Critical
Romani Studies

Aims and Scope

Critical Romani Studies is an international, interdisciplinary, peer-reviewed journal providing a forum for activist-scholars to critically examine racial oppressions, different forms of exclusion, inequalities, and human rights abuses of Roma. Without compromising academic standards of evidence collection and analysis, the Journal seeks to create a platform to critically engage with academic knowledge production, and generate critical academic and policy knowledge targeting – amongst others – scholars, activists, and policymakers.

Scholarly expertise is a tool, rather than the end, for critical analysis of social phenomena affecting Roma, contributing to the fight for social justice. The Journal especially welcomes the cross-fertilization of Romani studies with the fields of critical race studies, gender and sexuality studies, critical policy studies, diaspora studies, colonial studies, postcolonial studies, and studies of decolonization.

The Journal actively solicits papers from critically-minded young Romani scholars who have historically experienced significant barriers in engaging with academic knowledge production. The Journal considers only previously unpublished manuscripts which present original, high-quality research. The Journal is committed to the principle of open access, so articles are available free of charge. All published articles undergo rigorous peer review, based on initial editorial screening and refereeing by at least two anonymous scholars. The Journal provides a modest but fair remuneration for authors, editors, and reviewers.

The Journal has grown out of the informal Roma Research and Empowerment Network, and it is founded by the Romani Studies Program of Central European University and the European Roma Institute for Arts and Culture. The Romani Studies Program at CEU organizes conferences annually where draft papers are presented and discussed before selecting them for peer review.

ARTICLES

BOOK REVIEW

ARTS AND CULTURE

Why Do Roma Migrate? A Critical Analysis of Academic Silence in Polish Scholarship

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Abstract

The article discusses the case of academic silence with regards to the migration of Roma from Poland – both in Polish Romani studies and in migration studies. The absence of Romani migration in migration research in Poland is contrasted with the absence of the subject of migration in Romani studies, offering a glimpse into fundamental assumptions, and politically and ideologically determined paradigms within both areas. Paradoxically, the group associated in the social imaginary with mobility is absent in migration studies in Poland. Quite surprisingly, Polish Roma are static and immobilized in Polish Romani studies. The aim of this paper is to critically explore this particular type of discursive silence and how it impacts migration and Romani studies.

Introduction[1]

Quite a lot has been written already on silence, pause, or non-speech as elements of social communication. From the perspective of critical discourse analysis, the idea of silence being on equal footing with the spoken word is an integral part of social communication (van Dijk 2008). This article tackles a specific kind of silence in scientific discourse connecting two distinct spheres of social sciences in Poland: migration research and studies on Polish Roma. In recent decades there has been a rise in academic interest, publications, social policy focus, and public attention in both domains, particularly in the context of the enlargement of the European Union (EU) and in freedom of movement within the EU. Research on migration from Poland, especially since 2004 and the massive out-migration to Great Britain following the full opening of the UK labour market, has produced a large number of studies focusing on policies, social and economic integration, education, transnational living, among many other topics, including on the sending and receiving end of this migration phenomena (cf. Burrell 2009; Duszczyk and Lesińska 2009; White, et al. 2018). The website run by the School of Slavonic and East European Studies at University College London tracking publications on migration from Poland informs more than 500 different publications. Among that tsunami of texts, only one addresses the case of Polish Roma, though from a comparative perspective and based on a very small sample (Staniewicz 2011). Acton and Ingmire (2012) offer another glimpse into the lives of migrating Polish Roma in the early 1990s.

Since the publication of seminal works by the main Polish specialists in Roma studies almost a quarter of century ago (Ficowski 1986; Mirga and Mróz 1994; Bartosz 1994), attention has been directed to issues related to social policy in the context of both government (Kwadrans 2008; Mirga-Wójtowicz 2013; Witkowski 2016) and EU assistance to Roma (Krzyżowski and Kowarska 2007; Talewicz-Kwiatkowska 2013; Szewczyk 2016). Importantly, the EU agenda on integrating the Roma is facilitated by the persistent inequality between new and old EU member states and the ensuing political and social struggles in post-enlargement Europe, thereby making the issue of Roma migrations even more salient (Piemontese and Magazzini 2019). Silence about Roma migrations in Polish ethnographic studies, however, seems to be the symptom of a methodological and theoretical impasse to move along with the Roma themselves – following them where they went, in vast numbers, in the last 30 years – to Germany, Great Britain, or Sweden.

This article aims to answer why this is the case, which will allow us to critically assess assumptions lying behind the theoretical and methodological paradigms governing the development of both migration studies and reflections on the Roma minority in Poland. What we aim to do is to demonstrate how academic discourse produces certain areas of knowledge regarding social processes at hand, and is able to silence the quiet reproduction of assumptions and ideologically loaded stereotypes relating to both

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migration processes and Roma. We argue here that behind the academic silence lies a set of cultural assumptions that social sciences, the state, and political discourse reproduce in order to naturalize the imagined national community (Anderson 2006), and to fix and immobilize the place of the significant Other in its realm. In the process of ongoing sociocultural change related to increased immigration to Poland (cf. Górny and Śleszyński 2019), this set of assumptions constructs the supposed ("white") homogeneity of Poland in a normative manner.

Methodologically, this article is a literature-based analysis of Polish migration and Romani studies, and analyses theoretical and conceptual reasons for silence at the point of their intersection – the migration of Polish Roma. It is, as well, grounded in our observations, which come out of an extensive ethnographic study focused on the migration of Polish Roma, conducted in various locations in Poland and the UK during 2016 to 2018 (Fiałkowska, Garapich, and Mirga-Wójtowicz 2019). The article first constructs our view on various reasons behind social, cultural, and academic silencing of Roma, and the ways in which this silencing occurs. It then places these analyses within two specific contexts of scientific knowledge production in Poland and argues that the silencing of Roma in both fields stems from the ideological, often nationalistic and anthropologically orthodox paradigms in which they are rooted, mostly connected with Polish nationalism and a new, postwar ethnic homogeneity. We then explain these omissions through demonstrating connections between various biases that these academic fields suffer from. As such, the article is an invitation to scholars to explore critically not just the field in which they study but the assumptions behind certain politics of research in contemporary academia. In that sense, as Michael Stewart mentioned in a slightly different context (1997), research on Roma is not only about Roma themselves but about the majority society – in this case, Polish.

1. Silencing the Roma

Silence as a lack of voice seems difficult to articulate. A symbol of a lack of something, silence paradoxically allows us to demonstrate also a lack of presence (Branach-Kallas 2006, 149). In Western culture, silence is usually associated with lack of power and agency, surrender and passivity – to talk is to be present, being able to influence things in the field of power. As noted by Agnieszka Kościańska (2009, 59) gender-related research often equates agency with visible and hearable forms of resistance and, eventually, actions free from social and/or religious constraints. Silence, however, is also a mean of agency, nonverbal form of expression, chosen by, for example, subordinated groups. From the perspective of such groups, it is used strategically to keep something hidden from others (Bollnow 1982). From the feminist or post-colonial perspective, silence is, however, usually associated with oppression based on often intersecting categories like social class, gender, poverty, colour, etc., and not necessarily with lack of speaking. To "emerge from silence into speech" (hooks 2015, 23) does not therefore mean simply to talk, but to make the speech heard.

However, the way hegemony controls and dictates discourse conditions means that the weaker side, in order to be heard, has to play by the rules of the powerful, since it is they who define acceptable forms of voice taking and control the perimeters of acceptable discourse (van Dijk 2008). This cultural domination over the silenced weaker side comes across in the use of language, too, as it, in the Bourdieusian sense, reproduces the habitus of the dominant classes, with higher value placed on written sources than

oral ones. In this context Romani language(s) is seen as not sophisticated enough by the majority society, what places them at the margins of the "proper" cultural production and makes the stereotypes persistent (Hancock 2010).

Despite existing within unequal power relations, silence is not only a sign of passive subordination of those who do not talk. In restrictive conditions, where freedom of expression and the voicing of dissent can be limited, people can resort to other forms of articulation. Sometimes, it may be that silence is the only way to express oneself, a choice driven by a desire to protect oneself or the group (Branach-Kallas 2006, 161), and the right to remain silent is a protection of the weak (Bollnow 1982, 2). In a similar view, James Scott (1990) argues that in order to maintain a margin of individual or group autonomy and an ability to contest power relations and avoid retaliation, the dominated groups can "hide" or "obscure" their voice, which results in cultural "hidden transcripts." These quiet acts of resistance may be a dialogue with one's equals, to let off steam and establish a common understanding with those who understand: the "dialogue – the sharing of speech and recognition – took place not between mother and child or mother and male authority figure but among black women" (hooks 2015, 24). To change the direction of speech and talk among equals toward those who are doing the silencing and promoting their own agenda, to talk about the things that have been unspoken, means breaking the taboo by criticizing their own communities. Raising gender issues over racial and ethnic issues was particularly challenging in the Black feminist movement but also for Romani feminists (Crenshaw 1995; Biţu and Vincze 2012; Oprea 2012; Corradi 2017; Aiello et al. 2019).

In academia, silence historically concerned the lack of Romani voices or an inability to listen to those we talk or write about. Roma still lack, for example, a full recognition of their history in mainstream European historical discourse as well as in researchers of Roma origin (Bartosz 1994; Mirga and Mróz 1994; Acton 1997; Mirga-Kruszelnicka 2018). The ongoing paradigm shift in Romani studies (Ryder 2018, 92) means that we are seeing an increase in "insider" accounts, challenging – though not without controversy – the hegemony of non-Romani scholars (Corradi 2017). The inclusion and participation of scholars of Roma origin in the production of knowledge and public discourse about Roma, therefore, brings a decisive empowerment to those who have been and still are neglected, silenced, and omitted as those who have for centuries been spoken about by others.

2. People without History and Future

Quite a lot has been written on the mythology of the stereotypical representation of the Roma in European history (Trumpener 1992; Acton 1997; Matras 2013). Alaina Lemon (2000, 4) argues that it is still hard for dominant groups to accept that Roma not only see themselves as Roma, but identify through other categories, too, including national belonging, ties with their local area, or religious affiliation. Connecting the silence of Roma and the academic interpretation of it, Sławomir Kapralski (2016, 186, translation by the authors) writes:

> In the until recently prevailing ethnographic depictions, Romani communities were most often presented as groups whose identity is expressed through a reproduction of a timeless

cultural idiom, as living in an "eternal present," not bothered by the past or future, and in general careless about past events – either because the past wasn't worth any interest, or because of the specific demands of the Romani culture. This silence was treated as a feature of people who do not possess any idea of history or memory, sustaining their identity through keeping static cultural values and remaining inattentive to the flow of time and unchanged by it.

The construction of Roma as a timeless people "without history" (Trumpener 1992, 861) has had an important theoretical and methodological outcome in narrowing the analytical and empirical scope to Roma only, to focus only on their bounded cultural ecosystem of economic and cultural relations within a settlement or a group (cf. Kapralski 2018, 469), while removing them from the wider sociopolitical context. Writing on Polish Roma, Mróz and Mirga (1994) emphasize that Romani history is a non-Romani projection, stemming from the fact that the nomadic, non-territorial populations were a "testing ground" for the disciplining and the oppressive strategies of governance by modern nation-states. In the study of history this is understood as a competition between "invented traditions" (Hobsbawm and Ranger 1983) through which modern nationalisms legitimize the process of homogenizing their diverse populations along the capitalist logic of the production of homogenous nations (Gellner 1991). Roma, along with many other minorities, minority cultures, or low-status groups, could not find their place, and were evicted from grand narratives. According to Kapralski (1997, 271), the "peculiar Eastern/Central European version of nationalism," with its emphasis on a commonly shared culture, language, ethnicity, and religion, adds to the potential exclusion of Roma from the community of co-nationals, turning them instead into second-class citizens. As he argues (2016), this is the reason behind an incredible asymmetry of power between Roma and the state – that is, the range of oppressive tools at the state's disposal (policing, control, identification, dispersal, mobility restrictions, slavery, and genocides) vis-à-vis a weak, numerically small, economically disadvantaged group. As Stewart (1997, 4) rhetorically asks: What was so dangerous about this group that for the last 500 years, states have used all their might to control or eliminate them? At the root of the academic silence on certain aspects of contemporary Roma lives, in the case we describe, lies a construction of Roma as a people fundamentally different, without history and thus without a future as well, without an anchor in physical and social space. For migration studies this is a key dimension, as physical movement give space a meaning and significance (Malkki 1997; Turner and Turner 2011). Spatial movement helps to "name" the place on the continuum between the fundamental cultural opposites of "here and there," "familiar and unfamiliar," and "inside and outside" (Lévi-Strauss 1955; Helms 1988), hence a group that names things in different ways or has a different "attachment" to a territory migrates differently, therefore requiring different analytical tools. The stereotype of the eternal wanderer who does not belong – because being a "wanderer" is how he/she naturally is – helps to deprive such as person of their national belonging, fatherland, or territory, and hence denies them a place in society. But, as Zbigniew Benedyktowicz remarks, stereotypes actually tell us more about those who construct them than those whom they attempt to describe (2000, 83), hence this stereotype serves to validate a moral worldview that values a sedentary, rooted existence, and reinforces the "container" model of society. In other words, the idiom of the eternal Roma wanderer serves as a useful fiction to justify the nationalist discourse of people anchored and eternally attached to one place, one country, and one nation only. As Michael Stewart rather ironically paraphrases Voltaire, even if the Roma did not exist, modern nationalism would have to invent them (1997, 238).

For migration studies, this sedentary bias seems to be one of the outcomes of that equation of territory and space, informed by a particular cultural notion of the kinds of people who ought to inhabit them. As Stephen Castles explains (2010), such bias is a theoretical assumption that naturalizes sedentary lifestyles, mainly rural ones, at the expense of a pathologization of mobility. From the perspective of a sending country, like Poland, such a construction of migration engenders moral panic, like that related to the increased emigration of women and the anticipated crisis of families and shifting gender relations (cf. Urbańska 2015). Migrating Roma from Central and Eastern Europe caused another kind of moral panic (see Clark and Campbell 2000) concerning the securitization of EU migration and border policies (van Baar, Ivasiuc, and Kreide 2018) and its welfarist and emergency-driven approach (Piemontese and Magazzini 2019).

Further, immigration and integration policies also strengthen this stance on migration and its social consequences, constructing it as a sort of aberration that has to be dealt with. This view has its roots in the nationalist, hegemonic naturalization of social life, in which a vision of populations being divided into neat territory groups is transported from the domain of historical peculiarity to that of biological necessity. In this model, migrations – along with all spaces of intercultural boundary blurring, borderlands, and conceptual grey areas of the multiplicity of belonging and identities – are an unwanted distortion, a stain on clean sheets of national purity and a dangerous empirical falsification of "timeless" nationalist ideas. This "metaphysics of sedentary life," as Lisa Malkki (1997) refers to it, constructs a biological link between people and land, a link severed in the case of nomads and migrants, or in the highly mobile and diverse settings of modern cities. As scholars note, in the case of Roma, sedentary bias plays a decisive role in historical and ethnographic exhibitions across Poland and Romania (Hasdeu 2008; Vermeersch 2008).

3. Migrants and the Political Power of Terminology

In this section we follow the genesis of and try to reconstruct the reasons behind this state of affairs, focusing on migration studies in Poland. Broadly speaking, this academic domain encompasses the history of migration from Poland, diaspora research, and, in particular, studies on post-EU accession migration. Historians looking at emigration restrictions during communist times, such as Dariusz Stola in his seminal work (2010), mention the practice of giving Roma "one way passports," but do not delve deeper into numerous instances of Roma emigration due to anti-Roma pogroms, such as in Oświęcim or Konin in 1981 (Mirga and Mróz 1994; Kapralski 2009). An exception to this rule that is little known in Poland is the work of Ignacy-Marek Kamiński (1980) – published in Sweden – whose PhD research focused on several families of Polish Kalderasha and their sensational journey of migration from Poland to Sweden at the beginning of the 1970s. But despite the highly sophisticated organizational aspects of that migration, their story did not join the other legends about spectacular escapes from the communist "heaven" about which historians often write (Stola 2010).

Lack of critical scholarly focus on Roma migrations in Poland is odd as well in light of the fact that the topic has been hotly discussed in the media, with various levels of intensity since the early 1990s. The 1991 anti-Roma riot in Mława attracted the attention of scholars at the time (Giza-Poleszczuk and

Poleszczuk 2001; Kapralski 2016), who focused on the political, social, and economic crisis in the period of transformation that severely hit Mława and other towns. The key finding of the study on the roots of anti-Roma violence pointed to the migration of local Roma. In a suddenly impoverished town, they accumulated considerable wealth and local influence through a used car trade, with German imports. But when and how this migratory practice started, what the transnational connections were with Germany, and, most importantly, how it affected the subsequent mass emigration of Roma from Mława, among other destinations, to England (Horton and Grayson 2008, 9), the authors do not elaborate, nor do these topics attract further attention.

The main media storm began in 1995 when Polish newspapers covered cases of Polish Roma seeking political asylum in Great Britain. The underlying theme in these media reports is the notion of separateness and the distinction between ethnic Poles, who seek work or are tourists, and Roma, who abuse the system and thus put the reputation of the former in jeopardy, along with accusations of unjust claims that Roma were being mistreated in Poland. Crucially, at the very same time throughout the 1990s until the enlargement of the EU, hundreds of thousands of Polish migrants were navigating hostile mobility regimes, working in the shadow economy, and living with illegal status, some even pretending to be Roma while seeking asylum (Morawska 2001; Garapich 2008; Garapich 2016). Political attention, however, turned on a few thousand Roma, who by definition were constructed as a problem. The letter sent from UK prime minister Tony Blair to Jerzy Buzek, the Polish prime minister, in September 1999, is highly symbolic in this context. Blair complained openly that a "thousand Roma" with dependents were a threat and were abusing the system, but at the same time observed that Britain welcomed the fact that "around 150,000 Poles visit this country each year, the vast majority as genuine tourists, students or [for] business." Blair noted that "we welcome them warmly," conveniently omitting the fact that in the run-up to Poland's accession to the EU in 2004, Poles were the group of migrants most strongly associated with breaching immigration rules by the UK Home Office (Garapich 2016). The neoliberal economics behind this distinction could not be more obvious. Conveniently turning a blind eye to non-Romani Poles working in the shadow economy, maintaining the neoliberal economic logic, is one thing; asking for state protection is quite another. The "right" kind of mobility is one in which there will be a focus on work, productivity, and subsequent exploitation, whereas the "wrong" kind of mobility is one in which protection will be sought from human right abuses and discrimination.

From an anthropological perspective, the exclusion of Roma migrations from overall reflections on mobility from Poland is understandable. The early attention of scholars was focused on the migration of ethnic Poles, and hence a clear process of ethnic categorization took place – despite the fact that the same regions witnessed the emigration of Jews, Ukrainians, and Lithuanians. The opus magnum and founding work of Polish migration scholarship, by Florian Znaniecki, after all is entitled *The Polish Peasant in Europe and America*. We could explain this as an outcome of the lack of Polish statehood until 1918, but this tendency for exclusion continues until today.

