

RACIAL AND SOCIAL DIMENSIONS OF ANTIZIGANISM: THE REPRESENTATION OF “GYPSIES” IN POLITICAL THEORY

LAURA SORÉNA TITTEL

Laura.tittel@sowi.uni-giessen.de

Laura Soréna Tittel is a research associate at the chair of Political Theory and History of Ideas at Justus Liebig University Giessen. She is part of the research team in the subproject *Between Minority Protection and Securitization: Roma Minority Formation in Modern European History* at the Collaborative Research Centre/Transregio 138 *Dynamics of Security*, funded by the German Research Foundation. Her PhD project examines the relationship between securitization, ‘racial’ conceptualizations, and imagination to formulate a political theory of antiziganism. She has studied European Politics, History, and Law (BA) at Osnabrück University and Political Theory (MA) at Goethe University Frankfurt, TU Darmstadt, and Virginia Tech.

KEYWORDS

antiziganism, history of ideas, Kant, Marx, police work, racism

PUBLICATION DATE

Issue 10, April 21, 2021

HOW TO CITE

Tittel, Laura Soréna. “Racial and Social Dimensions of Antiziganism: The Representation of ‘Gypsies’ in Political Theory.” *On Culture: The Open Journal for the Study of Culture* 10 (2020). <<http://geb.uni-giessen.de/geb/volltexte/2021/16025/>>.

Permalink URL: <<http://geb.uni-giessen.de/geb/volltexte/2021/16025/>>

URN: <urn:nbn:de:hebis:26-opus-160255>



Racial and Social Dimensions of Antiziganism: The Representation of “Gypsies” in Political Theory

_Abstract

Within antiziganism research, the relation of racial and social connotations in the usage of the term “gypsy” is subject of an ongoing debate. Especially in the context of police work, historians suggest that until the 1920s the image of “gypsies” mainly referred to a social status, whereas today the image of the “gypsy” is highly racialized. This article challenges the idea of a strict separation of the social and racial dimensions and takes a closer look at the different argumentations of how to rule the interrelated groups of “gypsies” and “vagabonds” in the history of ideas. For this reason, it examines Kant’s statements on “gypsies” in the context of his problematic race theory as well as Marx’s treatment of vagabondage as a social issue, arising with the beginning of manufacturing. With this, the article connects two major discourses in political theory and the history of ideas, one on barbarism/civilization and another on poverty, with the topic of antiziganism and explores the connection of an antiziganist racialization with socioeconomic structures. Moreover, it examines the empirical side of antiziganism in the context of policing until the eighteenth century, looking at English and German legislative sources, and provides an outlook on the underlying social and racial argumentation in current debates on so-called ‘poverty migration’.

1_Introduction

For centuries, Sinti, Roma, and others labeled as “gypsies” have been discriminated against, stigmatized, and excluded from European societies through state measures.¹ Consequently, it might not come as a surprise that nowadays antiziganism is deeply rooted within society, as studies on resentments have shown over the last couple of years. In 2018, 56 % of the interviewees for the “Leipzig Authoritarianism Study” in Germany indicated that they “would have a problem with Sinti and Roma staying anywhere close to them” and more than 60 % think that “Sinti and Roma tend to be criminal.”² These prejudices and resentments of the population find their counterparts in public action. Until today, many Sinti and Roma, who either self-ascribe to or are perceived as part of the largest ethnic and economically most disadvantaged minority in Europe, are criminalized and portrayed as a danger to public security and, at the same time, are at higher risk of becoming a victim of violence themselves.³ The image of Sinti and Roma has become associated with criminality to a much greater extent than that of any other minority, and police work has been and still is largely based on this assumption.⁴

This article traces back modern antiziganism to political action and state measures that took place for centuries and involved exclusion and persecution, and with this implied (mostly forced) mobility. Through examining the ideas of two influential political theorists, Immanuel Kant and Karl Marx, I shed light on two different forms of representation of “gypsies” in the history of ideas: On the one hand, the formation of the racialized image of the uncivilized, orientalist “gypsy” and, on the other hand, the social function of the figure of the “vagabond” in pre-capitalist and capitalist societies. These lines of argumentation draw on two major discourses of political theory: The discourse on barbarians and civilization from a perspective of ruling a diverse population and ensuring the power relations, and the poverty discourse including political considerations on population policies.

Within antiziganism research, the relation of racial and social connotations in the usage of the term “gypsy” has been debated for a rather long time. Historical and literary studies have evaluated the transformation of the term within the context of police work.⁵ They highlight that until the 1920s the concept of “gypsy” in police work generally referred to a social status and was mostly concerned with the prevention of illegitimate mobility.⁶ They suggest that the police mainly used the concept of “gypsy” as a social counter-image to normalize a bourgeois culture and regulate nomadism/sedentariness.⁷ Only later did “gypsies” start being perceived as a racial category in police work, eventually leading to the persecution and extermination during National Socialism. Other authors, for instance the sociologist Wulf D. Hund, noted the “transformation of the term Gypsy from a social into a racial category”⁸ as early as in the middle of the eighteenth century. In this article, I challenge the idea that social and racial categories are strictly separable and that they transformed from one into the other in the context of antiziganism. Rather, I argue that they show different interpretations and justifications of the same political decisions in the field of security politics and have often been played off against each other.

The article begins with two sections on the concept of “gypsy” in political theory. The first section takes a closer look at Kant’s statements on “gypsies” in the context of his theories of subjectivity and race. The second discusses Marx’s treatment of vagabondage as a social issue, arising with the beginning of manufacturing. With the figure of the dark-skinned and primitive “gypsy,” who descended from India, Kant draws a racialized image, which was popular throughout Western academia in his days. Kant’s

perspective nowadays offers the chance to understand how primarily political issues can be covered up through supposedly unchangeable cultural or biological conditions. Marx, on the other hand, provides very different, neither racial nor cultural, explanations for exclusionary politics regarding “vagabonds,” which can be transferred to the context of antiziganism. While Kant reproduces the European orientalist image of the “gypsy,” Marx provides the tools for reconsidering this image by explaining its socio-economic function.

Building on this theoretical framework, the third section reviews early modern German history and legislation regarding the concept of the “gypsy” through the lenses of both the Kantian and Marxian approaches. The final section provides initial pointers on the interweaving of social and racial argumentations in antiziganist post-war debates and offers ideas of a modern approach to the analysis of antiziganism.

2_Kant: “Gypsies” as an Unreasonable Race

Recently, there has been a lot of critique of Kant’s writings as being racist or at least promoting racialized ideas.⁹ The question debated here is whether his race theory is to be seen as an integral part of his philosophical work or whether it is just a bitter side note. Whereas some scholars criticize his writings in their entirety,¹⁰ others try to solve the problem by claiming that only his early texts, written before the mid-1790s, were problematic.¹¹ Others yet find that his anthropologist writings do not affect his moral or juridical writings.¹² All of these studies focus on colonial racism and pay little attention to Kant’s statements about “gypsies” as a special group.¹³

