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Two Cultural Causes of Roma Criminality: Application of Amoral Familism and Culture of Poverty Concepts to the Situation of Roma-dense Localities in Northern Bohemia

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This paper presents an attempt to answer the question if any specific Roma/Gypsy criminality can be said to exist. Contrary to the answer common in lay discourse – 'It is in their blood' – the author takes as a conceptual point of departure the premise that Roma are bearers of a specific culture, i.e. a specific way of life that is learned (non-genetic), shared in a given group and adaptive in relation to the ecological and/or social environment. Taking culture as a point of departure, people behave as they do because: a) they have been brought up in this way (the determination by *tradition*); and b) it is more or less advantageous for them (the determination by *adaptation*). At this general level, then, we can identify two structural causes of Roma criminality: 1) causes determined by a specific (i.e., Roma) cultural *tradition,* and 2) causes resulting from the *adaptation* of the Roma to their surroundings represented by contemporary majority society.

Keywords: Roma, crime, criminality, culture of poverty, amoral familism

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1 Introduction

This paper attempts to answer the question if some Roma-specific criminality can be said to exist. It is based on research carried out for the Crime Prevention Department of the Ministry of Interior of the Czech Republic, which had formulated the question as follows: "We are interested above all in, and the object of the research should be, a specific 'Roma' criminality, whilst we suppose that something like that can be found. […] By the non-specific criminality we mean those types of criminality committed by everybody, when everyone uses similar ways (i.e., for instance, shoplifting). By the specific criminality we mean criminality committed (as we suppose) only by a specific group, in our case by 'the Roma'. Therefore, specific criminality includes those types of criminality that are not committed by others [non-Roma], or in ways and means that others do not use. And the description of this specific criminality is our main subject of interest."

The research in question was conducted in two phases from July 2005 to December 2005 and later from February to May 2011,[2] and in June 2015; the field component of the work was carried out in localities in Northern Bohemia. Although the article draws on the investigation of the observations made in several localities, it primarily attempts to present overall conclusions of the whole research endeavour at a more general level. Thus, the goal here is to describe the general parameters of the examined social practices. The article focuses on clarification of the terminological and conceptual apparatus required for proper understanding of the subject matter.

2 Delimitation of the Conceptual Field

To put it simply – we will consider as the 'Roma' those persons, who are *bearers of specific cultural patterns*, or more shortly are bearers of a *specific culture*[3]. We will call this culture the 'traditional Roma culture'[4]. In many regards, this definition differs markedly from the lay concept of 'Roma/Gypsies' and carries the obligation to accept specific limitative criteria.

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[2] A partial output of these stages of research are Jakoubek (2010, 2012); this article partly draws on these texts.

[3] In a sense I take a position contrary to Barth (1969); when speaking about 'Roma' in this paper I will be speaking about culture, not about an ethnic group.

[4] The term 'traditional' has a technical meaning here; its purpose is to distinguish the cultural complex in question from (the project of) Roma national culture. Typologically, the distinction in question is the distinction between low (traditional) and high (national) culture as introduced by Ernest Gellner (1983).

This cultural group is defined by certain shared cultural criteria, whilst other aspects commonly associated with Roma are considered irrelevant. In other words, the question of 'Roma' criminality will be considered from the point of view of culture, and other determinants (language, 'skin colour') will be left aside.

The reason for choosing this conceptual field reflects a desire to steer clear as much as possible of any presumption of hereditary criminality or the idea that 'Roma' are criminal by nature ('it is in their blood'). Since the (anthropological) concept of culture is non-genetic by its very definition, we consider the concept to be exeptionally well suited for the investigation of 'Roma' criminality because it excludes *a priori* the (false and dangerous) assumptions of hereditary criminality of a social group or ethnicity.

To prevent confusion it is advisable to summarize briefly the basic attributes of the anthropological concept of culture. The standard concept of culture is based on the core presuppositions that: 1) *culture is learned*; individuals *learn and adopt* it since the time they are born in the process of socialization. In this regard, therefore, the Roma cannot be defined by some specific physical characteristics (dark skin, hair or eyes, etc.), but only by the fact of participation in Roma culture, as they have acquired competences in this culture either by education and training in childhood or by re-socialization in adulthood; in other words, 2) '*culture is social*' (Murdock, 1969: 81). Therefore, culture is not possible without a corresponding society (Kroeber, 1963: 60). For our purposes we will (as a hypothesis) understand specific Roma criminality as an expression of a specific society, and as members of these societies we will consider only those who participate in structures and channels (informational, financial, communication, kin, moral, etc.) of these societies. Finally, 3) culture is adaptive; this attribute means that the specific shape of each culture is in part a result of adaptation to a particular environment where the given society lives. The nature of each culture comes about through the process of ongoing adaptation to its surroundings.

