

Romany communities' ways of living in relation to criminality
(in the known territories of the Czech Republic and Slovakia)
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I state beforehand, that the subject of this micro-study itself is extremely socially delicate, setting itself beyond the cliffs of tartaros of *political correctness*, because it explicitly anticipates, that there *are* some characteristics of the Romany populations here, which *are* criminal, and moreover that such characteristics can be labeled as Romany. So let's inquire if the family structure known by the Romany people makes possible the types of criminality not known by other groups of Czech citizens, if a certain type of criminal activity was (committed) here first, or was started off solely in the Romany community...

"Communalism of pariahs

When some minority is subjected to discrimination and disdain, it is mostly read as and justified by the "fact," that some moral inferiority is attributed to this group. Its members are lazy, incapable, habituated to stealing, commonly susceptible to crime, are filthy, take on nasty sexual practices, booze etc. Such attribution can indeed be entirely unfair and unjustified. On the other side it can be forced on or produced by repeated self-affirmative practice. To some easily identifiable sub-population, to which strong criminal tendencies are ascribed, can have difficulties in getting ordinary job and can be hound on to criminal activity. It is hard to escape the effects of social stereotypization, and determined attempts frequently conduce to stronger primary attribution.

Apart of fairness or other quality of such an attribution, this "normal" prerequisite of discrimination has certain evident logic. The minority in view trails behind the accepted values of the dominant "host", or majority society; when the attribution of such inferiority is righteous – and I don't know, in some cases it can be – then discrimination is legitimated in a way. Such a situation – regardless to the problem, if the attribution of a relevant defect is in fact legitimate – represents, what can be called standard or simplest version of discrimination."

Arnošt Gellner, Jazyk a samota (Language and Loneliness)¹

1) Delimitation of the terminological and analytical frame

For the purpose of grasping the situation, the adjective Romany will describe activity carried out by persons considered to be Romany by Czech society (so-called popular discourse), whether they by themselves feel, or proclaim to be Romany, or not.

The term criminal will be regarded as any activity, delimited by provisions of the Criminal code² of the CR.

Romany populations:

In this micro-study, the term Romany populations is used as a category of attributed ethnicity, i.e. the target group are populations described as Romany/Gipsy by their environment, not by means of their virtue (Romany populations') volunteered declaration of "Romanyhood" or Romany nationality, because this would constrict the area of this study only to members of the Romany political community/national minority in the CR, which (as a group) definitely don't overlap with Romany populations in localities described as Romany (perhaps even

¹ Ernest Gellner, *Jazyk a samota*, Centrum pro studium demokracie a kultury, 2005, p. 128.

² Act no.140/1961 Coll. as amended by subsequent acts.

socially excluded, segregated, marginalized, pauperized etc.) and only very loosely with surveyed types of criminal actions and the corresponding crime-producing environment.

Socially excluded Romany locality/enclave/community:

For the purpose of this study, it is necessary to work with as broad as possible delimitation of the notion of locality/enclave/community; the compiler will treat Romany localities/enclaves/communities as the territorially delimited areas of cities and villages, which are known as such in existing macro- (nationwide media) and micro- (local sources) discourse, to the interested parties. Therefore this denotation applies for a complex of so-called blank-flats, slab blocks, or structurally heterogeneous parts of a city/village with a majority of Romany inhabitants; with all residential aggregates described in this manner we will work with *ex definitione* socially excluded, thus, it is with the population not participating as the of majority society and not having the same access to common goods (services, jobs and housing) as the majority/other population.

The term “community” appears, especially in the micro-study dealing with the criminality of a social group, problematical. Recent evidential studies show, that *“if in any locality live two or more unrelated Romany groups (and such a situation is a rule nowadays), this population doesn't form a community in any sense. Such a population is not able to pick out a representative, is not in a position to agree on a common program etc. The reason why is that kinship as an organizational principle makes it not possible to associate any sort of filiation formations, so that the unrelated families never, as it were by definition, agree on the above-mentioned moments”*.³ A different focus is represented by the linguistically-national point of view claiming that community is imposed on us by the fact of speech alone. I don't think, that this focus can be useful for the description of crime-producing environments in enclaves inhabited mostly by Romany people, due to the differentiation of language usage in such enclaves (vernaculars of Czech and Slovak, Romany as ethnic dialect of Czech, east-Slovakian Romany, prison argot etc.).

Pertinence to such a socially excluded locality (although in public/popular discourse described as Romany/Gipsy) should be laid *ex definitione* by social exclusion of its inhabitants, that means by their social condition, not by their assumed ethnical or even racial identity. How confused the situation becomes in this respect, is probably at best illustrated by a sentence from one of the cited “criminological” papers by philosophy students: *“In former times, pertinence to this ethnicity wasn't perceived as we perceive it today, racially, that means by the color of the skin, but by the life pattern.”*⁴

Internal factors of social exclusion:

Adaptation to conditions of material poverty, known as a poverty culture – this term is used in our study as a conceptual instrument for describing the situation of Romany populations' social exclusion creating an environment with a specifically integrated system of values, locally accepted rules and strategies of living, which contradict the norms of the majority of society; the notion of culture (both generally and specifically) is used in its non-evaluative

³ Marek Jakoubek, Lenka Budilová; In: „(Lokální) romské komunity – dekompozice pojmu (na příkladu lokality České Kamenice)“, str.16; Projekt HS 108/03 „Dlouhodobý stacionární výzkum sociálně vyloučených romských komunit“ realizovaný Katedrou antropologie Fakulty humanitních studií Západočeské univerzity v Plzni.

⁴ Social pedagogy seminary paper „Kriminalita Romů“ (Romany criminality), Iva Krajová, Jitka Slámová, Andrea Večeřová, Philosophical faculty, Masaryk Univerzity, Brno, 1999, p.24.

sense, which makes the understanding and interpretation of actions of socially excluded Romany populations possible.

External factors of social exclusion:

These are read by the compiler as factors forming the nature of an institutional environment in relation to the social exclusion of Romany populations. They can have political (specific programs directed to Romany populations), economical (employee programs, so-called active employment policy, in support of Romany companies), legal (legislative support of Romany communities' integration), cultural (support of artistic and social activities), symbolical (declaratory) character, or nature of territorial segregation (displacement and accumulation of rent debtors – so-called non-payers).

Social exclusion:

The government's *Romany Integration Policy Concept* updated in 2005, takes the definition of European Community (2004) and characterizes the social exclusion as a process, "by which some individuals are ousted to the margin of the society and are prevented from participating fully in the life of the society as a result of poverty or lack of basic skills and lifelong learning opportunities or due to discrimination. This separates from work, income and chances of education and also from networks and activities of the society. Such individuals have little access to power and decision-making authorities and often feel helpless and unable to control decisions that affect their daily life." (Part 5.1) Also the government's *Report on Romany Communities' Status in the CR (2004)* states in part 4.4., that "(the notion of) social exclusion is close to the notion poverty, but is not identical with it. If poverty is connected with the separation of individuals and groups from material resources of the society, then social exclusion is the shutout from the participation on the life of the society and the loss of social station in the society."

This study starts, in accord with governmental materials, from the concept of social exclusion as a multidimensional phenomenon, by which an economical, social, political, community, territorial, and group dimension can be distinguished.

The identification of localities/communities and of the associated crime-producing environments/ types of criminality starts from the accumulation of the phenomena typical for the broader definition of social exclusion, hence it records also its symbolism by the inhabitants of Romany communities with experience, which doesn't necessarily correlate to a poverty or housing standard. The compiler treats socially excluded localities/communities also as such settlement aggregates, in which the standard (of housing, transport services etc.) does not significantly differ from the surrounding environment, but by which their inhabitants and the surrounding population is considered to be different and excluded. This applies namely to the case of streets or parts of big cities, where it is very difficult to delimitate the extent of territorial exclusion of Romany people (Prague Smíchov, Karlín, and Nusle – this more likely concerns individual houses or "entries"). The government's *Report on Romany communities' Status in the CR (2004)* distinguishes such "territorially integrated settlements" from "territorially segregated aggregates" (for example lodging-house of the Meat-?? in Kladno). Moreover it alludes to the distinction between "bigger enclaves (for example Brno-Cejl)" and "micro-enclaves."

Each person in relation to the locality/community in view, and to the associated crime-producing environment/type of criminality, i.e. one which is considered to be a partaker of information exchange and with a value hierarchy in a given locality, within the frame of this

study, is regarded as a member of the socially excluded Romany locality (community). This can include attendants of facilities in the locality such as community centers, gambling houses, or pubs. The term locality/community will hence be used as a geographical definition of a group, which can, but does not need to overlap to its factual or attributed ethnicity.

- 2) Suggestions on the relations to the general context of social exclusion of the Romany people in the CR

I. Introduction

“Specialized cultures have begun to be harmful; they became a parody of human condition, where they once were a norm.”

