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Making 'Gypsies' in the English Reformation? Laws, words and texts (1530-1621)

What is, what was the 'Gypsy'? Working within a narrow time-frame and canvas, this essay investigates the way connotations of the word 'Gypsy' came to be established in the early seventeenth century. It considers primarily English and, briefly, Scottish texts from a broadly defined sphere of the legal and the literary.[1] Thus, while as David Mayall accurately notes, '[a]ll the representations …of the Gypsy are in one way real: Gypsies are who the writer or speaker thinks they are', it may also be the case that in this period the way they were seen set in place both core 'Gypsy' features of an enduring character, and a situation of very one-side control over image.[2] Accordingly, the essay works on a small canvas to try to more deeply understand the formation of an enduring idea or type – that of the 'Gypsy' – from the early sixteenth century to 1620s. It investigates factors in the shaping of the signifier 'Gypsy', and its signifieds during the Tudor and early Stuart Reformation, from a period preceding Gypsy legislation to a moment when, it seems, the features of what writers and readers 'think they are' is established.

Scholarship on Gypsies and Roma people is fairly clearly divided into historicist studies focussed on the past and those focussed on the shaping of the present, and many of both kinds are longitudinal, such as the respectively historical and sociological studies by David Cressy and David Mayall. A less clear, intermittently articulated faultline in the scholarly field is between emphasis on recovery of experience and representation or image. In this broad division, Romani Studies occupies a sociological position which might most sharply contrast with study of ideas, images and ideologies within literary studies, to which this essay primarily contributes. Overall, early modern Gypsies as an assigned identity, and Romani people, remain understudied. Within early modern literary studies Gypsies have been studied as they are brought up by individual texts, such as Ben Jonson's *The Gypsies Metamorphosed* (as discussed by Martin Butler) and by topics, such as the question of race (as discussed by Sujata Iyengar).[3] Within historical studies David Cressy's important work has re-opened debate. As he reminds us, Gypsies are largely absent within a strand of scholarship where we might expect to find them: historico-literary scholarship on internal travel and vagabondage and vagrancy. They are not deeply considered, for example, in Paul Slack's historical studies of poverty and policy nor in Patricia Fumerton's literary-historical discussion of the unsettling of the labouring poor.[4] However, although their inclusion by scholars such as A.L. Beier does allow the presentation of a more coherent picture of migrant poverty, Slack and Fumerton are also following the logic of legal evidence that, particularly in the early Tudor

period, 'Eygptians' are legally distinct from the general poor and vagrant. At the same time, however, this distinction is definitely less clear by the late sixteenth century. As the evidence suggests, the shifting of the boundaries between vagrants and Gypsies is definitely a significant factor in a 'Gypsy' identity coming into being.

This essay investigates the formation of a set of ideas, images and expectations making the entity of the 'Gypsy', rather than undertaking the more complex task of researching the life of early modern Roma people. In the absence of any freely given words from Romani people themselves in the textual record, legal and literary texts are the period's two dominant textual strands of representation and evidence. There is no doubt that the images and ideas found in these discourses responded to, overlapped with, and certainly influenced Roma lives, but for the largest part they are not focussed on revealing or expressing Roma points of view. It is between literary and legal texts that we can see that to be a 'Gypsy' came to be a recognised condition, what in the modern period might be seen as an assigned 'identity', and one that was in a shifting relationship with other categories of people – pedlars, rogues, thieves, canting criminals, magicians or even regular citizens.

As the Reformation happened, the kind of person an 'Egyptian' might be shifted and changed. In 1505 'Egyptianis' were understood to be indeed, if in a complex way, from Egypt. However, when in 1621, Ben Jonson began his masque, *The Gypsies Metamorphosed*, with the entry of 'the five princes of Egypt, mounted all upon one horse', everyone knew that they were Gypsies. Taking The gypsies of Jonson's masque as its end point rather than its main focus, what follows unpacks some of the events, factors and textual markers that made 'Gypsies'.

I. 'owtlandissh': encounters with strangers

While the Gypsies encountered in Ben Jonson's masques were familiar to the audience from print and myth, early sixteenth century texts offer fragmentary and ambiguous responses to outlandish 'Gypsions', 'Egyptians' and 'counterfeit Egyptians'. Between 1513 and 1523, 'Gypsions' are recorded as having entertained at the house of the Earl of Surrey at Tendring Hall, Suffolk.[5] The April 1505 payment '[t]o the Egyptianis be the Kingis command,' is but one example of records from this period featuring aristocratic payments to 'Egyptians' to be patronised by kings and lords.[6] Early sixteenth-century records seem thin on the ground in part because the rich seam associated with legislation is not yet swelling

numbers of mentions. However, there is evidence that entertainment and performance mark many of these encounters; in 1530 in Scotland money was paid to 'the Egyptianis that dansit before the King in Halyrudhous' and in 1504 Sir John Arundell of Lanhere paid 'the Egyptians when they danced afore me'.[7] Finally, a summary of the life of Sir William Sinclair, a late sixteenth century lord at Rosslyn, offers a story which draws together connections between Lords and Gypsies, crime and entertainment:

> He delivered ane Egyptian from the gibbet in the Burrow Moore, ready to be
> strangled, returning from Edinburgh to Rosslin, upon which accompt the whole body
> of gypsies were, of old, accustomed to gather in the stanks of Roslin every year,
> where they acted severall playes, during the moneth of May and June. There are two
> towers which were allowed them for their residence, the one called Robin Hood, the
> other Little John.[8]

Clearly, while it is unclear what 'Egyptian' was understood to mean in the early sixteenth century, the evidence is far from being predominantly negative.

Writing just fourteen years after the initial legislation against Gypsies in England, the ex-monk, Andre Boorde, teases out a place for them. Describing the world's nations and languages, Boorde thinks ethnographically about what Egyptians are, where they come from and what they do. He writes:

> The people of the country be swarte, and doth go disgisyed in theyr apparel, contrary
> to other nacyons: they be light fingerd, and vse pyking; they haue little maner, and
> euyl loggyng, & yet they be pleas[a]unt daunsers. Ther be few or none of the
> Egipcions that doth dwel in Egipt, for Egipt is repleted now with infydele alyons.
> There mony is brasse and golde.[9]

In Boorde's account, Gypsies have mixed qualities and are allowed depth. In some ways contact with them is pleasurable; in some ways they are to be treated as a nation and from elsewhere, but they are also a nuisance. Boorde is unusual in seeking to attach those he meets to a coherent explanation of why they are Egyptian. If Boorde experiences these Egyptians as contradictory and problematic, his text resolves that perception by blending Egypt and England and accommodating a land of 'wyderness' to some of the key features noted about Gypsies in the sixteenth-century reports: their clothing (here a form of disguise), dancing and a feature that was to grow in importance throughout the seventeenth century – their thieving. In 1542 Boorde presents the people he met as ambiguously and distinctively 'Egyptian', without the condemnatory 'counterfeit' prefix, and presents a set of people with marked but not immutable or necessarily criminal characteristics. Boorde calibrates the position of

Egyptians carefully in his book; they follow Turks, and precede the final nation described, the Jews. This seems to be both a geographical grouping and an ordering of the abjection of non-Christian groups. The potential association between Gypsies and Jews is found elsewhere, in ' "Jewes Jeptyons'" or ' "Egyptians, and some who do call themselves Jews'".[10] Such references both associate and differentiate Jews and Gypsies apparently through a common ground of fakery though also, possibly, because both are diasporic. While the associations Boorde's text suggest may have been present before the Tudor legislation, it is also likely that the force of the legislative expulsion of Gypsies ordered them with other groups perennially excluded from Christian commonwealth – they are ranged with those expelled.

