

# **The Nazi persecution of the Gypsies**

*Guenter Lewy*

**OXFORD UNIVERSITY PRESS**

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## *Preface*

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To this day the persecution of the Gypsies under the Nazi regime remains one of the most neglected chapters in the history of that fateful era. Although there are hundreds of works that examine all aspects of the Nazi onslaught on the Jewish people, the fate of the Gypsies is the subject of only one book in the English language. Published in 1972, Kenrick and Puxon's *The Destiny of Europe's Gypsies* represented a welcome attempt to make up for decades of neglect, but the book fell short of a satisfactory treatment. It was based on a limited range of sources and was marred by mistranslations and factual errors; its analysis, compressed to a mere 125 pages, was marked by undue simplifications. A revised edition that appeared in 1995 was further abbreviated and omitted all documentation. The publisher explained that footnotes and references had been removed to help make the book a better read for older schoolchildren.

During the last twenty years or so German authors have begun to tackle this long-slighted subject, though most of these studies are monographs of limited scope. Some works are excessively polemical and are part of what in Germany has been called "militant history." They are superficial and fail to describe and analyze the actual chain of events in all their historical complexity. It was not until late 1996 that Michael Zimmermann's *Rassenutopie and Genozid* appeared, a comprehensive scholarly work and the first book that does justice to the intricacies of Nazi policy toward the Gypsies.

There are many reasons for the prolonged failure to pay attention to this topic. The suffering of the Gypsies was overshadowed by the massive tragedy of the Jewish people, which received extensive coverage during the Nuremberg trials and in the documentary record created by these lengthy proceedings. By contrast, the persecution of the Gypsies was barely men-



tioned and not a single Gypsy was called to testify before the various tribunals. During the years that followed, numerous Jewish survivors wrote about their tribulations, although very few Gypsies related their experiences. Hardly any Gypsies belonged to the intellectual class. Moreover, some of the most basic tabus of Gypsy culture regarding ritual purity and sexual conduct had been violated in the concentration camps, and survivors therefore were reluctant to talk about what had happened. Subjects such as compulsory sterilization could hardly be discussed at all. Inquiries by outsiders were hampered by the suspicion with which Gypsies have traditionally regarded the non-Gypsy world—the result of centuries of harassment and persecution.

To an important extent, this book is based on documentary materials gathered in twenty-nine German and Austrian archives—federal, state, local and others such as the Institute for Contemporary History in Munich and the Central Office for the Prosecution of Nazi Crimes in Ludwigsburg. The most important single source consulted in Germany consisted of nearly a thousand files on individual Gypsies compiled by the German police. Such records have been preserved in only three state archives—in Potsdam, Magdeburg and Düsseldorf. Not meant for outside consumption, these files provide a detailed and highly informative picture that is indispensable for a proper understanding of the course of persecution. Many misconceptions about the Nazi treatment of the Gypsies are due to an exclusive reliance on decrees issued in Berlin and a failure to ascertain how these policies were implemented at the local level. In addition to information about the actions of the authorities, these records also contain much valuable material about the attitudes and reactions of the victims.

Other primary sources were consulted at the National Archives and the archive of the U.S. Holocaust Memorial Museum in Washington. The literature on the subject by now includes a limited number of memoirs. Despite the fallibility of all such recollections, the testimony of these survivors helps put the actions of the persecutors into perspective. The heart-rending stories of their ordeal remind us of the human tragedies obscured by the bureaucratic language of official documents.

In the interest of a treatment in depth, this book focuses on the Gypsies of Germany and Austria and of territories incorporated into the Third Reich such as the Czech Republic (known as the Protectorate of Bohemia and Moravia) and Alsace-Lorraine. I also discuss actions taken against Gypsies in areas under German military administration in the Baltic states, the Soviet Union and Serbia because of the important light they throw on the overall character of Nazi policy.

The Gypsies are an elusive people who have been romanticized as well as vilified. For example, commenting on Isabel Fonseca's book *Bury Me Standing: The Gypsies and Their Journey*, Richard John Neuhaus, editor of the magazine *First Things*, recently charged in an intemperate outburst that the Gypsies "are, with exceptions, a lazy, lying, thieving, and extraordinarily filthy people" who are "exceedingly disagreeable people to be around." On

the other hand, different observers have praised their music and their closeness to nature. Some contemporary German writers consider the Gypsies and their less inhibited ways a valuable challenge to what they see as the regimented lifestyle of modern society, preoccupied with technological efficiency and material wealth. The same attitude has led to an insistence on certain “politically correct” ways of looking at the history of the Gypsies, including a new nomenclature. Thus instead of the traditional word *Zigeuner* (Gypsy), which is considered pejorative, most Germans today use the terms “Sinti” and “Roma.” These names refer to the tribe to which the majority of German Gypsies belong (the Sinti) and to the Gypsies of southeastern European origin (the Roma). In fact, there is nothing pejorative per se about the word “Zigeuner,” and several Gypsy writers have insisted on the uninterrupted use of the term in order to maintain historical continuity and express solidarity with those who were persecuted under this name.

There remains the pleasant duty of acknowledging my gratitude for the generous assistance I have received from many quarters. Sybil Milton, formerly senior historian at the U.S. Holocaust Research Institute, was most helpful to me when I first set out to work on the subject of this book. A fellowship from the American Council of Learned Societies and a stipend from the German Academic Exchange Service (DAAD) made possible five months of research in the Federal Republic of Germany. The archivists and librarians there were cooperative and supportive, and the same holds true for the personnel of the National Archives and the U.S. Holocaust Memorial Museum in Washington. I have also benefited from exchanges of views and assistance in obtaining documents from scholars working on the history of the Gypsies and related fields, in particular Christopher Browning, Ludwig Eiber, Hans Hesse, Martin Luchterhandt, Hansjörg Riechert, Gesine Schwan, Wolfgang Wippermann and Michael Zimmermann. Stephen Miller and Michael Zimmermann read an early draft of this book, and I thank them for their constructive criticism. I am indebted to Chrisona Schmidt for an outstanding job of copyediting. Needless to say, none of the above individuals or institutions are responsible for the opinions and conclusions reached here, which remain my personal responsibility.

