not as such guaranteed by the Convention, international or EU law, although immigration control has to be exercised in Europe consistently with the Convention’s obligations and the EU Charter of the Fundamental Rights“ (Morano-Foadi and Vickers 2015, 127).

Human Rights Watch has investigated for a long time the refugee crisis and their analysis indicates that in some countries of the EU, violations of human rights can be found due to the political deviations from the European consensus on this value. The European democratic model is founded on pillars which include human rights and the rule of law, but some political leaders such as Viktor Orbán in Hungary and Matteo Salvini in Italy.

Human Rights Watch said „The European Union and its member states were too often willing to set aside human rights in 2017, but there were glimpses of a more principled approach“ (2018, 2). In this sense of the distortion of the European common democracy, HRW affirms that “It was clear during 2017 that treating human rights in the European Union as an optional extra won’t defeat the populist extremists or their ideas”. (HRW 2018, 3)

**Germany**

In 2016, Germany continued to grapple with the implications of the arrival of 890,000 asylum seekers and migrants in 2015. A number of attacks in July, some inspired by or claimed by ISIS, put the spotlight on the country’s counterterrorism policy. Authorities sought to respond to a wave of arson attacks on asylum-seeker housing, with federal police reporting more than 850 such attacks between January and mid-November 2016.
Authorities took some steps to address the shortcomings in Germany’s response to hate crimes, including training law enforcement and judicial authorities to improve the investigation and prosecution of racially motivated crimes. In March, a chief judge at a district court sentenced three people to prison for hurling a gasoline bomb into an asylum-seekers’ apartment and pointed to the attackers’ xenophobic and racist motives.

Several changes were made to asylum law and policy. In February, the Federal parliament passed restrictions on family reunification rights for people who do not qualify for full refugee status, and in July, passed a law aimed at integrating refugees, beneficiaries of subsidiary protection, and certain asylum seekers, conditioning access to benefits and permanent residence status on coöperation with language and other integration requirements.

After a series of attacks in July, Germany amended several existing counterterrorism-related laws in an effort to increase coördination among intelligence agencies. Germany’s highest court in April struck down parts of a 2009 counterterrorism law expanding the federal police authority to investigate and gather intelligence on terrorist threats, on grounds of inadequate safeguards to protect privacy.

In October and November respectively, the lower and upper houses of parliament approved a law permitting surveillance of journalists outside the EU, despite extensive criticism of the measure by human rights groups, the OSCE representative on media freedom, and three UN special rapporteurs. Several groups subsequently announced their intention to challenge the law in the constitutional court.

Mass sexual assaults against women in Cologne, Hamburg, and other German cities on New Year’s Eve prompted debate about the police failure to respond effectively to violence against women. In July, Germany made it easier to prosecute suspects of sexual violence by removing a requirement that the victim physically resist assailants in order to bring charges.

**Greece**

Despite reforms to address chronic deficiencies, Greece’s broken asylum and reception system deteriorated. While the numbers of arrivals by sea fell after the EU-Turkey deal, border closures along the Balkans route preventing asylum seekers from leaving, limited solidarity from other EU governments and ongoing arrivals by sea left more than 60,000 asylum seekers and migrants stranded in the
country. Thousands who arrived after the EU-Turkey deal were restricted to islands in the Aegean, often in closed facilities, while tens of thousands face abysmal conditions across the country. By mid-November, only 5,654 asylum seekers had been relocated from Greece to other EU countries, out of the 66,400 initially planned, even as the European Commission pressed Greece to start accepting returns of asylum seekers who translated the country under the Dublin regulation.

A Greek law adopted in April to ease implementation of the EU-Turkey deal allows for expedited examination of the admissibility of asylum claims in order to determine whether asylum seekers can be safely returned to Turkey to be provided temporary protection or to have the merits of their claims assessed there. At time of writing, only 12 asylum seekers have had their cases ruled inadmissible following an appeal, but none of them had been deported to Turkey. At least one Syrian is challenging the decision at Greece's highest court, the Council of State.

More than 700 people were removed to Turkey under the deal after their claims were considered in Greece under a fast-track border procedure and rejected on the merits or because they did not file an asylum claim or agreed to return voluntarily.

Most asylum seekers entering Greece came through the Aegean islands, and were processed in EU-mandated asylum centers known as hotspots. More than 16,000 asylum seekers and migrants staying in the islands' hotspots face appalling detention and reception conditions, including severe overcrowding, significant shortages of basic shelter and unsanitary, unhygienic conditions. Women, children and people with disabilities are particularly affected.

Long lines for poor quality food, mismanagement, and lack of information contributed to a chaotic and volatile atmosphere. Fights occurred on a frequent basis, particularly in the food lines, at times with no police intervention, while women and girls were exposed to sexual harassment and violence.

Greek authorities drew criticism over their failure to put systems in place that would allow the full disbursement of EU assistance to improve reception conditions.

An estimated 4,370 unaccompanied migrant children entered Greece during the year, according to the National Center for Social Solidarity (EKKA). Unaccompanied migrant and asylum-seeking children were often detained in police cells or closed facilities in the islands, due to the lack of adequate
shelter accommodations. At time of writing, an estimated 1,610 were waiting to be placed in a dedicated facility.

A large-scale asylum pre-registration process between June and July aimed to improve access to asylum and speed-up relocation, benefitting 27,592 asylum seekers. Despite these efforts, access to asylum remained difficult and subject to delay.

Civil society groups reported an increase in attacks and intimidation of asylum seekers and migrants on the islands and in the mainland in the second half of the year, and an inadequate police response. In a March landmark ruling, the ECtHR criticized Greece for failing adequately to investigate a racist attack against an Afghan national in 2009.

In September, Council of Europe Commissioner for Human Rights Mužnieks urged Greece to protect the human rights of persons with intellectual and psychosocial disabilities and move them out of institutions into the community. Children with disabilities were removed from an institution in Lechaina notorious for abusive practices, but in some cases transferred to other institutions rather than into community-based care.

**Hungary**

Hungary saw a significant decrease in asylum applications in 2016. By early September, Hungary had registered 26,192 asylum seekers, compared to over 150,000 during the same period in 2015, according to UNHCR. The majority of asylum seekers in 2016 came from Afghanistan and Syria.

February 2016 border closures on the Western Balkan route, combined with increased restrictive measures along Hungary’s border with Serbia, criminal prosecutions of irregular border crossing and pushback, often accompanied by violence, at Hungary’s border with Serbia contributed to the decrease.

An April law restricted the rights of asylum seekers and cut integration support for recognized refugees. The same month, the government announced the closure of the largest open reception facility by the end of the year.

An accelerated fast-track border procedure effectively bars asylum seekers from meaningful access to the asylum procedure. A July law legalized push-backs to the Serbian border, enabling police officers to escort to the border anyone caught irregularly eight kilometers inside Hungary. The law, together with low daily caps on entry, leaves asylum seekers—including children, families and people with disabilities—stranded at the border for weeks in poor conditions.
During 2016, the government continued its anti-immigrant rhetoric. In February, the government announced a national referendum on the EU relocation plan requiring Hungary to accept 1,294 asylum seekers and in July launched a government sponsored and tax payer funded anti-immigrant campaign. A low turnout for the October referendum meant that the result was invalid, although most who did vote supported the government’s position.

Journalists continued to work in a hostile environment. In September, the editor-in-chief of Budapest Business Journal, Tom Popper, resigned after being told by its publishers to stop mentioning refugee issues in the editorial column. The largest opposition daily newspaper, Nepszabadsag, and its website closed down without warning in October with its owner citing financial losses and plummeting circulation.

Roma continued to face discrimination in housing, education, and public health care. In September, the Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities urged Hungary to end discriminatory segregation of Roma schoolchildren.

In August, a lower court sentenced a right-wing extremist to 10 years’ imprisonment for violent attacks between 2007 and 2009, including throwing Molotov cocktails at the homes of socialist MPs and an attack on a gay bar in Budapest.

