



ALTERNATIVE

Grant Agreement Number: 285368

ALTERNATIVE

Developing alternative understandings of security and justice through restorative justice approaches in intercultural settings within democratic societies

Deliverable 5.1:

Theoretical report on the main concepts in the communities

SEVENTH FRAMEWORK PROGRAMME
COOPERATION PROGRAMME



Project start date: 01.02.2012

Project duration: 48 months

Deliverable 5.1 due date: Month 12 (January 2013)

Submission date: 11 February 2013

Dissemination level: PU

Work package: WP5 – Practicing encounters

Work package leader: FORESEE

Contact person: Project Manager Dr.Inge Vanfraechem

Project URL: www.alternativeproject.eu

ALTERNATIVE

Theoretical Report D5.1.

**Theoretical report on the main concepts in the communities:
Securitisation and minorities**

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foresee
Research Group

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Abstract

One says that security is such a basic human need that the political and social actors moreover the opinion-shapers have to reflect to and somehow satisfy it for the whole society. However the need of security can be materialised in many different – from constructive to destructive - ways. The report shows how security – as originally a s human need and as a human sense - has been transformed into such an autonomous entity, which strongly influences our social life and economical decisions and has started to shape an individual discourse called securitisation. The questions are the following: What are the social and demands that made the birth of security discourses possible? To which extend and how to these discourses relate to minorities and migrant issues? How can Restorative Justice contribute to transforming the harmful political and media discourses and show a better understanding of ethnical conflicts for the society?

Considering these goals our aim in this study is to present the literature on the discursive construction of security and its relationship to minorities. How are minorities presented as a security threat? What are the motives and the outcomes of the security discourses? What are the perils that this kind of discourse conveys? In order to be able to answer these questions, at first, we shall explore the existing literature on securitisation and enumerate the critical approaches contesting the very idea of ‘security’ in the field of politics. Then, we will investigate how minorities (ethnic minorities, immigrants, refugees, travellers) can become part of the security discourses, how they are represented and constructed as a threat in a broad sense to the nation-state, to national identity, to national culture, to the institutions of the welfare state etc. Because the representation of minorities is conveyed by the media, it is important to take note of the existing media studies and ‘moral panics’ literature to be able to follow how these representations are shaped. Also, we will mention some case studies, which are supposed to illustrate the aspects mentioned above: discourse of securitisation, the role prescribed to minorities in this discourse, also fashioned by media representations, as well as the actions undertaken against them. The last chapter of this work also shows how restorative principles can contribute to transforming the existing securitisation discourses to a better, less harmful and more constructive form. Besides the security topic, the report drafts some other harmful

discourses about Roma which are significant in Hungary. The end of the report formulates some research directions and questions to the Hungarian action research.

1. Securitisation theory and its critiques: methodology, domains, significance

The question of the relationship between policies of security and minorities immediately raises the problematic of the status of statements that emerge in the field of security and ‘securitisation’. Are threats to internal security real phenomena, which exist in reality, being detectable by expert knowledge, or are they subjective, constructed, determined by power relationships, and depend mostly on the appreciations of the political elite? *The question is all the more difficult since in political and media discourses the concept of security, once reserved to external and military threats, has been expanded and now includes several non-military threats as well.* However, this development was contested by some neo-realists in the field of international relations, who wanted to preserve the concept exclusively for military threats, others, on the contrary, wanted to broaden the concept, arguing that immigration is becoming an objective threat, which security studies ought to deal with.

This debate shows that both of these groups of scholars think that security is something that we can objectively assess and measure (Watson 2009, 16). In their view, threats are objective phenomena that do not depend on subjective evaluation (Sjostedt 2008) – they diverge only with regard to their assessment. As Watson puts it: “One problem with the objectivist approach to the study of security and the place of international migration in that field of inquiry is that it reifies the identity of the receiving and sending societies and the motivations and reasons for human migration. This is problematic because the representation of migration as a source of insecurity is not a constant throughout history nor is held universally across all states or societies” (Watson 2009, 16). This is to say that the topic of security or insecurity tends to encompass diverse and historically changing phenomena (and nowadays multiple phenomena), of which minorities or immigration constitute only one phenomenon, and a very recent one.

How and why have migration control policies emerged, and how have they been strengthened for the last three decades? Why is immigration at the present perceived increasingly as a threat? The objectivists argue that this is due to the increase in the number of asylum claims and the changing pattern of refugee flows: the country of origin of the refugees changed and at the same time, more refugees came for 'economic' and less for 'political' reasons (Keely 2001, Toft 2007). Different source countries (meaning not any more from Eastern Europe, but from "third world" countries) also meant that the new refugees were supposedly less prone to assimilation, because of their supposed cultural traits. At the same time, they were less educated and skilled, therefore less useful for developed economies (Weiner and Munz 1997).

However, contra the objectivist approaches, the real question is why these developments were interpreted in such a way. Perceiving immigration as a source of insecurity is not self-evident at all; there were times, not long ago, until the seventies, when foreign work force was considered as essential for western developed countries, and to grant political asylum for Eastern European dissidents was perceived as a political necessity. "The response to changing migration patterns is based on subjectively held views of the significance of those changes, not on the changes themselves" (Watson 2009, 18). For migration has and can be constructed in various ways, indeed as a source of security rather than insecurity. With respect to this question, McDonald (2008, 573) asks: "Why are some political communities more likely to view certain actors and dynamics as threatening? What role do narratives of history, culture and identity have in underpinning or legitimating particular forms of securitisation?"

The assertion according to which the changing patterns of immigration are responsible for this transformation is supposed to be highly ambiguous. This ambiguity has been raised by critical approaches, which appear frequently under the name of 'securitisation theory', although otherwise they diverge on a number of issues. However, the common feature of these critical approaches is that they have largely been dealing with questions of security as 'securitisation' coming from above, from politicians, or policy and security experts, in order to break with objectivist and

non-critical theories. For sure, objectivist approaches are widespread in the field of international relations scholarship, and not only with regard to the question of immigrants and minorities. These approaches consider ‘threats’, ‘insecurity’ as objective phenomena that exist in reality and that only need to be highlighted, assessed, explained and treated. Therefore, they resemble pretty much those policy measures, which, in fact, are destined to support and maintain using their ‘expert knowledge’. “The problem with objectivist approaches is that they reify immigration as a threat, regardless of the fact that it was always perceived in different ways. It is also problematic that these objectivist approaches consider the securitisation of immigration highly unproblematic, and even natural” (Watson, 2009, 18).

Therefore, hereby, we are dealing with non-objectivist approaches, which do not intend to reify the question of security, furthermore, which have been constituted against these approaches. The Copenhagen school’s ‘securitisation theory’ has been the most influential conceptualisation of issues pertaining to security and the state. So much so, that even critiques have drawn on that theory and have utilized it widely. “What underpins critical approaches to security in Europe is the identification and denunciation of depoliticization, both in the social realm and in the realm of academia” (C.A.S.E.¹ 2006, 445). The aim of these approaches has been to denaturalise state and insecurity, and to point to processes pertaining to the security discourse, which are exploited by the state. So what is ‘securitisation’? How does it work, who are its agents and who are its subjects?

1.1. Securitisation as speech act

For critical securitisation theories the main question is how security issues are constructed by politicians and policy experts, and how they gain significance with the audience. Furthermore, according to the Copenhagen school, securitisation suspends ‘normal politics’ by introducing the ‘state of emergency’, where exceptional provisions can prevail, outside the normal democratic procedure. According to Ole Wæver (1995, 55), “with the help of language theory, we can regard "security" as a speech act. In this usage, security is not of interest as a sign that refers to something more real;

¹ The C.A.S.E. collective is constituted of several securitisation scholars from different countries and different ‘schools’.

the utterance itself is the act. By saying it, something is done (as in betting, giving a promise, naming a ship). By uttering "security," a state-representative moves a particular development into a specific area, and thereby claims a special right to use whatever means are necessary to block it.”

Speech act theory derives from the philosophy of language, from the work of Austin (1962), who tried to highlight the fact that language also has a creative aspect; language does not serve only for the description of the objective world, but, can also create and shape human phenomena. So when it comes to discourse analysis, the recourse to speech act theory asserts the power of speech, which can have very practical and palpable effects in the reality; at the same time, there is no need to theorise about social phenomena existing prior to discourse.

As Thierry Balzacq (2005, 177) puts it, referring to the Copenhagen school's approach, “in this usage, security is not of interest as a sign that refers to something more real; the utterance *itself* is the act.” We can see that in this approach ‘securitisation’ is treated as a series of speech acts without any prior foundation in the external reality or any presupposition concerning the objective nature of the threat (Buzan, Waever and De Wilde 1998). So the ‘securitisation theory’ of the Copenhagen school argues that “security issues are the political outcome of the illocutionary force of security agents and that one of the most effective ways of analyzing security issues is through the discursive practices in different security sectors” (C.A.S.E. 2006, 448). The most explicit development of ‘securitisation’ as speech act can be found in Wæver (1995) and Buzan, Wæver and de Wilde (1998). To the question “What really makes something a security problem?” (Wæver 1995, 54) the answer is that something presents itself as a security problem through the discursive politics of security (Dillon 1996, 47). “Thus, inasmuch as security is a *logos*, that is, a linguistically manifested agency, no issue is essentially a security problem. (In)security is not an objective condition, a state of affairs that predates discourse” (Balzacq 2005, 177).

But, for that a threat claim become successful, naturally, it is not sufficient to utter a sentence, it should also accommodate to the plot of securitisation discourse. Furthermore, its success depends equally on power relationships, the position of the speaker in the power hierarchy (Buzan, Waever and de Wilde 1998, 33, Watson 2009,

25-26). When securitisation is successful, it requires emergency measures, outside of the normal functioning of the political framework, by the rejection of certain rules and laws. Therefore, securitisation becomes consubstantial with the 'state of emergency', that is, it opens up a realm outside of normal politics. This 'state of emergency' can even be perpetuated by its institutionalisation; in this case, as a consequence of routinised bureaucratic procedures, threats will be perceived as persistent (Buzan, Waever and de Wilde 1998, 28). Now the question is, how this 'state of emergency', this 'outside of normal politics' should be understood? How can we characterise a 'securitised situation' within a state? Watson (2009, 26) gives a tentative definition, which he finally will not accept: "In the end, the enunciation of a security threat and its acceptance by a relevant audience is only one part of the equation; the other is the identification and implementation of emergency measures". In fact, this definition departs from the opinion of Wæver and the Copenhagen school. For them, the most important thing is the permanent existential threat, that is, the eternal possibility of introducing security measures, and much less their actual implementation: in this case it is always possible to legitimise new security measures. Watson (2009, 27) takes a median position, for he thinks if there is still need of supplementary legitimation of emergency measures, the situation is not fully securitised; in the meantime he does not consider the implementation of concrete measures as necessary: "Thus, I propose that the successful end of the securitization spectrum is marked by the ability of political elites to implement emergency measures without the need to further legitimize their actions."

