

Contents

<i>Preface</i>	ix
<i>Acknowledgements</i>	xiii
<i>Abbreviations and Recurring German Terms</i>	xv
<i>Glossary</i>	xix
Introduction	1
1: The Nature of Persecution	23
2: Victims' Stories	51
3: The Early Post-War Years (1945–1953)	73
4: The Machinery of Compensation	99
5: How to Measure Disability	133
6: The Struggle for Recognition	161
7: Property Claims	195
Conclusion	221
Epilogue	227
<i>Bibliography</i>	241
<i>Index</i>	261

Introduction

The Roma are the largest ethnic minority in Europe,¹ and yet their stories, customs, language and history have received relatively little attention. Everybody seems to know what and who ‘Gypsies’ are, yet few are acquainted with more than the standard myths and prejudices, ranging from the romantic view of the Roma as a free-spirited and musical people, to the old stereotypes of the Roma as vagabonds, thieves and child kidnappers. This book will use the word ‘Roma’ to describe this group as a whole.²

Academic interest in the Roma began in the late eighteenth century when they became a topic of philological interest, since they were believed to be of Indian origin and to speak a language descended from Sanskrit. They were also studied as curiosities and perceived as almost medieval cultural oddities.³ During this time, contact with the Roma was largely limited to the police and welfare institutions, thus emphasising the stereotypes of Roma as socially irresponsible criminals.

¹ The European Commission put the estimated number of Roma in Europe at about ten million in 2004. European Commission, *The Situation of Roma in an Enlarged European Union* (Office for Official Publications of the European Communities, Luxembourg, 2004), p. 9.

² There are many different names employed for describing parts of this minority group or their entirety. This book will use the word ‘Roma’ to describe this group as a whole. This is the plural of a Romani word for ‘person’, with ‘Rom’ being the singular. In Germany, the commonly used phrase is ‘Sinti and Roma’, which describes the two major sub-sections of this minority group in Germany. Sinti are the Roma who have lived in Germany for several centuries, i.e. the ‘German Roma’ (singular Sinto/Sintezza), while ‘Roma’ refers to the Roma from the East (comparable to the term ‘Ostjuden’, as employed in the late nineteenth and early twentieth centuries). Other groupings include Kále, Lalleri, Manusch and Kalderash. The term ‘Jenische’ in German-speaking countries refers to a group that has at times been called the ‘weiße Zigeuner’ because of their nomadic lifestyle. Their origin is uncertain, and although at times they describe themselves as being of Celtic origin, this has not been sufficiently established. Talking of ‘Gypsies’ or ‘Zigeuner’ has generally been discredited, and will only be used in inverted commas, in the context of the Third Reich, or with regard to measures against this minority group preceding the Third Reich. This use is necessary because at times the group targeted by these measures was larger than those who regarded themselves as ethnic Roma – the ‘Jenische’ were, for instance, also targeted by National Socialist racial policies. It was used as a catch-all phrase with a deliberately vague definition, so that it could be employed according to the lawmakers’ desires. The term ‘Gypsy’ or ‘Zigeuner’ very frequently included vagabonds, ‘vagrants’ and the ‘workshy’. Throughout the book, ‘Gypsy/Gypsies’ (in inverted commas) will be used as a translation for the National Socialist concept of ‘Zigeuner’.

³ J. C. C. Rüdiger, *Von der Sprache und Herkunft der Zigeuner aus Indien* (Kummer, Leipzig, 1782); H. M. G. Grellmann, *Die Zigeuner. Ein historischer Versuch über die Lebensart und Verfassung, Sitten und Schicksale dieses Volkes in Europa, nebst ihrem Ursprung* (Dieterich, Dessau/Leipzig, 1783) (first English translation in 1787); A. F. Pott, *Zigeuner in Europa und Asien* (Heynemann, Halle, 1844/45).