Arnošt Gellner, *Jazyk a samota*

The ways of living by Romany populations is known from many sources ranging from early medieval records up to present day knowledge, and out of specialization by (sub) contractor services of the Romany people to the rest of the population. During the pre-industrial period, the Romany clans in the host countries filled up the niche of traveling craftsman and resellers of wares. When this niche was already occupied, intermixture with the local non-Romany clans occurred (Travelers in Ireland, and others). Itinerant trade and marketeering is today the style of living favored by the Romany people in the Western European countries (Spain, France). When the Romany people were constrained in a rural environment, their agricultural activity was again oriented to the seasonal labor available from farmers and landowners (former Hungary, Balkans). The industrialization of European countries in the 19th and 20th centuries led to the elimination of the services offered by Romany people from the basket of socially needed and valued activities. The effect of this was the **adaptation to the conditions of material poverty** leading to the segregation of Romany populations and to their progressive criminalization. Distance maintained for centuries by Romany clans to the surrounding (ritually unclean) world turned into, in recent centuries, a factor worsening the segregation and demobilizing the Romany people in regard to the access to services and goods distributed (in a discriminating way indeed) to *all* populations of liberal societies in the early capitalist era. This, in combination with the racial prejudices of most Europeans to the differently colored and culturally equipped Romany people, resulted in a social decline, (auto)segregation and criminalization/crime-production? of a major part of the Romany populations, which in their colonies began to generate an anti-world sentiment of their surroundings; kind of “value counter-world” granting “deviant” appreciation also to individuals, to which the majority society any appreciation denies (Skupník 2004:118)⁵. During the pre-industrial period (as well as in prevailing popular discourse today), the Romany people were frequently considered to be born footpads and evildoers. *“When they were recognized as liars, thieves, and villains, they were persecuted in Spain at first, then also in other countries. In the 16th century they relieved, here and there the attempts to change them into a settled nation and uplift them have been made, but these attempts have failed”* states the Otto’s encyclopedia under the entry Cikáni (Gypsies). But we can assume that this was an expression of a different type of conflict than that of the modern criminality linked to the age of enlightenment and to the periods during the process of industrialization

⁵ Term *anti-world* is taken over from a study by Jaroslav Skupník: „Pohled z druhé strany potoka. Sociopsychologická dynamika marginalizovanosti.“ (The view from the other side of the brook. Sociopsychological dynamics of being marginalized.) In: *Rómska marginalita*, Ed.: David Scheffel, Alexander Mušinka, Zborník z medzinárodnej konferencie, Prešov 2003, Centrum antropologických výskumov, 2004, str.118;

and institutionalization (slammers). This was rather ancient animosity between nomad and peasant, meaning that the term nomad represented thefts, frauds and tricks, trespassing of fields and woods. This led to violent persecution of the Romany by the settled population, and together these ill feelings and negative actions exceed the framework of this study. As mentioned above, the anti-world of the Romany exclusion and criminality is in effect a “value counter-world” giving to its participants a sense of human integrity, only rarely granted to them by the so-called majority of society. Not by chance do we find many majority citizens set free from the jail execution of their homes in the setting of Romany ghettos. For the surrounding world they are only tattooed and cockeyed monsters, within the Romany environment they get the attention, appreciation and confirmation of their values independent of criminal stigmatization. I think, that Skupnik’s characterization of a Romany colony (or ghetto), which grants to its inhabitants the sense of human integrity, can be extended also to the life of Romany criminals:

The fact, that these colonies so stubbornly continue their existence in spite of their material poverty, and their inhabitants frequently return there as birds of passage, is (regardless to the indispensable “external” pressures mentioned by mine informer) a structural effect of a socio-psychological dynamics of “human constitutional incompleteness” and of resulting inevitability of social life and existential necessity of appreciation: the colony is a socially construed world granting to its inhabitants appreciation of their humanness and confirmation of their value as human beings. (Skupnik, 2004:118).

II. Types of Romany anti-world criminality

Why, to find out something general in the individual lives of clan and caste structures, by the Romany individuals or groups living in different environments and on all levels of integration to the majority society, is almost impossible. And in addition to this, current politically tinged informational embargo on the Romany asocial or antisocial behavior data kills the possibility to document the further suggested, frequently generally shared theses by evidential empirical materials.

Kazimír Večerka, Socioklub, 1999:427

The relevant materials dealing with *Romany* criminality agree in the fact that these are chiefly crimes against property. But the obtainable statistics leave out the factor of indirect offence, by which in principle the whole family of the offender shares the material benefit, and within the frame of social network exculpates him and generates the environment, in which the criminal offence and the subsequent execution, is in fact one of the possibilities taking place within the hierarchy of ranks and merits. In this the Romany criminality differs from the majority of crimes, in which the offender is permanently (negatively) stigmatized. Most of the information known to the compiler states that Romany criminality is primarily directed outside of the world of its life, against the so-called majority (Večerka, Štěchová 1990:5, Chalupský 1997:32), but the factor of misprision of offence by reason of a filial or intra-community tie can be so strong, that it necessarily changes the testimonial value both of statistical data (by the year 2000) and present studies. On the contrary, known data and researches from American ethnical slum-ghettoes clearly show the opposite trend (Wilson 1987)⁶. Generally it is possible (I suggest) to divide the criminality of the Romany anti-world into an external and internal type.

Some offences committed by the Romany people can be directly deduced from different cultural traditions, which, on the ground of their minority status were never normative: for

⁶ Wilson, William Julius; *The truly disadvantaged – the inner city, the underclass, and public policy*, the University of Chicago Press, 1987;

example, sexual intercourse before the age of 15 which is consensual and frequently consecrated by the family of the offenders. Traditionally arranged and (sexually) completed marriages are frequent especially by Olah Romany people. Also the offence of sponging, which was prosecuted during the communist regime, was in conflict with the tradition of mutual support in Romany families.

There is (verbally transmitted) some information about the victims sanctioned by the Olah internal courts called *Kriss*. It is not true (as is frequently handed down), that the acceptance of the decision of this internal clan court is based on willingness. Often, it is enforced by threats and violence, mostly in case of collection of penalties by this court. The “sentenced” as a rule don’t demand protection from the state and its authorities.

Socially, the biggest problem is the comprehension of theft and other criminal offences by some Romany groups, especially the Olah⁷. We can claim, that robbery by “gádžos” (the majority) is not by many Romany clans perceived as morally wrong. It is true, especially in the case of groups which are in permanent war against the surrounding world and consistently divide the universe into *them* and *us*. Alarming is the fact that society is not able to prevent such filially/clan conditioned criminality caused by corruption of local power groups and the fact that police only reluctantly confront violent pickpocket groups. An ethnically caused criminal subculture can be prevented in an effectively functioning free (democratic) society – without corruption – or in (police) totality.

Overall Romany criminality was five times higher in 1984 than the rest of the population (in the CR?, CSSR?). In the long term it rises and starts in the younger age groups (Nečas, 1991). In the beginning of the 1990’s, when the data on Romany criminality became available, the share of Romany people in the overall crime rate of the CR was about 16%, while in Slovakia it was up to 28%, meaning that at the time of the split between the Czech and Slovak Federative Republic, approximately each fifth accused was Romany. An especially large share was burglaries (22% of the total) and in so-called plain thieveries (19%). In Slovakia these numbers were 40% and 36%. There was also a considerable share of immoral offences, especially in the crime of sexual abuse (20% in the CR, 40% in Slovakia). The share of Romany people in violent criminality was in the CR 13% (SR 23%). (Socioklub, 1999).

“...we estimate that 20-30% of the economically active Romany population makes their living illegally – by prostitution, peddling or other crimes against property. The adult prisons are by more than 60% Romany. (Říčan, 1998).⁸ In the beginning of the 1990’s, according to police statistics, in the territory of the former CSFR, 2% of those prosecuted were foreign, 82% were Romany people, and 16% natives; Romany people averaged half of the prosecuted and accused habitual offenders (Matoušek 1998).

The living world of the socially deprived (excluded) Romany communities represent in many respects, a specific subculture of the majority of society, which differently (or more extremely) reads its values and creates a world by itself, in which its members incubate, live and die, without ever leaving or having any possibility to emancipate from its framework. I leave unanswered the question of the extent, in which the current subculture of social deprivation, visible first of all in localities inhabited mostly by Romany people, is a transformation of traditional Romany (sub) culture. From the available studies it is not clear, what we can consider to be the traditional Romany culture, ergo self-fulfilling system of relations and values independent of other cultures, and what always was basically a subculture, that means a system dependent on, and fulfilled within the frame of the majority of societies, between which the Romany people live—more specifically, to which extent in

⁷ In interviews by some Czech periodicals, the former “Olah king” Lipa, publicly uttered that one quality of a good olah wife (bride), is that she must be a good “čórkařka” i.e. thief.