The Copenhagen school distinguishes between three units of analysis — (1) the referent object — what is the object of securitisation? (2) The securitising actor — who speaks 'security'? (3) Functional actors — those whose activities have significant effects on security making, but who are neither securitising actors, nor referent objects (Buzan, Waever and de Wilde 1998, 36). However, certain critiques argue that they fail to include in these units the contextual features and the expectations of the audience in their analyses. "Securitisation theory offers resources for understanding how policymakers declare a condition of exceptional threat in order to legitimise practices of exceptionalism" (C.A.S.E. 2006, 466). However, because of the lack of important sociological insights, it seems sometimes that enunciations from the part of the power elite bear all the causal weight of securitisation, as a sort of creation 'ex

nihilo'. But before considering this criticism of the Copenhagen school and the subsequent conceptual developments done by alternative schools in the securitisation theory, we shall outline the original idea more in detail.

1.2. Leaving normality for the state of emergency

The idea of securitisation describes processes 'in which the socially and politically successful "speech act" of labelling an issue a "security issue" removes it from the realm of normal day-to-day politics, casting it as an "existential threat" calling for and justifying extreme measures' (Williams 1998, 435). These processes can have different 'referent objects', depending on whether they belong to an economic, environmental, political, military or societal sphere (what Buzan and his colleagues in Buzan, Waever and de Wilde 1998, call 'sectors'). Talking about sectors can enable the theoreticians to be more specific and systematic with respect to their general claim that, in principle, anything can become securitised. However, if a claim for securitisation pretends to be successful, it has to be accepted by the public to which the claim is destined; therefore it also means that the possibility of implementation of exceptional measures can always be on the agenda.

1.3. Critique and normativity

Security studies can have a normative stance, epitomised by Ole Waever's study? (Waever 1995), for their aim is to denaturalise construction, and to help to imagine new social realities deprived of securitisation. For Wæver (1995, 56–7), 'security' constitutes the opposite of 'politics', the latter implying the possibility for more open engagement and dialogue. This commitment to the study of 'threats' is based on a commitment to the idea that security is constituted in oppositional terms: by designating that which it is not or that from which it needs preservation or protection (Wæver, 1995, 56). "Such a commitment is consistent also with the oppositional conception of identity in the securitisation framework, wherein who we are is determined by the designation of (threatening) others" (Macdonald 2008, 578). According to Macdonald (566) "the characterisation of security and securitisation as a failure of normal politics and as a (usually) normatively regressive development was

not abandoned in later work (e.g. Buzan, Wæver and de Wilde 1998, 29, Wæver 2000, 253).”

It is also important to note that securitisation is not only self-referential in a static, but also in a dynamic sense in that it perpetuates itself. According to Wæver, ”security action on the behalf of identities typically decreases the sense of security even for those defended because problematising the security of an identity and triggering attempts to define and complete it tend to expose its contingency, incompleteness and impossibility and thus lead to further action” (Wæver 2000, 253). This insecuritisation will translate into a social demand for the intervention of coercive state agencies through reassurance discourses and protection techniques. In other words, the processes of securitisation and of insecuritisation are inseparable. This means that there exists a process of (in)securitisation (Bigo 1995), from which follows a ‘security dilemma’: the more one strives to introduce security, to securitise many aspects of social life, the more he introduces uncertainty and anxiety, which, in turn, calls for more securitisation in a circular and self-enhancing process. This demonstrates the paradoxical nature of security and securitisation. This can happen, for example, when the military takes the role of the police, merging into internal affairs, as in case of a supposed or expected terrorist attack. Although the aim is to reassure the population, it might just as well lead to opposite reactions (Guittet, 2006). Therefore, paradoxically, securitisation can have just the opposite effect it intended to reach.

So how should one deal with the problematic of the dynamic self-referential character of assertions pertaining to security? There is a special kind of responsibility on people doing security, since just invoking the word starts a process beyond democratic politics (Buzan, Wæver and de Wilde 1998, 211). To counter this effect, Wæver gives some recommendations. The first and most important is to not to talk about issues in terms of security. The second is that, once an issue has been securitised, “to keep the responses in forms that do not generate security dilemmas and other vicious spirals” (Wæver 2000, 253). And, finally, the third is to move security issues back into ‘normal politics’.

“As many critical scholars have warned, when transforming a societal issue into a security issue, one risks having the issue securitised for oneself by more established security professionals (Bigo 1996, Wæver 1995) [...] Even if securitisation is a political process, it might legitimate practices that depoliticise the approach to the securitised issues, whenever security professionals will have the final say relative to matters of security (Buzan, Wæver & de Wilde 1998, Olsson 2006), by giving preference to coercive approaches” (C.A.S.E. 2006, 460).

1.4. Desecuritisation

What are the options available for the securitisation theorists to break the process of securitisation? Is it possible for a researcher to do something in this respect? “Buzan, Wæver & de Wilde (1998 34–35, 204–206) argue that three options are open to the analyst who wishes to avoid sustaining or deepening the securitisation process: (1) the analyst can stop speaking about the threat and hope that this will work as a desecuritising process, avoiding the adoption of the agenda of the securitising actor; (2) the analyst can divert attention to another threat; and (3) the analyst can contribute to a different interpretation of the threat being securitised through the analysis” (C.A.S.E. 2006, 475).

In this framework securitisation is always defined in opposition to normal politics, as a politics of exception or ‘abnormal politicisation’ (Alker 2005, 197). To be able to disrupt it, one should reintroduce the processes of normal democratic politics. Thus, desecuritisation would be consubstantial with the restoration of ‘normal haggling of politics’ (Buzan, Wæver and de Wilde 1998, 29). Then, desecuritisation is normative action, which strives to restore ‘normal politics’, although the sense and content of ‘normality’ is not always clear. Huysmans (1998, 576) has defined desecuritisation as “unmak[ing] politics which identifies the community on the basis of the expectations of hostility.” Would ‘abnormality’ mean leaving the procedures of democratic government? This seems to be the case with the analysts mentioned.

However, for others, such as Bigo and the so-called Paris school in critical security studies, ‘normality’ means the everyday functioning of state bureaucracies in the

management of social problems. Therefore, among these conditions, security is already normalised, for it only has a technocratic meaning, namely managing and governing risks and threats, including immigration. This means that the normal relationship is already a securitised one even in democratic states, as part of the daily routine. Yet, the problem with this approach is that it excludes any normative basis on which a critique of securitisation could be founded. ‘The conceptualisation of the “normal” as the violation of existing norms of decision-making (democracy) also obscures the way in which these existing democratic mechanisms allow or sustain securitised relationships. However, viewing the normal functions of government as they attempt to identify and manage social problems as securitised obscures the different ways in which governments can deal with “problems”’ (Watson 2009, 29). Therefore Watson proposes as a way out from the normative dilemma to treat cases much more in detail (as he does with immigration policies of Canada and Australia), and in a contextualised way, to be able to carve out a normative stance.

1.5. Criticism and further development of the securitisation approach

Important criticisms of the securitisation analysis of the Copenhagen school exist. First, say the critiques, a range of issues or dynamics are not sufficiently specified in the securitisation framework, most prominently the context of the speech act. Second, ‘a range of important questions and dynamics are neglected within the framework, including most prominently the questions of why particular representations of threat resonate with particular communities, and how particular actors are either empowered or marginalized in “speaking” security’ (Macdonald 2008, 564).

According to McDonald (2008, 569), the Copenhagen School proposes an image of securitising policies as ‘highly intentional, strategic action’. It seems that in their original programmatic formulation Buzan, Wæver and de Wilde (1998, 21) wanted to establish that policy makers point to imminent threats in order to “justify the use of extraordinary measures to handle them”. They argue that the ‘invocation of security has been the key to legitimising the use of force’. It is also telling how Wæver (1995,

63) formulates the problematic: “the logic around which the whole issue of security has been framed” is “among strategic actors imbued with intentionality.”

Bigo (2002) points to another difficulty. He argues that because securitisation theory mainly takes into consideration the securitising discourse of the political elite, it does not take into account many other sources and actors who construct danger and emergency. It “reinforces a conception of the security field that is driven by the views and discursive strategies of elites” (C.A.S.E. 2006, 466). “By focusing instead on the security professionals who manage ‘unease’ within society on a daily basis, exceptional security practices can be understood in the context of ongoing processes of technocratic, bureaucratic and market-driven routinization and normalization” (C.A.S.E. 2006, 466).

“The Paris School has redefined normality as constituted by professionals through technologies for ordering and managing social problems. The struggle would therefore shift from political agency to the institutional level of the professionals involved in the definition of threats and the technologies to govern them. Unmaking security would entail the disruption of the “regime of truth” created by the professionals of security” (C.A.S.E. 2006, 457). The Copenhagen school did not specify how speech acts emerge, neither their concrete consequences, and it also neglected the role of professionals and bureaucracies.

However, there is a weakness in the Paris school’s conceptualisation, pointed out by Booth, linked to the Aberystwyth school in the critical security studies. The main problem is that those, who suffer because of the securitisation process, are those who “at this minute, are being starved, oppressed, or shot” (Booth 1997, 114). Therefore, precisely those people, immigrants or others (and their activity of resistance) who are the object of securitisation, are not mentioned in the Paris school’s analyses. For the Aberystwyth school the main questions of securitisation consist in the range and amount of human rights abuses, the oppression of minorities and the poor, violence against immigrants and women (Booth 2004, 7). Their focus is therefore emancipation, meaning the will to realise ‘real’ security, a more inclusive realisation of security, and especially for those, who hitherto have been excluded from it, and have appeared only as objects to be securitised.

As we saw, the Paris School has the objective of analysing security not as a speech act, but as a ‘technique of government’ or ‘governmentality’ (Foucault 2004a, 2004b). It also rejects the investigation of supposedly conscious intentions behind the securitisation strategies, to highlight the effects of power games (Bigo and Guild 2003, Huysmans 2000a,) and to emphasise the routinised processes of security experts and important features of the context and the audience (Balzacq 2005, Bigo 2000, Ceyhan 1998).

There also exists a somewhat objectivist critique from Balzacq (2005). “In its attempts to follow a more radical approach to security problems wherein threats are institutional, that is, mere products of communicative relations between agents, the Copenhagen school has neglected the importance of “external or brute threats”, that is, threats that do not depend on language mediation to be what they are — hazards for human life. In methodological terms, however, any framework over-emphasising either institutional or brute threat risks losing sight of important aspects of a multifaceted phenomenon. Indeed, securitisation, as suggested earlier, is successful when the securitising agent and the audience reach a common structured perception of an ominous development. In this scheme, there is no security problem except through the language game.” According to Balzacq, “Securitisation is either self-referential or intersubjective. Securitisation theory presumes audience, but ignores it, therefore, leans toward self-referentiality” (2005, 177).