3 Traditional Roma Culture – One Root of 'Roma' Criminality

3.1 A Note on the Character of the Social Formations Investigated

Although the term 'Roma ghettos' is misleading in many regards, it reflects an apparent fact, which is significant for our purposes. These localities are inhabited mainly by people whose ancestors, before arriving to what is today the Czech Republic after WWII, lived in the so-called 'Roma *osadas*'[5] in Slovakia. Even though the culture of the 'Roma *osadas*' or the 'traditional Roma culture'[6] has undergone significant changes and today almost certainly does not form a compact system, it is possible to identify some of its components in the Czech localities studied. Although it is not possible in any case to assert that the conduct of (the majority of) residents of the 'Roma ghettos' is determined by the structures of the traditional Roma culture (because this culture – as a compact cultural unit – simply does not exist here), we are able to identify some elements in their behaviour that are explicable from the viewpoint of the concept of this culture. From the viewpoint of the explanatory model of this culture, it is possible to view these culture components as *its* relics.

3.2 Basic Characteristics of Traditional Roma Culture

The concept of traditional Roma culture has a great heuristic value due to the fact that as an ideal-typical umbrella term it permits the bridging of the diversity of particular situations in particular localities and to analyse the subject matter at a general level. Since the aim of this article is to describe the general parameters of Roma criminality, the usefulness of this conceptual tool in this analysis is quite evident.

The basis of the traditional Roma culture is a social organization based on kinship (elementary units in Roma *osadas* are specific kin formations; see Jakoubek & Budilová, 2006). In Roma *osadas* kinship is the most privileged organisational principle. Among other things it means that, for example, the spheres of (proto) politics, economy, ethics or morals are all determined by kin structure and have a markedly kin character in almost every regard. What do these observations mean in particular?

3.3 The Question of Truth and Its Conceptualization in Traditional Roma Culture (Versus Its Conceptualization in Majority Society)

'Family values represent the absolute basis for most of the Gypsies' (Fraser, 1998: 254) and truth can be counted among

[5] In contrast to the situation in the Czech Republic, where Roma populations are mostly concentrated in towns and cities, in Slovakia specific residential entities located near villages are to be found. These entities are usually termed "*osada*" (i.e., "settlement" or "colony"). For more complex specification of these formations see Budilová and Jakoubek (2005).

[6] Since the phrase "community of the bearers of the traditional Roma culture" or "localities inhabited by the bearers of the traditional Roma culture" is rather reader-hostile, they shall further be replaced here by "culture of Roma *osadas*" and "traditional Roma culture", as more or less synonymous.

these values. Instead of loyalty to objective truth (as understood by the majority society), we encounter the ideal of loyalty to the family in Roma *osadas*. Truth is not considered a value independent of family interests in Roma *osadas*; on the contrary, it is fully subordinated to those interests. For the inhabitants of Roma *osadas* (or more precisely for the bearers of the corresponding culture) truth is not objective or value-neutral in relation to reality; for them it is not an 'objective' category situated beyond the good and the evil. Instead, 'the truth' to them is a morally-laden category (truth is good), and it follows that it could do no harm to the family because if it did, it would not be the truth any more. The point of reference of truth, as well as of justice, in Roma osadas is the family. Truth is not understood as an 'objective' reality in Roma osadas, but rather it is perceived as a 'relative' category, 'relative' in the original sense of the word, as 'relating to' – to the subject (which is the family in our case), its intentions, desires and ends. True is here therefore what is (at the same time) good (for the family).

3.4 The Question of Responsibility

In the traditional Roma culture an individual – a member of a family – is firmly embedded in family relations. In this culture 'an individual builds one's status through [his/her] family' (Liégois, 1995: 75) and "accomplishes one's individual being through his/her family' (Frištenská & Víšek, 2002: 65). It is in accordance with this cultural trait there is a distinctly different approach to personal responsibility of an individual. In Roma *osadas*, it can be said that an individual – a member of a family – is not solely responsible for his or her activities; responsibility extends to the family as a whole. Collective identity here markedly outweighs individual identity; in Roma *osadas* a member of a family is therefore 'substitutable by other members of the family' (Hübschmannová, 1999: 55). If, for example, a member of a family commits a crime, the family itself decides who will take responsibility for that offence. Thus, in Roma *osadas* it sometimes happens that 'instead of the real culprit, someone to substitute him or her was chosen by the collectivity of the family, to whom the punishment would do less harm than to the real culprit' (Hübschmannová, 1999: 32). Hence, every family member has to be ready 'to claim responsibility for a crime or other asocial behaviour (to pass oneself off as a culprit, to take the blame for something)' (Večerka, 1999: 433) , but, on the other hand, he or she can expect the same in turn, should he or she be the culprit.

