

## PERSECUTORY POLICIES AGAINST ROMA IN NAZI GERMANY

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### Abstract

The article provides an analysis of the persecution measures against the Roma in Nazi Germany, identifying what measures were taken and, in particular, what tragic consequences they led to on a practical level. The article comparatively analyzes various aspects of the persecution of Roma in Germany, and indeed throughout Europe, preceding the totalitarian seizure of power by the Nazis in 1933 and the emergence of Nazi Germany. The main focus is on identifying the stages of the persecution policy in Nazi Germany against Roma, as well as the chronology of the adoption of the persecution policy against Roma in Nazi Germany in 1933-1945. As a result, a turning point in the anti-Roma policy is identified and characterized, which included both the freezing of Roma mobility and the resettlement of Roma, as well as their deportation to Auschwitz-Birkenau.

**Keywords:** German society, enemies hierarchy, persecutions, Roma, foundation, Nazi Germany, Slovak state.

### Introduction

Roma in Germany are a minority with deep historical roots. Throughout the entire historical period, the Roma in Western Europe were discriminated against by various steps and measures. With the emergence of Nazi Germany, the systematic persecution of various minorities began, including the Roma. However, it was not something new in the case of the Roma, because the Nazis followed up on some measures from previous historical stages.

We can learn about these persecutions against Roma during the Third Reich and not only during it from important historians and their works. Compared to the Slovak historiography during the Slovak state, the German one deals in depth with the past - the position of the Roma during the Nazi empire.

The aim of this article is the analysis of persecutions against the Roma, as well as the synthesis of key facts. The article will consist of four main chapters, and the fourth

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chapter will contain several subsections related to the given issue. In terms of methodology, the article will use analysis and synthesis.

### **The rise of Nazi Germany and the Roma issue**

On January 30, 1933, Adolf Hitler became the chancellor of the German Reich and his political party, the National Socialist German Workers' Party (NSDAP), came to power. Within the first weeks of their rule, Nazi officials eliminated political opposition, abolished basic democratic rights, and began to shape German society as an Aryan and homogeneous national community based on the leader principle. Related to race, the Nazi regime in Europe regarded the Aryan race as superior to all. Although the Roma were enemies of the National Socialists, they represented the lowest position in the hierarchy of enemies (Aretakis 2024; Fings 2016). They formed the so-called group 'unworthy of life' (Rupprecht and Koenig 2010).

At the beginning of 1933, the Roma minority was represented to a small extent in Nazi Germany. There were approximately 26,000 of them, and the Nazi leadership considered them a community that could not adapt to society. There were several reasons - a nomadic way of life, not accepting the values of regular work, and they also faced accusations that they were burdening social institutions. The state saw in them the so-called 'foreign element'. For that reason, the society began to deal with the 'solution' of the Roma issue (Lewy 2000).

Historical statistics on the number of victims of the Nazi regime show that 21,500 Roma died in Nazi Germany and annexed Austria, which represented 68.9% (Lutz 1995). In total, 258,000 Roma perished during the Third Reich and occupied Europe (Rummel 1991).

After the seizure of power by German fascist officials, there was an escalation of the persecutory measures taken before the Third Reich (in the Weimar Republic). The campaign first applied to nomadic Roma, but later it developed as a comprehensive measure against all Roma (Barany 2001).

The attitude of the general public towards the Roma was distrustful for a long time, and the Nazis had no positive intentions with the Roma issue (Kenrick and Grattan 1972). The policies that were subsequently adopted by the Nazi government were a stricter version of the measures adopted during previous historical periods (Zimmermann 2002).

There were several circumstances that facilitated the Nazis' path to power. They were helped by the widespread interest in German society in moral decay and the spread of crime. The Nazis exploited these public fears, presenting themselves as advocates of law and order. They pledged to untie the hands of the police and to deal radically with criminals, who allegedly included Roma (Lewy 2000).

In its initial phase, National Socialist propaganda addressed the frustrated classes as well as the declassified groups it relied on, or it was based on their interest in National Socialist politics. The atmosphere after the lost war in 1918 contributed significantly to this. Based on this, even the layers of society that did not agree with A. Hitler signed up for Nazism. The Nazis used mass gatherings, marches, and torchlight processions of members of the NSDAP (Lužica 2004).

The Nazi regime was based on certain foundations. He primarily took the concept of genetic drive (rooted in the ideas of 19th century social Darwinists) and took it a step further. Based on this, Hitler based his entire ideology on the premise of struggle, which he considered to be the root of everything. In connection with the Roma issue, he advocated the denial of the Indo-Aryan origin of the Roma (Lee 2008). His ideas were translated into practice, while in the practical sphere he not only followed the laws of the Weimar Republic, but also found inspiration in the laws from the 17th and 18th centuries directed against the Roma (Yates 1982; Yates 1949).