Only a few scholars, among them Kurt Röttgers, Wulf D. Hund, and most recently Joris van Gorkom, have already delved into the passages Kant has written on “gypsies.”¹⁴ Röttgers, who is not concerned with racism in Kant’s texts, mainly discusses why Kant only dealt so little with the topic of “gypsies” and claims that his silence represents a “very striking repression of knowledge.”¹⁵ He argues that Kant chose to ignore the topic, because it would have confronted him with an alternative to the Western, civilization-based concept of progress.¹⁶ This interpretation itself shows a problematic romanticizing of the idea of “gypsies,” associating them with an alternative lifestyle and concept of freedom. Nonetheless, Röttgers gives noteworthy information on the historical background and Kant’s immediate environment in order to prove his point that Kant must have been confronted with the subject and willfully neglected

writing about it. Röttgers points to an edict from 1725, which was renewed in 1739, generally prohibiting the residence of “gypsies” in Prussia and threatening them with the gallows as penalty.¹⁷ Professor of practical philosophy in Königsberg and one of Kant’s close colleagues, Christian Jakob Kraus, was evidently concerned with this topic. From 1784 onwards, he worked on an empirical research project involving interviews with about 40 local prisoners, who were arrested as “gypsies” due to the edict from 1725.¹⁸ Röttgers argues that Kant must have known of Kraus’ project, which was partially published in 1793 by Johann Erich Biester, the publisher of the famous *Berliner Monatsschrift*.¹⁹ Kant and Kraus regularly talked about their work over lunch, Röttgers claims,²⁰ and Kant was a regular contributor to Biester’s journal. Even though one cannot verify whether these conversations took place, it is well established that the question of how to deal with “gypsies” was much debated among Kant’s contemporaries.²¹

Moreover, as his writings will show, Kant was well informed about the latest research and hypotheses about the presumed origin of “gypsies.” It was not until the 1780s that a language-based origin theory claiming that “gypsies” migrated from India gained popularity. Even though there had been several earlier publications on the topic, among them a 1771 one by Christian Wilhelm Büttner,²² it is well established that the historian Heinrich Moritz Gottlieb Grellmann published the most influential book on the topic in 1783.²³ It became highly popular soon after its publication, warranting a second edition in 1787, and was translated into several different languages well before the turn of the eighteenth century.²⁴ The historians Martin Ruch and Wim Willems have convincingly argued that Grellmann produced a largely racialized, orientalist image of “gypsies” as a homogeneous nation coming from India, which influenced the research on “gypsies” for centuries.²⁵ Grellmann heavily relied on travel reports,²⁶ which were elsewhere criticized as a problematic source for Kant’s race theory.²⁷ Even though Kant did not name any sources in the “gypsy” context, he most probably referred to Grellmann’s linguistic hypothesis. As I will show, Kant even reproduced other claims by Grellmann. Therefore, I would even go as far as to claim that the implications in Grellmann’s work and their continuous reproduction afterwards were primarily responsible for the racialized image of “gypsies” present in Kant as well.

The second scholar, Hund, who is much more concerned with racism in Kant’s writings than Röttgers, argues against Röttgers that there was no repression of knowledge

in Kant, but that his thoughts on “gypsies” play a crucial role in his race theory.²⁸ He maintains that Kant chose “gypsies” as an example to show that the racial characteristics irrevocably determine the possibilities for civilization-related development.²⁹ Within studies on Kant’s race theory, the underlying argumentation is indeed perceived as a shift: While in the early text *Of the Different Races of Human Beings* (1775), Kant still blames the climate for the differences between the “races,” in the later text *Determination of the Concept of a Human Race* (1785), he explicitly states that race characteristics are inherited independently from the environment and are immutable.³⁰ With both approaches Kant engages in the debate about monogeny and polygeny, siding with the monogenists, who saw humanity as descending from one single stem, whereas the polygenists³¹ championed the view of multiple origins and hence several species (and not only races) of humans. As the historian Christian Geulen has put it, a fight about which of the texts is “more racist” misses the mark: Later in history, both approaches were used to justify racist thought and action. But when Kant wrote about it, these approaches could be seen as an attempt to explain a certain social order through nature (instead of religion) rather than to produce a social order through controlling nature.³² Exactly this explanation by Kant as to why a group of people was perceived as a deviant group and labeled as “gypsies” is central to my argumentation in this paper.

As one of the most influential philosophers of the enlightenment, Kant was rethinking the capacity and boundaries of the human mind. Kant’s remarks on “gypsies” are part of the race theory described above and related to his thoughts about humanity and civilization in general. In the published version of his anthropological lectures from 1798, Kant states the following general analysis about the human destiny:

The human being is destined by his reason to live in a society with human beings and in it to *cultivate* himself, to *civilize* himself, and to *moralize* himself by means of the arts and sciences. No matter how great his animal tendency may be to give himself over *passively* to the impulses of ease and good living, which he calls happiness, he is still destined to make himself worthy of humanity by *actively* struggling with the obstacles that cling to him because of the crudity of his nature.³³

What Kant describes here is a summary of the enlightened idea that humanity is going through a process of civilization and is progressing through history. He displays a modern anthropocentric worldview with an active human being in the center, whereas in the Middle Ages the divine order placed human beings in a passive position. Later,

philosophers like Max Horkheimer and Theodor W. Adorno criticized precisely the emphasis on suffering through and domination over nature [*Naturbeherrschung*] as a major problem of modernity. They see one of the roots of resentment among people in the struggle of the subjects with their own inner nature.³⁴

While Kant's idea about civilization sounds universal, he simultaneously observes that not all "races" and "nations" have reached this status.³⁵ Europeans, he thinks, have developed closest to his ideal. He, as most of his contemporaries, does not perceive the "gypsies" as European. Instead, he assumes them to be Indians [*Indier*] belonging to the Asian nations, and therefore refers to the latest among the numerous origin theories about "gypsies" of his time. The Indian origin theory had arisen only in the middle of the 18th century before being connected to linguistic studies in the 1870s/-80s and had begun to replace the idea that "gypsies" descended from "Egypt" – a theory that manifested in the English term "gypsy" up until today.³⁶ In Kant's view, the Asian nations³⁷ would be unable to achieve perfection due to their cognitive capacities: "The Asian nations have their standstill at the point, where the extension of their perfection has to result from concepts and not only from intuitions."³⁸ Thus, he uses his concept of reason to explain the different capacities for human development more generally.

Kant mentions the "gypsies" themselves only in a handful of passages. In his early, race-related text *Of the Different Races of Human Beings* (1775), in which Kant presents a climate-related race theory,³⁹ he speaks about their skin color, when he claims the "olive-yellow color of the skin of the Indian" to be "the true gypsy color."⁴⁰ Here, he uses their skin color to associate them with India. Much later, in 1793, he picks up this ethnographic approach, and adds to it a social dimension referring to the Indian caste system: In a footnote he states the hypothesis that "gypsies" are actually "Hindus" and originate from the lowest caste, "the Pariahs."⁴¹ Even though Kant does not provide a source for this, it is likely that he refers either to Grellmann or to what might already have become "common knowledge" as a result of Grellmann's book.⁴² While in Europe it was almost impossible to change one's social status at the time, the castes in India stood for an even more rigid social system.

Two slightly more detailed passages illustrate Kant's linkage of the constructs "race" and "gypsies." The first passage from *Determination of the Concept of a Human Race* (1785) stresses the impossibility of a change of the races that have already

evolved. It uses “gypsies” as an example, and as Hund argues, they represent the crucial example that adaptation to the surroundings even after centuries would be impossible:

[T]his much is still certain: that the currently existing races could no longer go extinct if all their mixing with each other were prevented. The gypsies found among us, of whom it is established that they are Indians in terms of their phyletic origination [*ihrem Abstamme nach*], give us the clearest proof of this. One can trace their presence in Europe far beyond three hundred years; and they still have not degenerated in the least from the shape of their forebears.⁴³

Kant here assumes a timelessness of the “gypsies” that in the end would result in a non-simultaneity with European progress, as in Kant’s view civilization and the detachment from nature are the destiny of humankind and not all “races” have the ability to achieve that.

