Scottish Affairs, no. 42, winter 2003

VIEWS FROM THE MARGINS: GYPSY/TRAVELLERS AND THE ETHNICITY DEBATE IN THE NEW SCOTLAND

Rebecca McKinney

> We asked for skips at the roadsides. People read in the newspapers about the mess that Gypsies have left, which is not a nice impression, but we asked for skips about eighteen months ago. Over that period, Craigmillar has been rebuilt, a new parliament has been created, new houses have been built – including penthouses close to the new parliament – and as yet, we have not been given one skip.
>
> Nadia Foy, young Gypsy/Traveller, speaking to the Scottish Parliament, 1 May 2001

INTRODUCTION

Scottish devolution has largely coincided with the Macpherson Report and a new awareness of the levels of racism and discrimination within the United Kingdom more widely. Prior to devolution, the dominant political rhetoric north of the border was concerned with the mismatch between Scottish identity and political needs, and the agendas of a centralising Westminster

---

Rebecca McKinney completed a PhD in social anthropology at Edinburgh University in 1999. Between May 1999 and October 2001, she worked as a researcher for the Scottish Travellers Consortium, a partnership of Save the Children, Scottish Human Rights Centre and the Scottish Gypsy/Traveller Association. Since the conclusion of that project, she has been a research fellow at the Scottish Travellers Education Programme at Moray House School of Education, Edinburgh University.
Acknowledgements for comments on drafts of this paper go to Drs. Elizabeth Jordan, Pauline Padfield and Fiona Harris.

government. Post-devolution, the most pressing struggle for the fledgling institutions must be how best to engage with the needs of a Scotland which itself contains myriad identities and speaks with many voices. The official discourse of government is laden with terms such as social justice, inclusion and the 'mainstreaming' of equal opportunities. However, the actual mechanisms through which such terminology is translated into better economic circumstances and educational opportunities, a decrease in harassment and racism and an overall improvement in the standard of living for Scotland's minority ethnic groups are as yet undetermined.

The meaning and uses of ethnicity have been among the most pressing issues to occupy the social sciences, social anthropology in particular, in contemporary times. At least since the publication of Fredrick Barth's seminal introduction to **Ethnic Groups and Boundaries** in 1969, anthropology has been shaping and refining its understandings of ethnicity as an inherently political process, rather than a label or a category to which human beings automatically belong. From a theoretical perspective, we understand that the experiences of membership of any group and the definition of group boundaries are malleable and transitory social constructions. However, this perspective does not always sit easily with the actual political projects in which ethnic groups engage in order to re-negotiate relationships of power within their wider social contexts. Social practices and uses of ethnicity, as a protective or legitimating label or conversely as a justification for oppression, are frequently difficult to reconcile with the academic struggle against essentialism.

Jenkins suggests that '… we should neither problematise difference in itself nor celebrate it as a departure – and a liberation – from the past. It is, and there is no reason to expect that matters should be otherwise' (1997, p.50). The difficulty lies less with understanding the existence of ethnic difference, however, than with knowing how to moderate the pressures such difference exerts upon the structures of the state. As is poignantly illustrated by the young Gypsy/Traveller quoted at the start of this paper, this pressure often has a profound impact on even the most fundamental aspects of daily life.

The Scottish Parliament's recent **Inquiry into Gypsy Travellers and Public Sector Policies** exemplifies the problematic nature of the concept of ethnicity when it is directly employed for political purposes. This paper will examine the often conflicting ways in which ethnicity has been used in the course of this inquiry, provide some background to what many Gypsy/Travellers and

affiliated advocates have come to call 'the ethnicity debate': the debate that has arisen around some Scottish Gypsy/Travellers' desire to be legally recognised as a minority ethnic group. Finally, the paper will explore the possible outcomes of the inquiry report, which was the first major document released by the Parliament's Equal Opportunities Committee.

Naming is a contentious issue among Gypsy/Travellers and is entwined with the arguments for and against the explicit recognition of ethnicity. As will be discussed in the next section, some Scottish Gypsy/Travellers title themselves Gypsies and highlight their affiliations with the wider international Roma population. Others, however, deny connections with Gypsies or Roma and often in fact find the term Gypsy offensive. This paper refers to either Gypsies and Travellers separately or to Gypsy/Travellers collectively. This is done with respect to the different preferences for naming but also to stress that despite its internal divisions, the various segments of the travelling community have much shared experience, particularly of marginalisation and discrimination. The Scottish Parliament's report refers to Gypsy Travellers without the forward slash, implying misleadingly that all Travellers in their discussion are Gypsies.

