



Alfred Dillmann, head of the “Zigeunerzentrale” [“Gypsy Central Office”] that was established at the Munich Police Directorate in 1899, published the “Zigeunerbuch” [“gypsy register”] in 1905. The register was intended for official use and printed in an edition of 7,000 copies. Its principal aim was to assist the police authorities in identifying “gypsies”. It contained 3,350 names, with 613 individuals described in detail. Photographs of a further 32 individuals were listed in the Annex. Cover and page from the Annex, both from the Documentation Centre Roma Archives.

PHOTO: DOCUMENTATION AND CULTURAL CENTER OF GERMAN SINTI AND ROMA

# CONFINED WITHIN THE LAW

## Roma in Polish police journals 1920–1939

by **Piotr Wawrzeniuk**

### abstract

This article analyzes the Polish police narrative on Roma during the interwar time, unveiling attitudes and potential practices. According to the police journals and handbooks, Roma were mobile and disposed to theft and deceit. Their traditional crafts were merely a smoke screen for illicit activities. As countermeasures, searches of caravans, meticulous checks of identity documents, indiscriminate fingerprinting of Roma suspects, among several measures, were recommended. This narrative constituted part of a larger police professional discourse and is likely to be an indicator of practices on Roma. Polish police followed the contemporary European expertise on Roma produced by the fields of criminalistics and criminology. As there were no discriminatory laws targeting Roma in Poland, it appears that police used legislation against begging and vagrancy, among other tactics.

**KEYWORDS:** Polish history in the interwar period, Polish State Police, Romani history.

In interwar Europe, Roma- and Sinti-related issues became an object of international discussions and agreements. The Roma as a collective advanced into a “question” or even a “problem” to be handled by the European states. The general tendency was to restrict the movement of the group who were imagined as potentially dangerous to society. At the heart of those processes were the police forces. While there is plenty of research on the Roma’s situation during the interwar years, research on the Polish police’s approach towards them is virtually absent. This article thus analyzes the narrative on Roma in the Polish police press and professional handbooks as a part of the professional discourse on Roma.

### European experiences and practices in dealing with Roma

From the second half of the 19<sup>th</sup> century, there was a growing interest in Roma among the law enforcement institutions of Eu-



PHOTO: MUNICH MUNICIPAL ARCHIVES, SIGN.: NL-DIL 002



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Alfred Dillmann (1849–1924) was head of the “Zigeunerzentrale” [“Gypsy Central Office”] until 1912 and, rose to the rank of deputy police director.

Policemen in Berlin in 1931.

rope. This depended chiefly on the rise of the centralizing modern state and professionalization of police.

In the modern state, Jennifer Illuzzi finds, citizens agree “to give up freedom in order to gain other freedoms and security”, and groups or individuals who resist surveillance and identification risk exclusion from the protection and freedoms of the state.<sup>1</sup> Illuzzi claims that the modern, centralizing states of the 19<sup>th</sup> and early 20<sup>th</sup> century Europe made different choices when dealing with Roma, either employing illiberal legislation permissive towards the executive power or using a “state of exception”. The latter enabled executive officials to use local and regional regulations on public movement and safety to sidestep the judiciary. It was used by Germany and Italy, Illuzzi maintains, while other states, including France and Great Britain “tended to marginalize Gypsies within the confines of the law”. In doing so, they violated the universal law, while still leaving Roma with access to the state institutions such as courts.<sup>2</sup> In Germany and Italy before the First World War, there was a wide array of offences that opened for the short-term detention and prosecution of Roma, providing the executive officials time to apply measures such as internment in a workhouse or expulsion from the country, region or land – before the case entered the court system.<sup>3</sup> Roma resisted this by hiring lawyers, changing their personal identities or using false documents in order to escape prosecution or potential penalties for recidivism and elude police surveillance. Police spent big sums on “determining a fixed identity for those categorized as Gypsies”. Once the authorities operated outside the law and in the sphere of the state of exception, Roma were rather helpless, Illuzzi finds.<sup>4</sup>

ACCORDING TO PAOLA TREVISAN, the authorities and police forces increasingly viewed the circulation of Roma within and between states as an all-European problem from the end of the 19<sup>th</sup> century and into 1930s. Several countries signed bilateral agreements, reinforcing controls of foreigners at their border crossings. Trevisan shows there was a problem of citizenship concerning

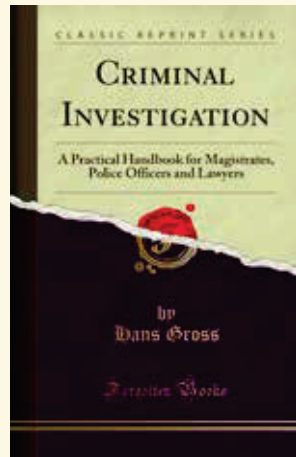
Roma within the new borders awarded to Italy in accordance with the Peace Treaty of Saint Germain. Many former Austrian Roma without a fixed place of residence were treated as foreigners and faced numerous obstacles when crossing borders. The first Fascist regulation dealing with the movement of Roma aimed at limiting crossing from Poland and Eastern Europe, the policy merely being a continuation of the policies of the liberal regime. Trevisan finds that the policy pursued by Italian authorities in the 1920s and 1930s coincided with the policy directed against Roma implemented elsewhere in interwar Western Europe. Its goal was to curtail the cross-border mobility of Roma and Sinti families. While France, Belgium, the Netherlands, Luxembourg and Germany signed agreements with neighboring countries on the matter, Italy refused.<sup>5</sup> The policy created a category of individuals whom the police could treat at will, “without the least reference to the statute laws”.<sup>6</sup> Two categories of non-belonging to the nation state, one of Roma as social outsiders inside the state, and one as ethno-national outsiders at its borders, was the result.<sup>7</sup>

According to Panikos Panayi, the policy makers in Germany did not consider Roma “normal” citizens. In general, public opinion supported legislation such as the 1926 Bavarian *Law for the Combatting of Gypsies, Travelers, and the Work-shy*, or the Prussian law of the following year that among several measures opened up for the fingerprinting all itinerants. Panayi finds that police displayed particular concern with Roma, and “took initiative in many of the new measures”. In 1929, The Munich Centre for the Control of Gypsies began coordinating control of Roma on the national level. As it would turn out, it conducted “groundwork” for the Nazis, who went from controlling measures to genocide, Panayi concludes.<sup>8</sup>

Lucassen traces a continuity in the German approach to Roma from 18<sup>th</sup> century wanted posters and 19<sup>th</sup> century police journals, which called for prevention through registration, to the treatment of Roma prior to WWI and during the Weimar years. The police targeted all groups conducting itinerant professional activities and lifestyles, including non-Roma and Sinti itinerant



Hans Gross, professor of law and author of *Criminal investigation*.