In the second longer passage about “gypsies” from *On the Use of Teleological Principles in Philosophy* (1788), Kant emphasizes the immutability of skin color due to biological reasons and for the first time connects the origin of “gypsies” with their language (probably referring to Grellmann’s hypothesis):

That they [“gypsies”] are an *Indian* people is established by their language, independent of their skin color. Yet nature has been so obstinate in preserving their skin color that, while their presence in Europe can be traced back as far as twelve generations, it still appears so perfectly that, were they to grow up in India, in all likelihood no difference would be found between them and the natives there. [...] Yet to pass off their color for mere variety, like that of the brunette Spaniard by contrast to the Dane, would mean to doubt nature’s imprint.⁴⁴

While Kant counts the tan of the Spaniard as a mere alteration, for the “gypsy” he considers it an immutable sign of descent. Moreover, he touches again upon the topic of suspending what for him was an obvious physical deviation of “gypsies”: In India, they would not appear as different. Only two pages later he explains that the “races,” once evolved and adapted to a certain climate, would be physically and mentally unable to adapt to a new territory. He uses “gypsies” as an example of a displaced people to show that even after a long time in Europe they would be unable to “be farmers [*ansäßige Landanbauer*] or manual laborers.”⁴⁵ Agriculture, which Kant identifies here as one of the things “gypsies” were not familiar with, was a highly debated topic in the philosophy of enlightenment, as it was discussed in connection with the establishment of a state and a differentiated, advanced society.⁴⁶ Kant’s argumentation thus offers a basis for claiming that every “race” has its own place in the world and could be read as a subtle claim of an exclusionary concept of the nation state.

As a representative of the eighteenth century, Kant was building on the research on the language and origin of the group called “gypsies” that was popularized through Grellmann. In Kant’s text, we find the idea of “gypsies” as homogeneous and primitive people with their own language and culture connected to biological and visible characteristics. He uses these ‘findings’ to explain that “gypsies” live differently and have not adopted the European way of life, because in his view they are not capable of civilization.

3_Marx: The Creation of Vagabonds

Marx does not explicitly deal with the status of “gypsies” in his work but nonetheless it is worth looking at his texts, because he tackles vagrancy and vagabondage, two phenomena often associated with “gypsies” as social problems. He does not conceive vagabondage in connection with race, but rather as caused by the rulers and solidified in socioeconomic structures that led to pauperism and poverty. While some scholars have pointed to the similarities of the general image of “gypsies” and Marx’s descriptions of the lumpenproletariat in *The Eighteenth Brumaire*,⁴⁷ for the analysis of vagabondage it is more helpful to delve into his main work *Capital*.

In *Capital*, Marx deals with vagrancy and vagabondage at two points: In the chapter on “The So-Called Primitive Accumulation,”⁴⁸ where he examines the role of vagabondage in the transformation from feudal to capitalist societies, and in the chapter on “The General Law of Capitalist Accumulation,” where he explains its social function in further evolved capitalist societies. Both chapters are important for the analysis of antiziganism, as they examine the British legislation and practices concerning vagrancy at two different periods in history, which were crucial for the formation and perception of migrating Sinti as a somewhat closed social group in Western European societies.⁴⁹ The first period of time were the fifteenth and sixteenth centuries, when Sinti first arrived in Western Europe and faced harsh legislations regulating their presence in general. The second period covers a time when their position as outsiders had already been established. The analysis of this period might, from a structural point of view, be more helpful in analyzing the present-day social function of the status of vagabonds, the homeless, and Sinti and Roma.

In “Primitive Accumulation,” Marx explains the evolution of the modern form of social injustice and poverty that started with the shift from the feudal to the manufacture-based and later capitalist system. He criticizes the political economic view of bourgeois writers, who established the origin myth of “two sorts of people; one, the diligent, intelligent, and, above all, frugal élite; the other, lazy rascals, spending their substance, and more, in riotous living.”⁵⁰ This myth of the rich owing their wealth to intelligence and thrift and the poor owing their poverty to laziness and wastefulness, Marx claims, is used as the basic legitimation of social injustice and conceals the violent and bloody history of the economic transformation.

According to Marx, the actual history of transformation began with forcing the rural population to leave their subsidiary lives and move to the cities. He sees the first cause for this in the conversion of farmland into pastures for sheep, as the prices of wool in the Netherlands were on the rise at the end of the fifteenth century.⁵¹ Moreover, he considers the reformation and the resulting sale of church property at low prices as the second cause of the shift.⁵² Both these processes led to the privatization of land, the formation of a new bourgeois class, and the loss of land for the rural population.

For Marx, this is the beginning of what he had already identified as “a period of vagabondage” in the *German Ideology*.⁵³ Arriving in the cities, he explains, many of the displaced people became very poor. Neither did the developing manufacturing plants offer enough jobs for them, nor was it easy to adapt to the new situation.⁵⁴ Thus, the displaced “turned *en masse* into beggars, robbers, vagabonds, partly from inclination, in most cases from stress of circumstances [*Zwang der Umstände*].”⁵⁵ Marx employs the figure of the vagabond to show how much force and violence had to be used to turn people into workers and to establish the capitalist mode of production – later considered as a natural condition. In *Grundrisse*, he phrases this unequivocally: “They must first be *forced* to work within the conditions posited by capital. The propertyless are more inclined to become vagabonds and robbers and beggars than workers.”⁵⁶ In other words: The economic transformation at the end of the feudal system impoverished large parts of the hitherto self-sustaining population. Considering the unbearable working conditions in the manufacturing plants of the time, many had no other choice than to live their lives as vagabonds.

To substantiate his argumentation, Marx analyzes the English legislation on poverty and vagabondage from the early sixteenth century onwards. This legislation arose together with the first early modern anti-“gypsy” laws in England under Henry VIII. Following the “Vagabonds and Beggars Act” from 1494 under Henry VII, punishing “Vagabonds, idle and suspected Persons” by placing them in stocks⁵⁷ and feeding them only a low diet in order to force them to work,⁵⁸ the “Vagabonds Act” of 1530 introduced harsher physical punishment like whipping.⁵⁹ Marx analyzes the 1530 act as one of the first anti-vagrancy legislations with cruel penalties for those who refused to work.⁶⁰ In the same year, the “Egyptian Act” concerning “outlandish people, calling themselves *Egyptians*,”⁶¹ meaning “gypsies” at that time, was passed as the first English anti-“gypsy” legislation. It gave “Egyptians” a 15-day notice to depart, forbade further immigration to the realm, and accused “Egyptians” in general of wandering, fortune-telling, and robbery, accusations that were also made against vagabonds.⁶² During the following decades, several parallel legislations for “Egyptians” and vagabonds increased the penalties.⁶³ While the 1530 “Egyptian Act” stressed the foreignness of “Egyptians” by calling them “outlandish,” the 1554 “Egyptian Act” focused on their unwanted lifestyle claiming that those who would “leave that naughty, idle and ungodly Life and Company, and [...] exercise [...] some lawful Work or Occupation,”⁶⁴ should not be punished. From 1562 onwards, vagabonds and “Egyptians” were increasingly addressed together in many of the acts,⁶⁵ blurring the boundaries between the perceptions of “gypsies” either as a foreign group or as part of the social group of vagabonds.

Marx, who focused on the legislation on vagabonds without paying special attention to the legislation on “Egyptians,” finds:

... at the end of the 15th and during the whole of the 16th century, throughout Western Europe a bloody legislation against vagabondage. The fathers of the present working class were chastised [*gezüchtigt*] for their enforced transformation into vagabonds and paupers. Legislation treated them as ‘voluntary’ criminals, and assumed that it depended on their own good will to go on working under the old conditions that no longer existed.⁶⁶

Marx describes in detail the very brutal law, which, as I will show later, can be found in similar forms in German legislation. It predicted harsh penalties for vagabonds, from branding and mutilation (e.g. by cutting off a person’s ear) to lifelong enslavement and death.⁶⁷ According to *Holinshed's Chronicles*, which Marx quotes from, during the 38 years of reign of Henry VIII in the first half of the sixteenth century alone, 72,000

people were executed for theft.⁶⁸ This number should not be taken for granted as Marx himself explains a couple of pages earlier that Chronicles tended to inflate their stories.⁶⁹ Nonetheless, the narrative itself is a clear indication of the severity of the legislation on poverty and vagabondage at the time.