GYPSY/TRAVELLERS IN SCOTLAND[1]

There is considerable debate and misunderstanding, both within and outside of the Gypsy/Traveller community, about the origins of Scotland's nomadic people, and these misunderstandings contribute substantially to the current ambiguity of their legal and political status. As Okely (1983) states, Gypsy/Travellers have seldom written their own histories, so any socio-historical portrait is dependent upon a piecemeal collection of documents and linguistic evidence, and some ability to hypothesise. Although nomadic people throughout the world are almost categorically perceived as outsiders, it also possible to suggest that travelling people have been in many ways central to Scottish social and cultural life for many centuries.

There is a body of popular memory which traces many Traveller families, particularly those from the Highlands, back to clans who were pushed off the land following the 1745 Jacobite uprising and the ensuing Highland Clearances. Many Highland Travellers strongly hold this view. However,

---

[1]*Excerpts of this section were previously published in McKinney (2001)*

written records of travelling metal-smiths, or 'tinklers', extend as far back as the twelfth century (MacRitchie 1894, p.12; Kenrick and Clark 1999, p.51), and it is highly possible that there were people maintaining a nomadic way of life prior to these records. Particularly in the Highlands, many Travellers speak of themselves as Scotland's 'indigenous' people, distinguished from the settled community by their nomadic lives but adamant that they are not foreigners, or in any way ethnically distinct (and yet, they are equally clear in their own minds about where the boundary lies between Travellers and non-Travellers). Travellers traditionally brought essential services to isolated communities, carried news, music and stories throughout the Highlands and Islands, and in a cultural and linguistic sense shared far more with the settled Highland communities than they did with Gypsies in other parts of Europe. Even today, many settled Highland people will recall the arrival of Travellers in the village with some fondness and will merit the familiar Traveller families with an important economic and social role in the yearly cycle of rural life.

This is a familiar portrait of Scottish Travellers and the one reinforced by the ethnological work of Edinburgh University's School of Scottish Studies, and particularly that of Hamish Henderson. By collecting songs and promoting Traveller singers such as Jeannie Robertson and Belle Stewart within the flourishing folk music scene of the fifties and sixties, Henderson and his colleagues allocated Travellers a far more central position in Scottish social and cultural history than they'd been allowed in the past. Yet, this perspective offers only a partial understanding of Scottish Gypsy/Travellers' complex history. Current historical and linguistic research traces the Roma, or Gypsy, populations to North Indian Hindu groups that began to emigrate out of the Indian subcontinent sometime after 1000 AD (Hancock 2000). Whatever the intricacies of this gradual movement throughout Europe, it is clear that, as they spread, Roma developed regional identities and established relationships with local populations, including indigenous nomadic groups. The first records of 'Egyptians', or Gypsies, in Britain date to the early sixteenth century (MacRitchie 1894), the earliest of which are found in Scotland.

Five hundred years later, it is not possible to treat Gypsies and indigenous Travellers as entirely separate, or separable, populations. Intermarriage, the practicalities of life on the road, and the shared experiences of persecution and marginalisation by the settled majority, have meant that families have become interconnected. It is also likely that people travelling for vocational reasons and some that have been alienated from settled life have become

incorporated under the wider Gypsy/Traveller umbrella. Academic attempts to identify the 'pure' Gypsies or Scottish Travellers are exercises in romance. Saying this, however, one must not in turn deny the existence of internal diversity within the Gypsy/Traveller community. Some families are eager to identify themselves as Gypsies, often now reclaiming this term from the pejorative connotations it has acquired, in order to reinforce claims to ethnic status. Others title themselves Travellers and shun the term Gypsy, even though they may share connections of kinship with Gypsy families. To some degree, these groupings also comprise a kind of social and economic hierarchy within the Gypsy/Traveller community, but the relationships between them are not fixed and it is difficult to generalise with any accuracy. Similarly, claims to be a Traveller or Gypsy are sometimes made strategically in different contexts, in order to assert or deny particular affiliations.

It is important to respect these internal differences and to recognise that such heterogen%ity is not unique to Gypsies and Travellers. At the same time, however, internal differences should not be allowed to prevent any community from gaining what protection it deserves under the law. In a study of Westminster discourse concerning Gypsies and Travellers, Turner (2000) identified a common political habit of distinguishing 'authentic' Gypsies, or Roma, from other Travellers. This distinction is generally made in order to draw a boundary between those nomadic groups who are seen as legitimate and thus deserving of protection, and those who are perceived simply to be dropouts. It is, in other words, a way of politically sanctioning discriminatory treatment.