The English edition of Gross's *System der Kriminalistik*.

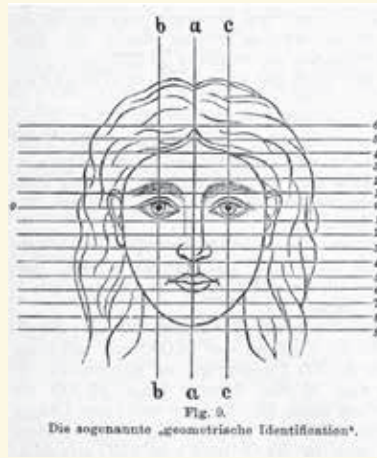


Image from *Criminal investigation*.



Crime scene illustration from the book.

peddlers and showmen, who experienced problems carrying out their professions. According to the definition established by Alfred Dillmann, “Gypsies” constituted a sociological category that encompassed all persons who travel around “with his or her family, irrespective of ethnicity or nationality”. Dillmann was the head of the Gypsy Centre (*Zigeunerzentrale*) of the Bavarian police and the author of *The Gypsy Book* (*Zigeunerbuch*, 1905), containing photographs and personal information on itinerant groups. The category created by him encompassed people who were Roma or Sinti, and those defined as “people who travel around like Gypsies”.<sup>9</sup> In a 1926 Bavarian law against “gypsies and the work-shy”, a distinction was made between Roma and Sinti, other itinerants, and “honest itinerants”. For the first time, Roma and Sinti were defined in racial terms. Still, it was up to the local authorities “to make a distinction between the various categories”, and they continued to issue licenses (to conduct an itinerant profession) and “protection bills” to Roma and Sinti. Lucassen claims it was only after 1933 that the police fully realized “the chance to control the mobility of itinerant groups”, who now found themselves “at the crossroad of deterministic ideas on anti-social behavior and the racist doctrine”. The question occurred whether these individuals, incorrigible as they seemed, should be sterilized (if they were anti-social) or annihilated.<sup>10</sup>

WHEN READING the Polish police journals, one finds references to all-European theoretical and methodological developments related to police matters, such as criminalistics – “the scientific investigation of the circumstances of a specific crime and the identification of a specific culprit as an end in itself”. Its contemporary twin, criminology of the late 19<sup>th</sup> century, “was shaped

by modes of thinking drawn from evolutionary biology, anthropology and anthropometrics”. The criminologists of the era believed criminality could be inherited – one could be a “born criminal”.<sup>11</sup> According to Burney and Pemberton, Hans Gross, an Austrian professor of law and author of a number of works on criminalistics, took a “hybrid position” between criminology and criminalistics. His *Criminal Investigation* (1906), which built on a twenty-year practice as a police investigator in Upper Styria, borrowed typical elements from criminology. It has a chapter on superstition among offenders and “wandering tribes”, using additional terminology and images from criminal anthropology.<sup>12</sup> While Gross strived to promote “the pursuit of a trace-centred forensics”,<sup>13</sup> he also operated within the intellectual trends of his time such as criminology. Edited parts of Gross’ works were published in Polish police journals during the interwar period.

Peter Widmann suggests that the rise of criminal biology in the second half of the 19<sup>th</sup> century undermined basic assumptions about Roma as corrigible. If the roots of Roma “restlessness” were in fact hereditary, any campaign to make them live a sedentary life was pointless.

Rather unintentionally, Widmann maintains, criminal biologists (operating within the field of criminology) prepared the ground for Robert Ritter, the leading Roma expert of the National Socialist regime, but racism and Social Darwinism only fully thrived after the Nazi’s access to power.<sup>14</sup>

The International Criminal Police Commission (ICPC) was founded in 1923 to facilitate cooperation on crime prevention, the identification of international criminals, and the centralization of police data. After the eighth meeting of the ICPC in Paris in 1931, counteracting the “Gypsy plague” was among the main

## “IN A 1926 BAVARIAN LAW AGAINST ‘GYPSIES AND THE WORK-SHY’, A DISTINCTION WAS MADE BETWEEN ROMA AND SINTI, OTHER ITINERANTS, AND ‘HONEST ITINERANTS’.”

interests of police experts. A special committee comprising representatives from Germany, France, Austria, Czechoslovakia and Hungary elaborated questions of national registration, the international exchange of individual files, and controlling border crossings with reference to Roma. According to Jan Selling, those matters also were among the priorities of the conferences in Vienna (1934) and Copenhagen (1935).<sup>15</sup>

What appears from the research presented above is that “Gypsies” was a category containing both ethnic groups such as Roma and Sinti, and people engaging in itinerant crafts and trades. Those counted as belonging to this category could expect to experience scrutiny from executive authorities and law enforcement, who would use laws targeting them, or various loopholes allowing for measures outside the limitations of universal law. “Gypsy” was a fluid category – a collective comprising (potential) criminals, an ethnic group, or even a race. People included in the category appeared as social outsiders within the state boundaries, and as ethno-national outsiders at the state borders. To some experts with roots in criminology, they were incorrigible, in accordance with the widespread view that criminal behavior was inheritable. International discussions and cooperation to restrain their mobility persisted during the interwar period.

## Roma in interwar Poland

Roma in interwar Poland constituted a minority of 30,000–40,000 people among a population that reached 35 million before the outbreak of the Second World War.<sup>16</sup> Alicja Gontarek claims that the politics of interwar Poland was shaped by nationalist rule (until 1926), followed by the so-called *Sanacja* (literally “sanitation” or “cleansing” – supposedly of the negative features of Polish democracy prior to the coup d’état in 1926). A far echo of its leaders’ pre-World War One socialist roots, the *Sanacja* regime quickly evolved into “authoritarian elitism”. In the mid-1930s, yet another shift appeared when the concept of *national consolidation* replaced the concept of *state consolidation* (author’s own italics). In practice, it meant a decreasing tolerance of ethnic and national minorities by the state, a stance supported by the general (Polish) public and the Catholic Church. The period prior to the outbreak of war saw growing nationalism among the majority population, and discriminatory state policies, particularly against the Jews. While anti-Roma laws in the German spirit were not introduced, Gontarek suggests the police used vagrancy and beggary laws to fight against illegal Roma encampments. The purpose was to limit the migratory lifestyle of the group within the confines of the Polish state borders.