When Boorde was writing, Gypsies were indeed understood as strangers to be expelled. The first piece of legislation specifically against Gypsies was in Henry VIII's reign in 1530/1:

> Forasmuch as before this tyme divers and many owtlandisshe people calling themselfes Egiptsions using no craft nor faict of merchandise, have comen in to thys realme and goon from Shyre to Shyre and place to place in grete companye and used grete subtile and craftye meanys to deceyve the people bearing them in hande that they by palmestrye could tell menne and Womens Fortunes and soo many Tymes by craft and subtiltie hath deceyved the people of theyr Money & alsoo have comitted many haynous Felonyes and Robberyes to the grete hurt and Disceipt of the people that they have comyn among: Be it therfor by the King our Souveraigne Lord the Lords Sp[irit]uall and temporal and by the comons in this present parliament assembled and by the auctorite of the same, ordeigned establisshed and enacted that from henceforth noo suche persons be suffred to come within this the Kinges realme; And if they doo, then they and every of them soo doing shall forfaict to the King our Souveraigne Lorde all theyr goods and catalls, and then to be comaunded to avoide the realme within xv daies next aftre the comaundement upon payn of Imprisonnement[11]

The Act is quite expansive in defining its object. It gives one clear definition, that these people are travellers, 'owtlandisshe' (though their claim to be from Egypt is doubtful). At the same time, we have information on the border between crime and identity when we learn that instead of a trade they have tricks and deceits; worse, they are thieves and fortune-tellers. Philip and Mary's legislation once again defines them as entering England. It also further builds a character for the Gypsy; these are promulgating 'devilish and naughty practices'. If

they remain for a month they are declared felons. They were deprived of benefit of clergy and, as discussed later, specific privileges with regard to juries were revoked.[12] As well as demonstrating a shift to draconian measures, this Act's justifications show us a key assumption about Gypsies; at this point the law viewed them as genuinely from elsewhere and as something close to an unwelcome 'nation'. The assumption that these people are from abroad means that they can be banished.

Elizabeth I's legislation against 'counterfeit Egyptians' marks a significant change in what or who was being legislated against. When the regime legislated against Gypsies in 1562/3 it responded to the law's discovery that they had been born here. Noting that 'a scruple and doubt' had arisen about whether Gypsies could have been born within England, it offers a new designation of them as a 'company or fellowship of vagabonds, commonly called or calling themselves Egyptians, or counterfeiting, transforming or disguising themselves by their apparel, speech or other behaviour into such vagabonds'; anyone doing this for one month is to fall under the statute.[13] The necessary shift away from the Egyptians being understood as from somewhere left a definitional vacuum filled by a re-alignment of their relationships so that they are now 'vagabonds, calling themselves Egyptians', as a 'transforming or disguising themselves in their apparrel' - appearance and behaviour – and using 'a certain counterfeit speech or behaviour': how they look and how they speak allows identification. The Elizabethan test for belonging to this group is both heuristic and practical in stating that anyone living as one, apparently being known or 'called' as such, or 'counterfeiting' being one for a month should be judged a felon and suffer pains of death, loss of lands and goods.

Where the status of 'Egyptians' as 'outlandish' had been recognised by courts in the arrangement of 'per medietatem linguae', whereby half the jury could be of Romani language, now they are 'to be tried in the county or place' where 'they or he shall be apprehended', as well as losing benefit of clergy and sanctuary.[14] This was a huge change, and degradation, to their status before the law. As an alternative, they were indeed offered the barbed wire safety-net of the Elizabethan employment market. The decisive step away from 'returning' these figures to an actual location made them known, instead, by a mixture of self-confirming perceptions, defining yet unlocated 'language' (with Romani unmoored from Egypt to be no longer 'of' anywhere but located in the user), and practices. Intended to remove a category of person who was partly self-evident, but in being so also 'counterfeit', this legislation had several unforeseen consequences – including in shaping the 'Gypsy'.

As we see, the Tudors perceived Egyptians or counterfeit Egyptians as both specific and part of a wider social problem. From the point when they ceased to come 'from' somewhere – albeit an uncertain somewhere – Gypsies looked, from a legal point of view, more like vagrants than travellers. However, their nomadic status troubles this; if they are not from far away, nor are they fleeing or travelling towards settlement. Thus, while Gypsies were often part of the focus of the mid-Tudor state on social order, movement and the poor, attention to gypsies was also specific. Thus, as we see, in the very act of singling them out for specific legislative force the statute also characterises counterfeit Egyptians as ambiguously a kind of vagabond. As George Nicholls' compendious grouping of poverty, vagabondage and Gypsy legislation suggests, while the Gypsies might at times – and increasingly after 1562/3, it seems – be incorporated into vagabondage legislation, as they are potentially grouped under 'rogues' and 'vagabonds' in James VI and I's statutes of 1603-4 (and in Scotland under 'vagabounds called Egiptians' in 1609), these figures were neither in perception nor law synonymous with vagrants but the two categories at a varying and conjunctural distance. They were understood by the authorities as a related subdivision but also a particular problem with legal definition.[15] Certainly, the 1562/3 legislation moved Gypsies close to vagabonds in a general way. It may be more significant, however, that after 1562/3 their criminality inheres not in what they do as much as the way that they do it – styles of being are criminalised. The Elizabethan statute, a foundation that was in place for many centuries, makes it a crime to live as a Gypsy.[16]

It was the perception, at least, that the act that made 'counterfeit Egyptians' visible also, by the same logic, made them disappear. Writers thought that this group sought to evade the statute by counterfeiting identities; for instance, Sir Thomas Overbury's character of a 'tinker' describes his fellow traveller as a 'sunne-burnt Queane, that since the terrible Statute recanted Gypsisme, and is turned Pedleresse'.[17] Moreover, in 1577, a case of the common practice of passport-faking amongst these groups was uncovered. Passports were given to vagrants and others to pass from place to place unchecked and given the opposite interests of parishes and travellers they were often forged.[18] The 1577 case traces several passports used by Gypsies to Richard Massie, a schoolmaster of Whitchurch who had forged many clearly effective passports, causing issues about where to arrest the Gypsies and his own imprisonment.[19] In an ironic, but logical, counterpoint to the absence of Gypsy-generated texts, those who paid for and used such passports use the very legal discourse that criminalised them. The law, intended to make Gypsies clear, did so but simultaneously almost certainly made actual Romani people more camouflaged.