In the traditional Roma culture the principle of collective guilt holds true to a considerable extent, so that 'a fault of an individual is considered a fault of the whole family' (Liégois 1995: 75). The same principle, however, is true also the other way around, so that an honourable act of an individual increases the prestige of the whole family. All activities, be it activities of an individual or of a family, are referred to in collective terms: 'It was done by the Červeňák family'. The subject of an action is the whole family, and the whole family is responsible for it. Similarly, the subject of obligations in Roma *osadas* is a family, not an individual. Therefore, the family in Roma *osadas* 'cannot be seen as a grouping of individuals, but as a whole that acts unanimously towards its surroundings' (Šúryová, 2001: 476).

Substitute punishment is a phenomenon which illustrates this principle well. It concerns a practice, when, in case a member of a family commits a crime, another member of the family (i.e., other than the real culprit) takes up (or is prompted to take up) the fault and endure the punishment. The reason for this may be, for example, the fact that the culprit has two small children, whilst the substitute is childless, so that the arresting of the real culprit would mean a greater loss to the family – and this is the core of the matter – than if when the chosen "substitute" is arrested. While this practice makes sense within the traditional Roma culture, it is quite alien to the concept of criminal liability as practiced in Western law and jurisprudence.

The family also has the right to annul a decision (and an obligation resulting from it) of its member, who has to submit to the verdict, and consequently, after the veto of the family, he or she ceases to consider the personal obligation as determining and ceases to feel responsibility for it; so that 'when a Rom promises something and his family does not agree with that, he or she does not feel any obligation to keep his or her promise made' (Frištenská & Víšek, 2002: 128).

To conclude: morals and ethical conduct in Roma *osadas* are not a question of an individual as a lone person, but rather a matter of the whole family; questions of morals and ethics are viewed as a collective matter, with the interests of the family as a whole being a general guide to action in any particular case.

3.5 The Question of Morals. Family – the Subject and Point of Reference of Morals

In Roma *osadas* the whole question of values and norms is marked by the fact that observing moral norms and values is required only with respect to family members and not with respect to other families, other Roma groups, or the majority non-Roma population. The 'In-group' is constituted only by family members, and in this regard it is ethically acceptable (for example) to lie to others or to steal something from them: 'When a Gypsy steals something from a Gypsy of the other group or from a person of non-Gypsy origin, it is considered

to be a praiseworthy act. Nothing wrong is seen either in lying to a strange Gypsy: "'To a Rumungro, you need not to keep a word, nor to a gadžo [non-Gypsy]'" (Marušiaková, 1988: 66-67); similarly, then, 'false evidence given to the 'white' world is understood as a defence of one's own group' (Palubová, 2001: 92), so that in this case it 'is not a sin and therefore no punishment [from God] can be expected' (Palubová, 2001: 92).

In particular, 'to cheat, to trick a gadžo' has always 'been seen as a small victory over the "not one's own"' (Hübschmannová, 1999: 32). In general, 'thefts and other expressions of parasitism in relation to non-Roma… were considered [unlike the cases in which objects of these actions were members of one's own group] … a great asset to the group' (Horváthová, 1998: 14).

Therefore, the so called 'we-group', which is made up of members of the kin group, could be – in terms of H. Bergson – called a *closed society*, which is defined by the very fact that it 'includes at any moment a certain number of individuals, and excludes others' (Bergson, 1977: 30), which stands in contradiction to the *open society*, whose participants comprise (at least potentially) the whole of humankind.

Both types of societies differ – among other things – in their conceptualizations of morals, and between the morals of the open and the closed society 'the difference is not one of degree but of kind' (Bergson, 1977: 35), because the morals of the open society are (seen through the perspective of the given conceptualization) valid for all of humankind, while the morals of the closed society only apply to its members – and this is the case of the Roma (kin) groups in question. The attitude of the Roma kin groups could therefore be called *amoral familism* in terms of the concept explicated by Edward C. Banfield, characterizing the situation wherein people do not have any other morals except those required by service to the family (Banfield, 1963).