Washington, D.C.  
November 1998

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# The Nazi Persecution of the Gypsies

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## *Introduction*

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### *A History of Oppression and Maltreatment*

The persecution of the Gypsies by the Nazi regime represents but a chapter in a long history replete with abuse and cruel oppression. Ever since the Gypsies appeared in central Europe in the early fifteenth century, they have been expelled, branded, hanged and subjected to various other kinds of maltreatment. Indeed, in some parts of Europe the vicious tribulations experienced by this minority continue unabated to the present day. As a result of this history, many Gypsies are reluctant to acknowledge their ethnic identity, and statistics about the number of Gypsies in the world are therefore notoriously unreliable.

#### *Gypsies in German Lands: Early Years*

The people known today as Gypsies speak a multiplicity of dialects, all derived from Sanskrit with borrowings from Persian, Kurdish and Greek. Analysis of this language, known as Romani, and other evidence have established with considerable certainty that the Gypsies left the Indian subcontinent more than a thousand years ago, probably in several waves, and gradually migrated through Persia, Armenia and Turkey to Europe. We do not know what brought about this exodus; the Gypsies are an unlettered people who have neither written nor oral histories relating their past. For the fourteenth century, their presence is documented in Greece, where they were known as Atsinganoi or Atzinganoi; the German Zigeuner, the French Tsiganes, the Italian Zingari and similar names in other languages derive from this Byzantine appellation. From the year 1417 on, chronicles mention their movement through the Hanseatic towns and other parts of Germany.

The same year, the German emperor Sigismund issued a group of some one hundred Gypsies a letter of safe conduct. Traveling in extended family groups, these nomads made their living by providing specialized goods and services. They wove baskets, repaired kettles, sharpened scissors, traded in horses, performed music, trained animals; their women danced and told fortunes. In order to sell their products and perform their trades they had to keep moving from place to place.<sup>1</sup>

Presenting themselves as pilgrims and penitents, Gypsies at first were well received and accepted private or public alms. The story they told is handed down in several versions. According to some accounts, they claimed to hail from Egypt and were doing penance for having abandoned for some years the Christian religion. Others relate that they claimed to be expiating the sins of their forefathers who had refused to help the Blessed Virgin and the Christ Child on their flight to Egypt. Still others speak of penance in memory of the flight of Jesus.<sup>2</sup> The Gypsies were therefore frequently called Egyptians; the name Gypsies in English and Gitanos in Spanish is a distorted form of this word. Very soon, however, tensions developed between the indigenous, sedentary population and these dark-skinned, foreign-looking wanderers. Their dedication to a life of penance was being called into question, and instead they were now often denounced as heathens. No longer considered penitent Christians, their begging drew resentment. Many accounts mention that "they were excessively given to thievery."<sup>3</sup> There were charges of sorcery, witchcraft, child stealing and spying. Gypsies were said to be noisy, dirty, immoral, deceitful and generally asocial. Their self-proclaimed ability to see into the future both attracted and terrified.<sup>4</sup>

With the Turks expanding into the Balkans, in 1497 the legislature of the Holy Roman Empire accused the Gypsies of spying for the Turks and in the following year ordered their expulsion from all German lands. This decree was reenacted several times, and similar ordinances soon followed in individual German territories, though enforcement appears to have been lax. The theme of the stealing and dishonest Gypsies now appeared regularly in chronicles of the times, and even outstanding humanists such as the seventeenth-century Jacobus Thomasius concluded that these black-looking heathen foreigners, speaking a strange tongue, were not fully human.<sup>5</sup> Jealous craft guilds, seeking to maintain local monopolies, sought to limit traditional Gypsy occupations such as metalworking and the manufacture of baskets. As a result of these restrictions, Gypsies increasingly resorted to begging and stealing, reinforcing a stereotype that had accompanied them all along. Some formed or joined criminal gangs that preyed especially upon the rural population.

A policy of rejection now became the norm. With the spread of the Reformation, pilgrims lost their earlier lofty status, and begging too came under sharp attack. Although local parishes were prepared to support their indigenous poor, foreign beggars were routinely sent away. "Settled people," observes Angus Fraser, "on the whole, do not trust nomads; and in a European society where the majority were pressed into a life of piety, serfdom and drudgery, Gypsies represented a blatant negation of all the essential values and premises on which the dominant morality was based."<sup>6</sup>

The fortunes of the Gypsies worsened after the Thirty Years' War. This disastrous conflict, centered in Germany, uprooted tens of thousands. When it ended in 1648, vagrant hordes of dispossessed peasants and disbanded soldiers strode through the land begging and stealing. Some Gypsies too formed robber bands, numbering fifty to one hundred members, who stole for their sustenance. The most famous of these Gypsy brigands was Jakob Reinhardt, who was hanged in 1787 along with three other Gypsies. In response to this chaotic situation, the German princes enacted a flood of legislation, some of it specifically directed against Gypsies. Between 1497 and 1774, there were 146 edicts against Gypsies in German lands; about three-quarters of the anti-Gypsy measures identified for the years 1551–1774 were issued within the hundred years following the Thirty Years' War.<sup>7</sup>

Enforcement of these edicts suffered from the absence of an effective police force, but increasingly more stringent and ruthless penalties sought to make up for the weak power of the state. In 1652, the Elector of Saxony, George I, declared Gypsies to be outlaws in his land; in 1711, Augustus I of Saxony ordered that violators were to be flogged, branded and, on second appearance, put to death. In 1710, Prince Adolph Frederick of Mecklenburg-Strelitz commanded that captured Gypsies were to be confined for life at hard labor; older males and women over twenty-five were to be flogged, branded and expelled. Children under ten were to be handed over to good Christian families for a proper upbringing. The forcible removal of young children was practiced in other states as well. The archbishopric of Mainz decreed in 1714 that Gypsies and other thievish vagrants were to be executed without trial for practicing an itinerant way of life; women and grown children were to be flogged, branded and banished or put for life into workhouses. In 1725 King Frederick William I of Prussia ordered that Gypsies over eighteen, both male or female, be hanged without trial. An edict issued in 1734 by Ernst Ludwig, the Landgrave of Hesse-Darmstadt, provided that Gypsies had to leave his land within a month; those disregarding this order would forfeit life and possessions. A reward was put up for catching or killing a Gypsy. In 1766, Carl Theodor, Count Palatine by Rhine, proclaimed that Gypsies and other such vagabonds were to be arrested and punished; those found in his territory a second time were to be hanged without further trial, their bodies being left on the gibbet as a warning to other offenders. Those professing ignorance of this law were to be branded on the back with a gallows and banished.<sup>8</sup>

A few raised their voices against these extreme penalties. The cathedral chapters of Speyer, Worms and Mainz argued that Gypsies and the like were “after all human beings and could not dwell between heaven and earth.”<sup>9</sup> But by and large, vagabonds were seen as *ipso facto* criminals and punished severely. Gypsies were caught in a tide of repression against vagabondage and begging. Their status as rootless people was itself an aberration that had to be corrected by the power of the state. Only gradually did the forces of enlightenment sweeping Europe change the cruelty of the law and thus bring about an amelioration in the status of the Gypsies.