In January, the ECtHR ruled that secret surveillance by the Hungarian Anti-Terrorism Task Force had violated privacy rights. The grounds for the decision included Hungary’s failure to provide judicial oversight over Task Force actions and other sufficiently precise and effective safeguards.

In July, the ECtHR ruled that Hungary had arbitrarily detained an Iranian gay man and failed to take into account his vulnerability in detention arising from his sexual orientation.

By late October, 26 homeless people had been charged with misdemeanours under local decrees banning the homeless from residing habitually in public spaces, compared to 71 in the first 10 months of 2015.

Particularly in the case of Hungary, non-compliance with European law also implies violations of human rights as they form an integral part of the Union's policy on refugees and asylum seekers. Thus, one of the issues still unresolved is the disagreement between the European political directions and those of the member countries, which do not always coincide. One of the obvious causes of mismatch is
the rise to power, in countries like Hungary and Poland, of far-right parties. Another pressing issue is populism as a political style, adopted more and more frequently in the countries of Central and Eastern Europe.

**Italy**

By mid-November, 164,695 migrants and asylum seekers reached Italy by sea, according to UNHCR. Nigerians, Eritreans, and Sudanese made up the largest national groups. Numbers of unaccompanied children increased significantly, with an estimated 23,000 traveling alone to Italy by mid-September compared to 12,360 in all of 2015. The International Organization for Migration estimated that 80 percent of all Nigerian women arriving in Italy had been trafficked or were at risk of being trafficked into sex work.

New asylum applications and rejection rates increased compared to 2015, as increased border controls by neighbouring countries prevented onward movement. Most asylum seekers lived in temporary emergency facilities of varying standards. Concerns persisted about use of force for fingerprinting as well as overcrowding and lack of protection for unaccompanied children at hotspots. At time of writing, only 1,570 asylum seekers had been relocated to other EU countries out of the 39,600 initial target under the EU plan.

Italy intensified negotiations with countries such as Sudan, Gambia, and Libya on migration control, including to facilitate deportations. In August, after a memorandum of understanding with Sudan, Italy deported 48 Sudanese it claimed had not sought to apply for asylum amid concerns about the procedure.

A bill to make torture a criminal offence in domestic law, approved by the lower house of parliament in 2015, languished in the Senate at time of writing. In February, the ECtHR ordered Italy to compensate an Egyptian cleric known as Abu Omar for complicity with his 2003 rendition and for failing to make sure effective punishment for those responsible. At time of writing, one of the 22 CIA agents convicted in absentia by Italian courts in the case was fighting extradition from Portugal. At issue is Italy’s refusal to grant her a retrial.

Italy continued to expel terrorism suspects under a procedure that explicitly denied the right to an in-country appeal. Italy expelled 47 individuals, many of them to Tunisia and Morocco, in the first eight months of 2016.

In April, the Council of Europe’s Social Rights Committee said the fact that 7 out of 10 doctors in Italy are “conscientious objectors,” meaning that they refuse to provide abortion services in some or all circumstances, created serious difficulties
for women accessing safe and legal abortions. As of May, same-sex couples may have their relationships legally recognized as civil unions, though they do not have the right to adopt.

Populism promoting attitudes and behaviours to exclude certain social categories, is incompatible with the concept and practice of human rights. Thus, the question is whether there are still “classical” parties, in the true sense, or politics is more and more diverted to a mere exercise of power, without effective governance for the benefit of the citizens.

The Syrian Crisis has played an important role in the proliferation of asylum applications in Europe. Treatment of Syrians seeking asylum varies greatly depending on the host country. Some Council of Europe signatories, such as Germany and Sweden, have committed to receiving Syrian refugees, whilst others have been unwilling to offer assistance. This is problematic: refugees living in cities are quickly running out of money, the cost of this wave of migration is adding up, and international support is very limited. More worryingly still, many Council of Europe members, including several EU member states, have provided extremely inadequate protection to those affected. Despite the assurances provided by some European countries, Europe’s tackling of the Syrian refugee crisis has been uncoordinated and unbalanced, failing both to take collective responsibility and to address the human rights impact of the Syrian crisis effectively. This reflects the broader problems in Europe’s asylum policy. (Frantziou et al. 2014, 1)

Perceptions on immigrants’ income are important to determine how the cultural heritage and human rights work in order to establish an advantageous social environment for the autochthonous people and for new ethnic groups. Unfortunately, information about the immigrants are suddenly distorted by the media and presented through preconceived ideas. Negative portrayals of migrants and asylum-seekers in the media and by public figures do a tremendous disservice to the vast majority of those arriving, and to the principle of inclusive societies. It is not only far-right, anti-immigrant parties that have distorted reality to prey on people’s fears. In Hungary, Viktor Orbán describes those arriving as illegal economic migrants, warriors or potential terrorists. Following the Paris attacks, he ratcheted up the rhetoric, saying, “The factual point is that all the terrorists are basically migrants, the question is when they migrated to the European Union” (Sunderland, 2016).

From this point of view, I considered that an apolitical and de-
Ideologized concept such as human rights is an essential key to solving the intercultural conflict caused by the arrival of Syrian refugees in the European Union. Of course, not only the Union officials have paid attention to the subject, but also the Council of Europe has shown itself to be particularly concerned about the importance of the issue, often drawing attention to the negative consequences of the exacerbation of nationalism by some governments.

Beyond the divergences between countries regarding refugee quotas, a lesser consideration is worth discussing: the contribution of these immigrants to the European Union's ethnic and cultural variety. The huge wave of refugees inherently brings about a consistent cultural baggage that is required to be capitalized and "inventoried" to be used as an argument against the intolerance of certain public opinion formers. Moreover, these immigrants bring a totally different way of life compared to the European one, dominated by the religious dimension, to which is added a whole collection of traditions specific to the Middle East. The lives of those people are carried out beyond the coordinates of Europeans, being marked by spirituality, by faith in local divinities or by certain specific practices, compared to the daily of Europeans in which Christianity occupies generally the central place relative to the interaction between individuals.

In this respect, it is about the accommodation of Europeans with the new model of life brought by immigrants, and the approach from the perspective of cultural heritage is, as we consider, an efficient one because it excludes possible racist, anti-Semitic or xenophobic disagreements and behaviours. The cultural domain is characterized by total freedom of expression, acceptance of differences without prejudices, recognition of the value of others regardless of their ethnic or social origin. This is an aspect that we want to highlight in this material. The European Union aims to respond in 2018 to key questions on this subject: “How can we better promote the great potential of cultural heritage? How can we maximise its social and economic benefits? How can we better protect and manage our cultural heritage while ensuring that people from all backgrounds have access to it?” (European Commission 2017)

As we read on the dedicated site, “Cultural heritage shapes our everyday lives. It surrounds us in Europe’s towns and cities, natural landscapes and archaeological sites. It is not only found in literature, art and objects, but also in the crafts we learn from our ancestors, the stories we tell our children, the food we enjoy and the films we watch and recognise ourselves in. Cultural heritage binds Europe
together through our common history and values. It also represents the richness and diversity of our cultural traditions. Our shared cultural heritage is to be understood, cherished and celebrated. Yet cultural heritage is not only a legacy from the past. It also helps us forge the way ahead and design our future (European Commission 2017).

If we analyse the arrival of refugees in Europe through the enrichment of cultural heritage, we have the opportunity to make new contributions to the ethnic and linguistic mosaic of the Union. In this way, the drifts of right-wing extremism and secessionist initiatives can be combated by engaging citizens in accommodating actions with the specifics of the new inhabitants. Information campaigns and the promotion of diversity at the expense of nationalism can be successful tools if they are supported by an equally effective normative base that brings peace and social cohesion to those regions with a large number of refugees.