Stemming from a specific migration culture conceptualized in a historiosophy of Polish emigration, mobilities in that construction are a part of a wider plan of national community building. In that grand narrative, emigrations in Polish history are structured and morally hierarchized. Polish emigrants were thus morally judged in relation to their political activism aimed at the rebirth of the Polish state, with an

important exclusion of movement based on class, gender, or freedom from oppressive post-feudal social relations. This moral hierarchization thus places emigrants who left Poland for "political" reasons above those whose reasons were solely "economical." Mary Erdmans refers to this grand narrative as a particular feature of Polish migration culture's "moral issue" (1992), in which the collective loss is weighted against individual gain. The only moral justification for leaving would be to benefit the political nationalist goal – hence the symbolic place of various emigrant poets, revolutionaries, activists, and politicians fighting for the Polish state through the nineteenth century, about whom generations of Polish children are taught in schools (Micińska 2004). Despite this, in fact, emigration from Poland throughout this period has been mainly that of peasantry escaping economic hardship and post-feudal social conditions (Praszałowicz, Makowski, and Zięba 2004; Walaszek 1988), and it was the political diaspora that gained its place in the imagination of dominant nationalists. Symptomatic of this approach that the role emigration from Poland plays in the nationalistic narrative is a position of a student of Znaniecki, sociologist Jerzy Zubrzycki, whose generalized vision depicts a historical trajectory of Polish emigration – in his own terminology from "peasants to soldiers" (1988). Peasants who emigrated "for bread" have, due to macro-political events and their own desire for progress, been elevated to the status of soldiers fighting for an independent Polish state – through joining the army of emigrants to fight in two world wars, or participating in numerous diasporic fraternities and organizations that sustain the national – and religious – core of the nation's citizens scattered abroad.

Unsurprisingly, the emigration of women, minorities, Jews, and peasants escaping the hardships of post-feudal Polish society of the nineteenth century is discursively silenced (cf. Horolets and Bielecka-Prus 2017). In the eyes of nationalists, women were subjected to and following men, and the emigration of Polish Jews in the interwar period was seen as a positive development, as opposed to the emigration of Polish peasants, which was seen as endangering the national fabric and jeopardizing the "Polonization" of Polish lands. In this nationalist model, minorities are a systemic anomaly that has to be dealt with, either in radical form through physical expulsion or academically through discursive silencing. One of the outcomes of this position in relation to Polish postwar society was a continuous normalizing of ethnic and religious homogeneity. Normalizing here relates to the treatment of homogeneity as a natural and desirable state of affairs – how Polish society should look like. Minorities are to some extent accepted, in principle only as an exception, and are analytically evicted to the domain of "ethnic" or "minorities" studies, which treat them as separate from and marginal to the whole body of Polish society.

Roma migrations from Poland do not fit that dominant discourse. Constructed in an essentialist way as characteristic of Roma, their mobility cannot be framed through external determinants, since Roma migrate because of "who they are," due to some internal deterministic drive, not because of the world they live in. Despite living in Poland for half a millennia, Roma were not treated through the same metaphysical sedentary lens, and therefore, in fact, their mobilities have endangered the nationalist project. Despite that only some Roma in Poland lead a nomadic lifestyle, with other groups living in the same villages for more than two centuries (Ficowski 1986; Bartosz 1994), Roma are mysteriously excluded from these narratives of emigration, moral worth, and nationalist projections of the purity of Polish lands. They also did not fit into the moral obligation to create formal and active Polish diasporic groups whose task of building "Poland abroad" was meant to extend the struggle for statehood and nationalistic ideas while outside the sacred sphere of the territory. Furthermore, their collective claims

for political asylum were met with such media hostility and political backlash precisely because being a "political" refugee was reserved for Polish "freedom fighters." By becoming "political," Roma have transgressed a subtle cultural idiom in Polish migration culture, in which to be oppressed meant to be oppressed by alien hostile regimes (or internal traitors), not by your own neighbors, racist and discriminatory discourses, or state. Since regaining its independence in 1918 from the post–Second World War communist regime, the approach of the Polish state was to engage and act with but also influence its diaspora, which it saw as an element of soft power, or as potential lobbying groups over foreign governments or actors in international politics (Kicinger 2005; Lesińska 2019). Here again, Polish Roma did not find their space. In the vast and long history of diaspora engagement policy that Poland has been engaged in, the Polish Roma are absent, silenced.

The international, and especially pendulum, migration strategies of Poles living in the post-transformation period of 1989 were largely livelihood strategies. As the most important sociological analysis looking at Poles' international mobility shows (Jaźwińska and Okólski 2001), this circular strategy of "incomplete migration" was partially the outcome of a mismatch between the rapid industrialization of communist Poland and under-urbanisation, forcing many rural inhabitants to work in factories but live in their own villages. The unemployment rate was highest among this relatively low-skilled group of rural–urban commuters, whose livelihood strategy was to go to the West, taking advantage of lifted visa requirements (Morokvasic 2004). This strategy fits well with what we learned about the migration of Polish Roma in the very same period. This is confirmed in the reports from Roma NGOs (Lesińska 2014) about mass migrations of Polish Roma, including some observations that there are towns or villages where almost all Roma have left, and others where more than half have left.

Here again, their migrations did not fit the theoretical framework dividing migrations according to motivations – economic versus political. In fact, as we have seen, Roma have become a political problem themselves. Their migrations prior to 2004 could not be categorically classified as political or economic, even if their asylum applications referred to rising racism and discrimination (Acton and Ingmire 2012). From Roma narratives collected during our study (Fiałkowska, Garapich, Mirga-Wójtowicz 2019), it is clear that the decision had also to do with a personal sense of security, perspectives regarding education for their children, more opportunities, and finally being able to live in a country where you are not an outcast. This is highly problematic, given that Roma, along with vast sections of the Polish working class and rural population, were the first victims of economic transformation. What was clear for anthropologists at the time (Nagengast 1991; Buchowski 2004; Dunn 2004; Rakowski 2009), as is widely accepted today, the transition to the new system brought enormous social costs. These costs were cushioned by the largely irregular and informal nature of Polish international mobility and participation in the labour markets (Morawska 2001; Garapich 2016), or in the case of Roma, by confronting these changes, highlighting their increased fear for their personal security, and the threat of violence in the new conditions. The transition period was followed with the rise of antigypsyism and local conflicts, as a result of which Polish Roma sought asylum in the West (Matras 2000, 37–8). Their migration generated a hysterical response – from both sides. The Polish prime minister, in response to Tony Blair, assured his British counterpart that Roma were not discriminated against in Poland, as if the reports from Roma rights organizations of the time did not matter. The economy-centred logic of migration scholarship is another reason why scholars did not focus on Roma, instead turning their attention to the fiscal and labour market outcomes of the migration and the issues of supply

and demand that came out of the growing interconnectedness of East and West (Kaczmarczyk and Okólski 2008; Drinkwater, Eade, and Garapich 2009; Okólski and Salt 2014). In this approach, macrostructural determinants did not fit the essentialist perception of the migrating Roma, who were allegedly migrating due to some cultural or genetic features, not due to structural and economic factors.

4. Roma in Poland: Immobile Nomads

If the reasons behind the silencing of Polish Roma mobilities by Polish migration scholarship are now a little clearer, then what about the other field – Polish Romani studies? Given the essentialist notion of Roma, the total lack of interest in Romani studies regarding where, when, and how Roma have migrated in last 30 years is quite peculiar. If mobility is their inalienable cultural feature, why has no one looked at the transnational dimension of their lives, and how their migratory history relates to Polish migration movements, and affects their diverse cultures, meaning-making practices, identity, economic relations, and the like?

The silence in this domain reveals a certain paradox in Polish Romani studies. On the one hand, it treats Roma mobility as one of the key cultural features of Roma that connects them through generations, bridging various distinct Roma groups; yet on the other hand, it fails to make migration/mobility an element of ethnographic inquiry. The highly distinguished academic and activist Adam Bartosz, initiator of the only ethnographic exhibition on Roma in Poland, commented on Romanian Roma migrations, comparing them to the ones some Polish Roma undertook during the 1970s and 1990s, writing: "these situations show an unusual mobility of Gypsies, and a failure in any attempts to curtail their urge to roam" (Bartosz 2007, 151).

It seems that Romani studies in Poland are also victims of sedentary bias, and the analysis within this field remains spatially and socially bounded to the world of the Romani settlement in a given location, thus dismissing their international mobility as irrelevant or too ambiguous to contemplate in ways other than the stereotypical notion of their "urge to roam." In other words, for such a seemingly categorically mobile group, the Roma in Polish ethnography seem surprisingly immobile and spatially fixed. Their experiences abroad, their migration networks, the effect of their education in non-Polish schools, their social remittances, changes to their identity due to increased interactions with Roma from different groups and national backgrounds, and many other consequences of international mobility, which are the bread and butter of migration scholarship, are relegated to academic silence.

As we document in our report (Fiałkowska, Garapich, and Mirga-Wójtowicz 2018), intensive migrations in the 1990s have had an enormous impact on Polish Roma. One of the key testimonies comes from the accounts of a Gadjo, Romani-speaking teacher and writer, Jacek Milewski (2008; 2013), whose selection of short stories is probably the most contemporary, vivid, and accurate account of Polish Roma lives. In these stories, migrations and their impacts on Roma feature constantly, mainly as an event of a massive family disruption, the degradation of kinship ties, the negative outcomes of young Roma coming into contact with modern consumer society in the West, or the increased mobility of Roma from other countries to Poland. These stories align well with what transpires from our research – Roma, using Facebook Live or Skype, talk over their kitchen tables to their kin in Germany, Ireland, Canada, and Great Britain. It is a shame that these

conversations did not make it into ethnographic accounts within Polish Romani studies, which in light of the veritable boom in interest by European scholars in Romani mobilities is further surprising.

The paradox that immobilizes populations regarded as essentially mobile can be framed as a theoretical residue of an orthodox anthropological paradigm, one that equates culture, people, and territory. In their seminal article on how early anthropologists conceptualized culture, Akhil Gupta and James Ferguson (1997) explain how the bounded notion of the "people" confined in one spatial unit of "the village" allowed early scholars to cut off any form of hybridization, cultural diffusion, and change. In order to conceptualize and empirically "capture" the culture in its "pure" and "undisturbed" state, anthropologists needed to assume that locals were immobile and had no meaningful contacts with the outside world, and that their spatially bounded "way of life" remained a closed cultural ecosystem. As James Clifford argues (1988), seeing mobility, travel, and expansion as predominantly Western privileges was also one of the features of the political dominance of Western anthropology. In this bias, traditional societies did not travel or wander to learn about others, and their mental horizons were bounded by spatial limitations. Only Western anthropologists had the privilege to travel in order to "discover." As Gupta and Ferguson emphasize, the growth in migration globally increasingly has posed a theoretical and methodological challenge to these perspectives, as the "native" came to anthropologists' doorsteps. In our case, it seems the Roma have left Polish ethnographers' doorsteps, while being unable to see and acknowledge their departure.

The main problem with regards to Polish Romani studies is that bounded concepts of their culture have led to an inability to see their migrations – or any aspect of their lives – within a larger comparative and structural framework. These same bounded concepts stem from the artificial and ideological removal of Polish Roma from wider processes that the whole of Polish society underwent. It is not rare among Polish scholars to reproduce the old clichés related to the stereotype of the eternal wanderer. The distinguished anthropologist Ewa Nowicka, for example, notes that the use by Roma of the newly gained freedom of movement within the EU makes them a "model European," for whom "mobility does not present any problem of psychological nature since space isn't important for their fulfillment of social roles of personal identity … unbounded by their attachment to one place, they freely roam around Europe" (Nowicka 2007, 127). Besides the fact that Roma "roam" around Europe on its social and economic margins, subject to increased racialization and politicization of their mobility through evictions, the destruction of their settlements, forced removal, and state-sanctioned racism (Sigona 2005; Sigona and Theran 2009; O'Nions 2011; Nacu 2012), the danger in the assumption voiced by Nowicka is to discursively deny them a firm place in a given locality or nation. This is not about directing criticism toward what may be a very broad generalization, but rather an acknowledgement that notions and concepts have political weight, for which real people pay a very real price.

Conclusion

Our diagnosis does not refer to only what has been said but also why certain things were said, and others omitted or relegated to the sphere of academic silence. By definition, the sphere of silence is larger than that of discourse; the key, then, for our understanding of scholarship development is to account for

the historical and political dimensions within which the scholarship on migrations and Polish Roma is reproduced. It is at the intersection of these two domains that we are able to see the three-dimensional picture of both the structural and individual dimensions of human mobility, in our case that of Polish Roma, and crucially to place it within a wider analysis of the changes that Polish society is undergoing. Both areas are heavily weighted with assumptions and research paradigms into which Roma mobility does not fit, and which sometimes exclude any attention to Roma mobilities in ways that might construct them as different, unusual, and politically and culturally ambiguous, removing them from the analytical tools at scholars' disposal.

In the process of knowledge production on Roma, issues that were most vital to their survival in a hostile environment – the ability to adapt, and to negotiate their place-making while at the same time ensuring the continuity of their traditions – were paradoxically delegated to the sphere of academic silence. This not only happened at the expense of the voice of the Polish Roma who migrated and whose everyday dilemmas did not differ substantially from those of other migrating groups (see Fiałkowska, Garapich, and Mirga-Wójtowicz 2018), but it also contributed to the political exclusion of Roma in the Polish social landscape. In this perspective, academic silence is not just a mechanism of voice deprivation; it is a powerful tool of expulsion from the intellectual, social, and physical community. As mentioned previously, the best example with reference to Polish migration issues is the diaspora engagement policy, which the Polish state uses to assist various social and cultural initiatives among its wide global diaspora, but also as a mechanism for political pressure, through funding particular organizations and excluding others. Roma issues – despite the considerable numbers of Roma living in Germany, Sweden, and the UK – are never part of Polish discourse on its diaspora.

Not only are these comments to be conveyed as a critical assessment for its own sake, they are also to be considered an invitation for a discussion involving all social scientists, regardless of the level of their interest in the migration of Roma. The fact that we are discussing a numerically small group should not matter: the themes and issues raised here are of wider academic, social, and moral significance. The reduction of the number of Polish Roma in Polish towns and villages contributes to the reduction of Poland's ethnic diversity, and this further normalizes the ideological assumption of the necessity of a nationalist ideal of ethnic and cultural homogeneity. The silence we talk about has therefore a powerful political outcome. Polish society is undergoing a rapid change in terms of becoming a country of immigration, where new ethnic minorities emerge, posing a challenge to Poland's nationalist ideas. The silencing of Roma – in terms of scholarship as well as public acknowledgment – is a normative and hegemonic attempt to construct that homogeneity as a historical necessity, "the natural way things are." In this normative framework, national and ethnic minorities are not treated as an integral part of the social fabric but as a problem, an anomaly, and an issue that requires correction or oppressive actions of the state apparatus. In that sense, the way Polish scholars have silenced migrating Roma will be reproduced with regards to other minorities, relegating their status to bounded, fixed, essentialist entities that are regarded as exotic, alien, and non-Polish "in nature." Silence is never innocent, but is politically and culturally intertwined with our own understanding of the social world. The time has come for Polish scholarship to include Polish Roma in that wider world.

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Mihail Kogălniceanu's Historical Inquiry into the Question of Roma Slavery in Mid-Nineteenth-Century Romanian Principalities

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Critical Romani Studies

Abstract

This article examines *Ochire istorică asupra sclăviei* (A brief historical survey of slavery), a mid-nineteenth-century pioneering study about the history of slavery, to ascertain the growing influence of anti-slavery ideas in the framing of the new Romantic historical discourse about Roma slavery in the Romanian principalities. The study, written by the leading Romanian historian, writer, journalist, and liberal statesman Mihail Kogălniceanu (1817–1891), was published in 1853 in a censored edition and has received only limited scholarly attention due to its incomplete form (the full version of the original article has yet to be published). The present paper intends to provide a critical reflection on the main features of Kogălniceanu's analysis of the institution of slavery in the Romanian principalities by exploring the author's multilayered interest in the question of Roma slavery, his command of primary sources, and the underlying historical interpretation and social doctrines that framed his investigation.

Introduction

Mihail Kogălniceanu (1817–1891) is rightfully celebrated in Romanian culture as one of the most influential intellectuals and statesmen of his Romantic generation on account of his leading role in the construction of modern Romanian historiography as well as the national Romanian state. In a sense, he epitomizes the local version of the nineteenth-century Romantic nationalist archetype: a scholar and a patriot actively engaged in the process of national emancipation, while advocating for social and cultural reforms for "the benefit and enlightenment" of disenfranchised groups. But as it is often the case with celebrated personalities enshrined in national pantheons, the myth often has overshadowed the historical figure, casting a sympathetic light on Kogălniceanu's greatest works, while obscuring lesser-known aspects of his prolific career as a militant journalist and abolitionist.

The study of Kogălniceanu's scholarly and political writings on the situation of Romani slaves in the Romanian principalities has inevitably been influenced by the issue of "selectiveness." This Western-trained historian and reform-minded nobleman, who put his literary talent and energy in the service of reforming Romanian society, wrote several pioneering studies about the local enslaved Roma that have not received equal attention in Romanian historiography. His lengthier studies, such as *Esquisse sur l'histoire, les mœurs et la langue des Cigains…* from 1837 and *Desrobirea Țiganilor. Oborîrea pronomiilor și privilegiilor de nascere și de castă. Emanciparea țăranilor* (The manumission of Gypsies. The abolition of birth rights and cast privileges. The emancipation of peasants)[1] from 1891, are more often quoted than the score of shorter yet poignant anti-slavery articles he published in several Moldavian journals during the 1850s. These articles anticipated Kogălniceanu's similarly undervalued study about the institution of slavery entitled *Ochire istorică asupra sclăviei* (A brief historical survey of slavery), published in 1853 in a truncated version because the Moldavian censorship bureau decided to suppress the final section, which dealt explicitly with Roma slavery, probably due to its inflammatory abolitionist message. Despite being incomplete, this pioneering study deserves a more careful analysis because it provides new insight into the evolution of Kogălniceanu's views on slavery and his attempts to resolve the inherent tension between his professed commitment to scientific objectivity in the study of the origins and evolution of slavery, on the one hand, and his strong moral condemnation of the dehumanizing effects of this reviled institution, on the other. To what extent, one can ask, did positivist history and militant abolitionism inform Kogălniceanu's perspective on slavery?

This article examines Kogălniceanu's *Ochire istorică asupra sclăviei* from a historiographical perspective in an effort to ascertain the reciprocal influence of Romanian historical scholarship and anti-slavery discourse in nineteenth-century debates concerning Romani slaves. Its intention is to offer not an empirical social and economic analysis of slavery in the Romanian principalities, but a critical reflection on the major features of Kogălniceanu's historical interpretation about this "peculiar institution," as they were presented in his study.

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1 All translations from Romanian into English (book titles and excerpts) are the author's, unless otherwise noted.

The focus will fall upon Kogălniceanu's multilayered interest in the issue of Roma slavery, his command of primary sources, and the underlying historical interpretation and overarching social doctrines that framed his investigation, which will be reconstructed based on his rich correspondence, early works, journal articles, and discourses he delivered in the Romanian Academy.

1. Literature Review

The connection between historical scholarship and abolitionist discourse in Kogălniceanu's writings has not yet been the subject of any detailed investigation in Romanian historiography (Venera Achim 2006, 467). That Kogălniceanu's writings concerning the situation of Romani slaves contain a core anti-slavery argument was explicitly acknowledged in almost every biographical study dedicated either to his intellectual formation and career as a historian (Zub 1974, 366) or his social studies fighting for structural reforms in the principalities (Ionescu 1979, 123). Alexandru Zub, the author of the most detailed study about Kogălniceanu's historical writings, stressed in his brief survey of *Ochire istorică asupra sclăviei* that the abolition of slavery in Moldova represented the ultimate political goal of this pioneering study of social history (1974, 366–71). Virgil I. Ionescu pursued a similar line of argumentation, albeit in a more pronounced Marxist vein, underlining the role of the study in laying the foundation for Kogălniceanu's social criticism of the "feudal order" in Moldova (1963, 164–5; 1979, 23–5). Despite their differences in approach and tone, both authors tend to attach greater value to the abolitionist message of the study rather than its historical scholarship, on account of its incomplete (censored) form. Similarly, the fact that the section about dependent peasants was better preserved than the one dealing with Romani slaves has prompted scholars to devote more attention to Kogălniceanu's analysis of the local Moldavian and Wallachian varieties of serfdom. Aurel Răduțiu's study, for instance, stressed the centrality of the critical analysis of serfdom in promoting Kogălniceanu's message about peasant emancipation as a means of correcting nineteenth-century social injustices and fostering "social regeneration" (1973, 67).