Also, at both levels of the state administration, the National Socialist ideology perceived the Roma from three points of view - the work-social, racial-political and economic point of view. From a work-social point of view, they allegedly represented a "burden on the social system" due to frequent unemployment and poor productivity, or not increasing the national product. The basis of the racially-politically motivated persecution of the Roma was the racial laws promulgated as a result of the Reich Freedom Party Assembly in Nuremberg in 1935. Economically, the Roma presence meant unused labor and local industry disrupted by nomadism (Gilsenbach and Hohmann 1992).

In general, Nazi policies resulted in a reduction of public and social benefits, police authorities exacted extremely high rents for itinerant hostels serving Roma. Several places where Roma stayed were also destroyed (Zimmermann 2002). As a result of these policies, the Roma were also labeled as an "unproductive and racially inferior class" who were allegedly prone to crime. These stereotypes defined them as social outsiders, facilitated repression by multiple authorities, and provided the rationale for their exclusion and eventual extermination (Milton 2001).

### **Stages of the policy of persecution of Roma in Nazi Germany**

The policy of the Nazis towards the Roma minority developed in several stages. In the first period, 1933-1937, local and state authorities intensified the control and bullying measures they had used in the earlier years of the Weimar Republic. In the second period, from around 1937, the Nazi regime subjected the Roma to in-depth investigations and sometimes to imprisonment in concentration camps. Roma were used for the 'crime prevention' program, which placed them in preventive police custody within concentration camps. In the third part, the racial legislation against the Jews was extended to the Roma. The third stage began in 1938, the so-called Himmler's decree on the "Fight against the Roma Plague". For the first time, this decree was based on racial criteria. From 1938, the alleged racial inferiority of the so-called mixed Roma was explicitly mentioned in the decrees issued against the "gypsy plague" (Lewy 2000; Lewy 1999).

Several relevant historians dealing with the topic of persecution in Nazi Germany present several approaches, or views. Guenter Lewy and Michael Zimmermann oppose each other on the issue of racial annihilation of a racial group - the Roma. While Lewy does not recognize that the Roma were under the influence of genocide, because the intention and explicit plan to kill the Roma cannot be proven. On the other hand, Zimmermann counters that the extent of the killing and persecution of Roma differed

depending on the geographical area. Gilart Margalit portrays the persecution of the Roma as secondary extermination. According to him, there was no detailed plan for the physical extermination of the Roma minority. Henry Friedlander, another important historian, links the killing of the disabled, Jews and Roma. In the case of the Roma community, he claims that the Nazis only tightened and intensified the already valid anti-Roma regulations and describes the initial exclusion of the Roma from society as a beginning towards the final solution (Knesebeck 2011).

The Nazis, headed by A. Hitler, adopted several fundamental laws during the period of the Third Reich. These laws were adopted from the first year of Hitler's reign. These were, for example, laws starting with the Law on the Prevention of Hereditarily Sick Offspring and ending with the Decree on Deportations to Auschwitz-Birkenau. Despite this, no comprehensive anti-Roma law was passed during the Third Reich, but many decrees were passed (Hancock 1991; Lewy 2000; Heuss 1997).

During the Nazi empire, the German Roma were subjected to unprecedented discrimination and bullying, mostly by local authorities. This was so despite the fact that these measures were not applied in a uniform manner (Margalit 2002). From a chronological point of view, the following laws and decrees were passed: Law for the Prevention of Hereditary Diseased Offspring (1933), Denaturalization Law (1933), Law against Habitual Criminals (1933), Expulsion Law (1933), Reich Citizenship Law (1935), The Law on the Protection of German Blood and Honor (1935), the Decree on the Preventive Fight against Crime (1937), the Decree on the Fighting the Gypsy Plague (1938), the Decree on the Freezing of the Mobility of the Roma (1939), the Decree on Resettling Roma (1940), Decree on Deportation to Auschwitz-Birkenau (1942), Decree on Cancellation of the right to regular tax deductions for Roma (1942), Law on Exemption of pure Roma from work and military service (1943) (Burleigh and Wippermann 1991; Lewy 2000; Reemtsma 1996; Friedlander 1995; Hübschmannová 2005; Nečas 1994; Kenrick and Puxon 2009; Milton 2008; Zimmermann 1996, 235-262; Wippermann 2018; Margalit 2002).

