

## France Against Its Gypsies

Emmanuel FILHOL

**Every year the public authorities wait until the end of the school year to expel France's Gypsies. Emmanuel Filhol shows us how this policy of discrimination, which runs contrary to the principles of the French Republic, was gradually established and then intensified during the 20th century.**

This stigmatising treatment of French Gypsies dates back a long way, and can only be understood in the light of a whole series of previous legislative measures and discriminatory policies. The settling of Gypsies in France is by no means a new trend, for it dates back to the Middle Ages. Gypsies experienced a golden age from the beginning of the 15<sup>th</sup> century, when they first arrived in France, up until the first half of the 17<sup>th</sup> century.<sup>1</sup> However, a number of subsequent factors caused the authorities to undergo a change of attitude.

### **First Welcomed, Then Rejected**

From the 1600s, and particularly the second half of the 17<sup>th</sup> century, the fate of the scattered 'Bohemian nation' changed radically. They witnessed a rising tide of intolerance and, along with it, the rigorous and persistent use of real sanctions. The severity of these laws was a model of consistency: it was extensive, and not only restricted to France. Deprived of the shelter previously provided by the *châteaux*, where people had been truly passionate about the Egyptians and their dance performances, excluded from companies of armed men and driven out of towns, the Gypsies' situation quickly worsened: they were confused with "wanderers and vagrants" and, as such, were hounded all across Europe. They were forbidden from making contacts or practising any itinerant – though legal – activity, which drove the Bohemian people into collective exile. The statement issued on 11 July 1682, planned by Jean-Baptiste Colbert and signed by Louis XIV, "against the Bohemians and those who

---

<sup>1</sup> Henriette Asséo, *Les Tsiganes. Une destinée européenne*, Paris, Découvertes Gallimard, 1994. A golden age that was nevertheless punctuated by expulsions and defamatory punishments.

give them refuge” called for the bailiffs, seneschals and their lieutenants to arrest and have others arrest such men in order to send them to the galleys for life, regardless of whether any crime had been committed; whereas women, separated from the men, were to have their heads shaved and could be flayed and exiled if they continued to “lead a Bohemian life”.<sup>2</sup>

In the 18<sup>th</sup> century, the administrative view was that the category of “Bohemians” was to be included in that of vagabonds, beggars and disreputable persons. Countless texts condemning vagrancy and passing judgment on begging forced Gypsy societies to comply with demands to register an address and to be monitored. In December 1802, during the Consulate, General de Castellane, prefect of the Basses-Pyrénées department, proceeded to arrest the “Bohemians” of the Basque Country (around 500 people), having enlisted the help of the Spanish army in order to make the raid effective.<sup>3</sup> The movement of Gypsies was subject to increasingly tight controls, as can be seen from the humiliating, persecutory measures that were implemented throughout the 20<sup>th</sup> century.

### **Identified As a Separate Group**

In 1895, the government, fully supported by the popular press, ordered a general census of all “nomads, Bohemians and vagabonds”. In order to properly monitor ‘nomads’, the French administration adopted new measures. From 18 March 1908 to 31 July 1909, 7790 ‘nomads’ were photographed by the mobile police units, created by Clemenceau, and placed on file. This practice was extended in the law passed on 16 July 1912, which established an anthropometric passport for ‘nomads’<sup>4</sup> based on the “Bertillon method” (during the 1880s, Alphonse Bertillon, head of the judicial identification service, established a physical description system which could identify repeat offenders). The law on itinerant professions and the regulation of nomadic movement forced all ‘nomads’, whatever their nationality, to have their passport – issued at the age of 13 – validated when entering or leaving each municipality; it also required them to consent to the various measurements and photographic identifications recorded in the passport. In addition, this ‘nomadic passport’ contained a section reserved for the health and preventative measures to which the ‘nomads’ were subjected.

---

<sup>2</sup> See François de Vaux de Foletier, *Les Tsiganes dans l'ancienne France*, Paris, Connaissance du Monde, Société d'Édition Géographique et Touristique, 1961, p. 152-160; Henriette Asséo, “Le traitement administratif des Bohémiens”, in *Problèmes socio-culturels en France au XVII<sup>e</sup> siècle*, Paris, Klincksieck, 1974, pp. 9-87.

<sup>3</sup> François de Vaux de Foletier, “La Grande Rafle des Bohémiens du Pays basque sous le Consulat”, *Études Tsiganes*, March 1968, pp. 13-22.

<sup>4</sup> François de Vaux de Foletier, *Les Bohémiens en France au XIX<sup>e</sup> siècle*, Paris, Éditions Jean-Claude Lattès, 1981, pp. 182-189; Emmanuel Filhol, “Les Brigades mobiles et le contrôle des ‘nomades’ (Tsiganes) en France (1907-1914)”, *Le Banquet*, no. 27 (to be published); *Id.*, “La loi de 1912 sur la circulation des ‘nomades’ (Tsiganes) en France”, *Revue Européenne des Migrations Internationales*, 2007, 23 (2), pp. 135-156.

