

IAN LAW

Issues of Ethnicity as Contextualised in Contemporary Britain

Occasional Paper



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ABOUT EDUMIGROM

Ethnic Differences in Education and Diverging Prospects for Urban Youth in an Enlarged Europe is a collaborative research project that aims to study how ethnic differences in education contribute to the diverging prospects of minority ethnic youth and their peers in urban settings. Through applying a cross-national comparative perspective, the project explores the overt and covert mechanisms in socio-economic, political, cultural, and gender relations that make ethnicity a substantive component of inequalities in social status and power. The project involves nine countries from old and new member states of the European Union: the Czech Republic, Denmark, France, Germany, Hungary, Romania, Slovakia, Sweden, and the United Kingdom. EDUMIGROM began in March 2008 and will run through February 2011. The project is coordinated by the Center for Policy Studies at Central European University in Budapest, Hungary.

ABOUT THE PAPER

Occasional Papers are supplementary materials produced by EDUMIGROM consortium members. They are meant to enrich EDUMIGROM research by offering in-depth discussions of project-relevant contextual or theoretical issues.

ABOUT THE AUTHOR

Dr. Ian Law is the Founding Director of the Centre for Ethnicity and Racism Studies (CERS) and Reader in the School of Sociology and Social Policy, University of Leeds. He has published extensively on issues of racism and ethnicity and managed numerous policy-relevant projects in these fields. His recent publications include *Racism, Postcolonialism, Europe* (with G. Huggan) and *Racism and Ethnicity, global debates, dilemmas, directions*. Dr. Law leads the EDUMIGROM research team at the University of Leeds.

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CENTER FOR POLICY STUDIES
CENTRAL EUROPEAN UNIVERSITY

Nádor utca 9
H-1051 Budapest, Hungary

info@edumigrom.eu
www.edumigrom.eu

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1. Introduction

This paper seeks to add to the output already produced on ethnic relations in the UK (Law *et al.* 2008) and on comparative ethnic relations (Law *et al.* 2009) for the EDUMIGROM project. The foundational understanding of ethnicity elaborated by Max Weber provides a starting point for examining contemporary debates and evidence on ethnicity with particular regard to the UK in this paper. Weber describes ethnic groups as having a belief in common descent arising from one or a combination of the following: collective memories of colonisation and migration, collective customs, physical similarities. Also, ethnic groups are marked out by a range of dimensions of ethnicity, including common language, the ritual regulation of life and shared religious beliefs. In this paper, we firstly examine some of the drivers and triggers of ethnic conflict. Secondly, to ground these arguments, we look closely at the operation of ethnicity in the UK with a particular focus on recent developments in official data collection on ethnicity and new data produced by the Commission for Equality and Human Rights.

2. Weber's contribution to the field of racism and ethnicity

Weber, one of the 'founding fathers' of this field of study (along with W. E. B. Du Bois, Anna Copper, and Robert Park; see Law 2010), grappled with the multidimensional nature of the 'race-ethnicity-nation' complex, despite lapsing into racist slurs in his early work where it was common to find negative treatment of some ethnic and racial groups including 'Slavic' Poles in Germany (Manasse 1947). Also,

"Weber may be criticised along with almost every other social thinker from the time of the French Revolution to the outbreak of World War 1 for failing to give sufficient weight to racial, ethnic and national conflicts" (Stone 2003: 29).

Nevertheless, his limited analysis of these issues has been highly influential. Weber opposed what he called 'race mysticism' and increasingly came to oppose racial theories of national characters and social change. For example, he was highly critical of the development of race eugenics in Germany and, in particular, the views of Alfred Ploetz, who founded the German Society for Racial Hygiene in 1904. Weber expressed his concern that "with race theories you can prove or disprove anything you want," even calling such work a "scientific crime." Replying to allegations of black inferiority, he commented that the most important scholar in the Southern States of the USA was black: W. E. B. Du Bois. (Weber 1978: 398)

Economy and Society is Weber's massive empirical comparison of social structure and social norms in global historical depth. One chapter of this treatise, entitled "Ethnic Groups," addresses race membership, the multiple social origins of ethnicity, and the interconnections with nationality and cultural prestige. Race identity is seen as a highly problematic source of social action, whereby a group is seen to have common traits and despises others. The hatred, loathing, and disgust of both blacks and of sexual relations between blacks and whites in the USA, witnessed by Weber in the early twentieth century, are explained by the monopolisation of social power and honour by whites and related social closure, which stemmed in part from the equation of blacks with slavery and hence their exclusion from social status. The anti-black racism of the 'poor white trash' of the Southern States, who were typically propertyless and often destitute, is therefore explained through their ability to lay claim to the honour and dignity of being white, precisely because of the social 'declassment', or the lowering of the

social status and social position of black people. He identifies the 'one drop' rule, which operates against black people, which is not similar for indigenous Americans. In the USA,

"the smallest admixture of Negro blood disqualifies a person unconditionally, whereas very considerable admixtures of Indian blood do not" (1978: 386).