⁸ Social pedagogy seminary paper „Kriminalita Romů“ (Romany criminality), Iva Krajová, Jitka Slámová, Andrea Večeřová, Philosophical faculty, Masaryk Univerzity, Brno, 1999, p. 13, 15.

given societies the Romany people occupied, and occupy the niche of *underclass*, which is always occupied by *someone*, even in countries where Romany people do not reside. The linguistic argument is frequently evoked, by which the use of Romany language creates from its users a community or nation—a separate culture. But in the CR in particular, the use of Romany language declines and the marginalized Romany people using the language are more likely to use a specific (Romany) ethnic dialect of Czech. The Romany language has always considerably influenced the thesaurus of locally used argots in the criminal world.

While attempting to describe the characteristics of the Romany criminality, we can hardly escape the perspectives suggested by studies of poverty subcultures. Kazimír Večerka (Socioklub 1999:432) has used W. Miller's classification⁹, which stresses the masculine features of poverty subcultures and the determination of their male members. In six points he develops the idea that a man has to be (to be successful): able to tackle troubles (escape the punishment, lay the responsibility on others), be rough (express the physical strength and superiority), be clever (being able to be opportunistic), not live tediously (take care of the things keep going on), and be a gambler (to trust the fate). Also, the descriptions of the poverty culture known from the works of Oscar Lewis, although based on the research of Porto Rican immigrants in New York seems like a direct reflection into the life found in Czech Romany ghettos.

The most dangerous trend known from recent studies is the sense of righteousness of the criminal (asocial behavior), present by the marginalized Romany people. Separate research in this problem shedding light on *all* the factors amplifying this sense of righteousness would be desirable. However, these are definitely not the most striking examples, they are in fact those of experiencing (or imagining) permanent discrimination (disadvantaging differentiation) on the part of the majority and manifestations of racial violence. I think, that this can be changed from the mere by-product of strengthening and emphasizing diversity, which is present in current *multi-culturalistic* discourse.

Some offences (especially thieveries) committed by Romany people, are accompanied by a degree of vandalism reportedly (rather?) rarely occurring by the majority offenders.

Consequential losses caused by burglary frequently exceed the value of the stolen item, and in its effect entails the public imperilment. This is above all the case of thieveries of non-ferrous metals, which are part of power lines or railway facilities. Also, the consequential losses caused by burglaries of shops or flats frequently exceed the price of stolen goods.

Criminological studies frequently report the spontaneity and unsystematic method of violent and non-violent robberies (so-called *LPs* or *el pasa*) committed by Romany people; taking advantage of an opportunity, effect of alcohol and drugs.

One of the first studies realized on the topic of criminality of juvenile Romany people (IKSP 1990:17) reports, that "*juvenile delinquent Romany people are but a part of general delinquent substructure, features of their offences do not differ deeply from the criminality of non-Romany juvenile, their structures of motivation and facture of the offence correspond to their mentality and character of education. The criminality of juvenile Romany people is comparable to the criminality of non-Romany juvenile, although it bears some segregation elements.*" We can only guess at the results we would get today, fifteen years after the realization of this study, or by comparative study of elder age-categories. From the formerly available statistics, it evidently follows that there will be a high recidivism rate by the Romany populations and a total lack of any effect of the "correctively-educational" or vindictive purposes of the execution.

Considerable absorption of the marginalized Romany people in the Czech Republic to the white *underclass* creates an archipelago of crime-producing enclaves, which are labeled as

⁹ Miller's classification was in the K. Večerka's study developed from the publication: Matoušek, O.; Kroftová, A.; *Mládež a delikvence* (Youth and Delinquency), Portál, Praha 1998.

Gypsy, and they gradually lose their *ethnic* characteristics, except for the dark color of their skin. Children born in such Czech *gulags*, with only very small chance of leaving, travel between individual islands of blank-flat ghettos, which they curse yet at the same time they are with their own people, which can give them a reference framework in their lives. In ventures between the islands they are confronted with the world, which doesn't understand them, and which reacts with fear mixed with repulsion.

III. An Internal Criminality

Usury (úžera, also intereš in Romany language, usurae usurarum (lat.), compound interests) § 253 of the Penal Code: "One, who by use of someone's distress, inexperience, or insanity, or someone's distraction, lets to himself or to someone other provide or promise the performance, which is in crude disproportion to their mutual performance, or who files such a claim or transfers it to himself with the intention to file it, will be sentenced to imprisonment up to two years or to a financial penalty. By imprisonment from six months up to five years will be sentenced the offender, which gets substantial profit by this offence.

The adaptation to the conditions of poverty and social exclusion leads first to the immediate consumption and ignorance of long-term planning. Such practice subsequently leads to proliferation of pathogenic and crime-producing phenomena. One of the most widespread is the phenomenon of usury, by which we can find some "Romany" specificity. The Romany usurer operating in the socially excluded Romany locality (localities) is generally a member of strong "fajta," meaning great-family following a patrimonial line, which is strong by the number of its male members, by material riches, or by good relations with the power from the outside world (police, officials); mostly by accumulation of all three factors. That means that the offence is not committed by an individual usurer, but by a money-lending (usury) family. Clients of such usury clan are in principle *different*, that means unrelated Romany people, who can use threats to recover debts. Frequently, we can observe (rather as a rule) a relation usurer versus client in a line of ritual purity, as *žužo* versus *degeš*, meaning clean versus unclean. We have to note, that a person is initiated as *degeš* and stays such forever, while in rare cases he succeeds and becomes a usurer. The usury clans divide their clients and territories and collect *their* money on the days which social benefits are paid, straight-out at posts, offices or at clients' homes. The interest rate differs from place to place, but the structural situation of unpayable debts occurs when the debtor doesn't know how much he owes, because the sum has suddenly become astronomical he is reconciled to the permanent burden of debt. His concern turns to the possibility of another loan, which bridges the period to the next incoming payment (as a rule, the payment of a benefit). The type of usury known in Romany communities in the Czech Republic and in Slovakia is unambiguously related to the downfall of communism, and to the implementation of the system of social benefits in the beginning of the 1990's. The Romany usury is elderly indeed, but we only have a little information on its arrangement and functioning. The prevailing contemporaries' reports ascribe to it a role of authority maintenance within the frame of hierarchy of Romany fajta or colony etc. In the mostly money-less economy of the ante-war East-Slovakian province, from which most of the Czech Romany people sprung, the usury wasn't broadly spread, and couldn't have any formative effect on the life of the Romany people.

But usury is clearly a connection to other types of crimes frequently related to its commitment. This is the case of personal freedoms constraint, racketing, pimping and terror. These are directed both internally (in the Romany environment), and externally (to the majority environment).

The activity of usurers in the Czech Republic was probably imported from the environment of Romany colonies, ghettos and slums in Slovakia. This type of “social criminality” was clearly accelerated by the social decline of most of the Romany people following the restoration of the free market after 1989. From the “Analysis of the Usury Criminality in Slovakia and Suggestion on its Solution”¹⁰ it follows that this is the most grave form of criminality within the individual Romany communities, which causes the social weakening of Romany families and potentially, the deterioration of health conditions of the Romany children elementary and pre-school age; their occasional starvation, malnutrition and an increased death-rate¹¹ (that is apart from drop-outs and inefficiency of school education). Commonplace in Slovakia is also the forced (enforced) dependence of the usury victims on goods (usually food) sold by the usurers in their shops or by door-to-door methods. For the customers – the usurer’s client – these shops have special “usury price-lists”, which frequently are overcharged. Devastating effects of the usury practices relate to housing, when the client in debt is offered a cut-down or cassation of the debt against the transfer (sale) of the flat. Also frequent is the practice of paying the usurer for the elimination of electricity or gas, because he usually “owns” the energy meter or gas meter. The financial sums again usually top the price of the actual elimination. It is also common for the usurer to open the “client’s” account, to which his social benefits or other incomes are sent, but which the client doesn’t have access and withdraw from there.

The specificity of usury in Romany enclaves follows (as by the other types of criminality) family structure both on the part of the offenders and its victims. Behind the usurer (frequently female – the role of the female in the economics of the Romany family makes her acceptable for keeping accounts and manipulating clients)¹², stands her *fajta*, represented by the number and physical strength of its men, good relations to the police, the local administration etc., and the permanent menace to the clients. Divided between the usurers are mutual contacts, co-operation between different usury families and the share of workable territories. The social spectrum of the offenders is considerably more heterogeneous than that of the victims, who are mostly unemployed Romany people and of low social (and caste) background. The Slovak Analysis states that, the offence of usury is in a way a starting point to other criminality against property and of violent nature, committed on one side by the offenders while recovering debts, on the other side by the aggrieved persons forced to the commission by the financial distress”.¹³

The report of the Ministry of Interior of the CR “The Usury in the Romany Community” (2002) describes the violent filing of the usurer’s claim, which can take the form of other criminal activities such as, “gombeen.”¹⁴ The offences in question are usually racketing¹⁵ (§ 235 of the Penal Code), terror (§ 237), the violation of house freedom (§ 238), and robbery (§ 234). It reports that the usury offenders are notorious and enjoy a high social status within the Romany communities. It states, that *“the readiness to make the usury problems public and bring the usury to trial is directly proportional to the rising percentage of the increase of the payments, breaking the rules while recovering payments, and topping of the debt without declaring any reason, increasing brutality, menaces, demolition of personal property, and*

¹⁰ „Analýza trestnej činnosti úžery na Slovensku a návrh na jej riešenie“, material of the Slovak Government’s office from 3.9.2004; <http://www.rokovania.sk/appl/material.nsf>

¹¹ See the IOM report, 2004.