Although the Elizabethan legislation endured, and some extreme violence was done in its name, it was not often directly applied. As David Cressy argues, although the 1562/3 legislation was at times vigorously and cruelly prosecuted, the evidence suggests that its application is characterised by a perhaps gradual elision into other methods of managing a problem. [20] Certainly, to apply it properly was bloodthirsty and expensive, and evidence gives us a very different picture from the one the law apparently envisaged.[21] Local constables and others adopted other methods to remove Gypsies and the method of paying them to move on seems to emerge in many records in a way that suggests something of a system. However, given the legislation, it is also hard to completely identify them because only later do they come to be more consistently named.[22] The other side of such obscurity is the way the Elizabethan act, supplemented by earlier legislation, supplied a 'how to' kit for the identification of these figures We can explore some of the key characteristics of these figures that appear in the statute – some clear but others ambiguous. Thus, we can compare the material before and after the Tudor legislation in relation to the attributed qualities and practices of fortune-telling; place; language; and a particular social organization. These features, and others, come to stand in for Gypsies who can, circularly, be identified from these behaviours. We can trace now the material that went into the legislation and its later correlatives on the specific terms of the statute.

II. Seeing Gypsies: 'behaviour', 'speech', 'place', 'fortune', 'company'

  Taking the examples of areas explicitly addressed by the statute – fortune-telling (as a form of 'behaviour'), 'speech' and language, 'fellowship' or 'company' (social organization), and 'place' (as in the 'place where they be apprehended') – we can investigate how these were written about before and after the anti-Gypsy legislative drive. These, then, offer a small sample of the occupations and traits ascribed to Egyptian, jepsions and Gypsies.

  The ambiguous status of fortune telling before the era of legislation is evident in one of Thomas More's dialogues from 1514. This canvasses the relationship between witness, storytelling, conspiracy and credulity. A labouring man is brought forward to stand as a witness to a murder having happened but not only does he turn out not to know himself, but his informant is a woman – one he has '"wist"' to '"tell manye mervaylous thynges"', such as '"if a thynge hadde been stolen, she would have tolde who hadde it"'. His informant is a fortune-teller. Asked if she is in league with the devil he answers:

"Nay, by my trouth I trowe," quod he, "for I could never see her use anye worse waye than lookinge in ones hande." Therewith the Lordes laughed and asked "What is she?" "Forsoothe, my Lordes," quod he, "an Egypcian, and she was lodged here at Lambeth, but she is gone over sea now. Howbeit, I trowe, she be not in her own countrey yet: for they saye it is a great way hence, and she went litle more than a moneth agoe."[23]

So one of the very earliest references to 'Egypcians' associates them with fortune telling – indeed with the activity of locating stolen goods - and those who foolishly believe they are from Egypt. At this point the disappeared Egyptian stands for the whole panoply of conspiracy and rumour. The text hints that palmistry is a dark art, but stops short of explicitly finding the devil in the self-deceiver.[24] In 1514, then, Gypsy fortune telling, like legerdemain, sits on a border between entertainment and being a thing of darkness.

The seriousness of fortune-telling as an offence was deepened by the mention of witchcraft in Mary Tudor's legislation and seems to have changed by the time of Jonson's masque. For example, looking back on the late sixteenth century, the divine Thomas Gataker associates fortune-telling and witchcraft. He uses an example of a woman he was staying with in Essex who kept her children from having their fortunes told by Gypsies who came to the door, lest 'God should cause somewhat spoken by them, to befall' and 'thereby to punish me in my children, for giving so far forth heed to them' and Gataker elaborates this, to conclude that 'our State-Governers' should avoid 'such Wizards as these' lest a similar awful revenge be taken on them.[25] That Gataker sees Gypsy fortune-telling as a kind of witchcraft the sponsorship of which might indeed provoke God suggests another way in which Gypsies are set apart from other kinds of travelling people. As Samuel Rid puts it in a passage working to renaturalise tricks such as juggling and legerdemain, the Gypsies 'purchased to themselues great credit among the cuntry people, and got much by Palmistry, and telling of fortunes: insomuch they pittifully cosoned the poore cuntry girles', and he associates this with the mentions of magic in Marian legislation.[26] Since Philip and Mary's legislation against 'vagabonds, calling themselves Egyptians' identified them as not merely 'false and subtil', as More's figure might have been, but practisers of 'devilish and naughty' doings.[27] Fortune-telling was characteristic of Gypsies and vice versa, but it was kept as a continuing point of reference by how devilish, how criminal and how pleasurable it was.

Language, addressed explicitly by the statute, was a dominant distinguishing feature of Gypsies. Andrew Boorde, whose words we encountered earlier, gives a conversation:

A talke in Egyptian and English

Good morrow! *Lach ittur ydyues!*

How farre is it to the next towne? *Cater myla barforas?*

 You be welcome to the towne: Maysta ves barfuras

Wyl you drynke some wine *Mole pis lauena?*

I wyl go wyth you *A vauuatosa*

Sit you downe, and dryncke. *Hyste len pee*

Drynke, drynke! For God sake! *Pe, pe deue lasse!*

Mayde, come hither, harke a worde!

Achae a wordey susse!

Geue me aples and peeres! *Da mai paba la ambrell!*

Much good do it you! *Iche misto!*

Good nyght! *Lachira tut!* [28]

Published soon after the first waves of legislation, these words can only feasibly have come from an informant. They clearly constitute a language lesson or phrase book but significantly do so in the form of a basic conversation, possibly representing an encounter. Certainly, if Boorde wanted to find a living language to put in his book, the fastest route would be to approach some Gypsies and write down the conversation – as seems to be fragmentarily presented here. Boorde is writing just a decade after the initiation of legislation singling out 'Egyptians' and then 'Counterfeit Egyptians'. His sense of them echoes the ambiguities of the way they were registered in the early writings but there is a sense of relative reciprocity in this conversation – perhaps the closest thing we have to uncoerced chat – that emerges by contrast with another, later, engagement with language.

