

**GYPSY' EXPERIENCE: A SURVEY OF LEGAL
AND CULTURAL DISCRIMINATION OF THE ROMA PEOPLE
IN EAST CENTRAL EUROPE
THESIS**

**Presented to the Graduate Council of
Texas State University-San Marcos
in Partial Fulfillment
of the Requirements**

for the Degree

Master of ARTS

by

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**San Marcos Texas
December 2009**

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2009

ACKNOWLEDGEMENTS

This research project would not have been possible without the encouragement and support of so many people. I wish to express gratitude to Dr. Arnold Leder, for sharing his abundant knowledge and providing invaluable assistance, support, and guidance. Gratitude is also due the members of my committee: Dr. Cecilia Castillo and Dr. Kenneth Grasso, who opened doors of possibility for me, and for their guidance and assistance in my continued education.

Special thanks to Dr. Patricia Parent and Dr. Patricia Shields for their continued encouragement during those times when I felt discouraged. I would also like to thank the Texas State University-San Marcos, Department of Political Science Faculty and Staff, for their continued support and encouragement, in particular Dr. Vicki Brittain.

Last, I would like to express my love and gratitude to my family; Charles and Frances Tise for their undying belief in me, and Valery Griffin for her encouragement, support, understanding, and her editing skills throughout this process.

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**THE 'GYPSY' EXPERIENCE: A SURVEY OF LEGAL
AND CULTURAL DISCRIMINATION AGAINST THE ROMA PEOPLE
IN EAST CENTRAL EUROPE**

PREFACE

The Roma were traditionally a semi-nomadic ethnic group; however, over the last nine centuries, they migrated from northern India, through the Ottoman Empire, and into East Central Europe, and during this migration, they divided into many nations, tribes and clans. This thesis concentrates on the largest of the *nations*, the Rom or the Roma, who are found through out Europe, the United Kingdom, and the Americas. The Roma are divided into four major nations, the Machwaya, the Lowara, the Kalderazha, and the Churara, and many tribes or clans; collectively, the Roma people call themselves Romani. Although it is difficult to accurately estimate the Romani population, today there are between eight and twelve million people in Europe who call themselves Romani, although they are more commonly know as Gypsies.¹ The Romani live in virtually every country in Europe, from Finland to Italy, and from Russia to Ireland, and they live in every country, in North and South America. However, the largest concentration of Romani is in East Central Europe. In some areas they: are integrated

1 Migration Information Source,
<http://www.migrationinformation.org/Feature/display.cfm?ID=308>.

into society, speak local languages, and observe local traditions; more often, they live on the fringe of society, and exist in inhuman conditions. Many Romani are condemned to a life without access to the most basic needs and services, which are so readily available to others. They are harassed, mistreated, and excluded from normal life. Anti-Gypsy racism permeates much of culture and government throughout Europe. Human rights abuses of the Romani go unpunished, and encourage greater violence and hatred towards them. The spread of democracy in Europe and the eastward expansion of the European Union facilitated a call from the West for recognition of Romani rights and an improvement of the Romani's living conditions. This call has brought about few positive changes and in most of Europe, the Romani still lack access to government services, health care, and housing. In many countries the Romani are seen as 'the Others' and experience discrimination, harassment, and violence on a daily basis.

This paper is a study of the institutionalized discrimination experienced by the Romani. Although the Romani have no written history, it is possible to trace their migration and living conditions as they moved across Europe, through the United Kingdom, and into the Americas. This is possible by tracking the anti-Gypsy laws from the early part of the last millennium, to the attempted annihilation of the Romani by the Nazis. The discrimination against the Romani did not end with the Allies' liberation of the Nazi death camps, and one has only to open a European newspaper, or read political or human rights blogs to know that anti-Gypsy sentiment is still strong in Europe. For example, on June 22, 2009, *The Guardian* ran an article outlining recent events of violence and discrimination perpetrated on Romani immigrants in Ireland. The violence

includes beatings of several women in Belfast;² or the story of the concert crowd in Bucharest jeering Madonna when she announced, the discrimination against the Gypsies "made me feel very sad."³

As a call for democracy and free markets spread around the globe, and as more people call out for human rights, the Romani remain marginalized, victimized, and violated. Few people call for Romani rights, and few people speak for the Romani. This study looks at the effects globalized democratization has had on the Romani, and what can be done to establish them as equal participants in society.

In the Americas, unlike in Europe, literature, film, and popular lore have portrayed the Gypsy as a mysterious, romantic stranger or a beautiful elusive dancer; yet everywhere the word Gypsy, carries undertones of lesser-than, criminality, and mistrust. There are many derogatory words used for the Romani in Europe; however, Gypsy is the most common. In most of the world, the word is a degrading racial slur, a ghastly insult. The word Gypsy disparages the Romani people. In this study, the word Romani and Gypsy are both used. Romani is used when speaking of the people, their history, their actions, and their needs, while Gypsy is used to refer to negative attitude or actions of a people or a government towards the Romani (as in anti-Gypsy laws of Romania, or the Nazi's Final Solution to the Gypsy Problem). In North America, Gypsy is not as much of a racial slur and often the American Romani respond positively when referred to as

2 Robert Fox, "The plight of Europe's Roma," *The Guardian*, June 22, 2009, <http://www.guardian.co.uk/commentisfree/2009/jun/22/roma-europe-discrimination-attacks>.

3 BBC News, "Madonna Explains Gypsy Comments, August 28, 2009, <http://news.bbc.co.uk/2/hi/entertainment/8225989.stm>.

Gypsies or sometime Travelers. Travelers are actually Irish or Welsh and their ancestry differs from that of the Romani. In this study, Romani is used when referring to a member or group from the Rom bloodline, which includes the Romani, Romanichal, Sinti, the Melungeon, and others not mentioned in this paper. Roma or Rom (man or “the people”) is used when referring to the collective group of Roma nations, which includes the Romani.

CHAPTER I

INTRODUCTION TO THE ROM

The story of the Rom people is a story of migration, persecution, and perseverance. The Romani's unannounced arrival in Europe, early in the 11th Century, piqued curiosity and speculation, and theories of their origins were as vague as they were varied. The Europeans first thought the Rom to be from Turkey or Egypt and often referred to them as Gyptians and later Gypsies; eventually linguistic and genetic studies placed their origins in India. Although the reason the Romani first left India may never be known, it is certain, their wanderings and forced migrations took them across Europe and eventually throughout the world.

Despite the claims of some modern Romani, no group can call themselves the true Romani tribe. While all Romani are of a distinct ethnic group with genetically documented bloodlines, by the time they reached Europe they were a diverse people. As the Romani moved from India through Persia, Armenia, and the Byzantine Empire, their language, culture, and even their religions fell under the influence of their host countries. Because of this influence, the Romani culture is a rich tapestry of traditions. Although there are norms and mores common to all Romani, there are as many traditions and

customs as there are tribes. However, the one thing that all Romani have in common is that over the last 800 centuries they have experienced legally sanctioned discrimination and social persecution throughout the world. Centuries of oppression took from the Romani the means to speak out against or challenge discrimination. While the actions of other persecuted peoples worked to right wrongs that have been committed against them, this is not so for the Romani. Across the globe, approximately 12 million Romani people continue to lack protection from governments. Anti-Gypsy Laws throughout modern-day Europe: forbid the Romani the right to speak their own language, deny them legal citizenship, do not provide Romani access to health care and education or deny access to housing, prevent mixed marriages, and hinder Romani political organizations.

The legal persecution of the Romani people began almost immediately upon their arrival in Eastern Europe. The Romani are an itinerant people with no annals of their history. Therefore, the primary source of Romani records are the records and histories of host countries – in other words, records of what was done to the Romani.

The path of the Romanies' migration can be traced following legal documentation related to the Romani in European countries beginning in the 15th century. There are decrees from the courts of Kings, legislation recorded in state records, and in deeds of ownership. One of the oldest records is a 1445 transportation manifesto from Prince Vlad Dracul, which ordered the transport of over 12,000 Romani from Bulgaria to Wallachia for slave labor. In Germany, the 1498 German Reichstag officially declared Romani traitors to all Christian countries. Between 1500 and 1850, statutes in the German States, Sweden, France, and Spain allowed for the legal kidnapping of Gypsy children; these statutes also legalized Gypsy-hunts or Heidenjachten as they were called

in the German States, which resulted in the mutilation and deaths of thousands of Gypsies.⁴ The 1510 Grand Council of France forbade the Romani from taking residence in France; punishment for disobeying the decree was hanging. While, in the Scandinavian country of Sweden, the first Anti-Gypsy law was adopted in 1637. The Swedish law called for the expulsion of all Romani from Sweden within the year, and any Romani found within Swedish borders after 1638, would be hanged. By the late 17th century, European countries began deporting Romani: in 1785 the Portuguese government deported Romani slaves to their Brazilian colonies, and by 1714, the British Privy Council granted merchants and planters, in the Caribbean colonies, the right to deport English Gypsies for slave labor. Deportation of slaves did not end the persecution on the continent. Emperor Karl VI, of the Austro-Hungarian Empire, issued a 1721 decree calling for the immediate execution of all Romani within his kingdom. During the 1800s, the Moravian government, in an attempt to eliminate the Romani way of life, sent soldiers and empty horse drawn carts into Romani camps. Using whips, the soldiers forced crying children from the arms of their parents and then resettled the children in homes of Moravian Christians for the purpose of re-education. The Romani children were forbidden to speak their native language or to maintain their cultural rituals of cleanliness. During World War II (1939-1945), the Romani people suffered massive losses; the Nazi-regime exterminated over three-fourths of the world's Romani in the Nazi camps.⁵ Prior to World War II, the persecution of the Romani people, at the hands of governments and societies, was global. There were few countries, particularly in

4 Angus Fraser, *The Gypsies*. (Cambridge: Blackwell, 1995).

5 Gilda Margalit, *Germany and Its Gypsies*. (Madison: University of Wisconsin Press, 2002).

Europe, which did not participate in Gypsy-bashing law enforcement tactics, and anti-Gypsy social practices. World War II, and the fate of the Jews at the hands of the Nazi regime, made evident the evil of racism and ethnic discrimination. After the war, armed with a new awareness, many governments began working to improve the social and political atmosphere for ethnic minorities. However, this recognition has done nothing to eliminate, or even divert the Gypsy-hate that is still practiced almost universally.

Romani persecution is prevalent around the world. State hospitals in the Czech Republic began forced sterilization of Gypsy women in 1986. This sterilization was an attempt, by the Czech government, to control the Czech Gypsy population; the practice was officially banned, but not completely abandoned, in 2004.⁶ In 1988, a suburb of Edinburg, Scotland, four-year old Julia Lovell and her five-year old sister were playing in the front yard of their middle class home when a group of young boys began to harass them. The boys called Julia and her sister names and threw bricks at them. One of the bricks fractured Julia's skull, and when her sister tried to help Julia, the boys beat her with a pipe and called the girls "dirty Gypsies."⁷ Discrimination against the Gypsies takes many forms. In May 1998, while selling biscuits on the streets of Skopje, Macedonian, a 41-year-old mother of three was chased, kicked, clubbed, and left on the street to die by the Skopje police, because she was a Gypsy.⁸

⁶ Jeffery White, "Czechs and Others Sterilize Gypsies," *The Christian Science Monitor* (September 2006), <http://www.csmonitor.com/2006/0906/p07s02-woeu.html>.

⁷ Julia Lovell. "Opre Romani: Gypsies in Canada," The Western Canadian Romani Alliance, http://video.google.com/ideosearch?q=ypsy+discrimination&www.google_domain=www.google.com&hl=en&emb=0&aq=5&oq=gypsy+di#.

⁸ George Jahn, "Violence Against Gypsies Escalates in Easter Europe," *The Milwaukee Journal Sentinel*, March 29, 1998.

Even in Italy, the home of the Holy Roman Empire, government sanctioned racial discrimination and ethnic profiling plagues the Gypsies. Without objection from the rest of Europe, in September of 2008 the Italian government began ethnic fingerprinting of Gypsies as part of the plan to establish a national registration of the estimated 150,000 Italian Gypsies. The government insists that fingerprinting Gypsies, including children, is necessary to prevent crime; and Roberto Maroni, the Interior Minister, stated that the Italian Government is determined to lower crime even “if it is necessary to remove the [Gypsy] children from their parents.” During the same week that Maroni presented the details of the racial registration plan to parliament, Italy’s highest court ruled, on the grounds that “[since] all Gypsies were thieves,” it is legally acceptable to discriminate against Gypsies.⁹

Not only do government sanctions against the Gypsies prevail, societal prejudice is evident in Italy. In July of 2008, two Gypsy sisters, one eleven-year-old and one twelve-year-old, drowned off the Torregevetta coast, near Naples. The girls called for help, but they received no help because they were Gypsies. Their bodies, eventually pulled from the sea, were left on the beach for nearly an hour while nearby sunbathers carried on with their holiday.¹⁰

Although, the discrimination against the Gypsies is apparent across Europe, perhaps the most egregious examples come from the Czech Republic. In April 2009, the National Party of the Czech Republic called for the final solution to the Gypsy issue.

⁹ John Hooper, “Italy: Court Inflames Romani Discrimination Row,” *The Guardian*, Tuesday July 1, 2008, <http://www.guardian.co.uk/world/2008/jul/01/italy>.

¹⁰ Nick Pisa, “Italians Sunbathe Next to Drowned Gypsy Children,” UK Telegraph, July 20, 2008, <http://www.telegraph.co.uk/news/Worldnews/europe/italy/2437887/Italians-sunbathe-next-to-drowned-gypsy-children>.

Petra Edelmannova, the Czech National Party leader, created the final solution pamphlet and television advertisement, which called for the final solution and ‘repatriation’ of the Czech Romani population to India. It is impossible to hear words like the final solution and repatriation without thinking of the deportation and extermination of six million Jews by the Nazi regime during the Holocaust.¹¹ Apparently, reminders of the horrors of the Holocaust have not had any effect on Ms. Edelmannova and her supporters; Ms. Edelmannova’s words not only express her view and the view of the Czech National Party (CNP), but also the views of many political participants and parties throughout Europe. The British National Party Leader, Nick Griffin, and the Italian Government’s Interior Minister, Roberto Maroni, openly support the CNP’s ideas and advocate the removal of the Romani people from all of Europe.

Examination of the discrimination Romani experience today, requires understanding their history. Hatred is difficult to analyze; however, its ramifications are easy to see. To understand the political and social condition of the contemporary Romani, one must begin with their migration out of India.

¹¹ Ian Traynor, “Gypsies Suffer Widespread Racism in Europe,” *The Guardian*, April 23, 2009, <http://www.guardian.co.uk/politics/2008/aug/16/the-far-right-Romani>.