The importance of associating human rights and cultural heritage in addressing the refugee crisis is justified by the fact that the human resource itself is a key element. An interpretation of European cultural space only from the point of view of local artistic and scientific production is limited because it does not encourages diversity. Immigrant communities in Syria or other regions affected by conflicts also have a material and spiritual heritage that can be integrated into the European space without creating controversies.

Finally, protection of the cultural identity has become a concern for communities, groups and Peoples on all continents, because their own culture are a major layer of their dignity. In this context, we emphasize the efforts made by the EU institutions to promote human rights as a concept for affirming the identity of refugee communities. Experience of the last years shows that the violation of human rights has led to the creation of unnecessary tensions between majority and ethnic minorities when the conservation of cultural heritage of the latter category has been raised. Issues related to the diversity of cultures and different cultural expressions must be dealt within the framework of human rights and fundamental freedoms. When the nationalist arguments are all used up, the common cultural heritage, cultural democracy and its advantages come into action and create new perspectives in a heterogenous area such as the European Union.
References


FOCUS: REFUGEES’ TESTIMONIALS

Quarrels between Young Refugees and Young Germans in Bautzen: How Has it Turned into Bad Treatment against Refugees and What Are the Effects?

Ahmad AL AJLAN

Abstract. In recent years, more than a million asylum seekers have entered Germany, and it tries actively to integrate them into society. However, this massive process faces some difficulties especially in the east of the country. This article explores how the conflicts between young refugees and young Germans, mobilized, and turned to bad treatment, from some people in the city, against not only young refugees, but also against other refugees in the city, by studying kind of the communication between the host society and the refugees in two main areas: public places and the private sector. Comparing the results with the prior interviews conducted with fifteen unaccompanied minors and adult refugees in Hamm city, this article shows how the conflict that turned into bad treatment has negatively affected the feeling of security for the refugees, the homogeneity of the refugee community, and their views for their future in Germany regardless of the huge efforts of the government and the civil society to integrate the refugees in Bautzen city.

Keywords: asylum seekers¹, bad treatment², Bautzen, conflict, Hamm, minors, refugees, young adult refugees, young Germans

¹ I use asylum seekers and refugees concepts in this article, although the legal definition of these two concepts are different. An asylum seeker is someone whose claim has not yet been finally decided on by the country in which he or she has submitted it, while the refugee has had his/her claim officially accepted (UNHCR). Not every asylum seeker will be recognized as a refugee, but every refugee is initially an asylum seeker. In this article, we talk about the reaction of the people (in public places and private sectors), not about the reaction of the government institutions like the Office of Foreigners (Ausländerbehörde) and job center in this city. People who do not work with refugees do not ask themselves whether this person is still an asylum seeker or has been accepted by the government as a refugee. However, we will distinguish between these two cases whenever it is necessary.

² The meaning of the bad treatment concept in this study is: assault, harassment, or insult directed against refugees because they are a different group from the people of Bautzen.
Introduction

To understand the situation of the refugees in Bautzen, nearly 40,000 inhabitants, we should be aware of some issues that make the situation in the city a part of conflict between young refugees and young asylum seekers from one side, and young Germans from another side. For instance, Bautzen is a city that inhabited by Slavic minority called Sorbs, although Sorb individuals appear only moderately isolated from other populations in the region due to the fact there no topographic barriers between them and others, unlike the case of Sardinians in Italy who are isolated on an island or the Basque who live in a mountainous region in Spain. The Sorbs are separated from their neighbors predominantly because of linguistic and religious differences, which may be weaker forces for maintaining isolation (Veeramah et al, 2011: 999). Yet, and due to the fact most of the refugees are Muslims this could create difficulties in accepting them to live with a minority that already has, as any minority, sensitivity about their identity.

Additionally, the city was part of the German Democratic Republic (GDR; German: Deutsche Demokratische Republik). That existed from 1949 to 1990. Although Over the last decade, Germany spent more than 7 billion EUR per year on active Labour market policies to combat the large and persistent unemployment problem in East Germany (Lechner and Wunsch, 2006: 5). The heritage of forty years of socialist rule could not be traded for the rules of democratic-capitalist development as easily as expected (Bontje, 2004:14). Based on the interviews with people in Bautzen, this forty years of the socialist life still seems to some older people to be easier than the life that they have now. Even now, as they described, they find difficulties adjusting to capitalist style-living.

“We had job stability, yes it was not always the dream job, but you did not always have the fear of losing it, which is now so. The people who have grown up in the GDR, have to learn that, and that is still really difficult... For us, losing a job still like the Titanic sinking, something like that. And to deal with it, maybe even sell yourself. That is always incredibly hard for me. That is still the case that makes me big bad mood... That is certainly the feeling of the people here, maybe not all of them. But we did not have this situation before” German man

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3 The author of this article had the main responsibility for the analysis presented here. The description is representative of the situation as it appeared in the middle of 2017, and the situation might be changed.
“People were living together, young people had their cliques then their unions... now the mother has nothing to say to her children when they are fourteen years old. Bautzen has sold everything. Everything was privatized, even the places where the young can meet...” German man

So the shift from the socialist regime to the capital regime caused problems especially, for older people in East Germany, and that could influence, in a way or another, the situation of refugees in Bautzen. Some researchers have explored the effects of reuniting Germany on the people of East Germany. For instance, Kocka Jürgen found routines have broken down, trust has been shattered, new orientations are needed, anxiety is widespread, and self-assuredness is scarce. Crisis and rapid transition define the lives of many in the East, but not so in the West. Birthrate and marriage rate have sharply fallen, and the divorce rate increased between 1989 and 1992. Nothing comparable is happening in West Germany (Jürgen, 1994:185).

Demographic data show that the number of non-Germans in East Germany is substantially lower than in West Germany. The percentages of foreigners are 1.9 % and 9.7 %, respectively. Thus, the opportunity for contact with ethnic minorities is markedly less in the East than in the West. It is further assumed that, due to this lower density of foreigners, East Germans reported fewer contact experiences as well as less intensive or important contacts, such as friendships and other subjectively important encounters with foreigners (Wagner et al, 2003: 24).

Bautzen is a city of rustic character, it has no university or higher learning institutes or any projects which would bring foreigners to this city. The newly arriving-refugees was the first experience for many to deal and live with foreigners, therefore, rejection is more likely to happen than acceptance. “Bautzen is far away from big cities. We were not used to seeing non-white people, and those who look different, we did not see on the streets people speaking a different language. I was in Freiburg, I have seen many more foreigners, while Bautzen is like a separated province” German man

The image of refugees in the mind of some people in Bautzen could also be catalyze the conflict between the two sides. Some people in Bautzen, as the refugees described, already have a negative view of the refugees, including assumptions that they have no civilization, no cars in their countries or they don’t know how to drive etc. “when I go to the market and buy a lot of items, I see they are surprised, but they do not know we cook at home, while usually they do not. And we have children, while they often have less or no children, and that is why we buy from the market more than them. I mean there is a misunderstanding of us, they think we do not know anything.
For example, a German woman has a very ordinary car explained to us how to sit in the car seats, she thinks this is the first time we see a car!! This erroneous ideas has caused a lack of respect for the refugees. They believe refugee must accept any situation and must be happy with anything they give them. This leaves a bad impact on our psyche how we were living and now people here think we do not know anything” a refugee woman.

“They do not know about our history and our lives. They believe we come from the desert and we do not know anything. When they enter our homes and they see the cleanliness... Also when we show them the pictures of our homes, our cars, and our workplaces, they become amazed and say you had that!!” a refugee married man.