In order to survive, Gypsies sought to make the most of the loopholes in this system of oppression. They took advantage of the multiple jurisdictions



and different legal codes existing in the various German states. Some found more than one godfather for their children; others, practicing a long-existing skill, forged passports and thus obtained the coveted license to practice an itinerant trade (*Wandergewerbeschein*), required from the first half of the nineteenth century on. Their musical talent apparently played an important role in their winning a measure of tolerance.

### *Modern Times: Regulation and Harassment*

In a society that was becoming increasingly urbanized and industrialized, Gypsies had to abandon some of their old trades, and many became impoverished and dependent on local welfare. Still, they resisted becoming wage laborers as well as they could. Industrial production displaced the making of articles for hawking and many turned to peddling machine-made goods bought from wholesalers, moving from village to town. Most of them became sedentary during the winter months, but, following seasonal occupations, they continued their independent and nomadic way of life during the summer.

Attracted by economic opportunity and relative prosperity, a new wave of Gypsies from the Balkans and Hungary entered central Europe in the second half of the nineteenth century; their Romani speech was heavily influenced by Rumanian. The majority of Gypsies who had lived in German-speaking lands for several centuries continued to be known as Sinti, but alongside them there now existed a new group who called themselves Rom. This influx of more dark-skinned foreigners coincided with the spread of racial consciousness in Germany. In a time of important biological advances, the French Count Gobineau's *Essai sur l'inégalité des races humaines* (1853–1855) had a marked impact in Germany. Gobineau argued for the superiority of the “Aryan race,” those who spoke Indo-Germanic languages, and he assigned inferior status to persons of mixed ancestry, or *Mischlinge*. Similar ideas were put forth by Englishman Houston Stewart Chamberlain in his book *Die Grundlagen des neunzehnten Jahrhunderts*, published in Germany in 1899.<sup>10</sup> Alongside the view of the Gypsies as primitive but idyllic people propagated by the Romantic era, there now emerged a far less benevolent picture of the Gypsies—a racially inferior group whose presence in Germany jeopardized the purity of the Germanic race. Italian criminologist Cesare Lombroso supported this judgment. In his book *L'uomo delinquente* (1876) and in his later German work *Die Ursachen und Bekämpfung des Verbrechens* (1902), Lombroso maintained that Gypsies were shiftless, licentious and violent people who tended toward crime on account of their racial makeup.<sup>11</sup> Less than half a century later, these ideas led to a wave of brutal persecution of the Gypsy people.

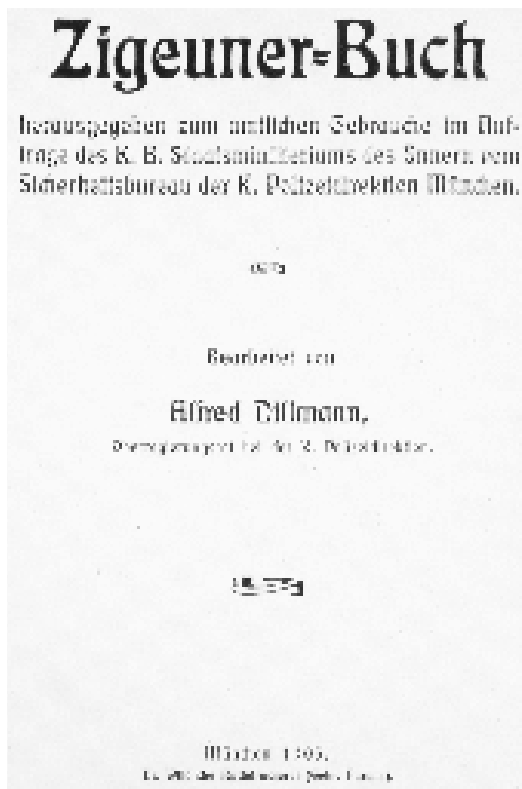
Racist thinking may have influenced those who framed rules and laws regulating the life of German Gypsies during the second half of the nineteenth century, but racial considerations were generally of minor importance in the regulations they created. In order to encompass all of the many different

types of beggars and vagabonds found in Germany, the authorities stressed conduct rather than race—a peripatetic lifestyle, conducting an itinerant trade and moving one's personal belongings in a caravan. In addition to Gypsies, these criteria led to the inclusion of the *fenische*, whose origin is not fully known. These so-called white Gypsies were of local extraction. In addition to German, they spoke their own dialect known as Rotwelsch or *Gaunersprache* (language of rogues). Hence the regulations encompassed Gypsies and Gypsy-like itinerants.<sup>12</sup> As we shall see later, even the Nazis, despite their preoccupation (not to say obsession) with racial ideas, for a long time continued to use this formula. They too sought to catch in their net all types of vagabonds, whether Gypsy or not.