### **Chronology of the adoption of the policy of persecution of Roma in Nazi Germany in 1933-1945**

On July 14, 1933, the sterilization law was adopted. Based on this law, sterilization was to be carried out in the state administration and university institutes of anthropology were to be involved (Bock 2010). The law represented the beginning of the whole issue of plans to exterminate peoples who were allegedly biologically inferior. The program resulting from the law included, in addition to mass sterilization, euthanasia for the incurable and outright extermination by means of special treatment (Snyder 1998). The Roma were one of the communities subjected to this forced sterilization. This was done on the basis of their allegedly inherent anti-social behavior (Wippermann 2018). At the same time, it was true that the sterilization of Roma was related to the idea of preventing the right to reproduce in the case of "less valuable" members of society (Knesebeck 2011). According to this law, the Roma were forcibly and without any legal basis sterilized (Burleigh and Wippermann 1991). In the same year, the Denaturalization Act and the Expulsion Act of March 23 were also passed.

These laws also served to expel foreign Roma and Roma without German citizenship (Milton 2008). On November 24, 1933, the Law against Habitual Criminals was also applied to Roma (although they did not meet the requirements) (Reemtsma 1996).

On September 15, 1935, the Nuremberg Laws were also adopted, which became the most comprehensive means of excluding the Roma (Friedlander 1995). This was done on the basis of Hermann Göring's initiative during the session of the Reichstag of the NSDAP. According to these laws, only those persons who had German or related blood could be considered citizens (Hübschmannová 2005). Although the Roma were not directly mentioned in them, the laws applied to them in practice (Friedlander 1995). A year later, it was specified who belongs to a group of foreign species (Jews and Roma) and who belongs to German blood (Hübschmannová 2005). In other words, the comments on the racial laws resulted in the classification of Roma, together with other minorities, as racially different with alien blood. Roma and Jews had e.g. the ban on voting and participating in the 1938 plebiscite on the unification of Austria with the Third Reich (Friedlander 1995). It is also necessary to clarify that the Nuremberg Laws were primarily aimed at the Jews, but the Roma also became the focus of the state's National Socialist policy (Fings 2016).

The Nuremberg Laws also generally deprived all persons of their human rights and were used as relative legal acts to discriminate in the military, labor service, welfare, education and other areas of social life. Arguments for this procedure were provided by the already mentioned Dr. R. Ritter (Nečas 1992). The first two Nuremberg Laws - the Law on Reich Citizenship and the Law on the Protection of German Blood and Honor deprived the basic rights of anyone who could not prove German or species-like origin. Although the Roma belonged to the Indo-European language group, the Nazis did not consider them Aryans and were categorized as non-Aryans. On November 14, 1935, the term "Roma" was defined in connection with the Reich Citizenship Act. This only happened in the executive order for the Act on Reich Citizenship (Nečas 1994).

In practice, the Reich Citizenship Act distinguished between first-class citizens and second-class citizens. It is demonstrable that the Roma belonged to the second category, they even lost this status in April 1943 (Kenrick and Puxon 2009). In other words, the Reich Citizenship Law limited the definition of those who could be considered German citizens. Roma and other minorities never acquired citizenship and belonged to the already mentioned alien blood (Lewy 2000). Said law was supplemented by the Law for the Protection of German Blood and Honor, which resulted in a cumulative pattern of intimidation, exclusion, and coercion (Milton 1991).

The Law for the Protection of German Blood and Honor of 1935 was also passed on 15 September 1935 and stated that a marriage could not be entered into if it could be expected to produce offspring dangerous to the preservation of the 'purity' of German blood (Kenrick and Puxon 2009). It was therefore obvious that the Law on the Protection of German Blood and Honor was the first in a series of laws dealing with the issue of 'alien blood'. It was followed by the Law for the Protection of the Hereditary Health of the German People of October 18, 1935. In practical terms, the said law imposed the obligation of a marriage certificate certifying that the partners were suitable for marriage based on genetic and racial criteria (Lewy 2000).

The Law on the Protection of German Blood and Honor prohibited: First, marriages between people of German blood and members of foreign races (not only Roma). Second, it prohibited extramarital intercourse between the German nation and members of various minorities. In contrast, the Law for the Protection of the Hereditary Health of the German Nation prohibited the marriage of people regardless of their ethnicity and to “inferior” people. Among other things, he forbade the marriage of ‘inferior’ people. As already mentioned, although the Sinti and Roma were not directly mentioned in the racial Nuremberg Laws, this ‘gap’ was closed by the circular/circular decree of the Reich and Prussian Ministers of the Interior prohibiting mixed-race marriages (Zimmermann 1996; Reemtsma 1996; Fings 2016). Anyone who practically violated this prohibition was convicted of “racial defilement” and sentenced to a long prison term. This illegal and racially motivated practice was authorized in a commentary on German racial laws (Wippermann 2018).

