INTRODUCTION

This conference is billed as an exploration of Ethnicity and Travellers. The emphasis of my paper will be more on the ethnicity part of the title.

Let me explain where I am coming from. My starting point is recent debates in Europe about ethnic statistics. The debate has taken place in the journal Ethnic and Racial Studies.

The debate has been provoked by EU equality initiatives that require European states to monitor unfair treatment of ethnic minorities. This means collecting ethnic statistics in censuses and surveys. The debate has been provoked by the apparent reluctance of some European states to count race and ethnicity. And even where ethnicity is counted, there is evidence that current methods of counting are inadequate to the task of countering discrimination.

Let me explain how I got interested in this debate. My usual line of work is ethnic conflict and peace agreement, with Northern Ireland as a touchstone, and I became interested in this debate because anti-discrimination legislation in NI is being used as a precedent for a novel approach to collecting data on ethnic identity.
Although I’ve been in Dublin for many years, the Northern Ireland connection remains important to how I approach these things: like a lot of boys and young men growing up in North Belfast in the 1970s and 80s, I was often stopped in the street and asked about my religion. The price of being categorized the wrong way was a bit of a kicking. Perhaps because of this experience, ethnic identity appears to me as being above all else a matter of being categorized, and not a pleasant experience!

In my young life the people defining identity were other young men, some in uniform and some not. The state is not the only agent of categorization, but it is the most powerful one. And to me ethnic identity has more to do with the government and the administration of difference than it has with culture. This is why I called my paper ‘The Political Economy of Ethnicity’.

When I was invited to participate in this conference, I wasn’t sure whether this kind of angle on ethnicity would be of any use here. I’m still not, but I imagine I’ll find out in the Q&A session.

Let me begin with the current debate about ethnic statistics in Europe being conducted in the journal Ethnic and Racial Studies.
THE SITUATION IN EUROPE

According to Patrick Simon, Director of Research at the National Demographic Institute in Paris, 19 countries out of 41 in continental Europe do NOT collect data on race and ethnicity, they use citizenship and place of birth for defining the ethnic diversity of their population. Compared to the UK and US, there is a reluctance in continental Europe to count race and ethnicity and there is much discussion as to the reasons for the difference between what might be called an Anglo-Saxon approach to counting race and ethnicity and the reluctance of continental Europe.

Reluctance to enumerate in Europe

An obvious reason for the reluctance of some European countries to collect ethnic statistics is shame at their complicity in the holocaust. In several countries occupied by the Nazis, local administrations made available official data collected before the occupation to facilitate the identification of people to be deported to the camps.

Another reason for the reluctance to count ethnicity in Europe is that it runs counter to varieties of nationalist
thought. It runs counter to the nationalist ideal of a homogenous population living in specific territory with fixed borders, and it runs counter to colour-blind Republicanism, characterized by the unitary view of nationhood, citizenship and equality - France is the best example of this.

There are also the familiar theoretical disputes over the conception of race and ethnicity and the technical difficulties that these create for the statisticians. I shall maybe come back to this if I have time.

Whatever the reasons for the reluctance to count ethnicity in continental Europe, the result is a phenomenon known as ‘racism without race’. In other words, the coexistence of an official denial of the existence of race and ethnicity with routine, everyday institutionalised practices of racial discrimination. The reluctance to compile ethnic statistics means that that routine discriminatory practices and institutions cannot be monitored and cannot be effectively challenged. Hence racism without race.

Mathias Möschel, a researcher at the European University Institute, Florence, demonstrates that (2011: 1656 and 1659) the supposedly colour-blind Republicanism of France with its ideology of a unitary, egalitarian nation and citizenry is in practice selective and uneven:
when race or ethnic origins are used in a positive, anti-subordination, anti-discriminatory mode, they do NOT withstand legal challenge. On the contrary... when these criteria are deployed in a repressive, criminalizing, negative setting -- ie e.g. in prisons, by police or the secret services -- the judges validate them and have few difficulties viewing them as compatible with the French legal system

Reading this quote I couldn’t help but think of the District judge in Athlone the other week who described a defendant as coming ‘from a certain ethnic background which would give him more form and add to the level of threat, given the type of behaviour that some of them engage in. Neanderthal men lying in the long grass and living by the law of the jungle is how I’d describe them," (Irish Times 15 Sep 2012)

In light of this quote, the denial of Traveller ethnicity by the Irish state apparatus would appear to be as selective as the French republic’s approach to race and ethnicity

THE SITUATION IN IRELAND

But it would be a mistake to overstate the similarities between Ireland and France. In French official ideology – if not in practice -- there is a systematic and consistent scepticism about the nature of race and ethnicity, rooted in republican ideals and an aversion to the biological racism of the Nazi era.
Here in Ireland, the state does not dispute the existence of ethnic groups as such, nor does it dispute the reality of discrimination against Travellers. In most respects, the Irish state’s approach to ethnic statistics fits what, Mathias Möschel and his co-authors describes the ‘Anglo-Saxon’ approach: in other words it appears to have no problem with itemising and counting ethnic groups as such, it just disputes Traveller ethnicity.