This distinction is reinforced by a current legal anomaly in which some members of the wider Traveller community are explicitly protected under the race relations legislation and others are not. Although Turner's study was confined to Westminster's treatment of Gypsies and Travellers residing for the most part in England and Wales, it is not uncommon for a variety of Scottish public authorities to draw upon similar distinctions. In many cases with which I am familiar, Scottish local authorities, health boards and other public agencies have effectively tolerated discriminatory practice by suggesting that being a Gypsy/Traveller, particularly one who follows a nomadic lifestyle, is a voluntary identity and entails therefore a voluntary forfeit of rights and services.

THE ETHNICITY DEBATE

In June of 2001, the Equal Opportunities Committee of the Scottish Parliament released its first report, which included the findings and recommendations of its **Inquiry into Gypsy Travellers and Public Sector Policies**. The inquiry was suggested in May of 2000, when a number of Gypsies and Travellers, supported by voluntary sector agencies including the Scottish Gypsy/Traveller Association and Save the Children, presented their experiences of racism and social exclusion to the committee. Its terms of reference, as stated by the committee, were:

- to examine how public sector policies relate to the minority group of travelling people, in particular services provided by local authorities (site management, social work services and educational support) and others (health boards and the police);
- to hear evidence from the travelling people community and from the agencies who interact with them;
- to report and make recommendations as appropriate following the inquiry.

(Scottish Parliament 2001a, pp.4-5).

The official inquiry commenced in October 2000 with the gathering of written and oral evidence from Gypsy/Travellers, support agencies, service providers and both local and national level policy-makers. Many community activists and advocates in the voluntary sector hailed the report, which contained thirty-seven recommendations toward the improvement of public sector agencies' relationships with Gypsy/Travellers, as the most significant political breakthrough for this intensely marginalised community in many years.

Recommendation 2, and the one on which this paper focuses, states:

> All legislation and policies should be framed on the understanding that Gypsy Travellers have distinct ethnic characteristics and should therefore be regarded as an ethnic group, until such time as a court decision is made on recognition as a racial group under the Race Relations Act 1976. (ibid, p.7)

This recommendation, more than any of those directly concerned with the policy areas of accommodation, education, health, social services or policing, has generated significant subsequent debate within both the Parliament and the community to whom it refers. The recommendation was based upon the evidence and convictions of some Gypsy/Traveller activists and their advocates. It represents an attempt to address a discrepancy in case law surrounding the Race Relations Act 1976, through which Gypsies and Irish Travellers are specifically recognised and protected as ethnic minority groups but Scottish Travellers are not. Although race relations legislation is a reserved matter, the Equal Opportunities Committee sought, through this recommendation, to define the terms in which future policy and practice toward Gypsies and Travellers in Scotland would be framed.

The recommendation was based upon multiple agendas and has generated a number of significantly differing responses in the months since the report's release. The Gypsies and Travellers who have campaigned in favour of ethnic recognition have generally done so in the hope that it would lend the weight of the law to their efforts to protect their cultural heritage, combat discriminatory treatment and, perhaps most crucially, gain increased legitimacy in the eyes of the wider community. As such, it is a response to the widespread and ancient public perception that Gypsies and Travellers are social dropouts or outcasts inhabiting the fine line between the accepted social order and the criminal verges. Implicit in this agenda also is the desire to be distinguished from New (Age) Travellers, with whom most 'traditional' Gypsy/Travellers want little to do and towards whom recent draconian legislation, such as the Criminal Justice and Public Order Act 1994, has been largely directed.

As a social anthropologist working among community activists, service providers and politicians, I was at the time of the inquiry concerned that the term ethnicity was being misused in the context of this debate. Contemporary anthropological discussions of ethnicity focus upon its subjective aspects, namely individual and collective perceptions of boundary and difference, the social nature of its construction, and the manners in which it is employed in social life (Jenkins 1997). Yet, while the intangible nature of ethnicity may now be taken for granted among present generations of social scientists, this understanding has not necessarily filtered down into either the public consciousness or the pragmatic minds of policy-makers. In the overtly political realm, ethnicity still contains concrete implications for power-relations between groups of people. Blum characterises ethnic minorities as

'… groups whose ethnicity has political consequences, resulting either in differential treatment of group members or in political action on behalf of group interests' (2001, p.98).

He goes on to comment on ethnic recognition:

> The symbolic power of recognition is that it acknowledges that the ethnic group exists. But such acknowledgement always produces a corollary. Recognition consists of two linked propositions: you are this; you are not that. The second proposition will threaten identities not covered by the first.
> (ibid, p.101)

According to contemporary anthropology, this need not always be true. It is, however, far closer to the popular understandings of ethnicity that are exemplified in the debate surrounding Gypsy/Travellers.