In the chapter “The General Law of Capitalist Accumulation,” Marx reflects on the role of vagabonds and the unemployed in further developed stages of the capitalist society and shows how – in addition to all the punishment – their status as outsiders to society was enforced for the sake of the economic system. Even though at this point in history the masses of vagabonds had been integrated into the labor market, unemployment and poverty still existed on a large scale and were topics discussed by economists at the time.

Marx again argues against the classical political economists, such as Malthus, who saw the reason for unemployment and poverty in the oversized growth and reproduction of the workforce.⁷⁰ Similar to the origin myth of capitalism, Malthus’s theory blames the workers and paupers themselves for their situation and suggests strict population regulations as a solution. Marx argues against these assumptions by claiming that unemployment and poverty fulfill a necessary function within the capitalist system, as they help to keep the wages at a low level. Consequently, the system reproduces them.⁷¹ Forcing people into jobs thus, is not contradictory to the maintenance of poverty and unemployment, as it puts pressure on the working population.

Marx uses various examples to verify his theory, one of which includes a group that he claims to enjoy the “charm of the gipsy life.”⁷² Marx finds the examined group organized in a so-called gang-system in East England: People in the countryside could only reside in certain areas called the open villages, while the closed villages, which belonged to one or several landlords, did not offer any housing to the regular population.⁷³ On the one hand, this situation led to enforcing the poor rural population to migrate, and on the other, it resulted in a lack of ordinary workers in the areas owned by large farmers. This effect came in handy for the farmers as they could pressure more women and ever-younger children into working for very low wages and keep the wages for regular male workers at a low level.⁷⁴ Therefore, the farmers had no interest in building houses for the workers, but rather took advantage of this system.

Marx explains that, in order to remedy this situation, the people gathered into “gangs, or organized groups.”⁷⁵ He analyzes the gang as a social group with a gang-

master and up to 50 members, mainly consisting of women, youngsters, and children. The gang-master functions as mediator between the working members and the farmers. Marx states that, since they lived under very hard conditions, they sought relief and found it in the “charm of the gipsy life”⁷⁶ offered by the gang-master. Marx interprets this charm stereotypically, as “[c]oarse freedom, a noisy jollity, and obscenest impudence.”⁷⁷ Still, Marx does not deem them responsible for this lifestyle but rather sees them as forced into it, as he summarizes:

The gang-system, which during the last years has steadily increased, clearly does not exist for the sake of the gang-master. It exists for the enrichment of the large farmers, and indirectly of the landlords. For the farmer there is no more ingenious method of keeping his labourers well below the normal level, and yet of always having an extra hand ready for extra work, of extracting the greatest possible amount of labour with the least possible amount of money and of making adult male labour ‘redundant.’⁷⁸

He points out that the gangs developed as an answer to a difficult housing situation and to the low wages for rural workers. Overall, he sees vagabondage as an issue that was caused by the ruling class and later conceived of ambiguously by those same people, as they tried to fight and maintain it at the same time. Marx reflects on the socio-economic causes of vagabondage rather than regard it as a character trait of a specific group – even though he employs stereotypical examples to illustrate these developments.

4_”Gypsies” in German Police Legislation until the Eighteenth Century

Marx extensively studied the English situation regarding the ruling of vagabonds and paupers and used his argumentation, at times polemically, to counter the views of other scholars of economics. In order to illustrate that Marx’s thoughts are applicable to the German context as well as the English, I will retrace some of the practical measures of persecution of “gypsies” and “vagabonds” in Germany in those days. The first known written mention of “gypsies” on German territories dates back to 1407 and can be found in an account book in Hildesheim. During the fifteenth century, some rulers wrote letters of safe conduct to help groups of “gypsies”, while at the same time other rulers had already passed declarations of outlawing. In the fifteenth and sixteenth centuries, the treatment of “gypsies,” mostly listed together with vagrants, beggars or vagabonds, became increasingly more relevant in the emerging system of policing regulations.⁷⁹ While, for example, the general state regulations of Wurttemberg from 1536 and 1621 already included brief chapters on “gypsies,” stating that they should be rejected entry

at the borders,⁸⁰ the regulations after 1650 became longer, more detailed, and progressively more aggressive.⁸¹ Hence, the persecution might have started a little later in Germany than in England, where detailed regulations on “Egyptians” were already being passed in the sixteenth century.

In the example of the Wurttemberg regulations, more specifically in the “Regulation against Gypsies, Beggars, and Vagrants” from June 14, 1650, Duke Eberhard III claimed that the “gypsies” would have “caused great damage and inconvenience to our subjects through murder, robbery, force, and extortion.”⁸² He reminded his officials to deny access to the cities and territories and suggested to “chase them violently out of the country”⁸³ if necessary. At this point, “gypsies” were perceived as “others,” not belonging to the ruler’s subjects.

After a few similar regulations from the years 1652, 1653, and 1661, Duke Eberhard III issued another “Regulation for the Expulsion of Gypsies”⁸⁴ on August 30, 1667. In this document, he complained about the bad implementation of the former regulations, stressed that under no circumstances should “gypsies” be allowed to enter the territories, and mandated his officials to “help [the neighboring states] eradicate this land-damaging rabble.”⁸⁵ The word “eradication” [*Ausrottung*] can be found in subsequent regulations and indicates a new degree of aggression, while the document on the other hand hints at the unwillingness or inability of the officials to fulfill the respective requirements.

Duke Eberhard III’s second successor, Duke Eberhard Ludwig, found even harsher words in the “General Edict concerning the Increase of Penalties against Gypsies, Crooks, and Other Vagrants” from February 17, 1706. He summarized a meeting of the princes and rulers of the Swabian district within Wurttemberg regarding the “complete eradication”⁸⁶ of “gypsies, released former soldiers, crooks, and other ownerless rabble.”⁸⁷ The group had come to the conclusion that

within fourteen days of the publication of this open patent this damn gypsy-rabble should leave the district and all of Swabia, and if they would still set a foot there after the time has passed, they can be outlawed and without exception it should be allowed, without penalty or responsibility [...] to kill them, to rob them, and to handle them as one pleases.⁸⁸

The Edict repeatedly stressed that those who resisted should be “shot dead,”⁸⁹ “shot down,”⁹⁰ and “shot without a hint of objections,”⁹¹ while the non-resistant ones needed to be thrown into the “harshes prisons,”⁹² and every one of them should be carefully

interrogated on their crime, “because they can never be clean of that.”⁹³ This should be done “until the whole race of this rabble is removed and radically eradicated from every part of the district.”⁹⁴ This very radical and specified statement of planned elimination was not an exception but could also be found in other German states at the time.⁹⁵ Nonetheless, one may assume “that this kind of expulsion and extermination policy was not put thoroughly into practice,” as historians like Achim Landwehr assert.⁹⁶

