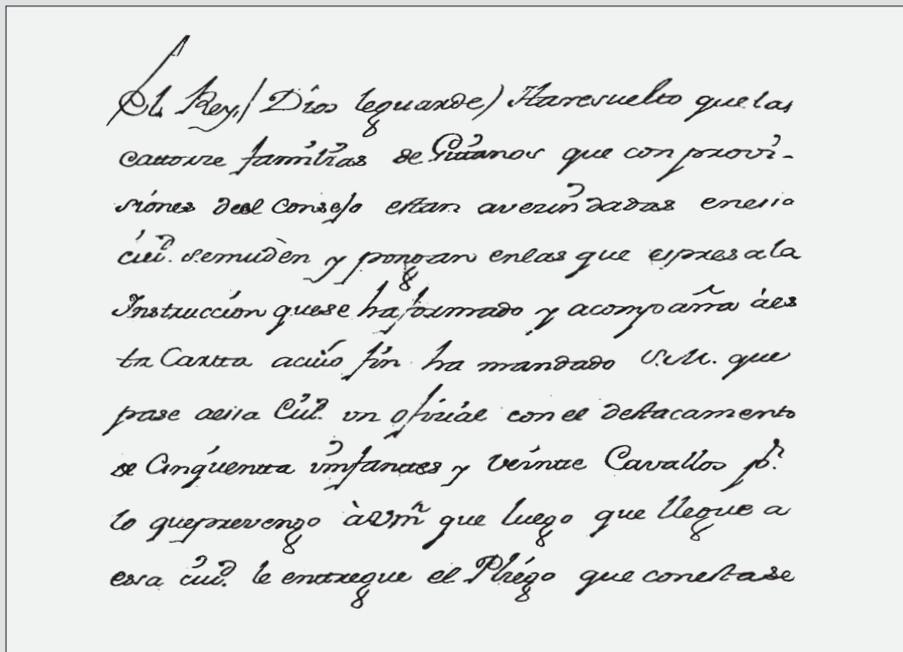




III. 2

King Ferdinand VI (1746 - 1759).

(from Sánchez-Albornoz, Claudio (1971) España, un enigma histórico. Buenos Aires: Editorial Sudamericana, p. 560b)



III. 3

The order to round up the "Gypsies", issued by Gaspar Vázquez Tablada on June 28, 1749 (to Orihuela authorities; first page).

(from Gómez Alfaro 1993, p. 17) (Detail)

kingdom, setting a time limit for them to leave and "irremissibly" prescribing capital punishment for all those who returned, thus eliminating any possibility of judicial intervention. If this measure of expulsion "was to seem harsh", a milder one could be adopted; this "milder" measure consisted of rounding up the "Gypsies" and finding them a suitable place to serve their prison sentence.

The round-up was thus presented as an inevitable preliminary step in imposing preventive security measures on a group whose members were indiscrimi-

nately considered as socially dangerous, if not – at least certain individuals – as criminals. Irrespective of possible criminal behaviour deserving of specific punishment, several contemporary accounts emphasise time and again the existence of "a second generic concept of idlers and people disobedient to laws", among the "Gypsies", "so that, as such, they should be preventively separated in order to put and end to their crimes and loafing".

For a long time, the "Gypsies" had been suffering the consequences of being classified incorrectly, being defined by

their mobility (the lack of a fixed abode) and by working in occupations that were difficult to categorise. The word "Gypsy" eventually became a legal label applied to a wide range of individuals who did not form a coherent, unified group. Since responsibility for civil unrest is traditionally assigned to groups whose mobility precludes effective state control, the suppression of those referred to generally as "Gypsies" was about to become the prime aim of a police operation, in which the army eventually became involved as the custodian of public order.

A PREVENTIVE SECURITY MEASURE

Relying in particular on the co-operation of the army, which had become essential for the round-up, the Governor of the Council of Castile, Vázquez Tablada, recommended the preparation of a police operation under conditions of utmost secrecy, which would make it possible to arrest all "Gypsies" at the same time throughout the country,

"on a fixed and appointed day". Prison was a preliminary stage in the enforcement of a preventive security measure that varied according to age and sex. [III. 3]

Female "Gypsies" were to be held in three "depots", a mixture of prison, barracks and factory, situated in strategic locations, "one for Andalusia, another for Extremadura, la Mancha and Murcia, and the third for Castile and the Kingdoms of the Crown of Aragon, where fewer of them live."