Whether racial differences and ethnic group affinity are 'real' or not was irrelevant for Weber. Rather, what matters are the consequences for social action that result from such categorisation and the group formation of political communities. For Weber, ethnic groups defines ethnic groups as having a belief in common descent arising from one or a combination of the following: collective memories of colonisation and migration, collective customs, or physical similarities. Other markers of ethnicity may include common language, the ritual regulation of life and shared religious beliefs, or the perception of being the 'chosen people'. Weber draws a clear distinction between ethnic groups and kinship groups: the former may rest on a subjective belief in a shared community, created by a collectivity and organized through political processes; the latter are based on concrete blood ties. Weber also recognises that collective perceptions of a common ethnicity may encompass many forms of difference and diversity, including class, occupation, dialect, and religion.

Ethnic group and nationality are seen as sharing the notion of common descent. But, the sense of a common nationality may be shattered by racism. Weber observes that whites were hostile to a sense of common national identity with blacks in the USA, whereas black people had both a sense of and laid claim to American nationality. This latter point is borne out in Cooper's *A Voice from the South*, in which she elaborates the many contributions made by black people to the American nation. Weber uses examples of French Canadians, the Swiss, Serbs, Croats, and the French to examine differing ways in which notions of nation and ethnicity interact. A shared common language, for example, may bind a people together and serve as a pre-eminent identifier of who is in the nation, as well as be insufficient in sustaining that identity. Further, it is recognised that many modern nation-states comprise of several language groups. The Swiss, it is argued, do not have a common language, literature, or art, but do have a strong sense of community and customs and strong historical memories of being united in collective defence of their distinctiveness. Here, the link between the concept of a nation and political power emerges as a key theme. The greater the emphasis on power, the stronger the idea of a nation becomes.

The hesitancy Weber has in building this rather selective account of the nature and his theorisation of linkages of race-ethnicity-nation is indicated by his concern that at this level, he has only presented a 'vague generalisation'—a classification, which 'could easily be enlarged'. More fundamentally, alongside his opposition to race thinking, he also indicates an opposition to the notion of 'ethnically' determined social action. This, he argues, is because these categories conceal underlying social processes that have to be carefully identified, distinguished, and evaluated in detail. Indeed, for Weber, the whole concept of an ethnic group would dissolve if this rigorous analytical process were pursued, with a focus instead on the specific effects of different underlying factors including customs, traditions, the influence of language or religion, beliefs in blood ties, patterns of sexual relations, and intermarriage. Further, his concern with these ideas also involved a view that ethnicity and nationalism would decline in importance due to the greater power of modernisation, industrialisation, and individualism.

In fact, the opposite has been true. As noted above, this underestimation of the significance and scale of ethnic and national conflicts through the twentieth century also applies to race identities and racial conflict. Weber's classic chapter in *Economy and Society* constitutes a significant contribution to this field, and Stone (2003) identifies four main elements of this contribution. Weber's definitions are acknowledged as providing a key foundation for academic work in this field along with the increasing challenge to naturalised and scientific constructions of race. Other core Weberian contributions to the field identified by Stone are his focus on social closure (the action of social groups, who restrict entry, for example, through racial and ethnic discrimination in employment, and exclude benefit to those outside the group in order to maximise their own advantage), and on boundary formation, which has influenced the sociology of ethnicity and the work of Hechter (1975), Barth (1969) and Brubaker (2002). For example, Brubaker's work is partly driven by the critique of 'groupism', or the tendency to see the world as consisting of bounded groups. This concern—to avoid the reification of ethnicity—draws on Weber's position and leads to an interest in interrogating ethnicity as not a thing in the world, but "a perspective on the world" (2002: 65). The focus on the search for legitimacy in social action and its significance for explaining racist belief systems and the ways in which they facilitate racial hierarchies to develop, endure, and change is seen as being highly influential, for example in the work of Rex (1970). A final important contribution is Weber's focus on the theoretical primacy of power in its military, economic, and political forms as central to understanding domination in ethnic and racial hierarchies; this has been elaborated by the 'pluralist' school (Furnivall 1948 and Kuper and Smith 1969), the 'race relations' school (Banton 1967, Rex 1970), and in global studies of ethnic cleansing and fascism (Mann 2004, 2005). Furthermore, Weber's work on urbanism and institutional structures of the city (1958) provided a foundation for urban sociology, which often has been concerned centrally with issues of migration, ethnic diversity, and racial conflict. A systematic application of Weber's thinking drawing on these four contributions to the UK context is beyond the scope of this paper. Here, contemporary aspects of ethnic relations in the UK are considered and are informed particularly by the key critique of Weber that ethnicity and racism remain hard-wired into British society and politics and that the operation of power in key forms provides a central explanation for structures of ethnic and racial domination in British society.