3.6 How are These Traits Related to Criminality?

The bearers of the traditional Roma culture are primarily members of their particular families. Family (or more precisely, its members) – and only the family – represents a moral community for an individual, of which he/she is a member. The ethical obligations insisted upon within the bounds of the family do not apply to individuals beyond its boundaries. Within the 'moral community' there are strict ethical rules; for example, 'do not steal', 'do not cheat', 'do not lie', etc., which are rigidly enforced by informal social control, and the breaking of these rules is typically met by extreme sanctions; however these rules do not apply to persons beyond the boundaries of the kin-group. It is, therefore, acceptable to lie to non-relatives, to steal something from them, to cheat them or to mislead them in other ways; more precisely, ethical norms accepted and required within the kin group do not apply to these acts.

This aspect of Roma culture is one of the core elements of 'Roma criminality', in which a theft, an act of deception or other offence (from the point of view of majority society) committed in relation to people who do not belong to one's family are not moral misdemeanours. They are actions not at all considered condemnable – on the contrary – as researchers of Roma populations have observed, 'many Gypsy groups considered theft [beyond the boundaries of one's own family] as a matter of individual bravery and heroism' (Horváthová, 1964: 221).

3.7 Other Specifics

One of the causes of 'Roma' criminality I have identified is the fact that the same ethical norms do not apply to non-kin in the traditional Roma culture, so that persons outside the family could become victims of misdemeanours without remorse or sense of guilt on the side of the culprit.

Besides this general principle that could be seen – with respect to criminality of the given groups – as crucial, kinship among the bearers of the traditional Roma culture plays an important part yet in other settings and contexts related to the matter discussed. Kinship, or more precisely the family principle, tends to affect most spheres related to our subject matter – criminality – which, nevertheless, do not show any 'Roma' specifics (e.g., taking drugs and drug dealing, unreported employment, theft, usury, etc.), and consequently influences their character, course or realization.

It follows that when dealing with the bearers of the traditional Roma culture it is necessary to presuppose the ubiquitous presence of family. Family plays a central part in the lives of the bearers of the traditional Roma culture; it affects most of their activities, all of their crucial decisions and many of their interests; the same holds true in the case of participation of these people in the sphere that comes under the category of 'criminality'. For example, when the bearers of the traditional Roma culture work on the side (i.e., engage in unreported employment), in most cases they do such work in a family firm. The owner of the firm usually has a trade licence, and the other – mostly male – members of the working group come from different places, but are interconnected by a set of kin relationships. The ethics that apply to telling the truth and stealing are internal to the firm; they do not apply to others outside that firm.

When the bearers of the traditional Roma culture get involved in drug dealing, for example, we encounter a pat-

tern which has few parallels in majority society. The principal and central interest is always to arrange that 'the family have enough for themselves', and only the unused drugs are available to be sold. In drug taking and dealing we once again find a specific pattern, whereby the drugs are consumed by virtually all family members[7].

Similarly to the cases mentioned, the family and the family principle play an important part in other spheres of criminality, in which – as either culprits or victims – the bearers of the traditional Roma culture become involved. The individual activities may differ, but the common denominator – family – remains the same in every case. To relate this knowledge to the question that forms the bedrock of our investigation, i.e., whether there is any specific 'Roma' criminality, we can say that it is the ubiquitous family, accompanied by ubiquitous amoral familism, which affects each sphere of Roma life (including criminality). The answer, therefore, would be – yes, 'Roma' criminality is a type of criminality with the hallmark signature of familism as first described in social science by Edward Banfield.

3.8 A Partial Conclusion

We have seen some selected aspects of traditional Roma culture, which could be a source of behaviour which is classified as criminal from the point of view of the majority society. The model we have described, nevertheless, was a model of the traditional Roma culture, or more precisely of the culture of Roma *osadas* (out of which in the described localities only isolated fragments are present, which are nowadays integrated into a cultural system which is in many regards quite different than the described model).

Although there is suggestive evidence that the character of the social organization of given localities shows features similar to the model of the social organization of Roma *osadas* (Budilová, 2007), we have to keep in mind, on the other hand, that the model presented is subject to many other influences in contemporary localities, which in many regards detracts from its compactness, transparency and explanatory possibilities.

4 The Culture of Poverty – The Second Root of 'Roma' Criminality

'Roma ghettos' are often referred to also as socially excluded localities lacking access to many forms of social capital. This perspective, as well, shows some important aspects of the situation in the localities in question. If we suppose that social exclusion is a complex situation comprising several dimensions, it will turn out that in most of these dimensions a particular 'Roma ghetto' will meet the definitional parameters of these individual dimensions. Most inhabitants of 'Roma ghettos' find themselves in a situation of spatial, economic, social (in the narrower sense), cultural, political and symbolic exclusion.