2. Security and migration

2.1. Immigrants vs. essentialised national identity

How did non-military threats become an issue of national security, including immigration? Concerns over border control, over civilization and culture and the absorptive capacity of states were raised from the eighties and especially the nineties on, leading to policy transformations (Watson 2009, 16), which are constantly presented in a naturalising political discourse. However, as we saw, these changing policies could not be attributed to changes in refugee flows as such.

Analysing French debates over citizenship in the 1980's, Brubaker (1992) unearths the essential contradiction in French republican discourse, namely the tacit assumption of the unassimilability of Maghrebian population (contrasted to other minorities), who are perceived on an essentialised religious and cultural basis. The French conception of citizenship, lacking originally of a pronounced ethnic component, is ethnicised from time to time. However, the citizenship law could not be changed; but as we can observe, the harsh treatment of immigrants and recently of East-European Roma gained legitimacy. The same beliefs of 'unassimilability' is also highlighted by Noiriel (1995). According to him, the French expansive nationalism, which was developed within fixed borders, was imagined in such a way that immigration could not contribute to it in a meaningful way (contrary to the American conception). "We are now at the heart of a decisive contradiction which mostly can explain the impossibility of an immigration policy in France until recently. French intellectuals are incapable of thinking of the question of assimilation in any way other than in terms of "ethnic compatibility" (what is now called "cultural distance"), whereas the practical solutions to such a problem contradict the principles of the French Revolution, which were definitively fixed in republican law. The veritable leitmotif of French political thought on immigration remained unchanged: namely, that in order to preserve the identity of the French people a policy of ethnic selection must be applied. However, it was impossible to do so officially without publicly ridiculing the fundamental principles of the Republic" (Noiriel 1995, 378).

Migration is often the case of an overlap in the security rhetoric of economic ('jobs') and societal security ('national identity') (Buzan, Wæver and de Wilde 1998, Sheehan 2005). Also, migration has often been treated as an issue of security through reference to a threat to national or transnational identity (see, for example, Huysmans, 2000). Now the question is how identity is solidified by the speech act of securitisation. What happens when special measures are directed against immigrants and minorities? How are migrants constructed as a security threat?

According to Malkki (1992), the most important practice of the state is to define non-nationals, in a situation where the world seems to be constituted of territorialised and mutually exclusive cultures. To sustain this definition and to put it into practice constitutes the principal basis of legitimation for the state. Similarly, Stolcke (1995)

notes that the essentialist construction of different cultures automatically creates the feeling of threat and danger when foreigners who are supposed to have a different culture appear. According to these views, and also that of Trouillot, those are the institutional arrangements that construct essentialised subjects in reference to each other (Trouillot 2001, 125-26). De Genova (2002, 422) makes a similar point when noting that migrant 'illegality' is a "social relation that is fundamentally inseparable from citizenship."

As Bauman, and many other in his wake expressed, identity is in need of its contrary, of 'negativity'. 'Chaos, "the other of order", is pure negativity. It is the denial of all that the order strives to be. It is against that negativity that the positivity of order constitutes itself. But the negativity of chaos is a product of order's self-constitution: its side-effect, it's waste, and yet the condition *sine qua non* of its (reflective) possibility. Without the negativity of chaos, there is no positivity of order; without chaos, no order' (Bauman 1991, 7). "Identity and insecurity are produced in a mutually constitutive process" (Campbell 1998, 10). It is through the politics of identity that difference is transformed into otherness that afterwards can be presented as an existential threat to the country, the nation, the national economy, etc.

According to Feldman (2005, 217), the concept of nation and the concept of immigrant or member of a minority group are binary oppositions, which mutually depend on each other. The 'other' always has to be constructed in view of reinforcing the collectivity, the national identity. "Each subject position – nation-state and migrant – is only viable and intelligible in relation to the other. Thus, the "crisis" resulting from the latter's entry into the former's sovereign space is, counter-intuitively, essential to the nation-state because its identity can only be articulated in relation to the differences (i.e. threats) that it inscribes in its own bureaucratic practices. Far from inducing the nation-state's demise, "crisis" (and globalisation by extension) is the condition of its possibility" (Feldman 2005, 217).

According to William Connolly (1991), difference and otherness are in a double relation to self-identity: they constitute and threaten it in the same time. This means

that insecurity is not external to the object to which it is supposed to present a threat, construction hereby meaning the discursive construction of a threat.

The C.A.S.E. collective sees citizenship “not only as defining the conditions under which one can be recognized as a full member of a community but also as a way of fixing the (secure) borders one should not cross when participating in a particular self-understanding/representation for fear of being perceived as, and thus becoming, *another*” (C.A.S.E. 2006, 471). (However, according to the C.A.S.E. collective, the relationship between security studies and nationalism should be further examined, which probably signals the lack of sufficient historical reflexion on the phenomena of ‘identity’, ‘nationalism’, ‘nation-state’, etc.)

In fact, a contrary view is formulated by Brubaker from a nationalism studies perspective, based on his historical investigations on the birth of nationalism and the nation-state. According to Brubaker, citizenship is defined as ‘social closure’, but in the same time, it is based on the modern idea of popular sovereignty. Therefore, in this respect “if insiders are defined positively [...] outsiders are defined negatively and residually. They are excluded not because of what they are but because of what they are not – because they are not recognized or acknowledged as insiders” (Brubaker 1992, 29). For our purposes this means probably two things: first, that the definition of citizenship does not involve national identity, national feeling, or nationalism of an emphatic type; second, that citizenship or nationality is not defined with respect to the excluded other, on the contrary, the foreigner is defined in contrast to the citizen. “A nation-state is a nation’s state, the state of and for a particular, bounded, sovereign nation, to which foreigners, by definition, do not belong. Legally homogenous internally, it is by virtue of this very fact more sharply bounded externally than an internally heterogeneous state [...]. Sharp external boundedness does not dictate the terms on which resident foreigners are to be treated; but it does mark them clearly and axiomatically as outsiders – paradigmatic outsiders” (Brubaker 1992, 46). The invention of the nation-state and national citizenship under the French revolution created the figure of the foreigner, which previously did not exist. The nation-state is necessarily nationalistic, in the sense that it must distinguish between citizens and foreigners – which does not mean a xenophobic nationalism (47).

Craig Calhoun (2007) suggests that it is illusory to expect the decline of the nation-state and nationalism in the age of globalisation. Therefore, the research for peaceful resolutions has to cope with a world divided into nations.

For sure, the nation-state can become xenophobic and racist, but this does not stem simply from the fact of being a nation-state; this development should be attributed to specific historical and social causes. “Since 2001 in particular there has been an increased incidence of representations of immigrants and asylum-seekers as threatening the sovereignty and identity of these nation-states. [...] given that such states are often liberal democracies, and signatories to relevant international or regional agreements on population movements, the dichotomy between security and politics that the securitisation framework suggests seems to work well” (McDonald 2008, 567). Recently, Brubaker has linked the recent developments in immigration policies to the permanent existence of the idealised conception of the nation-state: “To be sure, large-scale transborder migrations leading to more or less permanent settlement do seem to introduce a new “disturbance,” or new incongruencies, into the system of nation-states. But that disturbance—like those considered above—has been part of the system of nation-states from the beginning. Only in an atemporal, logical sense, not in an historical sense, can migration be said to disturb the congruencies that constitute the ideal conceptual model of the nation-state” (Brubaker 2010, 71-72).

2.2. Desecuritising immigrants

In a situation where immigrants are constructed increasingly as a security issue, that is, (1) are instrumentalised in order to perpetuate the ‘state of emergency’, and (2) are struck by increasingly coercive measures, scholars search solutions to promote different outcomes. These solutions frequently consist in the will to dissolve collective identities and ‘otherness’, and to try to individualise each migrant’s situation. How is it possible to decouple questions of security from that of immigrants? Huysmans, concentrating firmly on the issue of migration, gives three possible approaches: the ‘objectivist strategy’, the ‘constructivist strategy’ and the ‘deconstructivist strategy’ (Huysmans 1995). The objectivist strategy is predicated on a traditional objective–subjective conception of security; that is, where security has an objective content

against which subjective notions of threat will be either real or illusory. It consists of proving that certain economic or social developments do not have the negative effects they seem to have. For example, to objectively demonstrate that immigrants do not pick the jobs of nationals. The constructivist strategy would highlight social and political causes behind the phenomenon of immigration, along with the processes of securitisation, how the migrant will play a part in the 'security drama'. "One first has to understand the causal processes, and then one can start, with the help of acquired knowledge, to try to handle the process" (Huysmans 1995, 66). Finally, the deconstructivist strategy would present individual destinies, immigrants as normal, everyday people. This should be done by telling stories, especially from an insider's perspective. In this manner the individual immigrant can be presented as if he was one from us. Huysmans opts for this latter strategy, which he thinks is the best suited to the desecuritisation of immigration.

Kymlicka's argument is that the most effective strategy for enhancing minority rights in this situation is "to desecuritize the discourse [...] to get people to think of minority claims in terms of justice/fairness rather than loyalty/security" (2001, 2).

However, there are important counter-arguments against deconstructive strategies. According to Aradau, rather than celebrating a fragmented and fluid identity that would be more welcoming of difference, it is important to see how a specific form of ordering social relations according to the logic of friend/enemy can be unmade, how this can be re-thought. Desecuritisation is a process of re-thinking the relations between subjects of security, and of imagining localised, less exclusionary and violent forms of integration (Aradau, 2003, 19).

Another important counter-argument is advanced by Paul Roe. According to Roe (2004, 290) "the language of societal security is the language of minority rights. As such, to desecuritize in the societal sector entails that the language of maintaining collective identity be effectively taken out of the discourse." In Huysmans's deconstructivist strategy, the language of the collectivity, 'migrants', is replaced with the language of the individual, 'migrant'. "In the context of minority rights, however, the necessity on the part of the minority (and indeed also the majority) for group distinctiveness necessarily blocks this same way out: the language of the individual is

subordinated to the language of the collective”. In other words, how is it possible to desecuritize through identity deconstruction, as was suggested by Waever and more explicitly by Huysmans, when both minorities and majorities often strive for the reification of distinct collectivities?

2.3. Governing insecurity

There is an alternative approach to the securitisation theory, which accentuates risk as an instrument of governance rather than the installation of the ‘state of emergency’. In this approach, the source of which is the lectures of Michel Foucault on ‘governmentality’ (Foucault 2004a, 2004b), risk is treated as a means for ordering reality – as “a way of representing events in a certain form so they might be made governable in particular ways, with particular technologies and for particular goals” (Dean 1999, 177).