For some of the Gypsy/Travellers who supported ethnic recognition, there appeared to be an overly optimistic sense that a legal definition would automatically result in an end to discriminatory treatment. On the other hand, other Gypsy/Travellers opposed such a move because they felt that to be a recognised ethnic group suggested foreign origins and that they were not, therefore, Scots at all.

In many cases, both within and outside of the Gypsy/Traveller community itself, ethnic difference has been confused with racial difference. One of the concerns within Gypsy/Traveller community itself has been that ethnicity implies not white. The prejudice which underlies such a concern is apparent, but neither Gypsy/Traveller spokespeople nor their sedentary advocates have fully engaged or sought to challenge it; that racism flourishes even in communities who suffer it so profoundly remains at many levels a taboo subject. It is also the case however, that Gypsy/Travellers' skin colour has in part contributed to the widespread failure of equality campaigners to recognise the extent of the discrimination they suffer. It has been my experience that Gypsy/Travellers are even marginalised within the racial equality arena because they are not a 'visible' minority, or, in other words, because they are white.

Policy statements coming from the Scottish Executive have done little to clarify these sorts of misconceptions. My oral submission to the Equal Opportunities Committee therefore coalesced around a need to clarify the use

of the term and respond to a statement made by the now non-existent Secretary of State's Advisory Committee on Scotland's Travelling People in its ninth and final report:

> Within the Traveller members of the Committee, there is a clear understanding that the confirmation of such status could provide substantial benefits for the community but there is also a fear that it could drive a wedge between the travelling community and the settled community, at a time when we have a wish for Scottish Travellers to *be quintessentially Scottish first and Travellers second*.
>
> (Secretary of State's Advisory Committee on Scotland's Travelling People 2000, p.27; my emphasis).

The assumptions implicit in this statement, that there can be anything quintessential about Scottishness and that Scottishness is somehow undermined by the assertion of other forms of identity, reveal both a profound lack of insight about how identity actually works and an understanding of Scottishness that is narrow-minded to the point of racism. I stressed in my submission that the political recognition of ethnicity would in no way impact upon individuals' understandings of themselves and that the merits of recognition could only lie in an enhanced ability to utilise existing race relations legislation to combat discrimination.

Despite my own attempts, and those of some of my colleagues (see Jordan, in Scottish Parliament 2001b, pp.38-51), to urge caution in the ways in which ethnicity is employed in this case, subsequent Parliamentary debate reveals that misunderstandings remain and continue to dominate political understandings of the issue. The Committee's report came up for debate in the full chamber on the 5th of December, 2001. In the course of the afternoon, the ethnicity question arose and was again challenged on the grounds that Travellers are Scots, and integral to the Scottish historical and cultural landscapes. For example, Conservative MSP Jamie McGrigor, who was a member of the Equal Opportunities Committee at the time of the inquiry and generally supportive of its aims, drew heavily upon images of roots and tradition:

> Many Scottish Travellers can claim origins in a tradition and culture that can be traced back to the nomadic hunter-gatherers of ancient Scotland. That tradition and culture led to strong bonds that built up a deep pride in

> home and country – traditional values that most Scots respect and that form the great strength of our nation>
> (Scottish Parliament 2001c, p.10)

He went on to stress that while he believed Gypsies and Travellers were culturally distinct, they should not be seen as racially different from other Scots: again the confusion of race and ethnicity, this time from a Member of the Scottish Parliament.

Brian Adam, member from the Scottish National Party, used similar imagery to question Recommendation 2: 'I also have considerable reservations about designating Travellers as an ethnic minority. Travellers are Scottish and a traditional part of Scotland' (ibid, p.27). This suggests, of course, that one is less Scottish if one is not seen as a 'traditional' part of Scotland and that minority ethnic groups are therefore less Scottish than other communities. The implications of such suggestions are antithetical to the Scottish Parliament's own rhetorical aim of 'a Scotland for all', but there was no critique of this statement in the subsequent discussion.

The level of debate in the chamber on the 5th of December was disappointing in many ways. Although there was a genuine cross-party concern to ensure that this inquiry does result in some positive practical benefits for Gypsy/Travellers, the course of this debate exposes a fundamental failure on the part of the Scottish Parliament to engage with current theoretical understandings of ethnicity in order to effectively inform policy-making. The debate also highlights the near impossibility of advising policy on an issue such as ethnicity in a manner that is both theoretically sound and politically and socially efficacious for marginalised communities such as Gypsy/Travellers. Questions of social justice, equality and the fight against both popular and institutional discrimination are said to have been prioritised in a Scotland post-devolution and post-Macpherson. Indeed, while there is a common perception that Scotland is inherently less racist than other parts of the UK (Maan 1992), this is not confirmed by more recent research, which suggests that minority ethnic groups in Scotland may indeed experience higher levels of prejudice and racial harassment than their counterparts in England (Netto and Diniz 2001). It is clear, however, that the methods for better promoting equality are as yet uncertain.