For me the question that needs to be addressed is NOT: ‘are Travellers an Ethnic Group?’ I think that question is a bit of red-herring for the answer is obvious. The real issue is the state’s ambiguous and anomalous position: how do we account for the selective denial of Traveller ethnicity by elements of the Irish state apparatus?

I have not made a study of this question and I make no pretense of offering a definitive answer. What I will try to do is to raise some issues that occur in the broader literature on ethnic statistics and nomadism, which may or may not be relevant here -- you can tell me later in the Q&A session.
SCOTT, THE STATE, NOMADISM

When I say ‘broader literature’ I really do mean Broad -
broader than Ireland, broader than Europe - I’m an
anthropologist after all. Seriously though, the key scholar on
the subject of nomadism and the state is James C. Scott,
Professor of Political Science and Anthropology at Yale, whose
main area of interest is South East Asia.

He’s written a number of brilliant and influential books,
but the one that is most relevant to us is called Seeing like a
State. In the introduction to the book he says that when he
started writing the book he wanted

‘to understand why the state has always seemed to be
the enemy of “people who move around” … Efforts to
permanently settle these mobile peoples
(sedentarization) seemed to be a perennial state project
– perennial, in part, because so seldom successful’

Nomadic peoples are problematic for the state not just
because they move around and cross state borders, thereby
revealing their arbitrariness – something that is itself deeply
troubling to an entity such as the nation state that imagines
itself as a single, homogenous people settled for ever in a
particular boundaried place.
But there’s more to the hostility of the modern nation state to nomadism. Let’s look at what Scott has to say. Scott did not follow through on his original project. He explains why not. He says the more I examined efforts to settle nomadic peoples the more I came to see them as part of the state’s attempt to make society legible, to arrange the population in ways that simplified the classic state functions of taxation, conscription, and prevention of rebellion.

State-building means knowing about the population their wealth, their landholdings and yield, their location, their very identity. It involves a detailed “map” of the state terrain and its people. This requires … a measure, a metric, that would allow it to “translate” what it knew into a common standard necessary for synoptic overview.

Race was one such metric, and as race science became discredited, the notion of Ethnicity has evolved to take its place.

The word ‘statistic’ has become very familiar to us. But if you look at the word -- statistic – the etymology is clear. Originally statistics were pioneered as knowledge useful to the state, knowledge of its population, the different categories and their wealth. Interestingly enough, colonial Ireland was very important in the development of statistical technique by

---

Text of a speech given by Andrew Finlay, TCD, at Ethnicity and Travellers: an exploration, National Traveller Monitoring and Advisory Committee, Department of Justice, Dublin 27 September 2012 [Not for publication]
the early modern British state, but that is a story for another time.

Let’s stick with James C. Scott. He returns to the question of state hostility to nomadism in a more recent book. His argument is subtle and based in a great deal of evidence, but it is summed up in the wonderful title: *The Art of Not Being Governed*.

According to Scott the nomadic peoples of South East Asia move around for variety of reasons, but foremost among these is a desire to resist encroachment by the state. The modern state, which conceives itself as the agent of civilisation and welfare cannot comprehend such resistance except as an expression of cultural backwardness, and its response is to ethnicize resistance, while at the same time cloaking itself as the agent of universal modernity and progress. At best ethnicization involves the romanticisation of an exotic other, but most of all it is to stigmatize those who resist its embrace.

In *The Art of Not being Governed*, Scott worries that his description of Ethnicity as an administrative construction will be ‘misunderstood and taken as a devaluation ... of ethnic identities for which brave men and women have fought and died’. He argues that to describe ethnicity as a social construct is not to devalue it for
‘all identities ... have been socially constructed ... quite often such identities, particularly minority identities, are at first imagined by powerful states ... To the degree that the identity is stigmatized by the larger state ... it is likely to become for many a resistant and defiant identity. Here invented identities combine with self-making of a heroic kind ...

In other words, Scott is sort of saying that to: ‘to argue with the boss, you have to use the boss’s language’. To argue with the boss takes a great deal of courage and commitment. Alongside this courage and commitment one should nevertheless keep in mind that the language of ethnicity and cultural identity is the boss’s language.

I’d like to end by giving an example of why one needs to be careful. This will bring us back to the debate in Europe about discrimination and ethnic statistics and the Irish Government’s refusal of Traveller ethnicity.

ETHNICITY, RECOGNITION ANTI-DISCRIMINATION

As a relative newcomer to the debate about the Irish state’s policy on Travellers, what strikes me most is not its denial of ethnicity, but rather its emphasis on culture.