The main aim of the regulations issued by the German states during these years was to halt the influx of foreign Gypsies, especially members of the Roma tribes from the Balkans. Leading the way in 1885, Bavaria issued a measure specifically directed against Gypsies. The decree called for strict control of the identity papers carried by Gypsies, canceling whenever possible the licenses issued to itinerant traders and restricting the issue of new such licenses. Gypsies whose citizenship was in doubt could be arrested and kept in jail until the state to which they belonged accepted them. Those apprehended were made liable for the costs of any arrest, legal proceeding or expulsion. Another measure issued in 1889 frankly acknowledged that the purpose of these harassing controls was to deter Gypsies from itinerating in Bavaria.<sup>13</sup>

In 1899 Bavaria established at police headquarters in Munich an office for coordinating actions against Gypsies. Local police were now required to report the appearance of Gypsies and other itinerant groups to this *Zigeunerzentrale* (Central Office for Gypsy Affairs). The reports had to include the nature of the identity papers they carried, how many animals, especially horses, the itinerants had, from where they had come and in which direction they had moved, and whether the police had taken any measures against them. Not taking any action had to be justified. Prosecutors were asked to report all legal proceedings and convictions of Gypsies and other vagabonds. The local offices registering births, marriages and deaths (*Standesämter*) similarly had to provide copies of their records. Summaries of all of these reports were carefully catalogued in a special alphabetical file. Other German states also supplied names and photos, and by 1925 this data bank included more than 14,000 names from all over Germany. Very soon too the *Zigeunerzentrale* not only recorded information received but began to collect it. It also began to suggest measures against Gypsies. As a result of such a suggestion, from 1911 on all Gypsies in Bavaria were fingerprinted.<sup>14</sup>

The head of the Bavarian *Zigeunerzentrale* was one Alfred Dillmann. In 1905, Dillmann issued a compilation of all the data collected until then in a publication called *Zigeunerbuch*. In addition to all relevant laws and administrative regulations affecting Gypsies, the Gypsy Book included 3,350 names and more detailed information about 611 persons; 435 individuals were classified as Gypsies, 176 as Gypsy-like itinerants. It identified 477 persons having a criminal record, most charged with petty crimes such as begging, not having a license



*Title page of the Zigeunerbuch issued by the Munich police in 1905. From Zigeunerbuch (Munich, 1905). COURTESY OF BAYERISCHE STAATSBIBLIOTHEK, MUNICH.*

to carry on an itinerant trade or theft. The book was printed in an edition of 7,000 copies. Bavarian authorities received a free copy; others in Germany and in neighboring states who wanted the book had to pay one mark.<sup>15</sup>

Other German states too tackled what was referred to as the “Gypsy plague” (*Zigeunerplage*). In 1903, the Interior Ministry of Württemberg promulgated a Struggle against the Gypsy Nuisance decree. The issuing of licenses for itinerant trade could now be limited, roving bands were to be accompanied by the rural police until they could be handed over to the police in the neighboring district, children of school age were to be taken from their itinerating parents and made to attend school.<sup>16</sup> Another decree of 1905 forbade traveling in hordes; one local authority interpreted “horde” as any group of persons that included two or more individuals not part of a family.<sup>17</sup> Similar measures were adopted in other German states. The pattern of control and regulation was so pervasive that it was difficult for Gypsies not to collide with the law. Whether it was making camp in the open, lighting a fire at the edge of a forest, or grazing horses, the nomadic way of life itself almost inevitably led to the violation of some legal norm. Altogether, these provisions were clearly designed to make nomads abandon their peripatetic lifestyle; they constituted harassment that aimed at making the life of Gypsies

and other itinerating people so unpleasant that they would not want to live in Germany.<sup>18</sup>

As mentioned earlier, the fact that the German states had no uniform legislation dealing with the Gypsy "problem" made it somewhat easier to evade the most stringent controls. Each jurisdiction sought above all to get rid of its own Gypsies as quickly as possible; in practice this meant that Gypsies were continuously being pushed across borders. In order to put an end to this situation, in 1911 the Bavarian Ministry of Interior invited representatives of Preussen, Saxony, Württemberg, Baden, Hesse and Alsace-Lorraine to a conference to discuss united action. The conference met in Munich December 18–19, 1911; its deliberations were based on a lengthy memorandum prepared by the Munich police. Not surprisingly, the conferees had differences of opinion, beginning with the question of who was to be regarded a Gypsy. The conference working paper had stressed that there existed few pure Gypsies and that it was therefore the Gypsies' way of life, their occupation and nomadic lifestyle, and not membership in a tribe or race, that should be the decisive criterion. Other conferees considered this definition too broad. Eventually agreement was reached on a compromise formula: "Gypsies, in the eyes of the police, are those who are Gypsies according to the teachings of ethnology as well as those who roam about in the manner of Gypsies."<sup>19</sup>

The conferees were not authorized to decide on concrete measures to be taken, and the outbreak of World War I further diverted attention. During that conflict, the fear of spies and the demands of the war economy, which required a sedentary population, created new hardships for Gypsies. Additional restrictions were enacted that forbade traveling and imposed more rigid requirements of reporting to local authorities; some of these measures continued in force after the end of the war. Attempts to achieve a unified stand on matters concerning the Gypsies were also kept up. But this aim was not achieved, and in 1926 Bavaria became the first state to issue not just administrative regulations but to enact legislation dealing with Gypsies.

On July 16, 1926, acting over the objections of the Social Democrats and Communists, the Bavarian legislature approved the Law for the Combating of Gypsies, Travelers and the Work-Shy. A memo by the Ministry of the Interior that accompanied the draft legislation explained that travelers (*Landfahrer*), or Gypsy-like itinerants, had been included in the law because they had become even more of a nuisance than those belonging to the Gypsy race on account of their large numbers. Including the travelers would make it clear that Gypsies were not being subjected to special legal provisions solely because of their birth status, an action that would have violated Article 109, the equal protection clause of the German constitution.<sup>20</sup>

According to the new law, those who wanted to itinerate with wagons and caravans needed a permit from the police. This permit was valid for only one year and could be revoked at any time. Traveling with children was forbidden, except when adequate provision had been made for the children's education. Taking along horses, dogs and animals that served commercial purposes required a police permit. It was forbidden to travel or camp in "hordes," a



*Gypsy caravan in a gravel-pit near Munich in 1920. COURTESY OF KESTER ARCHIV.*

horde being any group of individuals or several families. Camping was permitted only in places assigned by the local police; campers had to register with the police and had to deposit their identity cards and permits for the duration of their stay. For those with a criminal record, the authorities were empowered to assign special travel routes, forbid them to stay in specific localities or assign them a particular place of residence. Foreign Gypsies or foreign travelers were subject to these provisions even in the absence of a criminal record. Persons above the age of sixteen who could not provide proof of regular work could be put into a workhouse for up to two years; this term could be renewed.<sup>21</sup>