Most residents of 'Roma ghettos' have very limited access to the labour market, they can only rely on the black economy and in general they suffer from a lack of economic capital. Their situation with respect to social capital (in the narrow sense) is similar, because most of them have only a limited – if any –'network of contacts' beyond their kin relationships, so that their social networks – comprised mostly of 'strong ties' (of kinship nature) and lacking 'weak' ones (Granovetter, 1973) – have a very closed character. To a large extent, this hinders their participation in the institutions of majority society. There is also a marked lack of cultural capital; particularly apparent is the absence of formal educational and other special professional competences. We could also assume that most residents of 'Roma ghettos' are deprived of equal access to political rights, and similarly we could speak about a general absence of formal political institutions in these localities or about a lack of efficient participation of the inhabitants of 'Roma ghettos' in political institutions beyond the locality. At the level of symbolic exclusion, most of the residents are stigmatised by the majority population on the basis of various attributes or their combinations, for example a specific variety of spoken language, typical surnames, a specific type of non-verbal communication, type of dressing, etc.

4.1 From Social Exclusion to the Culture of Poverty

It is argued here that residents of socially excluded localities labelled as 'Roma ghettos' are bearers of a specific cultural pattern, one which emerged in the process of reaction and adaptation to long-lasting poverty as well as to the discussed economic, social (in the narrower sense), cultural, political and symbolic exclusion. This particular cultural pattern is that of the culture of poverty.

The concept of the culture of poverty was formulated by Oscar Lewis in the 1950s. Its publication provoked both numerous positive reactions and also substantial criticism[8]. Since the contemporary discussion on the culture of poverty

[7] 'A large majority of Roma drug addicts live in joint households with another drug addict – it appears that drug abuse in Roma communities is a problem of whole families and often a problem of more than one generation' (Vyhnalová, 2004: 35).

[8] For the outline and milestones of the debate see Valentine (1968), Parker-Kleiner (1970), Leacock (1971), Rodman (1977), Wilson (1987), Goode-Eames (1996).

within gypsiology often draws on the original formulation by Lewis (Szelényi & Ladányi, 2006), I will also use the concept following the author's original meaning. To avoid possible unconscious misinterpretations or conceptual contaminations, I will briefly outline the constitutive elements of the original concept that serves as the basis for the analysis presented here.

The concept of the culture of poverty rests on the premise that inhabitants of socially excluded localities are the bearers of a specific cultural pattern which has emerged during the process of adaptation to long-term poverty, as well as to the social, symbolic and spatial exclusion (most frequently in urban areas) and as a reaction to these circumstances. As Oscar Lewis argues, the particular cultural pattern conceptualized as the culture of poverty represents 'both an adaptation and a reaction of the poor to their marginal position in a class-stratified, highly individuated, capitalist society' (Lewis, 1966: 21). Many features of the culture of poverty can thus be regarded as a local, spontaneous effort to accommodate the needs of people that have not been fulfilled by the institutions and authorities of majority society, because the poor are not eligible to use these services, they cannot afford them or because they are ignorant and distrustful of them (Lewis, 1966: 21).

The culture of poverty is a subculture of a modern complex society, upon which it is dependent in many ways. On the other hand, it functions as a relatively autonomous cultural system with the majority of classical attributes of such a formation – i.e., it has its own 'structure and rationale, [it is] a way of life handed on from generation to generation along family lines' (Lewis, 1966: 19). The culture of poverty is thus 'not just a matter of deprivation or disorganisation, a term signifying the absence of something. It is a culture in the traditional anthropological sense in that it provides human beings with a design for living a ready-made set of solutions for human problems, and so serves a significant adaptive function' (Lewis, 1966: 19).

This specific cultural pattern, the core of which is formed by a system of alternative values and patterns of behaviour that result from it, enables its bearers to survive and live in the majority society; however, on the other hand it makes the (re) integration into the structures of majority society nearly impossible – the people are unable to 'grab the opportunity' that is being offered or join social inclusion programs offered by the state or non-governmental organizations. In other words, once the patterns of the culture of poverty are firmly established – i.e., when a group has adapted to long-term poverty and turned the patterns into a living strategy, these patterns tend to be perpetuated and passed on from generation to generation, so that the following generations are primarily socialized into these patterns.

The following aspects of this specific cultural system are considered core characteristics of the culture of poverty: scepticism toward state institutions, solidarity limited to the nuclear (or extended) family, life strategies focused on the present, an absence of property, a closed economic system characterized by pawning possessions and taking out loans or borrowing money with high interest rates, tendencies to social pathology and a high level of tolerance to them, early age sexual experiences, high natality, frequent feelings of fatalism, weak ego in males, expressed by boastfulness and stressing of one's masculinity, etc.