The work of Jonathan Simon in the field of criminology and of other proponents of the ‘new penology’ was often transposed to the field of securitisation theory. These theorists focus on the practices they call ‘governing through crime’. Derived from the work of Michel Foucault, Simon's theory asserts that ‘crime and punishment have become the occasions and institutional contexts’ for shaping the conduct of others. This approach is very well summarised by Teresa Miller: “In other words, we are governed through crime whenever crime and its punishment become the occasion or the opportunity for exercising power over others” (Miller 2003, 4).

Also, taking note of the paradoxes of ‘securitisation’, some authors assert that ‘securitisation’ essentially has to do with government, and less with forbidding or expelling immigrants from a state’s territory. This means the case for ‘security’ is not the opposite of ‘insecurity’: different techniques of protection (e.g. video cameras) do not always reduce insecurity or increase confidence in the political. Therefore policing insecurity is much more a mode of governmentality, as it draws the lines of fear and unease at both the individual and the collective level (Bigo 2005, Huysmans, 2006). An important part of this governmentalisation is the process detected by Bigo, the emergence and consolidation of professional networks of security agencies that

try to monopolise the truth about danger and unease through the power–knowledge nexus.

How is immigration governmentalised? Miller accentuates the blurring of the clear distinction between ‘legal’ and ‘illegal’. “The immigration system largely abandoned the goal of eliminating illegal immigration and focused instead on purging troublesome immigrants on the back end of the immigration process (e.g., when an illegal alien is discovered at a sobriety checkpoint, or a “criminal” alien is released from correctional custody), while leaving the majority of undocumented aliens to eke out an existence in an environment that exploits their labor and their vulnerability to detention while still allowing them to provide cheap services to middle-class consumers” (Miller 2003, 21-22).

Also, as we have noted already above, with respect to France, analysed by Brubaker and Noiriel, there are clear signs of disillusion and scepticism concerning the assimilation of immigrants, which also have a consequence of wanting to refuse them even basic social services. “This new (post-) social welfare policy toward illegal (and ultimately all undesirable) immigrants has reformed the role of the immigration system drastically” (Miller, 2003, 23). “Examples of these new objectives within immigration law abound. They include the abandonment of (1) assimilation and (2) the elimination of illegal entry as key immigration objectives, as well as (3) the targeting of legal aliens (in addition to illegal immigrants and criminal aliens) as a “dangerous” population to be managed” (Miller 2003, 24).

Governmentalisation of the question of immigration also had the effect of creating a discursive relationship between refugees and crime, and even refugees and terrorists. “Terrorism has simultaneously been defined as an immigration problem, a crime problem, and a problem of national defence requiring military intervention. Anti-terrorism initiatives link the regulation of immigration, crime control and the authority of the military through the objective of protecting national security. [...] Currently, national security pervades all aspects of the regulation of criminals and non-citizens through the hybrid crime-immigration control system that the two converging systems have created” (Miller 2003, 28).

Exactly the same processes were detected by Bigo (2000, 2002) in Europe. According to Bigo, immigration, crime, terrorism, border control became linked in a security continuum, where external and internal threats are not distinguished any more, for they are epitomised by the figure of the foreigner, the immigrant.

Huysmans (2000a) confirms this analysis, suggesting that asylum is perceived less and less as a human rights question, while it is constructed more often as a security problem. He attributes this development to several factors: to the unification of European border control under the Schengen treaty, that created a sort of 'fortress Europe'; to ideological debates around 'multiculturalism'; and also to the legitimisation crisis of the welfare state, illustrated by 'welfare chauvinism'. The creation of an internal European market spilled over to the creation of an internal security agenda, where the increased possibility of mobility for Europeans is accompanied by the restriction of the mobility of immigrants. Now immigration appears in a context where internal borders were abolished. "[...] the restrictive migration policy, the construction of a security continuum, and the policy of favouring the free movement of nationals of Member States in the labour market and the social policy area at the expense of third-country nationals [...] sustain the construction of a scapegoat in a political and socio-economic struggle for the transformation and conservation of the welfare state" (Huysmans 2000a, 770). Therefore, migration was integrated in a national security framework, into the regulation of security after the abandonment of internal border control. The situation is also characterised by the introduction of cultural identity criteria among criteria for social rights. Welfare chauvinism (based on the tacit assumption that immigration is weakening cultural homogeneity) is developed because community law favours community man power, for immigrants are presented as rivals of nationals in the labour market, and also because welfare provisions are presented as the main attraction for immigrants. The curtailment of social rights of immigrants becomes legitimate as well, because immigration is presented also as a threat to cultural homogeneity (Huysmans 2000a 767-768), and not only as a threat in economic competition. Therefore, it is easy to slip from welfare chauvinism to the securitisation of immigrants and asylum-seekers. Now migration is easily connected to crime, riots, internal instability and the disruption of cultural homogeneity.

3. The question of media representations

We have seen criticisms of the original speech act theory of the Copenhagen school for the omission of the context of the securitising discourse. For example, according to McDonald (2008, 571-572), the Copenhagen school “focuses overwhelmingly on the performative role of the speech act, rather than on the conditions in which securitisation itself becomes possible.” “For the Copenhagen School we can apply and understand a particular instance of securitisation without exploring fundamentally the contexts within which these interventions were possible in the first place. This would seem inconsistent with a broader understanding of the (inter-subjective) processes through which security is constructed in different contexts” (McDonald 2008, 576).

If this criticism applies to the analysis of securitisation, and more specifically to the question of the relationship of securitisation and the minorities, media coverage of certain issues should be analysed, in order to highlight the context more thoroughly, and to observe security claims on the making. These claims ought to resonate with certain features of the given political context. According to Watson (2009, 13), the world is constituted through meaningful practices of subjects. Cultural meanings inhere in practices with which subjects deal with the natural world and each other. This means that identities and insecurities emerge through representations with which we describe the world. The representations are produced and reproduced, they are not given and static; therefore any representation can be contested. Analysing the media could also be important in observing these processes of constructing representations. “Examination of media coverage during crisis periods provides important insight into the dynamic of securitization. Heavily contested issues tend to figure prominently in news coverage” (Watson 2009, 22). ‘Objective facts’ have to resonate with the assessment of the audience (Balzacq 2005).

State discourses are dominant because sustained by power relations, but securitisation is never only imposed: the role of other agencies is highly important, that of the media, the political opposition and the judiciary (Watson 2009). Their respective role depends on to what degree security measures have been institutionalised. The Copenhagen school already pointed out that security claims

have to be argued in the public sphere (Buzan, Wæver and de Wilde 1998), but it has never actually examined media representations.

Many authors have suggested that visual representations are of utmost importance with regard to the construction of security or even the securitisation of immigration. According to Michael Williams (2003), images shown on television of 11 September had paramount significance in creating the popular images of threat in the United States. Frank Möller (2007) also deals with media representations of the 11 September attacks, and emphasises their major role in constructing the meaning of threat. According to him, images are capable of communicating insecurity just as well as verbal interpretations. Therefore, media representations have to be included in the examination of securitising moves, of which they constitute a highly important aspect (Williams 2003).

3.1. Moral panics

How do the media take on a moral role? How can the simplified and stereotypical representation of minorities participating in 'urban violence' be filled with a moral content? The theory of 'moral panics' (in the now classical books of Stuart Hall and Stanley Cohen) is important in that it shows how the media becomes an essentially moral actor, and not only in the sense of reinforcing the integration of a given community or of enhancing conformity, but equally in influencing the criminal justice system and also political decisions. More precisely, media and politics mutually influence each other, meaning that discourses do have material effects.

According to Stanley Cohen, who created the paradigm of 'moral panics' (Cohen 1972), the social reactions to some criminal cases is largely dependent on their media representations. Therefore the media acts also according to political (and not only aesthetic) motivations as a moral entrepreneur that strives to wage battles against socially or culturally defined groups.

Cohen (1972) examined the media representation of a conflict between two 'subcultural' youth groups, the Mods and the Rockers in Southern England, which

culminated in a street fight. He identified a process of three stages in the raising of moral panics (1972, 30), that is, the transformation of a banal event into something morally and socially significant that could create fear in the audience. The first is distortion, when the media, by having recourse to an emotive language, exaggerates the seriousness of the events or present false or mythical stories as real. The second stage is prediction, when the media suggests that many more incidents will follow in the future, which signals the dangerousness of the situation. The third stage is symbolisation, while one purportedly criminal group of people is supposed to represent all the others that resemble it – let it be subcultures, generational groups or other. Predicting the catastrophe represents the moral and cultural decline, which can be generalised in turn to the whole society, and/or to all the young people, etc. What is the reaction of the audience? And how does the system of social control react? It might introduce new measures, stricter controls, backed by other moral entrepreneurs, such as politicians.

Cohen described the conflict between Mods and Rockers as constructed by the media all along, from the beginning to the end. He asserted that neither of the groups actually existed as such before the media coverage; most of the individuals who participated in the fight did not belong to any of the groups. Group identities have been solidified due to media representations, thereby attracting more and more attention from the media, and therefore from the police as well. This, in turn, intensified the audience's fears with respect to these groups. So the amplification of the 'spiral of deviance' was set in motion, as the youths considered themselves the more and more as 'deviant', and were considered as such by the media and the public as well, while the two processes were reinforcing each other.

The theory of moral panics not only shows that the media distorts reality, but also that it is capable of creating social problems and 'criminal groups'. This is how it created the close relationship between criminality and youth. The mechanism, which is called the 'spiral of deviance', encompasses more and more actions and individuals, subsuming them under the same representation. These people will be included not only in the representation, but probably will also be persecuted by the police.

Stuart Hall and his colleagues in their famous book (Hall *et al.* 1978) also turned to the concept of ‘moral panics’. They identified a new expression in media discourse describing a new crime, ‘mugging’, associated with Black youth. By the use of this expression, the media presented the events as if there was a new criminal tide associated to a particular minority group, thereby legitimising repressive legal punishments. Furthermore, it criminalised Black social resistance, by reframing their political opposition, their militancy against racial discrimination in terms of criminality (Downing and Husband 2005, 40).

According to Goode and Ben-Yehuda (1994) moral panics gain significance in a society where moral boundaries become uncertain. In this case, the media identifies the minority or subcultural group, stigmatises it, enhances public disapprobation? and as a result of their representation, legal and police repression can be intensified. As a consequence of the panics, a consensual discourse can emerge, which promotes stricter punishments. Therefore, for Hall *et al.* the media becomes a principle means of maintaining hegemonic power relationships.

3.2. Representations of ‘urban violence’

In the French context it is the media depiction of ‘urban violence’ that gains increasingly significance. From the riots in Vaulx-en-Velin from 1990 on, which were dealt with by more than 150 newspaper articles, ‘urban violence’ has become a widespread designation. The death of a young man, for which, according to the inhabitants the local police were responsible, was the motive of the riots. However, this was not the first time these types of incidents occurred, but the first time it was broadly covered by the media. The second day of the riots a supermarket was also targeted, but it was the presence of the cameras that might have provoked this new incident – just as for all the riots ever since. However, due to the competition between the TV channels, the coverage of the events is a must for the whole media; in this way riots and media coverage mutually reinforce their respective influence (Champagne 1991).