Additionally, due to the fact most of the refugees are young, and mostly dress well and carry modern phones, etc. Helped catalyzed envy and anger in this small city. It seems as some of the Germans feel that some refugees live better than some of them, so they become angrier about the refugees. “You only need to go to the center, only go to the center, to see them wear jeans from fashion labels that I cannot afford it. They all come dressed and ironed from head to toe. And that upsets people” a German woman

“...asylum seekers well dressed, they are young, and they have modern cell phones. They are able to work, but they do nothing. They pretend to be war refugees, but they look like they never saw the war. So, I should say, they are parasites” A German man

“I asked a student with me why you do not like us. He said: You are taking part in our salaries, you are wearing the best clothes, and we do not find what you find...” young adult refugee

In contrast, Hamm city is located in the heart of North Rhine-Westphalia state, the most populated state in Germany (approximately 18 Million people). This state has the biggest number of foreigners in Germany; 4.1 million people in North Rhine-Westphalia have a migration background. For more than every fifth inhabitant of North Rhine-Westphalia, migration is part of his / her personal or familial identity. 25.1 % of the pupils at public schools have a migration background (Ministry for Intergenerational Affairs, Family, Women and Integration, of the State of North Rhine-Westphalia, 2010: 7). The population of Hamm is around 180,000. Nearly 15 percent is minority groups. Some of these minority groups, like the Turkish minority have been living in Hamm for more fifty years.
The sample

I conducted thirty interviews (individuals and groups discussion) with forty-eight refugees, namely unaccompanied male young adult and minors, and married men and women living in Bautzen. The interviews were conducted in May 2017 and concentrated mainly on the conflict between young refugees and young Germans, exposure to bad treatment, and the effects of bad treatment on the refugees’ lives. The interviews included open and closed questions. Interviewees were from different countries including Syria, Palestinian, Libya, Pakistan, Iraq, and Morocco.

Before going to Bautzen I had conducted nine interviews (individuals and groups discussion) with fifteen unaccompanied young adults and minor refugees, all males from Syria and Iraq, living in Hamm, NRW. The interviews were conducted in February 2017 and focused on the main problems of young adult and minor refugees in Hamm, including problems with the host society and bad treatment against refugees.

The idea was to compare the lives of the refugees in Hamm as a safe and welcome refugee city, with the lives of the refugees and asylum seekers in Bautzen, which tends to be a not very safe city after the conflict that happened in summer 2016.

Furthermore, we have 28 interviews conducted with German people who were living in Bautzen, some of them working with refugees in organizations established by the government or by volunteers to help refugees to integrate into the new society. All these interviews were conducted in the German language then translated to English language.

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4 Palestinians refers to, not only those who came to Germany from the Gaza Strip and West Bank, but also those who came from other countries like Syria, Lebanon…etc., but they still define themselves as Palestinians.

5 The conflict between refugees and the host society in Bautzen received a local and an international media attention, as well on the social media, including: Germany migrants: Residents battle asylum seekers in Bautzen. BBC. 15 September 2016; Arson suspected in a German refugee shelter fire. CNN. February 22, 2016; Suspected arson at planned refugee center in Germany. Aljazeera. February 21, 2016; Far-right ‘hunt’ for refugees in German town, police accused of cover-up & inaction. RT. 3 November, 2016; Bautzen: Fragwürdiger Umgang mit Flüchtling. Exakt. 09.08.2017; Warum Flüchtling „King Abode“ trotz bedenklicher Vorgeschichte wieder in Bautzen ist. On line focus. 09.08.2017; Bautzen, Tag und Nacht Vor einem Jahr machte die Stadt Schlagzeilen mit schweren Ausschreitungen. Jetzt zeigt sich: Bautzen ist immer noch nicht zur Ruhe gekommen. Zeit online. 12. 8. 2017; https://youtu.be/oNI8tVTwy78; https://youtu.be/tQ5vn-Mxoss; https://youtu.be/A7b8ifb3k1k
What were the conflicts about? And how it is turned into bad treatment for asylum seekers and refugees?

In the middle of Bautzen, there is a square, and around it are most of the city amenities like markets, cafes, clubs, restaurant etc. Young Germans used to come to this square to socialize. By the end of 2013, Syrian refugee families arrived in Bautzen, through UNHCR resettlement refugee programs that aim to relieve pressure on countries around Syria, like Lebanon and Jordan where a large number of refugees are. They were the first foreign minority came to Bautzen to live there. At that time, there were nearly no major conflict between refugees and the people of Bautzen. However, the number of refugees who were coming to Germany by illegally crossing the borders increased rapidly, especially in 2015. Since this kind of asylum journey is very difficult, most of the arrivals were unaccompanied young male refugees. Statics show in 2016 alone more than 722,370 asylum seekers entered Germany (BMF, 2016:19). Moreover, 65.7% of the asylum applicants in 2016 were male, almost three quarters of them (73.8%, 532,799) were younger than 30 years old (BMF, 2016: 22). Hundreds of these young male refugees were sent to live in camps inside and around Bautzen.

In a place very near to the city square (Dresden Street) a camp was opened for minor asylum seekers and refugees. Due to their young age, they have learned the language very fast. Additionally many of them have been integrated into the German schools, and that helped them to learn the language and have German friends. However, in the minor accommodation centers, most of the time, every minor have only a bed in a shared room. The law does not allow for the minor to have his/her own apartment before he/she becomes 18 years old. Hence, they are not able to be good hosts to their friends at the place where they live. Moreover, the minors have special case-workers called (Betreue), they buy to minors their needs. Minors only have in cash a very small monthly salary (40 Euro), it is much less than the salary of adult refugees (320 Euro), so they cannot go with their friends to cafes or clubs etc. The square, therefore has become the point meeting for those young boys and girls where they have good opportunity to socialize with their peers and get relief from pressures that they have as refugees and as minors separated from their families because of the war, etc.

However, the square was already a meeting point for some minors and young adult Germans, yet, young adult and minor refugees have become more and more visible in the same place. They started gathering in big groups, sometimes
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more than twenty, drinking beer, turn on loud music, and using the free internet that was available in the square. Furthermore, young refugees attracted some German girls, especially those who are younger than 17 years old, who wanted to have friends and boyfriends among the young refugees or just discover the newcomers. The legal situation of refugee minors could encouraged them to quarrel with young Germans since they could not be sent back to their original countries or even to the first European country they had entered according to the Dublin refugee agreement between the European countries (Johnson, 2015: 6). Also, legally it is hard to send them to jail in Germany like adults, hence, they could have felt that there were no punishments to deter them. As a result, they start challenging young Germans, or what they called Nazis, by using the same language as them, showing off to girls, and one of the young asylum seekers even named himself “king of the city”.

“I met a girl and we start meeting in the square, then she brought her friend, then young Syrian refugees came with their German friends, and became more and more people coming. Nazis saw us happy and dressing better than them...We do not have a life inside our dirty camp, our lives start outside the camp... they were angry how Arab refugees have German girls!! But the girls with us are happier. I bought a scooter and walk on the roads. They wonder how a black refugee can buy this expensive toy, I heard bad words and comments from them...I live better than them and I call myself the king of Bautzen, although I live in debts” Young adult refugee

“I think the main reason of the conflicts is the jealousy, the young Nazis saw the young refugees sit down with the girls, drinking beer and laughing and that is what the Nazis do not like it” young adult refugee

Young German more likely have understood the sudden appearance of the young refugees as threatening to them, occupying their square and taking their girls. Therefore, they started their struggle to restore what they have lost by many means. At the end, they succeeded in portraying bad image of the refugees. They wrote provocative phrases on the walls of the city like “we are the folk”, “we are the original people”, “it is our square”, “foreigners should be send out of Germany” etc. Some of these phrases were used by the right-wing parties. By focusing more and more on the differences between the refugees and the Germans, and who is original and who is stranger (Auslander) some adult Germans became sympathetic with the German youth. Young Germans from villages around Bautzen came to participate in protests against refugees that happened several times. Some Germans, as some refugees reported, stopped doing volunteer work to refugees, especially after the biggest
confrontations between young refugees and young Germans in summer 2016, which resulted in some injuries and attracted a lot of the national and international media attention. In this way, these conflicts have poisoned the relationship not only between young refugees and young Germans, but also between some people of Bautzen and refugees in the city. More people started to treat refugees and asylum seekers badly, and we will explain some aspects of this bad treatment next.