Accepting the so-called of the Marriage Act (October, 1935) the Nazis pursued an interest in creating a comprehensive registration system to provide eugenic information on all individuals. The state intended to institute a census of race and heredity. On November 26, 1935, an advisory circular was issued by the Reich Ministry of the Interior to all local registry offices for vital statistics. It prohibited racially mixed marriages between persons of German and foreign blood. In an ever-escalating series of interconnected Nazi decrees (implementing the Nuremberg Laws), the Roma were progressively disenfranchised (Burleigh and Wippermann 1991; Margalit 2002). After 1935, many of the city governments and local social authorities appealed to the German police in order to detain the growing number of German Roma in the newly created municipal Roma camps. These became reserve warehouses for forced labor, compulsory sterilization and genealogical registration (Milton 2000).

### **1936 as a turning point in anti-Roma policy**

The anti-Roma policy had a ‘turning point’ in 1936, in which a process of reorganization took place. On its basis, an institutional infrastructure was created, which became the Reich’s “Center for Combating Harassment by Roma”. Since then, the Roma were ordered to settle in one place, they had the task of working in construction, factories in special camps that kept them ‘for a short time’. They were also denied social security and child support as they were branded as anti-social elements (Margalit 2000).

At the beginning of 1936 - on January 3, 1936, the Reich and Prussian Minister of the Interior, Frick, confidentially warned all members of the registers and health authorities that, in the interest of the necessary preservation of German blood, care must be taken that Roma and other minorities are not considered representatives of German blood and that they do not receive a certificate on the capacity to enter into marriage (Gilsenbach and Hohmann 1992).

In March 1936, the Memorandum of the State Secretary of the Ministry of the Interior was created, which contained the first mentions of the preparation of the national Roma law and of the problems in achieving a complete solution to this issue at the national and international level. The preliminary recommendations included –

expulsion of stateless Roma, restriction of freedom of movement and issuance of permits for nomadic Roma, increased police surveillance, sterilization of Roma, etc. (Milton 1992).

In June 1936, a circular titled "Fighting the Roma Sea" was published, which was issued on the initiative of the Minister of the Interior of the Third Reich. The decree ordered for the first time that the Roma should settle in one place and was essentially supposed to regulate the treatment of the Roma at the national level (Margalit 2002). Based on this, on July 16, 600 Roma were arrested in the capital of the Third Reich (Milton 1992).

The decree also stated that while foreign Roma were to be banned from entering the country, a settlement project was to be implemented for local Roma so that Roma groups could be controlled by the police (Lewy 2000). In the same month, the Central Office for Combating the Gypsy Threat was founded. The initiative of this office led to an intensification of persecution, pressure and intimidation of Roma by the police (Milton 2008).

In August 1936, the Bavarian Political Police published general guidelines on the issuing of protective custody orders. At the same time, on a practical level, a distinction was made between the arrest of political and non-political antisocials, or perpetrators (Krausnick and Broszat 1970). On November 18, 1936, the decree on the fight against the existence of Roma established the German police to collect a lot of relevant information about the Roma in several areas (Alt and Folts 1996). Also during the year 1936, preparatory work for the National-Socialist Reich Gypsy Law took place. Although a separate law was not adopted in practice, the theoretical concept arose from the introduction of a preventive fight against crime, which enabled the police to monitor criminals and 'anti-social people' and carry out sanctions in the form of preventive detention (Freund, Baumgartner and Greifeneder 2004).

### **Decree on fighting crime through the police**

In 1937, the national and Prussian ministers of the interior informed the regional governments of the decree on the fight against crime by means of the police (decree on the preventive suppression of criminal activity by the police) and demanded the expansion of preventive police detention after evaluating the experience to date and the knowledge gained from criminal biological research. The duty of the police was to protect the population from every harmful element through the measures ordered by this decree. Roma were not directly mentioned in the decree itself. This happened only after issuing instructions for its implementation (Heuss 1997). For this purpose, the Minister of the Interior contacted Reich Police Chief Heinrich Himmler, whose secret police GESTAPO began to carry out a one-time nationwide arrest operation against 'people shy of work' on this basis. These persons were identified on the basis of reports from local labor offices and at the beginning of 1938 they were to be taken into preventive - protective custody (Bastian 2001).

At the end of 1937 - on December 16, 1937, a law was passed under which Romani people who were unemployed and who were habitual criminals or a threat to society could be taken into protective custody, regardless of whether they had committed a

crime or not (Alt and Folts 1996). On the same day, this transcript of the Reich Ministry of the Interior on the preventive fight against crime by the police ordered all criminal police units to establish permanent control over criminal and antisocial elements and to take them into preventive custody. This group included all the antisocials who broke the public order with minor and constantly repeated offences, e.g. Gypsies (Nečas 1992).