¹² Slovak „Analysis“ reports high percentage of females in this type of criminality (p. 7).

¹³ Ibid., p. 16.

¹⁴ Karel A. Novák, 2001.

¹⁵ The criminal offence of racketing (§ 235 of the Penal Code) makes possible in the base rate to log the penalty of imprisonment up to three years, when committing this crime in a group, with a weapon, or causing actual bodily harm etc. the penalty of imprisonment from two to eight years, or when the offender causes death or large-sized loss, he can be sentenced to five to twelve years of imprisonment.

*physical attacks against the debtor and his family. Only the Romany people driven to the edge, into totally desperate and terminal situation are ready to raise the complaint against the usurer, and testify in the initiated penal proceedings. The usurer generates and spreads the legend of being a strong, unconquerable person capable of anything, with intimate contact with the representatives of administration, police, and Romany families having great authority by the Romany people and committing violent criminal offences. His reputation he maintains and strengthens by manifestation acts of violence and power. The usurers as well as their victims do not work, and are addressees of state benefits and unemployment grants.*¹⁶

Most of the known usury cases were prosecuted on the base of the § 238 violation of the house freedom and § 235 racketing of the Penal Code.

The violation and deprivation of personal freedom, terror (§ 231, § 232, § 237 of the Penal Code)

§ 231 the violation of personal freedom

- 1) One, who, without title, hinders others' personal freedom, will be penalized by imprisonment of up to two years.*
- 2) The offender will be penalized by imprisonment of up to three years, when he commits the offence mentioned in par. 1 with the intention to facilitate another offence.*
- 3) The offender will be penalized by imprisonment of two to eight years, when he commits the offence mentioned in par. 1 as a member of an organized group.*
- 4) The offender will be penalized by imprisonment of three to ten years, when he commits the offence mentioned in par. 1 one of great bodily injury, death or other grave effect.*

§ 232 the deprivation of personal freedom

- 1) One, who deprives another of personal freedom, will be penalized by imprisonment of three to eight years.*
- 2) The offender will be penalized by imprisonment from five to twelve years, when he causes by the offence mentioned in par. 1 one of great bodily injury, death or other grave effect.*

§ 337 terror

One, who, by use of someone's distress or dependence forces him to do, omit or abide something, will be penalized by imprisonment of up to six months.

The phenomenon in question is one of the so-called white slaves in Romany families, and I include such behavior under internal criminality, because such persons are *de facto* members of Romany "communities". The violation and deprivation of personal freedom occurs when the unrelated person, frequently from the majority ("white") society, is hindered in the execution of free motion, his retirement, widow's or disability pension is taken off, and he is forced into domestic cleaning of an occupied (squatted) flat or house. Mostly, the victims are elderly, mentally or physically disabled, and lonely people. We have to note, that the "slavery" to the willful masters is, by the victims, perceived as one of the possibilities of survival in the hostile world, and they participate willingly, because they are not able to appeal for outside help. In part such treatment also broadens out to the young coming to the Romany families "from the street" (mostly from the institutionary attendance), and this concerns both the "Romany" and

¹⁶ Lichva v romské komunitě, (Usury in the Romany community), Crime Prevention Department of the Ministry of Interior of the CR, 2002, p. 8-9.

“white.” The cases of financial manipulations with the white slaves are known, when these are used for the setting up of the so-called quick loans or leases, but the money or goods are subsequently (and absolutely) taken away from them. This phenomenon merges with the cases of so-called white horses, which I rank as external criminality, because the victims are not members of the Romany “community.”

Possession and distribution of narcotics and drugs

Drug distribution and consumption is recently considered to be one of the most burning problems of the Romany “communities.” Dealing drugs is both an internal and external way of living in the Romany localities. Some “communities” are gravely devastated by it. The cases of the ineffectual “fatwa” by the Olah barons in the Ostrava region prohibit the consumption and dealing of heroin, which are known through the media, because the children from respected families start to sell off family possessions, and this clearly shows the severity of this problem and the decline of traditional authorities. The Romany people are no longer only pawns within the frame of the distribution network, as reported by older police summaries. In the Ústí region there was the violent displacement of an Albanian drug gang by Romany (Lepčík’s) fajta. The offence of dealing of drugs is related mostly to pimping, illegal armament and other organized crime. The popularity of heroin is attributed to the need to “mellow.” Between the poor inhabitants of Romany enclaves, the sniffing of toulén is spreading, but this cannot be included in the criminal ways of living.

II. B External

Pimping (§ 204)

- 1) *One, who hires, persuades, or attempts to practice prostitution, or who preys from the prostitution practiced by others, will be penalized by imprisonment of up to three years.*
- 2) *The offender will be penalized by imprisonment from one to five years, when he commits the offence mentioned in par. 1 while using violence, the threat of violence or by the threat of other grave damage, or by use of someone’s distress or dependence.*
- 3) *The offender will be penalized by imprisonment from two to eight years, when he a) significantly profits from the offence mentioned in par. 1 or par. 2, b) when he commits such an offence as a member of an organized group, or c) when he commits such an offence on a person younger than eighteen years.*
- 4) *The offender will be penalized by imprisonment of one to five years, when he commits the offence mentioned in par. 2 on a person younger than fifteen years.*

Pimping in the Romany environment is a transitional type between internal and external criminality. Its victims are both Romany women and a majority of the women. With respect to the fact that the subsequent practice of prostitution occurs almost exclusively outside the Romany localities, I include it in external crimes. Hustling is one of the most widespread types of criminal ways of living in Romany environment.

The research team of the International Organization for Migration (IOM)¹⁷ has, within the frame of monitoring the Romany migration from Slovakia to the territory of the CR, mapped out the prostitution scene controlled also by the Romany hustlers in the individual regions:

¹⁷ The closing report to the project file number OAM – 175 – 47/2004 “On securing the monitoring of Romany localities in the Czech Republic in respect to the migration in progress or to potential migration trends from Slovakia in the period of entry to the EC, and delivering the summary report on

“The prostitute works for one hustler until she ceases to make money. Then she is sold to a new hustler from another part of the republic. Hence, we can say that the movement of prostitutes in the territory creates a kind of circle, this kind of prostitute works mostly only for housing, food, and clothing. Almost as a rule, the hustlers also engage in other types of criminal activities, primarily, dealing drugs. In most cases they are not imprisoned. The Romany people disavow from these people, and perceive their activities as negative, and damaging to the reputation of the whole group. ... The trend of transferring the street prostitution into clubs is also clear here, but it is only in the beginning. ... The hustlers have drivers who drive the girls to the route (interstate E 55) as close to the border as possible in the morning, and in the evenings they drive them back. That means that they do not watch “their girls” during the day. The girls take care of themselves and must deal with police, if necessary. In recent times it is commonplace that the husband sends his spouse to “cruise” (especially in Písek, Vimperk, and Český Krumlov). ... But Slovakian Romany women are coming here of their own accord – secretly, and when they earn enough money, they return home to Slovakia. ... Prostitution goes again hand-in-hand with drug dealing.

České Velenice: According to the words of a street worker, almost all prostitutes are on drugs. (pervitin I.V.).

Dolní Dvořiště: More and more frequent are cases when whole Romany family moves in (mostly from Bohemia, but from Slovakia also), and sons hustle their sisters. These families either settle down, or disappear in two or three months. Also, conflicts with local hustlers occur.

Kaplice: Reportedly, up to 80% of the Romany hustlers and prostitutes are dependent on pervitin or heroin. According to the words of the coordinator, the link between prostitution and drugs is stronger here than elsewhere. The prostitution in Kaplice is comprised mostly of Romany people from northern Bohemia.

Brno: Prostitution is not organized here. The hustlers are frequently family members, in some cases fathers, brothers or distant relatives, to which the girls are forced to hand over all of the money earned.

Trade with children (§ 216 a), tempting sex (§ 217 a)

Most of the women try to generate a permanent clientage, and when they decide to put an end to prostitution because of pregnancy, new partnership or insufficient money earned, they frequently hand the clientage over to a friend or to someone from the family. “*To keep the client, she brings some thirteen sisters of hers, or some friends from the barracks.*”¹⁸ The informer also mentioned a peer-to-peer relationship or friendship between under-age girls and women, which are sometimes much older than twenty and have several children. “*So it happens that the age of this enterprise falls under fifteen – deeply. It is frequent and requested by the clients, and because it is very risky, there are no rumors about it.*” We weren’t able to ascertain how widespread the prostitution of children is. *The railway station business – this means families, when the mother catches her daughter, no matter how old she is, waits around the corner drinking cheap alcohol. It has happened to me many times, that the mother came to me, somewhere at the pillar stands the wretched little gypsy girl, and the mother asks “mister, are you in need of any business?”, so it is absolutely normal.*” Reportedly, under-age girls mostly stay their older friends while on the streets.