The nexus between historical positivism, national discourse, and social militancy in Kogălniceanu's works has also been discussed in several studies concerning the evolution of nineteenth-century Romanian historiography. Kogălniceanu was one of the founding figures of the Romantic history school, whose studies on Romanian history were defined by his professed adherence to the methods of historical positivism, as well as his nation-centered vision of the past that aimed to go beyond political history by encompassing all social classes (Cristian 1996, 154–70). This new type of Romantic discourse about the past contained an inherent tension between the imperative to seek historical objectivity (narrating history "as things really were," according to Leopold von Ranke's famous adage) and the predilection for a reform-oriented rhetoric, advocating for national awakening, social reforms, and cultural modernization (Boia 2011, 89–90). Kogălniceanu's early historical works, infused with a typical Romantic interpretation of "national culture," tested the limits of the concept of historical "objectivity," as they revealed that his interpretation of the past, despite claiming to be impartial, was not free of the "subjective" influence of national ideals or reform aspirations. He attempted to resolve this tension by arguing in favor of writing a militant history (*historia militans*) that aimed not only to objectively reconstruct the past, but also to educate the youth in the spirit of patriotism and serve as a moral compass in contemporary politics. In a sense, the quest for historical truth was not fundamentally irreconcilable with the cultivation of

patriotism, argued Kogălniceanu, as long as the right balance between these two tendencies could be maintained (Zub 1974, 410).

This article moves in a different direction than the mainstream historical interpretation on Kogălniceanu's study by focusing specifically on the latter's analysis of slavery. Fully aware of the difficulties raised by the interpretation of this censured article, I argue that the lacunae in the original text can be partially filled, within conceivable limits, with information extracted from Kogălniceanu's other studies on the situation of Roma, published either prior to 1853 (his *Esquisse sur l'histoire…* from 1837) or afterwards (his anti-slavery articles published during the 1850s and his discourses delivered in the Romanian Academy).

2. The Author

Before turning to the actual content of this article, Kogălniceanu's background needs to be briefly discussed in order to shed some light upon his motivation for writing about slavery in the first place. Explaining these writings as a mere expression of Romantic curiosity and philanthropy would not suffice. Kogălniceanu did share with the other Romanian men of letters of his generation, collectively known as the Forty-Eighters, a certain degree of interest in Romani culture and a level of sympathy for their sufferings as slaves. In fact, he became convinced of the evils of slavery from first-hand experience, since he was born in Iași in 1817 to a noble family of boyars (with free peasant roots) that owned seven or eight Romani slave families on its country estate in Rîpile, in central Moldova (Kogălniceanu 1837, 24). Still, his interest in this population went beyond conventional views, and the emancipation of Roma from slavery eventually became, according to a journal article he published in November 1855, "his life-long conviction" (Kogălniceanu 1855, 101). To find out what aroused such a strong passion in this offspring of a noble and affluent Moldavian family, we must look to Kogălniceanu's formative years. Since a detailed account of his upbringing in Iași, studies in Western Europe, and voyages abroad would go beyond the scope of this paper, this section will make use of Kogălniceanu's autobiographical writings and letters to review those episodes of his youth relevant to the present investigation.

Kogălniceanu recounted the strong impression that the pitiful sight of Romani slaves, dragging their chains on the streets of Iași, his hometown, made upon him in his youth (1892, 266). It seems likely that Enlightenment ideas nurtured in his young mind a growing discontent towards slavery and other local forms of social inequality. Like most of his peers coming from noble families, he completed his secondary education in two local boarding schools administered by French *instituteurs* or schoolmasters (Zub 1974, 44–62). It was in this environment that he first came into contact with the writings of several eighteenth-century French philosophers that shaped his critical attitude towards the feudal privileges and social inequalities still in effect in early nineteenth-century Moldova.

This looming discontent turned into a full-fledged social critique during Kogălniceanu's studies in France and Prussia. Kogălniceanu always recalled the years of his university studies and long voyages in Western Europe as a formative period in his life, during which many of his political ideas, including his anti-slavery views, matured. Under the patronage of Mihail Sturdza, the new prince of Moldova (1834–1849), Kogălniceanu spent almost a year in the French city of Lunéville (1834–1835) in order to complete his

secondary studies, and subsequently moved to Berlin (1835–1838) to become the first Romanian to gain admission to Friedrich Wilhelm University. Following his family's wish, he enrolled in the Faculty of Law, but decided to take a variety of courses in the field of humanities, in a heroic effort to satisfy his encyclopedic curiosity in this true citadel of learning (the "Athens of Germany," as he liked to refer to his *alma mater* in Berlin). He recalled the strong influence that the courses taught by distinguished professors such as Eduard Gans (natural law), Friedrich Karl (also spelled Carl) von Savigny (Roman law), and Leopold von Ranke (modern history) had upon his intellectual and professional development (Kogălniceanu 1892, 259). From each of them, Kogălniceanu assimilated a set of core notions that steadily would be integrated into his own philosophy: Gans' unshaken belief in humankind's capacity for progress and improvement (social meliorism), von Savigny's elegant concept of organic progress in accordance with national specificity and the spirit of the time (Zub 1974, 98–103), and, above all else, Ranke's magisterial interpretation of historical objectivity and rigorous method of source criticism (Lupaş 1937, 320).

Ranke's formative influence over Kogălniceanu's writings can be traced back as early as 1837, while the latter was still his student in Berlin. While being under the direct impression of Ranke's lectures on modern history, young Kogălniceanu formulated an ambitious plan to write a new history of the Romanian people in French (*ibid.*, 320). Although this intention was never fully materialized, Kogălniceanu did manage to draft several preliminary sections that would eventually be published as stand-alone works. Such was the case of his study on Romanian Roma, published in 1837 under the title *Esquisse sur l'histoire, les mœurs et la langue des Cigains…* and presented as being part of a forthcoming treatise of the history of the Romanian principalities (Zub 1974, 329).

Two fateful encounters within the liberal political circles in Berlin turned Kogălniceanu's interest in the Romani population into a long-lasting scholarly and abolitionist pursuit. In 1836 he met with the Duke of Cumberland's son, George, the future King George V of Hanover (1819–1878), who displayed a strong passion for Oriental languages and asked Kogălniceanu for more information about Roma living in Moldova (Zub 1974, 300). He also encountered Alexander von Humboldt and struck up a friendship with this fascinating polymath, naturalist, explorer, and geographer, who also made inquiries about Roma living in Moldova. It was von Humboldt who encouraged Kogălniceanu to publish his *Esquisse sur l'histoire, les mœurs et la langue des Cigains…* in 1837 (Kogălniceanu 1892, 260). Traditionally, von Humbold's inquiries about Roma were explained in connection with his larger research interest in ethnography and linguistics (Ionescu 1963, 161; Zub 1974, 329–30). However, von Humboldt's questions, according to Kogălniceanu's account, touched upon not only on the distinctive traits of Roma living in Moldova, but also on their current situation (1892, 260). This detail, along with the clear abolitionist message contained in Kogălniceanu's study from 1837, suggests that the German polymath's inquiries might have also had philanthropic or even abolitionist overtones. This should hardly come as a surprise, given von Humboldt's sharp criticism of the situation of enslaved populations in the Spanish colonies and his insistence on the fundamental equality of all "racial groups" (Dassow Walls 2009, 173–209). Further research on Kogălniceanu's correspondence with von Humboldt might clarify whether the latter made direct reference to Roma in his strong criticism of slavery.

Kogălniceanu returned to Iaşi in 1838, eager to place his newly acquired knowledge and abilities in the service of reforming the archaic Moldavian institutions. His projects for liberal reform, however, soon foundered

on sharp disagreement with local conservative boyars, while his initial cordial relations with Prince Sturdza became strained to the point that the latter ordered to have the outspoken young reformer imprisoned for six weeks in 1844 (Zub 2005, 48). After being released, Kogălniceanu decided to go into a self-imposed exile and join the ranks of the group of young Romanian liberals living in Paris. Although his autobiographical notes offer scant details about this period in his life, the year Kogălniceanu spent in the capital of France influenced his projects for reforming Moldavian society, including the institution of slavery. In 1846, he met with Paul Bataillard and other French scholars and men of letters advocating for the abolition of slavery, joined the ranks of Société Orientale de France, an Orientalist society in Paris, and expressed his intention to publish an article about Roma (Cartojan 1925, 11). Like his other militant articles, this one was probably intended to describe the situation of Romani slaves, as well as chastise the evils of slavery.

3. The Historical Context

Kogălniceanu's discourse on slavery, shaped deeply by his philanthropic values, Romantic curiosity, critical attitude towards the Moldavian *ancien régime*, and Western intellectual formation as a jurist and historian, assumed a distinctive militant tone in response to the historical context in which he developed it. A brief look at the contemporary cultural and political debates in the principalities concerning social reform and abolitionism will provide some context for examining why Kogălniceanu's article faced the rigours of censorship in 1853.

Slavery was a century-old institution, firmly entrenched in the social and economic structures of the Principality of Moldova during the nineteenth century (Viorel Achim 2004, 87). At the risk of over-simplifying a complex situation, it can be argued that the nearly 250,000 Romani slaves living in Moldova and Wallachia toiled on the estates of their masters (the Crown, the boyars, or the Orthodox monasteries) or plied their itinerant trades up and down commercial roads or on the outskirts of villages and towns, just as their ancestors had done over the past four centuries (Potra 1939, 66–86). Their situation began to show signs of change in the early nineteenth century, as the political structures of the *ancien régime* underwent changes due to the rapid developments in the international statute of the principalities (the formal establishment of the Russian protectorate in 1829, which increasingly eroded Ottoman suzerainty), and more gradual social and economic developments (the non-linear transition from a feudal-type order to "an early form" of capitalist economy) (Hitchins 2014, 62–5). These changes were determined by, and in turn determined, a series of changes in attitudes towards local Roma of certain reform-minded members of the ruling elites, who began to question the nature and utility of the institution of slavery and put forward various reform projects, motivated by Enlightenment ideas (Iordachi 2019, 142–6). As it did with several other aspects of modern Romanian culture, French militant literature served as an enduring source of inspiration in the development of the local anti-slavery discourse (Tomi 2009, 12–13). Since these changes are too complex to summarize in the pages of this article, I will use Kogălniceanu's personal involvement with several groups of liberal reformers from 1837 to 1856 as a case study to illustrate the development of abolitionist ideas and initiatives in Moldova.

During the first stage of "Romantic initiatives" (from the late 1830s to the mid-1840s), Kogălniceanu joined a group of young reformist boyars who used to gather in Răducanu Rosetti's mansion in Iași to

discuss possible solutions for modernizing the antiquated institutions and social structures in Moldova. The abolition of slavery, seen by most as the embodiment of all that was shameful and wrong with the *ancien régime* in their fatherland, was on top of the reform list (Kogălniceanu 1892, 265). Whereas some participants felt compelled to speak against slavery out of a certain consciousness of civic responsibility toward Roma and other groups "less fortunate in birth and circumstances."[2] Kogălniceanu developed a sharp critique of "this peculiar institution" on humanitarian, social, and cultural grounds. He denounced it as unnatural, cruel, corrupting for both slaves and their masters, and detrimental to the country's national interests, as it was viewed in Western Europe as the epitome of "backwardness and oppression" in Moldova (*ibid.*, 266).

Prince Mihail Sturdza, the ruler of Moldova, accepted some of the proposals put forward by this reformist group, as long as it suited his purpose of appeasing the growing restlessness among the young generation of boyars (Ciurea 2012, 56–7). It was probably under their influence that the prince decreed the partial abolition of slavery – that is, the emancipation of both Crown and monastery slaves – in January to February 1844. In order to show his support for such a salutary measure, Kogălniceanu wrote a laudatory article in the local review *Foia științifică și literară* (Scientific and literary review) on 6 February 1844 (Kogălniceanu 1974, 1: 552–4). It appears that the prince intended to emancipate privately owned slaves as well, but had to delay such a reform and distance himself from local reformist circles due to the opposition of certain conservative boyars (Kogălniceanu 1892, 267).

The tensions between liberal circles, conservative boyars, and authoritarian monarchs on the subject of reforms, including the complete abolition of slavery, reached a boiling point in the spring and summer of 1848, when the Forty-Eighters set in motion revolutionary movements in Moldova and Wallachia. During this short-lived stage of "revolutionary fervor" of 1848 to 1849, Kogălniceanu adopted a more "immediatist" stance on the abolition of privately owned slaves, in brochures such as *Dorințele partidei naționale în Moldova* (The demands of the National Party in Moldova) from August 1848. He rejected moderate reforms and demanded the total and immediate emancipation of those slaves owned by boyars "with compensations awarded to those who demand them" (Bodea 1982, 661). The implementation of such radical measures became possible only in Wallachia, where the revolutionaries were able to topple Prince Gheorghe Bibescu's regime and establish a provisional government (Venera Achim 2009, 2). In Moldova, Prince Sturdza's repressive measures, coupled with the swift Russian intervention, quickly crushed the revolutionary initiative and forced many Forty-Eighters, including Kogălniceanu, to flee into exile (Zub 2005, 56–7).

Kogălniceanu's return from exile in 1849 and the beginning of his political collaboration with the new prince, Grigore Alexandru Ghica (1849–1853, 1854–1856), marks the final stage of his involvement with abolitionist initiatives in Moldova. Prince Ghica initially pardoned several Forty-Eighters and included them in the new government, including Kogălniceanu, as proof of his genuine commitment to adopt a program of reforms (Boicu 1973, 35–7). Still, the indecisiveness, corruption, and political intrigue that

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2 This expression was inspired by Article 4 of the First Section of the Civil Code of Wallachia of 1818 (*Codul Caragea*), which stated that "[persons are divided] based on their fortune [at birth] into free-born, slaves and freedmen."

began to plague the new regime undermined Prince Ghica's credibility as a reformer and put a strain on his relationship with Kogălniceanu (Zub 1973, 619). Both statesmen shared an elitist perspective on the need to abolish the last vestiges of slavery through legal means but had divergent opinions about the timing and pace of the reforms. Pressured by conservative political circles, Prince Ghica was biding his time until he could find expedient means with which to achieve his goals without directly infringing upon the boyars' legal rights to own Romani slaves. Kogălniceanu's renewed calls in 1853 for the immediate abolition of slavery, in the context of the outbreak of the Crimean War and the Russian military occupation of Moldova, were probably seen as inopportune by Prince Ghica (Zub 1974, 337). It can be argued that the local censorship bureau decided to suppress the last section of Kogălniceanu's study on slavery due to its inflammatory abolitionist message, which was likely to irritate the slave-owning boyars and provide them with a pretext to complain to the Russian occupation forces that their property rights were under threat.

Kogălniceanu was eventually vindicated in November 1855, when Prince Ghica decided to emancipate privately owned Romani slaves in Moldova (Iordachi 2019, 159–60). Kogălniceanu was not only given wide latitude to voice his criticism against the institution of slavery and to praise Prince Ghica's wisdom for enacting such a liberal measure, but was also included in the committee tasked with drafting the emancipatory law (Kogălniceanu 1892, 611). For Kogălniceanu, this represented a fitting conclusion to his long struggle for the abolition of slavery and an eloquent testimony to his lifelong determination to bring about structural social change in the principalities.

4. Source Interpretation

In light of the discussion in the previous section, one may well ask what was so provocative about Kogălniceanu's study that it warranted the intervention of the Moldavian censorship bureau in 1853. After all, anti-slavery rhetoric had been used by Romanian Forty-Eighters for years to chastise the evils of slavery and to demand, with increased vehemence, more decisive measures. It was probably the judicious mixture of rhetorical skill and scholarly argument that set Kogălniceanu's study apart, given that in the author's previous writings on the topic he displayed an uncanny ability to use a wide array of moral, humanitarian, legal, and historical arguments to further the abolitionist cause.

The circumstances in which Kogălniceanu's study on slavery appeared in 1853 testify to the author's "versatility" when it came to evading the rigours of censorship in Moldova. Kogălniceanu wrote his study as a scholarly introduction to Harriet Beecher Stowe's anti-slavery novel, *Uncle Tom's Cabin*, originally published in the United States in 1852 and translated into Romanian (by proxy of Léon Pilatte's French translation) the following year by Theodor Codrescu as *Coliba lui Moșu' Toma…* (Beecher Stowe 1853). This novel enjoyed such a success in both principalities that another printing house in Iași commissioned a new edition in the same year and local admirers, such as Vasile A. Urechia, went as far as to write an *Uncle Tom's Cabin* pastiche (Ghenghea 2013, 92). The Romanian translation (printed in the Cyrillic transition alphabet) was published in a two-volume edition, and Kogălniceanu's 23-page introduction was inserted at the beginning of the first (Beecher Stowe 1853, ix–xxxii), only to end abruptly on page xxxii, right in the middle of a sentence, due to the ill-fated intervention of the censorship bureau. This was not Kogălniceanu's first collision with censorship, and it seems unlikely that he would have received

permission to publish his study on slavery, in its original form, as a stand-alone article in 1853. It took almost two years and the acceptance of several uneasy compromises (the removal of all content related to modern times and the strict focus on antiquity) for the author to be able to publish a further abridged version of the initial study, under the new title *Sclăvie, vecinătate şi boieresc* (Slavery, serfdom, and corvée), in the review *România literară* (Literary Romania) (Simionescu 1955, 139).

Despite the compromises made, Kogălniceanu managed in the pages of his introductory study to develop a critical analysis of slavery as a social institution that retained a coherent structure. By social institution he meant a specific type of social structure or pattern of human activity that was subjected, at some point in time, to a process of legal codification. Aside from the opening paragraphs in which Kogălniceanu paid homage to Beecher Stowe's novel, his study assumed a life of its own as a well-researched historical study, removed from the influence of any rhetorical flourishes. As the title suggests ("*ochire istorică*" is the Romanian equivalent of the French expression "*coup d'œil historique*," meaning "a brief historical survey"), Kogălniceanu's intention was to go beyond providing a mere general introduction to the institution of slavery in the United States for Romanian readers. In fact, he planned to analyze the evolution of slavery as a legal and social institution across successive historical periods and various geographical areas in order to situate the Moldavian and Wallachian variety (*robia*) within a more general context. Thus, in the first part of the study (the first chapter, "Slavery in Antiquity," and the second chapter, "Serfdom"), he provided a general definition of slavery as a violation of natural law, by virtue of reducing people to the status of property. He then traced the preconditions (social stratification and wars of spoliation) that favored its appearance at the dawn of civilization, examined its archetypal manifestations during classical antiquity in Athens and Rome, then traced its transformation into "colonate" during late antiquity to finally arrive to the birth of medieval serfdom as an "ameliorated feudal variant of slavery" in Western Europe (Kogălniceanu 1976, 483–94). In the second part (the remaining section of the second chapter) he discussed the emergence and development of the Romanian variants of serfdom (*rumânie* in Wallachia, *vecinie* in Moldova, and *iobăgie* in Transylvania) until the eighteenth century. Just as Kogălniceanu was bringing into focus the period of social and institutional reforms in the Romanian principalities, the text ended abruptly at Prince Constantin Mavrocordat's measure to abolish serfdom in Moldova in 1749 by turning local serfs (*vecini*) into corvée peasants (*ibid*., 494–8). That possibility that Kogălniceanu, apart from some occasional remarks about Romani slaves, wrote a distinct chapter on slavery in the principalities (which was suppressed by censorship) can be clearly inferred from the following passage: "Slavery in ancient societies, serfdom in the middle ages, the slave trade and the condition of Black slaves in modern times – this will form the topic of our treatise, which will include a special chapter on Gypsies, the last remaining slaves in a Christian nation in Europe today" (*ibid*.,485).