It took a major catastrophe for the Roma – the Holocaust – for serious academic interest in them to be stirred, and even then there was a thirty-year delay.⁴ This interest began with the belated acceptance, in Germany and elsewhere, that the Roma, too, had been victims of the Holocaust. However, a detailed study of the persecution of Roma during the Third Reich has only been undertaken for the German-speaking territories.⁵ The increased attention paid to the persecution of Jews in the Eastern occupied territories in the late 1990s did not include any detailed study of the Roma's persecution in these areas. Ulrich Herbert's collection of essays, *Nationalsozialistische Vernichtungspolitik 1939–1945. Neue Forschungen und Kontroversen* (National Socialist Policy of Destruction 1939–1945. New Research and Controversies),⁶ published in 1998, contained new research on areas such as Galicia, Serbia, Belarus, Lithuania and occupied Poland. However, the focus was on Jewish victims, and Roma were not mentioned in these studies, with the exception of Walter Manoschek's study of Serbia, where the murder of Roma is briefly mentioned in the context of the autumn 1941 *Wehrmacht* shootings of Jews, Communists and 'Gypsies' in Serbia.⁷ After modern academics began to take an interest in the Roma, they were described as 'forgotten victims'. They were doubly forgotten: largely ignored by the authorities immediately after the war, and absent from the public and historical memory of the Holocaust in West Germany and elsewhere.⁸ This book examines the period in West German history during which the Roma were not yet known as 'forgotten victims' – the time between the end of the war and

⁴ Estimates of the numbers killed vary considerably between 90,000 and 500,000. Zimmermann puts the number of Roma killed in the territories controlled by the National Socialists at a minimum of around 90,000. Kenrick and Puxon estimated in their 1972 edition that about 219,000 out of a European pre-war population of one million Roma were killed. However, in 1989 Kenrick revised this figure to 196,000 deaths out of a pre-war population of 831,000. His 1995 edition cites 200,000 deaths, but suggests that if one added those Roma killed as soldiers, during bombardments and air raids, and examined more archival material, these numbers might well add up to 500,000 (this being the number commonly cited by the Roma representatives, such as Romani Rose, president of the *Zentralrat Deutscher Sinti und Roma*). See M. Zimmermann, *Rassenutopie und Genozid. Die nationalsozialistische 'Lösung der Zigeunerfrage'* (Christians, Hamburg, 1996), pp. 381–383; D. Kenrick, G. Puxon, *The Destiny of Europe's Gypsies* (Basic Books, N.Y., 1972), pp. 83–94; D. Kenrick, G. Puxon, *Gypsies under the Swastika* (University of Hertfordshire Press, Hatfield, 1995), p. 150; R. Rose, W. Weiss, *Sinti und Roma im 'Dritten Reich'. Das Programm der Vernichtung durch Arbeit* (Lamuv, Göttingen, 1991), p. 176; W. Wippermann, 'Wie die Zigeuner' *Antisemitismus und Antiziganismus im Vergleich* (Elefanten, Berlin, 1997), p. 167; G. Lewy, *The Nazi Persecution of the Gypsies* (Oxford University Press, Oxford, 2000), pp. 221–222.

⁵ Zimmermann, *Rassenutopie und Genozid*.

⁶ U. Herbert, (ed.), *Nationalsozialistische Vernichtungspolitik 1939–1945. Neue Forschungen und Kontroversen* (Fischer, Frankfurt am Main, 1998).

⁷ W. Manoschek, 'Die Vernichtung der Juden in Serbien', in Herbert, *Nationalsozialistische Vernichtungspolitik*, pp. 209–234, here pp. 223–228; Michael Zimmermann's contribution to this collection gives a very broad overview of the National Socialist persecution of Roma, with only about four pages on the mass shootings in the Soviet Union, occupied Poland and Serbia. M. Zimmermann, 'Die nationalsozialistische "Lösung der Zigeunerfrage"', Herbert, *Nationalsozialistische Vernichtungspolitik*, pp. 235–262.

⁸ This book concentrates on West Germany and later re-unified Germany, but leaves out the German Democratic Republic and Austria.

the beginning of a Roma civil rights movement in West Germany, formalised in February 1982 with the creation of the Central Council of German Sinti and Roma (*Zentralrat Deutscher Sinti und Roma*, henceforth referred to as ‘Central Council’) under the chairmanship of the Sinto Romani Rose, which went hand in hand with increasing attention being paid to ‘forgotten victims’ within West Germany. By looking at how the West German *Wiedergutmachung*⁹ – i.e. the state compensation of individual Holocaust victims, along with the restitution of properties and possessions to victims of racial, religious and political persecution – affected Roma, this book uncovers not only how Roma were treated within the *Wiedergutmachungs*-apparatus, but also how these compensatory measures have been perceived by German Roma since the war. Through this we can understand how West Germany administered the attempt to compensate for the victims’ suffering. The case of the Roma shows in particular how the West German administration, officials, and legal apparatus defined and classified National Socialist injustice, and unveils where injustices and pejorative attitudes were allowed to continue.