Gontarek finds there was a shift towards the repression and oppression of other groups (minorities, political opposition, etc.) from the mid-1930s onwards. In a top-down initiative, Janusz Kwiek (from the Kelderash subgroup of Roma) was crowned a “Gypsy king” in a stadium in Warsaw in 1937. The

state-controlled media described the act in detail, promoting a vision of “a uniform and centralized Gypsy authority, subordinate to the government”. There were likely mutual benefits, and thanks to the support of the government, the Kwieks could hold onto their claim to power over the Polish Roma. Gontarek argues that the Polish writer, translator and connoisseur of Roma culture Jerzy Ficowski considered the cooperation a “collaboration”, suspecting that the Kwieks informed the authorities about whom among Roma were not Polish citizens.<sup>17</sup> The government plan for managing Roma backfired, as the undertaking went against the tradition of “exercising power by many local [Roma] kings, leaders and chiefs”, most of whom were not consulted in the process. It also caused an outcry from the majority population and the Roman Catholic Church, who protested against this supposedly positive treatment of Roma.<sup>18</sup> There are indications that Poland tried to constrain the mobility of foreign Roma, and in 1929, the authorities did their utmost to expel a group of Roma who entered Poland after receiving entry visas in Leningrad, although they had invalid Romanian passports. Romania would therefore not accept them, as they no longer were Romanian citizens. After a failed attempt at pushing the group over the border into the Soviet Union, the authorities managed to sneak them over an unattended part of the Polish-Romanian border – but only during the second attempt.<sup>19</sup>

**THE IMAGE OF ROMA** in the Polish press was hardly a positive one. I have found that three pre-war dailies from the town of Lwów (now Lviv in western Ukraine) produced a surprisingly uniform picture of Roma, although they had different political orientations – Zionist, Ukrainian National-Democratic, and one close to the ruling circles of Poland. The average reader would get the

**“‘GYPSY’ WAS A FLUID CATEGORY – A COLLECTIVE COMPRISING (POTENTIAL) CRIMINALS, AN ETHNIC GROUP, OR EVEN A RACE.”**

impression that most Roma engaged in, or at least were in the physical proximity of, criminal activities. Roma were most likely to appear on the pages of dailies as suspects or culprits when a crime had been committed. If the dailies discussed the differences between various Roma groups at all, it was against the background of sensations about violent conflicts between them.<sup>20</sup> Gontarek has found that the radical nationalist newspaper Warsaw Nationalist Daily (*Warszawski Dziennik Narodowy*) depicted Roma as a “degenerated collective” of criminals and

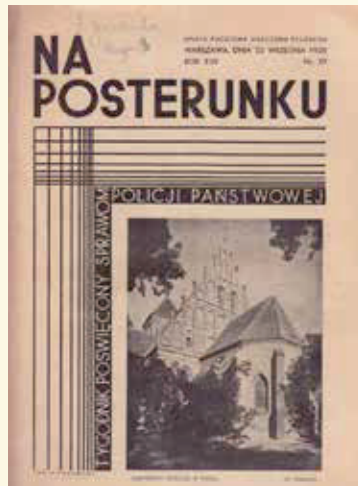
potential criminals, unlike other newspapers.<sup>21</sup> However, with my study in mind, it appears that the newspaper image of Roma was rather uniform, with more similarities than differences over ideological and ethnic divides.

## The source material

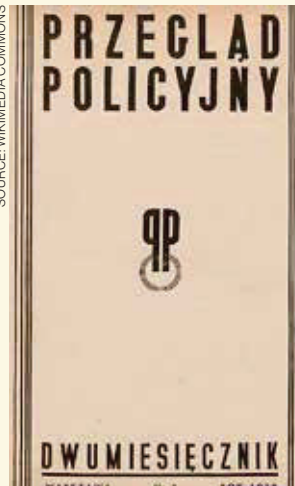
Articles and notices on Roma published in police journals constitute the bulk of the source material. I also used handbooks in investigative service and correspondence concerning Polish participation in the International Commission for Police Cooperation.

Three police journals are examined. The first is *The State Po-*

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The State Police Gazette (*Gazeta Policji Państwowej*), *On the Watchpost* (*Na posterunku*), and *The Police Review* (*Przegląd Policyjny*).

lice Gazette (*Gazeta Policji Państwowej*), founded in 1919, which later changed its name to *The Gazette of State Administration and Police* (*Gazeta Administracji i Policji Państwowej*). The GPP, and later the GAPP, targeted senior police officers and were read by police executives, judges, lawyers and municipality clerks.<sup>22</sup> For lower rank police officers, *On the Watchpost* (*Na posterunku*) was published as a weekly from August 1920. NP was, according to the head of the Polish police, intended to develop a fondness among junior police officers for their profession as well as train them in perfecting their duties.<sup>23</sup> The leadership and editors viewed the weekly as the best source of information on police work and the police profession. The editors designed the content so that an average police officer would be able to comprehend it. The ambition of the editors was to turn the journal into a virtual professional handbook. In it one finds legal issues, forensic investigation methods and their development in Europe, general police information, and matters related to police officers. In fact, there were two main “educational blocks” in the journal – one concerning forensic investigation (criminalistics) and one concerning law.<sup>24</sup> The journal also offered information about current developments within the force and rudimentary information about contemporary public safety threats. At times, it even functioned as a guide in crime prevention and investigation, as it contained articles and notices about police work concerned with eliminating crime groups and gangs, and the continuous challenge of facing the offenders, their methods and techniques.<sup>25</sup>

The fourth journal analyzed below, which was known as *The Police Review* (*Przegląd Policyjny*), replaced the GAPP as the journal for law enforcement executives in 1936–1939. It also became a forum for forensic scientists and had a theoretical and educational character.<sup>26</sup>

Among the contributors to the journals, one finds Major Wasilewski, head of the forensic department at the Warsaw Town Police Headquarters; Second Lieutenant Żarek, the head of the forensic investigation department at the police headquarters in Włocławek; and Major Kaliszczak, head of the police in

the county of Piotrków Trybunalski.<sup>27</sup> Józef Jakubiec, who ordered the fingerprint registration of criminals in Warsaw in 1933, translated and edited those works of Hans Gross published in the journals, as well as co-authored the 1928 edition of *Investigation Service* (*Służba Śledcza*). On the editorial board of the PR one finds Władysław Sobolewski, a ballistics expert and graduate of the Police Scientific Institute in Lausanne. He underwent additional training in the laboratory of the International Criminal Police Commission’s forensics team and worked as the head of the Central Laboratory of The State Police Investigation Service. Colonel Józef Żółtaszek, another member of the editorial board, headed the police in the Silesian voivodship; he also represented Poland at the ICPC conferences for years.<sup>28</sup>

### The goal and research questions

The goal of the exploration below is to analyze the narrative on Roma in the police journals, with a focus on *what* is written and *how*, including the potential measures.<sup>29</sup> The narrative was part of the police’s professional discourse. Such a discourse’s main meaning is to provide information and regulate and control the practices of professionals.<sup>30</sup> The study of the narrative will likely allow for a hypothesis as to what kind of Roma policy was being employed – i.e., “the state of exception” or measures within the confines of the law as Gontarek suggests.

