

# Western Europe

compiled by the editors

Increasingly Strict Anti-“Gypsy” Laws | “Gypsy Hunts” in Saxony | France and The Netherlands:  
The Galleys and “Heathen Hunts” | Forced Assimilation: The Iberian Peninsula

▶ *The period during which the Roma had letters of safe conduct, issued by the rulers at their disposal and were supplied with alms and lodging in the Central and Western European countries lasted only for a short time. From the beginning of the 16<sup>th</sup> century onwards, more and more radical laws led to their expulsion, deportation and open persecution, culminating in the organised killing of Roma. Often, as in Spain or the Holy Roman Empire, the cruelty of persecution reached its climax only in the 18<sup>th</sup> century.*



III. 1.

*Execution of members of a “Gypsy” band accused of robbery at Giessen, Hesse. (from Fraser 1992, p. 178)*

## INTRODUCTION

Shortly after the first, comparatively friendly welcome in Europe, the situation began to change for the Roma.

For the Church, mainly the allegedly “unchristian” medical practices of the “Gypsies”, palmistry and other “sorcery” were a thorn in the

side. The local workmen and guilds thought their income and monopoly were threatened and thus tried to get the unwanted competitors out of their way by all means. Because of the costs arising and the Roma’s increasingly bad reputation the cities were soon no longer willing to tolerate them.

To the rulers of the Modern Era the Roma seemed to be unproductive vagabonds under no one’s rule, who would not adapt to the existing social order. As a consequence, most rulers passed anti-“Gypsy” laws. Even if they pursued different strategies, it was their common goal to make the “Gypsies” disappear. [Ills. 1, 2]

### Von den Ziegeunern.

Derjenigen haben/so sich Ziegeuner nennen/vnd hin vnd her in die Land ziehen/sol per Edictum publicum als  
 len Ständen des Reichs/durch vns bey den Pflichten/damit sie vns vnd dem H Reich verwandt seyn / ernstlich ge-  
 botten werden/dz sie hinfüro dieselben Ziegeuner/nach dem man glaublich anzeigung hat / dz sie Erfahrer/Aufspä-  
 her/vnd Verkundtschaffter der Christen Land seyen/in oder durch ihr Land/Gebiet vnd Oberkeit nit ziehen/handeln/  
 noch wandeln lassen/noch inen der Sicherheit oder Geleyd geben. Vnd das sich die Ziegeuner dar auff/ hie zwischen  
 Ostern nechstkünftig auß den Landen Teutscher Nation thun/sich der enteussern/ vnd darinn nicht finden lassen.  
 Dann wo sie darnach betretten/vnd jemand mit der That gegen ihnen zu handeln fürnehmen würde / der sol dar-  
 an nicht gefrevelt/noch vnrecht gethan haben/wie dann solches vnser Mandat weiter inhalten würde.

III. 2

Edict by Maximilian I,  
 as in the “Reichsabschied” (Reich’s resolution) of 1500:

“... sol ... ernstlich gebotten werden, daß ... sich die Zie-  
 geuner darauff hie zwischen Ostern nechstkünftig auß den  
 Landen Teutscher Nation thun, sich der enteussern, und dar-  
 inn nicht finden lassen. Dann wo sie darnach betretten, und  
 jemand mit der That gegen ihnen zu handeln fürnehmen  
 würde, der soll daran nit gefrevelt, noch unrecht gethan ha-  
 ben ...” (“... shall be ordered seriously, that ... the Gypsies  
 leave the territories of the German Nation until Easter, keep  
 out and not be found inside, because if they would come in  
 and somebody would want to do them harm, he would not  
 do wrong ...”)

(from Gronemeyer / Rakelmann 1988, p. 48)

Those who could provide useful services were sometimes allowed  
 to stay in a particular territory, such as the group of workmen un-  
 der a certain Voivode Franciscus, to whom a letter of safe conduct  
 by Count Thurzo was issued on February 20, 1616:

“... this tribe industriously seeks, erring from domicile to domi-  
 cile, knowing no riches nor thirst for glory, food and clothing, by  
 daily and hourly doing their work at the anvil, the bellows, the  
 hammers or the fire tongs in the open air ... we think this tribe  
 worthy of compassion and every favour, and demand that you give  
 them – with pleasure – the opportunity to settle in your suburbs,  
 fields and meadows, to put up their tents and to carry on their pro-  
 fession, and their usual lifestyle ...”