CHAPTER II

A BRIEF HISTORY

O Teljaripe – The Migration

“He who wants to enslave you will never tell you about your forefathers.”¹²

Old Romani Saying

The history of the Romani is not a written history, nor is it a history of certainties. Even with the lack of a written documentation, the history of the Romani peoples is worth the effort of discovery. Although the Romani, or Gypsies, appear in historical documentation of their host countries as early as 1000 AD, the theory of their origin is based on linguistic and genetic evidence. The most commonly accepted academic theory is that the Romani migrated from India, probably the northern part of the Punjab Region, around 1000 AD. The reason for the migration is uncertain; however, the present hypothesis supports the idea that the Romani are descendants of the Kshatriya, an Aryan-Indian military caste, who left India in pursuit of the raiding Muslim armies of Mahmud

¹² Ian Hancock, “The Pariah Syndrome” Patrian Web Journal. Chapter 1, <http://www.geocities.com/~patrin/pariah-intro.htm>.

of Ghazni. The Kshatriya warriors are believed to have reached the Byzantine Empire by the middle of the eleventh century where they settled for several hundred years.¹³

During the first half of the 12th century, a great battle between the Kshatriya and the Muslim forces raged across the Byzantine Empire. The Muslims' victory caused a split of the Kshatriya. Three major tribes emerged from this split: the Domari (Dom), the Lomarvrek (Lom) and the Romani (Rom). The tribes migrated in different directions: the Dom to the Middle East, the Lom to Northern and Eastern Europe, and the Rom, to East Central and Western Europe, and eventually to the Americas. In their westward move the Rom (later called the Romani) crossed Afghanistan, through Turkey and Greece.¹⁴ By the thirteenth century, a succession of conflicts with Muslims pushed the Romani far into the Byzantine Empire. The Romani are mentioned in several historical documents from the late Byzantine era. For example, the Canonist Theodore Balsamon, at the Council in Trullo, at Constantinople, referred to the Athinganoi [a Greek word for Gypsy] as "false prophets."¹⁵

As the Muslim raids expanded into the Byzantine Empire, the Romani peoples were forced into further migration. Prior to the arrival of the Ottoman Turks during the 14th century, the Romani settled in the Balkans. During the early part of the 15th century, the Romani moved into German speaking areas, and by the 16th century the Romnichal (the British Romani) were traveling across Scotland and England. Finally, during the

13 Ian F. Hancock, "On the Migration and Affiliation of the Rom, Dom and Lom Gypsies," in *Bibliography of Modern Romani Linguistics*, ed. by Peter Bakker and Yaron Matras, 29 (Amsterdam: John Benjamin Publishing, 2003).

14 Joseph Daviey Cunningham, *History of the Sikhs*, (London/New York: Humphrey Milford, 1918).

15 D.M Lang, ed., *Lives and Legends of the Georgian Saints*, (London: St. Vladimir's Seminary Press, 1965), 154.

1700s, groups of Romnichal migrated to Virginia, French Louisiana, and Brazil.¹⁶ The Diasporas of the Romani people have produced a scattered population and created enormous territorial, cultural, and dialectal differences from tribe to tribe. However, unlike the migration of many other ethnic groups, the Romani populations did not assimilate into the cultures of their host countries, even though some have been settled in many European countries for hundreds of years.

A Partial Time-line of the Migration of the Romani

| Year | Locations of Gypsies based on Documentation |
|---------------------|--|
| 1000-1026 c.1000 | Romani leave India following Mahmud's forces Byzantine Empire (modern Greece and Turkey). |
| 1322 | Crete. |
| 1348 | Prizren, Serbia. |
| 1362 | Dubrovnik, Croatia. |
| 1373 | Corfu. |
| 1378 | Rila Monastery, Bulgaria. |
| 1385 | Romania. |
| 1383 | Hungary. |
| 1407 | Hildesheim, Germany. |
| 1418 | Colmar, France. |
| 1420 | Deventer, Holland. |
| 1423 | Spissky, Slovakia. |
| 1447 | Catalonia. |
| 1471 | Lucerne, Switzerland. |
| 1485 | Sicily. |
| 1501 | Russia. |
| 1505 | Scotland |
| 1526 | Holland and Portugal. |
| 1530 | England |
| 1536 | Denmark. |
| 1549 | Bohemia. |
| 1579 | Wales. |
| 1580 | Finnish mainland. |
| 1589 | Denmark |

(Adapted from *The Patrin Web Journal*, "Time Line of Romani History," <http://www.geocities.com/Paris/5121/timeline.htm>).

16 Vagiah Shastri, *Migration of Aryans from India*. Varanasi: Yogic Voice Consciousness Institute, (Varanasi, Uttar Pradesh: Sampurnanand Sanskrit University Press, 2007).

Robija – Into Slavery

“If you can live amid injustice without anger, you are immoral as well as unjust.”

St. Thomas Aquinas
(c. 1225-1274)

Upon their 11th century arrival in Europe, the Romani found Europe in severe economic and social turmoil. This turmoil was caused by the Muslims’ continuous attacks on Europe, throughout the Middle Ages, in their quest to spread their religion and expand their empire. The numerous Muslim invasions blocked European access to the Far East and the Holy Land. The Crusades brought a continuous flow of people all across Europe. European Crusaders used two main routes in their travels to the Holy Lands: one across northern Europe through Holland, German areas, and Poland, and the other through Hungary and Wallachia. Both routes brought constant military traffic through the Balkans. The war effort brought much of Western Europe into economic decline, while, the constant flow of traffic through its borders, brought increasing prosperity to the Balkans. For most of the nearly 200 years of The Crusades (1095 to 1275), the Romani resided in the Balkans. As Western European countries continued to supply men to fight, a gradual loss of manpower occurred throughout Europe. The Romani artisan and laborers became a partial solution to this loss.¹⁷

The Romani’s skills of smelting and weapons manufacturing were particularly welcome in the declining economies of Europe. However, even though Romani skills were welcome, because of their dark skin and strange language, Christians of Europe feared the Romani, probably believing them to be Tartars. This fear was more prevalent

¹⁷ P.N. Panaitescu, "The Gypsies in Walachia and Moldavia," *Journal of the Gypsy Lore Society*, 3rd ser., no 20 (1941), 58-72.

in remote areas where the populations had no, or very little, first-hand contact with Muslims; however, because of continuous Muslim attacks on Europe, Europeans held a strong anti-Islamic sentiment. Rural people had no idea what a Tatar looked like, or how their language sounded, but they knew that Tartars were Heathens-non-Christians. Often mistaken for Tartars, the Romani artisans and laborers, though not taken as slaves, were made into serfs in the changing European economy.¹⁸

The changing economy established a need for a large workforce to produce food and goods; the Romani became more and more a part of the workforce solution, and efforts were made to keep them in southern Europe. In the meantime, the Romani, in an effort to escape forced labor, began moving north and west, where, in places like German areas and Poland, they “met with cruelty... since [often] they were believed to be Muslims.” This cruelty included the first documented Anti-Gypsy legislation forcing the Romani into servitude.¹⁹ The official documentation, which refers to the *sclavi* as slaves, dates back to reigns of Rudolph IV and Stephan Dushan (Urosh IV) of Serbia, 1331-1355.²⁰ *Sclavi*, *scindromi* or *robie* are words used to refer to Gypsies in the Serbian language. The Serbian law, *Rept Tigan* (literally translated as rights over), gave slave owners complete rights over all aspects of their slave’s lives. These laws, aimed solely at the Romani, divided the Gypsies into distinct classes of house slaves (*tsigani de casatsi*)

18 R.L. Wolff, ed. H.W. Hazard, *The Later Crusades (1189-1311) A History of the Crusades, volume, II*, (Madison: University of Wisconsin Press, 1969). Also Ian Hancock, *Gypsy Americans*, (New York: Chelsea House, 1987).

19 Ian F. Hancock, *On the Migration and Affiliation of the Rom, Dom and Lorn Gypsies*, in Matras: The Romani Archives and Documentation Center, http://www.radoc.net/radoc.php?doc=art_b_history_koine&lang=en&articles=true.

20 The Pariah Syndrome, “Conditions Under Slaver,” www.geocities.com/~patrin/pariah-ch3.htm/0.

and field slaves (*tsigani de ogor*). The house slaves held three categories: 1) Slaves of the Crown or of the State. These indoor-slaves were principally gold washers, bear-trainers, or wood carvers; 2) Slaves of the Church or of Monasteries, who were also indoor-slaves and worked as grooms, coachmen, cooks and petty merchants; and 3) slaves of householders who were required to work in the shops and homes of their owners. Field slaves spent their lives out of doors and were divided into two categories: 1) slaves of the Boyars or Barons, and 2) slaves of small landowners. The field slaves labored in their master's fields and were subject only to the laws of their owners, with the exception of a law requiring the permission of the crown before killing a slave. The Boyars developed a penal code especially for the Gypsies; for example, a popular form of punishment for a runaway Gypsy slave was beating on the soles of the feet until the flesh shredded. The code called for runaways, if caught, to be placed in an iron neckband containing inter points so sharp the wearer could not move his head. Balkan law forbade the Boyars to take a life of a slave. Otherwise, the Boyars made their own rules, and torture was commonplace.²¹ By the 1300's, Balkan Gypsy slaves were included in deeded exchanges of land parcels given as gifts from the State for service or to monasteries.

The first confirmation of the deeding of Romani slaves, in Wallachia (present day Romania), is a deed of property for forty Atigani (a Romanian word for Gypsy-slave) presented to the Convent of the Virgin Mary, by Dan Voivode, Prince of Wallachi, in 1385. In 1414, a deed for 300 Atigani was presented to Toader the Dwarf, by Alexander

21 Ibid.

the Good of Romania, in return for “faithful service.” In addition, in 1428, Alexander the Good presented the Bistrita Monastery thirty-one Atigani.²²

In an effort to escape persecution, the Romani continued to migrate across Europe. Because of their unconventional lifestyles, their non-European looks and language, the Romanies suffered racial and religious prejudice and were often seen as criminals. The stereotypes and suspicions with which the Romani were viewed included: the accusation of being accomplices to the Crucifixion, the belief that they were always thieves, practitioners of the magic arts, and that they were beggars. European governments did not view the unsettled, and rootless people as valuable to their societies, and anti-Gypsy laws began to spring up all over Europe.²³

The anti-Gypsy sentiment was particularly strong in German areas. The Romani were in German speaking areas and states for at least a hundred years when a popular consensus about Gypsies developed. Often charged with sorcery, thievery, and espionage, Germans saw Gypsies as noisy, dirty, and sexually mischievous. The first recorded expulsion of the Romani in Germany was in 1449, when the city of Frankfurt passed a law calling for the eviction of Gypsies, and forbade them from entering the city’s boundaries. In 1497, the Diet passed similar laws for all German States. The legislation of anti-Gypsy laws continued across Europe.²⁴

The 17th century Moldavia legal code, of Basil the Wolf-Hospodar, states:

22 Project Education of Roman Children, “Roma History: Wallachia and Moldavia” (p 2), http://www.coe.int/t/dg4/education/roma/Source/FS/2.2_wallachia-moldavia.pdf.

23 Angus Fraser, *The Gypsies*, (Cambridge: Blackwell, 1995), 88.

24 *Ibid.*, 88-91.

- Section 14 He who may discover a treasure by means of sorcery, [Gypsies were ‘known’ to practice sorcery,] shall not be allowed to touch it, the whole [treasure] belonging to the Hospodar.
- Section 28 A slave [Gypsy] who rapes a woman shall be condemned to be burnt alive.
- Section 39 The free [man] who, yielding to love, meets a gypsy [slave] girl in the road and embraces her, shall not be punished at all.²⁵

In 1785 Wallachia, Gypsy slaves could marry only with permission of their master. Families were separated in sales and children were often taken from their parents. Laws forbade marriage between Gypsies and non-Gypsies.²⁶ From 1497 to 1774, over 145 laws passed in the German Diet, and by the German states, which prohibited Gypsies from walking on German land. Approximately one hundred of the German laws passed from 1648 to 1774, right after the Thirty Years' War, included, not only the expulsion of Gypsies from the German states, but also stated punishment for violations including flogging, branding, or execution.²⁷ The Habsburg Empire decreed that Gypsies had to abandon their itinerant lifestyle by 1807 to attain citizenship. Even with citizenship, the state often removed Romani children from their parents care and

²⁵ Ian Hancock, “The Pariah Syndrome” *Patrin Web Journal*, Chapter 1, <http://www.geocities.com/~patrin/pariah.htm>.

²⁶ Ian Hancock, “The Pariah Syndrome: Conditions Under Slaver,” *Patrin Web Journal*, Chapter 3, <http://www.geocities.com/~patrin/pariah-ch3.htm/0>.

²⁷ Guenter Lewy, *The Nazi Persecution of the Gypsies*. (Oxford: Oxford University Press, 2000), 150.

placed them in Christian homes. This was often part of the state's plan to change Gypsy culture.²⁸

Many states plans, to change the Gypsy, were based on the work of French historian, Count Gobineau. In 1855, Gobineau published the first written work of Aryan superiority; this work seriously affected the German Gypsies. Gobineau's, *Essay on the Inequality of the Human Races*, argued that the Aryan race, along with those who speak the Indo-Aryan language were superior and every other race was inferior. In his essay, Gobineau also stated that the racial makeup of the Gypsies caused them to be shameless, violent, and licentious criminals.²⁹

Gobineau's essay, along with Houston Stewart Chamberlain's *The Foundations of the Nineteenth Century*, (published in 1899 and available through the Library of Congress) had great effect on Germany. Chamberlain argued that the lesser races, such as the Gypsies, posed a threat to German society and claimed that, even though the Gypsies were inferior, they were from the ancient Aryans and their purity should be protected.³⁰ Many European Gypsy laws from the 1800's forward defined Gypsies as stateless wanderers and a threat to the moral order and a burden upon society.

Otto von Bismarck, Chancellor of the German Empire began to implement laws governing the Gypsy population then, in 1871, he put legislation into place to prevent Gypsy immigration, deport the existing Gypsy population, remove Gypsy children from their homes and place them in special educational institutions. He also began discussions

²⁸ Ibid., 157.

²⁹ Joseph Arthur de Gobineau, *The Inequality of Human Races*, (Torrance: Noontide Press 1983).

³⁰ Angus Fraser, *The Gypsies*, (Cambridge: Blackwell, 1995), 247-8.

about a solution to the Gypsy problem.³¹ The control of the Romani population continued to be of importance to many countries in Europe, and particularly those in the German states. World War I interrupted this discussion and it did not resume until after 1918.

By the beginning of the 20th Century, Germany strengthened enactment of legislation intended to deter the Gypsy burden. In 1920, Romanies were forbidden to enter public parks; in 1925, the Romani work camps were established, for public security and all Romani were required to register with the state. The Office for the Fight Against the Gypsies Nuisance in Germany was established in 1925 and the states of Preussen, Saxony, Württemberg, Baden, Hesse, and Alsace-Lorraine held a conference with purpose of determining how to best deal with the Gypsy and the Jewish problems in Europe, and to coordinate action against them. The convention drew racial lines between pure-Gypsies, mixed-Gypsies (those with a parent of non-Gypsy blood) and Gypsy-like vagrants. However, representatives could not agree if the pure-Gypsies should be included in the collective action and planned to continue the discussion. By 1927, all Romani were required to carry identification cards.³² In 1929, the German Criminal Police Commission (know as the DKK) drafted a national policy, which sent Gypsies to workhouses. By 1933, the agency had files on over 18,000 Gypsies. Although the Full

31 Ibid., 245-50.

32 Angus Fraser, *The Gypsies*, (Cambridge: Blackwell, 1995), 258-265. Also, Jewish Virtual Library: A division of the American-Israeli Cooperative Enterprise. "Circular on the Fight Against the Gypsy Nuisance Issued by Himmler," (December 8, 1938)," <http://www.jewishvirtuallibrary.org/jsource/Holocaust/circular.html>.