The journals constituted important channels for professional police discourse. They offered information on a wide range of topics, from the laws of the country, questions of crime prevention and investigation, and relevant developments abroad, to the daily work and working conditions of the police officers. With two articles, two notices, and one Ministry of Interior order solely dedicated to Roma, it seems that the police executives and the journals’ editors hardly considered the group to be among the most important concerns of law enforcement in interwar Poland. However, Roma were mentioned a number of times in passing or as a constitutive part of an article dedicated to a larger phenomenon.

The journals comprise an important source when one studies



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PHOTO: NATIONAL DIGITAL ARCHIVES: NAC, REF 1-P-2323-3

the interwar developments concerning Roma, a group under-represented in historical research due to a supposed lack of sources.<sup>31</sup> Historical examinations concerning Roma in Poland are scarce, while those employing the press as the primary source have only appeared in recent years.<sup>32</sup> At the same time, using journals as source material has obvious limitations. While they are likely to mirror the knowledge of, and attitudes towards, Roma prevalent among the authors, information about practices is largely absent.

The questions that guide the analysis below are the following: What were the general features of Roma in the narrative? What potential dangers did these features produce? How should police officers act when facing the group? What similarities and differences, if any, appear between the recommended Polish approach and those applied in other European states?

### The “danger” with Roma: Their mobility and character

The most voluminous category of the narrative on Roma encompasses instructions on how to act when in mere contact with, or investigating, the group. The advice would routinely ascribe Roma several features that were likely to influence their behavior and delinquency.

Itinerant Roma, but also farmers, could hide rifles under their carts, among several potential places, as one learns from a piece on the concealment of weapons. Itinerant Roma could also tie short firearms to horsetails, or hide them in women’s “most discrete places”, the author informed.<sup>33</sup> When on patrol, officers should always undertake a detailed control of “every encountered Gypsy camp” no matter if that meant diverging from the patrol route or working overtime. The officers should establish the identity of all members of the camp, the goal and destination of their journey, check the documentation concerning the horses, and enquire whether there had been any thefts that coincided with the passing of Roma caravans. If “a band of Gypsies” stayed for a longer period, the local police should strengthen the

preventive service to protect the population from “unavoidable acts of theft”. The author, Major Garwacki, also called for the control of the flow of “alien persons” in the area by consulting the locals and checking such persons’ former whereabouts.<sup>34</sup> From an unsolved case of alleged horse theft and homicide, one learns that failure awaited those who omitted controlling *all* itinerant Roma groups.<sup>35</sup>

**HORSE STEALING** was among the most common offences ascribed to Roma. Major Garwacki maintained that few would steal horses without first making an agreement with a receiver. Roma were an exception to this rule, as they were often alien to a locality. According to police registers, there were 705 professional horse thieves and 200 receivers in Poland in 1938. In a table on horse thieves / receivers and receivers according to their nationality, one finds that “others” (556 thieves / 84 receivers) and Jews (78 / 106) were the most numerous groups, followed by “Gypsies” (71 / 10). Thus, “while constituting merely 0.02 per cent of the population (around 7.000), they give us 10 per cent of professional horse thieves (71 out of 706) and 5 per cent of receivers of horses (10 out of 200)”, Garwacki maintained. The author also found that “Jews have specialized in receiving”, as they constituted 53 per cent of all receivers. However, he continued, one should keep in mind that “sometimes even serious and wealthy farmers, and particularly their sons, belong to horse thief bands”, and there were serious horse dealers who engaged in the receiving business.<sup>36</sup> One finds the non-Jewish and non-Roma population of some 35 million squeezed into the “others” category to prove the obvious point that Jews were overrepresented as receivers and Roma as both thieves and receivers. Thanks to their itinerant lifestyle, the author continued, Roma are good at gathering the intelligence needed when preparing future offences. They gather valuable information while wandering between houses in rural areas or visit stables as potential buyers. “Gypsy women have even more possibilities, as they wander around all day in the villages nearby, begging, fortune-telling or healing the gullible”. Roma men

return weeks or even months after leaving a locality, when the caravan is in another region. They act in accordance with a plan drawn on gathered information, bringing false horse passports or certificates of descent. Horse thieves and receivers, the author sums up, operate up to a “hundred kilometres” from their place of residence.<sup>37</sup>

Roma were sarcastically described as “particularly able” when it comes to deceiving people. Roma women, it is stated, have mastered the art of bringing their victims into passivity and obedience when telling fortune. The author recalls a case where a Roma woman made a Jewish married couple hand over a round sound of money before instructing them to make swimming-like movements on the floor, which is where the neighbors found them.<sup>38</sup> One also learns that Roma women were very good at recognizing the psychological and other needs of the potential victims, promising to find disappeared family members, etc. At the same time, the author wryly claimed, people parted with their money and valuables. By the time they realized what had happened, the Roma were usually far away. The author also claimed that Roma women possessed hypnotizing skills. For example, in a village shop, a saleswoman was made to pack groceries after the suspected Roma woman “seemingly threw something that made a scraping sound while staunchly staring at the saleswoman”. While illustrating the methods employed by the alleged culprits, the author also regretted that it was hard to bring them to justice and prove the acts.<sup>39</sup> From a longer article about India, one learns from a single sentence that Roma, originally from India, supposedly have inherited hypnotizing skills from Indian fakirs.<sup>40</sup>

**WRITINGS ON ROMA** and child abduction constituted a recurring feature in the journals. That Roma could abduct children “cannot be viewed as a fantasy”, although it happens “rather seldom”, Major Wasilewski maintained in an extensive piece on child abduction. Roma were likely to “steal children” reminiscent of their own appearance, with darker skin and curly black hair, so those could be raised to become “Gypsies”, if the unfulfilled “maternal instinct” of a childless woman was behind the abduction.<sup>41</sup> A case of the disappearance of three boys in September 1935 was supposed to illustrate the negative effects of mistakes committed early in an investigation. One of the working hypotheses of the investigators was that of Roma as abductors. At the time of the disappearance, there were Roma passing through the woods nearby, and they spent a night there. The investigators pursued “the Gypsy, vagrants, beggars, circus people” hypothesis (as the author dubbed it) for ten days before discarding it after “a general search of Gypsy camps”. Still, they decided to supervise and control Roma in the region again a few weeks later, when the investigation was running out of feasible clues.<sup>42</sup>