Ochire istorică asupra sclăviei has been described as a pioneering study of social history that, despite its missing final section and somewhat tentative nature, displayed great originality (Simionescu 1955, 139; Răduțiu 1973, 67; Zub 1974, 366). Kogălniceanu was indeed breaking new ground with his approach to the topic of slavery in Romanian historiography, as he was arguably the first representative of the local Romantic school of history to examine this social phenomenon across its historical evolution and in relation to its regional specificity. Nicolae Bălcescu, the younger historian and fellow Forty-Eighter, had written a similar militant study of social history in 1846 entitled *Despre starea soţială a muncitorilor plugari în Principatele Române în deosebite timpuri* (On the social status of the ploughmen of the Romanian Principalities at various

times) on the evolution of Romanian peasants (Bălcescu 1974, 151–62). Both historians employed a similar approach that displayed a certain familiarity with the emerging field of sociological investigation. Thus, they both delineated theoretical models of the social phenomena under review (slavery and serfdom) in a manner that exceeded the confines of legal-normative frameworks, and their respective analyses were not restricted to event-centered history, but also discussed the evolution of certain social groups and processes of social change (Răduțiu 1973, 68). Still, Kogălniceanu's study on slavery retained a distinctive historicist approach. According to him, the specific location and historical moment of the distinct forms of slavery provided not just an explanation for their variety, but actually conferred to them their specificity, according to the stages of historical development in which they had emerged:

> Slavery has accompanied the history of human societies until this very day; it will certainly come to an end before humankind [does]; unfortunately, we have not yet come to witness the end of its existence. This history, as shameful as it is for our people, holds the greatest of interests; but such a study is too vast to be summarized into a brief survey; we will limit ourselves to the analysis of the key facts, meaning the role of slavery in ancient times, especially for the Greeks and the Romans. After the migration of people during the middle ages, slavery transformed itself in serfdom, an institution albeit less degrading, but still as barbaric because it tied men to the land (Kogălniceanu 1976, 484).

Kogălniceanu's predilection towards historical comparisons conferred his study an additional note of originality. Although not a proper comparative study, *Ochire istorică asupra sclăviei* made use of synchronic and diachronic comparisons between various ancient and modern, European and North American "slave systems." He drew succinct yet interesting parallels between what some modern-day historians would term a "slave-based system" from the Antebellum United States and the more patriarchal "slave-owning system" from the Romanian principalities, in an effort to identify both similarities across time and space, and connections that would help delineate a path of progress towards individual freedom. Here is how he described the system of slavery in the New World:

> In modern times, an even more monstrous institution emerged and combined with the cruelty of old slavery, much to the shame of our civilization. The need to repopulate the recently discovered Americas in which the native populations had been decimated by the conquerors' sword, the religious preachers' zeal, and then the hardships of colonial agriculture in a very oppressive climate for Europeans, gave birth to the transatlantic slave trade, a new form of slavery founded upon the pretext of the inferiority of the African population compared to the white one (Kogălniceanu 1976,484–5).

Next, Kogălniceanu employed primary sources in a manner that can be described as both critical and innovative. He relied on information drawn from legal sources (codes of law and writs) and primary narrative sources (Ancient Greek and Roman treatises authored by Aristotle, Xenophon, Columella, and others, or *res gestae* or chronicles written by Moldavian boyars, such as Grigore Ureche), in his attempts to reconstruct the legal frameworks of the institutions of slavery. As for the study of medieval serfdom, Kogălniceanu used archival documents, collected from state or private repositories in Iași or Bucharest, to corroborate or complete the available narrative (primary) sources, such as Ureche's *Letopisețul Țării*

Moldovei de când s-au descălecat țara (Chronicles of the Principality of Moldova from its foundation). He already had published some of these recently discovered documents in local historical reviews, including the chrysobull or the official resolution of the Moldavian Assembly of Estates that sanctioned the emancipation of Moldavian serfs in April 1749. He approached these sources from a critical perspective by distancing himself from the elitist perspective of nobiliary chronicles, expressing reservations towards dubious, embellished, or specious arguments included in Moldavian or Wallachian chronicles, and by seeking to bring to the forefront, as much as the available resources allowed him, "the common people," with their social organisation, customs, and institutions (Zub 1974, 370). In addition, he ingeniously filled in some of the lacunae in the narrative from primary sources pertaining to the history of Roma in the Romanian principalities with ethnographic and linguistic data, collected either by himself or other French and German researchers (Kogălniceanu 1837, 1–3).

After reviewing Kogălniceanu's multilayered approach and critical use of primary sources, it is now time to turn to his perspective on the institution of slavery. As most Romantic scholars writing in a turbulent political context, he found it difficult to adopt a neutral position towards such a reviled form of bondage that, despite sharp criticism, continued to flourish in the Romanian principalities at that time, and hence was not only controversial but still unresolved. The length to which his anti-slavery attitude influenced the direction and content of his scholarship remains open to debate. Kogălniceanu made no secret of his resolute anti-slavery stance, both in his political activity and his historical writings, arguing that scholars were also supposed to act as agents of social and cultural change, and that the Forty-Eighters were called to "both write and make history" (Zub 1974, 259). Even so, he displayed the capacity to distance himself from the political passions of the moment and to temper his abolitionist zeal by adopting a critical distance towards his research topic. Seen from an alternate perspective, it could be argued that Kogălniceanu's study is proof that, however antithetical it may be to positivist historical norms, social militancy had the potential to expand historical understanding by driving scholars of abolitionist convictions to reevaluate existing historical discourse or established knowledge by seeking new documentary evidence in support of their innovative and radical claims.

Kogălniceanu's treatment of slavery in classical antiquity serves to illustrate this last point. Relying primarily on ancient sources, ranging from Aristotle's *Politics* to Xenophon's *Ways and Means*, and taking certain nineteenth-century studies as points of reference, particularly Auguste Boeckh's *Economie politique des athéniens* and Charles Comte's *Traité de législation…*, Kogălniceanu argued that slavery represented nothing more than an artificial "social convention" born out of violence and greed, institutionalized by ruling elites, and kept alive primarily by economic interests. In putting forward this argument, routinely accepted nowadays but still controversial in those times, he intended not only to challenge Aristotle's so-called theory of "natural slavery" (*Politics* 1.5, 1254b, 16–39), used and abused in certain pro-slavery pamphlets and articles, but also to provide an alternative (and ultimately more compelling) reading of the ancient sources. Kogălniceanu's interpretation of slavery encouraged readers to reexamine, from a critical perspective, the evolution of Ancient Greece and Rome as proper "slave-based societies," whose prosperity depended to a large extent on the exploitation of slave labour:

> Slavery is as old as the world itself, claim its defenders; many scholars say that as well, driven by a hollow erudition. Slavery is ancient indeed, but not as old as the world; it began as soon as the craft of production developed itself enough to provide man with more than he actually

needed for his survival. As long as this surplus did not appear, slavery was not possible, because there was no interest in owning slaves… Therefore, spoliation and theft lie at the origin of slavery (Kogălniceanu 1976, 484).

Roma slavery in the Romanian principalities represented a more topical case study that unavoidably raised a number of additional challenges due to the ambiguity that shrouded its distant origins, its perplexing persistence until modern times, and the increasing passions it aroused among local elites. It is unfortunate that the last section of Kogălniceanu's study, in which he likely intended to tackle some of these issues, was suppressed by censorship and has yet to be recovered from his original manuscripts. We may infer, based on the published two chapters of the study, that Kogălniceanu used a similar mixture of persuasive anti-slavery rhetoric and well-documented historical arguments to expose the unnatural and unjust nature of this "black stain in the social history of every nation, which, in spite of the enlightenment of our age, still exists among nations that call themselves Christian" (Kogălniceanu 1976, 483). A few remarks on Romani slavery did manage to pass the rigours of censorship, probably because they appeared as "matter-of-fact accounts." First, there was the mention of some emancipated Roma (possibly former Crown or monastery slaves) who accepted to wear once again the chains of servitude because they were in dire need and "did not truly know the price [read *value*] of freedom" (Kogălniceanu 1976, 484). Second, there was a passing reference to the fact that local Orthodox monasteries "did not cease to own slaves until the year 1844" (*ibid.*, 491). And third, Kogălniceanu described the important role played by local slaves in nursing and looking after their boyar masters' children, a questionable practice according to him, and one that was also documented in the aristocratic families of ancient Rome (*ibid.*, 488).

Attempts to reconstruct the line of argumentation from the censored part of Kogălniceanu's study would take the text exegesis into the realm of speculation, and thus confer a tentative nature to all arguments made from this point forward. Such efforts should naturally depart from analysis of Kogălniceanu's pre-1853 writings on the topic of Roma slavery, particularly his *Esquisse sur l'histoire…* from 1837, and the abolitionist articles published in the Moldavian journal *Steaua Dunării* (Star of the Danube) from 1855 to 1856. *The Manumission of Gypsies*…, the discourse he delivered at the Romanian Academy in 1891, needs to be carefully reviewed in order to steer clear from the pitfalls of anachronistic or teleological views. In his senior years, Kogălniceanu developed a tendency to recount his life trajectory as a relentless struggle towards the modernization and unity of the Romanian principalities, going as far as to publicly boast that he had never strayed from his principles in his political career (Zub 1971, 77). This tendency to project a certain linearity and coherence over his long career, which discretely manifests itself in his discourse from 1891, does not necessarily detract from its historical value.

Without losing sight of these potential limitations, there appears to be a common tendency in the abovementioned studies for Kogălniceanu to describe Roma slavery as an intriguing historical and social "puzzle." The historical aspect derived from the fact that existing historical records made obscure mentions about the origins of Roma and how their distant Indian roots could be retraced primarily based on linguistic and ethnographic sources (Kogălniceanu 1837, 3). Kogălniceanu claimed that wars of conquests and spoliation lay at the roots of most "slave systems," including in Moldova, but could not further elaborate on this topic. The social dimension of the "puzzle" was related to the long-term coexistence of this archaic form of bondage (*robia*), which defined the social existence of local Roma

for many centuries, with *vecinia* and *rumânia*, the local variants of peasant serfdom in Moldova and Wallachia. Kogălniceanu pointed out the perplexing fact that Romani slaves and peasant serfs had, in many cases, the same masters (local monasteries or boyars) and were subjected to a similarly abusive treatment, yet the formal distinction between these two forms of bondage remained clear in the Moldavian codes of law, as slaves were bound to the person of their master and serfs were tied to their master's lands (Kogălniceanu 1976, 492). His analysis attempted to go beyond the normative aspects of slavery and serfdom, as they were defined in the local codes of law, and explore new aspects of social history based on archival materials he had recently identified in the local archives and/or published in historical magazines such as *Arhiva românească* (Romanian archive) (Kogălniceanu 1860, 94–9). The chrysobull or the official resolution of the Moldavian Assembly of Estates of April 1749 was arguably the most relevant because it listed three criteria – family ties, nature of bondage, and type of work – that differentiated Moldavian serfs from Romani slaves in the early eighteenth century. This document, cited in Kogălniceanu's study, offers a glimpse of the control that boyar masters had over their Romani slaves, as the latter could be bought and sold together or separate from family members, moved from one estate to another, and compelled to perform whatever tasks their masters assigned them (Kogălniceanu 1976, 498).

Despite their dissimilarities, Kogălniceanu described Romani slavery and peasant serfdom as "social aberrations," incompatible with modern institutions in the principalities and thus in urgent need of being abolished (*ibid.*, 484). It is plausible that *Ochire istorică asupra sclăviei* further developed this line of argumentation, as the analysis was moving closer to the present-day situation, likely provoking the ill-fated intervention of the Moldavian censorship bureau.

Conclusion

The findings about Kogălniceanu's study of slavery that were briefly discussed in this article prove that he had a firm command of both anti-slavery rhetoric and historical scholarship, and through his work as an abolitionist and a researcher attacked the institution of slavery in the Romanian principalities. As the study of his intellectual formation in France and Prussia, and his involvement in the political debates of his time suggests, it is not always possible to draw a clear line between these two facets of Kogălniceanu's activity without taking away from his grandiloquence or the militancy of his text. In fact, historical scholarship and militant rhetoric represent two prominent features of the Romantic forms of social criticism developed by the Romanian Forty-Eighters in response to the social inequalities of their time. Such an attempt would be even further complicated by the unfortunate omissions in Kogălniceanu's study, a testimony across the ages of the rigors endured and the losses suffered by militant scholars, including Kogălniceanu, in their relentless struggle to expose what was unjust or lacking in their society, and what corrective measures needed to be adopted.

The specific details of Kogălniceanu's pioneering analysis of Romani slavery require further research and clarification, as the lingering questions about the missing last section continue to cast a shadow of doubt over its actual informational value. Nonetheless, one cannot simply deny the importance of Kogălniceanu's innovative perspective on the institution of Romani slavery, with its holistic approach, strong command of primary sources, and propensity towards relevant historical comparisons.

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Racializing American "Egyptians": Shifting Legal Discourse, 1690s–1860s

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Critical Romani Studies

Abstract

This article situates the historical "Egyptian," more commonly referred to as "Gypsy," into the increasingly racist legal structures formed in the British North American colonies and the early United States, between the 1690s and 1860s. It simultaneously considers how those who considered themselves, or were considered by others, as "Egyptians" or "Gypsies" navigated life in the new realities created by such laws. Despite the limitations of state-produced sources from each era under study, inferences about these people's experiences remain significant to building a more accurate and inclusive history of the United States. The following history narrates the lives of Joan Scott, her descendants, and other nineteenth-century Americans influenced by legal racial categories related to "Egyptians" and "Gypsies." This is interwoven with the relevant historical contexts from American legal discourses that confirm the racialization of such categories over the centuries.

Introduction

Joan Scott arrived in Henrico County, Virginia, in 1674 as part of the wave of laborers who were necessary to claim, control, and make profitable this remote region for the English colonial project. Though Scott's racial identity is not mentioned in the patent book that records her arrival, the Henrico County Court in 1695 referred to Scott as "an Egiptian," the contemporary legal term used to refer to one commonly called "a Gypsy." Though Scott's life can only be roughly sketched, examining it in conjunction with the experiences of her descendants, and the continued, if rare, use of "Egyptian" as a category of identity in colonial and early United States legal records, reveals the changing, hardening, and yet still flexible constructions of race being created. To explore American constructions of race, I employ legal records whose rationales and conclusions hinged upon conceptions of "Egyptianness" from two distinct eras of American history (1690s to 1750s, and 1840s to 1860s). Though created by men intent on the continued subjugation of non-white people, these same sources can be more carefully considered to reveal the disruptive attempts by "Egyptians" to problematize the boundaries of racialized American law.

Because most scholarship about European Romani populations operates from the frame of anti-Gypsyism particularly, rather than racism more generally, it remains of limited applicability in helping us understand these "Egyptians" in an American context. This is certainly not to argue that racism and anti-Gypsyism are mutually exclusive, but rather to note that the inner logics of each found resonance because of certain local circumstances that were dependent upon geographically based historical realities. European colonies, having been built with enslaved African laborers on Native American lands, and then developing into white supremacist nations, were ensured a distinctly racial frame in which "Egyptians" in the Americas would be considered. Yet, as we will see, specifically anti-Gypsy rhetoric could also be used in American political discourse, especially in moments of heightened racial anxieties.[1]

Instead, reading these documents made about "Egyptians" alongside a consideration of the fundamental role of the state in shaping the discourses about and experiences of race in North America reveals the centrality of race (and specifically of white supremacy) within American governance. Theorizing white supremacy itself as a political system, rather than the background against which all other structures function, can help explain the prevalence of race-defining statutes and legal debates over the course of colonial and American history (Mills 1997, 1–3). American governments required racial clarity, especially clarity regarding whiteness, initiating the ongoing "process of sorting out the bodies" (Omi and Winant 2015, 78). Though "states made race" (Marx 1998, 2), race-making functioned dialectally with the very populations being classified. The gap between official and personal criteria of group membership, as well as the fluidity of group definitions and individual positionings within available conceptual categories over time, reveals the historical contingencies of race at both membership levels. The result is a "messy" and dynamic socio-political order in which "racial and ethnic categories are often the effects of political interpretation and struggle." These same "categories in turn have political effects" (Omi 1997, 23). The distinctive legal treatment of "Egyptians" across the centuries helps clarify this process.

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1 For a good introduction to the theory and scholarship of anti-Gypsyism, see Sabrina Tosi Cambini and Guiseppe Beluschi Fabeni, "Antiziganisms: Ethnographic Engagements in Europe," *Anuac* 6 (June 2017): 99–117.

These American "Egyptians" also provide an added dimension to the well-documented social consequences of North America's racialized legal culture. Scott's experiences with the colonial Virginia court of the 1690s, when she was accused of interracial fornication and then successfully pled an exemption based on her lack of Christianity, show how laws written to construct and segregate by race remained negotiable. Scott's eighteenth-century descendants provide insight into the increasingly restricted lives of free Black Virginians, the racial category within which they became assigned. In the nineteenth century other Americans of ambiguous heritages used "Egyptian" identity in state courts in attempts to prevent their categorization outside of whiteness. Their experiences show how those of heritages that did not fit neatly into the legal categories of Black and white challenged the firm strictures of nineteenth-century American race law. As historian Bruce Dain (2003, vii–viii) notes, "racial concepts did not move tidily from a shallow Enlightenment environmentalism to a deep biology; nor were the two positions mutually exclusive … ideas on race did not fall into neat, self-contained, racially determined categories." The presence of "Egyptians" in colonial and early U.S. legal discussions of and decisions about race illustrates this messy transition.