In its efforts to monitor travelling people, this legislation was not confined to the anthropometric passport. All travellers moving in “gangs” – that is, in groups or as a family – also had to carry a group passport. Article 4 of the law was designed to strengthen the visibility of administrative and police monitoring, which meant that ‘nomads’ were forced to wear a conspicuous sign, and any vehicle had to be fitted with a special registration plate. This greatly facilitated the police’s job of identifying ‘nomads’. A careful description of the “carriage used” was provided in both collective passports and anthropometric passports, which included it under the heading “nomads travelling alone in a carriage”.

The use of these different means of identification enables us to understand the thinking behind the French Republic’s registration of ‘nomads’<sup>5</sup>. It was a way of thinking which, through the process of issuing anthropometric passports, aimed to equate travelling people with a population that was perceived and alleged to be dangerous and criminal, and which therefore had to be identified and controlled.

### **The Internment of Gypsies in the Interwar Period**

Two years after the establishment of the disciplinary system created by the 1912 law, war broke out between France and Germany. Any Gypsy arrested inside or around the reconquered territories of Alsace and Lorraine were quickly expelled, or even imprisoned, and sent to centres where they were categorised then placed in camps. Other Gypsies joined them, including those who, although they had option certificates, had chosen to leave Alsace-Lorraine in 1871 and 1872 and gone to live in France. The internment of the “Alsace-Lorraine Gypsies” lasted until the end of the war and beyond<sup>6</sup>.

During the Second World War, all Gypsies travelling within France faced the same situation – not to mention the fact that, in 1943, a small number of them were deported from Poitiers to the concentration camps at Sachsenhausen and Buchenwald; meanwhile, other Gypsies who were rounded up in the Lille area ended up in Auschwitz as part of Convoy Z, which set off from Mechelen on 15 January 1944. On 6 April 1940, a decree forbade ‘nomads’ to travel within French territory. They were

---

<sup>5</sup> Henriette Asséo, “La gendarmerie et l’identification des ‘nomades’ (1870-1914)”, in Jean-Noël Luc (ed.), *Gendarmerie, État et Société au XIX<sup>e</sup> siècle*, Paris, Publications de la Sorbonne, 2002, pp. 301-330; and “La République des Nomades”, in *Dictionnaire critique de la République*, edited by Vincent Duclert and Christophe Prochasson, Paris, Flammarion, 2002, pp. 400-405.

<sup>6</sup> Emmanuel Filhol, *Un camp de concentration français. Les Tsiganes alsaciens-lorrains à Crest 1915-1919*, Grenoble, Presses Universitaires de Grenoble, 2004.

forced to live under police surveillance. In October 1940, after France had fallen, the Germans ordered all ‘nomads’ of the occupied territory to be interned in camps. The French authorities were in charge of the thirty camps where entire Gypsy families, numbering just over 6000 in total, were interned<sup>7</sup>. Reports were the same everywhere: the day-to-day accommodation and sanitation in the camps were appalling. The Gypsies not only suffered from hunger and cold. They actually died in the camps. Their imprisonment was even harder for the ‘nomads’ (90% of whom were French nationals) because they received no outside help.

This indifference continued after the provisional government of the Republic was established. One might presume that the liberation of France would signal the release of all Gypsies from the camps. This was not the case. The last ‘nomads’ were freed on 1 June 1946. The families who were set free lacked everything – clothing, food, money – and no one cared. Despite experiencing so much deprivation and suffering, the Gypsies who returned home were immediately placed under house arrest (until the law of 10 May 1946, which established the legal date for the cessation of hostilities), and forbidden to leave the municipality in which they were forced to live. This requirement applied to all those who had been interned in France as well as the survivors who returned from concentration camps<sup>8</sup>.

### **Gypsyphobia Today**

Once peace had been restored, the right to move freely inside French territory was still not granted to Gypsies, however, because the 1912 law continued to be upheld against them until 1969; the “travel booklet or passport” was still being used and validated every month, then every three months, by a police commissary or commander of the gendarmerie, before being replaced by the anthropometric passport. While the persecutory nature of the latter disappeared, the requirement to hold a “travel passport”, in the name of a security ideology, nevertheless constituted an obstruction of the law, contrary to Protocol No. 4 of the European Convention for the Protection of Human Rights

---

<sup>7</sup> Jacques Sigot, *Ces barbelés oubliés par l’Histoire. Un camp pour les Tsiganes... et les autres. Montreuil-Bellay 1940-1945*, Châteauneuf les Martigues, Éditions Wallâda, 1994; Denis Peschanski, with the collaboration of Marie-Christine Hubert and Emmanuel Philippon, *Les Tsiganes en France 1939-1946*, Paris, CNRS Éditions, 1994; Mathieu Pernot, texts by Henriette Asséo and Marie-Christine Hubert, *Un camp pour les Bohémiens. Mémoire du camp d’internement pour Nomades de Saliers*, Arles, Actes Sud, 2001; Emmanuel Filhol, *La mémoire et l’oubli. L’internement des Tsiganes en France, 1940-1946*, Paris, L’Harmattan, 2004; Emmanuel Filhol, Marie-Christine Hubert, *Les Tsiganes en France: un sort à part (1939-1946)*, Paris, Perrin, 2009.