The implementing regulations for the new law issued by the Ministry of the Interior provided additional details and definitions. “The concept ‘Gypsy,’” it was stated, “is generally known and does not require further explanation. The teachings of ethnology determine who is to be regarded a Gypsy.” Travelers were not Gypsies racially or tribally, but conducted themselves like Gypsies; their itinerant trade was presumed merely to conceal a dishonest way of life in the manner of the Gypsies. The permit for traveling was given only to those who had a license for carrying on an itinerant trade, which according to earlier decrees required proof of a permanent residence. No permit to travel was to be issued when there were grounds for believing that the applicant would seek to provide for his sustenance by begging, poaching, illegal fishing and the like. The regulations pointed out that the

law was not directed against honest traders with a permanent residence who had to itinerate in the exercise of their calling.<sup>22</sup>

Inasmuch as the Bavarian law imputed a dishonest way of life to all Gypsies it certainly was based more on prejudice than fact. On the other hand, the inclusion of non-Gypsy travelers indicated once again that the primary purpose of these legal restrictions was to penalize a certain lifestyle rather than persecute an ethnic group of people on account of their racial origin. The aim was to regulate and discourage conduct that rightly or wrongly was associated with the Gypsies.

In 1926, the long-standing aim of the Bavarian government to achieve a national policy with regard to the Gypsies met some success. On August 16, a committee of the German Criminal Police Commission (DKK), a coordinating body, adopted a set of guidelines prepared by the head of the Munich police that was to serve as the basis for an all-German program of action. These guidelines, largely taken from the 1911 conference memo, were included in a new draft agreement between the German states on the "struggle against the Gypsy plague," which was approved by representatives of the German states in Berlin in April 1929. The Zigeunerzentrale of Munich was to function as a clearinghouse not just for Bavaria but for all of Germany. Local police authorities were encouraged to see to it that individuals who had completed their jail term were handed back to them so that they could be expelled or sent to a workhouse.<sup>23</sup>

Goaded by Bavaria, several German states now issued additional regulations. A decree of the Prussian Ministry of the Interior of November 3, 1927, required that all "nonsedentary Gypsies and Gypsy-like itinerants" above the age of six be fingerprinted. Non-Prussian governments were urged to adopt the same practice,<sup>24</sup> and most German states indeed soon followed suit. On April 3, 1929, the parliament of Hesse approved a comprehensive Law for the Fight against the Gypsy Nuisance that was patterned largely on the Bavarian law of 1926.<sup>25</sup> "All in all," one observer correctly concludes, "the Weimar Republic had done a good deal of spadework for the regime which would succeed it."<sup>26</sup>

Pressure to act against the Gypsies came not only from the police but also from the German population itself, especially in the cities where during the winter months many Gypsies rented lots for their caravans or put them on municipal property. The well-documented case of Frankfurt/Main can serve as an example, though similar events took place in other cities.

Following repeated complaints and petitions demanding action against the Gypsies, on November 19, 1928, the city council of Frankfurt debated a proposal to move some forty Gypsy caravans from a part of town known as the Gallus quarter to a less-populated area. Their current site was said to be filthy, smelly and lacking canalization. The children attending the schools of the district, the school authorities pointed out, were so dirty and emitted such a strong odor that plans had been considered for separate classes and for providing them with a daily bath and clean clothing. The money for these services unfortunately was not available. After considerable delay, caused by

the difficulty of finding a location that would not draw protests from neighbors, in September 1929 the city administration set up what was officially called a “concentration camp for Gypsies” north of the city at the border with the state of Hesse. Though fenced in, camp inhabitants could come and go at will and there was no permanent guard. The establishment of this camp led to two unforeseen results. First, only one large Gypsy family agreed to move to the new site, and the police refused to relocate the other Gypsies who were German citizens and had valid and paid-up leases for their lots. Second, the town of Bad Vilbel, a well-known spa in Hesse that was close to the camp site, protested vigorously. Property values were said to be endangered; the farmers of the area feared thefts from their fields and orchards and soon put in claims for losses attributed to the Gypsies.

At a meeting of the Frankfurt city council on January 28, 1930, several delegates demanded more police patrols and supported the payment of compensation to the aggrieved farmers. The Communist delegate asked for better treatment of the Gypsies and, to general laughter, held up the example of the Soviet Union which, he said, had succeeded in turning these nomads into useful citizens. A National Socialist delegate accused the Gypsies of being parasites who did not pay taxes and lived on welfare payments. He ended his lengthy speech with the demand that the Gypsies be expelled from Frankfurt and sent back to wherever they had come from. Higher state authorities meanwhile took the side of Bad Vilbel and demanded that the camp be closed down. Sanitary conditions were said to be disastrous, a finding corroborated by an inspection of the camp held in May 1930. There was no well for drinking water and only one part of the camp was paved; no school was available for the sixteen children of the Gypsies. The problem eventually solved itself when the last Gypsies left the camp.<sup>27</sup>

### *Roots of Hostility*

There can be little doubt that much of the enmity and outright persecution experienced by the Gypsies throughout their history has been rooted in prejudice and xenophobia. The Gypsies were different and that fact alone created problems for them. Their nomadic way of life was often romanticized; they were said to lead a carefree existence that was noble in spirit and close to nature. At the same time, Gypsies also drew the suspicion and hostility of their sedentary hosts. As in the case of the Jews, Gypsies were accused of every conceivable misdeed and crime, and this stereotyped view of Gypsy life is reflected in our language. “He lies like a Gypsy” is a European proverb. In many languages the words “Jew” and “Gypsy” are equivalent with haggling and usury. In English, to “gyp” is to swindle or cheat, a gypsy moth is a parasite whose larvae feed on the foliage of trees, and a gypsy cabdriver is someone who picks up passengers without a proper taxi license.<sup>28</sup>

Some students of Gypsy life have acknowledged the presence of some negative behavioral traits but explain them as the result of discrimination and

poverty. Unable to obtain land and having no fixed abode, Gypsies had to rely on begging. "Forbidden to do business with shopkeepers," writes the American Gypsy scholar Ian Hancock, "the Roma have had to rely upon subsistence theft to feed their families; and thus stealing has become part of the stereotype. Forbidden to use town pumps or wells, denied water by fearful householders, uncleanness becomes part of the stereotype."<sup>29</sup>

Yet prejudice alone, I submit, is not a sufficient explanation for the hostility directed at the Gypsies over the centuries. Whether they result from exclusion and poverty, or other factors, certain characteristics of Gypsy life tend to reinforce or even create hostility on the part of the populations among which they move or dwell. These traits, customs and attitudes are reported not only by their enemies but also by well-meaning observers, sympathetic anthropologists and, at times, by Gypsies themselves. Such reports appear in the earliest accounts of their appearance in Europe, and they can be found in the most recent works dealing with the life of the Gypsies.