Many police officers, one learns from a piece by Major Kaliszczak, bowed under the workload caused by “the vagrancy plague”. The identification of petty offenders carrying no or false

documents put considerable strain on the police apparatus. The detention time foreseen by the law was too short for successful identification, and thus for establishing a person’s potential criminal record. According to the author, there were five categories of people constituting the phenomenon of vagrancy: “Gypsies – comprising a separate group because of their character, way of life, peculiarities, and particular kind of delinquency”; “railroad vagrants”; “rural vagrants”; “urban vagrants”; and “travelers” (“globetrotters” and “youth in search of adventure”).<sup>43</sup>

Major Strzelecki found that Polish laws and regulation from 1928 about registration and mobility of the population, or the ordinance on foreigners from 1926, “do not foresee any restrictions as to Gypsies, who are subjected to general rules of the presidential ordinances”. All Roma occupations, and particularly so in the case of itinerant Roma, the authors maintains, often constituted a cover for their “main activities” of stealing (particularly of horses), fraud (forgeries of horse passports), but also “armed gang robbery”. Potentially, although proof was absent, there could be “a centralized organization” coordinating the Roma delinquency, the author maintained. Interestingly enough, when mentioning the “general rules” that applied to Roma, Strzelecki left out the presidential decree on “struggle against begging and vagrancy” from October 14, 1927.<sup>44</sup> There were at least three laws invoked by police officers when Roma were approached.

Itinerant Roma usually produce domestic documents, extracts from registers of sedentary population, foreign passports, and birth certificates. Often, they are written in an incomprehensible language, and without specification of the place of birth.<sup>45</sup> Roma women “hardly possess any documents at all”, nor do “the Russian Gypsies”, the author claims. Roma regularly borrow their documents to each other in order to conceal their identity. Combined with a lack of a “steady centralized registration of Gypsies”, all these factors made determining Roma identity and their criminal record very difficult. In addition, there was a risk that offenders with physical similarities to Roma – Hungarians, Greeks, Serbians, Romanians, etc. – would travel along with Roma in order to conceal their identity.

Strzelecki recommended that if a Roma caravan appeared in a locality, police should immediately determine “the first names, surnames, nicknames and the number of members according to sex and age”. Among other things, these were needed to clarify the place of departure, documents of the caravan travelers, their means for living, the goal of the travel, and how long they had roamed the territory of the voivodship. The last question was important, the author instructed, as Roma usually return to steal weeks after their caravans have left.<sup>46</sup>

A substantial part of advice on Roma came from Austria and Germany. In an article series about criminal police by the German expert Hans Schneickert, Roma figured among categories particularly dangerous to public security, such as “somebody not in possession of an ID or means to earn money”. Police

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should pay attention to “Gypsies, suspected peddlers, beggars, etc., because they predominantly deal with theft, and their alleged activities only serve as a disguise of their wicked deeds”.<sup>47</sup>

IN THE JOURNALS, one finds recurring adaptations of texts by Hans Gross, the father of criminalistics. The sixth part of the serial was solely dedicated to Roma. One learns that they were “a nation” with many unique features, and “particular customs, thoroughly alien to other nations”. A Roma individual “constitutes to us a thoroughly alien and new person” no matter how civilized he might be, in need of exploring and studying “in every detail”. Roma are unable to assimilate because of their “very outstanding physiognomy”. They all look very much alike, Gross maintained, so somebody who knows a dozen Roma practically knows the whole group. They have remained the same over centuries. They possessed several negative traits, such as vanity and meanness, affectation and indifference. According to Gross, Roma men lacked “male judgement or understanding”, but were rather cunning. “The outstanding features” ascribed to Roma were “groveling, presumptuousness, lying, complete lack of shame, immeasurable laziness, vindictiveness, and cruelty”. One must keep all these features in mind when approaching and understanding crimes “committed exclusively by Gypsies”, Gross claimed.<sup>48</sup> He moreover asserted that you cannot trust Roma’s own assurances about their identity, “as all Gypsies aim at deceit, and being a separate and strongly connected community united by interests and customs, they are characterized by great solidarity, apart from that they can punish traitors very severely and ruthlessly”. Some physical features of Roma, “starting from physique and ending at the color of the skin”, are so characteristic to the group that officers of law should learn to recognize them, as Roma are physically so different from other people that they can be viewed as “a separate ethnic group”.<sup>49</sup>

Gross went on to argue that investigating officers should remember that all the crafts and professions of Roma “merely constitute an additional aid” to their preferred craft of “deceit and stealing respectively” as both are rooted in “their whole psychic and morals”. The various incarnations of Roma as entertainers (fortune-teller, card player, the clown, magician, musician or singer) are merely ways to make the potential victims lower their defences. Roma use “naivety of the masses” as well as their good knowledge “of the human soul”.<sup>50</sup> A Roma person was “a born thief”, who mastered the ways of blocking an access to the room, knew how and where to look for the valuables, and possessed good forewarning system thanks to his comrades who keep a lookout. Often, enigmatic cases appear where valuables or other belongings simply have disappeared into thin air. In such cases, it is possible that the culprits have employed fishing hooks assembled into a four-armed anchor with a lead pendant. According to Gross, Roma women capture hens using this de-

vice. He also said that Roma usually know the mentality and customs of the population. For instance, when stealing cattle and horses, they will not sell them at the nearest markets, but rather go far away, where the farmers will not search for them.<sup>51</sup>

Gross discards claims that Roma abduct children. This is very unlikely, as Roma fertility is high and their families big. On the other hand, Gross seems also to keep open the option that Roma abduct children anyway, as Roma women seemingly viewed red-headed children as bringing luck, while stories about children supposedly abducted by Roma mentioned such children.<sup>52</sup>

As Roma constituted “a completely separate type of man, far from all external and internal features of Europeans”, they behaved differently in general, and before a court of law in particular. All questions, the professor maintains, “are answered by a question”. If pressured, a Roma will answer that he has not known his accomplices for long, “perhaps from the preceding day”. Once he had calmed down, “currents of talk” come out that may contain valuable information. A Roma person will confess only as a way of escaping an accusation of an even graver offence, as a way of producing an alibi, or in exchange for leniency. Thus, an investigator should treat “Gypsy confessions” with a great degree of doubt.<sup>53</sup>

According to Gross, Roma were remarkably resilient, but not immune, to various diseases. Any investigator should keep in mind their ability to recover quickly from wounds to the skin. One should moreover be skeptical to excuses and alibis referring to illness, wounds or health status. “This eternal vagabond, nomad”, if forced to stay too long in one place, “[he] starts to feel sad, to lose weight, [he] turns pale, loses his appetite”, sometimes all the way to “mental illness”. If locked in a prison, a Roma person may even die because of unhappiness, due to alien food, and the enforced order and cleanness. This alone, Gross sums up, illustrates the difference between Roma and other itinerants.<sup>54</sup>

AN ANONYMOUS AUTHOR from the United States was shocked that European countries tolerated “Gypsy gangs and caravans, unceasingly nomadic, devoted to idleness, theft and banditry”. The author found it amazing that in the 20<sup>th</sup> century police in Europe allow “a discredited tribe like Gypsies to run their own supposed kettle-making and horse trade, but in fact robbery and fraud of all kinds”. The author then presents what he considers successful measures against Roma. When they started travelling with their caravans in the United States, Roma carefully avoided territories populated by Native Americans, wary of the potential retribution if any of their horses disappeared. During the First World War, a handful of Roma families settled in Virginia. Soon, three Roma men were detected stealing grain, and resisted the arrest with firearms. The local sheriff shot the suspects on the spot, claiming his authority to execute the law when the circumstances complicate operations of the court and if there were “credible citizens” who had witnessed the offence. After that,

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Mounted police unit, Warsaw 1934.