<sup>8</sup> Emmanuel Filhol, “L’internement et la déportation de Tsiganes français sous l’Occupation”: Mérignac-Poitiers-Sachsenhausen, 1940-1945”, *Revue d’histoire de la Shoah*, n° 170, September-December 2000, pp. 136-182.

and Fundamental Freedom (dated 16 December 1963) concerning the right to liberty of movement and freedom to choose one's residence.

Still regarded as outsiders, Gypsies today suffer discrimination that prevents them from effectively exercising their rights as citizens.<sup>9</sup> More than 15 years after the Besson law established that any municipality with more than 5,000 inhabitants would have to create a special 'halting area', only 20% of the 38,000 areas have actually been created. The issue of the law's failure to recognise the caravan as a legal domicile (it is recognised only as a place of residence) should also be mentioned. This lack of recognition has a direct, negative impact on Gypsies' access to housing benefit, and prevents them from taking out preferential bank loans when purchasing caravans. According to a recommendation issued by the *Haute Autorité de Lutte contre les Discriminations et pour l'Égalité* (the French Equal Opportunities and Anti-Discrimination Commission), the 1969 law should be reformed, and 'travelling people' should be included within the normal electoral voting system<sup>10</sup>. They would then be able to register to vote after six months, instead of the obligatory three years, in the municipality to which they are 'attached'. It should also be noted that, in the area of education, the difficulties with schooling Gypsy children are often linked to the rejection they face<sup>11</sup>. Finally, the history and centuries-old culture of Gypsies in France remain largely unknown, due to the fact that they have not been included in school textbooks or taught at university – a situation which hardly helps to change people's attitudes or the negative rhetoric used about them.

To demonstrate this, we need only look at comments made by elected officials: these speak volumes about the racist stereotyping and prejudice that representatives of French Gypsophobia seek to legitimise. Both to the left and the right of the political spectrum, there is now widespread stigmatisation of travelling people, who are classed as an "antisocial" group. In July 2002, the senator of the Union for a Popular Movement (UMP) party, Dominique Leclerc, described them as

“Anti-social people who have no respect for private property, no references and for whom the words we use have no meaning [...]. We see how every night three, four, or five trucks of Nomadic people come to screw – I have no other word for it – young girls of twelve or thirteen, even outside their parents' house.<sup>12</sup>”

---

<sup>9</sup> On the subject of these rights, Jean-Pierre Liégeois (ed.), *L'accès aux droits sociaux des populations tsiganes en France*, Rennes, École Nationale Supérieure de la Santé Publique, 2007; *Territoires et minorités : la situation des gens du voyage*, under the supervision of Bernard Drobenko, *Les Cahiers du CRIDEAU*, n° 12, Limoges, Presses Universitaires de Limoges, 2005.

<sup>10</sup> On this subject see *Délibération n° 2007-372 du 17 décembre 2007* (article 38) by the HALDE (French Equal Opportunities and Anti-Discrimination Commission).

<sup>11</sup> Cf. *Les jeunes tsiganes : le droit au savoir*, Coordinated by Marie-Pascale Baronnet, Éditions Licorne, Paris, L'Harmattan, 2007.

<sup>12</sup> Senate, session of 31 July 2002.

Speaking to his constituents in March 2004, the Socialist mayor of Berre, in the Bouches-du-Rhône department, called on republican principles in order to justify his repressive policy towards Nomadic people (*les gens du voyage*):

“Nomadic people’s parking is a disgrace and a scandal for the Republic! [...] To my great satisfaction, on Tuesday 20 January the gendarmerie carried out evictions. I want to thank it most warmly [...]. I will continue with such action in order to guarantee peace of mind for each and every one of you”<sup>13</sup>.

In a similar vein, his UMP colleague from Venelles (near Aix-en-Provence), advocating whistleblowing practices worthy of bygone era, told his constituents:

“Ladies and gentlemen, you will have noticed and, in some cases, suffered the presence of Nomadic people who have settled on private property near the residential area of Vergers de Venelles [...] I was informed immediately and have requested the local police to implement, through dialogue, firm measures to ensure their swift departure [...]. It is unacceptable that, in a democracy, minorities should impose their lifestyle on the peaceful majority who live in our country [...]. I would ask you to kindly note down the mobile telephone number of the local police in Venelles, who are available 24 hours a day...”