3. Ethnic conflict and hostility

Political sources of ethnic and intercultural conflict are often centred around contested control of territory, whether in Northern Ireland, Belgium, or the West Bank. Economic sources of conflict include disputes over access to, and control over, particular resources. These may include who gets access to higher education, government jobs, civil, military and government contracts, and capital and credit. This raises the issue of what is fair and appropriate in determining the allocation of resources. Also, worsening economic conditions may heighten intercultural hostility when perceived as being linked to increases in the fear of unemployment and the erosion of welfare. Economic migration policies that open up countries to upper professional circuits of global capital and tend to close down opportunities for what Sassen (2005) has called the new global class of disadvantaged workers (including transnational immigrant communities and households) may also give provide a key structural context for conflict. The intensification and multiplication of regional economic inequalities might be driving both long-established and newly articulated claims for redress and redistribution. Cultural sources of conflict often revolve around issues of language and religion. Which language is used—for instruction in schools or universities, in entrance exams or civil service

exams, for command in the military, and for communication in government—will symbolise and institutionalise unequal power relations between cultural, ethnic, and linguistic groups. Religious identities have, in many countries and regions, been a long-standing, key site and source of disputes between differing groups.

Many different cultural and ethnic groups peacefully coexist, yet at certain points, conflict will erupt. Esman (2004) identifies three key factors, which may precipitate conflict. Firstly, he cites perceived affronts to a community's honour or dignity. Examples include the Jyllands-Posten Muhammed cartoons controversy in September 2005, when a great many Muslims were angered by the publication of what they considered offensive images, or the French headscarf controversy in 2004. A further example is when the Sinhalese-dominated government in Sri Lanka decreed that all tests for university entrance and exams for civil service positions were to be conducted only in the Sinhalese language, which members of the Tamil minority interpreted as a lack of cultural respect and a form of economic and educational discrimination. Secondly, Esman identifies tangible threats to the vital interests of a cultural or ethnic group. In Europe, many working-class communities' perception of non-white or non-European migrants as a threat to their homes, neighbourhoods, jobs, their schools, and the safety of their families, results in attacks and violence, together with demands for increased control, regulation, and exclusion. The encroachment of Jewish settlements onto lands regarded by the Palestinians as theirs by right is a further example. Thirdly, Esman identifies fresh opportunities to gain advantages or redress grievances where an unsatisfactory state of political and social relations becomes open to action and intervention—for example, the collapse of the Soviet Union and post-Soviet transition.

However, the strength of ethnic loyalties and their practical adequacy for many people in making sense of their position in the world—in pre-modern, modern and contemporary times—indicates the likelihood that ethnic conflict will continue, despite international declarations and interventions, creative national policies, and inter-ethnic mixing. It is "a world-wide phenomenon that has become the leading source of lethal violence in international affairs" (Esman 2004: 26). In the context of insecure national states and global inequalities, population mobility and international migration will lead to greater cultural diversification of national populations. New technologies and changing patterns of consumption are driving the construction of larger regional and global cultures. These globalising, cosmopolitan forces are also stimulating new forms of ethnic defensiveness and hostility to migrants—for example, in the USA, and towards long-established minorities in Europe and elsewhere, as evident in the development of anti-Semitic movements and in anti-minority hate speech in Russia, and the rise of support for political racism in the European elections in 2009.

In the UK, some recent studies have highlighted the ambivalence that exists with respect to the presence of ethnic minority groups and the relatively unchanged patterns of ethnic and racial discrimination. Patterns of racial and ethnic hostility are diverging: Gypsy and Traveller groups are the object of very strong levels of hostility and discrimination, whereas there appears to be declining hostility towards Black and Asian groups in some regions of the UK. A survey of attitudes in Wales (EHRC 2008) revealed that on the one hand, many progressive attitudes prevail and there is a strong consensus that everyone should be entitled to be treated with respect, dignity, and fairness by public service providers. The majority of those surveyed are not concerned by the prospect of more newcomers, including English people, moving into their midst. On the other hand, negative, hostile attitudes particularly against Gypsy and Traveller groups were also very strong. For instance, the survey asked people who they would choose to teach younger children. Whereas more than three-quarters of those surveyed agree that gay

men and lesbians are very or fairly suitable to be a primary school teacher, and more (90%) answered that Black and Asian people are suitable for this role, only 37% felt that Gypsies or Travellers would be appropriate to be a primary school teacher. The majority of Welsh people who were surveyed saw Gypsies or Travellers as unsuitable.

Within these widespread hostile attitudes, a core of people expressed their support for political racism in the recent European elections, with 5.4% voting for the British National Party (BNP). Overall in the UK, almost one million people voted for this extreme right party—the best showing for any extreme right party at the UK polls ever. Two MEP seats were taken by this party, which was also a first for the UK. The total level of political racism was at 6.2%, well below the levels of extreme-right support in the Netherlands (17%), Austria (17.7%), and Denmark (14.4%). This indicates that there may be significant room for growth in support for the BNP in the UK. A hardening of racial and ethnic hostility is highly likely to be one key feature of the future of ethnic relations.