PHOTO: WIKIMEDIA COMMONS



Polish police patrol in Warsaw 1932.

PHOTO: WIKIMEDIA COMMONS

Roma left and were never seen again.<sup>55</sup> The cases were likely to illustrate that severe punishments or the substantial threat thereof could be productive against Roma.

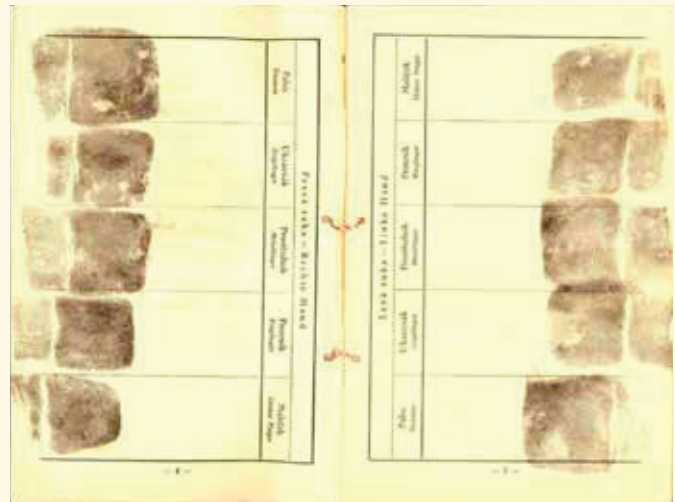
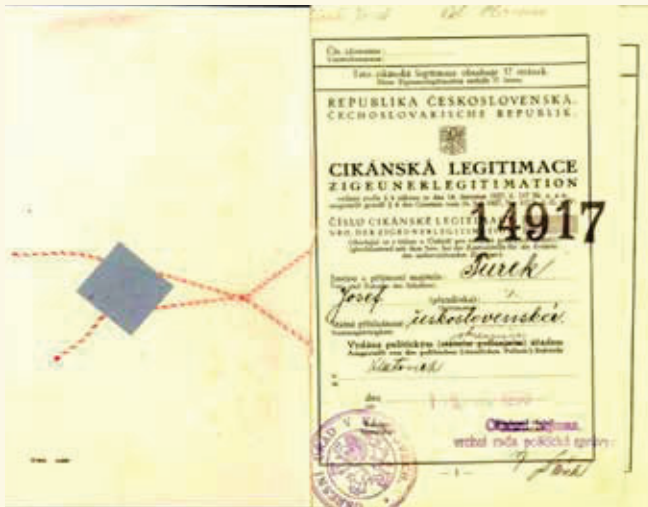
**THE POLISH POLICE** investigation service textbooks/manuals borrowed heavily from the works of Hans Gross as did their perspectives on Roma. One finds chapters on Roma inspired by Gross in several versions (1920, 1928, and 1929). From the 1920 edition and its 1923 reissue, one learns that Roma were uncultivated, idle and vulgar. They also attracted other criminal elements. Echoing Gross, an anonymous author claimed there was a “full lack of manly judgement and reason” among Roma men.<sup>56</sup> Among categories of locals whom an investigating officer should know were those under supervision “and indirectly supervised persons, like work-shy, vagabonds, beggars, prostitutes, gypsies, and convicts released after serving their sentences”.<sup>57</sup> From the chapter on fingerprinting one learns that “Gypsies of both sexes no matter if [formerly] punished or if of criminal age” should have their fingerprints taken at detention.<sup>58</sup> In the 1928 new edition, one still finds references to Gross, although the chapter on Roma had been shortened and renamed “Theft by Gypsies” (*Kradzieże cygańskie*). The authors also rebuked Gross’ conclusion that Roma abstained from grave violent crime. “New experiences”, they wrote, show that Gypsies commit bestial bandit assaults, when they murder all household members, not even sparing children in cradles”.<sup>59</sup> From 1929 investigation service instructions, one also learns that officers should file Roma fingerprints as “Category V: wandering thieves”, encompassing horse, railroad, luggage, and market thieves, as well as “Gypsies” and beggars.<sup>60</sup>

The advice part of the narrative on Roma presents a great number of negative features of the group. According to the authors, Roma would engage in horse stealing, petty theft, various forms of fraud, and begging. They were potential child abductors and would at times engage in violent crime. Combined with their mobility and fraudulent handling (or outright absence) of identity documents, these features constituted a dangerous

threat to public safety. The most important countermeasure suggested by the authors was stopping and controlling Roma caravans at first sight, including meticulous checks of identity documents. It turns out that Roma were among the common “usual suspects” of the police. They appeared in the categories of locals in need of being “indirectly supervised” and would be routinely fingerprinted no matter their age and criminal record. The police attempted at controlling Roma international and domestic movement by applying a general judicial framework on stemming begging and vagrancy, and registering the population or movements of foreigners. Polish accounts of criminal investigation and Roma-related delinquency borrowed heavily from Hans Gross, whose works had been translated into “French, Spanish, Danish, Russian, Hungarian, Serbian, and Japanese” by 1906.<sup>61</sup> The greatest difference between his account and the Polish ones was that Gross clearly viewed Roma as a separate, criminal and inferior race, and as “inborn criminals”, in his writings, while Polish authors were less explicit on the matter. If this narrative from the professional discourse of the police somehow materialized in reality, it would mean a number of measures aimed at controlling Roma undertaken by the officers within the confines of the laws against vagrancy and begging, with full guidance and support of police manuals.