In January 2006, the mayor of the municipality of Ensisheim, also vice-president of the general council of the Haut-Rhin department, took the step of burning fourteen caravans belonging to Croatian and Romanian gypsies, under the pretext that their settlement on municipal land was illegal. According to the prosecutor in charge of the case, “the mayor participated directly in the operation by setting fire to a derelict caravan with a lit cloth, and ordering other caravans to be moved onto the blaze, after flammable objects had been removed”. A leaflet (containing grammar and spelling errors) printed by the Liberation Front of Provence (FLP), distributed in the spring of 2004 in the Provence-Alpes-Côte d’Azur (PACA) region, called for people to take nothing less than murderous punitive action in response to politicians’ wait-and-see attitude:

“We’re sick of Gypsies who steal our cars and break into our homes and rot our environment. And what do our politicians do? They couldn’t care less about it, what they care about is winning the next elections. So let’s solve the problem ourselves as they’re not capable. Let’s take up our weapons and exterminate this vermin right down to the last one, show no pity, men, women, children and babies”.

No wonder then, if the laws maintaining the legal status of the nomads as established by the legislation passed on 3 January 1969 – such as the text of 5 July 2000 concerning the halting and housing of Nomadic people; or the articles relating to Nomadic people in the law of 18 March 2003 for national security, and the law of 5 March 2007 on the prevention of delinquency – all have the same objective: to make travelling and temporary halting sufficiently restrictive so as to force nomads to settle. The parliamentary debates clearly show this:

---

<sup>13</sup> Serge Andréoni, Socialist mayor of Berre – statement issued after a Nomadic people’s camp was evacuated on 20 January 2004, quoted by Vincent Geisser, “Un ‘anti-tsiganisme’ venu d’en haut : le rôle central des élites politiques dans la fabrication du préjugé. Note de synthèse”, *Migrations Société*, Vol. 19, n° 109, January-February 2007, p. 111-112. The quotations that follow were taken from this study.

“Worse still: far from solving the problem of nomadism, you are going to encourage it, and have actually begun to do so. You give a purpose, a kind of foundation for this way of life, which must be recognised as being incompatible with our society [...]. We must change our policy towards nomadism and abandon the retrograde, unrealistic idea that underpins your plans. [...] Let us stop talking nonsense! The real policy towards nomadism lies in encouraging them to settle; that has been the Republic’s line of policy for centuries and that is what works”<sup>14</sup>

Such a policy will always lead to deadlock because it does not take into account the anthropologico-cultural particularities of the identities and ways of life that are inherent to the Gypsy minorities. Gypsies have their own culture based on principles that are different from those of settled people.

We can therefore see how, historically, the French government’s policies towards the Gypsies have been persistently repressive since the 17<sup>th</sup> century; although less so throughout the 19<sup>th</sup> century, up until the Second Empire. They have varied according to circumstances and the changes that have taken place in society, and legislators’ notions of deviance and marginality have altered along with them. As Jean-Pierre Liégeois writes, the government’s treatment of “Bohemians, nomads and Nomadic people” can be summarised as a way of thinking whose stages range from exclusion to reclusion, and then inclusion through assimilation. For each period of rejection, the legislators rely on the direct, false link between the negative image of the Gypsies and the law. In this way, “legislation feeds on the image. The image serves to rationalise it. And the image is fed in turn [...]. Individuals are Bohemians and are exiled. Once banished they remain in exile, and the banishment becomes attached to the definition of the Bohemian. Gypsies who are culturally unlike are perceived and labelled as being ‘people of nomadic origin’, to be rehabilitated in order to be included with the rest of society. Once they are the subjects of rehabilitation, they are perceived and labelled as maladjusted and their maladjustment becomes attached to the image people form of them. What can be condemned is imagined as such, and is thus condemned. Given that what is condemned can always be condemned, then it remains as such. The debate is closed, but not our questioning of it.”<sup>15</sup>

Article first published in [laviedesidees.fr](http://laviedesidees.fr). Translated from French by **Susannah Dale** with the support of the Fondation Maison des Sciences de l’Homme.

Published in [www.booksandideas.net](http://www.booksandideas.net) 14 March 2011.

©**booksandideas.net**

---

<sup>14</sup> Assemblée Nationale, 2<sup>nd</sup> session of 2 June 1999, quoted by Christophe Robert, “Le discours sur les ‘gens du voyage’ dans les enceintes parlementaires”, *Recherche sociale*, n° 155, July-September 2000, p. 20.

<sup>15</sup> Jean-Pierre Liégeois, “Le discours de l’ordre. Pouvoirs publics et minorités culturelles”, *Esprit*, Mai 1980, p. 43 (pp. 17-44).