**Insult and beatings in public places**

Many members of the sample said they have been exposed lately to bad events in public places like in parks, streets, and the downtown square. Some of them said they were exposed several times to insults.

An African refugee reported, “last winter at seven o’clock in the evening, while I was walking back from a supermarket to the camp, a group of youths were standing in a park, and said to me “come here”. I thought they were tourists, but when I arrived, one of them grabbed me and hit me... The same thing also happened to a friend of mine”. Young adult refugee

Another one reported “...I was riding my back home from the supermarket, when a Nazi person hit me with his car, I fell down with my purchases. Nevertheless the car driver didn’t stop ... That is why I avoid going out of my home”. Young adult refugee

A refugee woman described what happened to her “The biggest problem for
me is wearing my veil... I was walking in the city center when two young Germans pulled my veil...” A refugee woman

Penelope Scott conducted a study in East Germany about African refugees and found that there was a double jeopardy of being both an “asylum seeker” and a “black African” in eastern Germany. Right wing racially motivated attacks are statistically more likely to happen in eastern states and among the most targeted groups are African asylum seekers (Scott, 2104: 136).

**Harsh treatment in private sectors**

Some of unaccompanied young male refugees in Bautzen have reported being exposed to harsh treatment and even being hit in some places (Discos) things that limited their chances to meet young Germans from the local society.

“I went with my friend to a disco... When we arrived, a group of young Nazis attacked us. One of them hit me and said: why did you come to Germany...” Young adult refugee

Some of sport clubs, as some refugees reported, refused to registered refugees, and others make the registration conditions difficult. “I suffered personally from Sport clubs problems. First the contract is for two years, but they don’t ask Germans to sign two year contracts, they pay monthly or sign a six month contract...”. Young adult refugee

In Bautzen there are housing companies that refugees have to register with in order to get a flat, but some of these companies denied refugees registration. Therefore some stayed in camps even after they receive asylum and are legally become able to have their own flat.

“Since 2016 only two housing company rented to refugees ... As a result, some refugees don’t find a flat and stay in the camps...” Young adult refugee

Adult young asylum seekers suffer from this problem more than minors because minors have their separate accommodations (shared flat or camp), and it is not allowed for them to get their own flat before the age of eighteen, even if they receive asylum. Adults should leave the camp after they get asylum. This problem has become decisive for families who not yet get asylum because their children have to live in an unusual atmosphere, most of the people around them are adults, and they don’t have enough space to live the life of a normal child. “...I can’t raise my children well. They see drunk people, and fighting between asylum seekers... I left my country not for me but for my children, I wanted them to have a good future”. Married refugee man
Another person said “... Some families have been living in this camp for long time... children are growing up in poor conditions”. Married refugee man

In contrast, asylum seekers in Hamm can get a flat after six months of applying for asylum, regardless of the final decision.

**Efforts of the local society in Bautzen to integrate refugees**

Although the conflict between young refugees and young Germans has badly influenced the relations between the new comers and the host society, many people in Bautzen have made huge efforts to integrate refugees and make their lives easier. For instance, for every refugee family in Bautzen there is a German family to help them with many issues, like translating and writing letters, accompanying them to the doctors or hospitals, helping them to solve the problem in their children schools etc. This relation most of the time turned to a friendship between the refugee family and the Germany family.

Furthermore, in Bautzen there are several organizations that work to help refugees, some funded by the government and others by volunteers. They do great job although some of them are influenced by the people how sentiments against refugees coming to Bautzen. “In Bautzen, there is a large network, we are actually lucky that there is such a civic alliance, Bautzen Bleibt Bunt Organization (Bautzen Remains Colorful), have an office in the Stone House offering advice to refugees. And it is a broad alliance where very many people are also inside. Churches also have a
lot of people who work with refugees and asylum seekers. We have also Welcome to Bautzen Organization which is a very broad coalition. And out of this alliances, associations, and organizations there are many of volunteers people go to the asylum seeker shelters to help with children care…” German employee working with refugees

Some of these organization applied modern methods to help asylum seekers and refugees express themselves, and avoid the bad effects of racism or any hard situation by acting out the situation. They have theater and let refugees act out their journey to Germany, or their lives in their countries, or the hard situations that they are exposed to in Bautzen. “We start with self-confidence, we strengthen self-esteem in the refugees, and we have a music project, a band workshop, and a theater, we are using the method of the theater of the oppressed, in order to teach them how to deal with racism. The theater provide them with strategies they can use it in the actual situations…” German employee working with refugees

Many of people in Bautzen are not happy with the problems that happened between young refugees and young Germans, and they fell shame about it, especially after the name of their city was repeated in the international media. “Last year I was in Berlin when a friend of mine who was in Spain on vacation called me and said please turn on the TV and see what happens in Bautzen. I said, "What?!" I was totally shocked that the news already was abroad” A German woman

Some of the citizen have a positive view of the future, especially in the second generation of the refugees. “I think this generation will be a bit ambivalent, but the children (second generation) will grow up in the kindergarten together. So for them it will not matter whether the child is dark or white, they just play together and then everything develops. Then they go to school ... If the parents say that you do not play with this child. He will say, he is my friend or she is my friend…” a German woman

What reflects the huge efforts of the government and the civil society are facts such as, in the House of Resources Organization only there are about 20 permanent employees and 150-200 volunteers. They do about 20000 volunteer hours yearly. So extensive effort has been made by the civil society in the city to counter activities of people who are against refugees. However, the conflict and the bad treatment impacted the life of the refugees badly, especially when we compare their lives and the lives of the refugees in Hamm.
Effects of conflict and bad treatment on refugees in Bautzen

Before talking about the effects of conflicts and bad treatments on asylum seekers and refugees in Bautzen, it will be helpful to have a look at some studies that were conducted by researchers about the effects of bad treatment and segregation on minorities and diaspora groups.

By using national mortality and census data, Chiquita A. Collins and David R. Williams, found an association between residential segregation and mortality in 107 major U.S. cities. Black social isolation tended to predict higher rates of mortality for African American males and females, although the strength of the association was varied by cause of death (Chiquita and Williams, 1999: 495). Also, James Nazroo found that in the United States non-Hispanic Blacks and Native Americans were reported to have higher rates of mortality than non-Hispanic Whites (Nazroo, 2003: 277). African Americans (or Blacks) have an overall death rate that is 1.6 times higher than that of the white population, and racism ranks eighth of the ten leading causes of black death (Williams,1999: 174).

In the United Kingdom, although mortality data are not available by ethnic group, the data on immigrant mortality rates and morbidity again suggest heterogeneity of experience across minority groups. For most outcomes, Bangladeshi and Pakistani people report the poorest health, followed by Caribbean people and then Indian people, with Chinese and white people having the best health (Nazroo, 2003: 277).

Several studies have also examined the association between segregation and infant mortality. Laveist found that the infant mortality rate for African-Americans is roughly double that of whites (Laveist, 1992: 1082). Poverty unemployment, low family income, low adult education, and crowded housing rate, all predicted higher rates of low birth weight (Roberts, 1997:602).

Researchers also found, segregation was positively associated with cancer death rates and heart disease mortality, for black and white males and for black females (Chiquita and Williams, 1999: 517). Poverty can lead to poorer nutrition, less access to medical services, and higher levels of stress (Roberts, 1997: 601). Racism is associated with increased psychosocial stress and blood pressure in blacks (Tull et al, 1999: 447). The negative effects of racism could extend from parents to their children. For instance, Caughy et al, found that, experiences of and responses to racism among African American parents have important effects on the well-being of
their young children (Caughy et al 2004: 2118).