Juxtaposing Scott's experience in the Virginia courts of 1695 with those of William Johnson and Thomas Miller in 1842 South Carolina contrasts these two era's divergent ideas about both "Egyptians" and racial difference. While Scott was able to claim a legal victory by positioning herself between laws intended to separate white from Black, Johnson and Miller no longer could. By the 1840s the legal culture no longer allowed for the space "in between" white and Black. Soon after, though, as the expansion of United States citizenship with the end of slavery in 1865 reopened discussions about how to classify new immigrant arrivals, "Gypsies" became touchstones in national conversations about racial fitness and the rights of citizenship that would continue into the twentieth century. Specifically, the presence of "Gypsies" challenged the degree of expansiveness of the legal category of whiteness. Could they lay claim to whiteness, a category nineteenth-century Americans measured by performative cultural criteria as much as biology and genealogy? Some claimed they could not by using particularly anti-Gypsy rhetoric that was unusual before this point in North American history. The presence of "Egyptians" and "Gypsies" in discussions about race during these two distinct eras reveal divergent legal cultures reacting to contemporary social situations largely of the law's own creation. What began as a way to secure the labor force of an early modern outpost had become a legal culture concerned with fitness for citizenship. Despite these differences, Americans of both eras struggled to consistently and clearly maintain racial boundaries, as the presence of "Egyptians" in the legal discourse reveal.[2]

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2 For a consideration of race and "Gypsies" between these two eras, see Ann Ostendorf, "Contextualizing American Gypsies: Experiencing Criminality in the Colonial Chesapeake," *Maryland Historical Magazine* 113 (fall/winter 2018): 192–222. For some discussion of racial classification and the law of these two eras, see Rebecca Anne Goetz, "Rethinking the 'Unthinking Decision': Old Questions and New Problems in the History of Slavery and Race in the Colonial South," *Journal of Southern History* 75 (August 2009): 599–612; Jack D. Forbes, *Africans and Native Americans: The Language of Race and the Evolution of Red-Black Peoples*, 2nd ed. (Urbana, IL: University of Illinois Press, 1993); Christopher L. Tomlins and Bruce H. Mann, eds., *The Many Legalities of Early America* (Chapel Hill, NC: University of North Carolina Press, 2001); Thomas D. Morris, *Southern Slavery and the Law, 1619–1860* (Chapel Hill, NC: University of North Carolina Press, 1996); Bruce Dain, *A Hideous Monster of the Mind: American Race Theory in the Early Republic* (Cambridge, MA: Harvard University Press, 2003); Daniel J. Sharfstein, "Crossing the Color Line: Racial Migration and the One-drop Rule, 1600–1860," *Minnesota Law Review* 91 (2007): 592–656; Michael A. Elliot, "Telling the Difference: Nineteenth-Century Legal Narratives of Racial Taxonomy," *Law and Social Inquiry* 24 (summer 1999): 611–136; Ariela

The first colonial North American laws defining race and the legal culture at the time surrounding issues of identity differed drastically from the situation in the United States in the mid-nineteenth century. The first laws sorting people by race built the boundaries around racial categories and did so primarily in the context of sex, especially sex between white women and Black men. Virginia's General Assembly in 1662 created specific punishments for cases of interracial fornication, and in 1691 it removed the legal ability to marry across the color line it had constructed. The timing of these statutes shows that attempts to define and segregate by race developed along with the growth of slave labor. The racialized nature of American slavery, and the commitment to white supremacy and Black degradation that it required, led to concerns that sex between Blacks and whites could undermine the racial hierarchy, the foundation on which the labor system rested. Statutory laws to first create and then uphold a social order bolstered and then justified the dominance of the white male creators of those laws. It is no surprise that the words "Black" and "white" first appeared as nouns denoting people in the 1670s. In three Virginia counties near where Scott lived, this attention to the maintenance of racial boundaries resulted in a tripling of actions against white women who bore children with non-white men between 1680 and 1709. Though hostility to interracial sex between white women and Black men grew, these laws did not stop it.[3]

Yet in the seventeenth century, this process of building a Black–white divide remained incomplete, as Scott's religious exemption highlights. Our modern categories of identity tend to obscure the degree to which, according to Colin Kidd (2004, 262), "identity was first and foremost a theological issue." Primarily religious ways of thinking about difference faded, though did not disappear, with Enlightenment notions of biology. Rather, old and new theories coexisted, coalesced, and only later morphed to fit new social conditions. Thus, regulating sex was about defining and controlling the linked lineages of religion and race. That Christianity was at least partially understood as heritable allowed Scott, "noe Xtian woman," to maneuver within these novel colonial statutes to her own benefit. Scott lived in an era when Anglo-Virginians not only "reimagine[d] what it meant to be Christian but they also invented an entirely new

J. Gross, "Litigating Whiteness: Trials of Racial Determination in the Nineteenth-Century South," *Yale Law Journal* 108 (1998): 109–188; Ariela J. Gross, *What Blood Won't Tell: A History of Race on Trial in America* (Cambridge, MA: Harvard University Press, 2008); David R. Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class*, rev. ed. (London: Verso, 1999); David R. Roediger, "The Pursuit of Whiteness: Property, Terror, and Expansion, 1790–1860," in *Race and the Early Republic: Racial Consciousness and Nation-Building in the Early Republic*, eds. Michael A. Morrison and James Brewer Stewart (New York: Rowman and Littlefield, 2002), 5–26; and Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge, MA: Harvard University Press, 1998).

3 For the role of sex in constructing race, see Martha Hodes, ed., *Sex, Love, Race: Crossing Boundaries in North American History* (New York: New York University Press, 1999), 1; Peter W. Bardaglio, "'Shamefull Matches': The Regulation of Interracial Sex and Marriage in the South before 1900," in *Sex, Love, Race*, ed. Hodes, 112–13, 115; Catherine Clinton and Michele Gillespie, eds., *The Devil's Lane: Sex and Race in the Early South* (New York: Oxford University Press, 1997), xiv–xvi; Paul Finkelman, "Crimes of Love, Misdemeanors of Passion: The Regulation of Race and Sex in the Colonial South," in *The Devil's Lane*, eds. Clinton and Gillespie, 124–53; Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in America* (New York: Oxford University Press, 2009), 19–21; Roxann Wheeler, *The Complexion of Race: Categories of Difference in Eighteenth-Century British Culture* (Philadelphia, PA: University of Pennsylvania Press, 2000), 98; Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race and Power in Colonial Virginia* (Chapel Hill, NC: University of North Carolina Press, 1996), 199; Philip D. Morgan, *Slave Counterpoint: Black Culture in the Eighteenth-Century Chesapeake and Lowcountry* (Chapel Hill, NC: University of North Carolina Press, 1997), 8–16; and Morris, *Southern Slavery and the Law*, 22–4.

concept – what it meant to be 'white'" (Goetz 2012, 2). The colonial Virginia legal culture with which she engaged looked forward while glancing back.[4]

The situation was much changed by the 1840s, the decade of Johnson's and Miller's trials of racial determinacy. By then the legal culture was primarily concerned with ensuring that people were sorted "correctly" into the racial category in which they "belonged." Concerns about national stability heightened the stakes of "accurately" determining a person's race. Racial attributes determined whether or not one could responsibly exercise the rights of citizenship, according to theories of the day. Criteria used to judge racial membership included physical characteristics and genealogy, as well as performative acts. As a result, claims to an Egyptian ancestor could only partially aid defendants. One's appearance as judged by a jury and one's social activities were as important as the category of identity in which one's ancestors claimed membership (Gross 2008, 48).

The experiences of Scott, Johnson, Miller, and their families allow for a distinctive consideration of the idea of race. The use of "Egyptian" identity in the courts reveals Americans navigating a world in which new ideas about, and more limiting definitions of, race were failing to account for the full array of personal identities. Appearances of "Egyptian" in court records also expose the inchoate nature of North American racial categorization. Those with ambiguous heritages used that uncertainty to try to contest the increasingly reified legal structures. Individuals could at times even capitalize on the nebulous and strained logic of race-based laws to skirt the worst effects. An examination of "Egyptians" in southern North American courts and laws between the late seventeenth and mid-nineteenth centuries provides evidence of the dramatic changes that ideas about race underwent as scientific scrutiny overlay more fluid cultural considerations. New, unyielding categories of race made them more difficult to contest, to the detriment of those who fell outside whiteness.

1. Joan Scott, "An Egiptian and noe Xtian woman"

Only a handful of references ever mention Joan Scott by name, though from these we can construct a brief sketch of her life. She arrived in Henrico County, Virginia, in the fall of 1674, along with ten other people – five men and five women – whose passage one Nicholas Perkins had paid, and for which he gained 537 acres of land in Henrico County (Patent Book No. 6, 1666–79, 529–30). This record provides no other information about Scott; it does not mention her age, race, nativity, status, or terms of servitude. Presumably Perkins did not consider Scott of African descent or she would have been labeled as such, as "Scipio Negro," one of the men recorded alongside Scott in Perkin's land grant, had been. Though we do not know why Scott came to the colony, if she had been like many immigrants at the time, she likely arrived young, single, and indentured. It is also possible she had been shipped to Virginia against her will.

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4 For the role of religion in these processes, see Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, rev. ed. (New York: Verso, 1991), 11–12; Wheeler, *The Complexion of Race*, 28, 39; and Katherine Gerbner, *Christian Slavery: Conversion and Race in the Protestant Atlantic World* (Philadelphia, PA: University of Pennsylvania Press, 2018), 11, 74, 86–9.

Though not a common practice until the following century, both English and Scottish courts exiled "undesirables," including "gipsies," to the colonies.[5]

At some point in the two decades following her arrival, Scott moved across the James River to live at the property of Henry Lound.[6] During this residence, she appeared in 1695 in the Henrico County Court to answer to the charge of fornication, which had stemmed from her bearing an illegitimate child (Henrico County Virginia Record Book, No. 3, 73, 81, 88; and Henrico County Record Book, No. 5, 580). Scott's experience – as an unmarried mother, leading to her court appearance – is consistent with the lives of many other women from the region at this time (Norton 1996, 336; Horn 1994, 210). But the totality of Scott's situation did not fall neatly in line with the experiences of these other women. Scott appeared in court to claim an *exemption* from this fornication charge – an exemption that the court affirmed.

The final piece of information known about Scott comes from the statement of her acquittal. As recorded by the court: "Joane Scott[7] is discharged from the presentment of the Grand Jury it being the opinion of this Court that the Act against fornication does not touch her (She being an Egiptian and noe Xtian woman)" (Henrico County Record Book, No. 3, 88). Because the Virginia fornication law that explicitly stated its application to Christians (and which was presumably the one the court ruled on, in calling Scott "noe Xtian woman") concerned itself only with cases of *interracial* fornication, the wording of this acquittal strongly suggests that the father of Scott's children was considered to be a "Negro" under the law.

This 1662 law punished with a heavy fine "any Christian [who] shall commit fornication with a Negro man or woman" (Hening 1823, 114, 170). This law was part of the relatively recent but ongoing anti-miscegenation efforts in Virginia and other English colonies that codified the concept of "hereditary heathenism," which was predicated on the assumption that "English people were Christian; people of African descent were not" (Goetz 2012, 3, 79). Such efforts remained relatively unsuccessful at this time, as women whom the law eventually referred to as "white" continued to form sexual unions with

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5 For a fuller treatment of the court records and historical context related to Scott, see Ann Marguerite Ostendorf, "'An Egiptian and noe Xtian Woman': Gypsy Identity and Race Law in Early America," *Journal of Gypsy Studies* 1 (2017): 5–15. For more on indentured servant arrivals, see Anna Suranyi, "Indenture, Transportation, and Spiriting: Seventeenth Century English Penal Policy and 'Superfluous' Populations," in John Donoghue and Evelyn P. Jennings, eds., *Building the Atlantic Empires: Unfree Labor and Imperial States in the Political Economy of Capitalism, ca. 1500–1914* (Boston, MA: Brill, 2015), 133–4; and Christopher Tomlins, *Freedom Bound: Law, Labor, and Civic Identity in Colonizing English America, 1580-1865* (New York: Cambridge University Press, 2010), 593–5. For exile to the colonies, see Gwenda Morgan and Peter Rushton, *Eighteenth-Century Criminal Transportation: The Formation of the Criminal Atlantic* (New York: Palgrave Macmillan, 2004), 9–15; Gwenda Morgan and Peter Rushton, *Banishment in the Early Atlantic World: Convicts, Rebels and Slaves* (New York: Bloomsbury Academic, 2013), 28, 70; "America and West Indies: August 1664," in W. Noel Sainsbury, ed., *Calendar of State Papers Colonial, America and West Indies* (45 vols.; London: Her Majesty's Stationery Office, 1880), 5: 222–31, available at British History Online, http://www.british-history.ac.uk/cal-state-papers/colonial/america-west-indies/vol5/pp222-231, accessed 19 March 2019; David Dobson, *Directory of Scots Banished to the American Plantations* (Baltimore, MA: Genealogical Publishing Company, 1984), 6–7, 71, 76, 188; and J. A. Fairley, *Extracts from the Records of the Old Tolbooth of Edinburgh, 1657–1686* (n.p., 1923), 221.

6 To reconstruct the location of Perkins' and Lound's properties, see Bert Mayes and Selena Mayes Du Lac, *Henrico County Virginia Land Patent Abstracts with Some Plat Maps* (Lake Havasu, VA: n.p., 2004), 22, 49, 53, 57, 72.

7 "Joan," "Joane," and "Jone" were all used in the records as various spellings of her name.

men whom it referred to as "negro" or "mulatto." Community members appear to have viewed sex between these women and men more as a moral defect on the part of the Christian/white woman than as a threat to the social order. This changed gradually over time, and especially in situations when these partnerships resulted in children. It was usually only with children that women were taken to court for transgressing this law. This reveals the concern that such children provoked among those monitoring the developing social order. Free children with both European and African ancestry exposed the flaws in the biracial legal code and the race-based labor system the code intended to maintain. By labeling Scott not only as "noe Xtian," but also as "Egiptian," the court marked her with an identity not frequently used, though seemingly available for use, to explain how a woman in the English colonies neither of Native nor African descent could reasonably claim a lack of Christianity, and thus deny the applicability of the law to her circumstance.[8]

These court records, which allow us to construct this history, were created to preserve the state's authority, not the agency of Joan Scott. Yet, power operates on and through multiple vectors at individual, local, and imperial levels. Imperial power was exercised on bodies as part of larger colonial projects, though space in which to subvert this power remained (McDonnell 2009, 162). The categories of identity that were most meaningful to the executors of local institutional structures when determining Scott's fate in court included her position as a woman, an English colonist, a single mother, a non-Christian, an "Egyptian," and someone who was not a "Negro." Which of these identity markers she would have personally found most meaningful is impossible to access from the extant historical record. Extrapolations from archival fragments can help counteract the limitations inherent in sources that were constructed and retained to buttress the authority of self-empowered state actors. Nonetheless, historians remain limited in their ability to recover the internal landscapes of those whose historical imprints consist of the frayed edges absent an attached cloth (Fuentes 2016, 4–8).

Also lacking are Scott's impressions about these men who exercised authority over her. An equivalent list of her perceptions of their positions never made it into Henrico County records. The court's gendered, familial, religious, and heritage-defining words are surely rough estimates based on perception and contingent upon geographical and temporal factors. As historian Tara Zahra (2017, 705) notes, "using them can be like trying to capture water in a sandcastle, as both sand and water constantly change form through their interactions." Scholars nonetheless must attempt to historicize the ideas intended by these words, in order to uncover the experiences of people like Scott.

2. Scott Descendants in the New Racial Order

Assuming Virginia law recognized the father of Scott's children, and hence the children themselves, as non-white (once whiteness became an exclusive legal category reserved only for those with no African

8 For more on these circumstances, see Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: Norton, 2003), 327–37; Brown, *Good Wives*, 187–211; A. Leon Higgenbotham and Barbara K. Kopytoff, "Racial Purity and Interracial Sex in the Law of Colonial and Antebellum Virginia," *Georgetown Law Journal* 77 (1989): 1,967–8; and Martha Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South* (New Haven, CT: Yale University Press, 1997), 7, 24–5, 31.

or Indian ancestry in 1705), and given that the status of all children followed the condition of the mother (Brown 1996, 215–16), to understand the lives of Scott's descendants, we must understand the structures bounding the lives of Virginia's eighteenth-century free Black community. According to historian Edmund Morgan (2003, 337), Virginia's nascent free Black community was "consolidated in a single pariah group, regardless of ancestry, language, religion, or native genius." Anti-miscegenation laws and laws preventing further slave emancipation contained the growth of this community. Their exclusion from the right to vote, hold office, or testify in court, as well as their having to pay extra taxes, limited their rights and opportunities. Despite such strictures, free Black families in Henrico County continued to live autonomous lives. By 1790, 581 free people of color resided there, making up nearly 10 per cent of the total free population of the county. Many of these people had descended from Scott (Heinegg 2005, 7, 1,030–40).

As Scott is known to have given birth to at least one child, identifying this child can help us learn more about not just Scott, but also the legal racial categories at work that shaped her and her children's lives. Genealogical work connects Scott to two land-owning Henrico County sisters, Ann and Jane Scott, almost certainly her daughters. Ann and Jane had inherited land adjacent to each other by 1735, according to a record detailing a gift of fifty acres by Ann to her son Benjamin. Ann had previously given another fifty acres of adjacent land to her son John. These Scott properties were situated directly between Nicholas Perkins' and Henry Lound's original land grants, the two men attached to Joan Scott in the records (Henrico County Miscellaneous, 963; Henrico County Deed Book, 331–4; Foley 1974, 47, 174). Though no records ever definitively mark Ann or Jane with a race, they do so for their children – defined as "mulattos." Over the course of the eighteenth century, at least eleven different Scotts marked as "mulatto" in the records owned land in Henrico County (Heinegg 2005, 1,030–40).

Like her mother before her, Jane Scott used the court to her favor, such as when she successfully sued for damages to her horse after a group of boys chased it away. She also suffered by the court's justice, seen through her one-month jail term and hefty fine for trading with slaves from a nearby plantation. At other times, Scott tried to avoid court orders, as when she failed to list herself as tithable, a legal requirement of all men and African-descended women (Henrico County Court Minute Book, 7, 27, 102). As the law put it, "negro women," though free, were "not to be admitted to a full fruition of the exemptions and immunities of the English" (Hening 1823, 267). Five other Scott women named along with Jane had also failed to list themselves on the tax register in 1752. Jane alone was acquitted, but only "after being heard" (Henrico County Court Minute Book, 19).

What she told the court that led them to this decision is not known. Perhaps her age or an illness or disability proved to the court her unproductivity, all reasons the court granted tax exemptions, since the original law declaring African-descended women as "tithables" did so on the grounds that they performed taxable labor. But she may also have pointed to her heritage. Depending on how the court perceived her race, they may have found a claim to "Egyptian" heritage compelling enough to decide that she was not a "negro woman," and thus not taxable. By the 1750s, colonial Virginia laws regulating race had expanded. Slave unrest had prompted the Virginia General Assembly in 1723 to further limit the social, sexual, economic, and legal rights of free Black people (Brown 1996, 108, 116–26, 217–22). Scott thus faced greater pressures than her mother had to retain control over her and her family members' lives.

It would have been logical for her to use her identity to the extent that those enforcing such strictures would allow. The list of tithable Scott women stands in sharp contrast to the rest of those named, all of whom were men accused of not registering their "mulatto" wives. That these Scott women appeared alone suggests they occupied an all-female household (Henrico County Court Minute Book, 19).

Joan Scott's descendants continued to appear in local Virginia courts, as Joan had previously. Unlike in Scott's experience, however, these eighteenth-century courts more confidently asserted the degree of rights and responsibilities applicable to those now categorized as free Blacks under the law. Yet, evidence from nineteenth-century United States courts also suggests that such confident assertions continued to meet with challenges – challenges at times made by "Egyptians."

3. "Egyptians" in Nineteenth-Century Courts

To fully understand the role of "Egyptians" in early nineteenth-century United States race law, we first need to understand how this terminology had been applied in England and its colonies. A consideration of this term also reveals the extent of the racialized American state and the space for negotiation within it. This era, which witnessed a legal culture increasingly bifurcated by race, also saw changes in the discourse about "Egyptians." In seventeenth- and eighteenth-century English legal writing, the word "Egyptian" remained the term of choice to denote the people often referred to in common speech as "Gypsies." Historian David Cressy (2016, 48) notes that though the words had been used interchangeably, "the label 'Egyptian' became embedded in English law, while popular parlance preferred to speak of 'Gypsies.'" The first use of the word "Gypsy" in an English law did not appear until 1713, though that law used the traditional term "Egyptian" as well; all prior statutes from as far back as the sixteenth century had only referred to "Egyptians" (Fraser 1992, 136; Eccles 2012, 11).[9]

The 1736 Virginia version of this 1713 act never used the word "Gypsy," but only referred to "Egyptians," who if found "wandering, or pretending to tell fortunes," could be whipped and banished from the colony (Webb 1736, 349). Not until 1792 did Virginia repeal this and several other anti-"Egyptian" laws. The wording of the repeal explicitly separated "Egyptians or Gypsies" from free people of color by noting that although "Egyptians or Gypsies" were no longer forbidden in the state, "the migration of free negroes and mulattoes" remained illegal (Tucker 1803, 33, 165–6). In the same year, *A Collection of the Statutes of the Parliament of England in Force in the State of North Carolina* included an early sixteenth-century "Act concerning outlandish People calling themselves Egyptians." Why the state of North Carolina included this act, and its later revision from 1554, in its code of law instead of more contemporary English legislation remains unclear (Martin 1792, 193–4, 280–2, 315–16).

This legal discourse shows racialized states being constituted under consideration of both African-descended and "Egyptian" or "Gypsy" people. Such evidence also shows that when English speakers wrote of "Egyptians" in their colonial North American law codes, they were referring to people more

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9 For one contemporary definition, see Samuel Johnson, *Dictionary of the English Language*, 2 vols. (London, 1755), s.v. "Gipsy."

popularly called "Gypsies." Yet even in the nineteenth century, "Egyptians" continued to appear in U.S. state courts. Legal debates reveal the continued relevance of this categorical marker.