As a result of a long history of persecution, Gypsies harbor a deep-seated suspicion of non-Gypsies, referred to as the *gadzé*. Hence to lie to a *gadjo* is perfectly acceptable behavior and carries no stigma. Through centuries of experience in avoiding the prying questions of curious outsiders, notes the American anthropologist Anne Sutherland who professes her "admiration and respect for the Rom people," Gypsies "have perfected the technique of evasion to an effortless art. They delight in deceiving the *gajo*, mostly for a good reason, but sometimes just for the fun of it or to keep in practice."<sup>30</sup> Jan Yoors, who lived with Gypsies for many years, relates that they practiced the art of the falsehood without self-consciousness. "In Romani they said, '*tshat-shimo Romani*' (the truth is expressed in Romani). It was the Gaje who, by forcing the Rom to speak a foreign language, made the Gypsies lie. The Rom said, '*Mashkar le gajende leski shib si le Romeski zor*' (surrounded by the Gaje the Rom's tongue is his only defense)."<sup>31</sup> Gypsies, writes their self-described friend Martin Block, are "masters in the art of lying and pretending innocence, when there is a question of misleading a 'gadzo' or non-gypsy. The police know this at their cost."<sup>32</sup>

Beyond finding it extremely difficult to get Gypsies to give true evidence, the German police, from the nineteenth century on, were frustrated that Gypsies, in addition to their real name in Romani, very often had several non-Gypsy names. These names were created when a Gypsy eloped to marry, was stopped by the police, or escaped custody or deserted from the army. The number of names correlated with the number of difficult situations a Gypsy had encountered. Police officials, therefore, had to spend time seeking to unravel the personal history of their arrested suspects. Judges too, of course, had to know whether a person was a first offender or had a criminal record. Needless to say, none of this endeared the Gypsies to the authorities or others who were taken in by a false identity.

The Gypsies' easy resort to and highly developed skill in stealing was another source of strong enmity. "Stealing from other Rom is wrong," observed Sutherland, "but it is not necessarily wrong when it is from the *gaje*;



although one should not be too greedy.”<sup>33</sup> His friend Putzina explained to Yoors that “stealing from the Gaje was not really a misdeed as long as it was limited to the taking of basic necessities, and not in larger quantities than were needed at that moment. It was the intrusion of a sense of greed, in itself, that made stealing wrong.”<sup>34</sup> Hence, picking up some wood from the forest was no misdeed, for if not gathered it would rot; putting a few horses to pasture overnight in someone’s meadow was not that bad for grass would continue to grow. Altogether, Gypsies considered the world of nature as a kind of public domain, and this included the “stray” chicken encountered on the village path. An English Gypsy, Manfri Wood, recalls regularly poaching with grown-ups as a youngster before World War II. “We all believed that three things belonged naturally to all men: the wood that lies on the ground, the birds and beasts that live in the forest and on the heath and the fish in the water. These were all free for the taking and no man had any right to deny another the privilege of the taking.” Wood owned a dog trained to catch chickens. “Wherever we travelled and whatever part of the country we were in, we always had chicken for dinner as long as this bitch was alive.”<sup>35</sup> The Jenische Engelbert Wittich reported the same attitude: taking a chicken or goose from people who had so much more than the Gypsies was not considered a matter of consequence.<sup>36</sup> Women were known to carry under their long skirt a special bag for hiding their booty.

According to a Gypsy legend, which is told in many different versions, before the crucifixion of Jesus a Gypsy stole the fourth nail, intended for Jesus’ heart. In gratitude, God gave the Gypsies a heavenly license to steal from the *gadzé*. Regardless of whether this story is considered an authentic Gypsy narrative or an invention of their enemies, the legend reflects accurately a widespread attitude among Gypsies toward the non-Gypsy world.<sup>37</sup>

Another way of extracting money from non-Gypsies was fortune-telling. A favorite scheme involved “finding” a miniature human skull (actually the head of a small pigeon) in an egg, a sign of a curse that could be alleviated by depositing a large sum of money in a cloth. This cloth, in turn, had to be kept by the fortune-teller overnight. The person defrauded never again saw either the money or the Gypsy perpetrating this confidence trick.<sup>38</sup> Variations on this scheme consisted of driving out spirits from sick cattle or praying for the health of a sick person, naturally for a substantial payment of money. As late as 1954, a Gypsy fortune-teller was able to extract DM 7,200 (about \$5,000) from a seventy-one-year-old German woman on the pretense that by burying money she could bring back a son missing in Russia.<sup>39</sup> It is the simple-minded mentality of the rural population, argues a contemporary German author, that enables the Gypsies to trick them out of large sums of money. But, he goes on, it is difficult to reproach them for exploiting the almost incredible naïveté of their victims.<sup>40</sup> Persons defrauded by these kinds of schemes are unlikely to accept such exculpations that blame the victim rather than the perpetrator.