Other researchers studied the psychological effects of segregation. For instance, Dennis R. Combs et al, suggest that, perceived racism acts as a stressor for African Americans and may be associated with a variety of negative psychological consequences, notably paranoia. Paranoia among African Americans is be lived to reflect the lower end of the paranoia continuum based on experiences with racism (Combs et al, 2006: 87). In a sample of 247 African American colleges, Thomaseo Burton et al, found that, students who reported more racism experiences also had poorer levels of psychological functioning as indicated by higher levels of psychological stress and psychological distress (Burton et al, 2007: 64). By using more specific types of encounters with racism, it may be possible to show that targets of racism are harmed psychologically from the stress and perhaps trauma (Carter, 2007: 14). Racist incidents are potentially traumatizing forms of victimization that may lead to increased psychiatric and psychophysiological symptoms in targets (Ocampo and Davis 2005: 479). In the case of racial/ethnic discrimination, physiological reactions may include changes in eating patterns, sleep, blood pressure, and increased use of alcohol and other substances (Thompson, 2002: 113).

Other researchers studied the relation between segregation and some social problems. For instance, Logan and Messner found that residential segregation was positively related to homicide, robbery and violent crimes, in the suburban rings of 54 metropolitan areas (Logan and Messner, 1987: 523).

Researchers have explored many health and psychological effects of segregation, bad treatment, and racism, but little attention has been paid the effects of conflicts and bad treatment on feeling of security, cohesion of community, and prospects of the future among targeted groups.

**The feeling of security**

Many of the interviewees expressed a fear of going to the places that were usually occupied by young Nazis, mainly the city center, and at certain times like at night, and on the weekend, when the streets are nearly empty.
Due to the lack of feelings of security, some asylum seekers and refugees in Bautzen have tried to move to West Germany or even to big cities in East Germany, like Dresden and Leipzig. Also, some have tried to avoid bad situations by staying home. Lack of security has affected the professional choices of some refugees. For instance, they have avoided starting a career in Bautzen and preferred to find jobs in another cities.

“My profession is a hairdresser, I will do training then I will open my own salon, but of course in West Germany, not here. I went to Hamburg. There is no distrust of refugees there...in West Germany they laugh and talk with refugees, so it is easier to start a job there... I am afraid if I open a salon here, they will destroy it, or even do worse...” A young adult refugee

In contrast, young adult and minor asylum seekers and refugees in Hamm don’t have a bad relationship with the host society, however, some minor refugees are exposed to violence in public places from immigrant minors, especially Turkish minors. This violence against them has affected their ability to move freely inside the city. We don’t know the exact reasons for this kind conflict, but some refugees think that immigrant communities in Germany, think that refugees will rival them in the kind of work they do in the near future, so they classify refugees as outsiders and practice violence against them.

“There is no bad treatment from Germans against refugees, but from Turkish immigrants against Kurdish and Arab refugees. Turkish immigrants have been working in Germany for more than fifty years. Then Kurdish and Arab refugees came
to Germany. They know we will work and we will be a threat to them. I think they do not like us. Many times they gathered to attack us in the city center. They made up reasons just to attack us…” Minor refugee

It is interesting that in Germany many of the immigrant communities aren’t part of a welcome or open arms policy in Germany, as some refugees reported, yet, they keep trying to get an advantage from the refugee wave to Germany.

“Arab immigrants did not help us. Their aim is on how to exploit the Arab refugees. For instance, when a refugee doesn’t know the German language, laws, and prices, they rent him a bad flat with a high price… there is no Arab immigrants who help us, although a lot of them are really successful, like those who work in big companies, or universities…” A young adult refugee

Some social researchers explain conflict and violence between diaspora communities by the economic competition theory. For instance, Stephanie Chavez explain the conflict between African Americans and Latinos workers by this theory. He says that: “the two groups are competing for the same dry bone” (Chavez, 1992:1). Native-born black workers and new immigrants are cast as players in a desperate survival game, as someone throws out 200 bags of grain and 500 people who are going for it (Gordon and Lenhardt 2007: 1).

Refugee Community Cohesion

The way in which refugees acknowledge their situation in Bautzen, and how they try to cope the difficult situation after summer 2016, is complicated. On one hand they try to feel more secure by walking in groups, especially at night. “I avoid going out at night. I am afraid of problems... But if I have to go out at night, to the train station for example, I ask some of my friends to company me…” a married refugee man

“At night, if I have to go out, I go with two or three of my friends, racists can’t attack a group of refugees. They only target individuals who walks alone…” A young adult refugee

On the other hand, the refugees and asylum-seeker community in Bautzen has conflicts within despite the fact they have lack of security in some areas of the city and in some groups after summer 2016. An instance of these cracks inside refugee community is the conflict that exist among refugees from different Arab countries. They get in arguments with each other sometimes in public places, and every group of them accuses the other one by saying “you are Arab” you are
terrorists, get out of Germany we don’t want you here”!

“Many problems happened among refugees from Arabic countries. Refugees from Morocco, Algeria, and Libya cursed us, although we did nothing bad to them”. A young adult refugee

“I was walking with my friend, when suddenly a group of refugees from Tunisia, Morocco, Algeria, and Libya started shouting at us, “Arab people are not good, they come to Germany only to do problems, and they were cursing at us”

Interviewer: What are reasons for that in your opinion?
Respondent: I don’t know. They tell Germans “Arab people are not good” as they were not Arab people!!

Interviewer: Has this situation been repeated?
Respondent: Yes, but not as often as the attacks from young Nazis). A young adult refugee

Immigrant groups sometimes get in to conflict and violence with each other because some of them try to convince the majority or the host society that, they are part of the host society, not part of the immigrants’ community. To achieve this goal, they practice discrimination and violence against one of the immigrant groups much more than the host society does. For instance, in order to attain a certain degree of social standing, the Mississippi Chinese had to actively distance themselves from blacks to show whites that they had no sympathy with blacks and their plight. As such, the Mississippi Chinese began to see themselves as having more in common with whites than with blacks and acted on that perceived commonality (Scotto, et al. 2006: 573).

The same thing was done by Cuban immigrants during the mid-twentieth century, which pursued a strategy of racial distancing, seeing themselves as being in economic and social competition with black Americans rather than as natural allies in the fight for social and political equality (Scotto, et al. 2006: 573). This (whitening up) strategy, which means sharing whites’ negative attitudes toward black, is also used by Latinos. In a survey of black, white, and Latino residents (n =500), the results show, for the most part, Latino immigrants hold negative stereotypical views of blacks and feel that they have more in common with whites than with blacks. Yet, whites do not reciprocate in their feelings toward Latinos (Scotto, et al. 2006: 571).

Therefore, this kind of conflict inside asylum seekers and refugees community is a psychological defense mechanism use by a weak a group in order to convince the dominant group that” we are part of you” in order to be more accepted.
The asylum seekers from these countries, Tunisia, Morocco, Algeria, are the weakest asylum seekers in Germany, since their countries have no war so it is hard to be given the right to stay in Germany as refugees. Usually their applications rejected, so they are more wary and unstable in this country. Therefore, they try to get sympathy from the host society by showing Germans they are worried about refugees in Germany from refugees too. It is attempt and sacrifice of the threatened, worried, unstable community or group to survive by abandoning and attacking part of it, and to make it a scapegoat.

In high risk situation, people commit strange actions just to survive. For instance, the victims sometimes justify the violence committed against them, or even defend the perpetrators. This phenomenon was formally named in 1973 by Stockholm syndrome (Adorjan, et al, 2012: 457. In this context, it was interesting how the woman that was attacked by young Germans justified the aggressive behavior against her: “...If you do not interfere in the racists’ affairs, they will not interfere in your affairs and will not attack you.