Boys up to the age of 12 were to remain with the women, while those aged 12 to 15 were to be placed in apprenticeship in order to be initiated into "useful" trades, or were to be entrusted to the Navy if they showed an aptitude for maritime activities. Adults, i.e. "Gypsies" aged 15 or over, were to be sent to the arsenals of Cadiz, Cartagena and El Ferrol as forced labourers to replace those employed on the naval reconstruction programmes undertaken in this period.

ORDER TO THE ROUND-UP

The order was prepared in secrecy and distributed only in written letters which were mostly addressed to the “corregidor” (senior magistrate) of each region where “Gypsies” were to be arrested. Every family in each town was indicated separately; the “corregidor” was made responsible for arresting all of them. The original depicted here was addressed to the town of Orihuela. Its initial sentence reads:

“The king (God save him) has resolved that the fourteen Gypsy families which are domiciled in that town with decrees from the council shall be moved ...”

III. 3

(from Gómez Alfaro 1993, p. 15)



III. 4

Gypsy mule clippers in Spain, about 1800, lithograph by Gérard René Villain. Bibliothèque nationale, Paris

(from Fraser (1992) *The Gypsies*. Oxford / Cambridge: Blackwell, p. 167)

Male “Gypsies” over the age of 50 were to be sent to the large cities, where they were to be kept under close

supervision and employed on tasks appropriate to their physical condition; those suffering from an incurable di-

sease, the disabled and the elderly were to be sent to hospitals and homes “to be cared for and to die a Christian death”.

A FAVOURABLE JUNCTURE

The governor of the council was convinced of the success of the operation, in view of the combination of two specific circumstances which were considered as a “favourable juncture”.

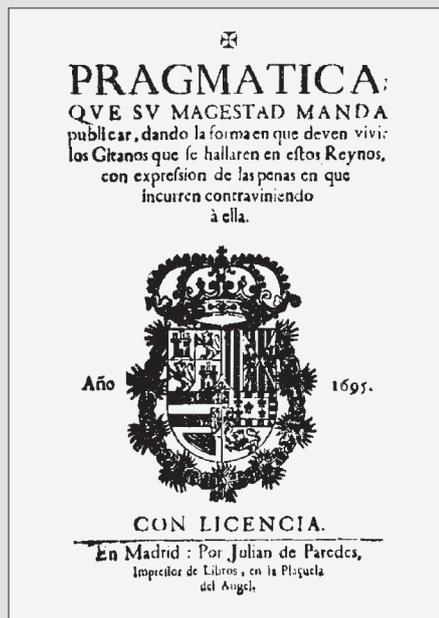
The first circumstance concerned the possibilities offered by a recent pontifical decree, which to some extent was the culmination of a lengthy process of diplomatic negotiations with the Holy See to deprive the “Gypsies” of the right to local ecclesiastical immunity. Thereby it was possible to neutralise any possible resistance through the use of holy places as sanctuaries. After the nuncio had been empowered to order the transfer of refuge-seekers to the prison churches, where they would retain immunity for as long as it took for the appeal pro-

cedure to be settled between the civil and ecclesiastical courts, another pontifical decree was issued, authorising the same nuncio to delegate his powers to the bishops as far as their respective dioceses were concerned.

The second factor were the positive results of a resettlement operation which had been set in motion in 1717 by a law which was an update with a couple of amendments of the Pragmatica of Charles II from 1695. Its principal novelty lies in designating forty-one cities as the sole authorised places of residence for “Gypsies”. A provision of 1746 would add 34 new cities to this list. [Ills. 5, 6]

The council had retained centralised control over this rehousing operation, so that it knew the addresses of over 800 “Gypsy” families in the, by then, 75 towns where individuals of this category were authorised to live. Vázquez Tablada considered that, in

order to achieve “the good and desired effect”, that is to round up the “Gypsies”, it would be sufficient to issue the corresponding instructions to the authorities of the 75 towns where they should still be residing. Scrutiny of the council archives enabled its officials to draw up a list, which was the basis for the work of the the strategists of the round-up. This list revealed the existence of 881 families settled in 54 of the 75 towns, in the proportion legally stipulated in a provision of 1746: one family, that is “the husband and wife, with their children and orphaned grandchildren, if not married”, for every 100 inhabitants. With the distribution at a ratio of one “Gypsy” family per hundred inhabitants the authorities were to ensure that they were taking responsibility for supervising these families’ lifestyles and activities, taking particular care to keep them separated from each other. [III. 1]