### Roma as mirrored by police work

Articles and notices on police work read as a criminal chronicle (which were sometimes a part of such) and contain very basic information. A notice in the column entitled “Police activity” tells the story of a twenty-four-hour pursuit of suspected Roma horse thieves, who admitted their guilt after being caught.<sup>62</sup> A Roma band of eight robbers was detained in southern Poland and charged with at least three robberies against Jewish shop holders.<sup>63</sup> The “shooting of a Gypsy-horse thief” described an individual riding a horse encountered by the chief of the police station in Nałęczów. He was shot dead after refusing to produce documents and attacking the officer.<sup>64</sup>



A Czechoslovak "Gypsy identification card" with fingerprints. Source: The Museum of Romani Cultur, Brno

"Police in skirmish with Gypsies" described the police along with volunteers pursuing a gang that attacked a farm. After an attempt to stop two horse carriages in a nearby wood, there was an exchange of fire, with "thugs" taking off. Both carriages belonged to Roma, the author claimed.<sup>65</sup> One learns of the successful action of undercover officers Łuczenko and Kuźminski when the police detained a bandit gang that had plagued the Sarny region (nowadays in Volynia in north-western Ukraine). Pretending to be fugitives from the law, the agents caught "the Gypsy Gabryel Wiśniewski", Maksym Szewczenko, Piotr Mikosianczyk, Kusia Pawłowna, and Władysław Gruszewski. Merely Wiśniewski's ethnicity is mentioned, while, deemed by their last names, his accomplices were likely ethnic Ukrainians.<sup>66</sup> However, Roma also fell victim to crime. Eight masked and armed offenders attacked a caravan headed by Ferenc Lakatosz near Krasnystaw in 1922. They robbed the caravan and attempted to hang one of the Roma men but ran away when they heard an approaching cart. The local police took in three known criminals for interrogation.<sup>67</sup>

What strikes one in this section is that the offences where Roma were involved were violent, unlike most such offences described in the advice section. All short notices on police activities concerning Roma dealt with violent crime, in line with most notices published in "Police Activities" and "Police" columns. Here, Roma were dealt with as other suspects, while being the only ones singled out with an ethnicity. No information on other ethnic groups in Poland was available.

### The foreign experiences of Roma

There were recurring references to the ways in which law enforcement operated abroad. Only one evidently dealt with Roma developments. The Czechoslovak Ministry of the Interior processed 36 728 personal fingerprint cards, among them a "Special collection of the fingerprint cards of Gypsies" with 6 768 entries. It was possible to reveal 3 517 Roma and 605 persons

from other groups living under false name thanks to the collection.<sup>68</sup> Information about the Centre for the Registration of Gypsies in Munich, among other German police centers, was offered in 1927.<sup>69</sup> From the contribution of a domestic author, Major Strzelecki, one learns that there were those in the Polish police who bemoaned the lack of a domestic centralized Roma register. In Germany and in the Czechoslovak Republic, he wrote, the rules aimed at limiting the roaming of Roma and forcing them to a sedentary life "in the name of public security". In Czechoslovakia, those encompassed the restriction of movement without a special permit for caravans bigger than two families; and "itinerary letters" allowing camping on the territory of a given administrative unit (never on the territory of the whole republic, the author notes). Those letters were issued only after consulting the General Criminal Central in Prague and could be withdrawn at any time.<sup>70</sup> "In the name of public safety", the letters specified the name of the head of the family, the direction and the approved goal of the travel, with a possibility to include further restrictions in the text. In addition, the person in possession of an "itinerary letter" was obliged to produce documents such as an artisan card or an entertainment permit. Camps were allowed only in designated places. At the beginning of the stay, "the itinerary letter" had to be deposited at the local gendarmerie station. All Roma aged 14 or more carried the so-called "Gypsy ID", with a photo and a fingerprint of the pointer finger of the right hand, containing information about a possible criminal record, police supervision or any restrictions. It also had information about the movable and immovable property of a person, including animals. A deceased person's ID had to be returned to the nearest gendarmerie post, and the General Criminal Central in Prague had to be informed about any changes to the status of the owner of the "Gypsy ID". The same law foresaw forced subjection to medical examination or treatment (for instance, vaccination against contagious diseases). Moreover, the authorities could take away children of twelve or fewer years of age if

they were not raised “in a proper way”. Strzelecki found that the Prussian law from 1927 imposed even greater restrictions on Roma and “persons who conducted a Gypsy-like life”. It allowed for the fingerprinting of persons from the age of six. The documents carried by Roma warned that those travelling without documents risked “temporary arrest if substantiated doubts as to his person arise”.<sup>71</sup> Strzelecki formulated the title of his article – “*For the registration of Gypsies*” (my own italics) as if it was part of a debate arguing for stricter registration measures by the Polish police. If one considers the writings on problems of controlling travelling Roma’s identity and preventing potential offences, Strzelecki was likely to face support from his colleagues.

**THERE WAS** a direct link between the international discussion and domestic Polish advice on Roma. Colonel Józef Żółtaszek was the main editor of the PP in 1936–1938, and he held lectures at the ICPC conferences in 1930 in Antwerp, 1935 in Copenhagen, and in 1936 in Belgrade.<sup>72</sup> Furthermore, at least up until February 1936, he was receiving correspondence from the ICPC headquarters in Vienna. Among those files, one finds correspondence about preparations before the Belgrade conference, including a draft agreement on “the measures to be taken for the suppression of the nomads’ conduct”. The draft built on earlier agreements between Belgium and France from 1931, and France and Luxemburg from 1932. No signatory country would extradite “nomads” without first informing and obtaining the permission of the receiving country, or the country whose territory had to be passed – regardless of whether those people were citizens of those countries. Citizenship should be established “in a safe way”, and if it could not be established, the signatory countries would not extradite such people without the permission of the receiving country and its cooperation.<sup>73</sup> There are no indications that the Polish police organization ever engaged in such agreements as the one above, or that it took an active part in the cooperation on Roma. What is beyond doubt, however, is that Poles participated in the international discussions and exchanges of ideas and methods. Considering Strzelecki’s call for an all-Polish police registration of Roma, those directly cooperating within the framework of the ICPC were not the only ones aware of the international approaches and experiences concerning the treatment of Roma.