Citizenship Clause of the Weimar Constitution gave Romani, full and equal citizenship a constitution cannot prevent harassment and persecution.³³

³³ Henry Friedlander, *The Origins of Nazi Genocide: From Euthanasia to the Final Solution*, (Chapel Hill: University of North Carolina, 1995).

CHAPTER III

GOVERNMENT SANCTIONED DISCRIMINATION: CASE STUDIES

O Baro Porajmos – The Holocaust

“I confess that I feel somewhat guilty towards our Romani friends. We have not done enough to listen to your voice of anguish. We have not done enough to make other people listen to your voice of sadness. I can promise you we shall do whatever we can from now on to listen better.”³⁴

Elie Wiesel

Adolf Hitler did not mention the Gypsies in his infamous *Mein Kampf*, published in 1925 – 1926; on the other hand, he did state that superior races should dominate, that criminal behavior is biological, and that inferior races should not be allowed to reproduce.³⁵ During Hitler's reign over Germany, he was recorded as mentioning the Gypsies only twice; both times he was discussing the possibilities and effects of allowing

34 Harold Tanner, “The Roma Persecution,” *Patrin Web Journal*, <http://www.geocities.com/~Patrin/porraimos.htm>.

35 Benno Müller-Hill, *Human Genetics and the Mass Murder of Jews, Gypsies, and Others, The Holocaust and History: The Known, the Unknown, the Disputed, and the Reexamined*, ed. Michael Berenbaum and Abraham J. Peck, (Indianapolis: Indiana University Press, 1998).

Gypsies into the German military, an action that never took place.³⁶ Hitler simply had no interest in the Gypsies; however, racist ideology did allow him to support action against Gypsies. Hitler's Nazi regime saw the 'Jewish problem' as their first and largest issue; the 'Gypsy plague' was of a lower priority and created a very different situation. While the Nazis saw the Jews as human agents of the Devil in need of elimination, they saw Gypsies as sub-human and although the Gypsy problem did demand action, there was disagreement among the Nazi leaders about who could be defined as a Gypsy and what action was to be taken towards them.

The Nazi leaders may have disagreed on the identity and fate of German Gypsies, but ordinary Germans did not. Long before the Nazis came into power in Germany, there was evidence that the German people hated Gypsies and wanted them eliminated from all of German society. This hatred is evident in the many anti-Gypsy laws passed between 1497 and 1774, German people called for the government to eliminate Gypsies from the country. One example of this is the January 1933 letter, from the residents of Frankfurt to the city's Citizens Committee, requesting the elimination of Gypsies from all of German society. This is an example the German people's hatred of the Romani. Due to many letters and appeals to government, local authorities took it upon themselves to remove Gypsies from society all across Germany for the policy of urban renewal.

The undersigned residents of Seckbacherlandstrasse Roetheneck, and the eastern part of Vereinstrasse, both owners and tenants, request most urgently that the citizens' committee raise objections with the municipal administration about the Gypsy nuisance in their immediate neighborhood.

³⁶ Guenter Lewy, "Himmler and the 'Racially Pure Gypsie,'" *Journal of Contemporary History* 34, no. 2 (2002).

Right opposite properties number 16 to 30, Gypsies have settled themselves for some time, who represent heavy burden the neighborhood. The hygienic conditions in this area defy description. The settlement has neither a well nor a latrine and therefore every possible space is used as a latrine. On account of this, and through the depositing of bath- and washing-water on the open field, there are smells, which pollute the entire neighborhood. The conditions have come to such a point that we are worried about the spread of contagious diseases. Also, with regard to sexual conduct, these people and even the children have no sense of decency; our children have to watch the Gypsy children playing with certain parts of their anatomy. What will this lead to? Almost daily, there are fights and the neighborhood has become so insecure that one has to worry about walking the streets alone after darkness. Because of the Gypsies our properties have greatly depreciated, and already in tenants have asked the house-owners for a rent rebate and surely court cases will soon follow concerning this question. From the points outlined above, you can see the miserable situation, which landlords as well as tenants have to through the toleration of the Gypsy camp by the city of Frankfurt. Therefore, we request you to cause the administration to alleviate the problem as quickly as possible, to prevent greater damage, particularly of a hygienic and health nature.³⁷

³⁷ Michael Burleigh and Wolfgang Wippermann, *Persecutions of Different Minorities: Persecutions of Sinti and Romae: The Racial State, Germany 1933-1945*, (Oxford: Oxford Press, 1991), 113-122, 136-156, 167-176, 182-192.

By 1933, there were about 30,000 Gypsies in the German states, which was only .05 percent of the German population of 65 million, yet, the opinions of the German people demanded that this small percentage of the population receive much attention from the Nazi regime.³⁸

The first action from the Nazis in their quest to eliminate the Gypsies from Germany, or, in their words, to elimination the 'Gypsy plague' was to establish a centralized policy. On March 18, 1933, many German states adopted the old DKK policy for Fighting the Gypsy Nuisance; then several of the states passed the Law for Protecting the Population from Molestation by Gypsies, Vagrants, and the Work-Shy on August 10, 1933.³⁹ Gypsies were labeled natural-born criminals, thus Hitler's Nuremberg Laws (the Law for the Prevention of Hereditarily Diseased Progeny (Sterilization Law) and the Law Against Dangerous Habitual Criminals) applied to them. Though not specifically directed towards the Gypsies, the law's effect was much greater on the Gypsies than on the general population and over 1000 Gypsies were sterilized between 1934 and 1939.⁴⁰ Although there was an attempt to control the growth of the Gypsy population, there was also a problem determining who was Gypsy. Several groups of ethnic categories within the Romani called themselves by the same name and spoke the same language, yet the Nazis believed them to be of different bloodlines. Heinrich Himmler, the Leader of the SS, especially believed this and claimed that there were pure Gypsies, who were most likely Aryan, and many part-Gypsies (as the Nazis referred to them) who were part

³⁸ United States Holocaust Memorial Museum. "The Holocaust: Jehovah's Witnesses Article," *Holocaust Encyclopedia*, <http://www.ushmm.org/wlc/article.php?lang=en&ModuleId=10006187>.

³⁹ Guenter Lewy, *The Nazi Persecution of the Gypsies*. (Oxford: Oxford University Press, 2000), 17.

⁴⁰ *Ibid.*, 39-41, 73, 88, 192-93,221.

German. Unable to determine pure-Gypsy and part-Gypsy, the Germans established Gypsy camps, or Zigeunerlager, prior to the establishment of the death camps, to centralize and insure registration of all Gypsies. Local or municipal governments originally ran the camps. At first, although the Gypsies were given no choice but to live in these camps as the Nazis struggled with identifying bloodlines, the residents of the camps were not prisoners and could come and go for work and shopping. By 1934, the camps were prisons and the quest to identify Gypsy bloodlines drew stronger.⁴¹

Some of the Nazis leadership struggled with questions of Romani Aryan origin, and pushed for the creation of the Research Institute for Racial Hygiene and Population Biology in the Reich Department of Health. The Institute was created in Berlin in 1936, and Robert Ritter was appointed Director. The main goal of the Institute was to answer the question of Gypsy bloodlines. Ritter's 'volkisch' views purported segregation by ethnicity and made him the perfect "hard-liner" for the Nazi's Gypsy research.⁴²

Ritter received over 19,000 files, from Munich's Information Agency, in 1937. Obsessed with their genealogy, his intent was to create complete genealogical tables on all Gypsies within the German states. He and his team, consisting of Eva Justin, Adolf Würth, and Sophie Ehrhardt, worked their way through the camps, churches, and educational institutions to collect data on every Gypsy they could find. By July of 1937, Ritter bragged that he had traced a clan of Gypsies back to the late seventeenth century.⁴³

41 Michael Burleigh and Wolfgang Wippermann, *The Racial State: Germany 1933-1945*, (Cambridge: Cambridge University Press, 1991).

42 Michael Zimmerman, "United Escalation: Nazi Persecution of the Gypsies in Germany and Austria, 1933-1942," (2000) 9-21, *States Holocaust Memorial Museum Center For Advanced Holocaust Studies*, <http://www.ushmm.org/research/center/publications/occasional/2002-06/paper.pdf>.

43 Guenter Lewy, *The Nazi Persecution of the Gypsies*, (Oxford: Oxford University Press, 2000).

His theory was that Gypsies originated in northern India (of course this was a long held belief) and he began publicizing that Gypsies, in Nazi Germany, were the products of mating with the German criminal asocial sub-proletariat.⁴⁴

Ritter's theory stated the mixing of the asocial criminal genes and Gypsy genes created dangerous part-Gypsies, the 'Zigeunermischling,' which, made up about ninety-percent of the German Gypsy population. He hypothesized that the pure-Gypsies represented a primitive people, and, at all cost, should be allowed to pursue their itinerant lifestyle. According to Ritter's study, due to the absence of the criminal gene, the pure-Gypsy's participation in crime was much lower than the part-Gypsy.⁴⁵ He ignored all evidence that the behavior of the individuals could stem from a negative environment, and surmised, asocial individuals were from families of criminals and that the criminal traits were genetically inherited.⁴⁶

By late 1937, the municipal Gypsy camps were prisons. They were surrounded by barbed wire, and patrolled by armed guards. Roll call took place every morning and night. These camps were located across the German states, with the largest municipal camps in Cologne, Düsseldorf, Kiel, Frankfurt, Fulda, Gelsenkirchen, Hamburg, Königsberg, Magdeburg, and Hanover. Hundreds of people were housed in these camps with no electricity, few toilets, few water sources, no medical recourses, and with only

44 Michael Zimmerman, "Escalation: Nazi Persecution of the Gypsies in Germany and Austria," 1933–1942, (2000), 12-13, *United States Holocaust Memorial Museum Center For Advanced Holocaust Studies*, <http://www.ushmm.org/research/center/publications/occasional/2002-06/paper.pdf>.

45 *Ibid.*, 12.

46 Richard F. Wetzell, *Inventing the Criminal: A History of German Criminology, 1880-194*, (Chapel Hill: University of North Carolina Press, 2000), 17-21.

starvation rations. By 1939, the camps were prisons and Gypsies were not allowed to leave.⁴⁷

Ritter, and the results of his studies, were very influential in the formulation of Third Reich Gypsy policy. In a January 1940 progress report, he told the Reich's Central Office:

We have been able to establish that more than 90% of so-called native Gypsies are of mixed blood...Further results of our investigations have allowed us to characterize the Gypsies as being a people of entirely primitive ethnological origins, whose mental backwardness makes them incapable of real social adaptation....The Gypsy question can only be solved when the main body of asocial and good-for-nothing Gypsy individuals of mixed blood is collected together in large camps and kept working there, and when the further breeding of this population of mixed blood is stopped once and for all.⁴⁸

Heinrich Himmler, Commander of the Schutzstaffel (SS), controlled the SS, the German police and security forces, and was one of the most powerful men in Nazi Germany. Based, at least in part, on Ritter's findings, Himmler established the legal foundations against the Gypsy Plague by issuing a decree to prevent intermingling of blood, which would regulate the existence of Gypsies in the German nation. The Gypsy Question and the

⁴⁷ Angus Fraser, *The Gypsies*, (Cambridge: Blackwell, 1995), 264-266.

⁴⁸ *Ibid.*, 259.

treatment of Gypsies was part of National Socialism's plan to defend the homogeneity of the German nation. This meant total physical separation of Gypsies from the German nation, and included the complete regulation of the way of life for both pure and part-Gypsy.⁴⁹ The Russian invasion of Poland sped up the Germans plans to create a racially pure nation. There was no longer time to separate the pure from the part-Gypsy. Therefore, Reinhard Tristan, the Chief of the Reich Security Main Office, and Eugen Heydrich, the Deputy Protector of Bohemia and Moravia planned to deport all 30,000 German-Gypsies to the newly seized eastern territory of Poland. The Main Office of the Reich Security intended to ship every Gypsy, (imprisoned or free) to Poland; however, the transport of the 30,000 Gypsies proved a problem and Hans Frank, the Chief Administrator of the General Government, was outraged by the thought of dealing with 30,000 Gypsies.⁵⁰ By May of 1940, plans for the Jews took priority. On August 3, Himmler and the Chief of the German Police ordered that the evacuation of Gypsies be suspended until the general solution of the Jewish Question was found.⁵¹

Himmler took advantage of the Jewish Question to advance his true intentions of creating a Gypsy-Aryan biological zoo. The zoo was to be a place that true Germans could view and study Gypsies. Under his direct command, the Ancestral Heritage

49 Guenter Lewy, *The Nazi Persecution of the Gypsies*, (Oxford: Oxford University Press, 2000), 26.

50 *Ibid.*, 267.

51 Sybil Milton, "Gypsies as Social Outsiders in Nazi German," *Social Outsiders in Nazi Germany*, ed. Robert Gellately and Nathan Stoltzfus, (Princeton: Princeton University Press, 2001), 212-227.

Agency investigated the ancient Germanic past. The agency took Chamberlain's romantic view that the pure-Gypsies were Aryans and ordered that all Gypsies be categorized.⁵² The notation Z meant pure-Gypsy, ZM meant part-Gypsy, and NZ meant white Gypsy. ZM was further denoted by a plus or minus sign that meant whether a person had mostly Gypsy blood or not. The decree also established the different types of Gypsies, which were Sinti, Rom, Gelderari, Kalderash, Lowari, Lalleri, and Balkan Gypsies.⁵³ By the winter of 1941, Ritter had completed only two-thirds of the Gypsies' files. Himmler noted, after a phone conversation with Heydrich, "No annihilation of the Gypsies," and ordered the Ancestral Heritage Agency to "establish a closer and very positive contact with [pure] Gypsies still in Germany in order to study the Gypsy language and, beyond that learn about the Gypsy custom."⁵⁴ His plans became apparent with an October 13, 1941 decree, in which he stated that racially pure Gypsies would be allowed certain freedom of movement into fixed areas, and allowed to follow some of their own customs and mores.

This decree established nine representatives for the Gypsies. Eight would represent the Sinti (who migrated to Germany in the fifteenth century); the other would represent the Lalleri Gypsies (who migrated from the German-speaking protectorate of Bohemia and Moravia). The spokesmen were to tell the pure-Gypsies the regime's intentions and instruct them to lead a normal itinerant lifestyle. In November of 1942, the Ancestral Heritage Agency registered only 18,000 Gypsies in the Old Reich and

⁵³ Henry R. Huttenbach, "The Romani Porajmos," ed. David Crowe and John Koisti *The Gypsies of Eastern Europe*, (Armonk: M.E. Sharpe, 1991), 34-36.