5_”Gypsy” as Racial and Social Category

Reading the early legislative texts on “gypsies” in Germany through the lenses of Kant and Marx leads to two different interpretations. Marx’s argumentation gives us an understanding of the social structure of Western Europe into which Sinti (among others) migrated in the fifteenth century. He stresses the socioeconomic and power structures that led to the emergence of vagabondage and the social figure of the vagabond. To this day, parts of the old narrative of vagabondage as a problem of individuals have retained power and can be found in claims of the social status of the unemployed or homeless as self-inflicted and resulting from individual laziness. Marx takes a different approach by showing the societal roots of the problem, as well as the interests of the ruling class to maintain and even reinforce such conditions within a further advancement of capitalism. Based on Marx’s line of argumentation, it is possible to understand the relation of policing legislation and the economic system as a primarily socioeconomic one, as vagabondage had to be criminalized in order to enforce capitalism. Unsurprisingly, the first public employment agencies were set up in police stations. In England, this development started in the 1880s, while German cities followed suit in the following decades.⁹⁷

However, Marx’s thought does not provide sufficient tools to explain why many former peasants were able to integrate into the new economic system over time, whereas others were perceived as members of specific groups like the “gypsies” and faced more difficulties as their image became connected with the specific social status of vagabonds and criminals. This is where it makes sense to consult Kant’s interpretation of the status of “gypsies.” He emphasizes their deviation, using their origin, language, and skin color as markers for their supposed inability to adapt and thus perpetuates the racialized image of this homogeneous group that was found among his contemporaries as well. In his account of human races, he ascribes an inability to adapt to

all non-European peoples. This can be read as a projection and essentialization of differences instead of understanding the state of affairs as a result of socioeconomic processes. From the perspective of the rulers of the early modern period, it is likely that the race-based kind of thinking played a major role in the policies that explicitly excluded “gypsies,” keeping them in a state of precariousness. Furthermore, “gypsies” fell prey to the contradiction of a system trying to coerce as many as possible to enter the workforce while requiring the exclusion of a group of people to maximize profit, as Marx explained for the vagabonds. Devaluing specific groups and revitalizing the antique discourse on barbarians was a convenient strategy at this point. While the social debate might have concealed the underlying racial implications, the racial debate could easily conceal the social reasons for the persistent discrimination. Moreover, the flexibility of the category “gypsy,” encompassing both the racial and social aspects, left room for uncertainty. As a counter-category for the bourgeoisie, it implied that deviant behavior posed a permanent threat: At any given time, anyone who did not behave according to the norms could just as well end up in this category.

Even today, many of the debates on “gypsies,” Sinti and Roma, or the homeless unfold along the lines of social and racial (or in recent decades rather cultural)⁹⁸ categorizing. In postwar Germany there were extensive juridical debates about whether, during the Nazi era, “gypsies” were persecuted as a race, which would make them eligible to compensations like the Jewish population, or whether they were persecuted as “anti-socials” or “criminals.”⁹⁹ The latter interpretation, defended by German courts until 1962, implied that the “gypsy” persecution was acceptable. Only in 1982, after the struggles of the civil rights movement of Sinti and Roma, did Germany officially confess to the Porrajmos, the genocide of Sinti and Roma. The recent debate on the so-called “poverty migration” from Central and Eastern Europe has been framed along similar lines. Roma from Eastern European countries have been portrayed as “anti-social” and a problem to German society or Western European societies more generally. Instead of treating them as citizens of the European Union, who enjoy the same rights as all EU citizens, many local voices called for added protection from the “poverty migrants,” even asking for exemptions from the general right of movement within the EU. Old stereotypes were reactivated, such as the immutability Kant embraced and the narrative of self-inflicted social statuses based on laziness rather than structures, as the origin myth of capitalism had implied and Marx had criticized.

In recent times, a growing number of scholars from different fields have analyzed the stereotypes of the “gypsy” and how they transformed over time.¹⁰⁰ On the grounds of my readings of Kant and Marx, it could be rewarding to add a socioeconomic approach as well as a focus on institutional racism to the modern analysis of antiziganism. A study carried out by Tom Holert and Mark Terkessidis can serve as a blueprint for the prospects of such an analytic approach, even though it does not specifically address the social situation of Sinti and Roma. Analyzing how the European economy gains from and even depends on the work of illegalized immigrants and an informal labor market while at the same time the European Union and its countries counter these phenomena with the instruments of a broad range of political, judicial, and penal measures, the authors of the study pinpoint the contradictory, yet interdependent logics of state action in the field of migration.¹⁰¹ Similar approaches can and, in my view, should be adopted in the social research of historical and contemporary antiziganism.

Endnotes

- ¹ I would like to thank the editors of this issue, Jörn Ahrens and Axel Fliethmann, firstly, for organizing the fruitful writing and research workshop at the Monash University Prato Center in summer 2019, secondly, for giving me the opportunity to publish this article, and thirdly, for their helpful comments. Moreover, I want to thank Regina Kreide, Huub van Baar, Christoph Panzer, and the anonymous reviewers for their constructive and valuable feedback, and the editorial team of *On_Culture* for their support and language revision.
- ² Oliver Decker et al., “Die Leipziger Autoritarismus-Studie 2018: Methode, Ergebnisse und Langzeitverlauf,” in *Flucht ins Autoritäre: Rechtsextreme Dynamiken in der Mitte der Gesellschaft. Die Leipziger Autoritarismus-Studie 2018*, eds. Oliver Decker and Elmar Brähler (Gießen: Psychosozial-Verlag, 2018), 65–115, here: 102–103.
- ³ Huub van Baar, Ana Ivasiuc, and Regina Kreide, eds., *The Securitization of the Roma in Europe. Human rights interventions* (Cham, Switzerland: Palgrave Macmillan, 2019).
- ⁴ Markus End, *Antiziganismus und Polizei: Mit Dokumentation der Fachveranstaltung "Die Polizei und Minderheiten - Das Beispiel Antiziganismus" und einem ergänzenden Beitrag zum OEZ-Attentat*. Schriftenreihe 12 (Heidelberg: Zentralrat Deutscher Sinti und Roma, 2019).
- ⁵ Leo Lucassen, *Zigeuner: Die Geschichte eines polizeilichen Ordnungsbegriffes in Deutschland 1700–1945* (Köln/Weimar/Wien: Böhlau, 1996); Wim Willems, *In Search of the True Gypsy: From Enlightenment to Final Solution* (London/Portland, OR: Frank Cass, 1997); Iulia-Karin Patrut, *Phantasma Nation: 'Zigeuner' und Juden als Grenzfiguren des 'Deutschen' (1770–1920)* (Würzburg: Königshausen & Neumann, 2014).
- ⁶ See Maria Meuser, “Vagabunden und Arbeitsscheue: Der Zigeunerbegriff der Polizei als soziale Kategorie,” in *Faul, fremd und frei*, ed. Wulf D. Hund (Münster: Unrast Verlag, 2014), 105–123.
- ⁷ See Patrut, *Phantasma Nation*, 18.