Other routines appear to be timeless and universal. Both the Belgian Jan Yoors, writing about Gypsies in France during the 1930s and 1940s, and Isabel Fonseca, who spent much time with Gypsies in the Balkans during the



*Inside the caravan of a Gypsy family in Munich in 1947.* COURTESY OF FOTOARCHIV O. SCHMIDT.

late 1980s, describe the “scratching scheme”: Several Gypsy girls, badly dressed and unkempt, would enter a butcher shop while scratching their scalp and arms as if for lice. Continuing this demonstrative scratching with vigor, they would then touch meat, hams or sausages with their dirty little hands. Sometimes they were chased away, but more often they would be given the soiled articles at a very low price or for nothing. Once out of the store, the scratching stopped abruptly, but by then it was too late for the merchant to retrieve his goods.<sup>41</sup>

Gypsies observe numerous tabus that guard against contamination by what is considered *marime*, or unclean. Thus dishes are not washed in the same vessel used for washing clothes; there are strict rules about washing various parts of the body. Unfortunately, many of these rules are more concerned with maintaining ritual purity than cleanliness. Polluting dirt can be visible, but it must be a clear distance from the clean. Thus feces outside a home are acceptable whereas indoor toilets, close to food, are shunned; the chemical toilets in modern caravans often remain unused for the same reason.<sup>42</sup> Isabel Fonseca tells of a rich Gypsy in the newly independent Republic of Moldova who had built himself a palace. There were nine turrets, three grand salons and balconies over an inner court, but there were no bathrooms

or toilets.<sup>43</sup> Not surprisingly, non-Gypsies who do not know why Gypsies prefer a hedge to a communal lavatory or flush toilet in their home interpret this conduct as filthy and violating all sanitary principles.

The same goes for other aspects of housekeeping. Gypsies take excellent care of the inside of their wagon or caravan, which often show dazzling displays of china, mirrors, carpets and elaborate formica ceilings. The outside, on the other hand, is generally indescribably dirty. Rubbish is tossed out the windows or is simply swept out the back door. The backyards of houses inhabited by Gypsies frequently are full of litter and junk.<sup>44</sup> Gypsies are aware of the sanitary norms of the society in which they live but simply do not share the values of that society. Neighbors and health authorities naturally take a dim view of such practices, which confirm the prevalent stereotype of Gypsies as slovenly and dirty.

These, then, are some examples illustrating the juxtaposition of stereotype and reality. On the other hand, many of the other accusations leveled at the Gypsies originate in myth and simple prejudice. Gypsies are *not* promiscuous; indeed, their sexual mores are quite strict. They do *not* steal children, a charge that probably arises from the fact that the generally dark-looking Gypsies sometimes have blond offspring. Killing may occasionally result from a tribal feud or blood revenge, but Gypsies generally do *not* commit murder. Though highly skilled at stealing, few Gypsies commit burglary. Open houses might be victimized, but Gypsies have a superstitious fear of closed doors and windows as well as of evil spirits that wander about at night. Hence most thefts are carried out during the day and without the use of burglary tools or force.

By and large, then, Gypsies are not a violent people, and many stories attest to their generosity, strong sense of family loyalty and friendship. Crime statistics in regard to German Gypsies before and during the Nazi regime are not very reliable. One study of Gypsy crime in Upper Bavaria in 1938 found that 75 percent of Gypsy men and 84 percent of women had a criminal record,<sup>45</sup> but most of these violations involved the disregard of various restrictive ordinances and theft. Most basically, the misdeeds of individuals cannot cast guilt upon an entire group of people. Moreover, many of the negative traits and social practices described above did not hold true for the sedentary and occasionally prosperous Gypsy population. Some Gypsies had assimilated to their German environment and practiced ordinary crafts or trades; not a few had intermarried or lived with German partners. Yet during a time when large numbers of Gypsies still followed a seminomadic way of life, many aspects of their social organization and lifestyle clashed with the values of their sedentary surroundings. Many Germans regarded them with a mixture of fascination, fear, distrust and rejection. By and large, therefore, Gypsies were a highly unpopular (not to say despised) minority. When the Nazis intensified the harassment and persecution practiced by earlier regimes, most of their neighbors remained superbly indifferent. Worse, as we shall see, pressure for stepping up the harsh treatment meted out to Gypsies came not only from the top Nazi leadership but also from the party's rank and file and from the German population itself.

# Part I

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## THE PREWAR YEARS: A THREE-TRACK POLICY

When Adolf Hitler became chancellor of Germany on January 30, 1933, Gypsies constituted a small minority of approximately 26,000 people of no particular interest to the Nazi leadership. That indifference changed gradually and largely as a result of pressure from below. In a political and social climate that stressed law and order, Gypsies, long regarded as asocial and given to crime, drew increased hostility. Many of them were itinerants and as such did not fit into the new society of stable social relations that the Nazis sought to build. They were said to not accept the value of regular work and were accused of being a burden upon welfare agencies. Last but not least, many Gypsies' dark complexion marked them as an alien group and inevitably drew the attention of those who desired a racially pure state rid of all foreign elements. In response to these concerns, as we shall see in the next three chapters, the regime started to give increased attention to the "Gypsy problem."

Gypsy policy evolved along three tracks, each approach following the other more or less consecutively. First, local and state authorities intensified the measures of control and harassment they had used in previous years. Second, from about 1937 on, the regime's plans for the prevention of crime took special note of Gypsies and subjected them to intense scrutiny and, at times, incarceration in concentration camps. Third, racial legislation enacted against the Jews in 1935 came to be applied also to Gypsies. Beginning in 1938, decrees issued against the "Gypsy plague" made explicit mention of the alleged racial inferiority of the so-called *Zigeunermischlinge* (Gypsies of mixed ancestry). Much of the incoherence of Nazi policy toward the Gypsies arises from the fact that the three tracks of Nazi policy toward the Gypsies over-

lapped and at times conflicted with each other. Thus, for example, the criterion of social adjustment sometimes could override racial origin. It is also important to note that despite the increased use of racial rhetoric, many Nazi measures directed against the Gypsies continued to include Gypsy-like itinerants, the so-called white Gypsies (*Jenische*). Although they were of German origin and were not Gypsies racially, they lived and conducted themselves like Gypsies.

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## *Track 1: Harassment Stepped Up*

During the first three years of the Nazi regime, the treatment of the Gypsies did not change very much. The decrees and laws legislated during the Weimar Republic continued in force and new and similar measures were adopted. As we shall see later, some of the laws enacted by the new regime, such as the sterilization law of July 14, 1933, and the law against dangerous professional criminals of November 24, 1933, affected Gypsies somewhat more than the general population. However, this legislation was not aimed specifically at the Gypsies.