The Irish state’s position that Traveller’s do not constitute an ethnic group was articulated in its 2004 report to United Nations International Convention on the Elimination of...
Racial Discrimination [CERD]. The UN Convention responded by reminding ‘the state party’ of ‘the principle of self-identification’ and expressing ‘concern at the State party’s position with regard to the recognition of Travellers as an ethnic group’.

In its 2009 report to the Convention a ‘Traveller Specific Appendix’ concludes with the following words:

The Government acknowledges the continuing need to combat discrimination against Travellers. To underline the clear legislative protections given in Equality legislation, the Government is committed to maintaining and, as far as possible, improving the range of positive action measure to support the Traveller Community ... The Government is committed to supporting participation in mainstream social and economic life by Travellers while continuing to acknowledge and respect the legitimate expression of Traveller culture and identity. (2009: 183)

There are two things that I find striking about this paragraph. One is that it begins with a statement about the need to combat discrimination, and ends by promising cultural recognition. Secondly, the use of the word ‘legitimate’. The government promises to respect ‘legitimate expression of Traveller culture and identity’. I wonder what this means?

- Is the word ‘legitimate’ a euphemism for ‘authenticity’; ie the government will respect authentic expressions of Traveller culture? If so, who is the arbiter of authenticity? Or
- Is it euphemism for ‘acceptable’? If so is there a set of behaviours that the Government
considers to be an expression of Traveller culture that are unacceptable?

- What would be an unacceptable expression of traveller culture?

At first, looking at the emphasis on culture and its legitimate expression I was tempted to refer to my own work on conflict resolution in which the cultural inscription of individuals and populations serves to depoliticise inequality turning it into a question of identity that can be resolved by cultural recognition and better inter-cultural dialogue.

There is always that danger when things are framed in cultural terms, but there is another more important point to be made here.

I said at the outset that the recent debate about ethnic statistics in Europe had been provoked by anti-discrimination directives from the European Union and the apparent reluctance of some European states to collect the ethnic statistics necessary to monitor discrimination. I mentioned some of the reasons for this reluctance, including the technical difficulties.

One response of the European Union and other international agencies to the reluctance to collect ethnic statistics has been to settle on what would appear to be the
most straightforward technique of categorisation and data
collection; ie self-identification, self-declared belonging.

Self-identification is in line with an Anglo-Saxon
multiculturalism, and this is how its done in the census here
and in the UK.

But all this does is to confer a multicultural recognition.

If the purpose is to counter discrimination including an ethnic
question in the census and asking respondents to identify with
one identity from a pre-defined list is not enough. If the aim
is to counter discrimination, then \textbf{what matters is not how}
people perceive and identify themselves, but how they are
perceived and identified by a potential discriminator.

This issue has arisen in relation to Roma. The argument
is that relying on self-identification results in an undercounting
of Roma. A significant number of Roma are said not to self-
identify. The reasons for this are unclear: is it fear? Is it
shame? Is it resistance? In any case, self-identification is
inadequate to the task of effective positive action to counter
discrimination.

This is where Northern Ireland features as a precedent.
Legislation introduced in the early 1990s to counter
discrimination in employment requires employers to collect
statistics on the composition of their workforce. Self-
identification remains the primary method, but provision is made for methods ethnic designation other than self-identification.

I’m not going to go into detail on this here – if you are interested we can talk about it in the Q&A session – the point is that Northern Ireland has been used as a precedent in the debate because it is the only place that has been exempted from the Framework Convention on the Protection of National Minorities, which provides that every person belonging to a national minority shall have the right freely to choose to be treated or NOT to be treated as such and that no disadvantage shall result from this choice.

These are difficult issues, which we might talk about, but I think the debate is useful because it serves to refocus the attention on racism, discrimination and the discriminator rather than the victim.

But for the moment I want to wrap this up by returning to the government’s response to the UN Convention on the Elimination of Racial Discrimination. As we saw a moment ago, the concluding paragraph on Travellers starts with a statement about the need to combat discrimination, and ends by promising cultural recognition or at least respect for the legitimate expression of Traveller culture and identity.
We’ve seen from the debate in Europe that granting cultural recognition and working seriously to eradicate discrimination are not the same thing. Worse, an emphasis on former can undo the latter.

Robbie McVeigh once asked:

‘How are we to explain the palpable inequality experienced by Travellers – in terms of mortality, morbidity, educational achievement, income, and so on? And how is this to be addressed? Is racism to blame or is this inequality a function of Traveller culture?’

It seems to me that the Government’s emphasis on Traveller culture and its ‘legitimate expression’ is dangerous for it opens-up the possibility that inequality gets explained away -- attributed not to discrimination but to the supposedly unacceptable/illegitimate cultural practices of the victim.