### **“To your attention”: Decrees of the Ministry of Interior**

While advice on, and accounts of, police activity concerning Roma in Poland and abroad were not binding, the decrees of the Ministers of the Interior were. In 1928, the Minister of

Interior instructed that horses belonging to Roma should be registered “on general terms” and on the territory of the community (*gmina*, an administrative territorial unit) where they were brought for inspection, regardless of whether the Roma were Polish citizens. Special attention should also be paid to horses belonging to Roma, as a ‘substantial portion of these likely comes from stealing’.<sup>74</sup> In the days preceding the outbreak of WWII, the Ministry of Interior issued the “Combating the Gypsy vagrancy” order. As there often were criminal elements among Roma “terrorizing the population, particularly the rural one”, it reads, several laws and regulations should be *strictly followed* (author’s own italics). Those included the registration and control of the movement of the population; controlling Roma movement in the state border areas and the border strip;<sup>75</sup> and enquiries as to reasons for travelling and availability of work and means to live at the place of destination

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– in accordance to the presidential decree about combating begging and vagrancy. The Ministry also ordered the control of Roma horse vehicles’ adherence to road safety regulations, and the strict control of the authenticity of documents possessed by Roma, particularly those concerning military service and horse ownership. The list of measures ended with a strict observance of fire-protection regulations with reference to Roma and an admonishment for the population not to allow them to camp on their property.<sup>76</sup> On the eve of the war, the Ministry identified Roma as particularly problematic. This is

the first explicit instruction to use all regulations and laws at its disposal in the “combating of Gypsy vagrancy”, a term likely borrowed from the professional law enforcement discourse elsewhere in Europe. However, from the call for the legislation to be “strictly followed”, one learns that the available laws had not been applied as strictly as they should have been. Rather than introducing new legislation, the state, represented by the Ministry of the Interior, called for the existing legislation to be followed verbatim. The single most important document in these circumstances was likely “The Decree of the President of the Republic of Poland of October 14, 1927 on combating begging and vagrancy”. This suggests that the measures described in the section on the narrative on Roma were likely employed, but merely to a degree, and likely dictated by availability of officers and particular local views of Roma.

### **Concluding remarks: Towards European standards?**

The narrative on Roma as it appears in Polish police journals is one of the group as criminal, ethnically or/and racially alien, a category not belonging to the widely understood Polish society (apparently including the Polish majority, the Slavic minorities

and Germans, but not Jews or Roma who unlike other Polish citizens were presented as ethnicities). As the authors always described Roma as itinerary, their mobility contributed to the overall negative image of the group as beyond control. The answer to this challenge appeared to be more control, exercise through searches of caravans, controlling Roma identity documents if they had any to see if they were genuine, and registering Roma on the local level. There was also a call for the registering of Roma on a central, all-Polish level.

It appears that the police approach towards Roma was rectified by the existing legal framework that did not single out Roma as a category or sub-group of population, but covered categories of “beggars”, “vagrants”, “foreigners” or referred to legislation on the control of the population. In this approach, the Polish police followed the path of Great Britain and France, who according to Jennifer Illuzzi accommodated their policies on itinerary Roma within the existing legal framework. There was no discriminatory legislation on Roma on the threshold of WWII (August 1939). While not succumbing to practices of what Illuzzi has called “state of exception”, the police would use legislation against begging and vagrancy, control of the population or foreigners to control the Roma. Roma would always qualify as routine suspects.

The narrative on Roma in the Polish police journals points to influences from abroad but also mirrors the rise of domestic expertise. In 1920s, the bulk of advice on Roma contained parts of handbooks on criminalistics translated into Polish (Hans Gross or Hans Schneickert, for instance). In the 1930s, there were several domestic authors discussing Roma. Poland took part in the works of the ICPC by the time there was a growing interest and international cooperation on Roma-related matters among the member states, as Żółtaszek’s participation in conferences and the correspondence from the ICPC illustrate. It remains to be seen whether the contacts had any consequences for the Polish police’s handling of Roma, but it seems that the law enforcement followed one of the main general European trends. Repeated calls for relentless checks of caravans (Roma were the routine suspects) and indiscriminate fingerprinting of Roma, crowned by the order issued in the summer of 1939 to use any legal pretext to prevent Roma from wandering, show that there were forces in Poland in unison with the European police practices of the time. On the other hand, we cannot know to what extent police officers followed calls and instructions in the journals. Perhaps future research using regional and local sources will be able to show the practices Polish police employed when handling Roma. ❌

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- 56 *Służba śledcza podręcznik dla szkolenia funkcjonariuszów policji państwowej* [Investigative service - manual for training state police officers], (Warszawa: Skład Główny w Księgarni F. Hoesicka, 1920), 24–27; *Służba śledcza podręcznik dla szkolenia funkcjonariuszów policji państwowej* (Warszawa: Skład Główny w Księgarni F. Hoesicka, 1923), 23–27.
- 57 *Służba śledcza* (1923), 4.
- 58 *Służba śledcza* (1923), 14–15. Prior to 1928, this was a perfectly legal procedure - see Gontarek, “Krolowie cygańscy”, 146–147.
- 59 *Służba śledcza: podręcznik dla szkolenia funkcjonariuszów policji państwowej* (Warszawa: Drukarnia Policyjna, 1928), 393.
- 60 *Służba Śledcza. Instrukcja* [Investigative Service. Instructions], (Warszawa: M.S.W. Komenda Główna Policji Państwowej w Warszawie, 1929), 53.
- 61 Hans Gross, *Criminal Investigation. A Practical Handbook for Magistrates, Police Officers, and Lawyers* (Madras: G. Ramasawmy Chetty & Co., 1906), v. This first edition of Gross’ *System der Kriminalistik* in English was adapted to “Indian and colonial practices”. A chapter entitled ‘Wandering tribes’ is mainly dedicated to “gypsies”.
- 62 “Działalność policji” [Police activity], *Na posterunku*, August 22, 1923: 10.
- 63 “Działalność policji”, *Na posterunku*, January 30, 1926: 12.
- 64 “Policja”, *Gazeta Administracji i Policji Państwowej*, January, 27, 1923: 84.
- 65 “Kronika”, *Gazeta Policji Państwowej*, June 18, 1921.
- 66 “Policja”, *Gazeta Administracji i Policji Państwowej*, December 9, 1922: 776.
- 67 “Napad na obóz cygański” [Attack on the Gypsy camp], *Gazeta Policji Państwowej*, March 4, 1922: 140.
- 68 “Z policji zagranicznych” [From foreign police], *Na posterunku*, June 19, 1926: 10.
- 69 “Sprawy policji” [Police matters], *Na posterunku*, September 24, 1927: 14.
- 70 Strzelecki, “O ewidencję”, 709.
- 71 Strzelecki, “O ewidencję”, 710.
- 72 Kędzierska, “Polska kryminalistyka”, 249.
- 73 AAN, Komenda Główna Policji Państwowej, sygn. 1714, 11–12, 13–16. Żółtaszek also headed the police of the Silesian voivodship. [AAN, National Police Headquarters, ref. no. 1714, 11–12, 13–16.
- 74 “Ku waszej uwadze” [For your attention], *Na posterunku*, June 23, 1928: 11.
- 75 “Zwalczanie włóczęgostwa cyganów” [Combating gypsy vagrancy], *Na posterunku*, August 6, 1939: 20.
- 76 “Zwalczanie”, 21.