A recent study on the construction industry also reported evidence on racial discrimination (EHRC 2009). In 1999, just over one-third of employed ethnic minority construction staff said that they would describe their working experience as 'different' from white people, and this affected their progression. Examples of racial discrimination that were cited by respondents included name-calling, harassment, bullying, and intimidation. This is confirmed by a more recent study in the North West, in which experiences of discrimination ranged from physical attack, harassment, and abuse to restricted training opportunities and promotion prospects and unpaid overtime, (that is, more than was demanded of white colleagues) (EHRC 2009). The under-representation of non-white ethnic minority workers at all levels, particularly in managerial and professional roles, differences in the educational and training experiences of ethnic minorities compared with white people, prevalence of word-of-mouth recruitment and tendering practices, persistent perceptions of racism in the industry, and poor attention to equal opportunities policies all indicate that in this sector, little has changed in the last ten years. Moreover, there is increasing hostility towards a wider range of migrant groups, now including those from Central and Eastern Europe. Holding a strong sense of majority ethnicity—being English, Welsh or Scottish—is often a key component of hostile attitudes and behaviour to others. We now turn to investigate the meaning of one of these majority ethnicities: Englishness.

4. What is Englishness?

Ethnic identities are social, and not natural, constructions that often arise through the political mobilisation of groups. Their sense of cohesion draws on a myth of common ancestry and common origin in a time and place, shared historical memories of a common past, symbolic attachment to ancestral lands, and a common identifying name. These features of ethnicity (Hutchinson and Smith 1996) have to be elaborated in order to understand what constitutes Englishness. There has been much attention given to the experiences of ethnic minorities in the UK and what it means to be Black or Muslim in this country, but Englishness itself is rarely defined as a form of ethnicity. The end of Empire, the growth of ethnic diversity in the UK, the process of Europeanisation, and the devolution of power to Scotland, Northern Ireland, and Wales have all led to increasing uncertainty over what it means to be English and what exactly English ethnicity is. In many political and cultural spheres this debate is about a particular

"embattled, hegemonic conception of Englishness" (Hall 1996: 170), which has been articulated through key linkages with nationalism, imperialism, and racism.

In a recent study, Robert Young (2008), a leading cultural theorist, seeks to answer the question, 'what is Englishness?' Young begins by exploring the myths of common English ancestry. We cannot expect to find a real, unified, unchanging group of ethnic English through archaeological and historical study, but we can find a series of dominant and powerful myths. What these fields of study can tell us is that English ethnicity was invented from the binding together of a range of disparate peoples and threads of meaning. The 'English' were a highly diverse group of people who arrived in Britain at the end of Roman rule, who made up the English-speaking bloc of the peoples of Britain, and who and are frequently referred to as Anglo-Saxons, coming from the coastlands of northern Europe including the Elbe and Weser estuaries, Jutland, Schleswig-Holstein, Friesland, the area between the northern coast, and the Rhine, some Franks, and others including the Suebi (Todd, 2008). These people arrived in mixed groups and were not distinctive ethnic communities. Young's analysis of myths of Englishness begins with a focus on Saxonism.

Saxonism, developed in the late seventeenth century, was the idea that the English were Saxons or Teutons, with an identity that was firmly rooted in German national character and who were markedly different to the ancient native Britons (Celts), who had been driven to the fringes of Scotland, Wales, Ireland and Cornwall. Ethnic violence was essential then to the formation of Englishness. Saxons were seen as arriving in Britain from 440 onwards and were personified in King Alfred (c.870). Writers, historians, essayists, and novelists were largely responsible for the popularisation and emergence of English identity as 'Saxon' which, through the Victorian period, was expanded to 'Anglo-Saxon'. The characterisation of the English/Saxons in Scott's *Ivanhoe* (1819) linked together notions of ethnicity, blood lines, and language to produce a composite popular understanding of the 'English race'. Saxonism has been closely identified with Protestant values since the Reformation and underlay a range of bonds and solidarities with other white Protestant groups in the US and elsewhere associated with the emerging notion of an Anglo-Saxon diaspora. In the mid-1800s, with the rise of racial science and modern nationalisms, usage of the term 'Anglo-Saxon race' became more prevalent. What is more, it came to refer not only to the English at home but also to those abroad—that is, English people of any kind, in any place: the unmarked, superior, diasporic English. The globalisation of Englishness was inextricably bound up with colonial settlers, imperialism, and the expansion of trade, communication, and migration in the nineteenth century. De-localised English, Anglo-Saxon ethnicity with its vague values, institution, and common language expanded to encompass and include increasing internal diversity and diasporic culture, illustrating what Young describes as the 'curious emptiness of Englishness' (2008: 236) arising from its many varieties in different national contexts (e.g. Canada or Australia). In the twentieth century, the extent to which Englishness has changed its character—from a Saxonist doctrine of exclusive racial superiority, to a flexible and inclusive umbrella for a 'syncretic community of minorities'—is highly contested, as Billy Bragg's recent book indicates.