III. 3 (excerpted and translated from Mayerhofer 1988, p. 17f.)

## INCREASINGLY STRICT ANTI- “GYPSY” LAWS

The fact that the Roma were accused of being spies for the Turks initiated the first phase of “Gypsy persecution” in the Holy Roman Empire at the beginning of the 16<sup>th</sup> century. Entry bans were passed, and drastic punishments for returning “Gypsies” were decreed. The Roma tried to withdraw to neighbouring countries, to forests and mountainous areas. Soon, however, also the countries bordering on the Holy Roman Empire imposed sanctions on the “Gypsies”.

Finally, with some delay, all Central and Western European countries passed anti-“Gypsy” laws. There are several reasons why this flood of laws did not completely expel the Roma from Europe already in the 16<sup>th</sup> century. First, the administrative machinery charged with the execution of laws did only rarely use the called-for rigour. Secondly, some members of the nobility still refused to comply with their ruler’s orders and offered protection to the Roma; additionally, the police force did by no means work as efficiently as it does in modern countries. Anyway, the cornered Roma continued to find means to avoid persecution.

The beginning of a period of extreme suffering for the Roma is marked by an edict by Maximilian I, who ordered all “Gypsies” to leave the empire’s territory by Easter 1501. After that deadline, they were considered outlaws, and could be caught and killed by every citizen. The ineffectiveness of many measures led to new and increasingly strict laws in all European countries. In the Holy Roman Empire alone, 150 “Gypsy edicts” were passed in the time from 1500 to 1750 and later laws always surpassed the existing ones in cruelty. [III. 2]

## “GYPSY HUNTS” IN SAXONY

In 1579, Elector August of Saxony decreed that all passports of those “ver-

zweifelt los Gesellen” (desperate loose companions) were to be confiscated and destroyed. In 1688, Elector Wilhelm I of Brandenburg passed an edict according to which “neither the Gypsies nor their trading” were to be tolerated. The

men were threatened with forced labour (building forts), the women with whipping and branding, and the children with “confiscation”. In 1711, August II of Saxony gave his authorities the permission to shoot “Gypsies” should they resist ar-

### Arrest de la Cour de

Parlement, portant injonction à toutes personnes soy difans Egyptiens, de sortir hors le Royaume de France, dans deux mois après la publication du present Arrest.



A LYON,  
Par NICOLAS IVLLIERON, Imprimeur  
ordinaire du Roy.

M. DC. XII.  
*Avec Privilège du Roy.*

III. 4

*This French court order of 1612 orders all “Egyptiens” to leave the French kingdom within two months – one document in a row of laxly executed orders concerning Roma.*

(from Hancock 1987, p. 57)



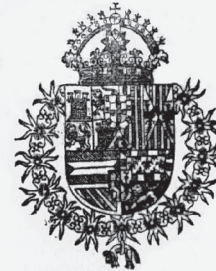
III. 5 (Detail)

*Warning placard to threaten off Roma, as posted at the borders of the Holy Roman Empire, c. 1715.*

(from Asséo, Henriette 1994: *Les Tsiganes. Une destinée européenne*. Paris: Gallimard, p. 37)

### PREMATICA

QUE SV Magestad Man-  
da se promulgue, en razon de los Gita-  
nos, que andan por el Reyno, y  
orras cosas.



EN MADRID,  
Por la viuda de Iuan Gonçalez.

Año M.DC.XXXIII.

III. 6

*In the “Premática” of 1633 Philippe IV of Spain ordered the Roma to give up their language and accustomed life style.*

(from Fraser 1992, p. 162)

rest. King Friedrich Wilhelm I of Prussia (1713-1740) allowed the authorities in his “Instruction” (1725) to hang all “male and female Gypsies” over 18 without trial. [III. 1]

In 1734, the Landgrave of Hesse offered six “Reichstaler” for every “Gypsy” captured alive, and half the amount for every killed one. Incentives of this kind were at the basis of the notorious

“Gypsy hunts”, during which the Roma were hunted like game by the town people. In Saxony, such houndings were called “Kesseltreiben” and were considered public entertainment.