As U.S. states established racially defining laws, those claiming Egyptian heritage retained the potential for securing the benefits of whiteness. In one case from South Carolina nearly 150 years after Scott's hearing, the court attempted to try William Johnson as a "free person of color," though he claimed "the status of a free white man." During the course of this 1842 trial, Johnson provided a detailed account of his lineage back four generations. According to the testimony, Johnson's great grandmother "Elizabeth Tan was a colored woman, with thick skin and long hair; and from what came out in another case, she was originally from North Carolina, and claimed to be an Egyptian." The proceedings were discontinued just as the jury was about to announce its verdict, "which from some cause the counsel suspected was unfavorable to his client" (*Johnson v. Basquere*, 329–330). Dropping the case mid-trial prevented the legal confirmation of his place outside the privileges the law guaranteed to whiteness. As a result, the court never decided on the racial status of Johnson, the great grandson of Elizabeth Tan, "an Egyptian."

In a second case from the same year, Thomas Miller, cousin to William Johnson and also a descendant of Elizabeth Tan, protested being subjected to a tax "imposed on free persons of color, of African origin and taint." To make this case, his council used as precedent a decision from 1836 in which one Isaac Winningham had claimed that he, his wife Rachel, and their descendants "were not subject to be taxed as free persons of African origin, but that they were exempt from such a tax, as the descendants of Egyptians." Miller's lawyer proved him to be one of these Winningham descendants, which should have protected him from taxes assigned to free persons of color on the grounds of his "Egyptian" heritage. Yet when Miller was called into court, "and his appearance was that of a mulatto," his lawyer discontinued the proceedings, "rather than to trust his client's color before the jury" (*Johnson v. Basquere*, 330–1). Once again, the ability to legally prove whiteness based on an "Egyptian" heritage in the antebellum South Carolina courts remained unfulfilled.

Miller argued that he had been "received in society and was regarded as a free white man" because he had volunteered for the militia and voted, acts reserved for white men (*Johnson v. Basquere*, 329–30). In addition, Miller, like Johnson and Winningham before him, presumed that an Egyptian ancestor would prove no hurdle to claiming the full spectrum of rights guaranteed to white South Carolinians. Yet neither his performance of whiteness nor his claimed genealogy provided enough confidence to a jury that was also judging his appearance. Such unyielding racial categories, now "proved" by one's appearance as judged by the white jury, stands in sharp contrast to Scott's religious exemption 150 years earlier. By the time Miller and Johnson appeared in court, race had shifted from being a category of "documented ancestry" to an "essential identity." The increasing number of free Blacks moving around the nation in the 1830s, a decade ushered in by Nat Turner's Rebellion and of heightened abolitionist sentiment, increased white southerners' anxiety about race. "Common sense" physical evidence worn on the body became a more powerful "proof" in such circumstances than one's community relations and genealogical descent (Gross 2008, 27).[10]

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10 For more on these cases, see Sharfstein, "Crossing the Color Line," 636–40; Christopher J. Bryant, "Without Representation, No Taxation: Free Blacks, Taxes and Tax Exemptions Between the Revolutionary and Civil Wars," *Michigan Journal of Race and Law* 21 (2015): 111fn123; and *Johnson v. Boone* in *Reports of Cases at Law Argued and Determined in the Court of Appeals and the Court of Errors of South Carolina*, Vol. 1., edited by R. H. Speers (Columbia, SC: n.p.), 268–71.

What Elizabeth Tan meant when she "claimed to be an Egyptian" is impossible to know. It is also unclear whether or not the courts considered the "Egyptian" heritage that Johnson, Miller, and Winningham claimed as an exemption, based on a known "Gypsy" ancestor or an ancestor from Egypt. It is of course also possible that they claimed a fabricated identity and tried to take advantage of a system that increasingly regulated rights based on race, but which found it difficult to place all people into the neat categories now required by law. Yet, the logic expressed in the court cases, that they "were not subject to be taxed as free persons of African origin, but that they were exempt from such a tax, as the descendants of Egyptians" (*Johnson v. Basquere*, 330), seems geographically problematic, considering all parties surely recognized Egypt as part of the African continent, even if Egyptian racial distinctiveness in contrast to sub-Saharan Africans had been a given at the time (Ripley and Dana 1859, 34). Others, whose physical characteristics left them vulnerable to a non-white legal status, protested for and protected their whiteness in court by claims of Portuguese, Turkish, Mexican, and Indian ancestry, oftentimes to great effect (Sharfstein 2007, 625). So why choose Egyptian?

One answer is that a family narrative of Egyptian (Gypsy) heritage had become, over the generations, Egyptian (from Egypt) heritage, as the word "Gypsy" itself had slowly begun to replace "Egyptian" during the seventeenth and eighteenth centuries. In the early nineteenth century, American ideas about Egypt may have amplified this shift in meaning. During the 1820s and 1830s especially, interest in ancient Egypt exploded in the U.S. among whites and Blacks alike. This Egyptian vogue found special resonance with African Americans who were arguing for Black rights and against slavery. The magnificence of ancient Egypt as the world's first civilization could counter claims of degenerative Africanness, an appealing message that could be applied to personal heritage as needed (Dain 2003, 76–77, 117–119, 124–8, 135–6, 200–1). This development enhanced the visibility and desirability of "Egyptianness," creating motives and options for refashioning an identity along these more desirable lines. In doing so, it might be possible for self-ascribed identities to overwrite extant state-imposed ones.

It is also possible that all parties involved in these suits unambiguously understood this "Egyptian" claim to be decisively a claim of "Gypsy" heritage. This was true in a Louisiana land claim case from the 1850s in which a woman who was referred to as "an Egyptian" (Testimony of Bret Lacour, 1851) had previously been called "Bohemian" by various French colonial administrators (Letters from Layssard, 1772, 1775), and had a sister who had been called "Gitana" by Spanish ones (Criminal Prosecution of Cesario, 1777). If the same holds true regarding the Tan cases, then they were squarely about how antebellum South Carolinians understood "Gypsies" within their legal categories of race. Such a claim to "Egyptian" heritage being made in southern state courts could have stemmed from a family understanding of "Gypsy" ancestry that had been used for many generations to explain to curious outsiders, or even to themselves, particular physical characteristics – characteristics that increasingly became questionable with the entrenchment of legal categories that required that race be perceivable via a physical body. As most early U.S. trials to determine a person's legal racial category required detailed accounts of ancestry as well as the court's perception of the defendant's race based on physical characteristics and reputation, most successful claims to whiteness required a strategy dealing with all these lines of racial reasoning (Forbes 1993, 196–8, 251–7; Zackodnik 2001, 422–5). Being "Egyptian" could have satisfied each.

The laws these "Egyptians" challenged had been created to define people as belonging to groups, but such categories of classification became naturalized and repurposed by the very people the categorization had

mean to control. Many nineteenth-century Americans straddled such clearly demarcated divisions and thus exposed the arbitrary logic of these categories, thus threatening the reasoning exercised by the laws' defenders. Yet, as Ann Laura Stoler reminds us, racism gains force from its "internal malleability," not "the fixity of its essentialisms" (2002, 144). Thus, using one's identity in an instrumental manner proved logical to those bound in systems intent on solidifying permanent control over them. As historians, we need to "respect the flexibility and historicity of racial categories" if we are to understand Johnson's and Miller's experiences with race as a historical category "normalized through biological discourses" (Perry 2001, 5). "Whites" were not always easily identifiable nor a discreet entity, as the experiences of these "Egyptians" reveal. States reacted to the racialized strategies of these "Egyptians" with responses of their own.

4. "Egyptian" Legal Legacies

Litigants claimed whiteness using "Egyptian" heritage with enough frequency in the antebellum South Carolina courts that in 1858 the South Carolina House of Representatives passed a resolution asking its Committee on the Colored Population "to inquire into the propriety of imposing the same capitation tax on all Egyptians and Indians as is now enforced on all Free Persons of Color, Mulattoes and Mestizos." Unfortunately for historians, they, like the courts of the prior decades, never made a final judgment on how these "Egyptians" fit into their perception of race; nor did they record any discussion that might clarify how they perceived the identity of these "Egyptians." This committee asked to be discharged from considering this request on the grounds that "references to taxation" were "not properly belonging to this committee" (Report Regarding Capitation Tax, 1858). No other committee appears to have taken up the consideration of this resolution and no other state seems to have discussed a similar expansion to their racial taxation laws or discussed "Egyptians" as a legal category of identity in this era.

From immediately after the U.S. Civil War in 1866, however, the interestingly phrased "people called Gypsies" appear in discussions about defining American legal privileges by race. In the Congressional debates leading to the Fourteenth Amendment to the U.S. Constitution, "Gypsies" are explicitly discussed alongside the Chinese and anyone of African descent. "It is understood they are distinct people," argued Senator Edgar Cowan from Pennsylvania, "they never intermingle with any other." Those congressmen debating the rights of federal citizenship who hoped to stoke anxieties among their colleagues for whom the potential of free Black citizenship raised few concerns, added "Gypsies," Indians, and Chinese to the Reconstruction citizenship discussion. But they did so also out of the concern that unwanted people beyond just free Blacks might grow to menacing proportions. Cowan argued against the birthright citizenship being debated, on account of the "Gypsies" who "infest society" and "wander in gangs in my state." He refused to give up the right of:

> expelling a certain number of people who invade her borders; who owe to her no allegiance; who pretend to owe none; who recognize no authority in her government; who have a distinct independent government of their own – an *imperium in imperio*; who pay no taxes; who never perform military service; who do nothing in fact, which becomes the citizen, and perform none of the duties which devolve upon him, but, on the other hand, have no homes, pretend to own no land, live nowhere, settle as trespassers wherever they go, and whose sole merit is a universal swindle; who delight in it, who boast of it, and whose adroitness and

cunning is of such a transcendent character that no skill can serve to correct it or punish it; I mean the Gypsies (*Congressional Globe* 1866, 2,891).

In discussions among congressmen of the racial boundaries of postwar American membership, "Gypsies" proved a useful point of comparison for those attempting to highlight other people who they regarded as being unfit for citizenship. To these men, "Gypsy's" fitness for citizenship clearly fell short due to their race; they spoke of them not as white or Black, but as a distinct race defined by genealogically and biologically fixed performative criteria.

In the context of 1866, when several hundred thousand slaves had just been guaranteed their freedom, Cowan's concern can be read metaphorically as being about the threat of free Blacks. But the presence of people in the United States identified as "Gypsies" no doubt contributed to his belief that such scare tactics might prove effective. Beginning in 1851, newspapers across the country began regularly reporting on the presence of "Gypsies." The flurry of reprints that followed anytime an editor ran a story ensured national exposure to the image of the "Gypsy" that was far beyond their numerical presence. Beyond recounting their movements around the countryside, these stories most frequently commented on people's physical and character traits to provide evidence that these people belonged to a "Gypsy race." An 1851 account of families camped in New Jersey, published in an Ohio newspaper, calls them "the first of this singular race of people that ever visited Chester County – if not the United States" (*Gallipolis Journal*, 18 December 1851). These same journalistic tendencies are illustrated the following year: "The Rochester papers announce the arrival in that vicinity of a tribe of real gipsies. They are distinguished by that wild freedom which has characterized the race and their tents and primitive style of living are studies for the curious" (*Portage Sentinel* [Ravenna, Ohio], 28 June 1852, and *Jefferson Republican* [Stroudsburg, Pennsylvania], 8 July 1852). Reprints out of Washington, DC, and New Lisbon, Ohio, described them as being from the north of England, "and though a majority are light haired, and otherwise obviously of Anglo-Saxon material, there is evidence enough in the remainder, and in the manners of all, that they have a right to the title accorded them" (*Weekly National Intelligencer*, 11 December 1852, and *Anti-Slavery Bugle*, 1 January 1853). Other more "scientific" newspaper accounts, such as that published in the Vermont *Caledonian*, cited Robert Knox's *Races of Men*, and categorized "Gypsies" as "the early oriental negro" and "plainly belong[ing] to the dark races." It continued in a particularly disparaging tone: "probably no race is really so low in the scale of degradation" as this "vagrant race" (21 February 1852). Another Vermont editor summed up his thoughts by writing: "Their race is a peculiar one … Pariah in habits and principles – repulsive in color and appearances" (*Middlebury Register*, 3 September 1851). Such descriptions show how these writers used both behavioral and physiological criteria on which to judge "the Gypsy race" (Knox 1850, 103). These antebellum cultural currents help explain the "Gypsy" presence in U.S. debates about citizenship and race in the immediate postwar years.[11]

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11 An earlier newspaper article implied, unlike the positions from the 1850s, that immigrant "Gypsies" who arrived with problematic racial characteristics could be improved in the United States. The writer describes them as "an idle vagabond race, without settled homes, living by theft, beggary, and fortune telling, and the mending of pots and kettles." However, once in America, they "appear to have thrown off their hereditary characteristics … are industrious, orderly in their habits, and retain nothing of their ancestry except the name" *Native American* (Washington, DC), 10 March 1838.

In President Johnson's veto message of the Civil Rights Act of 1866, just months prior to these Congressional debates, he spelled out his understanding of who the Act would grant citizenship to and why he would not sign it into law: "This provision comprehends the Chinese of the Pacific States, Indians subject to taxation, the people called Gypsies, as well as the entire race designated as Blacks, people of color, negroes, mulattoes, and persons of African blood. Every individual of these races, born in the United States, is by the bill made a citizen of the United States" (United States Senate 1866). In the minds of these politicians attempting to legislate rights by race, "Gypsies" stood as an autonomous category under distinctive deliberation. These new ideas of race under consideration during postwar Reconstruction in the United States reveal the extent to which the nation constructed race, and race (re)constructed the nation. The newly empowered and ascendant federal government employed ethnographic "science" to national considerations of citizenship, parsing categories and sorting people into further constituent parts. Their decisions affected the lives of Americans and new immigrants for generations to come. By the turn of the twentieth century, "Gypsy" had become a distinct legal category in the United States, though grouped among the "races" of the world (Dillingham 1911, 5, 71–3).[12]

Conclusion

From the late nineteenth through early twentieth centuries, the United States federal government confidently deployed these hardened "scientific" racial categories in ways that shaped national development as well individual American experiences. Work remains to be done on how twentieth-century ideas of race shaped Romani lives in the United States. However, when contrasting this era to those prior to it, we should remember how the experiences of earlier American "Egyptians" and "Gypsies" differed in distinctive ways, dependent upon the context of the time in which they lived. The racialization of these categories, and thus people's experiences of race, was neither universal nor consistent. Rather, the distinctive North American circumstances, which informed the shifting criteria of race as they evolved over the centuries, provided the context within which American "Gypsies" and "Egyptians" navigated their own positions.

Situating Joan Scott, William Johnson, Thomas Miller, and their families into the history of the developing North American legal categories of race refines our understanding of the changing racial ideologies over the course of American history. Claiming an identity outside of the Black/white divide, which was built to buttress the slave labor system, provided possibilities, albeit increasingly limited ones, for those desirous of exerting an identity that was incompatible to this dichotomy. The stories of these previously silenced Americans expose in a unique way the processes of racial codification, experiences of being "raced," and the approaches used to navigate such positioning.

Scott's savvy courtroom strategy of claiming an "Egiptian" identity and non-Christian religion led to her exemption from the fornication law that bound white Christian Virginia women. Though racialized

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12 For more on the twentieth-century legacies of these decisions, see Jacobson, *Whiteness of a Different Color*; Ian Haney López, *White by Law: The Legal Construction of Race* (New York: New York University Press, 2006); and Pascoe, *What Comes Naturally*.

categories constrained the lives of her descendants, some of them continued to own land and retain a modicum of freedom. An "Egyptian" identity also provided people living in the nineteenth century a potential means of negotiating strict definitions of race. Though colonial and U.S. laws moved to clarify racial difference, this process was never complete, due in part to the employment of the law by those demanding justice, a demand that only whiteness could fulfill. The fate of "Egyptians" in American legal discourse reveals the effect of the law on the lives of individual Americans. It also shows how these same Americans used the courts to build the law itself. Although an official deployment of the categories of "Egyptian" and "Gypsy" served to reinforce control over people, people could use these same categories of identity to secure their own standing within the increasingly racialized state.

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Jacqueline Bhabha, Andrzej Mirga, and Margareta Matache, eds. 2017. *Realizing Roma Rights*. Philadelphia, PA: University of Pennsylvania Press

Book review by

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Critical
Romani Studies

This book represents the last significant in-depth work, both theoretical and ethnographical, to reflect on Roma rights from a polyhedric perspective. It consists of a far-reaching, intense, and complete investigation on Roma issues, presenting contemporary case studies from several geographical areas (especially the United States and Europe).

Based on a critical perspective, the volume offers accurate and qualitative detailed case studies of Roma policy, aiming to increase familiarity with challenges to Roma rights and thus encouraging activists and experts who have undertaken successful strategies against social exclusion to contribute to the advancement of Roma issues. To do so, the book has been structured by its editors into five parts (1. The Long Shadow of Anti-Roma Discrimination; 2. The Longue Durée: The History of Roma as an Element in US Foreign Policy; 3. Taking Stock of European Public Policy: The Impact of Roma Inclusion Strategies; 4. The Enduring Challenge of Tackling Anti-Roma Institutional Discrimination and Popular Racism in Contemporary Europe: A Comparative Analysis; and 5. Looking Forward: The Imperative of Roma Community Mobilization and Leadership). In order to explore the dynamics of social rejection and stigma, the book collects contributions from various authors, addressing specific issues: the educational exclusion of Romani children in Italy; the reproductive rights of Romani women; practices and policies in Europe and in the USA, with an interesting focus on the challenges implemented and attempted in the last quarter of a century; institutional discrimination; mobilization; and participatory practices.

Jacqueline Bhabha's introduction, recognizing anti-Roma sentiments which still exist today, underlines the goal of several chapters, which aim to "illustrate the process whereby Roma communities are denied real access to mainstream institutions and instead forced to carve out precarious living arrangements for themselves" (11). The persistent negative representation and stereotype of Roma as nomads, unable to integrate with other people (the *gage*, i.e. non-Romani world), and existing as a hegemonic group, feeds a discrimination that exists on multiple levels and which destroys any potential to create a real multicultural and intercultural society. In this perspective, Elena Rozzi's chapter on the persistent educational exclusion of Romani children in Italy offers a significant analysis about the so-called "nomad" children in and outside Italian schools. Rozzi argues that low school participation among the Roma in Italy is "the result of institutional policies that segregate and marginalize this minority in society at large and in schools" (20–1). The system of labelling "nomad camps" is, as is well-known, an expensive and exclusive strategy of control that is determined to create obstacles for Romani children to keep them from obtaining their right to education. The chapter highlights that the Romani population's supposed lack of inclination towards integration and school community is a pervasive and long-term form of discrimination by the majority society; in other words, Romani students lower their performance at school as a consequence of internalizing and adapting the stereotype. Rozzi looks to the studies on school performance of minorities completed by anthropologist John Ogbu, according to whom divergence in achievement cannot be attributed entirely to cultural and linguistic differences. Using Ogbu's studies as a starting point, Rozzi outlines how in Italy the peculiar policy of "nomad camps" should be stopped immediately and, in order to pass from analysis to action, a concrete inclusive policy should prioritize support to Romani youth in their search for employment after they have finished secondary school or vocational training.

In my opinion, chapter 1 (which is linked to chapter 11) is particularly enlightening, with its discussion of the idea that civic society has to support the concept of Roma as "responsible and active subjects" (38). In fact, the dynamic related to a concrete process of Romani empowerment is extremely interesting, and has also been explored by those in the social sciences, especially psychology, anthropology, and sociology. Specifically, Peter Vermeersch's chapter reflects on Roma activism and political mobilization in Europe, noting that these communities do not actually have the necessary organizational capacity, financial means, and symbolic resources to bring about a significant change. New social mobility strategies and new forms of youth activism must be brought about by young Roma in order to achieve a process of desegregation and real inclusion. Although a growing number of Roma are involved in various forms of political and social activism, having also increasingly been part of a transnational advocacy network on Roma inclusion, the archetype persists that Roma are politically more passive than other groups of citizens.