5. Questioning Englishness: Exclusive or inclusive?

- "What does it mean to be English? What does it mean to be British?"
 - Does the rise in popularity of the St George's flag represent a new beginning or symbolise the return of the far right?
 - Is the Union Jack too soaked in the blood of empire to be the emblem of a modern multicultural state?
 - In a country in which all of us are born under two flags, what does it mean to be a patriot?"
- (Source: Bragg 2007)

There is no paradox here. Both exclusivist structures of racial superiority and racial and ethnic closure characterise British society. Take, for example, moves to 'aggressive majoritarianism' in education (Gillborn 2008) and inclusive moments and spaces of syncretic inter-racial, inter-ethnic, and inter-cultural interactions. The simultaneous and ambivalent way in which these processes operate—with, for example, cosmopolitan aspirations and narratives working alongside entrenched and racialised immiseration—has been explored in a recent examination of post-colonial London (Keith 2005). Here, the ways in which the 'perennial reinvention of racist intolerance' and the 'forces of ethnicised and racialised closure', or 'everyday racism' (Essed 1991), operate alongside what may be called 'everyday multiculturalism', forms of intercultural dialogue, and 'moments of communication' are examined. Drawing on research in two areas of inner-city London, Keith identifies these conflicting discourses as being located separately in different areas of the city. The Isle of Dogs is framed by local actors as a site of racial conflict, and Deptford is framed as a site of harmony/neighbourhood communality. For Keith (2005: 153–65), however, the simplicity of these positions is exposed by research with young people which shows that social life is complex and these two narratives are more integrally connected in informal social networks, localities and groups with a variety of forms of communication, consumption and use of space both crossing racial and spatial boundaries, and enforcing racial danger. The advocacy of post-national cosmopolitanism as liberation from the binding and wearisome attachments of locality, ethnicity and nationality has also been the subject of recent debate (Habermas 1998, May *et al.* 2004). Advocacy of complex, hybrid identities, global polis and citizenship, and the transcendence of the nation state are some of the key elements of a post-national politics. Here there is a tendency to under-estimate the opportunities for participation in multi-national cosmopolitan politics, and the value of belonging for many people. The solidarities on which people depend, whether family, community, clan or group, can be too easily dismissed, especially as these solidarities may form the central basis for struggles of the less privileged (Calhoun 2004). The strength and renewal of Englishness and British nationalism can then be understood as intrinsically connected to power relations and defence of privilege and material conditions in the face of global inequalities and pressures.

Race has been institutionalised in Britain and criticism of the resulting experience of race relations policies in the UK from the 1960s onwards has been made by Lloyd and others (1994: 230) who argue that this has led to a 'reinforcing [of] the racialisation of social relations in contemporary Britain'. So, racial divisions are considered to have been actively created by policies concerned to challenge racism and racial discrimination. This is seen as resulting from the persistent use of the notion of race in bureaucratic, technical, academic and political discourse. Race has been given an official reality in race relations legislation, race relations policies, race relations courses and programmes of study, and party political agendas. In other words, the continued use of the race idea is seen as reinforcing dominant common-sense ideas

that different races exist and have a biological reality. The rejection of race as an analytical tool in this way raises a number of problems. Firstly, thorough critique of the mythical notions of race and race relations implies that not only are there no real relations between races but that it is meaningless to search for equality or justice between races. Are we to reject these ideas as well? How far should political calculation of the potential effects of using such terms, or indeed research to establish the previous impact of race discourse be considered before use of such terms is dismissed. The race idea can be employed to articulate strategies of liberation and emancipation, and to highlight existing racial divisions in order to facilitate political mobilisation without necessarily increasing those divisions. Indeed, it may be established that such action achieved its objective of a reduction of some aspects of racial divisions, for example in political participation or educational attainment. However, the institutionalisation of racial and ethnic categories is also a central strategy to enable management of racial and ethnic divisions and this holds out the prospects of both marginal improvements in life-chances as well as the maintenance of progressive whiteness and progressive Englishness; where there is an openness to racial and ethnic diversity, a rejection of hostility and intolerance together with retention of core structures of power and domination.

This paper builds on a collective body of work which has been concerned with critical examination of the ways in which a variety of UK and EU policy domains have engaged with questions of racism and ethnicity, including health, benefits, housing, social services, higher education, news media and ICT (Law 1996, 1997, 2002, Law et al 2001, 2002, 2003, 2006). This work identifies, in particular, three key concerns including fundamental tensions in modernist approaches to racism and ethnicity, the failure to adequately conceptualise these ideas and carry through the implications of this for policy and lastly, the pitfalls of ethnic managerialism. Science, technology and rational bureaucracy have all provided contexts for both the elaboration of racist and antiracist ideas, hence technocratic and managerial solutions to racism and ethnic diversity cannot be relied on and are fraught with difficulties and unintended consequences, such as reinforcing ethnic conflict or producing new forms of racial exclusion. Measuring racial discrimination and inequalities using comparison of outcomes against the white norm, rather than needs or preferences, is also a conventional but highly problematic feature of both research and policy. One central component of the management of racial and ethnic relations in the UK has been data collection and racial and ethnic monitoring and some new developments are examined in the next section.

6. Categorising ethnicity

In December 2008, the Office of National Statistics, after a long process of consultation, agreed a new categorisation of ethnic group in the forthcoming 2011 national census (see appendix 1). This has important implications for many public sector agencies and researchers and is examined here. The purpose of the ethnic origin question is primarily to allocate resources, for example to local government, and facilitate the monitoring of racial and ethnic discrimination. Despite the detail of existing categorisation of ethnic group it is interesting to note that in the consultation process over 40% of data users felt that this failed to meet their information requirements and this indicates the importance of making revisions.