⁵⁴ *Ibid.*, 37.

28,627 in the entire Reich. There were 1,079 pure-Gypsies and 6,992 part-Gypsies that had more Gypsy blood than German. Himmler's plan to place the pure-Aryan Gypsies in his 'zoo,' met resistance from the Nazi regime and the German people. Martin Bormann, head of the Party Chancellery (who had the ear of Hitler) was the most ardent opponent of Himmler's 'Gypsy Plan;' he asked Himmler for a 'new Gypsy Policy.'⁵⁵ On December 3, 1942, Bormann addressed Himmler:

I have been informed that the treatment of the so-called pure-Gypsies is going to have new regulations. They are going to keep their language, lore, and customs in use and be allowed to travel around freely... All this because they have behaved in an asocial manner, and they have preserved Germanic customs in their religion that must be studied. I am of the opinion that the conclusions of your expert are exaggerated. Such a special treatment would mean a fundamental deviation from the simultaneous measures for fighting the Gypsy menace and would not be understood by the general population and the lower leaders of the party leadership. Also the Führer would not agree to giving one section of the Gypsies their old freedoms.⁵⁶

Himmler's desire to 'save' the pure-Gypsies, was overruled. Within six days, Himmler had issued the Auschwitz Decree that called for the

55 Ulrich R. Opfermann, "The Registration of Gypsies in National Socialism: Responsibility in a German Region," *Romani Studies* 5, vol 11 no. 1, (London: Gypsy Lore Society, 2001), 25-52.

56 Guenther Lewy, *The Nazi Persecution of the Gypsies*. (Oxford: Oxford University Press, 2000), 140.

deportation of all Gypsies in the Reich.⁵⁷ The deportations of over 43,000 Gypsies to Auschwitz-Birkenau, took place in February 1943. Most of the Gypsies sent to Auschwitz-Birkenau came from Germany, Bohemia, and Moravia; however, Gypsies from Poland, Hungary, Yugoslavia, France, Belgium, the Netherlands, and Norway were also sent to Auschwitz-Birkenau. A ‘Gypsy family camp’ was located in Section B-IIe of Birkenau and during the seventeen months of its existence, most of the Gypsies brought there were killed by gassing or died from starvation. Some, mainly children, died as the result of cruel medical experiments performed by Dr. Josef Mengele and other SS physicians. On the night of August 23, 1944, when 4,897 Gypsy men were killed in the gas chambers at Auschwitz-Birkenau, the 2,400 surviving Gypsy women were transferred to Buchenwald and Ravensbruck concentration camps for forced labor. The regime of Vichy France interned 30,000 Gypsies who were later sent to Dachau, Ravensbruck, and Buchenwald. The fascist, Ustasha, in Croatia, killed tens of thousands of Gypsies. Thousands of Gypsies were deported from Romania in 1942, to Transnistria (western Ukraine), where most died from starvation and brutal treatment. It is impossible to know the exact number of European Gypsies prior to the Holocaust; however, scholarly estimates of the deaths of the Gypsies (Romani and Sinti) during Hitler’s regime range from 300,000 to 1,500,000.⁵⁸ The end

⁵⁷ Ibid., 140.

⁵⁸ Ian Hancock, “Romanies and the Holocaust: A Re-evaluation and Overview,” *Romani Archives and Documentation Center*.

of World War II, the defeat of the Nazi regime, and the liberation of the camps by the Allies, in 1945, did not end discrimination against the Gypsies.

The experiences of the Gypsies in Germany have some striking oddities. Long before World War II, or the Nazi Regime, citizens of Germany lobbied their governments to remove the Gypsies from municipalities. Citizens' Committees requested, and were granted the internment of Gypsies in ghettos; ghettos that eventually became the municipally managed Zigeunerlager. The Nazis had no need to enact legislation to 'combat the Gypsy-Plague,' as such legislation had been in place in for hundreds of years. Although the Weimar Constitution guaranteed the Romani citizenship and equality before the law, from 1899 on, local and state governments forced registration of all Gypsies. Perhaps the most troublesome of the Gypsies' experiences in Germany came from the Gypsies themselves. At the outbreak of the war, the Gypsies were almost invisible in the German population, representing only a tiny .05 percent of the 1933 population. Though small in numbers, Gypsies were widely known and immensely unpopular with the German people. German citizens believed Gypsies to be dark, and sinister outsiders who refused to assimilate.

Historian Lucy Davidowicz, in her work *The Holocaust and the Historians*, about the misappropriation of the Holocaust by historians, dealt with the Gypsies in less than two paragraphs.⁵⁹ Inga Clendinnen, in her fascinating work, *Reading the Holocaust*, has two pages dedicated to the fate of the Gypsies.⁶⁰ Gypsiologist, Isabel Fonseca suggests

⁵⁹ Lucy Davidowicz, *The Holocaust and the Historians*, (Cambridge: Harvard University Press, 1983), 10-11.

⁶⁰ Inga Clendinnen, *Reading the Holocaust*. (Cambridge: Cambridge University Press, 1999), 6-8.

that what sometimes seems to be willful ignorance about the fate of the Gypsies under the Nazis may simply be a continued focus on the belief that Hitler's anti-Semitism was the only motivation for mass murder.⁶¹ However, collectively, Gypsies know very little about their own history, and while the Jewish community has called for remembrance, the Gypsy community has practiced a collective forgetfulness. This practice of forgetfulness has been slowly changing, in the last ten years, but still has a long way to go before the world recognizes the fate of the Gypsies during the Nazi regime.

Úigan – Sub-Human Gypsies: Romania

“At least, when I die, bury me standing, as I’ve been on my knees all my life.”⁶²

Old Romani Saying

The universal history of the Romani around the world, is one of mistreatment, marginalization, discrimination, and Diasporas, and the Romani's experiences in Romania are no exception. Within several hundred years of entering the provinces of Moldavia and Wallachia, the Romani were enslaved. The slavery lasted well into the nineteenth century. Slavery in this region was not particular to the Romani people, however, the “deep-seated” prejudice of the Romanian people towards the Gypsies created an exceptionally cruel socioeconomic caste system that resulted in a ‘social

⁶¹ Isabel Fonseca, *Bury Me Standing: The Gypsies and Their Journey*, (New York: Vintage Books, 1996), 274.

⁶² Steven Galloway, *Ascension*, (New York: Carroll & Graf Publishers, 2003), 12.

death' of the Gypsies.⁶³ The social standing of the Romanian Gypsy has been static for centuries.

From the 12th century until the mid-19th century, the Romanian Gypsies lived in servitude. By the mid-19th century, most of Western Europe began to abolish slavery, and the provinces of Romania followed. On December 23, 1855, the government of Moldavia decreed all slaves free, Wallachia followed on February 8, 1856, and by 1857, all provinces had abolished slavery. With their newfound freedom, and fearing the return of slavery, many Romani fled to Western Europe and even North America, but for those Romani who remained in Romania very little changed. During the late 1800s, life was so difficult for Romania's Gypsies that some indentured themselves back to their former masters (many of which were monasteries) for they had no other way to provide for themselves and their families.

The Romani were not the only people in Romania to suffer at the hands of an unjust system. Between the Moldavian and Wallachia decrees, and World War I, many peasants and rural workers in Romania suffered unjust treatment by wealthy property owners, but none were treated worse than the Gypsies, whom the wealthy referred to as "sub-human." At the end of World War I, accordance with the Treaty of Bucharest, Transylvania, Bukovina, the Banat and part of Hungary united under the rule of Romania. As part of this unification, the post-war Constitution of 1923 guaranteed minority rights, and this guarantee included land rights for the Romani. These grants of land stimulated a strong anti-Gypsy sentiment among the Romanian peasantry whose families had suffered

63 Ian Hancock, *The Pariah Syndrome: An Account of Gypsy Slavery and Persecution*, (Ann Arbor: Koroma Publishers Inc., 1987), 11, 110.

at the hands of wealthy landowners in the last century. Wronged Romanian peasants ran many Gypsies off their land, and the Romani were forced into nomadism once again.

The depression of 1929 brought an increase in anti-Gypsy prejudice, in the form of oppressive legislation and socio-economic condition worsened for the Romani. Romanian peasants began to think of the Gypsies as the ‘untouchables, and as less valuable than farm animals.’⁶⁴ By 1939, the pro-Nazi government, lead by Marshall Ion Antonescu controlled Romania. Antonescu’s call for the elimination of all minorities fueled the already prevalent anti-Gypsy sentiment in Romania. On the orders of Antonescu, Romanian Gypsies, along with thousands of Jews, were deported to Nazis camps in Transnistiria; by the end of World War II, according to the Romanian War Crimes Commission, of the Romanian People’s Court, between 36,000 and 39,000 Romanian Gypsies died at the hands of the Nazis. The number of Nazi related deaths of Romanian Gypsies is higher than the Gypsy death counts of any country in Europe.⁶⁵

At the end of World War II, at the Yalta Conference, the Soviets were granted interest in Romania, and they immediately engineered a complete takeover of the Romanian government. By 1947, the People’s Republic of Romania (later called the Socialist Romanian People’s Republic) was established as a one-party communist state. Over the next decade the Republic’s government enacted programs intended to “nationalize the economy, develop heavy industry, collectivize agriculture, and

64 David Crowe and John Kolsti, *The Gypsies of Eastern Europe*, (New York/London: M.E. Sharpe, Inc., 1991), 69.

65 Donald Kenrick and Grattan Puxon, *The Destiny of Europe's Gypsies*, (East Sussex: Sussex University Press, 1972), 128-9.

[generally] nationalize the country.”⁶⁶ These programs were paired with a nationalist attempt to assimilate the nation’s ethnic minority communities. This did nothing to help the socioeconomic condition of the Romani, who were not recognized as an ethnic minority by the Socialist Romanian People’s Republic. The Socialist Romanian People’s Republic never officially recognized the Romani, although the government did recognize other minorities including Hungarians, Germans, Ukrainians, Ruthenians, Hutsulains, Serbians, Croats, Slovaks, Russians, Tartars, Turks, and Jews. According to the Helsinki Watch Committee, the Romanian government office referred to a portion of the population as ‘other nationalities’— this was the category given to the Romanian Gypsies. The Romanian government did not recognize the Romani as a minority, nor did it attempt to encourage the Romani to assimilate into Romanian society.

One of the Republic’s first programs, intended to promote assimilation of the Romani, was an initiative to settle nomadic Gypsies; although, there are no 1950s statistics available on the percentage of the Romanian Gypsy population who were unsettled at that time, most had been settled for centuries as a result of slavery or forced labor. The plan did force urban Gypsy populations to move into rural Romanian farmlands, and imposed a Marxist-nationalistic agri-model on both the Gypsies and the Romanian peasant farmers. This program only revitalized old peasant based attitudes towards the Gypsies who were forced to labor on the peasant run farms. This exacerbated tension and hatred, and it contributed greatly to the downfall of the Gypsy assimilation programs.

⁶⁶ U.S. Helsinki Commission on Security & Cooperation in Europe, *Destroying Ethnic Identity: The Persecution of the Gypsies in Romania* (Washington D.C.: The Helsinki Watch Committee August 1999), 17.

By 1977, the Central Committee of the Romanian Communist Party had determined that there were serious problems with the un-integrated, uncivilized Gypsy population and it renewed efforts at assimilation. Local committees, made up of educators, health officials, Party members, and law enforcement representatives, studied the Gypsy problem, intent on assimilation. It is clear that although the state did not accept the Romani identity: Romani were forbidden to speak their language, they were allowed no political organizations, travel (or nomadism) was banned, some Romani were forced to take new Romanian names, and women were forcibly sterilized. At the same time, the central authority maintained control over violent intolerance of the Gypsy minority. The state also provided Gypsies access to health care, education, housing, and paid work.⁶⁷ The Socialist Republic of Romania's theory of fundamental human rights for all citizens, regardless of nationality, race, sex, or belief, did not come to fruition for the Romanian Gypsies. However, the lives of the Gypsies may have been better under the Communist than they had been for the centuries before.

Towards the end of the 1980s, the collapse of communism brought "democratization" and the new global economy to many Eastern European countries; it also brought renewed economic hardship and ethnic conflict. Majority and minority ethnic groups experienced this new socio-political economy differently. For the Romanian Gypsies it brought a revitalization of racial intolerance and increased economic adversity. During communism everyone worked, even the Gypsy. However, in the new democratized Romania, Gypsies once again became the untouchables, the lowest social caste and during this regime, none suffered more than the Romani children.

⁶⁷ Ibid.

During the 1990s, there was mass media coverage of the atrocities taking place in Romanian orphanages. *Turning Point*, *60 minutes*, and *20/20* all aired reports on the over 80,000 children wasting away in Romanian state orphanages.⁶⁸ The children, often not orphans at all, were incarcerated in state institutions because of Nicolae Ceausescu's, (Party Leader 1965-1989, President 1974-1989), plan to create a master race of Dacian people. Ceausescu had based his ideas on Hitler's plan for a superior Aryan race; to spur the plan forward, in 1966, Ceausescu decreed birth control and abortions illegal in Romania. Along with his plan for a master race, he planned for a slave labor work force.⁶⁹

Ceausescu intended to breed two large populations; one was to be made up of pure Romanians, and the other was to be a "robot work force." The Romani had been slaves in Romania for over five hundred years, and Ceausescu did not intend to change that status. To bring about his plan, Ceausescu's government encouraged women, married or single, to have as many children as possible and all women, Romanian or Romani, were rewarded if they had five or more children. Although the Romanian government is quick to point out that the decree of 1966 did not discriminate and that it affected all races equally, there was a major difference. The difference was intent, intent to create two distinct races, one superior and one inferior.

Ceausescu never saw the culmination of this plan for a master Dacian Romanian society. During the 1970s Ceausescu, intent on advancing a socialist society,

⁶⁸ George C. Klein, *The Adventure: The Quest for My Romanian Babies*. (New Century: Rowman & Littlefield, 2007), 114. Also, Victor Little, *Adoption Update*, (New York: Nova Publisher, 2002), 6.

⁶⁹ Ian Hancock, *The Pariah Syndrome: An Account of Gypsy Slavery and Persecution*, (Ann Arbor: Karoma Publishers, 1987).

demolished, resettled, reconstructed, and reshaped the face of Romania. To finance his reshaping, Ceausescu borrowed millions of dollars from the West; these loans devastated Romania's economic systems, and created enormous agriculture and industrial shortages. Romanians experienced rationing of food, heating, gas, and electricity as their living standards plummeted. These hardships led to a popular movement, (the Romanian Revolution of 1989) which led to an overthrow of Ceausescu's government and eventually his execution.