The term ‘*Wiedergutmachung*’ is in itself problematic. It is argued that crimes such as the extermination of an entire family can never be ‘made good again’, and that thus the term ‘*Wiedergutmachung*’ is a misnomer. Most works on *Wiedergutmachung* begin with a statement on this term’s moral inappropriateness, and the Hebrew expression for the West German compensation payments, *Shilumim*,¹⁰ carries with it no sense of exculpation.¹¹ As Constantin Goschler has pointed out, the definition of ‘wiedergutmachen’ in the *Grimmsche Wörterbuch* shows that the word can mean much the same as ‘ersetzen, bezahlen, sühnen’ (replace, repay, atone) – which are words that do not necessarily imply ‘forgiveness’.¹² The German term was suggested by German-Jewish emigrants, and was first used by Siegfried Moses in 1943 in Tel Aviv, in an article entitled *Die Wiedergutmachungsforderungen der Juden* (Compensation Demands by the Jews).¹³ It is important to acknowledge that *Wiedergutmachung* has been used as a technical term by all sides involved in the process since the war, and has by now become an historical idiom in itself: a collective noun describing all payments made by West (and later re-unified) Germany. It is in this manner that *Wiedergutmachung* will be used throughout this work, without implying that the German state can, in reality, seek a historical redemption. The term

⁹ *Wiedergutmachung* is a noun literally meaning ‘making good again’.

¹⁰ The term derives from *shalem*, meaning ‘to pay’; it is used in this conjugation only in the context of German payments to Israel.

¹¹ D. Forster, ‘*Wiedergutmachung*’, in *Österreich und der BRD im Vergleich* (Studien, Innsbruck / Wien / München, 2001), p. 27.

¹² The *Grimmsche Wörterbuch* is the most comprehensive German dictionary, started by the brothers Grimm in 1838, and taking over 120 years to be completed. See C. Goschler, *Wiedergutmachung. Westdeutschland und die Verfolgten des Nationalsozialismus (1945–1954)* (Oldenburg, München, 1992), p. 25.

¹³ H. G. Hockerts, ‘*Wiedergutmachung. Ein umstrittener Begriff und ein weites Feld*’, in H. G. Hockerts, C. Kuller, (eds), *Nach der Verfolgung. Wiedergutmachung nationalsozialistischen Unrechts in Deutschland?* (Wallstein, Göttingen, 2003), pp. 7–34, here p. 10.

Wiedergutmachung encompasses all payments made by the West German government: to individuals, to other countries and to organisations representing victim groups. Thus, the term includes the restitution payments in relation to assets, compensation payments to German victims of National Socialism, global agreements with other countries (Israel and Western European countries in the 1950s and 1960s and Eastern European countries from the 1970s onwards), which intended to compensate non-German victims of National Socialism, and settlements specifically concerning social security payments. In a non-monetary sense, *Wiedergutmachung* also encompasses legal rehabilitation (i.e. the rectification of unlawful court decisions) particularly in the field of penal justice, but also, for example, the restoration of citizenships or academic titles.¹⁴ The overall financial implications of *Wiedergutmachung* for Germany were initially substantial. Until the early 1960s, the burden on the national economy was significant, with between 2.4 and 5.5 percent of the annual fiscal budget of the German Federal State (*Bund*) and the German federal states (*Länder*) being reserved for compensation payments between 1955 and 1959. From the mid-1960s this percentage decreased due to Germany's successful economic growth and, since 1980, compensation payments have made up only about 0.5 percent of federal expenditure (a similar downward trend can be found at state level).¹⁵ The former President of the Lower House of the German Parliament (*Bundestag*), Wolfgang Thierse, proclaimed in December 1998 that in the currency value of that day (i.e. taking inflation into account), a total of circa 108.5 billion Euros had been spent by West and later re-unified Germany on *Wiedergutmachung*.¹⁶ As compensation pensions are still being paid to victims of National Socialism, the exact cost to date of *Wiedergutmachung* cannot be established.

¹⁴ Hockerts, 'Wiedergutmachung. Ein umstrittener Begriff und ein weites Feld', p. 11.

¹⁵ K. Heßdörfer, 'Die finanzielle Dimension', in L. Herbst, C. Goschler, (eds), *Wiedergutmachung in der Bundesrepublik Deutschland* (Oldenburg, München, 1989), p. 59.

¹⁶ H. G. Hockerts, 'Wiedergutmachung in Deutschland. Eine historische Bilanz 1945–2000', in K. Doering, B. Fehn, H. G. Hockerts, *Jahrhundertschuld, Jahrhundertühne: Reparationen, Wiedergutmachung, Entschädigung für nationalsozialistisches Kriegs- und Verfolgungsunrecht* (Olzog, München, 2001), p. 142.