If we compare the above-mentioned general socioeconomic parameters and the specific life adjustment patterns and features identified by Lewis (1966) with the way of life of most of the inhabitants of 'Roma ghettos', the conclusion is evident. The patterns of conduct of most inhabitants of 'Roma ghettos' closely reflect the culture of poverty as portrayed by Oscar Lewis.

4.2 Culture of Poverty and the Roma

Some of the features of the traditional Roma culture and the culture of poverty are virtually identical (high natality, distrust towards state institutions, life strategies focused on the present, absence of private property, sharing of property, finances, food, etc., generalized reciprocity within broader family networks, high degree of tolerance to social pathologies of different kinds, etc.). It is, however, not possible to bring in a definite verdict on whether these phenomena ('in reality') belong to the traditional Roma culture or to the culture of poverty. In reality they of course do not belong anywhere, which is the heart of the matter because these features seen as elements of traditional Roma culture or the culture of poverty are not out there, but as such (i.e. *as elements of* or features belonging to…) they exist only as the result of the act of a definition pronounced by the researcher. Therefore the culture of poverty – as well as 'the traditional Roma culture' – is not a phenomenon, but a concept, or a category, and the 'justifiability of this concept [...] does not consist in its objective existence, but in the fact that as an analytical tool it has its heuristic value' (Pospíšil, 1997: 17). The justification of (analytical) concepts, or categories, does not consist in their phenomenological existence in the external world (e.g., in the ethnographic data), but rather in their instrumental function for a given research (Pospíšil, 1997: 13).

To summarize, in the analytical sphere the concepts of traditional Roma culture and the culture of poverty are mutually exclusive. In order to avoid misunderstandings, however, it is perhaps even more important that the culture of poverty as a concept is analytically absolutely non-intersecting with

(the concept of) Roma as an ethnic group (see also the note no. 3). To speak of Roma as an ethnic group and the culture of poverty thus make no sense.

4.3 Intermezzo – Relics of the Traditional Roma Culture vs. the Culture of Poverty

In our discussion of the possible sources of criminality in the so called 'Roma ghettos' we have presented two possible conceptual frameworks for interpretation. The first sees these enclaves as places in which the traditional Roma culture lingers (affected by many outer influences external to it); the second understands inhabitants of these localities as the bearers of the culture of poverty. These two conceptions differ in one central aspect – the former interprets the situation in terms of a specific tradition, the latter in terms of a consequence of an actual adaptation.

Although there is a certain conceptual tension between these two schemes, we need not be overly troubled by this fact. In many regards, the two conceptions are mutually organic, and the duality is an advantage rather than a difficulty.

4.4 The Culture of Poverty and Criminality

For many reasons, legal work does not pay off for the inhabitants of the 'Roma ghettos'. First, with one of the family member's legal income, the whole family would lose the right to claim social welfare. Second, a number of residents of 'Roma ghettos' have various debts (for example related to public transport fines, unpaid alimony, rent, various loans, etc.) and therefore, once in legal employment, they would be subject to attachment on earnings (which often happens) and the family income would be considerably lower than before. Thus, for many inhabitants of 'Roma ghettos', depending on social welfare became a meaningful living alternative; in other words – in their situation it is reasonable to give up efforts to become independent of social welfare.

Because income derived from social welfare is relatively small, it is usually supplemented by income from other activities, which are – quite often – illegal. To understand the whole matter in an appropriate perspective, it shall be useful to go back to the culture of poverty and see these activities as expressions of adaptive strategies of these individuals to their adverse living conditions. A crucial factor which creates the individuals' potential for activities classified criminal by majority society is the fact that to survive in these conditions it is necessary to learn and accept a set of values and the patterns of conduct associated with the culture of poverty which are very different from the norms of majority society. The values and imperatives that exist in majority society (albeit as ideal norms) such as, for example, 'do not steal', 'do not cheat' or 'do not lie' are concerned precisely with those particular practices that are almost essential for the life in the 'ghetto' (or more precisely, essential in the contacts of the 'ghetto's' inhabitants with individuals or institutions of majority society); in other words, the observing of these values and norms would be disadvantageous for a 'ghetto' inhabitant. To put it simply: in order to survive and live in the conditions of the culture of poverty, it is impossible for an individual to act in accordance with majority middle-class norms, values and ideals because that approach would be far more harmful and could put one's survival at risk.