With the execution of Ceausescu, his plan for a master race died, however his legacy did not; that legacy was surplus children. Many children, whose parents were unable to care for them in Ceausescu's devastated economy and violently racist society, suffered in Romanian orphanages. During the early 1990s, human rights groups and press reports brought the world's attention to these children, yet none pointed out that eighty-percent of the infants in the state orphanages were Romani.⁷⁰ According to the Helsinki Committee 1990 reports, the children in Romania's orphanages were given minimal basic care, no physical attention, and

...some were left bound in urine-soaked sheets on the ground all day or tightly handcuffed to their beds many have open sores because of this, and the arms and legs of others have become deformed. Incidents of AIDS, hepatitis, and more recently cholera, have been reported, the result of unsanitary equipment and blood transfusions. Because of a lack of human love and contact during their first years of life, a frightening number of the

70 Dan Pavel, "Romania's Hidden Victims," *New Republic*, March, 4, 1991, 12-13.

children have underdeveloped motor and communication skills; some are unable to speak or walk or feel normal human emotions. Some are filled with an excruciating rage which they don't understand and cannot control.⁷¹

The children's rights organization, Terre des Hommes International Federation, reported that the death rate of the children in Romanian orphanages is between fifty and sixty five-percent.⁷² The Romanian government policy on adoption requires that an infant must be withheld from adoption for six months by foreigners; this is to allow Romania citizens first choice in adoption. The problems with this were Romanians did not (and still do not) adopt Gypsy children. According to Terre des Hommes, between twenty-five and thirty-two-percent of Gypsy babies die because, those who wish to adopt them are being denied access to them by the Romanian government – a government that refers to these children as irrecoverable or irrecoverable, and a government that does not attempt to sustain the lives of Gypsy children. From a standpoint of civil, social, and cultural rights, Romania of the 21st century is not much different for the Romani from the Romani of the 12th century.

71 Ian Hancock, *Ceausescu's master Race and His Gypsy Robot Work Force*, [http://www.geocities.com/~Patrin/robot work.htm](http://www.geocities.com/~Patrin/robot%20work.htm).

72 Ibid.

Dosta - Czech Republic

“I am no racist, but some selective killing of Gypsies is the only solution.”⁷³

Jozef Pacia, Mayor of the Village of Medzev 2008

Romania’s close neighbor, the Czech Republic, treats the Romani little better. In 1939, the Ministry of the Interior of the Protectorate of Bohemian and Moravia (later part of the Czech Republic) issued an edict, which ordered all Romani to settle and give up nomadism. Anyone caught in non-compliance was immediately sent to the work camps. In 1942, the Nazi interment of Romani from the Czech Protectorates began; unsettled Gypsies were sent to the Czech run Gypsy camps: 6,500 were sent to Lety, 1,256 to Prague-Ruzyne, and 1,396 to Hodonin. When the deportation began, the majority of the Czech Romani, who had permanent residences and steady jobs, were allowed to remain free. Their deportation did not begin until 1942 and 1943 with edicts of the Reich Ministry of the Interior; these edicts sent the remaining free Romani to Auschwitz-Birkenau. After liberation, only 583 Czech Romani (which included Bohemian and Moravian) survived Nazi occupation. This amounted to an almost totally annihilation of the Czech Romani by the Nazis.

After World War II, with the pre-World War II Czech Romani almost wiped out, many Romani from Romania and Hungary migrated to Czechoslovakia in hopes of finding a better economy. The government saw this as opportunity to accomplish two

⁷³ Henry Kamm, “End of Communism Worsens Anti-Gypsy Racism,” *New York Times Online*, November 17, 1993, <http://www.nytimes.com/1993/11/17/world/end-of-communism-worsens-anti-gypsy-racism.html?pagewanted=1>. Also Zolton D. Barany, *The East European Gypsies: Regime Change, Marginality, and Ethnopolitic.* (Cambridge: Cambridge University Press, 2002),189-90.

things: first, the opportunity to use Romani to fill the need for cheap labor in the new industrial economy; second, they believed that if the material conditions of the Gypsies improved so too would their mentality. In fact, moving the Romani into the post war workforce and forcing them to settle outside of their home territories did change the mentality of the Romani; it disrupted their traditional way of life, placed them in unfamiliar conditions, and resulted in a disintegration of their traditional values and norms.

In 1958, the Communist government in the Czech Republic put statutes into place intended to permanently settle all nomadic persons (Gypsies) within Czech controlled borders. Police took away the Romani's horses, cut off the wheels of their caravans, and assigned them to work forces. In 1965, the socialist government in the Czech Republic passed a law intended to ensure the Gypsy population was distributed evenly throughout the Republic, rather than allowing them to live in heavily populated neighborhoods and ghettos. Many Eastern Slovakian Romani were sent to Bohemia. In Slovakia, state police dealt with the Romani as social outcasts. They were not allowed to own property, they could go only to state assigned doctors and schools, and they were not allowed to practice a chosen vocation; in other words, they were taught to rely completely on the state, rather than on themselves. The increasing state support and the Romanis' increasing dependence on that support, led many of the non-Romani Czech majority to resent and condemn the Romani.⁷⁴

⁷⁴ Miklusakov, Marta and Ctibor Necas, "The History of the Roma Minority in the Czech Republic," *Romany Information Service*, <http://romove.radio.cz/en/article/18913>.

During the time the communist controlled Czechoslovakia (1948 – 1989), social and economic rights (or equality) were very much the concern of the state (at least on the surface). Policies intended to prevent discrimination in employment and housing were ratified early in the regime. Theoretically, the policies meant everyone in Czechoslovakia, including the Romani, had a job and a place to live. However, state policy banned the Romani language, forbid nomadism, and prevented Gypsies from joining or forming political organizations.⁷⁵ These policies were part of the government's full-scale attack on the traditional Romani culture intended to settle and assimilate the Romani into the Czech society. The public face of communism espoused equality for all, but in truth, the communists barely tolerated the Romani. Communist policies, aimed at assimilation, stifled civil rights and public discourse using the disguise of equality. However, the communist government did offer the Romani some security, like health care, housing, and regular paid work; most importantly, the communist state offered the Gypsies protection from violent discrimination by the majority.

With the collapse of communism in 1989, when the new Czech Republic experienced major social and economic problems in the forms of rising unemployment, food shortages, financial collapse, and large-scale crime, the state protection of the Romani disappeared. Competition for scarce resources was fierce, and this spurred a resurgence of racism and ethnic violence. The Romani, the Czech Republic's largest ethnic minority, easily fell into their old role as scapegoat. While the communists held the hatred of the Gypsy in check, the fall of communism and the return of nationalism and public discourse brought this hatred into the open.

⁷⁵ Ibid.

By 1995, hatred spurred an effort to cleanse the city of Prague of its Gypsy population. In January and February, the city leaders dispatched several thousand police officers to block streets, metro exits, retail stores, restaurants, and pubs to conduct searches for identification cards — everyone, citizen or visitor, was required to carry identification in the Czech Republic. In the raids, Romani, or as the police referred to them, the ‘unfit people,’ were the primary targets. The 1995 raids resulted in the arrest of thousands of Romani, who now had criminal records and were officially considered suspicious and deserving of exclusion.⁷⁶ Racism, combined with a renewed nationalism, fueled the hatred of both the general population and radical fringe groups against the Romani. One of these fringe groups, who are particularly radical activist, is the Skinheads. (Disclaimer: all skinheads are not members of neo-Nazi groups, nor are all skinheads involved in racist activities. However, in this paper, the term “skinhead” always refers to the self-proclaimed neo-Nazi political group.)

The Skinheads exist in most former communist states (and throughout the world). However, they are extremely active in the Czech Republic, where their radical ideas are largely supported by the general population.⁷⁷ Skinheads are a neo-Nazi group of well-organized young men, who are racist, violent, and (in the Czech Republic) are rarely arrested. The Czech Skinheads actively participate in violence against foreign tourists, and any darker skinned people. They often spew anti-Semitic rhetoric. However, they hold a particular hatred towards the Gypsies. One of their favorite slogans is “White

⁷⁶ Aleksandar Fatic, PhD, “ANU Reporter,” *Australian National University* 26, no.5 (1995), 259, <https://wasm.usyd.edu.au/login.cgi?appID=edfac-intranet&appRealm=usyd&destURL=http://www.edsw.usyd.edu.au/staff/souters/republic/ANU>.

⁷⁷ Margaret Brearley, “The Persecution of Gypsies in Europe,” *American Behavioral Scientist* 45, (2001), 588.

supremacy – Roma to the gas chambers.”⁷⁸ The Czech Skinheads have committed a large number of violent crimes against the Romani. For example, on May 1, 1990, two-hundred Skinheads attacked a small group of Gypsies with clubs and chains in several northern cities. In the city of Teplice, in October 1991, a gang of Skinheads attacked two Gypsies waiting in their car at a railway station. The Skinheads destroyed the car and beat the men, and later the same evening a group of sixty Skinheads attacked and beat a small group of Gypsies in the city center. The next month, more than a thousand Skinheads marched in Prague’s Gypsy neighborhood of Zizcov, shouting “Gypsies to the gas chambers.” No Gypsies are safe from the Czech Skinheads.⁷⁹ Although the Czech Republic has been a federal democracy since 1990, it still gravitates towards far right politics. One of the far-right parties, the National Party led by Petra Edelmánová, with the support of the Republicans, led by Miroslav Sládek, openly spouts, anti-Semitic and anti-Gypsy rhetoric. Both Edelmánová and Sládek are notorious for their hate speech, and both openly seek the support of the Skinheads. Sládek publicly supports the idea of an ethnically clean nation. He questions the idea that everyone is equal before the law. In fact, he has openly stated that Gypsies should be the subject of what he called, ‘special laws,’ and that the greatest crime committed by a Gypsy is being born. Although these ideas violated the constitution and charter of the Czech Republic, they did not prevent Sládek from being elected the head of the far-right Republican Party from 1996 to 2001.

⁷⁸ European Centre for Research and Action, “White supremacy – Roma to the gas chambers,” <http://europa.eu/rapid/pressReleasesAction.do?reference=DOC/97/17&format=HTML&aged=0&language=EN&guiLanguage=en>.

⁷⁹ Milton F. Goldman, *Revolution and Change in Central and Eastern Europe: Political, Economic, and Social Challengers*, (Armonk: M.E. Sharpe, Inc., 1997), 133.

As racist as Sladek's political views are, Petra Edelmannova, chair of the Czech National party are nihilistic. Dr. Edelmannova, in a speech at the annual festival held by the British National Party, in August of 2008, announced that her party was working on a study called 'The Final Solution to the Gypsy Issue in the Czech Lands.' Edelmannova stated, in her twenty-five minute speech, that the study would be part of the 2010 general election campaign in the Czech Republic. Part of the solution to be proposed is a 'volunteer' re-location of all Romani, in the Czech lands, to land in India. Dr. Edelmannova, an economist at the Prague University of Economics, opposes any memorials to Romani victims at the wartime internment camps, stating that her party believes that such people are not worth having such memorials, rather that memorials should be dedicated to those who achieved something.⁸⁰

Instead of building memorials to honor the victims of the war, the Czech town of Usti nad Labem built a wall to keep out the Gypsies. The 150-meter-long wall was constructed to "keep respectable citizens safe from the noise and rubbish," which comes from the Romani. Local authorities told Romani Radio that "wanting peace and quiet has nothing to do with racism," but clearly building a concrete wall to separate the Usti nad Labem's Gypsy population from the Czech population is a racist action and a violation of basic human rights.⁸¹

80 Jo Adetunji, "Czech Far-Right Party Activist to Address BN," *The Guardian*, August, 16, 2008, <http://www.guardian.co.uk/politics/2008/aug/16/thefarright.roma>.

81 Romani Radio, *Roma in the Czech Republic: Usti nad Labem, Maticni Street*, <http://romove.radio.cz/en/article/18199>.

Kherutne –Slovakia

“One madman makes many madmen, and many madmen make madness.”

Old Romani Saying – Anonymous

Violations of the Romani’s basic human rights are unchecked in many European countries and Slovakia is no exception. In Slovakia, as in all of the old Czech Federation, the Romani populations suffer from disproportionately higher rates of poverty, illiteracy, and unemployment than the rest of the population; however, as in many European countries, the Romani’s present day situation is not new to them. Prior to receiving its independence in 1993, Slovakia was (most recently) a protectorate of the Czechoslovak Federation. Slovakia’s fell under the rules and laws of Czechoslovakia and this was particularly true with their anti-Gypsy laws. An example of this situation occurred in 1925 when all Gypsies were fingerprinted to insure accurate local police records. Then in 1927, Romani were ordered to settle – those who refused to settle were not allowed to pass through towns and villages or to use public transportation. Romani who did settle were allowed admission to towns and villages only during set days and time, and these settled Romani were forced to live and work in labor camps. After World War II, in response to state policies on Gypsies, only five to ten-percent of the Romani in Slovakia remained nomadic. In 1958, the Communist Party passed a resolution meant to finally address the Gypsy question. This resolution allowed the government to pay financial incentives to Romani women for undergoing sterilization; there is little evidence that

Romani women agreed to this or that any significant amount of incentives were paid. Yet the sterilization occurred, and is still occurring.

Today, many Romani women in Slovakia are subject to most grievous violations of their human rights, in particular their reproductive rights. The Slovakian government has rescinded the communist era law that offered incentives for sterilization, yet state hospitals continue to sterilize Romani women without their knowledge or consent. In 2002, the Center for Reproductive Rights and the Czech Center for Civic and Human Rights released the results of a joint study stating that not only does the practice of coerced and forced sterilization continue to be practiced in Slovakia, but so too does discrimination against Slovakian Romani women in health care services in general. The study found that Romani women were often physically and verbally abused by health care providers (including doctors), received lower standards of care than non-Romani women receive, were intentionally misinformed concerning health matters, and denied access to their own medical records. Attorneys with the Czech Center for Civic and Human Rights filed a class action suit in the Slovakian courts, on behalf of over two-hundred Romani women who were sterilized through coercion or without their knowledge; to date the Slovakian courts refuse to hear the case.⁸²

⁸² Klara Orgovanova, "Body and Soul: Forced Sterilization and Other Assaults on Roma Reproductive Freedom" *Roma in Slovakia*, (June, 1, 2003), <http://reproductiverights.org/en/document/body-and-soul-forced-sterilization-and-other-assaults-on-roma-reproductive-freedom>.

CHAPTER IV
CONTEMPORARY ROMANI

East Central Europe Today

At the end of the 1980s, the collapse of communism brought enormous change in the formerly authoritarian countries of Europe. The triumph of democratization had considerable social, political, and economic effects on the region. However, these changes were not the same for all people. Majority and minority ethnic groups experienced the changes differently, and for the Romani, the most marginalized group in European society, the changes were devastating.