Interviewer: Did you interfere in their affairs when they pulled your veil?
Respondent: Of course not, but this is their nature, and we have to accept and bear them, because we are living in their country” A refugee woman

As such, adults and minors in Bautzen who get in conflict with what they called Nazis, have found themselves threatened not only by Nazis but also by other refugees. A Palestinian refugee widow whose son was involved in the conflict with young Nazis, said “I was blamed by the refugee community more than by Germans. Some refugees even threatened that, they would strike my child, which means that, some refugees want to play the role of the police. As a single widow woman, I found myself under great pressure from Germans and the refugees together”. A refugee woman

The hope for the future

89 % of young adult refugee in Hamm expressed their trust in a good future. In contrast, only 44 % of young adult refugee in Bautzen expressed their trust in good future. Also, 73 % of married refugee men in Bautzen expressed their pessimist about their future in Germany. The percentage was similar for women. Only minors in Bautzen expressed a high rate of optimism 83 %, which is the same percent to the minors in Hamm.

“I am distracted. I do not know what will happen to me in the future. I am
pessimistic about my future in this country. I may need something necessary for my success in this country, but they refuse me for some reasons”. A young adult refugee

“I don’t have a future in this city, so I will leave it... I am afraid of failure. Failure in Germany means a destruction of the future because I am alone here, and no one will help me ...” A young adult refugee

The feeling of desperation, and the fear of the future increase when refugees have difficulty getting asylum. For instance, those who came from Morocco, Algeria, Tunisia, Libya, Lebanon, and Pakistan have a lower chance of getting asylum than Syrians. The problem is that those refugees have made the journey, put their lives under high risk, and paid their money to smugglers. Yet, most of the time their asylum applications rejected. Therefore, they often have no work and no school to learn the language, so they spend their time hanging around in streets of Bautzen and sitting in the city center and killing time. Hence they are more likely involved in conflict with young Germans than those who are accepted as a refugees.

“I feel lost, I had an ambition, a dream, and reasons that led me to flee my country. I put my life in high risk to achieve my dream. It is not easy to come without your family. I was 20 years old when I arrived to East Germany. I am staying here despite the difficult circumstances and have learned some of the language. I had ambitions, and a hope of finding good Germans who would change my life and make it much better, but everything has vanished. I found difficulties and obstacles in Germany much more than the country that I had fled...” A young adult refugee

Actually, sometimes asylum seekers and refugees suffer from losing the hope of a good future neither because of bad treatment, nor for not getting asylum, but due to psychological problems related to their previous lives in their home countries, especially, those exposed circumstances of war. I interviewed only one refugee who had this problem.

“The depression that I suffer because of many personal problems that occurred with me, made me feel lost. There is no goal in my life. Always to succeed you have to have a goal, and I don’t have any...I can’t achieve anything then I lose it, just like what happened with me in Syria. I lost a lot, and that is enough... I can’t focus, I always forget. My mind is still in Syria, only my body is in Germany. I feel like I am in a nightmare and can’t get out of it. I can’t believe I am in Germany. How did the war begin? And how did we get out? And how did we come to Germany? It is a nightmare”. A young adult refugee
Discussion

The conflict that might be at some points appear ideological began as fighting between competitive young Germans and young asylum seekers and refugees. In a study of the conflict between youth groups in a Norwegian city, Bjorgo found the ideological consciousness not necessary in the new Nazis groups. Being a 'neo-Nazi' was to them mainly a group identity, and not necessarily an ideological identification. Most of them were rather ambivalent about the notion of neo-Nazism. What mattered to them was the loyalty of the group more than its ideology or politics. However, expressing racist views was part of what was expected of them as group members. And gradually, they adopted the views as well (Bjorgo, T, 2005: 50). It is impossible to rule out that the situations of young Germans in Bautzen, who were against refugees and who the refugees called Nazis, is very similar to what this study described. Due to their young age, it is hard for them to understand and believe in Nazism as an ideology.

However, this conflict seriously damaged the relationship between refugees and many members of the host society. We find the effect of the conflict between two young groups was not limited to them but attended to other refugee groups. We find married men are exposed more to bad treatment: 91 % are exposed to insults, 9 % exposed to assault in public places, 82% are exposed to harsh treatment in the private sector. The reason is that married men in Bautzen stay outside their accommodation places more than other group of refugees, because they accompany their children to schools in the morning and home when they return. Also, they accompany their wives when they need to go outside to places like the Doctors, markets, hospitals etc. Also, they more than the other groups, have to go to government institutions (job center and office of foreigners) for issues related to them or to their families. All that makes them the most exposed and affected group in terms of conflicts in Bautzen although they were not part of it directly.

“.... I have a permanent job in this city. Every day I have to accompany my children to their school, because I am afraid for them”. A married refugee man

“In this camp there are forty single adult asylum seekers living together with twenty asylum seekers families....I have to accompany my wife whenever she needs to go, because I afraid a drunk asylum seeker will harm...”. A married refugee man

Furthermore, we find this conflict resulted in some bad effects on refugees in Bautzen. For instance, because married men are exposed more to bad treatment
than other refugees group, this has affected on trust in the future. 73% of married men expressed a fear for the future, and this percentage is the highest of the four refugee groups. That helps to affirm the positive relationship between exposure to bad treatment and loss of hope for a good future. How we can understand that minors in Bautzen expressed a high rate of optimist in their future (83%) which is the same percent in Hamm.

Minors in Bautzen have more organized lives than adults. They have school every day, and they have special case-workers called (Betreue). They plan their time, even for the weekends and holidays. Moreover, due to their age, minors don’t have contact with the job center (they aren’t required to work). They don’t have a contact with office of foreigners, as their case-workers do that for them. Hence, minors are less exposed to bad treatment than other refugee groups. Furthermore, minors in general are less worried about the future compared to adults. They are not afraid of being returned to their countries and they don’t have to return to the first European country they entered before they arrived to Germany, as the case for adults according to Dublin Regulation (Johnson, 2015: 6).

Some young adults, married men and women, those who came from Syria and other war zones, often had steady lives compared to minors, then they suddenly lost it because of war, so it is difficult for some of them to start again and trust the future, even if the possibilities for having a good future are much better here in Germany. In contrast, minors had no steady life because they were children when they left their countries. They didn’t suffer the same losses as other groups who might, for example have been students at a university, were employed, were doctors etc. As a result, fear about the future is much less with minors because of their age, their previous life in their country, and their current life in Germany. Due to that, although minors the most fearful refugee group about their safety, due to their weakness to defend themselves, they do not have fear about their future in Germany.

Additionally, we find married men, usually accompanied by their families. As a result they do not only worry about themselves, but also about their families. They have a high rate of fear (91%) about going in to areas of the city that are usually occupied by Nazis like the city center, or from walking alone after dark, or in streets where there are no pedestrians.

Basing on these results we can say that, the street fighting that happened between some young adults and minor refugees and young Germans, in the summer
Quarrels between Young Refugees and Young Germans in Bautzen
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of 2016, has mobilized, and turned to be bad treatment from some people in Bautzen against not only young refugees and asylum seekers who quarreled with young Germans but also other groups of refugees. These other groups were not in conflict with young Germans (married men and women) but also targeted, even more so than minors and young adult refugees.

References


BOOK REVIEWS


Review by Cristina MATIUTA

The literature on refugees’ experiences has been enriched in recent years as we witnessed a refugees’ crisis that has not been seen since WWII. Only the Syrian civil war displaced more than five million civilians, while, according to an UNCHR report published in June 2018,1 wars, violence and persecution uprooted a record number of 16.2 million people across the world in 2017. The book briefly reviewed here, Violent Borders. Refugees and the Right to Move, investigates the tumultuous times we live in, ones in which millions of people leave their homes in search of better opportunities, exposing themselves to dangers, encountering violence to the borders and new walls rising in their way. The author argues that building walls and securing borders does not stop migration, but makes it more dangerous: “...borders continue to kill. Even with the massive amount of attention paid to the issue and the vast funds expended to stop migration, people continue to move in 2016 and the year shattered the record of the number of border deaths, with over 7800 people losing their lives simply trying to go from one place to another”.