- ⁸ Wulf D. Hund, “‘It Must Come from Europe’: The Racisms of Immanuel Kant,” in *Racisms Made in Germany*, eds. Wulf D. Hund, Christian Koller, and Moshe Zimmermann (Münster, Berlin: LIT-Verlag, 2011), 69–98, here: 83.
- ⁹ See the on-going lecture series “Kant – Ein Rassist?” organized by the Berlin-Brandenburg Academy of Sciences and Humanities, three German universities, and the University of Luxembourg in the winter term 2020/21 bringing together philosophers, political theorists, historians, jurists, and others to discuss the topic of Kant and racism: “Kant – Ein Rassist? Interdisziplinäre Diskussionsreihe,” accessed November 24, 2020, <<https://www.bbaw.de/mediathek/archiv-2020/kant-ein-rassist-interdisziplinäre-diskussionsreihe>>.
- ¹⁰ Mark Larrimore, “Sublime Waste: Kant on the Destiny of the ‘Races’,” in *Canadian Journal of Philosophy* 25 (1999), 99–125, <<https://doi.org/10.1080/00455091.1999.10716832>>; Thomas E. Hill and Bernard Boxill, “Kant and Race,” in *Race and Racism*, ed. Bernard Boxill (Oxford: Oxford University Press, 2000), 448–471; Robert Bernasconi, “Who Invented the Concept of Race? Kant’s Role in the Enlightenment Construction of Race,” in *Race*, ed. Robert Bernasconi (Malden, Mass./Oxford: Blackwell Publishers, 2001), 11–36; Robert Bernasconi, “Kant as an Unfamiliar Source of Racism,” in *Philosophers on Race: Critical Essays*, eds. Tommy L. Lott and Julie K. Ward (Oxford: Oxford University Press, 2002), 145–166.
- ¹¹ Peter D. Fenves, *Late Kant: Towards Another Law of the Earth* (New York/London: Routledge, 2003); Susan M. Shell, “Kant’s Concept of a Human Race,” in *The German Invention of Race*, eds. Sara Eigen and Mark Larrimore (Albany, NY: State Univ. of New York Press, 2006), 55–72; Pauline Kleingeld, “Kant’s Second Thoughts on Race,” in *The Philosophical Quarterly* 57. 229 (2007), 573–592; Alexey Zhavoronkov and Alexey Salikov, “The Concept of Race in Kant’s Lectures on Anthropology,” in *Con-Textos Kantianos. International Journal of Philosophy*, 7 (2018), 275–292, <<https://doi.org/10.5281/zenodo.1299140>>.
- ¹² Raphaël Lagier, *Les races humaines selon Kant* (Paris: Presses Univ. de France, 2004); Oliver Eberl, “Kant on Race and Barbarism: Towards a More Complex View on Racism and Anti-Colonialism in Kant,” in *Kantian Review* 24. 3 (2019), 385–413, <<https://doi.org/10.1017/S1369415419000189>>.
- ¹³ One particular statement on “gypsies” from Kant’s essay “On the Use of Teleological Principles in Philosophy” (1788) is usually cited in order to demonstrate that Kant believed in the immutability of racial characteristics once they had evolved. See Larrimore, “Sublime Waste,” 110; Bernasconi, “Kant as an Unfamiliar Source,” 148; Kleingeld, “Kant’s Second Thoughts,” 581; Eberl, “Kant on Race,” 404.
- ¹⁴ Joris van Gorkom’s study was published immediately after the completion of this article. Van Gorkom elaborates on Kant’s discussion of race mixing in his second essay on race from 1785, employing the statements on “gypsies” from this essay to substantiate his claim about Kant’s condemnation of race mixing, which was opposed to Kleingeld’s defense of Kant in this respect. See Joris van Gorkom, “Immanuel Kant on Race Mixing: The Gypsies, the Black Portuguese, and the Jews on St. Thomas,” in *Journal of the History of Ideas* 81. 3 (2020), 407–427, <<https://doi.org/10.1353/jhi.2020.0025>>.
- ¹⁵ Kurt Röttgers, “Kants Zigeuner,” in *Kant Studien* 88 (1997), 60–86, here: 63 (my translation).
- ¹⁶ Röttgers, “Kants Zigeuner,” 73–75.
- ¹⁷ Röttgers, “Kants Zigeuner,” 64.
- ¹⁸ Röttgers, “Kants Zigeuner,” 64. Even though Kraus never published the results himself, Röttgers provides clear evidence that Kraus was working on this topic (Röttgers, “Kants Zigeuner,” 64–75). For more information on Kraus’s study, see Kurt Röttgers, *Kants Kollege und seine ungeschriebene Schrift über die Zigeuner* (Heidelberg: Manutius, 1993).

- 19 Johann Erich Biester, "Über die Zigeuner", in *Berlinische Monatsschrift* 21 (1793), 108–165 and 360–393.
- 20 Röttgers, "Kants Zigeuner," 67.
- 21 Martin Ruch, *Zur Wissenschaftsgeschichte der deutschsprachigen "Zigeunerforschung" von den Anfängen bis 1900* (Freiburg, 1986), unpublished dissertation; Udo Engbring-Romang, "Vorurteile – naturwissenschaftlich begründet: Beiträge aufgeklärter Wissenschaftler zur Begründung des rassistischen Antiziganismus," in *Aufklärung und Antiziganismus*, eds. Udo Engbring-Romang and Daniel Strauß (im Auftrag der Gesellschaft für Antiziganismusforschung e.V.) (Seeheim: I-Verb.de, 2003), 34–49; Wilhelm Solms, *Zigeunerbilder: Ein dunkles Kapitel der deutschen Literaturgeschichte. Von der frühen Neuzeit bis zur Romantik* (Würzburg: Königshausen & Neumann, 2008), 117–127.
- 22 Christian Wilhelm Büttner was presumably among the first to publish linguistic assumptions in that field. His book *Vergleichstafeln der Schriftarten verschiedener Völker* from 1771 contains only a brief section on this topic. For more details on this topic, see Ruch, *Wissenschaftsgeschichte "Zigeunerforschung,"* 99. Other authors of the time were Johann Christian Christoph Rüdiger, who published a chapter called 'Von der Sprache und Herkunft der Zigeuner aus Indien' in his book *Neuester Zuwachs der teutschen, fremden und allgemeinen Sprachkunde in einigen Aufsätzen, Bücheranzeigen und Nachrichten* (Leipzig: Kummer), <<http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10583110-8>> in 1782 (37–84), and the already mentioned Biester with his journal articles from 1793.
- 23 See Heinrich Moritz Gottlieb Grellmann, *Die Zigeuner: Ein historischer Versuch über die Lebensart und Verfassung, Sitten und Schicksahle dieses Volkes in Europa, nebst ihrem Ursprunge* (Dessau/Leipzig: Buchhandlung der Gelehrten, 1783). In contrast to what Ruch, *Wissenschaftsgeschichte "Zigeunerforschung,"* 103 stated, the first edition is preserved and available online <<http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10738388-7>>.
- 24 The second, extended edition was published under a new title: Heinrich Moritz Gottlieb Grellmann, *Historischer Versuch über die Zigeuner betreffend die Lebensart und Verfassung, Sitten und Schicksale dieses Volks seit seiner Erscheinung in Europa, und dessen Ursprung*. 2nd ed. (Göttingen: Dieterich, 1787), <<http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb11256263-6>>. The English version was published in the same year with the following title: *Dissertation on the Gipsies, Being an Historical Enquiry, Concerning the Manner of Life, Oeconomy, Customs and Conditions of These People in Europe, and Their Origin* (London: G. Bigg, 1787), and republished in 1807. For more details on the translations, see Katrin Ufen, "Aus Zigeunern Menschen machen: Heinrich Moritz Gottlieb Grellmann und das Zigeunerbild der Aufklärung," in *Faul, fremd und frei*, ed. Wulf D. Hund (Münster: Unrast Verlag, 2014), 70–90, here: 87.
- 25 Ruch, *Wissenschaftsgeschichte "Zigeunerforschung,"*; Willems, *In Search of the True Gypsy*. See as well Claudia Breger, "Grellmann – der 'Zigeunerforscher' der Aufklärung," in *Aufklärung und Antiziganismus*, eds. Udo Engbring-Romang and Daniel Strauss (Seeheim: I-Verb.de, 2003), 50–65 and Ufen, "Aus Zigeunern Menschen machen."
- 26 Ruch, *Wissenschaftsgeschichte "Zigeunerforschung,"* 143–153.
- 27 Eberl claims that one can see a change in Kant's attitude towards the travel reports: "Where Kant first uncritically trusted and accepted the description of and judgements on foreign peoples in those travel reports (1764), he ultimately became [...] critical of them (1785)" (Eberl, "Kant on Race," 390). He further describes how Kant, in his late writings, rather relied on biological explanations of 'race' than on travel reports (Eberl, "Kant on Race," 408).
- 28 Hund, "'It Must Come from Europe'," 83.