This “business” is, according to the informer, the only possible way to earn a living due to the high unemployment rate of the Romany people. One of the reasons prostitution continues is because of the overwhelming debts to the usurers (the famous Romany usurer is *Olga*). “*They*

the state of these localities taking into account the existing integration practices” (May-December 2004).

¹⁸ Ibid.; likewise the following quotations in this paragraph.

wouldn't go so often, if they, due to their stupidity didn't bind to some usurer. Then they have to go two times more than regularly." Some women go to the street only when absolutely necessary – for example, paying off debt, needing food to feed family, etc. "The Romany women have the idea, that they earn money and put an end to it, and they achieve it, the white girls have the same idea, but they don't put an end to it." From the subsequent interview that followed, the Romany women can indeed leave the practice of prostitution, but, by that time, they are in financial distress again. This is the difference of non-Romany prostitutes who get used to living off the fat of the land and only want more and more.

Trade with people § 232a, dragged off into a foreign county § 233

Znojmo

The supplier is ethnically a Romany man, who enters into the partnership and brings out to the Czech Republic, a requisition of documents and women to subject to prostitution (Ukrainians).

Karviná

One of the local usury families in Karviná organizes Romany prostitution in Kotbus, and apart from the case of imported girls from the Slovak stem of the family (Bystrany) known by the media, which is now under investigation of the Slovak police, it looks like most of the workers are local girls from the Ostrava region. According to the social department, they are mostly underprivileged, but we can guess that the import of Slovakian women was not isolated.

Rudná (u Prahy)

In most cases, families sold the Romany women for c. 350 Euro, and these women don't get any money from their "hustlers" for the practice of prostitution. The hustlers reportedly send some money to their families in Slovakia (Michalovce). These involuntary prostitutes are in an arduous situation, they don't have any income or any patronage. The patronage held by their hustlers is to safeguard against larceny by other hustlers. The girls are searched on a regular basis to make sure they do not have "any papers" or documents, which might make it possible or facilitate a return home.

White horses (fraud)

When a trading license is involved, it becomes possible to invoice clients and this is when the business with so-called white horses blooms. This means that the majority members, with whom the Romany fajta opened a trading license with, are able to remove goods from the invoice which subsequently the Romany people sell off to others. The victims of such practices frequently are homeless or underprivileged people.

Trade with people § 232a

This offence recently included into the Penal Code (October 2004) is in fact the accumulation of *rerum gestae* of most of the above-mentioned criminal offences. The Romanian Romany organizations, which have issued two declarations (Sibiu 2002; Warsaw 2002) addressed to the international institutions and to the Romanian and French state bodies, grasp its graveness for the Romany environment. They have called attention to the injustice of trade with people, especially of women and children, who are used for begging and prostitution. „*Under these circumstances, the victims are driven to despair, which can lead to famine, small-scale delinquency for survival, then delinquency integrated in a way of life, or adoption of various forms extremism with the risk of terrorism they involve.*”¹⁹ There are some reports on the export of "cripples" and mentally handicapped for the purpose of begging to the territories of

¹⁹ Warsaw declaration on the international migration of the Romany people and on the war against the trade with people announced on the meeting of OBSE/ODIHR 19.9.2002.

Western Europe from Slovakia also (see supplement no. 3). Romany hustlers from Bulgaria practice pimping, the victims of which are mostly Bulgarian women from the Romany rural colonies from the area of Stara Zagora.

Some showplaces from older student criminological papers

“The Olah Romany women are very skilled pickpockets and their specialty is robberies committed by the use of Rohypnol or other soporifics added into drinks of primarily foreigners.” Chalupský, Policejní akademie ČR, 1997, p. 19.

„In the immoral offences committed by the Romany people in Plzeň, pimping prevails. Between the professional prostitutes, the general view dominates that the best hustlers are Romany. Ibid, p. 28.

“I have also contemplated the possibility of establishing special schools for the Romany children, with the teaching adapted to their needs, including Romany language training, and teaching children the history of their nation etc. When consulting this view with a number of Romany parents, I have faced disapproving attitudes. The Romany parents have raised the argument that they want their children fostered together with other children and to get familiarized with the majority. The problem lies in the fact that such different concepts cannot be regionally consulted with one Romany representative.” Ibid. p. 36-37.

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- *Kriminalita etnických minorit v ČR* (Criminality of the ethnical minorities in the CR), Michal Voltr, 1996;

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- *Trestná činnost obyvatel cikánského romského etnika v ČSSR* (Criminality of the citizens of Gypsy Romany ethnicity in the CSSR, Milan Vagai, 1977;

3) the elaboration of the ascertained cases

Supplement no. 1

The results of the research of the trade with women

East Slovakia: localities Vranov, Spiš

January 2005

The research took place in the form of short-term stays in some localities where the information on the presence of organized trade with women for the purpose of prostitution with the target locality in the CR, were registered the “Monitoring of migration – the report from the period 1.9.2004 – 15.12.2004,” elaborated by the Slovak office of the association Člověk v tísni. When analyzing our results, it is necessary to bear in mind that the information in question covers a very delicate subject and its reliability can be questionable. The research was time-limited, and accordingly, the possibility of crosschecking the information was decreased.

For collecting quality data, which allows absolutely liable verification, we suggest a field stay of at least two months or interrupted research for one year.

Vranov area

Vranov nad Topľou, Čemerné

According to the reports of people around MA K. as well as himself, in the Vranov area there operates three types of pimping “gangs”, which are based on filial links, i.e. family businesses. Segments of these families settled down in Teplice in northern Bohemian, where the idea of profiting on prostitution originates. The local Romany people describe the genesis of the phenomenon in view as follows. After the revolution, relatives in Teplice began the import of secondhand consumer electronics from Germany and en route they encountered massive prostitution between Teplice and Dubí and considered it to be a knockout bargain.

The reported three groups in the Vranov area are:

1. Family M. from Čičava (directed by Kveta M., known as Kveta from Teplice),
2. Family B. (filiations to the Vranov’s part Čemerné),
3. Family K. (Čemerné – Krupka u Teplíc).

And from České Budějovice to Vranov comes D., nicknamed Bugoš, which operates also in nearby Humenné and surrounding areas. From the migration research of IOM it’s clear that Romany families from Budějovice have their roots solely in Vranov and Humenné.

The practice of all groups is uniform: Slovak links look per order for the CR relatives for girls and women in the town as well as neighboring villages, and after a “payoff” to the parents of the girls (20-40.000 Sk) bring them at an arranged time to the border, where the “Czech” organizers take over. (Drawing up of new documents is possible, and it costs c. 5.000 Sk). The girls do not resist: on one hand this is the will of parents, on the other hand, it is the vision of a luxurious life, cogently rendered by their new “owners” – sometimes with the help of little decoys such as gifts with sparkles, pieces of colored clothing etc., all glimmer before their eyes.

Aside from the trade at the border, some girls leave directly from their home locality in the organizer’s luxury car, who connect the business trip to Slovakia with a visit to their relatives – for many observers this misrepresents the only reason of the journey. Together with the CR, the target countries for the prostitutes are Austria and Germany, where some of them might be

married off. According to information available to us, two girls were married out from Čemerné, one from Čičava. only few of them return to the SR.

The mentioned D. doesn't focus only on Romany girls (although his tentacles reach up to Trebišov), reportedly he also imported to the CR over Slovakia c. 40 white Ukrainians.

On the other side B. wasn't very successful during his last visit (reports an eye-witness, his relative and middleman), because he only offered to the parents of the girls 10-15.000 Sk, which wasn't enough for them, and they did not give the girls over to him.

Names of the girls taken off from Vranov:

Marcela – she left for the CR 8 years ago, then, some time ago, she returned to Vranov with a German man, they married here, and then she left again;

Zubka – no details;

Lenka/Alenka –a 17 year old girl taken off by Dluhoš, her husband searched for her in České Budějovice, but in vain;

Sura – used to live with husband and daughters in Čemerné, today lives in Chomutov with a hustler or partner. The only discovered case, where the drive-away has characteristics of kidnapping or of the payoff of a debt. Her husband, Šuko denies this, but a part of the community confirms, that this was a payoff of a debt. Initially the middleman wanted to take away the daughters of Sura and Šuka, and then he decided to take Sura herself. Reportedly Šuko was outside the locality at that time. He waits for help. While at the same time he has a new partner.

The aforementioned D., which has a part of his family in Čemerné reputedly, carries girls also to England, where he has a large family. Currently D. is imprisoned in England for one year.