The order for the preventive control of crime was called the so-called 'basic decree'. This bond was considered a major element in the fight against crime (Zimmermann 1996). Preventive detention could be imposed on both career criminals, common criminals and people dangerous to the public. A career criminal was one who committed crime as a trade; a habitual criminal was someone who repeatedly acted in the same or similar manner because of crime or criminal tendencies. A person who has been repeatedly evaluated by the police as a threat to society has become dangerous to the public (Zimmermann 1996).

Preventive detention should have been determined as a priority for antisocial persons without a permanent residence. According to the implementing regulations, those taken into preventive custody were to be sent to concentration camps; the length of their stay there was unlimited. This was primarily Buchenwald concentration camp and the rest were sent to other camps such as Sachsenhausen, Dachau, Flossenbürg and Mauthausen (Lewy 2000). As part of the preventive fight against crime, Roma members were gathered in camps or ordered to settle in communities within the framework of permanent residence. However, the move did not last for a short time - the opposite was true (Gilsenbach and Hohmann 1992).

This decree also expanded the range of persons who could be taken into preventive custody (Freund, Baumgartner and Greifeneder 2004). Thus, the concept of 'crime prevention' could expand indefinitely, and in the end, more and more categories of 'offenders' were added to them - a list of people whose crimes were to be 'prevented' before they could act: Roma and others (Gellately 1990). From this moment on, the Roma were subjected to racial persecution (Willems 1998).

An important part of this concept was the prohibition to leave the place of residence without the permission of the police; other requirements related to the prohibition of going out at night, avoiding certain places (public facilities, etc.). It also applied to the permission to associate only with certain people up to the prohibition of correspondence. It was according to the pattern of protective custody (Zimmermann 1996).

Preventive detention could not be abolished even by the courts, and crime was attributed to behavior of certain segments of society that was harmful to the community and explained by group-specific genetic factors (Zimmermann 1996).

This category included anyone who showed a reluctance to integrate into the wider community by their contradictory behavior, even if it was not criminal. Based on this, he received the status of 'asocial'. According to this decree, Roma and the like had to sign a declaration that stipulated that if they left their permanent residence (which they had to have), they would be placed in a concentration camp (Kenrick and Puxon 2009). On a practical level, thousands of Sinti (pure Roma) and Roma were labeled as anti-



social on racial grounds and taken into preventive police custody or sent to concentration camps in April and June 1938 (Wippermann 2018).

The first concrete result of this measure was the 'Arbeitsscheu Reich' action. According to the circular of the Reich Criminal Police Office of June 1, 1938, preventive detention was imposed on June 13-14 on 200 anti-social men from each district of the Reich Criminal Police Station. Arrested in the number of 9,000 persons, among them a part of the Roma were also included, they were transported to the concentration camp in Buchenwald (Nečas 1992).

Since 1938, Sinti and Roma, who did not intend to give up their trade, were gradually and increasingly deported to concentration camps on the basis of a decree on the preventive fight against crime. Based on this decree, the criminal police could deport any number of Roma without giving a reason or trial (Fings 2016).

In 1938, the definition of long-term protective custody was also changed and expanded, which included not only political opponents, but also people whose behavior could threaten the existence and security of the state or its citizens. The authority to issue this preventive detention was to be limited only to the Gestapo (until then, orders could be issued by regional governments and other institutions) (Krausnick and Broszat 1970).

### **Decree on combating the Gypsy plague**

The open persecution and imprisonment of Roma in labor and concentration camps was based on random selection. After 1938, there was a radicalization of the policy towards the Roma during the so-called the annexation of Austria in 1938. In the same year, as part of the intensification of persecution, the Memorandum was adopted, which demanded the exclusion of all Roma children from schooling, the deportation of Roma to labor camps, and a radical policy of racial segregation in all sectors of society. The proposals that resulted from that Memorandum were put into practice over the next few years (Baumgartner 2014).

Also in 1938, the "Decree on Combating the Plague of Roma" was adopted, which was issued on December 8, 1938 in the name of H. Himmler. This decree confirmed the necessity of distinguishing between pure Roma and mixed people, or Roma nomads. He advocated the racial separation of Roma from German society and tried to prevent the mixing of pure and mixed Roma. For the purpose of categorization, they were issued identity documents of different colors (Fings 2016; Lewy 2000).

Professional literature has different interpretations of the date of the given law. Some sources state that the decree was issued only on December 18, and within it, the supposed dangerousness of the Roma and the need for sending their information from the regional police departments to the Reich were repeated. The measure was the result of a joint initiative between scientific and political authorities and ensured the registration of all members of the Roma community (Spinelli 2014). According to this circular, identification documents could only be issued to passengers with the consent of the criminal police. Above all, the strict standard applied to the issuance of a travel trade license. The decree obliged the registry and health offices to inform the criminal police of the necessary information (Zimmermann 1996).