The book is organized in two parts, totalizing seven chapters. The first part, including the first three chapters, investigates the causes and consequences of global migration crisis. Thus, the first chapter- “The European Union: The World’s Deadliest Border”- tells the experience of migrants attempting to enter to the EU and notes, using data providing by the International Organization of Migration reports, that more than half of deaths at borders in the past decade (this meaning more than

23,000 people from 2005 to 2015) occurred at the edges of the EU, “making it by far the most dangerous border crossing in the world” (p. 16). The second chapter moves attention to the US-Mexico border, whose current route was established at the middle of 19th Century and which has become a militarized zone over the years (especially after the terrorist attacks from September 11, 2001). The huge increases in funds and personnel and the deterrence philosophy adopted by American border authorities have led to changes in border infrastructure and increased the number of deportees. The most visible change is the construction of the fence at the border after the adoption of the Secure Fence Act in 2006 (more than one third of the border being fenced in 2015, while the remaining section is a priority of the new president Donald Trump). The militarization of the US-Mexico border symbolizes, in the author’s view, a global trend toward hardened and securitized borders: “in the era of globalization, as the gap between the wealthiest and the poorest states has grown, states around the world have deployed new security infrastructure along borders, designed to detect and to prevent the movement of the world’s poor” (p. 46). This idea is also underlined in the next chapter- “The Global Border Regime”- which refers to diverse states such as Israel, India or Australia that are engaging in similar practices (with similar consequences), meant to restrict the movement of people through walls, security agents or mutual agreements with neighboring countries.

The second part of the book argues that other types of boundaries, such as private property and land and sea resources are long-term and widespread modalities by which the states maintain privileges by restricting movement. Chapter 4- “The Global Poor”- sees the movement restrictions at borders today as part of a long-term effort to control the movement of the poor, which has its roots in slavery, vagrancy and poor laws. As citizenship documents and borders crossing procedures have been formalized, the movements of the poor and their access to opportunities have been limited again. And if in the late of 1990 only fifteen countries had walls and fences on their borders, at the beginning of 2016 almost seventy did, the violence of the borders going “hand in hand with protecting the privileges that borders created” (p. 88). The fifth chapter argues that violence at borders that targets migrants fleeing war and economic inequality in search of a better life is the latest stage in a long-term conflict between states and rulers (who control land and want to protect their rights to wealth), on the one hand, and people who move in order to find new opportunities or to leave repressive conditions, on the other. The
last two book chapters are trying to emphasize the role of the borders in perpetuating inequality (in author’s opinion free trade agreements make sense if they are accompanied by free movement of workers) and damaging the environment (the author connects the global failure to address issues like climate change to the role played by borders in dividing the world into separate sovereign territories that place the interest of the states above the interests of human beings generally).

Taken as a whole, the book theorizes movement and fixity as a “conflict between the desire for freedom and the desire for control, between people who move around and people who want them to stay in place”. It militates for a world of humanity instead of that of walls we live in. The message of the concluding chapter is that thousands of deaths of migrants in the global migration crisis and their harsh treatment would have to make us think more and to reconsider the damage that militarized borders and resources enclosures do to humanity and the earth. Because, “despite the deaths at borders and the violence of the state, millions more people continue to move... By refusing to abide by a wall, map, property line, border, identity document, or legal regime, mobile people upset the state’s schemes of exclusion, control and violence. They do this simply by moving” (p. 180).

Review by Marius Ioan TĂTAR

An increasing amount of research highlights the challenges of integrating migrants into European societies. The book *Undocumented Migrants and Healthcare: Eight Stories from Switzerland* by Marianne Jossen focuses on undocumented migrants, persons that lack the legal entitlement to live in a country. This category comprises those who have overstayed their visas, people who crossed the border without legal entitlement to do so, and failed asylum seekers, generally non-citizens who are excluded from basic social services. Using interviews with migrants, healthcare professionals and NGO staff, this book examines the experience of undocumented migrants when they try to access healthcare in one region of Switzerland.

Chapter two of the book deals with “undocumentedness” and contextualizes information about undocumented migrants and their access to healthcare based on an outline of policies and practices in this field in various European countries and particularly in Switzerland. As Jossen highlights, it is difficult to produce accurate data about undocumented migrants as their names do not appear in state registers and their legal status changes from one category to another. The author cites several sources of information that estimate the numbers of undocumented migrants who lived in the European Union in 2008 to be between 1.9-3.8 million persons, representing about 7-13% of the foreign population of the Union. In Switzerland the number of undocumented migrants ranges between 58,000 and 105,000, most of whom entered the country without permission to do so, or overstayed their tourist visa, as well as failed asylum seekers. In terms of migration
policy, Jossen notes that being undocumented is a process and this means firstly that a person’s status can shift from legal to undocumented and back again, and secondly it is not a full description of a person, but rather a social construct. In Switzerland, healthcare is generally regulated by the federal law on health insurance, however the administrative units of the country, the cantons, retain much of the power to implement this law and regulate healthcare autonomously in their areas. According to current policy interpretations, undocumented migrants in Switzerland have both the right and the duty to take out insurance, because they reside in the country (p. 16). In terms of practices, Jossen notes the discrepancies that seem to exist between the legal entitlement to healthcare insurance and the actual delivery of healthcare to undocumented migrants through NGOs and charities.

Chapter 3 expalins the methodological and theoretical perspectives of the book. The empirical material is gathered through eight interviews with undocumented migrants who attended an NGO specialized in working with migrants and ten interviewes with professionals working either at the NGO or in fields related delivering healthcare to migrants. In terms of theoretical aproach the book adopts a processual understanding of ‘undocumentedness’ and healthcare, which reveals individual experiences that are in constant flux, between inclusion and exclusion, in relation both to the person’s changing legal status and to the healthcare they receive (p. 27). Based on Niklas Luhmann’s system theory, Jossen highlights that a person’s inclusion in the social system is dependent on the extent to which he or she is addressed by the communication that constitutes that system (p. 28). In this framework, the migrants’ stories describe their inclusion within organizations such as the NGO, an insurance company, a hospital, or similar (p. 29).

Chapters 4, 5 and 6 tell the stories of the undocumented migrants based on the eight interviews, which for the focal point of this study. The interviews with migrant patients are examined to discern the event that the interviewees describe as the core moment of their inclusion in healthcare. These moments are recounted spontaneously by patients as those incidents that helped them to address their health issues in a way that they define as good, or at least satisfactory (p 31). Based on similarities between these core moments of inclusion along with their preconditions and consequences, the author groups the undocumented migrants’ stories into three categories, each of these being presented in one chapter. Thus chapter 4 tells the story of Suzanne from whom the settling in (finding a job, housing and friends) represents the core moment of inclusion. In chapter 5, Jossen presents
the stories of 4 undocumented migrants for whom getting in touch with the NGO and its network as a core moment of inclusion. Reaching out for insurance is depicted as a core moment of inclusion for three migrants, whose stories are presented in chapter 6.

Chapter 7 reviews the moments of inclusion in healthcare, their preconditions and consequences and contrasts them with situations in which patients remain excluded from communication related to or directly concerning healthcare (p. 88). The evidence presented in this book research confirms the idea that being undocumented is a social determinant of health on its own (p. 91). This further suggests that exclusion in one area of social life seems to be linked with exclusions in other fields. In this context, Jossen concludes that the inclusion of undocumented migrants in healthcare in Switzerland remains partial and precarious, while exclusion remains and ever-present threat (p. 96).

Overall, the book of Marianne Jossen demonstrates that the health and healthcare of undocumented migrants is deeply affected by their legal status, and they are excluded from some aspects of care, notwithstanding entitlements such as healthcare insurance in Switzerland. These findings have significant policy implications and provide useful insights for professionals, researchers and students interested in the fields of public health and migration studies.
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