Vermeersch underlines that "new research is needed on the ways activists can successfully address problems in the field of Roma participation and mobilization," acquiring a significant presence in policy-making debates and influencing policy outcomes (201). After mapping the development of institutional change and emerging political opportunities in Europe since the early 1990s, giving Romani people official recognition as an ethnic group or a national minority for the first time, Vermeersch's chapter engages its readership with a fundamental question: why, despite these measures, does ethnic electoral representation of Roma remain low, both in ethnic parties and in mainstream political parties? Vermeersch shows how, while the number of Romani activists is high, the effect of Romani political activism actually remains limited. First of all, Romani communities across Europe have an unavoidable high dependence on international donors; very often other political actors (political parties, for instance) do not hold Romani participation and mobilization as a high priority, even if they are seemingly more positive about Roma. As comparative political research demonstrates, resources are a key factor; the fundamental issue is that "without the necessary organizational capacity, financial means, and symbolic resources … Romani mobilization and participation are likely to remain unsuccessful" (207–8). Secondly, the persistent representation of Roma in the media as passive objects of policy is not an improvement. What arises from this interesting chapter is the "promising avenue" of youth engagement in activism; in fact, through inclusive education and inclusive youth activism, Roma can more easily access a variety of identities as a result of a new form of social mobilization: not only "Roma" but also "youth," becoming part of all kinds of networks and promoting new images of Romani identity.

Finally, *Realizing Roma Rights* represents an outstanding scientific work, and an important milestone, with a strong cohesion among the contributions to the volume, encouraging reflection on historical and contemporary Romani marginalization.

A Beautiful, Sad Tale about Nonexistent Socialism in Hungary: The Story of Gyuri Cséplő

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Critical Romani Studies

Abstract

In the 1970s, director Pál Schiffer and his colleagues filmed the life story of *Cséplő Gyuri* (1978), a documentary feature about the prospect of a Gypsy protagonist breaking free from a slum in socialist Hungary. The original footage from the production is held in the Vera and Donald Blinken Open Society Archives in Budapest. The footage brings to light how the Gypsy/Romani protagonist of the film was cast, how he was brought from a Gypsy settlement in Németfalu to Budapest, how the film was screened, how audiences reacted, and what the filmmakers debated with local communities. The tragic early death of Gyuri Cséplő raised the question among the filmmakers how it would be possible to break free from poverty and from Gypsy settlements. In a social critique, the filmmakers presented a parallel world outside that of modern socialist Hungary. The theory of multiple modernities – and studies written as a result – suggest that modernization is not a singular phenomenon; that it affected various social and ethnic groups and actors in divergent ways. This microhistory investigates what differences can be revealed between the perspectives of minority and majority communities in socialist Hungary.

Keywords

Introduction

In 1978, screenings and debates were organized across socialist Hungary for the feature documentary *Cséplő Gyuri* directed by Pál Schiffer. The groundbreaking film focused on a young Gypsy/Romani protagonist and his journey from a sleepy rural settlement to the busy urban capital (Szekfű 1980, 2008).[1] During a debate in the village of Zalakomár, participants remarked that at first they were ashamed by a film showing the same poverty they knew and lived. One woman commented:

> […] I liked the film because it was very realistic and it illustrated reality, and I completely agree with Géza (another person commenting in Zalakomár) when he said that he was ashamed of the film – poverty is not a shame, it's only unpleasant.[2]

Once screened, *Cséplő Gyuri* raised important questions about the existence of poverty, the possibility of social mobility, equal opportunities, and the realization of justice, which even today are difficult to answer unambiguously. According to one system of views on modernity, social and economic development resulted in the birth and/or creation of modernity and social welfare. Looking back, it may appear that today's Eastern and Central European societies were born from transformations in the twentieth century (Giddens 1990; Wolff 1997), and the period of (soviet or state) socialism was essentially one chapter in this linear development. From the power discourses[3] of the period it follows that socialism in Hungary improved the quality of life, increased social justice, and established relative welfare for all. The socialist transformation also can be interpreted as modernization via the above experiment. However, in the spirit of theories about "multiple modernities," it remains to be seen whether a uniform assessment of social processes is possible (David-Fox 2006). Accordingly, modernization does not necessarily have to be viewed as a homogeneous phenomenon. It also can be a multifaceted process that takes place in a different way, at a different pace, in different regions of Europe and the other continents, and even within certain countries, societies, and smaller communities (in the spaces of localities) (Eisenstadt 2003).

Some research has been published analyzing the place of Gypsies/Roma in European discourses on modernity and on modern state policies. Modern states regarded Gypsies as "internal outsiders," and official discourses on Gypsies emphasized the differences between modern (majority) society and Gypsy

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1 OSA 356-1-4 1. c; OSA 356-1-4 3. c.

2 OSA 356. f. 1-4 1. c. "Cséplő Gyuri debate," Zalakomár (1978).

3 By power discourses I mean those strategic, linguistic, and conceptual efforts of the contemporary power/ruling system which, in the interest of its own legitimacy, were used to create the public sphere of the time and which tried to exclude or eradicate those social actors, phenomena, and experiences that weakened this legitimacy. State institutions not only created unique dependence systems in the societies of the socialist era, but their functioning and the discourses they created made it nearly impossible for those living in poverty to express and present their individual and collective experiences to the public. For more information, see: Lindenberger 2003.

communities, showing them as traditional or archaic. Gypsies/Roma[4] could not represent their inner viewpoints in public discourse due to their peripherical social status.

It is also important to underline how the ideal of social justice could be realized during the decades of socialism, and whether social processes and modernization can be judged uniformly or there may be multiple points of view. Did a regime labelling itself as socialist really offer everyone the opportunity to break out of poverty and misery? Can the transformations of the period be described uniformly as modernization? What differences can be revealed between the perspective of the minority and majority communities?

1. Documentaries on the Gypsy Issue

In the film *Cséplő Gyuri* the director aimed to paint a general picture of poverty by presenting the social position of Gypsies and the story of one single Gypsy man. Trends in cinema and arts in East and Central Europe have tended to portray Gypsies as representatives of presocialist (premodern) society and as failures of modernization, whose situation shows the contrast between the "old" and the "new world" (DeCuir 2011). Encoded Gypsy difference has its roots in prewar societies where portrayals of Gypsies – by members of majority societies – were connected also to a lack of progress, and mainly static images were associated with them (Kovács 2009). Several artists were inspired by the situation of the Gypsy population in the socialist era in Hungary. Besides the scenes documenting the "Gypsies' upward mobility" in the socialist (modern) world, Sára Sándor's 1962 short film *Cigányok* (Gypsies) presented images mainly about poverty, portraying them as "internal outsiders" in socialist Hungary. The snapshots fundamentally demonstrate the differences between the old and new worlds. Pál Schiffer spoke about the film later:

> At that time somehow it was the film by Sándor Sára which was a decisive and basic experience, both as a film and a method of filmmaking in the film industry for ten years, and from a cinematic point of view we considered it a little taboo to deal with the Gypsy issue saying that a better film than that cannot be done.[5]

On balance, Pál Schiffer's documentaries had their greatest impact in the 1970s and 1980s. Several of Schiffer's films resonated a great deal at the time and dealt with the "Gypsy issue," and more specifically the social question of poverty, which was considered to be the "Gypsy issue"[6] in Hungary. *Fekete vonat*

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4 In the historical parts of my analysis I adopt the word "Gypsy," which was commonly used in that era, instead of the word "Roma." While the former term primarily is used today to express minority identity, in the 1960s and 1970s, the latter preferred to indicate a social situation that was not independent of being a minority. This social situation and poverty determined the collective experiences of Gypsy communities in many cases.

5 OSA 356. f. 1-4 1. c. "Cséplő Gyuri debate," Csillebérc (31March 1978).

6 In this text, "Gypsy issue" relates to Gypsy policy of the socialist system, its effects, and how these were presented in public discourse.

(Black train – 1970) depicted the world of work (the atmosphere of a workers' commuter train), *Mit csinálnak a cigány gyerekek?* (What are Gypsy children doing? – 1972) presented the world of schools, whereas *Faluszéli házak* (Houses at the edge of the village – 1973) was about the difficulty of breaking free from a Gypsy slum.

Cséplő Gyuri (1978) can be categorized as a situational documentary, i.e., the director described the real life of an ordinary person in the scenes (among the sets of existing socialism). This genre, combining both fictional and documentary elements, already was in existence in contemporary Hungarian filmmaking. *Fotográfia* (Photography) directed by Pál Zolnay was made at the Hunnia Film Studio in 1972, and István Dárday's *Jutalomutazás* (The prize trip) was shot at the Budapest Film Studio in 1974 (Pócsik 2013).

"The film is written by life," said Schiffer about the genre later, and as for the film, he said that he had meant to form "a type of hero that has not been seen before": we were looking for "a hero who bears the film in his life"[7] (Pócsik 2013). This genre blazed a trail that allowed filmmakers to create a new filmic Gypsy archetype whose personal example could change prejudices against Gypsies in Hungary.

2. Gyuri Cséplő: Protagonist

During preproduction, Schiffer sought to cast a "Gypsy boy" whose personal story made it possible to present the itinerant lifestyle of Hungary's poorest workers traveling from their villages to towns for work. The director chose a 21-year-old living in a Gypsy settlement as his protagonist. In his notes he writes how, after three months of persistent research, he and the sociologist István Kemény found Gyuri Cséplő, the leader of a community living in a segregated settlement near Németfalu, a small village in Zala County. For the film they help him secure a job in the capital, Budapest, find him accommodation at a workers' hostel, facilitate the protagonist's opportunities to learn, and enable everything that allows this ambitious young man to rise from poverty.

Together with two young men from the village, Gyuri starts his journey from home. We watch the young men attempt to overcome various challenges at locations that are strange to them: railways stations, underground stations and hotels. They are looking for work, and they first apply to one of Budapest's largest employers, the Cordatic Rubber factory. Only our hero is offered a job while his illiterate companions will be brushed aside. His companions – Gyuri's brother and his friend – give up and go home. Gyuri, however, stays on, alone in the hustle and bustle of the strange capital.

Pál Schiffer's protagonist visits some locations which the makers thought important to show. For example, Gyuri goes to a terraced housing estate, part of a brick-workers' settlement, which captures the tenacity of prewar poverty in postwar Hungary. In the end, a young Gypsy man recommends Gyuri to a construction firm, and from then on he lives in its modern workers' hostel. He also starts going to

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7 OSA 356. f. 1-4 l. c.

evening classes, and he visits a Gypsy club in Rákospalota (a suburb of Budapest),[8] where he meets Gypsy intellectuals and artists. By the end of the film, he returns home in a taxi, wearing urban clothes and bringing gifts. However, his heart urges him back to the socialist (modern) metropolis, and Gyuri Cséplő tells his brother, "I'm going back." At the end of the film a song can be heard: "Oh my God, my dear God, oh, dear, when will I have a happy life?"[9] (The original script proposes that his brother also take to the road at the end: "Pista, Gyuri's younger brother, also says that he will go with him: – Are you coming? – I'm coming."[10])

Pál Schiffer's *Cséplő Gyuri* effectively created – while presenting realistic pictures from the life of an ordinary man – a new Gypsy archetype in Hungarian film, a character who forms his own life path and who can negotiate the social barriers between Gypsy and non-Gypsy communities. The filmmakers attempted to challenge and transform the discourse about the situation of Gypsies in socialist Hungary, and they presented a dynamic picture of these communities instead of stereotypes that have tended to strengthen social distance between minority and majority communities.

3. Social Historical Context of the Film

The effects of industrialization, urbanization, and the disintegration of traditional communities also aroused the interest of ethnographers in Hungary in the 1950s (Bakó 1954; Ladvenicza 1955; Gunda 1956; Apor 2009, 78). In a period of intense industrialization, the archaic lifestyle of some Gypsy communities could be shown as a remnant of a prewar world. Actually, Gypsy communities were quite diverse in this era, and often had deeper connections to local majority communities than to each other. However, in these researches "Gypsies" appear to be the sole messengers of an era before socialism (before socialist modernity), and these descriptions imply that they lived outside the world of socialism (as "internal outsiders").

According to its own propaganda, the socialist system established industry and raised living standards, and it also contributed to the elimination of ethnic and national disparities, e.g., a modernized Hungary. By the 1960s the regime proclaimed the successful assimilation of Gypsy communities. The communist party's political bureau decreed in 1961 that Gypsies "…despite having some ethnographic uniqueness, do not constitute a national minority" and dealt with the "Gypsy issue" as a social policy question for some time to come. The decree also stated that: "Work and settlement have a definitive role in the development of the situation of the Gypsy population."[11] In the spirit of the party decree, the policy of

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8 On the history of the Gypsy Club, see György 2019.

9 OSA 356. f. 1-4 1. c. Cséplő Gyuri – Dialogue list.

10 OSA 356. f. 1-4 1. c. The Script of the Film. Written by István Kemény and Pál Schiffer.

11 Submission on tasks related to the improvement of the situation of the Gypsy population. Meeting of the Political Bureau on 20 June 1961, HNA [Hungarian National Archives] M-KS-288. f. 5/1961/233. p. u. [p.u. – preservation unit]. Following this the Political Bureau had several debates on the issue: Report on the execution of the decree on various tasks regarding the improvement of the situation of the Gypsy population, Hungarian Socialist Workers' Party Political Bureau, 20 June 1961 (11 October 1962); Meeting of the Political Bureau, 5 March 1963; Plan on improving the housing situation of persons living in Gypsy settlements,

the Kádár era[12] sought to assimilate these communities and to place them under state supervision.[13] Forced industrialization irrevocably transformed the traditional lifestyle of the majority of Gypsies, but it did little to change their position within society. "Socialist" industry generally viewed them as unskilled labor, and as such most of them filled the lowest positions in nationalized industries, while some were able to maintain their professions in areas where difficult conditions and low pay led to labor shortages. Large numbers worked in road construction, construction, and mining. Many were forced to leave their homes and migrate to industrial zones, move into workers' hostels, or commute long distances (Szuhay 1999, 43–44; Majtényi and Majtényi 2016). The story of Gyuri Cséplő presented this change – similar to official discourse of the era – as a path to upward mobility.

It was in the interest of companies to employ as many skilled workers as possible. Unskilled workers generally were employed for seasonal work and for larger projects. The workers themselves frequently changed jobs, and when they found another job, they terminated their employment "with arbitrary exit status." It was also typical that many people preserved their traditional jobs, mainly in the villages, and worked outside the state sector, and took a factory job only occasionally because of requirements to have registered employment. In fact, the socialist state did not offer everybody job opportunities everywhere.[14] For example, the inhabitants of the settlement where Gyuri Cséplő lived were employed, in principle, by the local agricultural cooperative but, as is apparent from the film, they worked only seasonally. In the socialist state everybody had to justify some kind of employment before the authorities from time to time ("work avoiders" could be sentenced to prison). It was actually in the interest of the socialist power to create at least the semblance of full employment. While unemployment vanished from national statistics, real unemployment did not cease to exist during socialism.

It was not that unusual in the late 1970s that Gyuri Cséplő lived in a settlement of mud homes without running water or electricity. Although the elimination of the settlements did not bring any real results for a long time, the resettlement of Gypsy inhabitants actually started in 1965.[15] The party-state wanted to provide a beautiful picture of the results of "socialist development" as soon as possible. According to the original concept, traditional Gypsy homes had to be destroyed where they were very easy to see: "First, those settlements should be eliminated which are situated near the national main roads and railways, furthermore in privileged areas, in the center of villages and towns or in other places which were important from the

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Meeting of the Political Bureau on 12 November 1963; Recommendation on improving the situation of the Gypsy population and coordinating inter-ministerial committee work. Meeting of the Political Bureau, 15 October 1968; Report on the situation of the Gypsy population, Meeting of the Political Bureau 18 April 1979.

12 After the failure of the 1956 revolution in Hungary, János Kádár became the definitive political leader of the newly organized state party – the Hungarian Socialist Workers' Party – for over thirty years until his replacement in 1988.

13 200,000 people are referred to in the party decree. The Central Statistical Office's 1963 income and stratification study saw statisticians estimate the Gypsy population at 222,000 persons based on the number of homes in the settlements.

14 HNA XIX-C-5 3. c. 27.229/1957.

15 According to Council reports; however, new Gypsy settlements were formed in the first year, from 1961 to 1962 (HNA XIX-I-4-g 46. c. 66).

point of view of tourism."[16] In principle, Gypsy settlements were supposed to be eliminated (should have been eliminated) by 1975 within the "Fifteen-year Housing Development Plan." It was not implemented – moreover, traditional mud-brick houses were built in villages even in the 1980s (Márfi 2008, 351) – and the majority of the Gypsy population continued to live in tough socioeconomic circumstances.

The first broad picture of the Gypsy population in Hungary was provided by a study led by István Kemény in 1971. The researchers estimated the number of Gypsies at 320,000 individuals, approximately three per cent of Hungary's citizens. They estimated that two-thirds of Gypsies still lived in Gypsy settlements, with more than two-thirds of them living in *pisé* or mud-brick homes. Forty-four per cent of their homes did not have electricity, while only eight per cent of homes had running water. Among Gypsies who were older than fourteen, the proportion of those who were illiterate was estimated at 39 per cent. It was easy to draw the conclusion that the research results signified a total failure of the party-state's Gypsy policies announced in 1961 through party decree, as well as that of social policy generally.[17] In their study summarizing the results of the research, the sociologists provided a general picture of the disadvantaged social situation of Hungarian Gypsies, which was one and the same a critique of the party-state's social policy. Researchers obviously rejected the point of view of the socialist state although they also characterized Gypsies primarily through their disadvantageous social position, following on from the critical purpose of the research. In the summary report of his Gypsy research, István Kemény stated that the Gypsy population in itself does not constitute a separate social group (1976, 10). In his study, fearing the possibility of ethnic conflict stoked by his analysis of the underclass status of the majority of Gypsies, the sociologist summarized the consequences of relocations and ill-considered elimination of settlements: "The danger of new settlements established in such a way is that, due to their strong isolation, they run the risk of turning into a colourful ghetto" (Kemény 1976, 31).

According to the survey, the majority of the Gypsy population lived in poverty, and the phenomenon of poverty had been ethnicized in Hungary. However, studies carried out in that era, based on sociological and income statistics, estimated the proportion of the poor among the entire population at about ten per cent, and only one third of this group could be Gypsies. It is important to emphasize that due to the ideology of the system it was nearly impossible to discuss poverty in public in these decades. Hungary's first poverty study under socialism, launched in 1969,[18] was essentially an extension of a Central Statistical Office (*Központi Statisztikai Hivatal* – KSH) income distribution study from 1968. In 1970, István Kemény held an infamous lecture on contemporary poverty for an elite group of researchers at the Hungarian Academy of Sciences. Afterward he was removed temporarily from the Institute of Sociology: later, in 1972, the closing paper of the study was classified and locked in the KSH president's

16 Appendix to the intervention plan on the execution of Governmental Decree 2014/1964 on the dismantling of residential areas that do not meet adequate social conditions. Construction Ministry. Decree 17/1964. Ministry of Architecture.

17 For a summary of the research results: Kemény 1976. A report written in 1974 on the situation of the Gypsy population used data from the 1971 study and shed light on the gaps in executing Political Bureau decrees (HNA M-KS-288. f. 41/1974/226. p. u).

18 The project was launched with the euphemistic title: "A Study of the Life Circumstances of the Low-income Population."

safe.[19] In the socialist period the phenomenon of persistent poverty was taboo, and poverty only could be written or spoken about in the context of historical events or exceptionally as characteristic of the Gypsy population.[20]

Nevertheless, when the state dealt with the real situation of the poor, it mostly disguised its actions under its main Gypsy policy, primarily "the termination of settlements."[21] The authorities uniformly presented the social problems of those living in slums, and social issues in general, as the Gypsy issue. Although representatives of the communist party, ministries, and local councils were quite aware that not only Gypsies lived under poor social conditions in Hungary, state intervention plans – thanks to the above – were exclusively under the banner of eradicating "Gypsy slums." Under the auspices of solving the "Gypsy problem" or eradicating "Gypsy slums" the authorities also executed several other social policy interventions that were deemed necessary (Valuch 2010; Majtényi 2018).