The decree on the solution of the “Gypsy question” saw the transition from Roma policy conceived as part of a program to eliminate ‘foreigners’ to persecution as such. With the start of the Second World War, this persecution was multiplied and generally intensified. All minorities were affected by different methods, and Nazi officials tried to transport or resettle Roma to occupied Poland (Zimmermann 2007). With the Second World War, there was also an intensification of the National Socialist policy towards the Roma. However, the persecution was not based on a unified or centrally directed plan. Differences were evident within geographic area and administrative responsibility (Zimmermann 1996).

The law was contained in a circular and according to it Roma were to be treated on the basis of racial criteria. Race was thus established as a binding criterion of state policy towards the Roma (Reemtsma 1996).

For clarification, it should be added that Himmler’s decree also ordered that all Roma in the Reich over the age of six be divided into three racial groups: Roma, mixed, and nomads who behave like Roma. Registration of Roma by local police and public health authorities has become a mandatory part for all pure Roma. Photo identity cards were to be issued for mixed Roma (Milton 2001).

Based on this, the decree created an extensive database of the Roma population and those who lead the Roma way of life. Roma and nomads like them also had to undergo a biological examination to determine their race. If necessary, the police could use the detention center to obtain the necessary information. It was also authorized to use coercion to comply with this request. The decree brought several restrictions, e.g. ban on traveling in hordes, requiring a camping permit, expanding preventive police detention for anti-socials, treating white Roma the same as black. The decree gave formal legitimacy to the work of the racial scientists of the Ritter Institute, because it was this institute that drew up the assessments that guided the competent authorities. It was a decree based on racial criteria, whereby mixed people were considered the ‘evil element’ and pure Roma as the lesser evil. Systematic genealogical researches began precisely in this period (Lewy 2000; Kenrick and Grattan 1972).

For the leadership of the Reich Police, this decree meant a complex transition from anti-Roma policy, which was interpreted as the separation of Roma from the majority society, to persecution as such. The biological discourse replaced the socio-graphic view of the Roma (Zimmermann 2007). The decree required that both sedentary and nomadic Roma, as well as all people living a similar lifestyle as Roma, should be reported to the Reich Criminal Police Office. However, it was not implemented in practice until the spring of 1939. Based on this decree, both sedentary and non-sedentary Roma were to be under constant surveillance. After the adoption and application of this decree, the ability of Roma to be inconspicuous became more difficult. The local authorities interpreted this decree as continuous monitoring, and for that purpose, Roma camps were to be created, if they had not already been built and organized (Gilsenbach and Hohmann 1992).

On the theoretical side and according to the instructions of the Main Office of Reich Security from March 1 of the following year, the Roma population was to be excluded from the councils of the German nation and its racial mixing was to be further prevented, while the conditions of the racially pure Sinti were to be legislatively

adjusted only after the fact. From a practical point of view, on October 25-27, 1939, Roma were forbidden to leave their residences and places of residence, or of temporary residence so that their police inventory was carried out (October 25-27, 1939) and in some cases also concentration in concentration camps. The census of Roma was carried out in preparation for deportations to the territory of the Protectorate or the General Government (parts of occupied Poland). However, the removal did not begin until the spring of 1940, to the east (Nečas 1992; Nečas 1994).

The groups in question were required to be registered with the local police and the national center, while the authorities were ordered to keep all sedentary and non-sedentary Roma under constant surveillance (Taylor 2014). Among the adopted laws, it was the first racially based law against the Roma, and based on it, it was necessary to exclude 'Gypsyism' from the German national community and thus prevent its further racial mixing (Nečas 1994).

The registration documents, completed by R. Ritter between 1937 and 1940, with files on all Roma, but also partially Roma or Roma-like persons, together with the scientific conclusions that Ritter attached to his research, were of fundamental importance for the persecution policy introduced against these groups (Willems 1998).

The Second World War brought with it the most methodical and ruthless policies in relation to the Roma minority. These were primarily policies of internment, deportations, mass murders and finally genocide (Weiss-Wendt 2013). The social isolation of the Roma was also increased by the detention camps and the Roma communities in them, which in some places were rebuilt according to the models from the pre-war years (Zimmermann 1996).

The process of genocide of the Roma was the result of a complicated procedure and it was a largely inconsistent and decentralized mechanism for taking measures (Kapralski 2015). At the beginning of 1939, an order was issued to separate Roma children from schools, who were to be subsequently enrolled in a special school. The mayor of Kolín nad Rýnom was the first to come up with this proposal, and his initiative was followed by other cities in 1942. With the advent of war, Roma were used as compulsory labor, or cheap labor. They worked in construction or road construction (Lewy 2000).