The Romani, having lived primarily in slavery or indenture status for well over five hundred years, were unprepared for the communist takeover. Communism proposes that, through state-owned means of production, classes eventually will be eliminated allowing equal treatment of all people, and that each person will be contributing to society. The communist governments of the 1940s and 1950s saw the Romani people as an excellent production opportunity for the new social order. The communists saw the Romani as cheap labor in the industrializing economy. The governments moved the Romani from their urban or semi-urban homes to rural work camps (farms), or industrial centers far from their home territories. However, rather than accomplishing the proposed

goals, the communist succeeded only in disrupting the Romani's way of life, placed them in unfamiliar conditions, and this resulted in a disintegration of their traditional values and norms. One of the most important of these traditions was that of apprenticing children within a family unit. This was a tradition that had produced generations of skilled craftsmen, and had ensured the Romani a useful, if subjugated, place in society. Within less than a generation, the Romani skills were lost.⁸³

Although the communist practices had devastating effects on the lifestyles and traditions of the Romani, the state policies were intended to prevent discrimination in employment and housing, and theoretically meant that everyone had a job and a place to live. Even though the states banned use of the Romani language, outlawed nomadism, and prohibited Romani from joining or forming political organizations, the Communists did offer the Romani some security in the form of health care, housing, and regular paid work. Most importantly, the communist states offered the Romani protection from violent racial discrimination by the majority. However, this protection was short lived.

With the collapse of communism in 1989, when the new governments of eastern and central Europe experienced major social and economic problems in the forms of rising unemployment, food shortages, financial collapse, and large-scale crime, the state protection of the Romani disappeared. Competition for scarce resources was fierce, and this spurred a resurgence of racism and ethnic violence. The Romani, eastern and central Europe's largest ethnic minority, easily fell into the role of scapegoat. While communism held the hatred of the Gypsy in check, the fall of communism and the return of nationalism and public discourse brought this hatred into the open.

83 Marta Mikusakova and Ctibor Necas, "The History of the Roma Minority in the Czech Republic," *Romany Information Service*, <http://romove.radio.cz/en/article/18913>.

The Romani are the most deprived ethnic group in east central Europe. In almost every European country, their fundamental rights are threatened. Discrimination against them is epidemic, and is especially dire in the areas of employment, health care, education, and housing. Most Romani live in extreme poverty, with large extended families crowded into unhealthy housing. They are under-educated, under-skilled, and unemployed. Hate speech against the Romani permeates every aspect of public life, which only deepens negative public opinion. This racism is widespread, and is particularly prevalent in the Czech and Slovak Republics, Romania, and Hungary.

By 1995, hatred spurred an effort to “cleanse” the city of Prague of its Gypsy population. In January and February of that year, the city leaders dispatched several thousand police officers to the block streets, the metro exits, retail stores, restaurants, and pubs in order to conduct searches for identification cards, (everyone – citizen or visitor, was required to carry identification in the Czech Republic). In the raids, Romani, or as the police referred to them the ‘unfit people,’ were the primary targets. The 1995 raids resulted in the arrest of thousands of Romani, who now had criminal records and were officially considered suspicious and deserving of exclusion from society.⁸⁴ Racism, combined with a renewed nationalism, fueled hatred by both the general population and radical fringe groups towards the Romani. One of the radical groups that is particularly active is the Skinheads. (Disclaimer: all skinheads are not members of neo-Nazi groups, nor are all skinheads involved in racist activities. However, in this paper, the word “Skinhead” always refers to this particular self-proclaimed neo-Nazi political group).

84 Aleksandar Fatic, “Czech Republic Descends into Punishment of the Homeless,” *Patrin Web Journal*, <http://www.geocities.com/~Patrin/czechanu.htm>.

The Skinheads exist in most former communist states (and in many countries throughout the world); however, they are extremely active in east central Europe, where their radical ideas are largely supported by the general population. Skinheads are a neo-Nazi group of well-organized, young men, who are racist, violent, and, in east central Europe, rarely arrested. The Skinheads actively participate in violence against foreign tourists, and any darker skinned people. They often spew anti-Semitic rhetoric; however, they hold a particular hatred towards the Gypsies. One of their favorite slogans is “White supremacy – Roma to the gas chambers.”⁸⁵

The Czech Skinheads have committed a large number of violent crimes against the Romani. For example, on May 1, 1990, two-hundred Skinheads attacked a small group of Gypsies with clubs and chains in several northern Czech cities. In the city of Teplice, in October 1991, a gang of Skinheads attacked two Gypsies waiting in their car outside a railway station. The Skinheads destroyed the car and beat the men. Later the same evening, a group of sixty Skinheads attacked and beat a small group of Gypsies in the city center. The next month, more than a thousand Skinheads marched in Prague’s Gypsy neighborhood of Zizcov, shouting “Gypsies to the gas chambers.” No Romani are safe from the Czech Skinheads who believe Hitler’s biggest failing was not wiping out all the inferior races, predominantly Jews and Gypsies.⁸⁶

Although the Czech Republic has been a federal democracy since 1990, it still gravitates towards far-right politics. The most notorious political group within the

⁸⁵ Jessica Wakman, and Cyrus Philbrick, “The Evolution of Neo-Nazis in the Czech Republic,” *The New Presence*, 2 (Summer/2004), 24-26.

⁸⁶ Anti-Defamation League. *The Skinheads International: Worldwide Survey of Neo-Nazi Skinheads*, (New York: Anti-Defamation League, 1995), http://www.adl.org/PresRele/NeoSk_82/2477_82.as.

Republic is the Nationalist Party, led by Petra Edelmannova. The Nationalist Party which has the support of the Republicans (led by Miroslav Sladek) is openly anti-Semitic and anti-Gypsy. Both Edelmannova and Sladek are notorious for their hate speech, and both openly seek the support of the Skinheads. Sladek publicly supports the idea of an ethnically clean nation. He questions the idea that everyone is equal before the law; he has openly stated that Gypsies should be subject to what he called 'special laws,' and he has stated that the Gypsies greatest crime is being born. Although these ideas violate the constitution and charter of the Czech Republic, they did not prevent Sladek from being elected the head of the far-right Republican Party from 1996 to 2001.

As racist, as Sladek's political views are, Petra Edelmannova, chair of the Czech National party has political views that are clearly annihilationist. Dr. Edelmannova, in a speech at an annual festival, held by the British National Party, in August of 2008, announced that her party was working on a study called "The Final Solution to the Gypsy Issue in the Czech Lands." In a twenty-five minute speech, Edelmannova stated that the study would be part of the 2010 general election campaign in the Czech Republic. Part of the solution she proposed is a 'volunteer' re-location of all European Romani to India. Dr. Edelmannova, an economist at the Prague University of Economics, also opposes any memorials to Romani victims at the wartime Nazi internment camps, stating that her party believes that such people are not worth having such memorials, and that memorials should be dedicated to those who achieved something.⁸⁷

Instead of building memorials to honor the Romani war victims, the Czech town of Usti nad Labem built a wall to keep out the Gypsies. In 1999, the town constructed a

⁸⁷ Jo Adetunji, "Czech Far-Right Party Activist to Address BNP," *The Guardian*, 16, Aug 2008, <http://www.guardian.co.uk/politics/2008/aug/16/thefarright.roma>.

150-meter-long, six-foot-high, concrete wall to keep respectable citizens safe from the Romani. Local authorities told Romani Radio that “wanting peace and quiet has nothing to do with racism,” but clearly building a wall, referred to as the Maticni Street Wall, which separates the Usti nad Labem’s Romani population from the Czech population, is a racist action and a breach of basic human rights. In February 2000, a new computer game, “Shoot Your Gypsy Down,” involving shooting Romani while they try to tear down the Maticni Street Wall was released.⁸⁸

Official government policies, all across east central Europe, tend to promote anti-Gypsy sentiment and support official discrimination. For example, a 1993 decree, by the Czech Government, declared over 100,000 Czech Romani stateless due to the retroactive residency and clean criminal record requirement. Any Gypsy who had a criminal record, which included being without residency identification records, was declared no longer eligible for citizenship.⁸⁹ The European Roma Rights Center reported in June 1999, that Romani children are fifteen times more likely to be required, by the state, to attend schools for the mentally retarded than other children in the Czech Republic. Hungary’s official government policies discriminate against the Romani in education, health care, and employment. Hungarian policy requires that Romani children, who are allowed to attend regular public schools, be segregated in classrooms and, in some cases, separate buildings.⁹⁰

⁸⁸ Usti nad Labem, Maticni Street, “Roma in the Czech Republic,” *Romani Radio*, <http://romove.radio.cz/en/article/18199>.

⁸⁹ J. Nagle, “Ethnos, Demos and Democratization: A Comparison of the Czech Republic, Hungary and Poland,” *Democratization*, 4, no. 2, (Summer 1997), 28, 38-39.

⁹⁰ Human Rights Watch, *1999 World Report*, <http://www.hrw.org/wr2k>.

In Romania, there are anti-Gypsy laws in areas of employment, education, housing, and social services. Although the international community spoke out against the 1993 and 1994 pogroms, which destroyed at least thirty Bulgarian-Romani villages, police brutality and public violence against Romani go unchecked in Bulgaria. The Hungarian government acknowledges the mistreatment of the Romani in the area of education, health care and employment, yet they have made no steps to correct this discrimination. Contrarily, on the Hungarian state television news station, in April of 2002, the mayor of the town of Csor stated, “At the present time, I believe that the Roma of Zamoly have no place among human beings. Just as in the animal world, parasites must be expelled.”⁹¹ Although the violence and discrimination against the Romani often comes from radical fringe groups, it is also clear that official neglect and even state policy institutionalizes the discrimination of the Romani.

Anti-Gypsy views and practices, like those practiced by Dr. Edelmannov, are rarely condemned, and violence against the Romani is rarely prosecuted. Because states are hesitant to intervene for fear of losing popular support, a kind of institutional acceptance has developed within the Czech Republic and there are few societal objections. Anti-Gypsy attitudes in east central Europe do not just reflect the ideas of radical fringe groups like the Skinheads, or even radical political parties like the Nationalists, rather they are voice official neglect, state policy, and public sentiment. Anti-Gypsy prejudice has become a normal practice in European politics, and these negative attitudes have had an enormous effect on the daily lives of the Romani. Institutionalized discrimination and intentional negligence make life, economically and

91 Bulgarian Helsinki Committee, *Human Rights Watch 2000*,
<http://www.bghelsinki.org/index.php?module=pages&lg=en&page=intreports>.

socially, difficult for the Romani and induces them to move away from their home communities.

Institutionalized discrimination has led governments to suspend utility services and postal delivery to Romani housing complexes and ghettos. Cities and towns have banned Gypsies, under fifteen years of age, from public recreational facilities, such as swimming pools, sports fields, and game rooms.⁹² Although many of the newly democratized eastern European countries have constitutions guaranteeing equal rights under the law, enforcement of the anti-discrimination laws is negligent. Romani are barred from much of the employment sector and forbidden to work in the service industry because most of the majority populations in Europe prefer to have no contact with any Gypsies. If the Romani are able to find jobs, they are heavy labor, low paying jobs.⁹³ Institutionalized discrimination against the Romani persists in all east central European countries.

Although the Romani are the largest ethnic group in Europe, they have no nation-state to look to for support. They have no political parties for representation and no lobby to protect their interests. The Romani are culturally diverse, economically isolated, and unorganized. They live in extreme poverty, and infant mortality and premature birthrates are high. The Romani account for a significant portion of the populations of east central European countries, yet they have very little mainstream support. Governments are indifferent to the violence inflicted on the Romani and the extreme anti-

92 J. Nagle, "Ethnos, Demos and Democratization: A Comparison of the Czech Republic, Hungary and Poland," *Democratization*, 4 no. 2, (Summer 1997), 38.

93 J.D. Nagle and A. Mahr, *Democracy and Democratization: Post-Communist Europe in Comparative Perspective*, (London: Sage 1999), 159-60.

Gypsy sentiments building in countries like the Czech and Slovakian Republics are sentiments seen as of no importance to the international community. With this type of blatant discrimination, it should be no surprise that Romani women and children are among the most victimized segments of the population in east central Europe.

Evidence suggests that, since the fall of communism and the instability of transitional economies, trafficking of women and children from east central Europe has increased significantly. Violence against women in post-communist east central Europe is of concern to many human rights groups and the international community as a whole. Battering, rape, domestic violence, and trafficking in women have all increased exponentially in recent years. With the establishment and growth of the European Union, visas are easier to obtain, and travel from the east to the west has become simple; in turn, trafficking in women and children from the east to the west is much easier. Women from poor, developing eastern European countries are recruited, coerced, or kidnapped, and taken to central European countries, creating a distribution center for human trafficking.⁹⁴ All trafficked people are exploited, according to the United States Government which defines trafficking in people as:

All acts involved in the transport, harboring, or sale of persons within national or across international borders through coercion, force, kidnapping, deception or fraud, for purposes of placing persons in situations of forced labor or services,

94 University of Rhode Island, *Fact Book, Trafficking of Women to the European Union: Characteristics, Trends and Policy Issues*, European Conference on Trafficking in Women, June 1996, <http://www.uri.edu/artsci/wms/hughes/europe.htm>.

such as forced prostitution, domestic servitude, debt bondage or other slavery-like practices.⁹⁵

While human trafficking is an act of violence and exploitation, the exploitation of trafficked Romani women is particularly horrendous. Many trafficked Romani women are very young, most are under twenty-five, and many are even as young as fourteen or fifteen. Youth is in high demand in trafficked women, where most are forced or sold into the sex industry. Romani women are often extremely poor and unable to find employment, and traffickers feed on their poverty and despair. The International Organization for Migration likens the rapidly increasing business of trafficking of eastern European Romani women to a revitalization of feudalism or slavery, and places trafficking in this sphere of business.⁹⁶

Human trafficking is not a new idea. However, in east central Europe, international prostitution rings, which began in the 1990s, have grown exponentially over the last five years. Scholars believe that, as many as 500,000 women (not to mention children), were trafficked from east central Europe to Western Europe between 1990 and 2000.⁹⁷ The United States government believes that, in the last ten years, the former Soviet Union and Eastern Europe have become the world's largest new sources for trafficking in prostitution. They estimate over 100,000 women a year are trafficked from the former Soviet Union and an additional, 75,000 are trafficked from Eastern Europe to

⁹⁵ United States Government, "Trafficking in Women and Girls," <http://secretary.state.gov/www/picw/trafficking>.

⁹⁶ International Organization for Migration, "Report to the General Assembly of the United Nations Fifty-seventh Session, Trafficking in women and girls: Advancement of women," (2 July 2002), 1-11, http://www.iom.int/jahia/webdav/shared/shared/mainsite/policy_and_research/un/57/A_57_170_en.pdf.

⁹⁷ A.M. Bertone, "Sexual Trafficking in Women: International Political Economy and the Politics of Sex." *Gender Issues*, 18 (Winter 2000), 1.

the west.⁹⁸ Although it is impossible to know exactly how many of these women are Romani, it is certain, judging simply from their economic conditions compared to the living conditions of the non-Romani populations of the east, that many of the women are Romani.