4. The Process of Filmmaking[22]

Poverty's social historical background in Hungary can explain to a degree why Gypsies became metaphoric characters in Hungarian documentaries and other representations of society during the socialist era. The metaphoric representation of Gypsies showed them – not independently from contemporary social, political, and cultural practices – as internal outsiders bound by marginalization, even during socialism. One may say that Gypsies – more exactly, the people regarded as Gypsies – were treated by the Hungarian state as if they were not part of Hungarian society.[23] Any public critique related to social transformation only could be formulated in relation to the situation of Gypsies, including issues of social inequality and exclusion.

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19 In 1973 István Kemény eventually was fired from the Hungarian Academy of Sciences' Institute of Sociology. Despite this, he continued to work on sociological research until 1976. In 1977 he emigrated to Paris, but the critical effect of his groundbreaking work continued to be felt. In Paris he teamed up with Péter Kende to launch *Magyar Füzetek* [Hungarian booklets] with the aim of bringing out pieces that could not be published in Hungary, through which he published a "manuscript" of his studies on poverty. In his writings and his notes read on Radio Free Europe he followed and criticized developments in Hungary. See Csizmadia 1991; F. Havas 2008.

20 When regime-critical sociology and sociography began to deal with the topic once again, it became one of the forms of critiquing the regime's social policy, and as such was mostly excluded from official discourse (Majtényi 2014).

21 In 1970, for example, the affected state authorities prepared a study on "slums that did not meet social conditions," i.e., the results of the slum eradication projects. Officials concluded that the entirety of slums could not be eradicated within a reasonable time frame. According to this study, there were 755 Gypsy and 435 "mixed" slums in the country at the time. Characteristically, the authorities deemed cave dwellings and Budapest tenement houses "slums" to the same degree as shantytowns at the edge of villages. According to plan, 43 slums were to be eradicated under the fourth five-year plan, 536 under the fifth, 288 under the sixth, and the remaining 323 after 1986 (HNA XXVI-D-1-c 16. c).

22 On the metaphoric filmic usage of Gypsy/Romani characters, see Iordanova 2008; Rucker-Chang 2018.

23 Anikó Imre analyzes the issue of Gypsy/Romani representation in a global context. As Imre points out, the critical theories of 'whiteness' emphasize that the racist concept of "supremacy" was global, and as a hidden ideology it has determinated the East and Central European social history and representation of Gypsies as a racialized group (Imre 2005).

After the Gypsy study carried out by István Kemény in 1971 examined and presented the Gypsy issue, it became the benchmark on poverty in Hungary. Photographs, sociographies, and documentaries about the lives of Gypsies depicted the failures of socialism and poverty during the socialist period. It is important to emphasize that Pál Schiffer also participated in the sociological research of 1971, and that sociologist István Kemény was a co-author of the script for *Cséplő Gyuri*.[24]

Two films by Pál Schiffer explored the possibility and the impossibility of breaking free from a Gypsy slum personified through two life stories: *Cséplő Gyuri* is about the former, whereas *A pártfogolt* (On probation – 1983) presents the latter (Tóth 2008). These films, which portrayed Gypsies and the lives of Gypsy individuals, did more than depict a topic: they became tools to criticize the system of actual existing socialism. They suggested that poverty continued to exist in socialism, and the director was looking to exhibit pathways out of it. The film *Cséplő Gyuri* primarily sought to show the possibility of emerging from poverty. In the "literary script" the scriptwriters formulated this goal as follows, referring to the sociological fact that not only Gypsies lived in poverty in Hungary:

> We want to make an impact with our films: by means of our tools we want to contribute to Gypsies finding their place in Hungarian society. This is one of the reasons why we want to show that the Gypsy issue is actually a Hungarian issue, it is primarily not a racial or ethnic, but a social problem.[25]

The story of how *Cséplő Gyuri* was made is documented in the notes taken by Pál Schiffer, which are preserved in the OSA Archives: the first plan was made in 1974. It was, however, only possible to shoot the film two years later in 1976. One of the reasons for this was the above-mentioned sociological works of István Kemény, the co-author, who had sparked the anger of party leadership. It also can be assumed that it was not only the slander of the sociologist co-operating as a co-author and story-editor that had an unfavorable impact on the fate of the film. Both the topic and the method of elaboration were controversial for decision-makers. In fact, poverty was depicted in the film in a realistic way, which in principle could not exist in socialism. Furthermore, there were real debates about the funding, i.e., whether it should be shot as a documentary or a feature film. This was a crucial issue from the aspect of filmmaking as the latter "genre" would have provided a much larger budget.[26]

The director imagined that the film would have fictitious, arranged scenes. The film was shot according to a script written carefully in advance, so most scenes were arranged except on one or two occasions. However, some of the elements of the original concept were omitted by the filmmakers, for example, Gyuri's love for an intellectual girl named Erzsi, leader of the KISZ (Communist Youth Organization)

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24 As Pál Schiffer said in an interview: "At the end of 1971and in 1972 I was involved as an occasional driver, a boom operator, and a cassette recorder operator in the sociological study guided by the Council of Ministers, and carried out by the Sociological Institute to assess the situation of the Hungarian Gypsy population."

25 OSA 356. f. 1-4 1. c. Literary Script of the Film. Written by István Kemény and Pál Schiffer.

26 Finally, after two years, Balázs Béla Studio was commissioned to shoot the film, i.e., a documentary film was to be made. At that time Gyuri Cséplő, hoping for a better life, had already been waiting to get a job offer in Budapest for two years (Pócsik 2013).

club (which might have seemed sociologically unrealistic).[27] Instead, Gyuri Cséplő fell in love with a Gypsy girl who also was working in the capital.[28]

After the film was finished, the creators were advised to omit some shorter details at various public screenings. The film was first shown on 8 July 1977 before representatives of MOKÉP (Moving Picture Company) and the Main Directorate of Films, state organs that controlled the ideology of Hungarian filmmaking. They suggested cutting the 125-minute movie and primarily criticized the scenes in the brick factory, which presented life in a workers' settlement in Budapest. The idea of displaying the "common yard" of the brick factory, as Schiffer later recalled, came from "an existing sociological study and months of pre-studies that provided the basis for preparing this scene." His co-author István Kemény had already published research about the brick factory in Csillaghegy, and the scenes there emphasized that all low-paid workers struggled with poverty and isolation (Kemény 1990). During a later talk, Pál Schiffer explained the scene's significance: "Fundamentally, there is no difference between Hungarian proletarians living in the common courtyard of a brick factory and Gypsy agricultural proletarians living in a Gypsy settlement."[29]

It is worth noting that later this scene also aroused the interest of audiences at the film screenings. One viewer asked Pál Schiffer: "Would you please tell me if the brick factory really exists in Budapest?" With the thoroughness of a social scientist, he gave the following answer (representing that poverty is actually not a "Gypsy issue" in Hungary):

> We have to acknowledge it […] and we traditionally might call it a "lumpen [proletariat]" problem or we can translate the American term "stratum under society," an expression that I don't find very nice, while in Hungary we prefer to use the term "a poor worker, the stratum of unskilled workers," which is more or less correct, although it is actually incorrect, but according to existing statistical sociological data, about ten per cent of the population belongs to this stratum […]. Within that, maybe one third, or even less, about 3.6 per cent to 3.8 per cent of the Gypsy population. So we can assume that three per cent of this 10 per cent are Gypsies.[30]

The Main Film Directorate finally made the decision that the scene in the common yard, especially its second half, should be shortened. In this part, a working woman referred to as a "woman wearing a green pullover" complained passionately about her living conditions in a debate. Furthermore, it was suggested

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27 OSA 356. f. 1-4 2. c. Literary Script of the Film. II. 53.

28 We do not know what Gyuri Cséplő's wife, who watched the film during one of film debates in Zala, thought about this fictional scene in Németfalu. In fact, there is no information about it in the sources.

29 OSA 356. f. 1-4 1. c. "Cséplő Gyuri debate," Esztergom (6 April 1978).

30 OSA 356. f. 1-4 1. c. During the production of the film, the director also conducted thorough sociological research projects with the help of István Kemény.

by the officials of the Main Directorate of Films that the introduction also should be cut by the authors. Its pictures also presented poverty, i.e., the lives of Gypsies living in settlements.[31]

5. The Aftermath

However, some difficulties remained to be resolved, and the "classification" of the film was also questionable. After the "standard copies" had been made, it became apparent that MOKÉP (The Motion Picture Distributing and Sales Company) still treated the film as a documentary. They wanted to bring it out in marketing category five (i.e., with the lowest number of copies and a "propaganda frame"). By stressing the importance of the topic, the director, however, managed to convince the authorities that the film should be shown more widely. Finally, *Cséplő Gyuri* was first shown as a feature film at the Tenth Pécs Feature Film Festival in February 1978. It was played at cinemas from May and received a decent critical response and considerable attention. The aim of the film was also to reduce prejudice against Gypsies. When reading the descriptions of the film debates, it seems that Gyuri Cséplő's appealing personality and his fate in the film aroused solidarity and empathy among some viewers.

> Here is Gyuri Cséplő, who's not only Gyuri Cséplő who we can see here but also the role that he played in this film. I wonder whether those of you who never have met this young man got to like him after watching the film? (a man) – What's more, you might even feel sorry for him.[32]

According to a summary of the debates, the public became more aware about the "Gypsy issue" than ever before. The two main points made at these talks were Gypsy employment and benefits. Many of the participants mentioned their own prejudices. For example, several audience members cited rumors that Gypsies had removed and burnt the parquet in new homes they had received from the state. Furthermore, a majority of speakers thought that Gypsies should solve their own problems (Szekfű 2008, 198). Many urban viewers were astonished by the condition of the rural Gypsy settlements. Others were shocked once when they realized that the film was not just about Gypsies but also about "Hungarians" who often lived the same way as "they" did (Szekfű 2008, 204). It is typical that one speaker thought that, without help, he had less of a chance to break free of poverty than Gyuri Cséplő. He presented his own story like this:

> I was in just such a situation. Once I finished eight years of primary school, I went and worked at the state farm. Last autumn it was announced that we had to go school to learn how to drive a tractor. Three of us who finished primary school were sent to a center. There

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31 Moreover, István B. Szabó even asked the authors to examine the scene in the brick factory in which Gyuri Cséplő uttered "three obscene expressions." Thus finally the film was five minutes and two swear words shorter (the authors, however, kept one of them for the sake of the atmosphere).

32 OSA 356. f. 1-4 1. c.

we were told that we were Gypsies and we weren't allowed to go to school. This is what happened, they hindered our further development, and that was it.[33]

Several people remarked during the film debate that perhaps the hero had made a bad decision coming to Budapest. For example, a tenant at a workers' hostel on Kerepes Street said the following: "I'm also a country man, and he shouldn't have come to Pest, at least this is what I think."[34]

Pál Schiffer answered at great length, not hiding his own doubts, either.

> Well, are the people who live at the workers' hostel the same as the community, the relatives, friends, the children, as those who you grew up with or do you find similar people there? Well, you can judge it better than me because in the case of Gyuri the problem was that he really missed the people who he grew up with and those who didn't just mean company for him ….[35]

After the screenings viewers often were interested in finding out whether it was possible to break free from poverty, and concretely what later happened to Gyuri Cséplő. At that time the filmmakers regretted to inform them that the main character of the film "was ill at present." One of the filmmakers (probably Pál Schiffer, although the names of this discussion were not given in the transcript) said the following about him in a transcript:

> Well, this is a strange story. Unfortunately, it isn't completely typical. And, unfortunately, it's completely typical. This is why it's very sad as the film ends with an optimistic tone or sadness […] and he goes again to Budapest. Let's say that this is the meaning of this last picture. It suited the situation in which he was in when the film ended. Unfortunately, since then his health has deteriorated.[36]

Then he added: "Three Gypsy families plan to move from the settlement into the village," by which he indicated that something had happened as a result of the film, if not in the life of the individual, then at least in the life of the community.

A debate also was held at the construction company where Gyuri Cséplő worked in the film. József Rézműves (Jóska), who also acted in the film and worked with him on the building site, also turned up at this talk. The workers watching the film had a row over wages (the injustice of wage differences), as they were affected directly by the film, and many of them also watched the shooting of the film.[37]

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33 OSA 356. f. 1-4 1. c. "Cséplő Gyuri debate," Budapest, workers' hostel in Kerepesi street (26 April 1978).

34 OSA 356. f. 1-4 1. c. "Cséplő Gyuri debate," Budapest, workers' hostel in Kerepesi street (26 April 1978).

35 OSA 356. f. 1-4 1. c. "Cséplő Gyuri debate," Budapest, workers' hostel in Kerepesi street (26 April 1978).

36 OSA 356. f. 1-4 1. c. "Cséplő Gyuri debate," Bakonyoszlop (29 April 1978).

37 OSA 356. f. 1-4 1. c. "Cséplő Gyuri debate," Budapest, No. I. Company of Building Industry (13 April 1978).

It was also clear from this conversation that there were many conflicts among members of various working groups. However, such a personal argument rarely happened since the topic of their conversation was usually the life story of the main character. When we read the transcripts of the debates following the screenings, it is striking that the participants (who discussed the film with the director or one of his colleagues) were mostly interested in the fate of Gyuri Cséplő. What they least wanted to believe and accept was the story as it was told, i.e., that he did not regret his decision as a young man to leave the settlement or that he really did succeed in being integrated into the world of the workers' hostel in Budapest. One of them put it like this: " … while my colleague and I were leaving, we were burning with curiosity to ask whether his relations and circumstances had really changed since the screening of the film, whether he was working, whether he was in full employment, and so on."[38]

6. The Tragic Death of Gyuri Cséplő

In fact, Gyuri Cséplő worked at the brick factory in Budapest for one more month, then he was unable to work and was given a disability allowance because of heart disease. He started to build a house in Németfalu after taking out a loan, which he received with the help of Pál Schiffer, and he started farming. However, in September 1978, shortly after the film was shown, he died at the age of 25. From the messages exchanged between Gyuri Cséplő and the director (sometimes other people wrote and sent a message instead of "Gyuri," especially when he was unwell), it turns out that he regularly asked the director for financial support. The brief news coming from Gyuri Cséplő in telegrams can even be read as a drama of linguistic minimalism,[39] and they reveal his almost hopeless financial situation and his illness which was rapidly undermining his strength.

Pál Schiffer was shocked and saddened by the early death of his acquaintance and protégé, Gyuri Cséplő. He tried to find out as many details as possible about the cause of his death. It became apparent that, in addition to the unhealthy circumstances of his childhood and youth, Gyuri's condition became fatal because he received neither proper nor timely medical treatment from the local hospital and health service. The director said the following in an interview:

> We sent him to a heart clinic for a medical exam before the film, and they concluded that he was in a compensated state. One year later, when he had connections and a reputation as an actor, he was sent to OTKI (Health Education and Training Institute), and there his case was evaluated as manslaughter, which every heart surgeon acknowledges. They were forced to kill people, as forty out of one hundred patients will be operated in time, while for sixty of them it was too late. Such are the conditions. Obviously, when his illness was diagnosed for the first time, his doctor in the county hospital thought consciously or not that it was no use operating on him because he wouldn't do a white collar job even then,

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38 OSA 356. f. 1-4 1. c. "Cséplő Gyuri debate." Zalakomár (1978).

39 OSA 356. f. 1-4 1. c. Letters of Gyuri Cséplő; OSA 356-1-4 2. c. Letters from Németfalu and from the Cséplő-family (1977–1983).

and he wouldn't be able to do a blue collar job even after the operation, so he should work as long as he could.[40]

Ultimately, the doubt and guilt felt by the director were generated by the question of whether or not the strenuous physical labour that Gyuri Cséplő took on for the film had contributed to his death, and in what direction his role in the film influenced his end. Pál Schiffer's notes suggest that Gyuri Cséplő's death made him uncertain about the story and the message of the film. The death of the protagonist confronted him with many questions which he believed that he already had answered. [41]

The film also forced him to change his view on the possibility of social mobility. János Kitka, the protagonist of Schiffer's next film *A pártfogolt* (On probation – 1981), is the son of one of the commuting workers in an earlier film titled *Fekete vonat* (Black train). The genre of the film was again situational documentary, and its main character was an ordinary person who plays himself. János Kitka has been released from a juvenile detention center, and like Gyuri Cséplő, he also toys with the idea of finding a job in Budapest, but he is less successful. All his attempts fail, and in the closing scene, we see him at home again, in the yard of his farmstead. The new documentary transmitted very different messages about socialist society to the public than *Cséplő Gyuri*. The film seems to argue that the socialist system did not really offer any real chance for social mobility to Gypsies, and generally to the those who had to live in poverty in socialist Hungary.

Conclusion

On the whole, the real core of the bargaining around the production of *Cséplő Gyuri* did not merely have to do with the aspects of the distribution or its peculiar genre. In fact, it was the documentary's depiction of poverty that triggered real debate, i.e., how was it possible to show such pictures of poverty like the shots recorded at the workers' homes at the brick factory. The topic itself – the "rise" of Gypsies (even if it pointed out its difficulties) – received a green light. Today, this is perhaps the most problematic part of the film.[42] It is questionable whether the journey that the film's protagonist undertook was a real opportunity for the poor, including Gypsies, and if it was, what was its meaning at that time (whether it really meant an upward social mobility).

With the film *Cséplő Gyuri*, one of the authors' main goals was to show another world outside socialist Hungary, the existence of poverty, and to provide a critique of the system. In that era almost all documentary filmmakers and sociologists criticized how social goals set by the socialist state were realized. However, they hardly reflected on the reality of the image of the future, which the party-state outlined and according to which the (only possible) path to social mobility meant taking on industrial

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40 OSA 356. f. 1-4 2. c. How Did Gyuri Cséplő Die? 1979.

41 OSA 356. f. 1-4 2. c. How Did Gyuri Cséplő Die? 1979.

42 OSA 356. f. 1-4 1. c. Schiffer Pál Notes on the making of his movie.

work, breaking away from traditional lives, i.e., one's own community, and moving to the city. Gyuri Cséplő's real fate, his life outside the film, makes us feel unsure (and it made Pál Schiffer feel very unsure) about whether these steps were worth taking in order to break free from poverty and Gypsy settlements. His death symbolized a socialist regime that did not provide equal opportunities to all its citizens. An even more crucial question, especially to intellectuals critical of the system, was where the road of socialism was leading, how the future could be shaped, and whether it was possible to create a more just society. It is questionable how much people were concerned about the realization of socialism in their everyday lives or how the existence of the system or socialist modernization influenced the lives of minority communities. As debate participants remarked in Zalaapát: "The life of one person is as much as they live it, as much as they can live it."[43] Thus, all that lies beyond that view does not really exist for them. The value system related and was made to relate to the operation of state institutions and was presumably not known or acceptable for everybody in that era.

According to theories about "multiple modernities," in the process of history certain phenomena did not simply result from one another, but they could even exist side by side (in their own space and time). Thus they cannot be understood in their own multiplicity if we see and analyze them as the parts of the same process in the spirit of the linear conception of time typical of modernity. In general, it is also questionable whether the feeling of progress and development ever manifested itself in the everyday life and experiences of ordinary people, whether the socialist transformation had a similar impact on the various groups of society, such as upper and lower classes or majority and minority communities.

Gyuri Cséplő's story is an outstanding example of how great national state narratives may not necessarily be applied to describe or fit the history of Gypsy/Romani communities – and minority communities or lower social classes in general – forced into society's periphery. To this day, there are ongoing debates among historians and intellectuals about the real relationship between true socialism and actually "existing"/"existed socialism." However, there also can be such a point of view, and perhaps from this point of view we can perceive most of the experiences of everyday people from that era – and perhaps Gyuri Cséplő's is like that – according to which socialism simply did not exist; there was no such a thing.

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