In the period between 1939-1941, the persecution of Roma took place in parallel with the persecution of Jews. While before the war, a large part of the persecution against the Roma was the result of the disproportionate impact of more general measures against the so-called asocial, and the Roma problem was defined as a racial one. Subsequently, in 1941, both ethnic groups were deported together as part of ethnic cleansing and demographic engineering (Browning 2004).

### **Decree on freezing the mobility of Roma**

On October 7, a decree was published that did not allow Roma to leave their places. Subsequently, on October 17, 1939, a decree was adopted by Reynard Heydrich ordering the freezing of the mobility of Roma. It was about preventing the freedom of movement until the final deportation of Roma and Roma "crossbreeds", who were forbidden to leave their current place of residence. Failure to respect this decree was to

lead to imprisonment in concentration camps. Until then, they were to be arrested and placed in special concentration camps until their final removal. The decree requested information on social status (ability to support the family and whether they had a permanent residence and whether one of the married couples was Aryan and whether they led a sedentary lifestyle). Unlike previous decrees, the decree did not mention Gypsy travelers with German blood. This decree marked the transition to a stronger emphasis on racial criteria in the formulation of Roma policy, and its aim was to prepare the ground for the expulsion of the Roma. However, several exceptions were established. Allegedly, those who were socially adapted and sedentary, i.e. those who had a regular job during the previous five years, were to be exempted from deportation. In other words, on October 17, 1939, Reinhard Heydrich issued the so-called *Festsetzungserlaß*, which forbade all Gypsies and part-Gypsies who had not yet been interned in the camps to change their registered residence; this measure was necessary to carry out the deportations. In 1940, a number of additional restrictions were added to the ban on freedom of movement – the ban on various types of employment, social isolation in Roma community camps and new restrictions on social care (Lewy 2000; Reemtsma 1996; Zimmermann 2001; Milton 2008).

On a practical level, this measure was connected to the preventive control of crime, and Roma who refused to comply with this measure were threatened with deportation to the Dachau and Mauthausen concentration camps. The years 1940-1943 demonstrate the actual practice of this measure from October 17. Some labor offices, which were not aware of this regulation, placed Roma in foreign jobs, which provoked criticism from the criminal police (Zimmermann 1996).

From the same year, the Nazis, headed by A. Hitler, categorized the Roma as “parasites who lead a parasitic life.” This group included not only Roma, but also people who looked like Roma or had the same ways of existence. Therefore, they were divided into five categories: Z (pure-blooded Roma); ZM+ (Roma mixed with German blood, but mostly Roma); ZM (Roma with an equal proportion of German and Roma blood); ZM- (Roma, but dominantly German) and NZ (zero percentage of Roma blood) (Alt and Folts 1996).

### **Decree on the resettlement of Roma**

In April 1940, another decree was adopted by Reynard Heydrich - Resettlement of Roma, which ordered the first transport of Roma to the General Government (part of occupied Poland). From the point of view of deportation, several exceptions were established - older than 70 years, pregnant women, Roma married to Germans, as well as Roma whose family members served in the army and Roma of foreign nationality. All others were to be sent to special concentration camps for no more than three days. However, the practice was different and there were non-compliance with these principles. In these camps, Roma over the age of 14 were photographed and provided with an identity document, while Roma over the age of 6 were to have their fingerprints taken. Roma were subsequently transported to Hohensperg and Belzec (Lewy 2000).

Even rich Roma who owned real estate or a large amount of other property did not fall under the effectiveness of the said law, because at that time there were no legal means of confiscating property. Transports of Roma left for the General Government at the end of May 1940, and 2,800 Roma were deported. These were the only deportations in 1940 that were to continue after the invasion of the USSR. Until then, Hitler and his close community of Nazis decided to implement the final solution for both Jews and Roma. Other sources state that the deportation began on April 27, 1940. However, some criminal police offices violated this order (Friedlander 1995; Reemtsma 1996).

Deported Roma's property was confiscated and deportees were forced to voluntarily sign release forms confirming the transfer of their property under the Confiscation of Subversive and Hostile Property Act, which was originally established to seize the property of proscribed and denaturalized political opponents after July 1933 (Milton 2008).

In 1941, the sterilization law from 1933 was extended to several categories of Roma - based on this law, almost 2,000 German Roma who did not pass the deportation to Auschwitz were sterilized between 1943 and 1944 (Margalit 2002).

From the summer of 1941, Roma politics took on a new dimension. While the Roma were imprisoned and sent to concentration camps until this period, in 1941 they were reclassified based on the reports of Ritter's office. Based on this, Himmler stated that the problem should be solved exclusively on a racial basis. From that moment on, the process for the preparation of genocide was set in motion (Gilsenbach and Hohmann 1992).