The spread of capitalism, the enormous gaps between rich and poor countries, and an ever-increasing demand for sex workers in industrial nations contributes greatly to the increase in trafficking. The International Organization for Migration has suggested that the desperate economic situations of many east central European women has driven them to search for illegal work and, the marginalization of the Romani has made Romani women extremely vulnerable to sex traffickers. With an increase in publicly supported violence against the general Romani population, and the fact that human trafficking is a notoriously violent industry, it is not surprising that violence against Romani women, trafficked from the east to the west, is particularly high.⁹⁹

With the growth of international markets, the crime of human trafficking and the violence involved in such trafficking, there is a growing problem of prosecuting traffickers across borders. International law is not sufficient to prosecute or combat transnational crimes. In May of 1999, a Judge in Slovakia threw out charges against a Skinhead who admitted to beating a Romani university student. The Judge, sighting precedent, stated that, throughout Europe violations of Romani rights were rarely prosecuted, thus, according to the rule of law, anti-Gypsy practices are institutionally

98 Francis T. Miko and Grace Park, "Trafficking in Women and Children: The U.S. and International Response," *The Library of Congress: Congressional Research Service, International Relations Foreign Affairs, Defense, and Trade Division*, March 18, 2002.

99 J.D. Nagle and A. Mahr, *Democracy and Democratization: Post-Communist Europe in Comparative Perspective*, (London: Sage 1999), 149-50.

acceptable; as society recognizes anti-Gypsy actions as non-objectionable, consequently the state is reluctant to intervene.¹⁰⁰ Slovakia allowed radicals to practice prejudice, racism, and bigotry towards the Romani, but so do many countries. Mainstream politics do not restrict extremist parties or radical fringe groups in anti-Gypsy actions; and governments at all levels local, state, and national condone them. There can be no doubt that discrimination against the Romani is institutionalized. However, there is a more hidden discrimination lurking in the recesses of society.

Since the fall of communism in 1989, both production and real wages in the former communist countries have fallen dramatically. Although there were many economic and social inequities in the old communist systems in east central Europe, most people had the benefits of government provided healthcare, childcare, and employment. However, in post-communist economies most of east central Europe is facing enormous economic problems. By 2000, unemployment and poverty in the region rose to: 20.8% in Croatia, 19.5% in Slovakia, 16% in Bulgaria, 13.6% in Poland, 13% in Slovenia, 12.3% in Russia, 11.5% in Romania, 9.8%, in the Czech Republic, and 9.6% in Hungary.¹⁰¹ The region economic transition changed the social divisions, and created large disparities in both wealth and opportunity. Crime and violence increased, social services and education have deteriorated, and society became increasingly intolerant of diversity.

Always, the poorest and least educated groups suffer the most in a declining society. The situation in east central Europe is no exception. The loss of government

¹⁰⁰ Ibid., 36.

¹⁰¹ Ibid., 108-9.

subsidies for childcare, inflation, high unemployment and decline in real wages, affected the Romani more than others, and Romani women were affected most negatively. While fifty to seventy-percent of Romani women were employed under the communists, as companies began to privatize most of Romani women were dismissed and replaced by non-Romani men.¹⁰²

In many of the east central European countries, there is a call for a return of the democratic traditions. People are nostalgic, and the past is not always remembered as it actually occurred; rather it is romanticized and glorified. This romanticization of the pre-communist past hinders the democratic development of east central Europe and reveals a pattern of far-right conservatism and political nationalism. Nationalism, along with the declining economy, invokes ethnic anger and resentment. The brief excitement at the fall of communism was short lived, and disillusionment soon took its place. As the new open market failed and economic chaos occurred, people believed that democracy failed. Once failure is on the minds of a people, all things connected to the failure maybe seen in the same light. In the east, the failure of the democratic economy translates to a return of nationalism and ethnic intolerance, particularly intolerance towards the Romani. Far-right groups, such as the Nationalist Party, have returned to the pre-communist idea that all people who are not Romanian, or not Czech, or not Hungarian, etc., are the 'others.' The far-right Nationalist see 'others' as political enemies and as the reason for the economic suffering of the majority.

In a political state, where the old order has suddenly disappeared, nationalism seems to be a particularly attractive option. The need for a new collective identity brings

102 B. Einhorn, *Cinderella goes to Market: Citizenship, Gender, and Women's Movements in East Central Europe*, (London/New York: Verso, 1993), 127.

people together from different social classes and previous political currents into one national movement. In stressful conditions, people characteristically tend to over-value the protective comfort of their own national group.

It is a widely excepted explanation in the theory of nationalism that, in a political condition in which the old order has suddenly disappeared, nationalism seems to be a particularly attractive option. The need for a new collective identity brings together people from different social classes and previous political currents into one national movement as, in conditions of acute stress, people characteristically tend to over-value the protective comfort of their own national group. To replace a crumbling order, an underdeveloped civil society has to build upon whatever linkages there might be between elites and with broader strata of the population; ethnic identity is an obvious and available way of making such links.¹⁰³

It is clear that the road to economic, social, and political change has been detrimental to both ethnic minorities and to women in east central Europe. When social and political institutions fail, family becomes the social priority and the collective identification inevitably pushes women back into patriarchy. As nationalist discourse increases, women's roles fall in line with traditional patriarchal expectations. The policies of communism were theoretically committed to emancipation and equality of women.

The new post-communist discourse attacked these values on grounds of their association with socialism and communism, and in turn claimed

¹⁰³ John Breully, *Approaches to Nationalism*. In: Gopal Balakrishnan, *Mapping the Nation*, (London: Verso, 1996), 171.

patriarchal gender relations as natural, traditional, and national. This shift has provided an ideological justification for the limitations on women's participation in the labor force and in the public sphere, and acted as a stimulus to the tendency to see reproduction as women's primary role.¹⁰⁴

This is indicative of the resurgence of the patriarchy and a resituating of women into the private domain.

Women were officially an equal part of the labor force in communism, yet at the same time communism devalued reproductive labor in the family and rendered gender inequalities within it invisible. Since the collapse of communism, the transformation of east central Europe's economy has retrenched women, removing them from the labor market, placing them firmly back into the family, and banishing them from the public sphere.

The improvement of civil and political rights that come with democratic citizenship is clear, although women in east central Europe are threatened with the loss of social welfare, economic rights, and nationalism, which in turn threaten to subordinate women's citizenship rights.¹⁰⁵ The most pressing of these threatened rights is of reproduction rights. Gal and Kligman point out that abortion was among the first issues raised by virtually all the newly constituted governments of east central Europe.¹⁰⁶ Nationalism places tremendous value on motherhood, making women the mothers of the

¹⁰⁴ B. Andjelkovic, "Reflections on Nationalism and Its Impact on Women in Serbia," *Women in the Politics of Post-communist Eastern Europe*, ed. Marilyn Rueschemeyer, (Armonk: M.E Sharpe, 1998), 235-248.

¹⁰⁵ B. Einhorn, *Cinderella goes to Market: Citizenship, Gender, and Women's Movements in East Central Europe*, (London/ New York: Verso, 1993), 1.

¹⁰⁶ S. Gal, and G. Kligman, *Reproducing Gender: Politics, Publics, and Everyday Life After Socialism*, (Princeton: Princeton University Press, 2000), 2-3.

nation. However, Romani women are the exception to the rule. Romani women are the 'others,' not fit for the public sphere, and not necessary for nation building. Just like majority women, in post-communist east central Europe, Romani women have no place in the public sphere; unlike majority women, they have no reproductive value. We only need to look at the example of the Czech and Slovakian Republics, and the forced sterilization, to understand that Romani women have no social value.

Globalization and open markets have increased poverty of women and ethnic minorities in east central Europe. The political and economic effects of this poverty have arguably had the greatest negative affect on women who are ethnic minorities. In the turbulence of east central Europe, Romani are paying the price of the new political order. They are marginalized and objectified; if they are Romani women, the price is often too high to pay.

Contemporary Romani Culture

There can be no question that, since first leaving India around the turn of the 11th century, the Romani have faced discrimination, marginalization, and criminalization. The institutional and cultural discrimination experienced by these people was not localized; it did not take place in one state, one nation, or even on one continent. Rather, the persecution persisted in every country in which the Romani traveled or settled. With this in mind, it seems prudent to explore the lifestyle and beliefs of the Romani, and to examine the possibility that the Gypsies may have somehow contributed in some way to their own persecution.

Since the beginning of the migration, which lasted more than eight hundred years, there have been many technological and political changes occurring throughout the world. A prudent academician will argue that there cannot be technological changes without social changes. Yet, if one studies the basic economic and social records of the Gypsies in Eastern, Central, and Western Europe, one finds information, which indicates their societies have been consistent over time, and location. Of course, there are variations between the Romani in different locations, but this must be attributed to tribal differences rather than social changes. There can be no question that over the last eight hundred or so years some individual groups and even some large groups of Romani have assimilated into their host societies. As a whole, the Romani have adapted their dress, their occupations, and even their customs to a changing world, but they have not assimilated. For example, a Romani family that once traded in horses may sell cars, or a family that once was street performers may now be farm laborers, but they still work as a family unit and they still prefer to apprentice their children within their family group.

The life of the Romani revolves around a large extended family. The Roma are divided into four nations or *natsia*, the Machwaya, Lowara, Kalderazha, and Churara. Each nation has many tribes or *vitsi*, and each tribe is further divided into families or *familiyi* (a family is not the nuclear family in the western concept, rather it is a group of people who choose to live together, related by blood or not). Each tribe, and sometimes a family, has a distinct dialect, various customs, and its own dress. However, the social structure of the Romani varies little, and there are no distinctions based on geographic location. The Romani consider themselves a distinct racial group, with distinct beliefs, customs, and laws that support their strong commitment to social separation.

The Romani's commitment to remaining a separate society, while living in the larger society, comes from their religious beliefs. These beliefs are regulated by *marime* codes or a series of laws that deal with every aspect of a Romani's life. Dating, marriage and sex, business dealings, food preparation, and dress are all affected by *marime*. Gypsies are often thought to be Christian, because many times they claim to be Christian. However, claiming to be Christian is a protection for the Gypsies, and this claim serves them well and helps to insulate them from the *gaje* (non-Romani) world.

Romani believe in a male God, a deity whom they call Del. However, when asked if they believe that Jesus is the son of Del, they often say no. Romani are monotheistic, they do not accept Jesus as the savior, or even as the literal Son of God. In fact, Romani beliefs much more resemble Judaism than Christianity. Their belief parallels Judaism in many ways. They practice infant circumcision; and they also follow the Seven Laws of Noah in selecting, preparing and storing food. While the orthodox Jewish people eat only the flesh of animals killed in ritual slaughter by a *schochet*, Romani subscribe to the same practice with a *masengero* performing their ritual slaughter. Like orthodox Jews, Romani do not believe in committing acts of violence on any living thing, man or animal. In addition, like the Jews, the Romani have survived ethnically because of their fierce determination and dedication to the traditions.

Often the Romani traditions appear to the *gaje* to be Catholic, and Romani often say that they are Catholic. Having settled in many Catholic countries, they have adopted many of the features of Catholicism. The Romani have a strong belief in death spirits (ghosts), and go to great extremes to prevent an unhappy death spirit from interfering with the passing of a family member. Once a person dies, the family does everything in

their power to insure comfort of the deceased. Often Romani funerals include hundreds of people and they can last for three days.³ Ritual mourning is a serious responsibility for the Romani; it is seen as part of a good moral life.

A moral life is very important to the Romani, and in their effort to live a moral life, they remain separate from the *gaje*. Much of the separation has to do with the Romani laws on cleanliness. They believe the body is divided in a pure half and an impure half; the upper half is *wuzho* or pure, while the lower half is *marime* or impure. This belief affects the Romani's dress, the way they wash clothes and their bodies, how they prepare food, and the utensils with which they eat. For example, no matter how many times they wash a towel, which has been used to dry the lower half of their body, you would never use it to dry dishes, because the towel would be considered polluted. Romani women are always modest in choosing their clothing; traditionally they wear ankle length skirts, for their knees are always covered. Romani's religious beliefs keep them from being sexually promiscuous. Sex is allowed only in marriage, and even in marriage, there are very strict *marime* laws, which must be followed. During a Romani women's impure time (menstruation) wives and husbands are prohibited from sleeping in the same room. Romani teenagers do not practice the western form of dating and many have arranged marriages.

If *marime* is violated, a *kris* or trial is held. For the Romani a *kris* is of the utmost importance. When a Romani is found guilty at a *kris*, he or she is sentenced to *marime*. This sentence does not just include the guilty party, but the entire family. The Romani use the word *marime* in two ways, it is a crime of ethics or morality brought about by uncleanness of the body or of the soul. A sentence of *marime* is shame and exile, and it

is a sentence that lingers entire lifetimes. *Marime* laws prevent Romani from mixing with *gaje*. The laws themselves do not forbid mixing, however, the fact that *gaje* do not practice ritual cleanliness makes them *marime*, and inhibits the Romani from personal associations with *gaje*.

Many of the Romani traditions revolve around family, and it is family that insures observance of the traditions. Their kinship structure is one, which includes a nation, a tribe, a clan, and a family. The idea of a 'gypsy king' from Western movies and literature is pure fiction, and there are no kings and queens among the Romani. Instead, each tribe has a *Rom baro*, which means 'the big man.' The *Rom baro* is a much-respected man and he is chosen to represent his tribe because of the respect for him: for Romani tradition, his high moral character, and his adherence to *marime*. He represents the tribe in all business dealings with other Rom, as well as with the *gaje* community.

While the *Rom boro* deals with business problems, the *Phuri dae* or old mother is the *Rom baro*'s female counterpart. Her authority is always sought in matters dealing with women and children. However, the *Phuri dae* is consulted in all matters of importance and may be the leader of the tribe. In other words, while a *Rom baro* heads a tribe there is also a *Phuri dae*; however while when a *Phuri dae* is the leader of a tribe, there may not be a *Rom baro*.

Romani are both matrilineal and patrilineal, and each person chooses their respective lineage. Often marriages take place to join two families or clans; this is a desirable practice because it also consolidates authority and power.

Dating is not a common practice in Romani communities. Premarital sex, though not forbidden, is strongly discouraged because the Romani believe that it causes

enormous problems within the tribe. While premarital sex is discouraged, socializing is quiet the norm. Young Romani have ample opportunities to mix with other Romani youth at weddings, funerals, and holidays are all celebrated with large social gatherings attended by many tribes. These celebrations provide opportunities for young people to meet prospective wives or husbands. Romani marry at different ages depending on their home country; but the age range for girls to marry is from fourteen to twenty-one, and boys from eighteen to twenty-two. Although a future bride and groom might actually initiate a marriage, there are formal and elaborate negotiations, which always takes place between the two families. This is not a marriage between one man and one woman; it is a joining of two families. A marriage is a relationship that will help insure the continuation of the Romani race, and it is a business relationship. Family structure is an essential part of the Romani life and essential to the survival of the Romani as a group. The Romani family goes far beyond the Western traditional nuclear family. The Romani family is the Romani's insulation against assimilation.

The Romani community is a highly regulated community. Not only are there strong *marime* codes related to their religious beliefs, but there are also social and economic laws known as *romania*. Gypsies may appear to *gaje* as lawless, even criminal; however, the practices of *romania* are strict and, if violated, are adjudicated with the swift and heavy hand of the most respected members of the community. Romany, the language of the Rom, is an unwritten language, and, therefore, rules and laws are of an oral tradition. However, as violations of *marime* call for a *kris*, so too do violations of *romania*. The *romania kris* and the *marime kris* follow the same procedure. However, the *romania kris* can issue punishment so severe that if another Romani

participates in even the simplest association or communication with a convicted Romani, both experience *marime*.