This situation is structurally similar to the situation related to the first cause of Roma criminality discussed above – the traditional Roma culture. In both cases the reason of the potential tendency to criminality (from the viewpoint of majority society) can be seen in the fact that the individuals do not share the majority society's system of values (norms, ideals, etc.), but rather accept values that are very different. In both cases we are concerned with a unique community that differs from the majority society (among others) in its different normative system; the problem (in relation to the criminality of members of this community) rests in the fact that the individuals in question in both cases do not feel moral obligations to members of the majority society; in both these cases they do not consider members of the majority society to be members of their own moral community. The central difference which lies between the concept of the traditional Roma culture and the concept of the culture of poverty is that in the former case the situation, norms and conduct are determined by *tradition*, whilst in the latter, these are determined by *adaptation* and economic survival.

4.5 A Case of Non-Payment of Electric Bills in a Lodging House

Let us consider an illustrative example here. Imagine a person who moves to live in a so called lodging house for rent-dodgers. The reality of life in the lodging house with respect to paying electricity bills is that nobody pays them. Nevertheless, all residents need electricity and so all of them are connected (without permission) to an electric power grid in common areas of the building. Our person, who has been paying his electric bill properly all his life, is disgusted by the situation and thinks 'rent-dodging scum, no surprise they ended up in this place, if they don't pay. I am not like them, I have always paid my bills and it's only a mistake that I am here, and it's only temporary anyway (which is, by the way, a favourite idea of the newcomers) and I will – naturally – pay my electric bills.' However, when the bills are due to be paid at the end of the month, it turns out that our person pays twice, partly

for the electricity he really used up and partly – which he did not expect – for the electricity consumed in common areas (the bills for which are shared by individual occupants). Thus, in the given conditions, it appears as markedly disadvantageous (at least economically) to have a personal electric meter and pay for the electricity used (as the norm of the majority society dictates) and it is, besides, amusing to all the others, who know the situation very well. It is clear that starting the following month our person will cease to pay his electric bills not because of his wickedness, criminal predisposition or hatred of the majority society, but as a result of rational, purely economic consideration. He will have his electric meter cut off and get connected to the electric power grid in common areas; he will adapt.

4.6 A Case of a Change of Value Attitude towards Prostitution

In the 'Roma ghetto' M., most inhabitants were long-term unemployed. Family D. lived in two rooms of 25 square meters without electricity and owed a lot of debt. The family consisted of a mother and six children; the father was serving a long prison sentence. One of the older daughters, J., started to provide paid sexual services. Initially, this fact provoked radically disapproving responses among the residents of the locality; family D. became the subject of contempt (by that time it was 'a big shame for all the family'). J.'s mother rejected the behaviour of her daughter and attempted to correct it.

However, J. soon bought her brother a PlayStation, a mobile phone for her sister, some expensive clothes and jewellery for her mother, and she was making (ostentatiously) big grocery shopping trips. After some time she paid off the family's debts on electricity bills, bought a new sofa, etc. Although the family was still in contempt, it radically improved its financial circumstances and possessed a lot of status symbols appreciated by the residents of the locality yet unavailable to most of them. After some time the mother stopped reproaching her daughter for practising prostitution. The first residents (beyond the family D.) who started to see prostitution without any critical judgements were the J.'s female peers– they were (verbally) interested in the practice, its possibilities and prospects. Gradually some of them started to practise prostitution as well. Mothers of these girls blamed J.'s mother for 'spoiling their daughters', because J. 'made their daughters prostitutes'.

After some time the families in question markedly improved their financial standing. The mothers of these families gradually stopped blaming J. and her mother. Eventually, the sharply critical stance towards prostitution in the locality softened and even some romanticising fantasies appeared. ('One day a German man will marry her and take her to live in Germany'). In the subsequent period the extent of the negative perception of prostitution lowered even more, maybe also because of the fact that one of the older girls really left for Germany with her previous client, where she married him and her financial situation as well as that of her family improved. The number of girls practising prostitution grew gradually – in time the practice of prostitution became a shared experience of teenage girls (before marriage).

To summarize: in the locality M., in a rather short time span (within two years), an adaptation to prostitution emerged as one of the more or less standard (although only temporary and specific to particular life-cycle stage) means of livelihood.

The described story could be read as a story about a shift from the 'traditional' value (unacceptability of prostitution) to the 'adaptive' value (prostitution as a more or less standard means of livelihood), where both values are mutually contradictory. What is relatively dumbfounding (though, maybe not at all) is a relative swiftness and ease – with respect to contradiction of the values – of this value shift.