### **Decree on deportation to Auschwitz-Birkenau**

H. Himmler's order from December 16, 1942 represented the epilogue in the anti-Roma procedure (Nečas 1994). By order from Heinrich Himmler on December 16, 1942, the hitherto disparate persecution of the Roma was unified. This order ordered the deportation of Roma to the Auschwitz-Birkenau concentration camp. Deportation affected not only German Roma, but also Roma from the Protectorate of Bohemia and Moravia and the occupied countries of Western Europe (France, Belgium, the Netherlands). The specific number was at the level of 22,000 Roma. Himmler's order was also the result of intense discussions and disputes about further Roma policy (Zimmermann 1995). This order was carried out at the beginning of 1943, and based on it, most of the Roma were deported to the already mentioned camp (Wippermann 2018). The deportation began and ended in February 1943 (Taylor 2014).

This order and subsequent additional decrees stipulated the deportation of Roma to the mentioned camp from Eastern (Russia, Lithuania) Europe as well. The guidelines for deportation, which in practice gradually became radicalized, created a hierarchy of three groups - pure-bloods and mixed-races (good for Roma conditions) could continue to multiply. While the second group of socially integrated mixed-race Roma was to be forcibly sterilized, the third group included Roma deported to the mentioned concentration camp (Zimmermann 2007).

Other sources indicate a different date of application of the decree. According to them, it should have started to pay in March 1943, when the first deportations to Auschwitz left, and for most of the deportees it meant a one-way journey. Planning for the deportation of mixed-race Roma had been in the works for some time, but its timing may have been influenced by the fact that by March 1943 R. Ritter had completed racial assessments for all Roma in Germany and the former Austria. Even within this decree, exceptions should have been granted, or exempted from deportation. This group mainly included: racially pure Roma (Lalleri and Sinti); mixed-race Roma who were part of a racially pure group in accordance with the decree of October 13, 1942; Roma legally married to persons of German blood; socially adapted Roma who previously had proper employment and permanent residence and others. Roma, serving in military service or discharged after injury or with distinction (in World War II); Gypsies engaged in work important to the war effort; Roma who could prove foreign citizenship and other categories. On December 24, 1942, the Minister of Finance issued a decree that with effect from April 1, 1943, Roma would no longer be entitled to regular deductions when paying their taxes. This decree, as well as all other regulations prohibiting the Roma, applied various rights and privileges extended to the German population by pure Gypsies and mixed-races with two or three Gypsy parents. The deportation, which began in 1943, was characterized by considerable ruthlessness. Compared to the expulsion order from May 1940, there was no release of weaker persons – elderly people, pregnant women, etc. (Lewy 2000; Reemtsma1996).

Many laws, which resulted in the legal punishment of Roma and Sinti, were introduced despite the fact that the Roma did not meet the requirements arising from them. These were mainly three generally valid laws - the Law on the Prevention of Hereditary Diseased Offspring, the Law against Dangerous Habitual Criminals and the Law on Expulsion from the Empire. It was mainly an initiative of lower and middle authorities under the responsibility of the police, which supported the increasing radicalization of society against Roma and Sinti. In addition to the already mentioned laws, several other decrees, decrees, etc. were also adopted. These were primarily: the Decree of October 7, 1939, which allowed the Sinti and forbade the Roma to leave their places and facilitated their full registration; Heinrich Himmler's order of November 20, 1939, according to which women suspected of divination were to be sent to concentration camps; The decree of the Reich Minister for Education of March 22, 1941 stated the exclusion of Sinti children from schools. On March 12, 1942, orders were issued regarding employment, which put Sinti and Jews on the same level in the labor-legal and social sphere. On July 10, 1942, the high command of the Nazi army ordered the removal of Roma and mixed-race Roma from the army for racial and political reasons (Reemtsma1996).

## **Conclusion and discussion**

Persecutions in Nazi Germany against Roma found their application, or place and in the eyes of the public they were, so to speak, legitimate. The public had a long-term negative attitude towards the Roma, and these persecutions were only the expectations of the general public. The important goal of this article was to bring an analysis of the

persecutory policies in Nazi Germany, which were intended especially for the Roma community in the Third Reich. From the article, we were able to learn the facts about when the persecutions themselves began and until what period they were valid, respectively. were active. Based on this, we can clarify the fact that the first persecutory measures were taken already in the first year of the NSDAP government and continued until the end of the Third Reich.

### Supplementary material

The supplementary material for this article can be found at <https://doi.org/10.46991/JOPS/2024.3.8.010>

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### Conflict of interests

The author declares no ethical issues or conflicts of interest in this research.

### Ethical standards

The author affirms this research did not involve human subjects.

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