Boorde's text sits alongside a second account of Romani language, given in a legal confession at Winchester. In 1615-16, when Walter Hindes was 'taken in the Company of the Counterfeit Egiptians' with whom he had lived for 'a month since', he fell foul of the Elizabethan ruling whereby to live as a Gypsy for a month qualified one for punishment. He tried hard to confess his way back into stable society by offering information on the life and language of his hosts.[29] The court recorded his interventions, such as that 'Panno marro' meant 'white bread'; 'pecko mas' was 'roast beef' and 'Trickney Ruckelo' and 'Trickney Ruckey' boy and 'mayden' children. Most often considered in terms of the information it might give on Romani language, Hindes' record is, apparently, a mixed Romani-English vocabulary - and as Ignasi-Xavier Adiego suggests, such a mixed language may have been a half-way house between those outside and inside Romani communities. It was possibly a

learner's Romani or a grey-zone, not far from what Edouard Glissant implies by a defensive pidgin. [30] What to the authorities speaks as evidence of criminality discovered and of the seductive permeability of Gypsy groups to parish-dwellers and travellers, suggests perhaps to us the ambivalent place that language occupies in their relation to the authorities. On the one hand, it makes a buffer of incomprehensibility between Gypsies and those who so often coerce them, on the other hand its actual formation as a language keeps them marginal and distant from the benefits of mainstream society. At the same time, the very act of transcribing Romani in many ways traduces it, and that is particularly the case in this court-room evidence.[31] Most significant, however, is that the exchanges are labelled as 'A note of some Canting words as the Counterfett Egiptians use amongst themselves as their Language'.[32] As we see, after Dekker and Rid situated Gypsies with the criminal underworld, and used some of their words in canting dictionaries in popular and widely read books, Romani language becomes, as here, criminal 'canting'. Two examples are hardly a survey, but in this case the polarity is clear as is the apparent shift in understanding Romani. If in 1542 Boorde seems to be shaping conversation as a language-learning resource and any words may have been fairly freely given, in 1616 Romani is 'cant'. By 1616, after both the Elizabethan legislation singled it out for notice and there was an explosion in the multivalent print analysis of crime, Romani language seems to be have become tightly bound to criminality.

Elizabeth's statute obliquely recognised the nomadism of many Romani in designating that, legally, Gypsies belonged to the place where any one of them was 'apprehended'. Moreover, in mentioning gypsies briefly, the scholarship on vagrancy does not engage with their nomadism as a dominant factor in their behaviour and records. These are key factors of overlap with and distinction from them vagrants, from the point of view of the Tudor and Jacobean – and English and Scottish - legislative machine. Up to the Elizabethan statute, as we have seen, banishment had been a key punishment for Gypsiedom and, given the nomadic nature of their way of life, it is significant that in Scotland legislative intensification existed alongside English but continued to use the punishment of banishment. In 1541 the King and Privy Council, like Henry VIII, sent out letters to sheriffs for the 'expelling' of Egyptians', and in 1586 they are singled out for legislation – as 'ydle vagabond and counterfeit people calland thame selfis Egiptianis'.[33] David MacRitchie notes that in 1609 an act 'anent the Egiptians' banished them and condemned recidivists to death.[34] After the Elizabethan statute the English and Scottish jurisdictions were in theory out of step in the different ways they partly recognised nomadism, though in practice the treks across the border each way probably

continued. At the same time, however, substantial differences can be seen in how the Gypsy groups fitted, or didn't, within the hierarchy and power structures of each nation.

We can ask what the statute might have meant by its passing recognition of social structures amongst 'counterfeit Egyptians' in its reference to their 'company' or 'fellowship'. One feature of the approach to 'Egyptians' found in both England and Scotland before the Reformation period legislation is the legal tradition of Gypsies being treated as a group, with the leader, in such cases often called the 'Captain' (the name we find given to the character played by Buckingham Jonson's masque), having power over the band. Thus, in May 1540 the Scottish records grant a 'precept' to 'the Earl and Lord of Little Egypt; giving power to him to hang and punish all Egyptians within the Kingdom of Scotland.'[35] Similarly, when in 1537 a murder was committed within one of the best-known and best-documented families of Romani, the Faas who were in England it was Faa himself who was apprehended and then released.[36] As MacRitchie discusses, John Faw who was termed '"our louit"' by James V of Scotland was also endowed with authority to punish '"all those that rebel against him"' by putting them and '"execute justice"' on them according to '"his laws"'.[37] A confirming counterexample, again from the records of the famous Faa or Faw family is a case in which the account specifies the hanging of '"each one"' of several Faas caught in Scotland as Gypsies after the 1609 act – a case in which in carefully specifying that it was 'each one', the record notes the change from the Captain as a representative suffering the penalty.[38] Thus, in Scotland in the early seventeenth century it remained a question how far a leader had internal jurisdiction over a company and how far he acted a spokesperson and, potentially, surrogate for the whole 'fellowship'.

The most thorough of the first wave of historians of early modern Gypsies, David MacRitchie, strongly suggests that in Scotland the twin factors of association with powerful figures and being a mobile and autonomous commonwealth with a single leader play out in a specific way in relation to the keeping of retainers in Scotland; MacRitchie traces this through prolonged tussles over the punishment and reprieve of those protecting violent bands of Gypsies in 1608-1620.[39] For all that it was repeatedly emphasised 'that quhaever ressavit thame within these boundis . . . sould not onlie be thocht culpable of their stouthis [thefts], bot farther compatble' for anything found to be missing, royal pardons meant that these associations between settled lords and bands endured.[40] The Gypsies, and legislation against them, were in Scotland bound up with power struggles between lords, systems of justice and the crown.[41] Thus, gypsies moved between England and Scotland at the same time as developing distinct relationships within social structures. It seems that in England the

association between Gypsies and problematic clientage did register, in a continuing circulation of ideas, that Gypsies had leaders who mediated with the world and had associations with lord and kings – as when Jonson's Cockerel comments, 'A gypsy of quality, believe it, and one of the king's gypsies this.' (l. 667-9). The evidence suggests that this was a perceived alliance rather than an actively problematic association between Gypsies and lords.

Overall, if such a small sample can track a shift in meaning, it is, crucially, a shift from an engagement with a complex 'owtlandish' group with its own laws and languages to a reliance on the perceptions, experience and assumptions of observers shaped by the law. Older legal traditions shape some of the ways in which Gypsies are written about even during and after the Tudor and Stuart legislation. A significant component in the making of the ideas that we see culturally operational in mid-legislation thinking about Gypsies is perhaps best understood as partly legal and partly customary. Custom – and evolving everyday practice - sat operationally, but with some ideological unease, alongside the sequence of measures that incrementally calibrated what people and circumstances constituted the punishable offence of being a Gypsy or counterfeit Egyptian. It is made visible at certain points in the textual record, for example when parts of it that have actual legal status are dismantled as when, in the Act that made the entry of 'Egyptians' into England a felony, Philip and Mary's law of 1554 also deprived Egyptians of the right to have a jury half made up of men sharing a language (a jury 'medietatis linguae') – and in her recalibration of the Act in 1562/3 Elizabeth ensured that this deprivation applied also to any found simply living as 'Egyptian'.[42] We can turn, also, to the shadowy question of the place of Gypsies in relation to ideas of retaining and clientage - an element of the status of Gypsies before the law in Scotland in particular, and referred to in England only in passing.