The procedure of a *kris* is a serious one, not only consuming and expensive, but the verdict becomes public record. All parties related to the case must attend. It is often customary for the accused party to pay for the *kris*. This includes transportation, renting a hall or meeting room, and supplying enough food and drink for all who attend. Making a *kris* a costly endeavor is by design, the intention is to discourage unnecessary *kris*.

The Romani system of justice is much more involved than the Western idea of adjudication. *Marime* and *romania* are intended to preserve the Romani way of life. In criminal cases, which include harming another Romani, unethical business practices, wife or child abuse, incest, adultery, or physical harm of another, both a financial punishment and excommunication can be punishments. However, not only does the guilty party receive the sentence, his entire family is held responsible for the fine and they are also excommunicated from the tribe. Even through the family experience only temporary excommunication, the stigma hangs over the family for generations.

Marlene Sway, a sociologist who spent years studying the culture of the Romani, documented several *kris*, which she witnessed during the time she spent among the Romani. The first case was a young American Kalderash (a lower class Romani) man who joined the United States Army and was stationed in Germany. He was summoned to a *kris* because his army life violated both *marime* codes and *romania* laws. Because the young man was unable to leave his post in Germany, his family was tried in his stead. He was convicted and sentenced to permanent *marime*; he was dead as a Romani. When he

returned from his tour, he could not find a job among the Romani, nor could he find a Romani bride.¹⁰⁷

The second case Dr. Sway documented was that of a nineteen-year-old woman who had run away from her family to join the Job Corps. This *kris* was highly unusual, because a *gaje*, a social worker, was permitted to testify. The *kris* involved over 250 Romani and testimony lasted three days. The head judge had asked the social worker to testify, as it was thought that, because the Job Corp was a *gaje* organization, only a *gaje* could give an accurate description of how the girl had lived while she worked for the Job Corp. After the three days of testimony, the judge gave his verdict; because the girl was still a virgin and promised to return to the Romani way of life, she received only temporary *marime*. According to Dr. Sway, this was such a scandal that the girl's entire family moved to another area of the country. It took strict adherence to Romani codes, a successful Romani marriage for the girl, and over twenty years before the family began to gain acceptance back into the Romani community.¹⁰⁸ Social control is the main purpose of the *kris*. To do anything to endanger the security of one Romani is a crime against all Romani, and the complicated and elaborate set of lower laws is intended to prevent major infractions. This is not to imply that there are never any major crimes in the Romani community.

A *kris* does not traditionally handle major crimes, such as burglary of a *gaje*'s home or place of business, involvement in drugs, or murder. The Romani consider these serious crimes against all Roma and society in general, and the accused is usually turned

107 Marlene, Sway. *Familiar Strangers*, (Chicago: University of Illinois Press, 1988), 79.

108 Ibid., 80.

over the *gaje* authorities. If for some reason the accused is not turned over to the *gaje* authorities, or if the *gaje* authorities do nothing, the Romani community will not accept him. No Romani will associate with him, harboring Gypsies guilty of crimes can threaten the security of all Romani. When one Gypsy steals, *gaje* attribute the crime to all Romani and this type of criminalization threatens the survival of all Romani.

For over twelve hundred years the Romani have survived forced immigration, and this survival is tied to their economic flexibility. Throughout the Diaspora, Romani have adapted to many adverse and hostile situations. Dr. Sway has identified five practices that have contributed to the Romani's ability to endure adversity; "(1) nomadism, (2) exploitation of natural resources or resources viewed as worthless by society, (3) avoidance of sex-typing in division of labor, (4) avoidance of age barriers in distribution of labor, (5) and a willingness to pursue more than one occupation."¹⁰⁹ Most of the labor niches the Romani have occupied have been in a lower-paying jobs in professions where other segments of society refuses to work.

One of the ways the Romani have adapted to adverse economic circumstances is by avoiding sex-typing in labor. There is consensus among the Romani scholars, about stereotyping jobs regarding women's and men's labor. Rather there are regional economic dictates that allow a man or a women to excel at a certain type of work. In other words, the "most lucrative enterprise deserves priority,"¹¹⁰ and the most often the Romani work together as an economic unit. If a woman has the most lucrative enterprise, all members of the family, male or female, support her in that enterprise. Be it childcare,

109 Marlene Sway, *Familiar Strangers*, (Chicago: University of Illinois Press, 1988), 95.

110 *Ibid.*, 103.

advertising, accounting, or sales, each person will contribute what their skills allow them to contribute in order for her to be successful.

Just as they disregard gender in the division of labor, they also disregard age. The Romani believe every member of a family should contribute. Children are socialized, at a very early age, to become shrewd in business. They spend much of their time in the company of their parents on their jobs or as they complete business ventures. Romani children are encouraged to develop a strong, aggressive personality as to have the upper hand in business dealings. Because of this practice, many Romani children do not attend school regularly (although this is changing in many countries). When they are enrolled in school, Romani children tend to have many absences. For instance, a girl might miss a month of school at a time because she was working with her father selling used cars. The girl would be considered doing her duty to the family, after all economic contribution is a responsibility. This responsibility has led to Romani being multi-occupational. Few Romani have but one occupation, rather they have three or four. This practice assures that the Romani are always able to make a living. In Dr. Sway's words, "This occupational flexibility and pluralism should be viewed as a result of years of economic adaption to unfriendly and unreliable marked situations."¹¹¹ It is this economic diversity and their unwavering work ethic that has allowed the Romani to survive the direst economic circumstances.

111 Ibid., 111.

CHAPTER V

CONCLUSION

*“The only weapon with which I can defeat them is a flame-thrower;
I will exterminate all Gypsies, adults and children,
Though they can only be destroyed if we cooperate.
If we exterminate them successfully,
We'll have a land free of Gypsie”¹¹²*

Gypsy Free Zone
As sung by Mos-Oui

Any legitimate government has the right to maintain a monopolistic control over the use of force in its own territory. This implies that a legitimate government has an exclusive right to control the political, economic, and cultural aspects of their territory. However, individual self-determination is a fundamental right. An individual is not the property of the state, the collective, or another individual; rather, through the principle of self-determination, it is the right of the individual to choose how he lives his own life — to practice the right of self-ownership. Traditional (or classical) liberalism stresses individual freedom, limited government, the protection of equality under the law, and a free market. The applicable melding of economic and political liberalism and the resulting invisible hand of the self-regulating marketplace, allow individuals to determine

¹¹² Peter Blecha, *Taboo Tunes: A History of Banned Bands & Censored Songs*, (Milwaukee: Hal Leonard Corporation, 2004), 171.

their own lives. “Freedom of trade, freedom of thought, freedom of speech, and freedom of action are but modifications of one great fundamental truth, and all must be maintained or all risked; they stand and fall together.”¹¹³ The Charter of the United Nations and the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights (Article I, Paragraph 1) state:

All peoples have the rights of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.¹¹⁴

This statement implies a collectivist principle of national self-determination, or the principle that each nation has a right to determine its own government. However, the standard definition of a nation is a group of people who share a significant number of the following attributes: history, language, ethnic origin, religion, political belief, and fear of the same adversaries.¹¹⁵ If the principle of national self-determination and this definition of nation are accepted, the rights of the individual are in jeopardy. In contrast, individual self-determination allows individuals to choose their own way of life, as long as it does not harm or infringe upon others.

John Stuart Mill said that “... social tyranny [is] more formidable than many kinds of political oppression... it leaves fewer means of escape, penetrating much more deeply

113 Richard Epstein, *Principles for a Free Society*, (Redding: Perseus Books, 1998), 322.

114 “International Covenant on Economic, Social and Cultural Right,” *United Nations, Office of the High Commission on Human Rights*, January 3, 1976, http://www.unhchr.ch/html/menu3/b/a_ceschr.htm.

115 Russell Bova, *How the World Works: A Brief Survey of International Relations*, (New York: Pearson Education, 2009), 43.

into the details of life and enslaving the soul itself.”¹¹⁶ In other words, individuality and nonconformity are socially valuable. There are limits to the legitimate power of a collective opinion, conformity hurts society, and social progress requires the experience of conflicting ways of life. Contrary to Mill’s warning, global society has established a social order, which supports the marginalization of entire populations. This marginalization denies social power and can result in deprivation of material goods, social services, and political participation.

From the time they entered into Eastern Europe, the Romani have suffered marginalization, discrimination, and exploitation. Their entrance during the Middle Ages, a time of social, and political upheaval only added to the European prejudice toward these mysterious strangers.

The Eastern Europeans’ treatment of the Romani, prior to World War II, centered on enslavement. The Romani were bought and sold with the approval, and sometimes the participation, of both the church and states. Once servitude began, it was difficult to escape. Laws were passed for the specific purpose of preventing the Romani and the *gadze* (non-Romani) from interacting; the demoralization and humiliation of the Romani became socially acceptable.

As the Romani moved westward in hopes of finding an accepting society, they continually encountered prejudice and harassment. This mistreatment only bound them more closely to the nomadic life, and in every country the Romani travelled, laws were adopted to deal with their presence. These laws dealt with the Romani in the cruelest ways, and enforced punishments far greater than punishments common for the *gadze* who

116 John Stuart Mill. *On Liberty*, ed. Elizabeth Rapaport, (Indianapolis: 1978).

committed the same crimes. Often, punishments were for the ‘crime’ of being a Gypsy and the punishments included rape, torture, even death. These laws and treatments only strengthened the Romani’s mistrust and fear of the *gadze*, and the laws strengthened separation between the Romani and the *gadze*.

At the end of the 18th century, many Eastern European countries attempted to force settlement on all Romani. Maria Theresa, ruler of the Habsburg dynasty from 1745 to 1746, had all Gypsy children removed from their homes and placed in Christian schools or Christian foster homes. Her son Joseph II continued this practice throughout his reign.¹¹⁷ In an attempt to escape the kidnappings of their children by the state, the Romani became more nomadic.

After World War I, new nations were created in Eastern Europe. Under communism and socialism, these nations were based on the idea of equality for all. Although communism disrupted their traditional lifestyle, it also gave the Romani a brief respite from the violent racial discrimination they had endured for centuries.

The arrival of the Nazi regime introduced the *Porajmos* or the Romani holocaust, which was an unspeakable terror for the Romani. In order to subjugate the Romani, the Nazis first reestablished post-communism laws, and then they adopted new laws that removed any civil rights the Romani had gained under communism. The Nazis mass campaign to cleanse the German states of undesired races (Jews and Gypsies) was most successful in the case of the Gypsies. In some countries, like Bohemia, Moravia, and Czechoslovakia, the Gypsy population was almost wiped out; in other countries, as such Albania, many survived. Scholars have difficulty agreeing on the Romani losses during

117 Donald Kenrick and Grattan Puxon, *The Destiny of Europe's Gypsies*, (New York: Basic Books, Inc., 1972), 50-51.

the *Porajmos* partly because of the difficulty in determining the Romani population in Europe prior to the tragedy. However, there is no question that a large majority of the pre-World War II Romani population of East and Central Europe was lost at the hands of the Nazis.

Historically, in times of political upheaval or war Romani suffer most. After the tragedy of World War II, things seemed to change for the Romani and their stories began to follow the social and political paths of individual countries in which they resided.

Approximately eighty-percent of the world's estimated ten million Roma live in Europe; about three-fourths of those live in Eastern Europe.¹¹⁸ The vast majority of European Gypsies, especially those living in Eastern Europe, experience marginalization; they live with prejudice, violence, and pogroms. Even those living in Western Europe live at the bottom of the socioeconomic ladder. The Romani are in a unique situation. They are a transnational, non-territorial people. They have no home territory to which they can return. Roma origins, traceable to Northern India over a thousand years ago, are so distant they cannot claim India as their home. The Romani are truly a pariah group and they have been rejected and subjugated by every society they have encountered. Their fundamental rights are threatened across the globe. Discrimination against the Roma in the areas of education, health care, social services, civil rights, and employment is on the rise, is growing more open and more socially acceptable. The racial violence the Roma experience has intensified, and Gypsy-hate speech and Gypsy-hate crimes are have become common place. Since their migration out of India, the Roma have been marginalized, yet overtime the intensity of this marginalization has changed. European

118 The World Bank, "Beyond Transition, Who Are the Romany?"
<http://www.worldbank.org/html/prddr/trans/novdec96/doc3.htm>.

societies have always regarded Gypsies as aliens to be feared and mistrusted, and the Roma's refusal to assimilate supports the Europeans' fear and distrust, and makes Gypsies seem exotic and dangerous – the Other.

The Roma populations, in general, are culturally diverse and unorganized. They often live in economic isolation, and in extreme poverty in overcrowded ghettos. They have high infant mortality, low education levels, and internal conflicts. Unemployment among European Romani is at devastating levels. In Slovakia, Hungary, and Romania the numbers are reaching 100 percent and unemployment benefits are almost nonexistent for the Romani populations. One of the largest ethnic groups in Eastern Europe, the Romani have no support from a nation-state or a political party, and European governments appear to be ambivalent about wide-spread, anti-Gypsy sentiment.¹¹⁹ Fighting racism and marginalization takes political organization; and while there are some Romani leaders who are attempting this organization, they have not yet succeeded. To succeed in political mobilization, Romani leaders have much to accomplish. First they need to establish, and openly claim their ethnic identity as a group. This is not a simple matter, as most Roma do not consider themselves to be part of a cohesive ethnic group, rather they identify with their local tribal group, and when they are politically active, this too is on a very local level. Second, the Roma have no history of political mobilization or established political principles. It will take Roma intellectual and political leaders time and patience to educate, and motivate the general Roma populations.

119 European Roma Rights Center, "*Unemployment in Eastern Europe 2000*," <http://www.errc.org/>.

In East Central Europe, Romani are regarded as unable to adapt, untouchable, or just 'the Others.' Governments exhibit indifference to the socioeconomic situation of the Roma. In light of the European states' indifference and the limitations of the Roma's political mobilization, it seems necessary that the international community and non-governmental organizations become involved in the plight of the Roma. There can be no question that the Roma peoples are a diverse group with a common origin. They have experienced a similar history, and they share a common culture. Although they share a language, which is based on Sanskrit, there are up to 100 dialects and many families cannot even speak to each other.

Today the Roma are represented in the United Nations, the European Union, and the Council of Europe. Still one can argue that the Roma identity is weak, and that rather than a homogenous ethnic group. They are a variety of related subgroups. In fact, the Roma do not have a national identity. They live in many different countries and under many different state governments. Countries and governments that have discriminated against the Roma, have marginalized them, and forced them into institutional Diaspora for twelve-hundred years. There is no basis for an advocacy for a nation-state for the Roma. However, there is an ample basis for world organizations to demand that the Roma receive full citizenship, and civil and human rights in the countries in which they have lived for hundreds of years.

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