At first, the press was divided concerning the interpretation of the events. Some papers assessed them as important threats, while others detected social problems at

their source. However, these differences became less and less important and a general view that the 'periphery' equals violence gained a broad acceptance. Therefore, this type of discourse hinders the real problems of immigration and immigrants to be dealt with. The media tries to depict the 'urban violence' by having recourse to the vocabulary of 'disorder', 'jungle', 'conflict', which depoliticises the problem (Macé and Peralva 2000). So 'urban violence' has been depoliticised and banalised, has become so natural, that there was no need for further explanation (Collinet 2000). At the same time, 'urban crisis', 'urban riots' condensed those meanings that are supposed to express the future of the whole French society (Boyer and Lochard 1998).

The reports about the 'dangerous' urban periphery are written without any intention of understanding the phenomena, they do not reflect at all the perspective of the locals (neither that of the 'aggressors', nor that of the potential victims), therefore they only serve to illustrate 'insecurity' and to strengthen the atmosphere of fear (Huberson 2000). This means, first, that the image according to which the French society is more and more insecure and victim of the broadening violence, is, for the large part, constructed by the media, and second, that the presence of the media reinforces existing tendencies of violence.

Laurent Mucchielli (2001), also studying media representations of urban violence, emphasises that in the recent 30-40 years fear from crime and victimisation has been strengthened. One of the causes of this development is the influence of the media. The thematic of 'urban violence' associated with minorities of Arab descent, has been objectified, and as a result, people advocate police intervention as the only solution. Mucchielli does not blame all the responsibility on the media though, but asserts that politicians have instrumentalised the media and the atmosphere of fear. A complex approach to the influence of media characterises the analyses of Derville (2005) as well, who asserts that media is not an autonomous actor of forming the political opinion of the public.

These findings echo the stance of 'constitutive criminology', according to which the criminal reality constructed by the media and the social reactions to this representation reinforce the selective functioning of the judiciary (Barak 1995, 143).

Therefore, Barak argues for a ‘newsmaking criminology’ (Barak 1994), which would strive to transform media representations. Barak advocates that criminologists take part in the making of the media discourse, in order to be able to influence media messages about social reality and its moral meanings.

4. Case studies

For our case studies we chose the East-European Roma, for their cases can highlight the links between the diverse analytical categories of ‘immigrants’: ethnic minorities, refugees, and legal migrants/travellers.² The case studies are meant to present the complex relationships between the different categories that minorities can belong to. They can show these links, because the Roma can be said to be taking part in all of these groups, depending on the context they find themselves in. The Roma, being an ethnic minority in Hungary or Romania, take on a refugee status when emigrating to Western-Europe, whereas, contrary to ‘classic’ refugees, they have the right to reside there as EU citizens. In the meantime, they can also be considered as being part of the broader ‘ethnic’ group of Roma; under Sarkozy, the Roma category was actually constructed in this way in political and media discourses in France.

Therefore, with respect to securitisation and its discourse, these complex relationships and overlaps between the categories can mean that the initial differences in their definitions either might be relegated to the background, or that they mutually influence each other. In order to highlight the relativity and the mutual influences of the differences, we shall examine the cases of the European Roma. The same Roma are considered as ethnic minority in Hungary and Romania, as foreign EU citizens while migrating in Western Europe, but at the same time as immigrants and/or refugees. In this respect, as unwanted refugees, they pretty much epitomise danger and insecurity; therefore, they might fulfil the same discursive role as any other non EU immigrant. However, even in their home countries, the Roma as ethnic

² The appellation of Roma and gypsy in Hungary are the same. There is not any difference between them. The name of Roma is the more official form in the political dimension but the social science uses them as synonyms. Therefore the report follows the official scientific way and they are used alternated.

minority are also a very significant part of the securitising discourses, which is most notably exemplified by the wide-spread term of ‘Gypsy criminality’ in Hungary.

If we trace the different situations in which the Roma can find themselves at home or abroad, we can formulate some hypotheses with respect to differential treatments pertaining to different minority situations. But we can also conclude that the diverse fear-mongering discourses in which the Roma appear bear many resemblances among themselves, which in turn relativises the differences between the different minority situations. Therefore, by picking cases in which the ‘discursive’ Roma take on a paramount role with regard to the securitising discourses, it becomes possible to highlight the differential treatments of the different minority situations, and to point out the way these different situations affect each other in practice, the complex web of relationships between them.

4.1. Romanian Roma in Berlin: tourists, homeless or refugees?

Let us examine a case, where these diverse minority situations are intertwined, and cannot be separated, but where it does not lead to massive stigmatisation (let alone because of the small number of people involved). In May 2009, a group of Roma from Romania was found by local officials and police camping on a terrace in Gorklitzer Park, Berlin. Police told them to leave and suggested them going to an asylum for the homeless. The families refused, because they did not want to be separated from each other. Then, activists came and proposed to house them in their squat, which they accepted. However, their stay could not last too long (Caglar and Mehling 2009).

The paradox of their situation was that the Roma, being EU citizens, did not have the right for subsidies, as they could not claim a refugee status, for they entered the country as tourists. They are Romanian citizens, and as such, EU citizens, therefore they have the right to free movement, however, by that time they did not yet have the permission to work. Now, with respect to the Roma, all these statuses are mixed up, EU citizens, tourists, homeless and refugees wanting political asylum, and at the same time, they can enjoy none of them. As EU citizens, they had the right to stay in a foreign EU country for 90 days; however, they were sent back to their country before

the 90 days were over. They had the right to stay in Berlin, but still, they were placed in a church transformed into an asylum for refugees. However, they were not entitled to benefit from a proper refugee status, even though otherwise the Roma pretty much fulfilled the criteria for being qualified as refugees, for they had suffered systematic discrimination in their home country. They could not enjoy the same rights as European citizens, neither the advantages refugees can have. They opted for claiming asylum, because they did not have the basic rights European citizens normally have, therefore their very existence questioned the relevance of the frontier between EU and non EU territories (Caglar and Mehling 2009).

4.2. The Mailat case: Romanian Roma in Italy

The massive expulsion of Romanian Roma from Italy constitutes a case where fear-mongering and stigmatisation were essential parts of the securitising discourse, and where, furthermore, concrete actions followed, prepared by this discourse. In November 2007, an Italian woman was killed by a Romanian citizen in Rome. At first, the Italian media focalised on the circumstances of the crime, but then it started to talk about the fact that the perpetrator was a Romanian national; later on his ethnic belonging was emphasised, identified as a Romanian Roma; finally, the whole case was used for the stigmatisation of the Gypsies as a whole (Tesar 2010). Therefore, this crime was a turning point in the media representation and treatment of the Roma living in Italy. From this time on, the ethnicisation of criminality became flagrant (Tesar 2010), which was also followed by measures to repatriate the Romanian Roma, who, by that time, as EU citizens, had theoretically the right to stay in any of the member countries of the EU. Police repression against the Roma was enhanced (already with the Prodi government), and in 2008 Berlusconi's party won the elections by making constant references to 'urban threat' represented by the Roma from Eastern Europe, and the necessity of dismantling the 'illegal, nomadic camps' (Picker 2010). The Italian government even declared the state of emergency for certain regions, ordering the forced identification and registering of the Roma, and also applying the obligatory taking of fingerprints. This discrimination relative to ethnic belonging was condemned by the European Parliament, however the Italian government continued the execution of the measures.

What we can see with this case, is that first, in Italy the state of emergency went actually into effect and special measures were applied to a specific population; therefore, the suspension of ‘normal politics’ became a reality. Second, European citizens were treated as illegal immigrants, because in official and media discourses they were distinguished from their Romanian co-nationals; as an ethicised collectivity, they were symbolically and then practically dispossessed from their European citizenship. This means that when treated as an ethnic minority, with all the symbols that convey barbarity and primitivism, they became unworthy of equal treatment.

4.3. Expulsion of the Roma in France in 2010

The French attitude towards the East-European Roma was very similar, even though the action undertaken was less comprehensive. A local conflict between French citizens from the group called ‘gens du voyage’ and the police gave the occasion for Sarkozy and his government to construct the ethnic but ‘universal’ Roma, along with all the stereotypes usually attributed to them. Using the action of French ‘Gypsies’ as a pretext, who assaulted a police station, they promised to expulse Romanian and Bulgarian Roma. Roma were presented as threats to the ‘republican order’ that can legitimate exceptional measures. Likewise in the Italian case, the exceptionality in the French case means not only the dismantling of the camps, but also the expulsion of the Roma, who happened to be EU citizens, therefore have the right to free movement. “Sarkozy’s discourse links the Roma issue to illegal immigration, thus transforming every Roma into an illegal immigrant who wrongfully enjoys “rights and advantages”” (Burbulescu 2012).

Not only did Sarkozy conflate different communities, which have nothing to do with each other, constructing, thereby, the ‘universal’ Roma, but created a close relationship, a continuum, between very heterogeneous actions: on the one hand, physical violence, namely, the assault of the police station, on the other hand, the practices usually and stereotypically associated with East-European Roma, such as begging, smuggling, prostitution, illegal business (Berkovits 2010). In this way,

French authorities transformed Romanian and Bulgarian Roma into a societal security issue. “The securitisation used by the French authorities referred to several social groups, mixing, for example, Roma people and *gens du voyage*, but those targeted as scapegoats were the Roma, by invoking the “republican order” and the “values of the French society”. Thus, president Sarkozy and the French invoked a threat to the identity of the French society in order to legitimize the ensuing collective expulsions” (Burbulescu 2012).

So the Roma were presented as ‘an existential threat to the fundamental values of the French society’. Also, “isolated events and crimes (...) whose context is different are presented as part of the same assault on the French society that must be countered by declaring a “war on traffickers and criminals”. The presentation of the situations as being an existential threat to societal security is found in the references to the destruction of values” (Burbulescu 2012).

4.4. The topic of ‘Gypsy criminality’ in Hungary

Hypothetically and by having recourse to Brubaker’s terminology, it could be said that the East-European Roma are victims of the ‘politics of belonging to the nation-state’, distinguished from the ‘politics of citizenship *in* the nation-state’ (Brubaker 2010). The questioning of their substantial belonging to the state can take various forms of exclusion or othering. “For some marginal or minority populations, there is no doubt or contestation about their formal state membership; they unambiguously belong to one, and only one, state, the one in which they reside. But in such cases, there often is doubt or contestation about their substantive membership or citizenship status—that is, about their access to, and enjoyment of, the substantive rights of citizenship, or about their substantive acceptance as full members of a putatively national “society”. In these cases, the politics of belonging is not generated by migration, at least not in any proximate sense, but by various forms of social closure, discrimination, or marginalization” (Brubaker 2010, 64-65).