III. *The Gypsies Metamorphosed*: the Gypsies of 1621

In considering what the relationships might be between the clearly delineated, named 'Gypsies' of the post-legislation period and earlier representations, we can turn to two literary texts which offer more than fragmentary explorations of the complex figure we are exploring. John Skelton's ambiguous description of the alewife in his 'Tunning of Elenour Rumminge' is a valuable reminder of the ambiguous and many-named figures of the late fifteenth century:

> With clothes upon her hed

> That wey a sowe of led,
>
> Wrythen in wonder wyse
>
> After the Sarasyns gyse,
>
> With a whym-wham
>
> Knyt with a trym-tam
>
> Upon her brayne-pan,
>
> Like an Egypcyan
>
> Lapped about l.71-79[43]

Skelton's poem is a tour de force in satirical ambivalence, and an instructive reminder of the evanescent power of these figures before the legislative drive. The energetic Rumminge's ale works a wicked magic that partakes of her undecided status as alewife, Gypsy, deceiver. Where the turbaned Elenour Rumminge has perilous charisma, in Ben Jonson's 1621 masque *The Gypsies Metamorphosed* ready-made 'Gypsies' still have the headcloths but, it seems, they have become unbound and are being used as 'a trace of scarves' to keep multiple small children on a horse. The contrasts between Skelton's powerful and exploitative figure and Jonson's 'Gypsies' are immediate and obvious in other ways too: Rumminge has no attributed identity, but Jonson's figures are Gypsies; Rumminge owns the ale, Jonson's Gypsies are criminals; Rumminge is genuinely frightening, like a 'Saracen' but when Jonson's aristocratic audience are invited to 'Gaze upon' the children 'as on the offspring of Ptolemey, begotten upon several Cleopatras', the idea that such characters have any relationship to Egypt is presented as a joke.[44] However, in assessing how far the clarification of these figures to the point where it is relatively clear what a 'Gypsy' is should also be understood as a demystification, it is informative to remember their past, and their associations with trickery, magic and disguise, which had been confirmed, not minimised, by legislation.

We can start with the emergence of the 'Gypsy' as an understood designation in Ben Jonson's masque, *The Gypsies Metamorphosed*. Designed for out-of-town production, the masque was staged three times in 1621 – twice at stopping points on James I's summer progress and once, apparently by royal command, at Windsor.[45] Martin Butler (reinforced by Peter Lake) notes that both at Burley and later at Windsor, where state officials were involved, the masque emphasises James's support for Buckingham in the backwash of the parliament of 1621 in which the king protected him from a monopoly scandal.[46] As we have seen, the masque opens with an immediately recognisable Gypsy scene, when the Jackman calls the audience to make way for 'the five princes of Egypt, mounted all upon one horse'

(l.1), and a second horse 'laden with stolen poultry etc.,' At the same time as the Gypsies appear, the audience is invited to remember that the masque itself takes place because the court is on the move, its summer peregrination displacing other travellers from the road. James's court on progress is doing what the Gypsies do – wander. In wandering the country Court and Gypsies mirror each other.

The masque shows the Gypsies played by aristocrats, including at Burley the Captain being played by the Duke of Buckingham. Part of its impact rested on the audacity with which Jonson instantiated scenes of implicit similarity. For example, once the audience knows that the character asking us to make way is a Jackman or Jarkman he is clearly delineated as the thing he does: he is a man who can, as we saw above, make 'jarks' or seals for false passports (as we, and possibly they, know the figure from print, as in Thomas Dekker's popular evocation of a criminal underworld, *Lanthorn and candlelight*).[47] The King and his lawmakers, of course, give true seals but the author – whose words the Jackman speaks – is definitely a maker of false identities that pass current, like that of the Jackman himself. There are even hints of Gypsy-King relationships to come before transformation happens, as when the Patrico (glossed by Dekker as a priest) restores the stolen goods and Cockerel presciently comments, 'A gypsy of quality, believe it, and one of the king's Gypsies this', noting that the 'king has a noise of gypsies as well as bearwards' (l. 667-9). The masque may hold together Jonson and Jackman, but more clearly it holds together king and gypsy, courtier and gypsy; playmaking and forgery; acting and counterfeiting.

The central transformation of *The Gypsies Metamorphosed* is one of moralised colour, changing dark to light. The force, or lack of force, of the changing of Gypsies into performing aristocrats by the removal of face-paint is the subject of much debate. It is both so small an adjustment that Jonson is described as sleeping and also definitively the masque's turning point. Is it the case that we could miss it, because, after all, the actors don't look very different at all, or is it a coup de théâtre? There is a case for each view. Certainly, the text wants us to notice that the Gypsies are dark, possibly walnut, in colour and the darkness of the Gypsies' faces is emphasised at the outset as a visual shortcut to a 'Gypsy' type – ironically like 'Queen Cleopatra' (l. 104).[48] As the masque plays out, the Jackman sings and speaks of 'yellow' and 'tawny faces' (l. 316; see also l. 486; l.67; see also l.483); the text plays on dark night (ll. 323; 327) and bright stars (such as the prince, (e.g.l.286)). When the judiciously named 'Clod' fails to recognise Gypsies he sees 'olive-coloured spirits' (418-430; l. 419). If the masque revels in darkening actors, we are also reminded in the Windsor version that this darkness can be 'changed in a trice' (WIN l. 943). The mechanism of change is itself

discussed. Lest we have missed the event in the epilogue, Buckingham emphasises 'what died our faces was an ointment'.[49] The facial darkening, made by the King's apothecary, Johann Wolfgang Rumler, may have been able to be removed quickly because the walnut juice pigment was layered over pig fat.[50] While interpretations of the ease and effectiveness of the ease of the change differ, Martin Butler and Barbara Ravelhofer are convincing in suggesting that its aim is probably to meets the challenge of the masque as a genre where each instance must deliver innovation and bravura performance.

Transformation, whether effective or not, in theory banishes the vivid, dancing, Gypsy characterisation (with mixed dances which Barbara Ravelhofer argues combined courtly French ballet with energetic English dances) – and with it much of the visual and exotic pleasure of the masque.[51] We are presented with 'Gypsies' strikingly pleasurable and entertaining - and utterly disposable in a way that leaves estate, place King and clown in place. In manufacturing the effect of vividly real Gypsies, *The Gypsies Metamorphosed* uses stereotypes drawn from other texts. That these were so readily recognisable, visually clear and pleasurable to audiences (as suggested by multiple performances) suggests not so much (as David Cressy suggests) the belatedness of literary representation as that at this point Gypsies were clearly defined. The textual shorthand visual signifiers and cant words of print were readily and vividly remade for stage.[52] *The Gypsies Metamorphosed* is a very full exploration of what games can be played using the category of the Gypsy and it illuminates clearly how by 1621 'Gypsy' has been shaped into a flexible bundle of signs for English protestant culture to think.

Although the manifested 'Gypsy' types are cultural counters that are easy to think with, their chimerially solidly known, mythic, presence does not make them anodyne. Several disparate factors shaping a viewer's reaction might be considered. First, the masque seems to imply that a 'real' Gypsy could not be made fair. However, one of the ways in which counterfeit Egyptians were deemed to be counterfeit was, indeed, in blacking up their faces (presumably to look Egyptian).[53] This uncertainty, at the height of the masque's redemption of the courtier, is certainly not stated and would depend on that aspect of counterfeiting being in the mind of the audience. However, there is much in a name; if, as we have seen, the Jackman makes false identities, then the name by which the Gypsies were known was, in part, 'counterfeit'. Arguably, moreover, a significant part of their attractiveness for audiences is that whatever they 'are' they are foundationally both themselves and, crucially, 'counterfeit'. Perhaps then, the piquant possibility of seeing courtier and Gypsy as similar is

never utterly washed away, even as it is completely ended at the level of narrative and – even if it is – it is the Gypsies not the aristocrats who have given the audience pleasure.