Vranov area

Čičava

In the village we can find two Romany colonies, topographically, the upper and the lower, chronologically, the older and the newer. In each of them live around fifty nuclear families; in the older and upper colony, there are walled houses, enlargements of housing units (social housing) and site barracks, in the newer, lower colony, there are communist “squares” and enlargements (no. 14). The overwhelming majority comprised of Ms there are two separate fajtas, when the common ancestor is forgotten, an M speaks about the others as namesakes. The women from M are also married to the lower, newer colony, taken there by the here predominating J. When visiting any household, there will always be someone from M present. Beyond M and J there is also a third (or fourth) strong fajta here: G.

Beside Teplice, Čičava also has a strong family background in the Frýdlant area, where even more families go in search of work (Liberec industrial zone). Thanks to the enterpriser J. only c. 15 people from the upper colony are employed by the lower colony. Family members leaving for the CR is more frequent by J.

On the other side of Teplice is Kveta where we find M. G. from Teplice is the son of A. G. (age 61, Čičava no. 194) is from the upper colony, which the mayoress in a whisper indicates as a procuress.

Kveta from Teplice, who left for Bohemia before 1989, comes in her BMW to Čičava each month and her five brothers help her to look for the flesh not in the city of Čičava, but in the neighborhoods. We have identical information on Kveta M. from various independent sources, and with the shame confirmed by her cousin, wife of the enterpriser J. J. He knows about the fact that the Čičava people hustle girls in Teplice from his father, who married over there when he was already old and he helped his wife with this kind of business. But it is said that this way of living is in recession, and the Teplice Romany people now earn money through the dealing of hard drugs.

Local field workers who work for the municipality don't know or want to know anything about trading girls.

M also usured until recently (including violent recoveries of debts - they have broken the leg of one debtor, then they bribed her to be quiet), the mayoress put an end to this practice by establishing the institute of special addressee. The village acts as a special addressee of social benefits for 80 families that means 70-80% of all Romany families.

Spiš region

Spišské Podhradie or Spišské Palermo. Žehra

In Spišské Podhradie mafia gang H is the main operation. It has lost its boss (the medial case of Robert Holub: shot down and now a huge monument at Prešov cemetery), and since his brothers are currently imprisoned, the management of the business has been taken over by M. H., his sister (c. 30 years, Robotnicka street). Also, her husband quods and in the meantime a certain young gádžo M. V. comes to see her. It would be possible to exploit him as an informer, because he already has been given his gruel by the old man. Besides the Romany family H, the core of the group included in the mafia is the duo of the K brothers from Spišské Vlasy, one of whom was also shot down. The business articles: weapons, cars, girls, drugs, usury (the mother of the mentioned siblings).

Organization of the trading of women

Hs and their men go round the neighborhood colonies (Žehra, Bystrany, Letanovce, Spišský Hrhov, Rudňany) and buy girls from mothers from the poor Gypsy families (at 30.000 Sk, in Žehra by the poorest degešs purportedly also at 5.000 Sk) and from the poor town (Sp. Podhradie) gádžo families (drunkards, broken families), for example Ds, Bs (Podhradie) or talk up a girl in the town, i.e. they entice her with stories of duds and dough, a better life and "the big world". Some mothers send the girls by themselves and pride themselves with the fact that the daughter earns lots of money.

M. H. purportedly buys and sells 40 girls within the ages of 16-18 years per annum. She co-operates with her sister-in-law, the R. H.'s widow, an Olah Romany woman from Prešov, who owns a whorehouse somewhere abroad, and has a family in Moravia (Olomouc). Both women are frequently seen promenading in the town of Podhradí and the sister-in-law chooses the girls by pointing and saying, "This one I want, and the other too." Marcela then allures them into the hostess work.

The girls work in pull-ups by the main routes and in the big cities in Slovakia (Prešov, Košice) and in the CR (Brno, Ostrava, North Moravia). There are also some links to the Česká Lípa. (Ts; see the report for IOM and ČvT from December 2004)? S. T.: used to come to see Marcela, they used to have a joint venture, but he is small potatoes compared to H. Currently he stays in Česká Lípa. The Hs purportedly don't have family in the CR.

Beside M. V. there are also some young white boys who come to visit Marcela. They bring money and their parents' gold, and in return they apparently get drugs.

The police and the mayor are supposed to know about the activities of Hs, but it is unfit for them to talk about it or air the problems in the open. It would wreck the carefully built picture of the town. But sometimes the troubled gang breaks into a house to unearth boxes with weapons in the garden.

Besides the Holub family, there is another feared family that operates in Podhradí: Horváth (degešs moved in from Žehra). This family specializes in usury (100% interest rate per month). When someone isn't able to redeem a debt, he is allowed to work it off in Olomouc, Brno or Česká Lípa (link to Tulej?), where the H. men go out with them as gang-bosses. Between the debtors and subsequently slaves are also gádžos (drunkards, for example B.).

The daughters from the debtor families are not forced to prostitution, but are abused by the usurers. Then the debt is recovered or cut down.

Other mafia structures operate in Podhradí, universally, gangs of young “enterprisers”. One of them is lead by M. G. (?), the owner of hotel Ráj, which purportedly trades drugs and weapons.

A large colony of Žehře (c. 1.300 Romany people) is to all appearances, an important source of Romany girls abused by prostitution. Local field workers refuse to talk about this subject and deny any knowledge about it. The only interesting information from them: Marcela Holubová has visited ETP courses for a short time.

Supplement no. 2

Reflection of the murders committed by juvenile Romany people in the Czech press

Case 1 – Stráž pod Ralskem

The drowned pensioner (62 years old) found on September 5th 2004 in the Horka pond near Stráž pod Ralskem.

The man in question was Vlastimil Talian, former miner and then city handy man.²⁰ The victim used to visit a restaurant on the dike of the Horka pond.²¹

By the criminal proceedings qualified as the offence of robbery (with the result of death) (§ 234 of the Penal Code)²²,

Charged: 2 juveniles,

15 year old local,

(“I knew them well. My brothers Dušan and Martin used to be friends with that Slovak. And one of them in the year before last bound a little boy to the tree. He brought old mattresses around him and set the fire to them. That tiny tot happily managed to slip out and run away through the flames,” mentioned the bespectacled schoolboy.)²³

16 year old juvenile, the son of former applicants for asylum from Košice (by the media explicitly marked as Romany)²⁴

- both of them pending detention.

Summary:

Both juveniles have attacked the pensioner at the pond-side at an unspecified time during the night with the intent to violently rob him. Then they put the body into the pond to discarded him.

According to the police sources quoted, the attacked pensioner drowned shortly after that.

²⁰ Blesk 22.9.2004 „Děti shodili montéra do vody“.

²¹ Právo 22.9.2004 „Mladíci zabili důchodce“.

²² § 234 Robbery (1) One, who uses violence or the threat of immediate violence, with the intent to take possession of someone else’s possessions, will be penalized by imprisonment of two to ten years. (2) The offender will be penalized by imprisonment from five to twelve years, when he commits the offence mentioned in par. 1 a) as a member of an organized group, or b) when he causes by the offence mentioned in par. 1 the great bodily injury or major loss. (3) The offender will be penalized by imprisonment of ten to fifteen years, when he causes the offence mentioned in par. 1 with a large-scale loss or death.

²³ Blesk 22.9.2004 „Děti shodili montéra do vody“.

²⁴ Právo 22.9.2004 „Mladíci zabili důchodce“.

Case 2 – Třebenice 11. 9. 2004

Firemen found, in the still burning parish in Třebenice, a living, but gravely injured vicar Jaroslav Kubíček (78), on the morning of the 11th of September 2004. The injured vicar subsequently died due to injuries.

According to the autopsy findings, the cause of death was a heavy loss of blood due to head injuries, caused by several blows with a blunt object.

By the criminal proceedings qualified – according to the media – as murder (§ 219 par. 2 let. h, of the Penal Code)²⁵, which occurs less often than robbery (§ 234 of the Penal Code).

Charged:

15 year old juvenile Lukáš B. from the Louny area²⁶ – the media does not quote further details to the identification of the charged (besides Blesk, no other media bring to light details about the 15 year old juvenile).

(Lukáš B. used to live with family and other relatives in the lodging house in Sokolov. Recently they had moved to the rented house – purportedly owned by a Romany person²⁷.)

The charged Lukáš B. visited the crèche with special schools in Dlažkovice on a part-time basis. The director of the crèche, Luděk Kantora reports:

“He came to us as already difficult. He was a misbehaving and slow student. The mother evidently couldn’t cope with him. I have tried to persuade her to leave him by us, but she refused.”²⁸

According to reports by Třebenice inhabitants, he had already broken into the parish and had even boasted about it.²⁹

26 year old Rudolf Šamko from Teplice, born on the 29th of March 1978, on Krušnohorská street in Teplice. In Třebenice he is spoken about as an impulsive and aggressive individual.³⁰

– both of them are pending detention.