III. 5
The Pragmatica of Charles II, issued on June 12, 1695.

(from Leblon 1995, p. 34)

CHARACTERISTIC MEASURES OF THE PRAGMATICA OF CHARLES II IN 1695

Numerous laws were passed in order to remedy the “failures” of all earlier legislation. The first of these, signed by Charles II in 1695, ordered all “Gypsies” to register with the authorities of their place of residence within thirty days. Following a period of a further thirty days, all “Gypsies” had to be gone from the country. The sole occupation authorised for “Gypsies” was the cultivation of the soil. It was forbidden for “Gypsies” to possess or make use of horses; they were forbidden to possess firearms; buying, selling and trading animals of all kinds was prohibited. “Gypsies” were not allowed to live together in the same quarter, nor wear costumes that were distinct from those of other inhabitants, or to speak their

own language. They were allowed to leave their place of residence only to go to work in the fields and they must not travel to another locality without written authorisation from the authorities. The typical punishment for those who failed to obey was six to eight years in the galleys (for men aged between seventeen and sixty years) or 100 to 200 lashes or banishment (for women). Boys between fourteen and seventeen were sent to forced labour for several years. However, persons travelling in groups of more than three and carrying a weapon were, for example, sentenced to death.

III. 6
 (abbreviated from Leblon 1995, p. 37ff.)

THE STRATEGY

An opinion was sought from the Jesuit Father Francisco Rávago, confessor to Ferdinand VI, whose immediate reply removed all doubts and scruples from his royal penitent’s conscience: “The means proposed by the governor of the council to root out this bad race, which is hateful to God and pernicious to man, seem good to me. The king will be making a great gift to God, Our Lord, if he manages to get rid of these people.”

All that remained was to devise a strategy for the operation, a subject dealt with exhaustively by the Marquis of la Ensenada, the driving force behind all the major projects undertaken during this period. The round-up was scheduled for July 30, 1749, and Ensenada took a very close look at the initial results. These were not to his li-

king and, in a letter dated August 12th, he attributed the failings to the bishop-governor “owing to the carelessness with which the news of this venture was disclosed”. Vázquez Tablada had been dismissed two days earlier and replaced by the Bishop of Barcelona. Ensenada then assumed full responsibility for the operation and issued very detailed instructions with the aim of extending it to “all Gypsies living in these kingdoms, whether or not they have a fixed abode, regardless of sex, civil status and age, and without sparing any sanctuary in which they might have found refuge.” [III. 9]

The available documentation indicates that the arrests proceeded smoothly. There is only evidence of one violent incident, when three “Gypsies” fleeing from Seville were killed during a confrontation that took place on the road to La Cartuja. The “Gypsies” themselves, perhaps unaware of the

true purpose of their detention, came forward voluntarily in many places in response to the public notices asking them to report to the “corregimiento” (this word denotes both the office and the jurisdiction of the “corregidor”).

Regarding sanctuary in holy places, which could have hampered the arrests, there were only a few isolated cases which were promptly resolved.

Because mixed marriages were a reality found in many parts of the country in this period of history, the authorities were forced to ask the council to lay down specific rules for deciding the fate of non-“Gypsy” spouses and children of mixed ethnicity. The council declared the husband’s status to be predominant, that means, that married women were to be included in the same category as their husbands, although this general principle did not prevent that special value was attached to socially integrated behaviour. [III. 7]

FUNDING THE ROUND-UP

Ensenada’s instructions specified that the property of all those interned would be seized and auctioned in order to meet all the costs incurred – the common practice

in the Ancien Régime. The only new development seen in the round-up was an element of solidarity in the way the auction proceeds were used by the “corre-

*Instruccion q. handesberbar los correjy
Cluarias de las Ciudadas, y Villar del Reyno, para asegurar
y prender las familiar de Gitanos que se hallan averiada
dos en ellas, enora repovisionas del Con.º en coneg.º de la reu.º
que se ha servido tomar, de que salgan de las, y se pongan
los hombres con los much.º de diez años arriba, en la Ciudad de
Alcanas, y las mugeres, con los demenos heca en la Ciudad de
Denia; a cuyo fin y para el mayor resguardo, y auxilio. ha mandado
vna. guapac unofisial con detacamenco de ynfanteria
y Caballeria. Y los correjy pensienacer subalternos
Luego que el ofisial expreencar al Correg.º de Cy. del dudo donde
ay Gitanos averiados, y ponga en sus manos el pleyp que
lleua, le enarepara la carta que nclue para el, y le comu-
nicara, por copia esta y instruccion, y carta para el, y
se le caue al correjido, para que nclue y sepa el, y que
vedare el dudo; y conuixa aquando enete cumpto
se considere conueniente.*