We can also consider the performance of Gypsy identities. There may, however, be a bit more to the Gypsy disguising. Andrea Stevens notes Jonson's repeated use of racialized colour transformations, having also explored blacking up in the earlier *Masque of Blackness*. She also suggests that audience and actors may have experienced blackface as a kind of '"deep making"'.[54] Building on this, we can note that at each of the three stagings of the masque performers seem to have performed willingly. Certainly, the fact that three sets of elite actors enjoyed the masque seems to suggest that to imagine being a Gypsy was pleasurable, and we can speculate that the pleasure lay in the power of the features that the law sought to prevent; outlawry, fellowship, trickery and potentially even magic.

If we return to the statute of 1562/3, which clarified the Gypsy as an identity, we see that there the 'counterfeit Egyptians' are accused of 'transforming or disguising themselves'; statute law carried in itself a sense of their power and even charisma – recognised thoughout the legislation in their power over others. The emergence of the Gypsy as a type may have made them arrestable but, at the same time, as Jonson's masque suggests it gives form to them and freshly mints them as newly fascinating. In Jonson's masque's metaphors we can see the Gypsy ready as a category to think with but also, to feel and imagine in relation to.

IV. Making 'Gypsies'?

When we return to the question of what factors shape the figure of the 'Gypsy' in the period preceding and spanning anti-Gypsy legislation, the evidence discussed here suggests that in 1621, as Jonson excitedly circulated it, the stereotype of the 'Gypsy' was fully present, exciting and pleasurable to audiences. In terms of social hierarchy, then, we find that the partly applied, partly evaded, apparently ambiguously understood legislative programme designed to expel Gypsies from the emerging nation in fact shaped them as a very specific and recognisable group within culture and one available, as Jonson's masque suggests, to projection.

By the mid seventeenth century Gypsies were known (and in some cases tolerated) outcasts beyond the law. Thus it seems that perhaps they are only partly visible in local justice's records because if they were recorded as 'counterfeit Egyptians' the huge juggernaut of the statute would be triggered. Some Gypsies may appear as travellers and others in the record, because of a desire to avoid applying the full force of the law. However, if the 1562/3 statute encourages invisibility in both Romani and parish record keepers, that law also gave

Romani a very fully realised profile to be recognised and canvassed cultural types as, for instance, Romani is recirculated as criminal cant and they are deeply associated with crime, violence, fortune-telling, disguise. Thus, it seems that what Gypsies seem to be by the moment of Jonson's masque in 1621 was a textual registering of the diffuse but powerful cultural force of legislation combined with earlier factors and a crystallising of them as criminal in post-legislation popular print. Their fates were worked out in a hinterland of writing; at the same time as they reacted to the laws against them, so did the writing about them, setting long-lasting cultural assumptions in place. In the long moment under discussion, then, it is clear that we see Gypsies as made, between law, event and text but never exactly as the law saw them – the evidence discussed here shows the law's cultural, rather than its literal, force. An already fairly specific pre-Reformation group of people are forcefully and caricaturingly recast in a bloody interaction with an intense period of Reformation legislation which, whether Catholic or Protestant, sought to settle social belonging by place and parish.

Practice and law sit together in terms of local interactions. For example, Gypsy transformation was not only a metaphor: at a literal level the authorities were concerned about people moving in and out of Gypsy society and instituted penalties to attempt to keep them separate from the stable parish residents and from those others travelling. Indeed, in 1577 a yeoman from Buckinghamshire was explicitly accused of 'calling themselves Egyptians, and counterfeiting, transforming, and altering themselves in dress, language, and behaviour to such vagabonds called Egyptians contrary to the statute'.[55] Being a Gypsy in the view of the wider culture is a. state that is assigned, not chosen – and the privilege to define is defended in this incident. As we have seen, the border between counterfeit Egyptian and vagrant or pedlar was permeable, but also policed. The 1562/3 legislation, however, did itself give mixed messages; on the one hand it is highly specific to Gypsies and, on the other, placed them under the broad grouping of vagrants. Thus, at the same time that the 1562/3 legislation clarified, if not what a counterfeit Egyptian 'was', at least how to identify and apprehend one, it also described them as a sort of vagrant. Thus, while the fact that Gypsies were a specialised focus within legislation, having their own legislative history, shapes also the logic of there being only brief mentions of Gypsies in the vagrancy scholarship, at the same time the relationship between 'Gypsies' and 'vagrants' was undoubtedly itself reshaped in the period after the Elizabethan statute.

In this essay, then, 'Gypsies' have been understood in terms of legislation and literature specific to them. They have beenanalysed here as a specific story not as a subset of vagrants'

tales, though they are seen in relation to that category at various moments, most significantly perhaps in the Winchester trial of Hindes who had, it seems, lived with them but not quite been fully of the 'fellowship'. The period in which the 'gypsy' was forged coincides with the most intense anxieties and laws of the English Reformation and with intense legislation on the ordering of the poor, and particularly the vagrant. As we saw, at the start of the period under consideration Gypsies were distinguishable (if not consistently distinguished), and as the laws about and for them were forged and re-forged in the white heat of the English Reformation they became more, not less, specific as legal entities even as they were also – as 'Gypsies' - integrated into a more everyday understanding of those on the road. The Reformation and the ensuing period –the century up to about the 1620s – saw the emergence of their recognisability as vernacular English and Anglo-Scottish figures. By the early Stuart period, Gypsies had become sharply defined within culture to the extent that, for writers and audiences, as we find in *The Gypsies Metamorphosed* they are good, and even pleasurable, to think with, in the sense that they are put to work as vehicles for meaning and fantasy.

Finally, given that the evidence strongly indicates that Gypsies are made entities in this period – and it is perhaps the most intense period of their making - it poses a problem for scholars that there is a large gap in the primary material where any willingly given words from Gypsies fail to find textual form. It may be that to move from the study of types, like that undertaken here, to investigation of early modern Romani in England, scholarship might need to reconsider its exclusive reliance on textual material. Certainly, the absence of words that are in any sense freely given, beyond Boorde's language lesson, poses the question of how scholarship can more fully recognise these figures, and suggests we might also explore non-literate forms of recovery and investigation. As David Cressy reminds us, because of the wide geographical spread of fragmentary records generated by Romani nomadism, and their being recorded as they encountered the structures of settled dwellers in big houses, counties or parishes historians and literary scholars alike are heavily reliant on the nineteenth century scholarship – particularly *The Journal of the Gypsy Lore Society*, the very first issue of which in 1888 initiates an important series of essays collating primary material from Scotland, Essex, Wales, the Midlands and beyond. Contemporary historians, like this essay, draw on these essays and associated publications as they engage with the written record. However, as part of the movement of 'last minute' or emergency history at the end of the nineteenth century, the Gypsy Lore Society was trying to capture as much of the past and present of Gypsies as they could without attention to methods. The Gypsilorists acutely experience the likelihood that the people they meet on the road are not likely to be there in the future, and