5 Conclusions

I have presented two possible structural explanations of the roots of Roma criminality, or more precisely, of the criminality in the so called 'Roma ghettos'. The former sees these enclaves as places in which the traditional Roma culture lingers (affected by many other influences, external to it); the latter interpretation understands inhabitants of socially excluded localities as the bearers of the culture of poverty. We mentioned that the central difference between these two conceptions lies in the domain identified as respective sources of the primary determination of criminal activities. Whilst the former interprets the situation in terms of a specific tradition (passed on by upbringing, and, in general, gained in the process of socialization from one generation to the other, from parents to their children), the latter understands it in terms of a consequence of an actual reaction and adaptation to the surroundings and actual conditions. Whether one interprets the situation in the discussed localities in either of the two perspectives, one thing always remains certain – inhabitants of these localities do not act as they do because of their bad intentions, but because this behaviour is adequate in the given conditions, in other words, 'normal' (and, among others, it is also required by others by means of social control particularly in primary groups). At the general level it is clear that this behaviour is meaningful (in given conditions), understandable, 'rational' and – predictable.

This fact needs to be emphasised, so that it is clear that to consider the behaviour of the people living in given localities as morally inadequate, mean or perverse – which happens very often – is at the very least highly problematic. In a reversed perspective we could say that the fact that most of us as members of majority society act more or less in accordance with the rules common in our society, is not truly a form of evidence of our superior moral qualities. Instead, we act the way we do particularly because: (a) we have been brought up in this way (the determination by tradition); and (b) it is more or less advantageous for us (the determination by adaptation). It is clear that if we were brought up in another (cultural) tradition (for example in the 'Roma' tradition), or grew up in other surroundings (for example in a socially excluded locality), our behaviour, ideals, values and norms resulting from them would be different and very likely similar to those described above as typical for the traditional Roma culture or the culture of poverty. In other words, we have to be aware of the fact that it is only seldom that the choice of the general value system, out of which the norms of conduct are derived, is a matter of an autonomous individual.

At the general level it is possible to develop the theses suggested above into a critique of the general presupposition according to which there is a set of values and patterns of conduct guaranteed by the criminal law with which the majority of population agree and on the basis of which it would be possible to distinguish between positive and discreditable attitudes and activities. As the works of E.H. Sutherland and A.K. Cohen and others show, the reality is that of cultural pluralism, which argues, that in a society, there are a number of value systems associated with distinct subcultures in every society. These different values and norms are learned by the members of these subcultural groups in a standard way in the process of enculturation (Baratta, 1995: 49-50). The mechanisms of learning and accepting some criminal activities, that is, practices considered criminal from the point of view of the standard members of the majority society, do not differ in any important way from the mechanisms of enculturation of behaviour that are considered 'normal' (Baratta, 1995: 50). I believe that the so-called 'Roma ghetto' could be seen as a place of this alternative socialization to another set of norms and values.

The suggested interpretation of 'Roma' criminality clearly shows that the roots of this criminality are to be found in the sphere of *culture*, or social sphere, and that this criminality does not have in any sense a hereditary or *biological* determination ('they have it in their blood'). This 'Roma' criminality is a result of socialization mechanisms established on the basis of historical legacy and social stratification, not on the basis of biological traits.

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Dva kulturna vzroka za kriminaliteto Romov: uporaba konceptov amoralnega familializma in kulture revščine v skupnostih z visoko koncentracijo romske populacije v Severni Bohemiji

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Prispevek se osredotoča na vprašanje, ali obstaja specifična kriminaliteta Romov. V nasprotju s splošnim prepričanjem, da jim je kriminaliteta »v krvi«, avtor izhaja iz koncepta, da so Romi nosilci specifične kulture, t. i. specifičnega načina življenja, ki je naučen (ne genetski) in prevladuje v specifičnih skupinah, ki ga prevzamejo in posledično vpliva na njihov odnos do naravnega in družbenega okolja. Izhajajoč iz kulturnih temeljev avtor ugotavlja, da se ljudje vedejo na določen način, ker: (a) so bili tako vzgojeni (vpliv tradicije) in (b) jim takšno vedenje prinaša korist (vpliv prilagoditve). Na splošno opredeli dva strukturna razloga za kriminaliteto Romov: (a) vzroki, ki jih opredeljujejo specifične (t. i. romske) kulturne tradicije, in (b) vzroki, ki so rezultat prilagoditve Romov okolju, ki ga predstavlja sodobna večinska družba.

Ključne besede: Romi, kriminaliteta, kriminalnost, kultura revščine, amoralni familializem

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