One of these marginalising practices is certainly the accusation of ‘collective criminality’, supposed to be directed against the majority population. In Hungary, it

is the evocation of 'Gypsy criminality' that fulfils this role. How did it come about and gain significance? In 2006, a person traversing the Hungarian village of Olaszliszka by his car was attacked and lynched by a couple of persons belonging to the local Roma community. The Roma thought he had hit a little girl with his car (however, the girl was not hurt). The crime was spoken of as committed by the 'Gypsies' by the majority of the news media, who were often portrayed as 'barbarians' and 'savages'. The accusation of the whole community was all the more virulent that the person murdered was a teacher, which could give rise symbolically to the interpretation that the 'primitive' and 'worthless' were attacking culture and civilisation. After this event, the term 'Gypsy criminality' became widespread and used whenever there was a report on a conflict between the Roma and the non Roma (Juhász 2010, 13).

This tendency was reinforced by another criminal case, the assassination of a Romanian handball player, playing for a Hungarian team, Marian Cozma. The murder was committed in Veszprém by members of a local gang composed by Roma people, but it was widely attributed to the 'Gypsies' as such and to 'Gypsy criminality'. This narrative was reinforced by a documentary film, bearing the title 'The country stabbed in the heart', which was shown on various TV channels and became very popular. The title of the film already suggests that the minority 'stabbed the country in the heart', whereas, of course it could have been said instead that the Hungarians killed a Romanian. When talking about the murder, the ethnic epitaph was preserved all along in the Romanian and Hungarian press (notwithstanding the fact that the perpetrators were professional criminals), and both underlined that the two countries were offended by the minority group they supposedly have in common in their respective countries (Bódi and Kertész 2010).

In Hungary, after these events, the far right Jobbik party popularised the concept, but its extension became much wider. Now it encompassed not only physical danger, but also petty theft. This far right party based its campaign on 'speaking the truth' about the Roma, the truth, which had been purportedly suppressed by the Left, in the guise of 'political correctness'. However, the usage of 'Gypsy criminality' has not been limited to the far right, it has reached the summit of power, when the leader of the opposition (now prime minister) and even the president of the Republic by the time made oblique references to it. Uttering 'Gypsy criminality' has become the symbol of

‘sincerity’, of talking about the ‘real’ problems, against the ‘taboo of political correctness’.

5. Further discourses on the Roma in Hungary

Based on his research, Vincze (2011) concludes that although the Roma were recognized in Romania (and maybe in Hungary as well) as an ethnic minority, they are not really considered as one as a result of their historically evolved situation and their social status that is different from other minorities. The explanation behind it is that the set of tools in the hands of the Roma, which are pertinent to an ethnic minority, are not sufficiently elaborated, nor do the Roma have a ‘mother country’, meaning they are stateless. The author concludes that if majority society fails to assimilate the Roma, then it will identify them as a different race (‘racialization’) and distinguish them along dimensions such as kinship and a culture that is radically different. Technically, the Roma enjoy minority rights as well (the right to language, culture, and traditions), however, because of the social disadvantages they face, they are also beneficiaries of social policy.

Accordingly, different Roma groups frame their demands sometimes on cultural, and other times on social grounds. In addition, there are heated debates as to the authentic representation of the Roma issue. We can differentiate between two fundamental directions in this respect:

- The Roma problem is almost exclusively a social problem. Such an approach identifies the entire Roma community with poverty. Its danger lies in that it reinforces prejudices against the Roma as prejudices against the poor and entertains the view that the majority is tolerant (i.e. it is without cultural prejudices that would affect the chances of the Roma) and it is exclusively the culture of poverty, perpetuated by the Roma, that is to be blamed for their situation.
- The Roma are an ethnocultural community. Such an approach conceals social and economic mechanisms which deprive those qualified as Roma of resources. In addition, the culturalization approach leads to ghettoization and the reinforcement of the belief in cultural essence. The most basic fallacy of

this view is that according to it culture is responsible for the unfolding of one's fate and the evolution of opportunities, and not one's social network or economic background.

The most typical topics featuring in negative discourses on the Roma are educational attainment, labour market activity and demographic growth. We can assume that these topics will be among the first for the researchers to encounter. The discourses are well-known: the integration of the Roma can be resolved by their involvement in catching up programmes at school and increasing the level of their labour market activity. The discourses suggest that the Roma are marginalized because they do not want to study or take part education, and that they reject the employment opportunities offered to them by the majority society. On top of that, the Roma exploit the social policy system by raising more children than families belonging to the majority society.

5.1. Education

It cannot be disputed that the increase in their qualifications would greatly improve the situation of the Roma; however, research has clearly shown that this alone is not a panacea. Furthermore, studies in the sociology of education highlighted the fact that while the educational level of the Roma increased, paradoxically, the educational gap between the Roma and the non-Roma remained unchanged, only shifted up a level. Thus the positive trend in education is insufficient to bring about a breakthrough; studies have pointed out that the greatest increase in the number of Roma students was in vocational schools - schools which trained students for jobs with the least favourable conditions and continue to do so in today's labour market as well (Havas-Kemény, 1993).

While research results suggest that the situation of the Roma can be improved through education, data from 2010 (Hörömpli - Koplányi 2011) confront us with the regrettable fact that there is no significant change in this respect, with the only difference that the education career of Roma students does not halt at primary level as before, but at secondary level, from where it is very difficult to move on. Interestingly, there is a great change when it comes to higher education: in 1971 as little as 0.1% of the Roma studied in some kind of a higher education institution,

while in 1993 the respective proportion was 1%. Such an increase implies significant improvement in opportunities, claim Havas-Kemény (1993), even if it remained invisible as a result of educational expansion.

5.2. Employment

In the 1970's there was no significant difference between the Roma and non-Roma with respect to employment. The crisis that ensued in the late 1980's and the subsequent change of the regime brought about radical changes in this, with the number of employees dropping from the national average of 5 million to 3.8 million; the number has remained below 4 million since then (Mód Péter 2011). The Roma were among the first to be dismissed and excluded from the labour market, which took place rapidly in the 1990's. According to 2010 data (Hörömpli-Koplányi 2011), 26% of Roma men and a mere 16% of Roma women work presently, which includes temporary employment and entrepreneurial activities as well. Of the Roma who did some kind of work, 72% had a source of income for an entire year. Twenty-three per cent of the Roma carries out temporary work (more than 2 months/year). Among those Roma workers who have regular employment, 40% are skilled workers or technicians; 38% are semi-skilled or unskilled workers; 8% are in service provision or work in trade. This suggests that agriculture has never played a key role in the livelihood of the Roma (Hörömpli-Koplányi 2011).

There has been no significant change as to the differential of the wages of Roma and non-Roma workers since the 1970s. Data reveal that the difference between the average of total income from employment of Gypsy workers and that of the entire population was 33% in 1971 and is 30% today.³

In sum, we can conclude that while in the 1970's as much as three quarters of the Roma were employed (industrial expansion), today only one fourth of them work. Employment-related problems are further coloured by the fact that the proportion of

³ A distortion effect may be that net wages were inquired about, however, there was no such differentiation among the Roma in the 1970s.

dependents living in one household has increased drastically.⁴ Another key point is that Roma employees are paid less for the same work than their non-Roma counterparts.

5.3. Demographic growth

The stereotypical behavioural prototype attributed to the Roma is related to their demographic behaviour. Statisticians take it as given that there are objective categories with respect to demographic behaviour, even though censuses since 1970 have underlined the fact that data on minorities are not objective (cannot be regarded as the result of an objective survey) (Durst 2011). Alike questionnaire based surveys, censuses also imply a preliminary decision, based on some procedure, as to who is considered a Gypsy. Consequently, censuses are not objective reflections of reality but exercises in social labelling (Bulmer 1980). In other words, labelling is connected to the discourse on minorities, and as such it is a cultural construct⁵. There are two hot topics as to demographic issues: one is related to the growth of the Roma population, the other is connected to birth rates.

5.3.1. The number of Roma in Hungary

Researchers have pointed out the absence of precise data about the proportion of the Roma in the Hungarian population. This can be explained by the fact that there is no consensus as to who is a Roma - its definition is ambiguous both on the part of the Roma and the non-Roma as well. Based on his 1993 and 2003 representative studies, Kemény concluded that there has been an increase among the Romungro Gypsies who openly declare their origin, while it decreased in the case of the two other Roma groups in the course of integration. The number of the Roma community features so much in discourses that some estimates may be 1.5-2 times more than others. Some

⁴ The proportion of households with 5 or more people is 7.8% among the total population, and 42.4% among the Roma, which was 37.2% in the 1970s. The proportion of households with 6 or more people was and is significantly higher among the Roma than the general population: 24.8% and 2.5%, respectively. In sum, we can see that the size of households has decreased in the general population, while it has significantly increased among the Roma. (Hörömpli-Koplányi 2011).

⁵ Eröss' (2010) researches in the sociology of education highlight the fact that experts end up being trapped by the ban on scientific differentiation as a result of the absence of ethnicity-based data.

people claim that the number of the Roma is around 570,000-600,000 (Kemény-Janky 2003), others talk about 800,000-1,000,000 Gypsies. Thus we have no accurate information as to the precise number of the Roma.

5.3.2. Fertility

There are various explanations about the fertility behaviour of minorities. Probably the most relevant theory in connection with the Roma is the so-called opportunity costs theory (Bean-Swicegood 1985). This claims that in minority groups a negative relationship prevails between education and fertility, because access to resources (better employment, wages, educational attainment) is limited already because of discrimination in the labour market and the school.

Weinreb's concept (2001) is similar; he empirically proved that minorities' differing reproductive behaviour is determined by their smaller political capital (access to state resources). The level of access to political power (state resources, health services in the school, employment opportunities) plays a key role in shaping the social risk environment, thus in making decisions about reproduction.

Hungarian research results point out that although the gap between the fertility rates of the Roma and non-Roma are shrinking, a difference persists. As to the timing of family formation, however, the gap has further widened (non Roma women tend to have their first child at the age of 27-28, while Roma women at the age of 20).⁶

⁶It is important to take into account that in Hungary demographic data come only from the censuses, which are not accurate, as self-report is unreliable owing to the fear of discrimination (Durst 2010).

6. The purposes of the action research in ALTERNATIVE

The overall goal of the research is to explore and understand how restorative methods and principles affect and influence the community's attitudes and sense of security. This implies two additional objectives:

- The objective of the research is to understand conflicts and make the community understand them as well. This requires learning about the community's background and causal systems. Learning about conflicts is a substantive goal for both researchers and the community.
- Another research objective is to identify the impacts of conflict management, carried out along the lines of restorative principles, and see where and to what degree (what changes it brings about) it impacts the life of a community on micro and meso levels.