New categories to be included in 2011 are 'Gypsy or Irish Traveller' and 'Arab'. These categories are being introduced due to the recognised user need in relation to informing appropriate delivery of public services and the current lack of data. The Office of the Deputy Prime Minister

(now known as Communities and Local Government) stated that the collection of such information would:

"enable those authorities responsible for providing accommodation, education and health services to ensure that the needs of the Gypsy and Irish Traveller community are accurately assessed and resources properly targeted" (2008: 19).

The debate over the Arab category elicited some confusion. Some viewed the term as too specific, while others suggested the category was too broad. For example, one local authority argued that:

"Arab" looks like it fills a large gap but on reflection in the local context [it] may not do—a gap still remains for identification of substantial groups such as those from Afghanistan, Iran and parts of North Africa." (London Borough of Barnet).

The Muslim Council of Britain said:

"The inclusion of 'Arab' is fully supported ... Ideally Arab should be broken down to 'Arab-North Africa', 'Arab-Iraqi' and 'Arab-Other' (because each of these groups are believed to be quite large—more than 100,000 in 2006, but there is little statistical information)" (2007:20).

Some categories have been relocated. 'Chinese', for example, has been relocated to reduce confusion between the 'Other Asian' and 'Other ethnic group' categories. The categorisation of ethnic groups in 2011 will continue to include use of colour categories such as Black and White in order to identify patterns of discrimination against visible ethnic minorities. There is opposition to the use of colour terminology from some respondents and organisations as it is seen as outdated, stereotypical, inappropriate, and offensive. However, removing this from the categorisation of ethnic group may hamper service provision and anti-discrimination efforts and may also confuse respondents and increase non-response. Therefore it has been retained as one key marker of ethnicity.

Inadequate enumeration of ethnicity remains a major problem, particularly as the small sizes of some of the groups means that survey samples cannot be meaningfully disaggregated (Walby *et al.* 2008). Grouping together some ethnic categories, such as Gypsy and Traveller groups, leads to a loss of potentially important distinctions. Additional boosts to the main sample composed of those from ethnic minority groups can be used, but this can introduce complexity and loss of transparency (Walby *et al.* 2008).

Overall, these changes will lead to an improvement of the data base on ethnic group, particularly for Gypsies and Irish Travellers where very little data existed previously. But the collection of ethnic group data remains controversial for individual respondents and communities with varying levels of ambivalence, confusion and opposition. The failure to enumerate Gypsies and Travellers in previous censuses in 1991 and 2001 unlike other significant ethnic minority groups is one key cause of the failure of progressive policy and practice interventions in ethnic relations to tackle discrimination, exclusion and inequalities affecting this group. In addition, a pre-dominant focus on non-white groups in national policy development has also created new forms of exclusion as the specific situation and needs of these groups have been largely ignored—for example by the Commission for Racial Equality. The exclusion of Gypsies and Travellers from the concept of exclusion, from census data collection

and related ethnic monitoring of public services, and from policy debate and action indicates that their marginalisation from dominant power relations has led to their worsening outcomes in education and other key spheres of life.

7. Gypsy and Traveller groups

Existing evidence on Gypsy/Roma and Traveller (GRT) communities shows that there is much diversity within this group, which is estimated to include 200,000-250,000 people (Morris 2003, Clark 2004, Clark and Greenfields 2006). In Britain, there are UK Irish Travellers, Scots Travellers (Nachins), Welsh Gypsies (Kale), and English Gypsies (Romanichals) among others. There are also Travelling Showpeople (Fairground Travellers), Boat Dwellers (Bargees), and Circus Travellers. Ethnic identifiers, including language, identity, names, and traditions, vary across these sub-groups, and many can opt to conceal their ethnicity (as phenotypical characteristics are more difficult to use to mark out this group). They are therefore, on the margins of racial visibility. Still, they are clearly social and ethnically identifiable, particularly in terms of a long shared history, which the group maintains and sees as distinguishing it from others, and a unique cultural tradition, including family and social customs and manners. In the 2001 population census, these groups, where enumerated, are included in the 'White' category.

Gypsy/Roma and Travellers of Irish Heritage are identified as racial groups and covered by the Race Relations Acts as legitimate minority ethnic communities. Gypsy/Roma people have been recognized as a racial group since 1988 (*CRE v Dutton*). Travellers of Irish heritage received legal recognition in law as a racial group in 2000 (*O'Leary v Allied Domecq*). Gypsy/Roma and Traveller communities frequently experience social exclusion and discrimination which can be intentionally or is unintentionally racist in character on account of the lack of knowledge by the perpetrator(s) of their legal minority ethnic status. Since 2003, Gypsy/Roma and Travellers of Irish heritage are two distinct ethnicity group categories within the School Census. These two groups are defined as follows:

Gypsy/Roma: This category includes pupils who identify themselves as one or more of the following: Romanies, Travellers, Traditional Travellers, Romanichals, Romanichal Gypsies, Welsh Gypsies/Kaale, Scottish Travellers/Gypsies, or Roma. It includes all children of a Gypsy/Roma ethnic background, irrespective of whether they are nomadic, semi-nomadic, or living in static accommodation.