III. 7
Instructions for the “corregidores” (to Orihuela authorities, first page)
(from Gómez Alfaro 1993, p. 30) (Detail)

MOST
DETAILED INSTRUCTIONS

The instructions for the “corregidores” aimed at providing thoroughly detailed answers for any problem which might arise during the round-up. Having accounted for the preliminary steps and the arresting itself, they went on [...]: “After all the mentioned families have been arrested, the men must be separated with the boys of over seven, and the women with the younger ones. When this separation has been carried out, and with the respective testimonies listing the names, they must be delivered to the officer when he has prepared his march, in two groups, arranging the stages according to their destinations, and for the transport of the prisoners the corregidor must prepare the wagons, baggage and guides necessary”.

(from Gómez Alfaro 1993, p. 28)

gidores”. This money was used to cover the most varied of costs: the pay of the “alguaciles” (the subordinate police officers attached to a judge or a court) and court registrars, and the office paper used by the latter to record the details of the operation. Furthermore the money was used to pay the upkeep of the internees in prison and during transfers, the hiring of the carts and draught animals used for the journey, the medical assistance given to some prisoners during the journey, and the irons, chains and ropes used to res-

train them in order to prevent them from escaping. Neighbours participated in auctions of this kind without showing the least scruple when it came to purchasing the internees’ property at attractive prices. The property was of little value in many cases, but of some considerable value in others, such as owned or rented housing, animals used in farming or work tools used by some blacksmiths, who were well-known as property owners.

Some auctions were halted because of legal actions brought in by

preferential creditors to recover their money or their property. This was the case with a religious order that owned the land on which a “Gypsy” family had been able to build its home under a royalty contract.

Furthermore, while detentions and seizures were facilitated by the work of informers, there was also a considerable number of cases where people and property were hidden, despite threats by the “corregidores” to punish all those who helped the “Gypsies”.

THE PRISONERS’ DESTINATION

The secrecy in which the round-up had been prepared, which was a positive factor in terms of its success as a police operation, had negative effects when it came to deciding where the prisoners were to be sent; the lack of prison infrastructures for their accommodation made it necessary to resort to improvisation, with all the problems that entails. To give just one example: despite the order that all Andalusian “Gypsies”

were to be taken to Malaga and the attempt to enforce the council’s order by the councillors of that city, it was necessary to suspend the transfers and redirect the prisoners towards Seville due to serious overcrowding.

The Captaincy General of Valencia was in charge of conducting the round-up not only in the Kingdom of Valencia but also in extensive areas of Castile, such as Murcia, Cuenca, la Alcarria, la Mancha and Toledo. The men were transported to Alicante castle and the women to Denia castle, without one single prisoner escaping, as the captain

general proudly emphasised in a later report. Not long afterwards, 200 adults and 40 boys were moved from Alicante to the arsenal of Cartagena, where the authorities ended up housing them in galleys, which were destined for the breaker’s yard, lying at anchor in the harbour.

The women were divided up between the castles of Oliva and Gandía. Because of the duplication of costs involved, it was considered expedient to collect them together in one place again, and this was done in an old convent outside the city walls of Valen-



III. 8

The Marquis of la Ensenada (1743-1746)

(from Vaca de Osma, José Antonio 1997: Carlos III. Madrid: Ediciones RIALP, p. 255)

The Marquis of la Ensenada, as prime minister, effectively ran the country from 1743 to 1746 and continued to play a leading role until he was dismissed in 1754. It is said that he desired a stable, peaceful atmosphere surrounding Spain in which the country could reform her institutions. In 1749 he personally ensured that the round-up operation lead to proper results, that is to say “that this category of people [the “Gypsies”] will disappear”.

THE ORDER TO COMPLETE THE IMPRISONMENT OF THE “GYPSIES”

The order of the Marquis of la Ensenada to complete the imprisonment of the “Gypsies”, dated 12 August 1749.

“His Majesty now orders that by all means, and in every place, the imprisonment should be sought and executed of those who had remained, reserving no sanctuary whatsoever which they may have taken. [...] And although I have already communicated this to the said magistrates in similar terms, I now entrust them again with the most vigilant and exact enforcement of the [...] order, so that the purpose may be achieved, which is so important [...] for if the slightest omission is confirmed, they shall be responsible, and the most serious measure shall be taken. [...] The said magistrates will carry out everything as it is expressed, punctually and completely, as befits a question of this importance [...]”