The starting hypothesis of the research is that restorative procedures positively affect relationships in a small community. Conflicts provide a good opportunity for community members to understand each other better and develop new norms that would subsequently guide their lives. Translating this into the language of sociology, we assume that restorative procedures give a chance to enrich social relationships (they become more substantial) and increase the number of contacts between the Roma and the non-Roma, as a result of the trust that develops in the course of restorative procedures. Once the level of trust increases, the social network grows and becomes richer as well, then people's sense of security will also change positively.

In order to investigate our basic assumptions, we need to find theories that can be easily operationalised and which are available to us from sociology, with only the variables and concepts needing adaptation.

One such a sociological approach is related to the study of the segregation of the Roma. Contrary to the distinction between integration and assimilation, still fashionable in Hungary, Ladányi (2011) proposes the use of the notions of exclusion/excluding and inclusion/including, which can be easily operationalised and measured and which are characterized by the following:

- The notions are not rigid, they are not loaded with ideology, but are at the same time dynamic and they allow the study of life-stories.
- The notions are precise, since they allow the study of social, economic and residential exclusion.
- The notions allow the studying of the mobility between the original position by birth and the position of choice in the case of ethnic and social group members.

As to segregation issues (be they connected to the school, residence, labour market or segregation on the level of settlements), sociology offers us the notion of limited solidarity, which is important to highlight for our research. "... the third source of social capital is limited solidarity which is connected to the situational circumstances that lead to group-oriented behaviour based on principles, entirely independently of early value orientations" (Portes-Sensenbrenner 1998). Limited solidarity is therefore a kind of social capital that can influence the identity of excluded groups and which can give a kind of explanation to this identity's formation. Limited solidarity is bolstered by the sharing of the excluded condition. The factor that engenders solidarity is discrimination against migrants and minorities, which evokes the sense of "we" in the excluded group. This social capital may help maintain the minority Roma experience, as there is no other way to survive, but it can also create the feeling of cohesion and a feeling of belonging to a nation, which had not existed before.

Thus the theories of segregation and limited solidarity can be operationalised well to serve, on the one hand, the revealing of the changes in Roma identity as a result of restorative intervention, and, on the other hand, of highlighting their impact on segregation on a local level (e.g. in school or the labour market). In this context the objectives of the research include:

- to understand who is considered Roma in a community and what is the basis of such a classification, to explore and identify the types of discourses that bring closer/isolate the Roma and the non-Roma populations,
- to explore the location, the content and the function of segregation in the village.

In light of the above, the proposed research questions in this direction are the following:

- Who is a Roma? How and along what principles does categorization take place in the site of the action?
- How does the RJ approach impact the evolution of identity?
- How does restorative intervention affect exclusion/inclusion and segregation in the site of the action?

The other important direction for our research is the study of the relationships between the Roma and non-Roma. The categories making up ethnic units and generating segregation are constructed by the very individuals who constitute the social networks. In this context it is important to address the interplay between network, ethnicity and social structure and classes. It is precisely the intricate system of economic relationships, hidden interrelationships and ethnicity that engenders the largest number of prejudices that entirely lack factual basis. (Sárkány 2010) The key social factors of economy are trust (Radajev 2005, Sako 1992, 1996), social networks (Granovetter 1992) and social capital (Bourdieu 1978).

The relationship between ethnic communities and economy may be regulated by structural factors as power structures and relationships. For instance, certain ethnicities are excluded from certain spheres and a kind of ethnicity-based division of labour can develop (Eriksen 2008). Research has revealed that an important factor shaping the economic activities of the Gypsies is their relationship with the settled population (Prónai 2000, Stewart 1994, Szuhay 1999). Szabó (2010) concluded that in the co-existence of the Roma and non-Roma, relationships are determined by the principle of exclusion. Settlement structure (Achim 2001, Szuhay 1999), ownership structures and the division of labour are connected to the fact that the non-Roma own lands, while the Roma do not (Stewart 1994). It is virtually impossible to step out of such social and economic structure, defined and produced on the basis of ethnic categorization, which is constantly re-defined by the majority society in the economic domain as well. If we look at ownership, everything is owned by the non-Roma, consequently the Roma can only act as marginal service providers, which results in the emergence of a society of masters, where the day-labourer Gypsies do not have

access to the resources and cannot integrate into the processes of production. This is not exclusive to the Roma or those who broke out of the Roma lifestyle. Economy, therefore, is not independent of the surrounding social context and social processes (substantive economy) (Polányi 1976). Economic activities have a role in delineating and maintaining the boundaries of ethnicity. The circulation of goods follows ethnic boundaries (Eriksen 2008).

The essence of Granovetter's network theory (Granovetter 1992) is that people can have two kinds of ties: weak ones and strong ones. Weak ties are not very intense, they can be maintained at a low cost, one can have many of them and they constitute bridges between various areas of social networks. People who are well-embedded in weak ties have better access to resources and positions. Consequently weak ties foster social integration: on the individual level they integrate through the resources belonging to individual positions, while also include one in the system of inequalities; on a collective level, it allows communication and an exchange of resources among different groups (Varga 2010). Not surprisingly, ties are distributed unevenly in society and are cumulated in various poles (Utasi 2002). The Roma have somewhat fewer weak ties than the non-Roma (Angelusz-Tardos 1998). Therefore the volume of weak ties correlates with the process whereby the Roma get into an unequal position. The most recent research projects carried out in Hungary reveal that the key background variables of weak ties with respect to the relationship between the Roma and non-Roma communities are wealth, educational attainment, political and religious activity. In society as a whole, the other three factors (cultural capital, economic capital and political activity) are as weighty as the religious one, in the Roman sample, however, religiousness features as a very important independent variable. The social capital of Catholics and Protestants is beyond the average (Varga 2010).

In sum, the dimension proposed for the relationship analysis is the system of economic ties, given that economic trust is undoubtedly one of the most important elements of human relationships. To put it simply we can say that it is a key question whom we exclude from, and include in, the possibility of catering for human needs. The other proposed dimension is the theory of weak ties. Valuable research

experience has accumulated in Hungary in both fields, and also in connection with the Roma. Further objectives of the research in this direction are the following:

- to explore the relationship networks and identify their characteristics,
- explore the means of access to economic resources.

Accordingly, the starting questions of the research in this direction are the following:

- Do the RJ approach and techniques increase the number of weak ties?
- Do the RJ approach and techniques decrease social distances through promoting learning and getting to know each other?
- If Roma and non-Roma participants get to know each other better and the number of weak ties between them increases, then will it strengthen the sense of security among them?
- Can structural problems be decreased with the help of RJ and through the increase in weak ties among the Roma and non-Roma (see for instance economic relations, increase in the level of trust)?

The above questions can be interpreted on micro and meso levels as well, and if we assume that RJ can bring about positive changes in small communities, then these changes should be manifested in some way in the above-listed areas as well. The debate and the research questions clearly correspond to the original research objectives and it is through them that conceptualisation, operationalisation and diagnostic work can be carried out.

7. Some experiences about conflict resolution in intercultural settings in Hungary

The last chapter of the work outlines how and in what issues RJ can give substantive replies to the problems detailed earlier. The responses are formulated along two dimensions: what kind of knowledge and developments are needed for the Hungarian mediator profession in minority cases in order to be able to present visible and substantive results; what are the other fields that RJ should cooperate with, and in what ways, for it to be successful in shaping discourses and in case management.

These reflections are guidelines for further considerations in the research and they are formulated strictly on a hypothetical level. This chapter highly based on the experiences of Hungarian minority mediations. We made some interviews with the leaders and mediators of the minority mediation programs. Interviews were half-structures and took approximately 90 minutes.

There have been no restorative programmes implemented in relation to the topic, we did not come across such programmes in the course of our research. We cannot give an account of experience with RJ in this report. What we have encountered, however, are programmes that used mediation in an attempt to resolve disputes related to minority issues. We know of three mediation organisations that carried out work around minority issues as part of their projects.

Although conducting a social impact assessment of minority mediation programmes carried out in Hungary was not among the goals of our research, we can draw some conclusions as to the experience with mediation in minority issues. The chapter below presents conclusions relevant for this paper and for our research.

Interviewees pointed out in connection with minority mediation that the effectiveness of mediation in relation to Roma issues is limited. They explained that in case the method is used in development programmes, then its "impact will not be immediately seen, only in years or a decade". Another interviewee put it more provocatively, claiming that "the original goal of minority mediation projects cannot be met."⁷ Our

⁷ One organisation has not taken on minority cases for a long time, precisely because of the low level of effectiveness.

interviewees were in fact unable to list concrete examples where mediation conducted between the Roma and non-Roma would have brought about changes that are clearly positive and which can be noticed on medium term on the level of the settlement or the community. One interview pointed to an interesting negative impact. Mediators were successful to involve Roma parents and children in a school-based minority mediation programme and they conducted successful mediation sessions with them. But the success unfortunately turned insight out: non-Roma teachers turned against the mediators and accused them of being biased, which made it impossible to continue the programme.

7.1. Experiences of the difficulties of Hungarian minority mediation works

1. Generally speaking, mediators in Hungary don't have enough thorough knowledge about the specific characteristics of a Roma community and the characteristic of its operation, neither about the social and economical background of the discourses in relation with Roma, nor the explanations of those.

Synergy between the fields of research and conflict management would be indispensable for better performance. In order to achieve greater success in working on conflict management in connection with minority issues, it is important to have knowledge of the social sciences and, more specifically, the given ethnic group. The explanation behind it is that prejudices against the Roma are so deep-seated and the negative discourses focusing on them are so powerful that without knowing their background and having relevant social scientific knowledge of the problem, the process is likely come to a halt already in the preparatory phase. For instance, in one interview the mediators explained that activating/mobilizing the Roma, retaining those already in the process and making participants keep to the agreement is a great challenge. The interviews lead us to the conclusions that in order to avoid such problems, the conflict manager needs to know how Roma communities work (e.g. about the special opinion-leading role of Roma women in the community, or about the hierarchical order of communities), the distinct cultural practices and values of the Roma (e.g. the possible role of religion in Roma communities), the particular, e.g.

social-psychological, causes behind tensions and concrete forms of co-existence between the Roma and non Roma, or the deeper sociological, anthropological or historical explanations behind everyday experience underlying discourses. If the mediator doesn't know them thoroughly enough than he can use incompatible conflict resolution and communication tools for the Roma community. In connection with this research experience we should take the theory of Morgan Brigg (2003) into consideration. Basically, Brigg's critical remarks emphasise the ambivalent social influence of ADR procedures in inter-ethnics conflicts, but his thoughts can be a warning for RJ too. In his article Brigg points out that the alternative dispute resolution procedures, as far as their principles and aims are concerned, basically reflect and support western social norms. Therefore, ADR cannot be used in each case for management of intercultural disputes, as contrary to its original aim, it reproduces the social inequalities and the differences in power.