In the inherited Austrian territories the Roma were not treated less brutally than in other parts of the Holy Roman Empire. Only in Hungary, more exactly in the western parts of Hungary, which

had stayed under the reign of Habsburg after the Turkish invasion, some local rulers tended to tolerate the Roma as long as they could be useful. For instance, György Thurzo, Palatine of the Hungarian Empire, in 1616 allowed a group of Roma to settle on his territory and to go about their work as smiths, which was useful for the Hungarian nobility for war. [III. 3]

### FRANCE AND THE NETHERLANDS: THE GALLEYS AND “HEATHEN HUNTS”

In France, it took almost 150 years until the Roma’s repression and persecution was pushed ahead with the same vigour as in the Holy Roman Empire. However, when Louis XIV passed his anti-“Gypsy” laws in the second half of the 17<sup>th</sup> century, they were – due to the

strong centralisation and administrative control – brought into action far more efficiently than the laws which were restricted to small areas in the fragmented Holy Roman Empire.

Already Louis XII (1504), Francois I (1539) and Charles IX (1561) had expelled “Gypsies” from their kingdom. An inefficient police force, the laxness and inconsequence of the execution of royal orders as well as the liberality of some members of the nobility at first

thwarted the king’s intentions. Only in the mid-1600s – that is, with the advent of absolutism – the authorities’ measures got vigorous and the penalties stricter. Already in 1666, Louis XIV decreed that all male “Gypsies” were to be arrested and sent to the galleys without trial. In 1682 the “Roi Soleil” confirmed and intensified the existing rules: male Roma should get life sentences on the galleys, women should be sterilised and children put into poorhouses. If they

still did not give up their vagabond life they had to face torture, branding and banishment. [III. 4]

What was exceptional about these measures was the fact that the Roma did not even have to be convicted of a criminal offence. In France, like in many other countries, their being “Gypsies” was reason enough for their persecution. Noblemen and judges who offered protection to the “Bohemes” or “Egyptiens” were threatened with the loss of their jurisdiction and dispossession by the king. In order to avoid the

authorities’ attention, bigger groups of Roma split up; many families became settled for at least one part of the year. Some tried to find refuge in the border areas – Alsace, Lorraine or the Basque region – and in other rough areas.

Also in the Netherlands, which had become virtually independent from Spain in 1609, the constant intensification of laws remained ineffective at first. Only when the provinces allowed more rights to the central power and made treaties among each other, a coordinated and thus efficient perse-

cution was possible. In the course of this common, better organised action by the police force, the so-called “heidenjachten” (heathen hunts) became more and more intensive. They were carried out with the help of the military forces, and even the neighbouring German lands, such as the duchies of Kleve and Münster, took part. After the last “heidenjacht”, held in 1728, the majority of the victims had either been murdered, had fled, or had submitted themselves to the authorities’ orders.

### FORCED ASSIMILATION: THE IBERIAN PENINSULA

Spain was the only European country that alternately – and with consequence – pursued both the Roma’s extinction and their complete assimilation. Philippe III, in 1619, ordered all “Egipcianos” to leave the country, with the threat of the death penalty. At the same time, however, he allowed them to stay if they became settled and gave up their accustomed life style. In his “Premática” (1633) Philippe IV forbid the “Egipcianos” to live in small groups, to use their own language, and to dress differently from the Spanish. Violation of this law was punished with six years on the galley, whipping or banishment. [III. 6]

By the mid-18<sup>th</sup> century, the Spanish “Gitanos”’ process of becoming settled had already gone very far, but it was by no means a complete assimilation. The Roma refused to comply with certain demands by King Ferdinand, and so he made a radical decision: On the 30<sup>th</sup> of July in 1749 all Roma were to be rounded up in the whole of Spain and were to be used for forced labour in the state’s mines, shipyards, and factories. On this day, which went down in Spanish history as “Black Wednesday”, an estimated 9,000 – 12,000 Roma were interned.

Portugal, like Great Britain at a later date, found a new way of dealing with “Gypsies” and had, already in 1538, deported Roma to Africa or Brazil, where the Roma were among the first European settlers.

For more than 300 years, persecution and expulsion were dominant in the authorities’ dealings with the Roma throughout the whole of Europe. Notwithstanding draconian punishment, the measures which had been taken in the 16<sup>th</sup> to 18<sup>th</sup> century to solve the supposed “Gypsy problem” did not have the wished-for effect and did, by no means, add to the “Gypsies” “disappearance”. This fact, the influence of Enlightenment and the principles of absolutist social and financial policy made the European rulers find new ways in their “Gypsy policy”. The Habsburgs in Austria, and the Bourbons in Spain, in particular, started a less cruel – but equally relentless – forced assimilation of the Roma.

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