Summary:

Two charged men have broken into the parish in Třebenice on the ground of a previous settlement (presumably drunk³¹) in the early morning hours. During the robbery, the local vicar Ladislav Kubíček (78) disturbed them, and they immediately attacked him, and delivered several blows with a blunt object to the scruff of his head, by which they caused him multiple head injuries and heavy bleeding.

The motionless body they left *in situ*, with the intent to hide what they had done by setting fire to the house.

Case 3 – Olešnice in the Rychnov area

In her house in Olešnice in the Rychnov area, the gravely injured Anna Otčenášková (81) was found during the afternoon hours of the 12th of August 2004. She had multiple stab wounds to

²⁵ § 219 Murder: (1) One, who intentionally kills someone else, will be penalized with imprisonment of ten to fifteen years. (2) The offender will be penalized by imprisonment from twelve to fifteen years, when he commits the offence mentioned in par. 1, a) on two or more persons, b) in a particularly brutal or tormentous manner, c) again, d) on a pregnant woman, e) on a person younger than 15 years, f) on a public agent while he is executing his authority, or on account of the execution of his authority, g) on someone else on account of his race, ethnicity, nationality, politics, denomination or because of atheism, or h) with the intent to gain a material profit, or to cover up or facilitate another criminal offence, or by another particularly condemnable motive.

²⁶ Blesk 17.9.2004 „Potkali se na diskotéce. Chtěli krást“.

²⁷ Ústecký kraj 20.9.2004 „Třebenice: Místo strachu a mříží“.

²⁸ Blesk 17.9.2004 „Potkali se na diskotéce. Chtěli krást“.

²⁹ Ibid.

³⁰ Ústecký kraj 20.9.2004 „Třebenice: Místo strachu a mříží“.

³¹ Blesk 17.9.2004 „Potkali se na diskotéce. Chtěli krást“.

the stomach, throat, and head (a total of 7 stab wounds³²), which caused heavy bleeding. Anna Otčenášková succumbed to these injuries in the hospital on the 17th of August 2004.

By the criminal proceedings qualified as murder (§ 219 par. 2 let. h, of the Penal Code)³³.
The charged:³⁴

Vladimír Giňa (34), the father of the charged Vladimír Giňa (15) and of the next juvenile offender Petr Giňa (14)

- was brought up in the crèche;
- in former times he was already charged, purportedly for thefts;
- he reportedly brought the group of 6 offenders to the scene of the crime in his car, and subsequently drove them away;
- his brother grants him a cover-up: “during the mentioned period he was at home a I have borrowed the car.”

Vladimír Giňa (15)

- at the time of the murder, he was a fugitive from the crèche, leader of the gang and the organizer of the assault;

The personality profile:

- aggressive to schoolmates and younger children (they were afraid of him – he enjoyed bullying them);
- in former times he committed several thefts and assaults;

Family background

- father Vladimír Giňa (34), brother Petr Giňa (14);
- both mother and father were brought up in the crèche;
- the parents didn't cooperate with the school for a solution of the delinquent behavior of their son;
- the parents have covered up the delinquent behavior of their son and the information about it;

– both of the charged are pending detention.

Other offenders – under age³⁵

Milan T. (12) from Brno – the first seized:

He is regarded as the leader of the five-member group of under-aged offenders. At the time of the commission, he was under the charge of the crèche in Kostelec nad Orlicí, now the closed ward of the mental home.

The personality profile:

- quite intelligent and attentive;
- solitary, emotionally flat (due to a problematic family background);

³² Blesk 24.8.2004 „Nechtěla chlapce nechat přespat, tak vzal nůžky a sedmkrát jí bodl“.

³³ § 219 Murder: (1) One, who intentionally kills someone else, will be penalized with imprisonment of ten to fifteen years. (2) The offender will be penalized by imprisonment from twelve to fifteen years, when he commits the offence mentioned in par. 1, a) on two or more persons, b) in a particularly brutal or tormentous manner, c) again, d) on a pregnant woman, e) on a person younger than 15 years, f) on a public agent while he is executing his authority, or on account of the execution of his authority, g) on someone else on account of his race, ethnicity, nationality, politics, denomination or because of atheism, or h) with the intent to gain a material profit, or to cover up or facilitate another criminal offence, or by another particularly condemnable motive.

³⁴ Ring 14.9.2004 „Budeme se bát dětí“, MF Dnes 2.9.2004 „Příběh násilníků, kteří ubodali starou ženu“, Blesk 3.9.2004 „Malí vrazi z Olešnice: Jeden skončil v base, další hrají ping-pong“.

³⁵ Ibid.

- timorous, airing frustrations through aggression, verbally threatens even with death;
- a short time before the commitment he purportedly robbed an elderly woman;
- he has problems with addictive drugs – probably toulén;

Family background:

- his mother was a client of crèches for three years;
- his father is from Slovakia and disappeared without a trace several years ago and in former times he committed non-specified criminal offences³⁶;
- his grandmother was a murder victim (murdered by her partner)³⁷;
- his mother couldn't manage his education and the court has taken Milan T. away and put him in the crèche, from which he often ran away.

Petr Giňa (14) living in Kostelec nad Orlicí

The personality profile:

- mentally disturbed, at the level of a 7 year old child;
- he has never caused his teachers problems – he most likely stumbled upon the event by accident;

Family background

- father Vladimír Giňa (34), brother Vladimír Giňa (14);
- both mother and father were brought up in the crèche;

Michal K. (14) living in Kostelec nad Orlicí, now in the crèche in Kostelec nad Orlicí

The personality profile:

- the “difficult” child in school;
- he commits petty thieveries and fights;
- he has problems with addictive drugs –toulén;

Family background:

- father works, mother is on maternity leave;
- the parents took care of their son and have cooperated with the school to find a solution for his former torts;
- he has two siblings.

Jiří H. (12) from Most, both in the period of the offence and now client of the creche in Kostelec nad Orlicí.

The personality profile:

- aggressive, even to himself;
- he has viewed Milan T. (12) as an idol since April 2004;
- he committed joint thieveries with Milan T.;

Family background:

- he has eight siblings, all of them clients of crèches;
- the mother didn't care about the education of her children and they were taken away from her in 1995;

Mario C. (11) from Česká Třebová, both in the period of the offence and now client of the crèche in Kostelec nad Orlicí.

The personality profile:

³⁶ Květy 16.9.2004 „Děti, ze kterých jde hrůza“.

³⁷ MF Dnes 2.9.2004 „Příběh násilníků, kteří ubodali starou ženu“ – the testimony of the uncle.

- the media does not mention personality characteristics or education problems of Mario C.

Family background:

- his mother left the family;
- his father used to educate the 4 children by himself, then on the base of not being able to cope, he asked for two of the children to be placed in the crèche.

All of the offenders are spoken about as Romany.

Summary:

The scene of the crime, Olešnice, is about 10 km away from Kostelec nad Orlicí. One of the clients of the crèche in Kostelec nad Orlicí (probably one of the under-age offenders) knew the sufferer Anna Otčenášková (81) from one of his previous runaways³⁸.

The under-age offenders had decided to go to Olešnice with the intent to steal money from the victim. They asked Vladimír Giňa (34) – the father of two of the offenders – to drive them to the scene of the crime by his car, which he did, and waited for the 6-member group of the offenders in the car, 300 m away from the house of the victim, until they came back and drove them back to Kostelec.

Milan T. (12) conversed by the door with the victim (he probably knew the woman and had told the others about her), while the others broke in at the back in the house. In the house they attacked the woman, using physical violence. To overcome the resistance of the woman, whose intensity surprised the offenders, they used the shears that they had brought with them. They jointly inflicted seven stab wounds to the stomach, throat, and head of the victim. When her resistance subsided, the offenders left her motionless body on the couch (the cousin of the woman, who found her gravely injured, reports her laying on the ground³⁹) and started to search the house with the intent to steal the money they later found⁴⁰.

They disarranged the house and with several hundred-crown notes, they left the woman's house. They boarded the car of Vladimír Giňa and left to Kostelec nad Orlicí.

The gravely injured and heavily bleeding victim was found several hours later by her cousin, giving the offenders plenty of time to leave the home. The woman was transported to the hospital, where she succumbed to her wounds five days later.

The possible sanctions against the under-age perpetrators of acts otherwise punishable (based on the announcement of the public relations officer of the Minister of Justice, Petr Dimun)

According to law, the police cannot prosecute a child younger than 15 years old. It must treat the case with regards to the age of the offender. But even if the police can't charge the schoolboy suspect of the murder of Barborka, he won't evade trial. He will be there for the civil proceedings.

“These are the proceedings on placing the precaution on the child younger than 15 years. The court can log the supervision of probation officer, or therapeutic or psychological-educational program,” said to iDNES public relations officer of the Ministry of Justice, Petr Dimun. “Or, in the case of serious criminal offences, the court logs the protective education, which is by children over 12 years its statutory duty,” he added.