III. 9

(from Gómez Alfaro 1993, p. 63ff.)

cia, which had been used as a hospital for soldiers during the wars at the beginning of the century.

The arrival of “Gypsies” at the arsenal of La Carraca (Cadiz) also raised a whole series of problems: lack of

safe accommodation for the prisoners and for the troops guarding them, lack of proper work training among the prisoners and, as a result, foreseeable delays in the work when, as planned, they replaced the free workforce. Mutinies

and repeated attempts to escape are a chapter of its own in this story. Due to the complicity between prisoners, it was impossible to establish responsibilities from the interrogations to which they were subjected.

REVIEW OF THE ROUND-UP

“The most important thing remains to be done, in other words finding them a destination, so that a great deal of harm can be avoided and this category of people will disappear, if that is possible”, admitted the Marquis of la Ensenada on September 7, 1749 when he ordered to set up a select committee composed of members of the council to study certain points that he considered especially important concerning the “Gypsies” arrested in the recent police operations.

It is not known whether Ensenada was already convinced of the need to make corrective changes to the initial indiscriminate nature with which

the round-up was conceived. The only thing we know for sure is that he issued an order concerning “Gypsy” prisoners who held an “ejecutoria”, that is a judgment by a court without a possibility to appeal (in this instance, the Council of Castile) or a “provision”, which means a written order sent to the representatives of the justice system by the council for enforcement: “In the areas where there are Gypsies imprisoned, and their families, who before the decree for their general arrest possessed letters patent or measures from the council, or other formal declarations that they are not Gypsies, they should be retained and the sale of their property suspended, while by means of secret reports it is discovered if their lives correspond to these such declarations, and it can be determined from this information

which ones should be exempt from the mentioned general decree.”

The select committee recommended the general application of this rule and eventually, in an instruction issued on October 28, 1749, accepted the existence of “Gypsies” who, “out of tiredness, fear or repentance”, observed the decrees which regulated their lives and, in consequence, “never could, nor should have been included in that royal decision because, being innocent, they are exempt from any charge and any punishment.” The opening of secret files was ordered (files drawn up without the participation of those concerned), and from this time on two classes of “Gypsies” were officially distinguished: “good Gypsies”, who were legitimately married, held judgments or orders declaring them non-



III. 10
Carlos III (1759-88)
(from Sánchez-Albornoz 1971, cover)

Carlos III (1759-88), besides cutting down the overgrown power of the monastic orders, abolished much antiquated and restricting legislation and had infrastructural renewal carried out. He also went on the records as the king who compelled the people of Madrid to give up emptying their slops out of the windows or, for example, introduced Christmas cribs following Neapolitan models. The fact that he finally ordered the “Gypsies” to be freed from internment is practically unknown to the public.

“YOUR MOST UNFORTUNATE VASSALS ...”

An appeal from Bernardo Martínez de Malla, Cristóbal Bermúdez, Miguel Correa, Salvador Bautista and Pedro González, Roma detained in the arsenal at Cartagena, reads:

“Sir, the new Castilians, who are imprisoned in the arsenal at Cartagena bow to Your Majesty’s royal feet. [...] They humbly beg Your Majesty to deign to mercifully attend to their humble pleas, and grant them freedom so they can remove their abandoned property; and join their poor wives, children and families, who are equally dispersed with the affliction of being separated from one another, having by nature and love such close links as those of blood and marriage: Your most unfortunate vassals respectfully hope for Your Majesty’s royal generous mercy [...].”

III. 11
(from Gómez Alfaro 1993, p. 101)

“Gypsies”, and were law-abiding citizens; “bad Gypsies”, to whom a variety of epithets were applied: “delinquent”, “guilty”, “disobedient”, “offending”, “pernicious” and “deviant”. Even if they had letters patent, declarations or

measures from the council, they were sentenced to forced labour and assigned to public works, and if they should escape, they were to be sent to the gallows without any possibility of appeal. However, this perfunctory legal langu-

age was followed by more moderate enforcement, according to subsequent reports by certain authorities who felt that attempts to escape could even be considered “excusable” on the part of people so lacking in prospects.

**PROBLEMS WITH
FREED “GYPSIES”**

Regretting that the royal instruction did not provide for any control mechanisms in respect of matters left to the sole jurisdiction of intermediate authorities, a report by the Count of Campomanes in 1764 stressed that, following the release of most of those imprisoned in 1749, “the

kingdom found itself almost as full of Gypsies as before”.