### *Controls and Surveillance Continued*

In March 1933, a coordinating body of the German states approved the policy statement on the “struggle against the Gypsy plague,” drafted in 1929 and mentioned in the introduction. This step did not lead automatically to a uniform national policy, but several states did enact laws and regulations as suggested by the compact. Thus on August 10, 1933, Bremen adopted the Law for the Protection of the Population against Molestation by Gypsies, Travelers and Work-Shy. The legislation and the implementing regulations, issued on October 27, 1933, generally followed the Bavarian law of 1926.<sup>1</sup>

On May 23–25, 1934, allegedly in response to repeated complaints from the population,<sup>2</sup> the state of Baden conducted an unannounced search of all Gypsy dwellings. The decree ordering this operation stated that “Gypsy-like itinerants (half-Gypsies and travelers)” were to be treated like Gypsies.<sup>3</sup> The search yielded a count of 1,019 persons, 568 of them under the age of twenty. False papers and weapons were confiscated, and in sixty-one cases charges

were brought for various violations of law. A year later, Karl Siegfried Bader, a state official, reported on the situation in Baden at a meeting of the International Criminal Police Commission in Copenhagen, Denmark. All Gypsies and Gypsy-like itinerants required special identity cards with pictures and fingerprints. They were not allowed to travel in "hordes," and licenses for the itinerant trade were issued only to those who had a permanent domicile. As a foreign element, Bader concluded, Gypsies would never become full-fledged members of German society. Those who violated law and order could expect no consideration; incorrigible elements, he noted, might have to be sterilized.<sup>4</sup> In January 1937, new instructions were sent to the police of Baden for the "fight against the Gypsy nuisance," which called for strict enforcement of all relevant laws and regulations.<sup>5</sup> Pursuant to this exhortation, and in a case repeated often in other locations, two Gypsies in the district of Mosbach were sentenced to fourteen days in jail for traveling in a "horde."<sup>6</sup> Similar orders for more aggressive action against Gypsies were issued in the states of Thuringia, Württemberg and Bavaria.<sup>7</sup>

As in the past, the *Zigeunerzentrale* (Central Office for Gypsy Affairs) in Munich was well ahead of everyone else in suggesting measures for attacking "the Gypsy problem" and in pressing for united action. The Bavarian legislation of 1926, as a memo to the Bavarian Ministry of the Interior dated March 28, 1934, pointed out, had proven itself and was well suited to serve as the basis for an all-German law. Such a law was badly needed, because the various states did not act in a uniform manner, despite the adoption in principle of the 1926 guidelines for police action against Gypsies. As a result, the practice of expelling Gypsies from one location to another continued. One of the special merits of the Bavarian law, the memo stressed, was its inclusion of "work-shy travelers" who, on account of their large numbers, constituted a greater threat to law and order than the Gypsies; the number of those considered Gypsies in a racial sense was small.<sup>8</sup> In another memo to the Ministry of the Interior, dated August 30, 1935, Munich police officials argued that the time had come for more radical measures. Those belonging to the Gypsy race, who constituted a foreign element in the population, should be expelled from the country, either by direct force or by eliminating their ability to make a living; German travelers should be made sedentary. Much time, energy and work could be saved, it was maintained, by attacking the evil at its roots and implementing the principles it recommended throughout Germany.<sup>9</sup>

Authorities in Berlin, meanwhile, were moving in the same general direction. On June 6, 1936, the German and Prussian minister of the interior issued a decree concerning the "fight against the Gypsy plague," which called for a stepped-up effort. Foreign Gypsies were to be prevented from entering Germany; those found in the country were to be expelled. German Gypsies and travelers, the decree ordered, should be made sedentary so that the police could more easily control and supervise them. The concrete measures to be taken followed the Bavarian model,<sup>10</sup> but in the absence of an all-German police force the minister could do no more than recommend that the other German states issue the necessary implementing instructions to

their police forces. One of the recommendations acted upon involved staging raids “from time to time” on Gypsy camps.

The German states had demonstrated their ability to act cooperatively in regard to the problem of beggars, and this model of united action was now to be extended to Gypsies and travelers. The first roundup of beggars and vagabonds, carried out with the assistance of Nazi storm troopers, occurred in September 1933, and additional sweeps took place during the following months. At first, in conformity to traditional practice, those arrested would receive a stiff warning or be brought before a judge and sentenced to several days in jail.<sup>11</sup> Occasionally, “disorderly elements” were also sent to concentration camps, especially Dachau, though this practice at first drew occasional criticism. Franz von Epp was a longtime member of the Nazi party who, on March 9, 1933, on orders of Hitler, set up a Nazi government in Bavaria. In March 1934 he expressed the view that too many of the 2,200 inmates of the Dachau concentration camp were asocial elements who should be handled by the courts.<sup>12</sup> By early 1935, the rigorous measures employed to clear the streets of beggars had been largely successful, helped undoubtedly by the improved economic situation.

From the beginning, raids against beggars occasionally also targeted Gypsies; after the decree of June 1936 the Gypsies were included more systematically. A circular issued by the Bavarian Ministry of the Interior of June 22 directed that operations against beggars, held in accordance with the decree of June 6, include Gypsies and travelers.<sup>13</sup> The *Landrat* (chief magistrate) of Esslingen reported to the minister of the interior of Württemberg on April 13, 1937, that an operation against beggars held on April 3 had led to the arrest of sixteen persons on charges of begging and vagrancy. No Gypsies had been found in the district on the day of the operation, but Gypsies did appear from time to time, protected by a license to conduct an itinerant trade. The official suggested that Gypsies no longer be issued these licenses, since they served only to facilitate begging. “With the help of such measures, employed with determination,” he concluded, “it should be possible to stop the Gypsy plague, the ultimate aim being the extermination of these parasites.”<sup>14</sup>

On July 8, 1937, a sweep was held simultaneously in several cities of the Ruhr district. In the city of Dortmund, the chief of police reported a week later, a total of 146 Gypsies and Gypsy-like itinerants living in twenty-three caravans, had been counted. There were seventy-six males and seventy females; eighty-one were children under the age of fourteen. All of them were German citizens; one was a member of the Nazi party. Eight Gypsies had regular employment, and seven were supported by welfare, whereas the rest consisted for the most part of unemployed musicians. Two women had an itinerant trade license and peddled notions. A search of the caravans and camping places had not yielded anything untoward, though several children had incomplete identity cards. The chief of police ended his report with the recommendation that similar operations be conducted again in the future, and, if possible, simultaneously for all of Germany.<sup>15</sup>