- 29 Hund, “‘It Must Come from Europe’,” 84–85.
- 30 For a good overview on Kant’s race theory, see Larrimore, “Sublime Waste.”
- 31 Among them, we can find the philosophers Voltaire and Hume. See Larrimore, “Sublime Waste,” 101.
- 32 Christian Geulen, “‘Rasse’ und ‘Rassismus’: Lecture in the Lecture Series ‘Kant – Ein Rassist?’” (2020), accessed November 24, 2020, <https://www.db-thueringen.de/receive/dbt_mods_00046963>.
- 33 Immanuel Kant, “Anthropology from a Pragmatic Point of View (1798),” in *Anthropology, History, and Education*, eds. Robert Louden and Gunter Zoller (Cambridge: Cambridge University Press, 2010), 227–429, here: 420/AA VII 324–325 (emphasis in original).
- 34 Max Horkheimer and Theodor W. Adorno, *Dialectic of Enlightenment: Philosophical Fragments* (Stanford, CA: Stanford University Press, 2002), edited by Gunzelin Schmid Noerr; transl. by Edmund Jephcott, 24.
- 35 For a detailed examination of the differences of Kant’s concepts of ‘races’ and ‘nations,’ see Zhavoronkov and Salikov, “Concept of Race,” 285–287.
- 36 Even in 1775 there were still attempts to prove the Egyptian origin theory, as is seen in the example of the polymath Francesco Griselini, who tried to prove this theory during a journey to Banat in that year by comparing the habits of Romanian ‘gypsies’ with those of ancient Greeks (Ruch, *Wissenschaftsgeschichte "Zigeunerforschung,"* 150–153). For more details on the different origin theories, including the idea that they were a ‘home-grown’ group, which had already emerged in the sixteenth century, see Frances Timbers, “*The Damned Fraternitie*”: *Constructing Gypsy Identity in Early Modern England, 1500–1700* (London/New York: Routledge, 2016), 7–38.
- 37 For further explanation on Kant’s concept of the Asian nations, see Hund, “‘It Must Come from Europe’,” 84, 86, and 90.
- 38 Original: “Die asiatische nationen [sic!] haben ihren Stillstand da, wo die Erweiterung ihrer Vollkommenheiten aus Begriffen geschehen mußte und nicht blos aus Anschauungen.” Immanuel Kant, “Reflexionen zur Anthropologie,” in *Gesammelte Schriften*. Vol. 15, ed. Preussische Akademie der Wissenschaften (Berlin/Leipzig: De Gruyter, 1923), 55–654, here: 597/AA XV 597 (my translation). Kant repeated this assumption in several texts when referring to Asians, Hindus, or Indians, cf. Larrimore, “Sublime Waste,” 111–112.
- 39 As already mentioned, it was a common argument for the monogeny theory at the time to deem the climate and environment the chief sources of influence on the character as well as the physical appearance of human beings.
- 40 Immanuel Kant, “Of the Different Races of Human Beings (1775),” in *Anthropology, History, and Education*, eds. Robert Louden and Gunter Zoller (Cambridge: Cambridge University Press, 2010), 82–97, here: 93/AA II 439.
- 41 Immanuel Kant, “Religion within the Boundaries of Mere Reason (1793),” in *Religion and Rational Theology*, eds. Allen W. Wood and George Di Giovanni (Cambridge: Cambridge University Press, 1996), 39–216, here: 163 (FN)/AA VI 136–137 (FN).
- 42 Grellmann stated this hypothesis as early as the first edition of his book, recalling on their ‘bad habits,’ as Claudia Breger shows in her text: Breger, “Grellmann – der ‘Zigeunerforscher,’” 65.
- 43 Immanuel Kant, “Determination of the Concept of a Human Race (1785),” in *Anthropology, History, and Education*, eds. Robert Louden and Gunter Zoller (Cambridge: Cambridge University Press, 2010), 143–159, here: 158/AA VIII 105. For an interpretation of this passage within Kant’s race theory, see Hund, “‘It Must Come from Europe’,” 84–85.

- 44 Immanuel Kant, “On the Use of Teleological Principles in Philosophy (1788),” in *Anthropology, History, and Education*, eds. Robert Louden and Gunter Zoller (Cambridge: Cambridge University Press, 2010), 192–218, here: 207/AA VIII 172 (emphasis in original).
- 45 Kant, “Teleological Principles,” in *Anthropology, History, and Education*, 209/AA VIII 174.
- 46 Eberl, “Kant on Race,” 406.
- 47 Roswitha Scholz, “Antiziganismus und Ausnahmezustand: Der ‘Zigeuner’ in der Arbeitsgesellschaft,” in *Antiziganistische Zustände: Zur Kritik eines allgegenwärtigen Ressentiments*, eds. Markus End, Kathrin Herold, and Yvonne Robel (Münster: Unrast Verlag, 2009), 24–40, here: 34.
- 48 Some scholars have criticized Marx’s concept of the primitive accumulation for being too Eurocentric (Samir Amīn, *Accumulation on a World Scale: A Critique of the Theory of Underdevelopment* [New York, NY: Monthly Review Press, 1974]) or not including the role of women (Maria Mies, *Patriarchat und Kapital: Frauen in der internationalen Arbeitsteilung* [Zürich: Rotpunktverlag, 1988]). Others as well have used Marx’s approach to create a better understanding of the development of mechanisms of exploitation, e.g. Silvia Federici on the account of women (Silvia Federici: *Caliban and the Witch. Women, the Body and Primitive Accumulation*. [New York, NY: Autonomedia, 2004]).
- 49 Until the eighteenth century, most of the Romani migrants to Germany, Belgium, France, and the Netherlands were Sinti. The Romani migrants to Western Europe from the nineteenth century onwards were mostly Roma.
- 50 Karl Marx, *Das Kapital: Kritik der politischen Ökonomie. Erster Band*. Karl Marx / Friedrich Engels: Werke 23 (Berlin: Dietz, 1962), 743 (hereafter abbreviated as MEW 23). I will quote from the German books (MEW 1–43) and use the translations from the Marx Engels Archive <<https://www.marxists.org/archive/marx/works/>>.
- 51 MEW 23, 746.
- 52 MEW 23, 748–49.
- 53 Karl Marx and Friedrich Engels, *Schriften 1845–1846*. Karl Marx / Friedrich Engels: Werke 3 (Berlin: Dietz, 1958), 56.
- 54 See MEW 23, 761–62.
- 55 MEW 23, 762.
- 56 Karl Marx, *Ökonomische Manuskripte 1857/1858*. Karl Marx / Friedrich Engels: Werke 42 (Berlin: Dietz, 1983), 631.
- 57 Wooden boards restraining one’s feet.
- 58 Thomas Edlyne Tomlins, *The Statutes at Large, of England and of Great-Britain: From Magna Carta to the Union of the Kingdoms of Great Britain and Ireland. In Twenty Volumes* (London: Printed by G. Eyre and A. Strahan, printers to the King, 1811), Vol. II. From 1 Ric. II A.D. 1377 – To 19 Hen. VII. A.D. 1507, 763–764.
- 59 John Raithby, *The Statutes at Large, of England and of Great-Britain: From Magna Carta to the Union of the Kingdoms of Great Britain and Ireland. In Twenty Volumes* (London: Printed by G. Eyre and A. Strahan, printers to the King, 1811), Vol. III. From 1 Hen. VIII. A.D. 1509–10. – To 7 Edw. VI. A.D. 1553, 91–92.
- 60 MEW 23, 762.
- 61 Raithby, *Statutes at large Vol. III*, 89.
- 62 David Mayall, *English Gypsies and State Policies* (Hertfordshire: Gypsy Research Centre Univ. of Hertfordshire Press, 1995), 25.