³⁸ Květy 16.9.2004 „Děti, ze kterých jde hrůza“, Blesk 1.9.2004 „Šest dětí ubodalo stařenku“.

³⁹ iDnes 23.8.2004 „Z vraždy stařenky je podezřelý 12letý školák“.

⁴⁰ MF Dnes 31.8.2004 „Policie: Stařenku ubodalo šest chlapců“, Blesk 1.9.2004 „Šest dětí ubodalo stařenku“.

Supplement no. 3

Hontian slaves in the near west

Národná obroda 28/05/2005

Autor: Jožo T. Schön

Page: 15

Enlistment: reportage

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Title: Hontianski otroci na blízkom západe

Date: 2005-05-28

Source: Národná obroda

Text: The Slovak slave owner forced them to beg and to sell their bodies in Switzerland, Germany, Italy, and Austria

Jožo T. Schön, photo author

Thirty seven year old Dezider B. from a small village by Rimavská Sobota, enslaved the young homosexual for one and half years. The 24 year old slave begged in the streets of Bern, Switzerland and later he was forced to prostitute himself. Each day he had to earn c. 300 franks, serve up to 15 customers, often directly in the street, in the car or simply toward a back street. From the earned money he didn't get a penny, he used to eat in the city's charity and sleep in the car of the slave owner in the parking lot.

Slovak policemen have arrested the new-age slave owner this week, and now he is located to the prison—detention pending. The Slovak police will work on this case together with the Swiss police. According to a police source, the investigation will last at least three months. In the monstrous machinery are frequently engaged state officers, doctors, policemen and influential advocates. Many of the slaves have changed their identity, while others continue the slavery with new documents, because they don't have any other options. They have only fear, fear of the dead and insensible.

An alternative lifestyle:

Béla is a former social worker and knows the terrain in Hontiansko and Novohradsko in detail. He used to fight the officers, the usury mafia, traders with white flesh and the slaver owners. Recently he worked in the district office in Rimavská Sobota. He was fired because he was difficult for many "honourable" citizens, as well as to the mafia, pimps, and usurers. The graduated state officer had to leave, because he failed at the tests for "tenure" from his work, he practiced for years...

Exactly which slave this is that is mentioned, he can't even guess. Only his initials and age and given. The criminal police decided to shelter the identity of the slave till the end of the proceedings.

When we started to look for him I didn't anticipate that there would be dozens of similar cases of consensual or forced homosexuals who prostitute themselves abroad and in the neighborhood. We looked up the villages in question and talked to dozens of people. Almost exclusively Romany people inhabit the villages of Uzovská Panica, Rimavská Seč, Jesenské or Veľký Blh. Béla says that about half of the inhabitants go abroad to sing, play music, beg, steal or prostitute. Next we went through the villages where most of the slave owners live. The wife of a traveling musician showed us a post-card with a huge sum printed on it. On the other side is the text: young Dane thanks to her husband, that he has brought sun to their life. Her husband Ďula once was a hero of socialist work, next to the gang-boss of the mason team. Now he has been unemployed for ten years. Long ago he dusted off the old instrument and now plays swing everywhere, whereto he is called. It is mostly abroad, where the gypsy

folklore is considered to be an animation. His wife says that the people abroad are more Christian, where they do not show off the European constitution, which does not contain enough God. They have Him more inside. "At home we are just condemned to a slow death by Kanik." she says.

The perfumed slave Pet'ó is 24 years old. His friends say that he is a promiscuous homosexual. He has been imprisoned in the past. He dresses in fashionable clothes, wears cologne, and is perfectly combed and shaved. On his fingers he has several golden rings. The police guard his privacy, not his security. Thus, because he was distinguished at the first sight as a homosexual, he became the victim of a slave owner. Since he has now informed the police of the slave owner, he can hardly leave his house. He lives in a newly bought flat with his Swiss homosexual friend Helmut, who is purportedly a policeman. When someone rings the bell, Helmut comes to open the door. Pet'ó quickly hides in the back room. We found him out at the end of the day, after we had almost lost the prospect for success. He set aside several minutes for the interview.

"Are you afraid?" Pet'ó nodded. The family of his slave owner allegedly threatens him with death; he only wants to be given peace, and not to be disturbed in his life with Helmut. The flat and the accommodation are his.

"For how long did you cruise?"

"A year and a half," he responded.

"Did he force you?"

"He did. And also punished me, when I gave not enough franks over to him in the evening. He stabbed me in the head once."

"What means not enough franks?"

"Thirty. Then he has beaten me. He wanted three hundred. I had to serve ten, sometimes up to 15 customers. He didn't give me a frank ever, I used to eat in the city's charity and to sleep in the car in the parking site."

"You never tried to run away?"

"I cruised fourteen days a week, up to fifteen hours a day. During the day he kept his eyes on me, nights he locked me in the car. He guarded me also when we came home. He forbade me to meet my parents, relatives, I couldn't go out to the street without an escort. All were afraid of him, he carried a gun and was on drugs."

"Why did you decide to inform on him now?"

"I couldn't cope carrying on, he wanted more and more money..."

Pet'ó surrendered to his hustler c. 120.000 Sk weekly. With the customers he used to go to the park, to a car or just around the corner. He used to wash himself with water that he brought in a plastic bottle. He purportedly appealed for help many times. No one was interested, everybody spat on him. There are men in situations similar to his who come from the neighborhood villages, in numbers of tens, maybe hundreds, all cruising abroad. He met some of them in person. They had fixed brows, well-kept faces, and the luckier of them supported whole families from their earnings.

After about twenty minutes Helmut got nervous. When he looked at his watch, I decided I better leave.

Common practice:

"Dezider is under threat of imprisonment from two to eight years for racketing with a gun, for the trade with the white flesh up to ten years," said a policeman from Banská Bystrice.

Dezider's wife shakes her head.

"That's not true. Pet'ó was thrust from home, because he was prostitute. He didn't have where to go, so we took him in, we adopted him. My own son, used to sleep on the ground, and Pet'ó on his couch. It is not true, that my husband has forced him to beg and prostitute himself. He

didn't even know, where Pet'ó is hanging about. He couldn't, he worked in Germany, and Pet'ó cruised in Switzerland." The woman speaks like a gramophone record, the same song all the time. "He has stolen from us 2.000 Swiss franks two years ago, and we didn't even see him since then. He bought a flat for it; my husband went to him and politely asked him to get the money back. Instead of this he informed on him. That is the truth."

I don't want to listen to her idle talk, but on the other side I clearly understand her fears about the fate of the breadwinner for the family. The life of such people is not easy. Several people have confirmed that they have seen Pet'ó here regularly during last two years, always when he came back from the route.

I think that the police won't pursue this case to the end. At the crucial moment the slave always changes his testimony and the slave owner is set free. At least in dozens of former cases the scenario was like this.

The Kosovo orphan:

Papča is a small village sheltered by the mountains, 15 km from Rimavská Sobota. Only a few people live here. Šarlota Bárioová and her partner are mentally handicapped and they have eight children. Three of them are in an asylum, five live with them in a creaky villa at the end of the village. A usurer bought this for couple of crowns from the administrator of the bankruptcy assets of the bankrupt co-operative. In no time he rented it to the aforementioned people. Šarlota and her partner used to live in a caravan in the borderland of two villages. The mayors quarreled for a long time, as to which of them these families belonged, but then someone set fire to the van and the problem was over. When I paid them a visit, Šarlota was drunk and the children were running around. I took notice of a ten year old boy with a burned face.

"He has fallen the stove, when he was one and half," says the drunken Šarlota. When the boy was five, the usurer in whose house they used to live, forced them to beg. "We have no money for the rent, and he put us into a car and we went begging," says the father of the boy. He used to play the mouth harp and the boy with the burned face used to sit near him with a poster on his heart: War orphan. They earned about 200 franks daily, but the usurer took all the money. They begged for two weeks abroad, followed by two weeks at home, on and on.

"And Pet'ó wasn't missed at school?" I ask the father.

"The usurer bribed the doctor."

"And what about social officers?"

"The don't come here."

"And the police?"

"They started the investigation. But the usurer came on one day, has beaten me, until I bled and said that if I peep, he will finish me off. He maybe bribed also the police, I don't know, nobody else came here..."

"Has he given over?"

"He found a cripple in the village, man without a leg. Now he drives him to Bern and to Germany."

I wanted to go with the little slave to the shop to buy some food for him. Then the silent boy began to speak. He nestled in the front seat of my car. His father sat down next to him. He was afraid that I might carry him away abroad. The war orphan chose a chocolate. When I brought them home, he unpacked the chocolate and divided it into parts; for all the children in the yard.

Later in the evening, I came to the house of the aforementioned usurer-slave owner. I wasn't lucky—he was out. But I have found out that he is with the legless man on a tour in Germany...

"The war orphan" doesn't want to share his Swiss experience.

A professional beggar with a child on her lap in the busy street in Roma.
The relatives of the slave: mother and grandfather.