such a perception was accurate as well as at times nostalgic and mythologizing. The core articles that are accepted as the foundation of the field sit next to records of 'folk' song; essays on famous people who might have been Gypsies; lists of terrible persecutions throughout Europe and – above all – interviews with English Gypsies, about their past as well as their present. As Yaron Matras has argued, material in the Journal of Gypsy Lore has lent its name to poor scholarship - Matras notes that the term '"Gypsylorist" is like a curse or a charm: by articulating the word with reference to others, one seeks to exonerate oneself'.[56] While the material in the journal varies from anecdote to strong scholarship, to investigate the non-literate past it may well be worth reviewing its use of memory, tale and anecdote as recorded at the end of the nineteenth and start of the twentieth century. This is not to advocate uncritical acceptance of the material in this journal, where any contributors, working with the rich and untheorised methods of folklorists, interviewers, enthusiasts and tale-tellers make a reading experience mixing ethnography, oral record, documentary, linguistic and historicist approaches. However, for all that such material is, evidently, unreliable and layered with mediations to consider it in relation to memory, tale and work on the ethnography of song, it might be part of an approach to early modern Romani life. It is clear that the material used in this essay would itself give a strikingly imbalanced field of evidence both in terms of the absence of Romani words given freely but also in terms of an excess of legal and literary material, information about men rather than women, assumptions of criminality and difference. Might it be that song and even oral testimony about past custom begin to give us not solid evidence but new approaches to the central gap in primary evidence? In attempting to trace early modern Romani, rather than the type of the Gypsy discussed here, there may be some suggestions to be found in the scholarship on, for example, New England's events, material culture and non-literate communication.[57]

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[1] In a complex terminological landscape this broadly historicist essay uses the noun 'Gypsy' throughout because it is the term used, indeed made, in the period under discussion, whereas Roma is a much later term. Capitalisation, then, is used not to designate a position on origins or nation versus culture, but to acknowledge the cultural shaping of this idea of Gypsy. It is the formation of this idea, rather than the way of life of Roma people, evidently traduced by this type, that is under discussion throughout the essay. See also Sujata Iyengar, *Shades of Difference* (Philadelphia: University of Pennsylvannia Press, 2015), p. 173, 263 n.1; David Cressy, *Gypsies: an English History* (Oxford: Oxford University Press, 2018), pp. x-xi.

[2] David Mayall, *Gypsy Identities 1500-2000* (London: Routledge, 2004), p. 3.

[3] David Cressy, *Gypsies: an English History* (Oxford: OUP, 2018); David Mayall, *Gypsy Identities 1500-2000* (London: Routledge, 2004). Several studies are discussed here, and scholarship runs from eg Dale Randall, *Jonson's Gypsies Unmasked: Background and These of* The Gypsises Metamorphos'd (North Carolina: Duke University Press, 1975) to Sujata Iyengar, *Shades of Difference: mythologies of skin colour in early modern England* (Philadelphia: University of Pennsylvannia Press, 2005).

[4] Scholarship focussing on vagrancy and the poor is very extensive. Significant studies include A.L.Beier, *Masterless Men: the Vagrancy Problem in England 1560-1640* (London: Methuen, 1985); Patricia Fumerton. *Unsettled: the Culture of Mobility and the Working Poor in Early Modern England* (Chicago and London: University of Chicago Press, 2006); Paul Slack, 'Vagrants and vagrancy in England 1598-1664' *Economic History Review* 27 (1974), pp. 360-379; *Poverty and Policy in Tudor and Stuart England* (London: Longman, 1988); Linda Woodbridge, *Vagrancy, Homelessness, and English Renaissance Literature* (Champaign: University of Illinois Press, 2001) and, for an argument that gypsies should in included in such studies of poverty and vagrancy, see David Cressy, pp. 271-273.

[5] Henry Howard, *Works* ed Nott (London, 1815) 2v., v. I ,Appendix II, p. v, pp. iii-v (p. v).

[6] See eg Robert Pitcairn, 'Documents relative to the 'Egyptianis' or Gypsies' in *Ancient Criminal Trials in Scotland* 3v (Edinburgh: Nannatyne Club, 1833), iii appendix v, extracts from *Books of the Lord High Treasurer of Scotland* pp. 590-595 (591-2); see also Henry Crofton, 'II Early Annals of the Gyspes in England', *Journal of the Gypsy Lore Society* I (1888), citing *Letters Foreign and Domestic Heny VIII* iii pt. I p. 499 (4).

[7] Pitcairn, 'Documents relative to the 'Egyptianis' or Gypsies' (591-2); Cornwall Record Office, Truro AR/26/2 Sally L. Joyce and Evelyn S. Newlyn eds. *REED: Cornwall* (Toronto, 1999), p. 530 cited in Cressy, p. 49.

[8] Father Richard Augustine Hay, *Genealogie of the Sainteclaires of Rosslyn* (Edinburgh: Thomas G. Stevenson, 1835), p. 135-6.

[9] Andrew Boorde, The first boke of the Introduction of knowledge Also ed as Andrew Boorde, Introduction and Dyetary EETS Extra Series 10 (1870), p. 218.

[10] *Archaeologia* xlvj cited Crofton, 'Early annals', p. 1.

[11] John Raithby, *The Statutes at large* (London, 1807-) 20v v.3, p.89.

[12] Crofton, 'Early annals', p. 13; J.Bentham ed in G.Britain and Danby Pickering, *The Statutes at Large* (Cambridge, 1763) (v.6).

[13] 5 Elizabeth I, c. 20 cited in Cressy, *Gypsies*, p. 74 and see p. 302 n.55.

[14] J.Bentham ed in G.Briatin and Danby Pickering, *The Statutes at Large* (Cambridge, 1763) (v.6).

[15] 'Act anent the Egiptians' (1609) quoted extensive, MacRitchie, p. 80.

[16] George Nicholls, *A History of the English Poor Law* (London: John Murray, 1854) (2v) 1, p. 199 . See Edward, p. 146-7; Elizabeth, p. 176; James, p. 214.

[17] Thomas Overbury, *Sir Thomas Overbury his Wife with Additions of New Characters* (London, 1616).

[18] Paul Slack, 'Vagrants', *EHR* (1974), pp. 361-2.

[19] Frederick G. Blair, 'Forged passports of British Gypsies in the sixteenth century', *JGLS* 3rd ser no. 28 (1950), pp. 131-7.

[20] For an outline and cases see David Cressy's summary pp. 72-93.

[21] David Cressy, *Gypsies*, pp. 73-91, especially pp. 73-4 Cressy notes that the legislation should be understood as enacted in 1563, being dated by the end of Parliament on 10 April 1563 – the new year

[22] T.W. Thompson, 'Gleanings from constables accounts and other sources' Journal of the Gypsy Lore Society 3rd ser7 (1928), 30-47 (p. 35).