After an order had been issued to the effect that seized property was to be restored to “Gypsies” returning to their homes, a number of incidents took place to which the “corregidores” found a different solution in each case. The most common solution was to subtract the sums obtained at the auctions and all the costs incurred and then to share the remaining

sum, if any, among the freed “Gypsies”, who accepted the balance without creating any problems.

Those “Gypsies” who had not managed to overcome the barrier represented by the secret files sent numerous appeals to the council from the arsenals where they were still interned. From 1757 onwards, these complaints were no longer accepted, thus depriving the unfortunate prisoners of all hope. [III. 11]

**THE REASONS FOR THE PAR-
DON**

The “Gypsies” imprisoned at the arsenal of La Carraca (Cadiz) were sent to the arsenal of El Ferrol (Galicia) by sea in 1752. They arrived decimated because

of an epidemic which had broken out on board during this unforeseen journey. Over the years, the situation of the survivors became a decisive factor in the granting of an amnesty, which put an end to the police operation designed to eliminate the Spanish “Gypsy” community in 1749. On August 12, 1762, the authorities of El

Ferrol sent a letter to the Ministry of the Navy in which they suggested the release of a number of “old, crippled and valetudinarian” “Gypsies” and vagrants “who, absolutely unfit for any form of work, are constantly in hospital and give rise to costs for their upkeep and treatment without yielding any profit”.

Initially, the ministry seemed receptive to the proposal and asked for figures so that estimates could be made; the same request was also made to the authorities in charge of the other two arsenals at Cartagena and at La Carraca. It was thus ascertained in Madrid that the potential beneficiaries of a pardon for-

med a small group of 165 individuals, whose forced labour had ceased to be profitable in the majority of cases.

On June 16, 1763, the Minister of the Navy sent a brief memorandum to the governor of the council stating that King Charles III, who ascended the throne in 1759 and was the half-brother

of Ferdinand VI, had decided to pardon all the “Gypsies” who were in the arsenals as a result of the 1749 round-up. Appended to the memorandum were lists of the “Gypsies” drawn up by the arsenals, in which it was indicated that the council was to specify the places where these people would live.

AN UNEXPECTED DELAY

However, effective enjoyment of the pardon was delayed for a further two years because the council agreed to a suggestion by its prosecutors, which went far beyond the scope of their brief. They thought that freedom for the internees was to be part of a whole series of measures for regulating the lives of all “Gypsies” and, to that end, began an exhaustive study on this subject. The delay to which this inevitably gave rise prompted immediate complaints from those who were convinced that an end to their problems was imminent. It was King Charles III himself who put an end to this procedure, ordering that the

“Gypsies” be freed without any further delay. They were released in mid-July 1765, sixteen years after the round-up had started.

Imprisonment lasted even longer for a group of men, who Brigadier Diego de Cárderas, the Governor of Puerto de Santa María, had interned in 1745. The most robust individuals were sentenced to forced labour in the mines of Almadén and the least robust were sent to the penal colonies of Africa, for a period of four years. Unfortunately, the completion of their sentences coincided with the period when the “Gypsy” community was experiencing the worst consequences of the general round-up. The council decided to include these men *ex lege* among the “bad Gypsies”, thus denying them the possibility of a secret investigation si-

milar to those carried out on all the 1749 prisoners. In 1762, however, they managed to have their situation declared in a way comparable to that of the “Gypsies” still in the arsenals, and thus became beneficiaries of the amnesty.

Shortly afterwards, the king authorised the continuation of the procedure initiated by the council’s prosecutors, who drafted detailed provisions for solving the social “problem” posed by the “Gypsies”. These were included in a draft bill. One of the articles mentions the measures carried out for the same purpose during the reign of Ferdinand VI, the immediate predecessor of Charles III. The latter asked his advisors to remove this reference, saying that what had been done at the time “did not do credit to the memory of his beloved brother”.

CONCLUSION

For the Spanish “Gypsy” community, the round-up, needless to say, had devastating effects. With thousands of Roma having been deported, interned,

subjected to forced labour, punished, hurt and killed, the community’s inner structures had changed completely. A clear picture of the change gives “Caló”, the language of Spanish Roma: within a few decades after the round-up it ended

up as a language-blend of Romani and Castilian. Thus not only individuals and families but the whole Roma community of Spain did not manage to fully recover from the injuries they received by the agents of the dark Age of Enlightenment.

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