- 63 David Mayall, *Gypsy Identities 1500–2000: From Egipcians and Moon-Men to the Ethnic Romany* (London/New York: Routledge, 2004), 65–66; Mayall, *English Gypsies*, 18–26.
- 64 John Raithby, *The Statutes at Large, of England and of Great-Britain: From Magna Carta to the Union of the Kingdoms of Great Britain and Ireland. In Twenty Volumes* (London: Printed by G. Eyre and A. Strahan, printers to the King, 1811), Vol. IV. From 1 Mary, A.D. 1553. – To 16 Charles I. A.D. 1640, 34.
- 65 Mayall, *Gypsy Identities*, 79. The 1562 act for example speaks of “Vagabonds, calling themselves Egyptians” (Raithby, *Statutes at large Vol. IV*, 233).
- 66 MEW 23, 762.
- 67 See MEW 23, 762–70.
- 68 MEW 23, 764 (FN).
- 69 MEW 23, 746.
- 70 Matthias Bohlender, “Der Malthus-Effekt: Vom Ethos der Aufklärung zur Geburt des Liberalismus,” in *Neustart des Weltlaufs? Fiktion und Faszination der Zeitwende*, ed. Karsten Fischer (Frankfurt am Main: Suhrkamp, 1999), 36–64, here: 44–45.
- 71 See MEW 23, 663.
- 72 MEW 23, 724.
- 73 MEW 23, 711.
- 74 MEW 23, 722.
- 75 MEW 23, 723.
- 76 MEW 23, 724.
- 77 MEW 23, 724.
- 78 MEW 23, 724–25.
- 79 See Meuser, “Vagabunden und Arbeitsscheue.”
- 80 Gustav Hermann Zeller and August Ludwig Reyscher, *Sammlung der württembergischen Regierungs-Gesetze: Erster Theil, enthaltend die Regierungs-Gesetze vom Jahre 1489 bis zum Jahre 1634*. Vollständige, historisch und kritisch bearbeitete Sammlung der württembergischen Gesetze Bd. 12 (Tübingen: Fues, 1841), 115, 767–768.
- 81 Achim Landwehr, “Norm, Normalität, Anomale: Zur Konstitution von Mehrheit und Minderheit in württembergischen Polizeiordnungen der Frühen Neuzeit: Juden, Zigeuner, Bettler, Vaganten,” in *Minderheiten, Obrigkeit und Gesellschaft in der frühen Neuzeit: Integrations- und Abgrenzungsprozesse im süddeutschen Raum*, eds. Mark Häberlein and Martin Zürn (St. Katharinen: Scripta Mercaturae Verlag, 2001), 41–74, here: 61.
- 82 Original: “Verordnung gegen Zigeuner, Bettler und Vaganten”: unterstellt “den Zigeinern [...] mit Mord, Raub, Zwang und Abnöthigungen Unsern Unterthanen großen Schaden und ungelegenheiten beygefügt” zu haben. Gustav Hermann Zeller and August Ludwig Reyscher, *Sammlung der württembergischen Regierungs-Gesetze: Zweiter Theil, enthaltend die Regierungs-Gesetze vom Jahre 1638 bis zum Jahre 1726*. Vollständige, historisch und kritisch bearbeitete Sammlung der württembergischen Gesetze Bd. 13 (Tübingen: Fues, 1842), 81 (my translation, as will be the following); see Landwehr, “Norm, Normalität, Anomale,” 61.
- 83 Original: “mit Gewalt auß dem Land jagen,” Zeller and Reyscher, *Sammlung Bd. 13*, 81.
- 84 Original: “Verordnung wegen Austreibung der Zigeuner,” Zeller and Reyscher, *Sammlung Bd. 13*, 489.

- 85 Original: “dieses Landschädliche Gesind außrotten helffen,” Zeller and Reyscher, *Sammlung Bd. 13*, 490.
- 86 Original: “gänzlicher Ausrottung,” Zeller and Reyscher, *Sammlung Bd. 13*, 822.
- 87 Original: “Zigeiner, Garttbrüder, Jauner und andern herrenlosen Gesindes,” Zeller and Reyscher, *Sammlung Bd. 13*, 822.
- 88 Original: “dieses verdammliche Zigeiner-Gesind innerhalb Vierzehn Tag von Publication dieses offenen Patents den Creyß und gantz Schwaben raumen, dafern Sie aber nach Verfliessung solcher Zeit in demselben noch betreten würden, Sie Vogelfrey und Männiglich erlaubt seyn solle, dieselbe ohne Frevel und Verantwortung [...] zu erlegen, zu spoliren, und nach Belieben zu hantieren,” Zeller and Reyscher, *Sammlung Bd. 13*, 823.
- 89 Original: “todt geschossen,” Zeller and Reyscher, *Sammlung Bd. 13*, 823.
- 90 Original: “nidergelegt,” Zeller and Reyscher, *Sammlung Bd. 13*, 823.
- 91 Original: “ohne den wenigsten Anstandt todtschiessen,” Zeller and Reyscher, *Sammlung Bd. 13*, 824.
- 92 Original: “in die härteste Gefängnissen geworffen,” Zeller and Reyscher, *Sammlung Bd. 13*, 823.
- 93 Original: “wie Sie dann von dergleichen niemals rein seyn können,” Zeller and Reyscher, *Sammlung Bd. 13*, 823.
- 94 Original: “biß die gantze Race von diesem Gesind in allen Theilen des Creyses extirpiert und auff den Grund außgerottet worden,” Zeller and Reyscher, *Sammlung Bd. 13*, 824.
- 95 See Meuser, “Vagabunden und Arbeitsscheue.”
- 96 Original: “mit Sicherheit davon ausgehen kann, daß eine solche Vertreibungs- und Vernichtungspolitik nicht in allen Einzelheiten in die Praxis umgesetzt wurde,” Landwehr, “Norm, Normalität, Anomale,” 59 (my translation).
- 97 Matthias Reiss, “Zwischen Revolte und Resignation: Das Bild des Arbeitslosen seit dem 19. Jahrhundert,” in *Armut: Perspektiven in Kunst und Gesellschaft*, eds. Herbert Uerlings, Nina Trauth and Lukas Clemens (Darmstadt: Primus Verlag, 2011), 326–335, here: 327.
- 98 For the shift from race to culture and why they have become interchangeable in the context of racism, see Étienne Balibar, “Is There a ‘Neo-Racism’?” in *Race, Nation, Class: Ambiguous Identities*, eds. Étienne Balibar and Immanuel Wallerstein (London: Verso, 1991), 17–28.
- 99 See Anja Reuss, *Kontinuitäten der Stigmatisierung: Sinti und Roma in der deutschen Nachkriegszeit* (Berlin: Metropol, 2015).
- 100 Hans Richard Brittnacher, *Leben auf der Grenze: Klischee und Faszination des Zigeunerbildes in Literatur und Kunst* (Göttingen: Wallstein Verlag, 2012); Frank Reuter, *Der Bann des Fremden: Die fotografische Konstruktion des Zigeuners* (Göttingen: Wallstein Verlag, 2014).
- 101 Tom Holert and Mark Terkessidis, *Fliehkraft: Gesellschaft in Bewegung - von Migranten und Touristen* (Köln: Kiepenheuer & Witsch, 2006).