[23] Thomas More, dialogue in W.E Campbell and A.W.Reed eds*., The English Works of Sir Tomas More* 7v (London & New York: Eyre and Spottiswode and Lincoln Mac Veah, 1931), v2 'The thirde boke. The 15 chapiter', pp. 234-240 (p. 236).

[24] Compare a case of 1619 in Scotland *Selections from Ecclesiastical Records of Aberdeen* (Aberdeen: Spalding Club, 1846) p. 87 cited in MacRitchie, p. 97.

[25] Thomas Gataker, *Vindication of the Annotations by him published* (London, 1653), p. 56-7.

[26] Samuel Rid, *The Art of Jugling* (London, 1612), B1r-B3r.

[27] *An act for the further punishment of vagabonds, calling themselves Egyptians* (1554). See *The Statutes at Large*, p. 211.

[28] Andrew Boorde, *The first boke of the Introduction of* knowledge Also ed as Andrew Boorde, *Introduction and Dyetary* EETS Extra Series 10 (1870), p. 218.

[29] *The Winchester Confessions 1615-16* trasncribed Alan McGowan (Romany and Traveller Family History Society, 199), p. 18-19.

[30] Ignasi-Xavier Adiego, 'Historical sources on the Romani language' in Yarom Matras and Anton Tenser ed., *The Palgrave Handbook of Romany Language and Linguistics* (London: Routledge, 2020), pp. 49-84 (p. 61-2); Glissant's thinking is helpful here in terms of the group-forming function of a language rather than is origins which are a distinct part of his discussion. See Edouard Glissant trans., Betsy Wing *Poetics of Relation* (Ann Arbour: University of Michigan Press), p. 118.

[31] I am very grateful to Neil Kenny for this point.

[32] Winchester, P. 20

[33] *Register of the Privy Council of Scotland*, (Edinburgh: H.M.Register House, 1878) 2v 1569-78 quoted in David MacRitchie, *Scottish Gypsies under the Stewarts* (Edinburgh, David Douglas, 1894), pp. 64-6. This was followed up in 1587, when they were associated with witchcraft, and again in 1592. MacRitchie, p. 70-2.

[34] MacRitchie, p. 80-1. This refers only to Scotland.

[35] Pitcairn, 'Documents relative to the 'Egyptianis' or Gypsies' in Trials, iii appendix v, pp. 590-595 (591-2; 594).

[36] See David Cressy, 'The trouble with Gypsies in Early modern England', *Historical Journal* 59/1 (2016), pp. 45-70 (pp. 50-51).

[37] Writ of the Privy Council of Scotland (vol.xiv, fol. 59) quoted MacRitchie, p. 37-8; see also pp.39-45; pp. 51-55.

[38] *Privy Council Register*, vol 9, p.171-205. Cited in David MacRitchie, p. 83.

[39] What follows in this section closely follows MacRitchie pp. 78-96 as a single authority and relies heavily on his account.

[40] *Minute Book of* Processes, Cited in MacRitchie, p. 78.

[41] See MacRitchie, *Scottish Gypsies under the* Stewarts, pp. 91-93. In the English local case reporting in the post-legislation period there is a slightly similar account of people apprehended who might be Gypsies but seem to be retainers of the ubiquitous Earl of Stanley. 'Gleanings from constables', p.45.

[42] 'Early annals of the Gypsies in England', p. 13; p. 16.

[43] John Skelton, 'The Tunnynge of Elynour Rummyng per Skelton Laureat' in John Scattergood ed., *John Skelton: The Complete English Poems* (New Haven and London: Yale University Press, 1983).

[44] Ben Jonson, l. 4-8.s

[45] Ben Jonson, *The Gypsies Metamorphosed* ed James Knowles in David Bevington, Martin Butler, Ian Donaldson *The Cambridge Edition of the Works of Ben Jonson* (Cambridge: Cambridge University Press, 2012) 30v.,v5 pp. 463-584, 526-7 (p. 465). Knowles gives two versions of this text and this essay follows the Burley-on-the-Hill version as edited by Knowles (see his discussion pp. 480-481).

[46] Martin Butler, ' "We are one mans all": Jonsons's *The Gipsies Metamorphosed The Yearbook of English Studies,* Vol 21 (1991), pp. 253-273 (p. 258).

[47] Dekker, *Lanthorne* and see Arthur F. Kinney, *Rogues, Vagabonds and Sturdy Beggars* (Amherst: University of Massachusetts Press, 1990), p. 219. So-called 'rogue literature' covers a huge range of material from true crime to the picaresque romance and novel. For clarity of focus the border between rogue literature and this study of Gypsies is restricted to the identification of strains of spoken Romani with canting language. See also eg Eric Otto Winstedt, 'Early British Gypsies' *Journal of the Gypsy Lore Society* NS Vol VII (1913), pp. 5-, p. 14. For an incisive analysis of the field which in its exclusion of gypsies indicates its specificity but as absorptive but specific material and as a scholarly field see Lee Beier, 'On the Boundaries of new and old historicisms: Thomas Harman and the literature of roguery' *English Literary Renaissance* 33/2 (2003), pp. 181-200.

[48] On 'Gypsy' in *Anthony and Cleopatra*, beyond the scope of this current essay, see: Iyengar, 192-199.

[49] For discussions see e.g. Iyengar, p. 174.

[50] See Virginia Mason Vaughan, *Performing Blackness on English Stages, 1500-1800* (Cambridge: Cambridge University Press, 2005), p. 12; see also the discussion in Iyengar, p. 190-1.

[51] Barbara Ravelhofer, 'Burlesque ballet, a ballad and a banquet in Ben Jonson's *The Gyspies Metamorphos'd* (1621) *Dance Research: the Journal of the Society for Dance Research* 25/2 (2007), 144-155.

[52] David Cressy, *Gypsies an English Story* (Oxford: Oxford University Press, 2018), p. 47.

[53] Iyengar, p. 174-5.

[54] Andrea Stevens,'Mastering Masques of Blackness: Jonson's "Masque of Blackness", the Windsor text of "The Gypsies Metamorphsed", and Brome's "The English Moor"', *English Literary Renaissance* 39/2 (2009), pp. 396-426 (pp. 407-8). Surprisingly, given the Elizabethan legislation, Stevens describes Gypsies as 'Frequently the target of anti-vagrant legislation but also protected by various statutes as a separate culture'.p. 415.

[55] 'Trial and conviction of Rowland Gabriel and others' in T.W.Thompson, 'Consorting with and counterfeiting Egyptians' *JGLS* (1923), p. 83.

[56] Yaron Matras, 'Letter from the outgoing editor' *Romani Studies* 5, vol 27/2 (2017), 113-123.

[57] See e.g. the very different approaches of Christine M. DeLucia, *King Philip's War and the Place of Violence in the North East* (New Haven: Yale University press, 2018); Matt Cohen, *The Networked Wilderness: Communicating in Early New England* (Minneapolis: University of Minnesota Press, 2010), esp. 1-28.