Traveller of Irish Heritage: A range of terminology is also used in relation to Travellers with an Irish heritage. These are either ascribed and or self-ascribed and include: Minceir, Travellers, Travelling People, and Travellers of Irish heritage. Travellers of Irish heritage speak their own language known as Gammon, sometimes referred to as 'Cant', which is a language with many Romani loan-words, but not thought to be a dialect of Romani itself.

The School Census categorisation does not include Fairground (Showman's) children, the children travelling with circuses, or the children of New Travellers or those dwelling on the waterways unless, of course, their ethnicity status is either of the above-mentioned. Although most of these people have full citizenship rights, this category of Gypsy/Roma will also include people whose immigration status will be either, asylum-seeker or refugee, or migrant worker (those who have moved to the UK relatively recently from other EU states). The School Census therefore facilitates greater differentiation of ethnicity than the forthcoming 2011 Census. This

indicates that the education context may be particularly fruitful for the investigation of ethnic diversity.

This section also provides an overview of selected issues affecting these groups and draws on evidence presented in an earlier report on ethnicity in the UK (Law *et al.* 2008) and a new report documenting the wide range of inequalities faced by Gypsy and Traveller families (Cemlyn *et al.* 2009). Gypsies and Travellers arrived in the sixteenth century, yet remain in the most marginalised position of ethnic groups in the UK. Gypsies are believed to have moved into the UK from Europe from the sixteenth century onwards, with a significant community being established around London by the eighteenth century, often being subject to oppressive vagrancy legislation. There has been a history of conflict between this group and the state, particularly in relation to the enforcement of planning and land control laws which has affected family travel and mobility (Morris and Clements 1999).

Gypsies and Travellers currently fare very badly in many dimensions of equality including longevity, health, education, political participation, influence and voice, identity, expression and self-respect, and legal security. Particular conflicts have arisen over housing and sites, media coverage and wider hostility where anti-gypsy prejudice is often expressed with significantly less shame attached to expressing it than is attached to expressions of prejudice against other groups. Also, the criminalisation of this group has been accompanied by many high-profile cases and conflicts, including when members have been criminalised for being homeless (since those living on unauthorised encampments are very often legally homeless), criminalised for pursuing a nomadic way of life. Additionally, there is documentation of collective punishment for the crimes of specific individuals, whereby whole settlements are evicted because of the behaviour of certain of their members (TLRP 2007). Many Gypsy and Traveller families have been forced off the land they owned and found it increasingly difficult to find stopping places, which has brought them into greater conflict with other people and local institutions. Reduction in local authority sites and growth in the GRT population means that now over 30% of this group live on unauthorised sites. Having nowhere to stop, they are sometimes forced to occupy public places which, overall, has a huge detrimental impact on community members' health, mortality, education, and labour market position (TLRP 2008).

Welfare outcomes are particularly poor for this group (Cemlyn and Clark 2005). For example, they have higher levels of infant mortality and lower life expectancy due to difficulties in accessing health services than most other groups (Morris and Clements 2001). Life expectancy for men and women is 10 years lower than the national average, and Gypsy and Irish Traveller mothers are 20 times more likely than mothers in the rest of the population to have experienced the death of a child (Van Cleemput *et al.* 2004). In education, as well as some of the lowest levels of educational attainment (DCFS 2008), some schools are refusing to admit children from this group, imposing discriminatory conditions on admission or delaying registration (Clark 2004). Also, a recent study found that of those Gypsy and Traveller children who do get access to education, at least half in England and Wales drop out of school between the ages of 8 and 16. The same study also showed very high rates of exclusions (DfES 2005). Furthermore, there is increasing evidence of almost total failure of access to higher education for this group (Clark 2004).

An examination of patterns of social exclusion facing Gypsies and Travellers confirms that there is a severe lack of adequate data on this group in relation to labour market position and poverty. Additionally, successive governments and research studies have failed to both identify the nature and extent of the economic context for this group and to go on to address these

issues in the context of national anti-poverty and social inclusion strategies (Cemlyn and Clark 2005). However, the Social Exclusion Unit (2000), the Institute for Public Policy Research (Crawley 2004), and the work of the now-defunct Commission for Racial Equality (2006) have begun to highlight this group in terms of racism and ethnic inequality. Cemlyn and Clark confirm that many Gypsy and Traveller children are 'poor in multiple and different ways'. Many are financially poor and there are many dimensions to the 'poverty' faced by such groups. Also, despite the paucity of robust data on the income of Gypsy and Traveller families, both anecdotal information and other studies show that some families have few financial resources. Moreover, there has been a decline in previous economic outlets for Gypsies and Travellers, particularly in crowded urban environments (Power 2004). What is more, local authority restrictions on working activities on official sites, such as pursuing trading activities or operating businesses, have undermined aspects of the Traveller economy (Kiddle 1999). Many find that simply being a Gypsy or Traveller who lacks basic literacy skills presents a serious barrier when trying to access mainstream wage labour jobs or training. Because of this, access to social security benefits is important for some families. However, research has shown levels of discrimination and disadvantage in accessing the benefit system for those who are frequently nomadic. There is some evidence of specific surveillance directed towards Gypsies and Travellers on the assumption that they commit benefit fraud, with the result that families can be denied benefit where there is little, if any, evidence of actual fraud (Cemlyn and Clark 2005: 153).