For example, Brigg indicates that his experience as a mediator does not underpin that the reframing technique would be a useful communication tool in conflict resolution in intercultural settings. Moreover, he adds that consensus does not necessary mean the same for a middle class white western European person as for a minority group member with a non- western European cultural background. If Brigg is right, the meaning of resolution and the legitimacy of the process are questioned. If a member of a minority group participates in the process and makes a resolution along procedural principles and communication rules which are far from his/her culture, then mediation unfortunately only reproduces power inequality between minorities and the majority society. On the contrary of the above mention facts , the original aim of our profession is to build a bridge between people who cannot understand each other and live in extremely different power circumstances and not to maintain the *status quo*.

In connection with this problem, one interviewee highlighted that power differences between the Roma and non-Roma are of a degree that traditional - face-to-face - approaches cannot really work. He claimed that it is much more effective to conduct separate consultations with the different parties. The same can be said about the so-called traditional agreements developed on the basis of classic procedural schemes. The interviews highlighted that in the absence of considerable pressure (e.g. political pressure, or high risk of media representation of the problem) on the different

parties, participation and agreement cannot sufficiently affect them. Though the processes are often successful, given that they do take place and end with an agreement, but status quo prevails within the community, meaning power differences are regenerated or, better said, are solidified.

Our last important experience in connection with the power problem is that a conflict management expert cannot remain neutral, which is contrary to the rules of dispute resolution. One interviewee expressed that solidarity with the Roma should be openly expressed. The other interviewee refrained from such a provocative statement, however, the mediators' actions lead us to assume an attitude of solidarity with the Roma on their part.

2. Experiences and recommendations on the possibilities of cooperation of Hungarian minority mediation profession with other professionals

Our very important interview experience is that conflict management cannot in itself shake up the status quo of relationship patterns and systems in a given settlement. In addition to conflict management competences, there should be synergy among a number of other fields as well, which can be realised through the very person of conflict management professionals or the involvement of other experts. For instance, in the above-mentioned mediation programme mediators did the field work and social work, they also acted as psychologists and handled prejudices, etc. It is questionable whether it is a realistic expectation from conflict managers to be experienced in as many occupations as possible. It seems to make more sense instead to have mediators and RJ professionals work in close cooperation with experts from other fields to tackle a case. Braithwaite's integrated strategy approach provides detailed guidelines on this.

In sum, we can assume that specific, maybe novel forms should be formulated for the conflict management of problems related to the co-existence of the Roma and non-Roma. It remains to be seen to what extent can restorative procedures result in more concrete results. The researcher needs to draw attention to the necessity on the part of conflict managers to apply an analytical approach (through anthropology, social-psychology and sociology) to exploring a particular community and understanding its operation, and the cooperation is also important with other professionals, particularly with the social sciences and media.

7.2. A hypothetical perspective: Tasks of restorative justice in the transformation of existing discourses.

From the perspective of the security and minority discourses (since it is our main topic) we have to devote a particular attention to the possible connection between RJ and the media.

RJ has a significant responsibility and many tasks in shaping the media and the political discourses. RJ must find partners for this task. The form of communication about the discourse about the connection between minorities and crime in the media and politics is all the more important because research (e.g. by Marián 2009) revealed that rejection of minorities was the strongest among people who did not have a living relationship with the ethnic social group. Experiences confirming such rejective behaviour arise from the media and not from real life. Because of the narrowed inter-ethnic social relationships the media has got much higher responsibility in the introduction of the ethnic groups and it is the responsibility of the dispute resolution system to show a proper conflict resolution alternatives for society.

For example Cohen (1972) revealed the role of the media in coding the picture of deviance and deviant groups into society. Referring to Stuart Hall (Hall *et al.* 1978), the mechanism of moral panics starts to operate when the borders of morality become questionable in the society (Goode and Ben-Yehuda 1994). In this case the media simplifies the reasons, identifies crime with an ethnic group, prompts a public uproar. Consequently, legislation and police actions can be restricted, namely the retributive attitude strengthens in society.

Restorative Justice can have several tasks in the media representation of conflicts and conflict resolution in intercultural settings. The difficulties of RJ media representation are presented by Pollard (2007) but what is more important Mesmaecker (2007) says that RJ could reframe the conflict cases. The focus of RJ media representation of the conflict cases could not base on the sensation- mongering on the polarization of social groups but it should base on the outcome of the process, the aspirations and identity of parties and the interests and needs, etc. From our perspective, RJ can offer a broad societal discourse, which challenges the existing

discourses. The crucial question is how can restorative justice exercise such broad societal impact? The question of how is a highly important research area for RJ. Here we only can state that RJ justice should be in a very strong and good cooperation with the media actors.⁸ If RJ can get a place in the media presentation it can present the cases from its own perspective, which edify very much the society. Two important tasks of RJ in the media are the following:

1. Show up the diversity of norms and the values of different communities

In a society the borders of social norms dominate the common talk, which is determined by the law and the cultural rules. Borders are marked out mostly at the level of politics but media also plays a very significant role in it (Bernát-Messing 2011).

One of the features of the RJ procedures is that the parties can get acquainted with the norms, values and rules from which they can understand each other's behaviour and become aware of the places of these norms, values and rules compared to the ruling social norms. Restorative Justice can present the relativity of these borders and the social and cultural explanations of behaviours which are regarded as deviant. Restorative Justice can reformulate the discourses (their false or true nature) which exist in people's thinking. RJ can make people understand how the social and economic reasons and processes affect the direction and content of 'common talk' and stereotypes, how significant roles the social determination and the individual responsibility play.

⁸ Literature stresses that constructive conflict management provides the journalists with important and applicable knowledge. Several studies deal with the relationship between journalism and mediation. Geyer's work (1984) deserves special attention: he calls the journalists new diplomats, whose role is to conduct the discussions which cannot be carried out between the parties for diplomatic reasons. In his article Gilboa (2005) tries to define the task of journalism in the management of international, intercultural disputes and describes in various case studies how the journalists could be successful as mediators in serious conflicts. These works are very important because they confirm that the difficult inter-ethnic conflicts can really be settled in amicable ways. However, the role of journalist is not limited only to this task. Obviously, the first interview, the first article, report in itself can be dominant, as it may decide which direction the discussions will be started in. In relation with this some interesting example have been shown up about the media representation of RJ projects and their results (Deklerck 2011, Skire and Pedersen 2011).

2. Show up the reasons of acts

RJ can make people understand how the social and economic reasons and processes affect the direction and content of common talk, how significant roles the social determination and the individual's responsibility play. By the help of Media it can help people understand how they could support the others in difficult situations instead of maintaining a hostile attitude. Besides media RJ needs other partners and disciplines, too, in order to make people understand certain cases or problems. For example, RJ would need the support of social sciences. The connection of RJ and social sciences in the shaping of discourses is that dispute resolution can be the mediating, communication platform that can make society understand the development, content and sense of the discourses, with the help of the wider social, cultural, political, legal, economic, labour market, etc. data and causal correlations relevant in the various cases. To sum up, in our view, with the help of restorative justice, the wider society can *understand* and *learn* the sense, the function and background of our discourses, and thus society can be diverted from the prejudicial discourses or at least can be made criticize them.

In case the RJ has got such a social function, the media and the political discourses will provide objective information and communicate to people not prefabricated rights; both parties can be listened to in connection with the cases, and the stereotypes based on non-provable statements can be defeated. A possible direction of further thinking is: who and how can reformulate the existing discourses and what role can RJ, the media and other professionals have in this task.

7.3. An illustration: Roma presentation in the Hungarian media. Critical reflections

On the basis of the above, let us present some thoughts of the dispute resolving specialists, with the help of a content analysis (Bernáth-Messing 2011). The subject of this analysis was the representation of Hungarian gypsies in the media. The Hungarian stereotype discourses regarding gypsies are obvious from the study, for example the gypsy ethnic is considered to be a criminal group. This study is also thought-provoking for the ALTERNATIVE project, since it gives indications for

dispute resolving specialists and social scientists how the discourses about the gypsies should be transformed.

1. Emotional dramatisation vs. facts

The media tends to use the tools of emotional dramatisation and generalisation during the investigation of certain cases.

Any issue concerning gypsies is introduced in the media without mentioning any important data/figures. In several cases the reference to data is really impossible as data collection on ethnical basis is rather problematic⁹ in Hungary. It is very important for social science and judicial protection to possess some kind of ethnic figures in order to diminish stereotypic and prejudiced statements. This concrete Hungarian example shows that restorative justice should develop affiliations in society with other sectors and bodies, and also with NGOs and the media, in order to support each other and to work in the same direction, based on common values. Restorative professionals can contribute to make the public understand the trends of labour market conditions, regional disadvantages, structural problems, uneven chances, health problems, discrimination in the labour market, etc. hidden behind the cases.

2. Who are the relevant actors

People who tell their opinions regarding the cases are usually not the gypsies, however, when any gypsy gets an opportunity to tell his opinion, the person is usually not concerned in the case. He has not got any decision making position, he is usually not an expert in the issue and his social status is low.

The basic rule in restorative and alternative dispute resolution procedures is that people who are concerned in the matter shall be involved in the procedure. Differences of the power and the ability of enforcement of interests between the various social groups and persons can be diminished by interviewing supporters, civilians, experts, etc. In this way the specialists in dispute resolution can review, on the basis of professional principles, who the relevant persons concerned in the given

⁹ In the last few years considerable social disputes have been concluded about the records of criminal statistics. Concerns regarding data collection are in many cases associated with politics and human rights. Data collection is problematic, because there is no social consensus who is considered as gypsy. No ethnic based statistical data are available in the field of social policy and labour market, either.

matter are. It often happens that it is not clear for society who plays a role in certain cases and in what form, and who the responsible actors are for the outcome of the matter. It is important to clarify these principles and the roles, e.g. when to listen to the community and when to the individual person, when to interview the specialist, the politician or the civil, etc. In this task, RJ can give very professional help for the Media.

3. What is the topic and its resolution

Gypsies appear in the media generally in connection with crimes or some kind of social problems. The news hardly ever mentions how and to which degree Gypsies become victims of crime. The newsworthy fact in these reports is that it is the gypsies who commit crimes.

Naturally, it is the media's responsibility to what extent the conditions of objective communication are met when they represent an ethnic group in news of a unilateral aspect. The baseline position of restorativity and constructive dispute resolution is that all the parties should focus on the resolution of the problems. Even if RJ cannot alter the thematic, it should list professional arguments supporting that the minority is represented not only in criminal topics, but in the news about culture, legal protection, social life, etc. and what is even more important: besides problems, also innovative areas, initiations, successes, and the possibilities for development and problem solving should also be communicated . On this area Media can also get professional help from Restorative Justice.

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