A new review of evidence (Cemlyn *et al* 2009) on these groups confirms these patterns:

- Gypsies and Travellers die earlier than the rest of the population.
- They experience worse health, yet are less likely to receive effective, continuous healthcare.
- Children's educational achievements are worse, and declining (contrary to the national trend).
- Participation in secondary education is extremely low: discrimination and abusive behaviour on the part of school staff and other students are frequently cited as reasons for children and young people leaving education at an early age.
- There is a lack of access to pre-school, out-of-school, and leisure services for children and young people.
- There is an unquantified but substantial negative psychological impact on children who experience repeated brutal evictions, family tensions associated with insecure lifestyles, and an unending stream of overt and extreme hostility from the wider population.
- Employment rates are low, and poverty high.
- There is an increasing problem of substance abuse among unemployed and disaffected young people.
- There are high suicide rates among the communities.
- Within the criminal justice system—because of a combination of unfair treatment at different stages and other inequalities affecting the communities—there is a process of accelerated criminalisation at a young age, leading rapidly to custody. This includes: disproportionate levels of Anti-Social Behaviour Orders against Gypsies and Travellers, instead of the use of alternative dispute resolution processes; high use of remand in custody, both because of judicial assumptions about perceived risk of absconding and lack of secure accommodation; prejudice against Gypsies and Travellers within pre-

sentence reports, the police service and the judiciary; and perpetuation of discrimination, disadvantage, and cultural dislocation within the prison system, leading to acute distress and frequently suicide.

- Policy initiatives and political systems that are designed to promote inclusion and equality frequently exclude Gypsies and Travellers. This includes political structures and community development and community cohesion programmes.
- There is a lack of access to culturally appropriate support services for people in the most vulnerable situations, such as women experiencing domestic violence.
- Gypsies' and Travellers' culture and identity receive little or no recognition, with consequent and considerable damage to their self-esteem (2009: v-vi).

In many local authority areas, despite conflict with residents and media hostility, efforts have been made on a variety of fronts to improve communication, social inclusion and provision of services to both settled and non-settled Gypsy and Traveller families. A recent evaluation of multi-agency partnership working to achieve these objectives in Scotland concluded with the view that many families had been helped towards the services they needed, and a good number were able to describe how this had helped health and wellbeing. But, as of yet these developments had not achieved a generalised impact across the Gypsy/Traveller community as a whole (Macneil *et al.* 2005). Here, additional resourcing was seen as constituting positive discrimination and this was supported by many agencies given the clear failures of non-specific mainstream service delivery. So, the UK experience can provide a wide range of examples of innovative practice across different local authority areas as new ways are found to improve patterns of provision, but substantial inequalities remain.

Although there is a tendency as Cemlyn *et al.* note (2009:255/6) for some Gypsies and Travellers to be resigned to a lower class and faced with a marginal status of racism, discrimination, and inequality, there has also been increasing national mobilisation of Gypsy and Traveller organisations in the UK. A primary concern has been to campaign for law reform in a variety of fields including housing, planning and education, particularly calling for access to land for caravan sites and access to schooling. The Gypsy and Traveller Law Reform Coalition (G&TLRC) was an alliance of Gypsies, Irish Travellers, New Travellers, and other travelling groups who came together to promote the Traveller Law Reform Bill and policies to increase and improve site provision. This coalition consisted of all the national Traveller groups including the Gypsy Council, the National Travellers' Action Group, the UK Association of Gypsy Women and the Irish Travellers Movement, the Advisory Committee for the Education of Romanies and Travellers (ACERT) and a range of other related organisations including Gypsy and Traveller support groups and units. Though the coalition was disbanded for reasons that require further research, in 2006, the Friends Families and Travellers, Gypsy Council, Irish Traveller Movement, and the London Gypsy and Traveller Unit sought to establish a way of continuing the valuable work on law reform achieved by the Coalition. These four organisations agreed to set up the Traveller Law Reform Project (TLRP),¹ which primarily aims to bring about positive changes in the law in relation to the rights and needs of all the Gypsy and Traveller communities. At

¹ For more information on the Traveller Law Reform Project, see: <http://www.travellerslaw.org.uk/index.htm>

national level, as with other minority groups, there is an all-party parliamentary group (APPG) of MPs and others concerned to advocate these concerns. This group works closely with members and representatives of these minority communities, but speaks on their behalf. The APPG Gypsy and Traveller Law Reform is a parliamentary group committed to raising the social inclusion of Gypsies and Travellers and improving relations between the settled and Traveller community.

Challenging prevailing power relations that operate within ethnic relations in the UK with these groups being largely ignored, unheard, and invisible is tough. We are likely to see a continuing crisis characterising the political and social conditions of these families where improving evidence, understanding, and recognition accompany increasing poverty and immiseration.

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