The ethnicity debate surrounding the position of Gypsies and Travellers, coupled with the suggestions of current research, reveals a gap between Scottish political rhetoric, which prioritises pluralism and multiculturalism,

and the conceptual understandings which underpin this rhetoric and help to generate informed policy. Until these conceptual understandings adapt, it is arguable that governmental practice toward minority ethnic communities, including Gypsy/Travellers, will remain tokenistic at best. As Arshad argues, the whole political discourse of Scottishness will have to change:

> The journey demands new maps, rewriting the notion of cultural so that all ethnicities, colours, religious groups and traditions are drawn into concepts of 'Scottish'. This change would mean deconstructing the notion of 'white'[or in the context of Gypsy/Travellers, one can read 'sedentary' here], which is often presented as a fixed asocial but 'normal' category. By inference, all other colours that have been denied the privileges of normality/normativity, are marked as marginal and inferior or not perceived to be 'Scottish'.
> (Arshad, 1999, p.220).

RIGHTS AND RESPONSIBILITIES: THE POLITICS OF INCLUSION AND EXCLUSION

It remains difficult to predict the full effect the ethnicity debate and the recommendation itself will have in actually challenging discriminatory treatment. One of the main barriers to the effectiveness of the recommendation, or indeed the full report, is a continued institutional ignorance of Gypsy/Travellers' history and their evolving positions within the broader patchwork of contemporary Scotland. Policy and practice towards nomadic people in Scotland, as elsewhere, has long been influenced by public opinion, and this has been largely characterised by fear and suspicion. Dominant discourse, frequently exemplified in the mass media, treats Gypsies and Travellers as the quintessential 'others', living amidst sedentary populations but maintaining a stubborn commitment to a separate, travelling lifestyle.

Implicit in this discourse is the assumption that this separateness entails a denial of the responsibilities of citizenship. A range of behaviours and activities are cited in evidence for this: the dumping of rubbish at the roadside, the failure to pay tax or insurance, petty crime and vandalism, a perceived de-prioritisation of education. In one case with which I am familiar, a local authority partially justified its refusal to rehouse a Traveller woman, who faced extreme racial harassment by her neighbours, because she had let

her front garden become overgrown and untidy. Visiting the woman, my colleague and I noted that the offending garden was no more of a mess than any in the long row of council houses in the village; the only evidence that this particular house was inhabited by a Traveller was the black spray-painted message 'Tinks out!' on the front wall.

Policy and practice aimed at redressing the crimes and misdemeanours of some members of the Travelling community effectively entails a denial of rights to all. A number of issues surrounding the management of local authority Travellers' sites most explicitly exemplify this denial. A barrier guards the entrance to most local authority sites. While this barrier is high enough for an ordinary car to pass below, it must be lifted for high vans or trailers. It is most frequently the case that the site manager, the council employee responsible for overseeing the management and maintenance of the site, is the only person with a key to the barrier. This means that on weekends and after working hours, residents are effectively locked in and others are locked out, including, in some cases, emergency services who have been known to have to break down the barrier. In only a minority of cases, site tenants have been given their own keys, most frequently after a prolonged battle with the local authority. This matter became a point of some discussion in the Equal Opportunities Inquiry, exemplified by the following conversation between Cathy Peattie, MSP and Brian Kane of the Travellers' Site Managers Association:

> *Cathy Peattie*: Why are the barriers needed?
>
> *Mr. Kane*: The Scottish Office originally recommended the use of barriers. They were intended to provide control on the site. If a site contains accommodation for only eight families, a barrier will be needed to prevent caravans from coming in. Some sites have no barriers and it is possible for there to be 20 caravans trying to fit into an eight-pitch site. There has to be some control.
>
> *Cathy Peattie*: Could not Travellers have some control? I use a swipe card to get into my office. Folk on the High Street do not have swipe cards and cannot get in.
>
> *Mr. Kane*: The issue comes down to cost.
>
> *Cathy Peattie*: I am talking about a plastic card.

> *Mr. Kane*: I know, but the device that you swipe the card through costs a lot more. If a Traveller is given a key, there is every possibility that other Travellers might intimidate him to gain entry to the site.
>
> *Cathy Peattie*: Are you saying that Travellers are not responsible enough to have a key?
>
> *Mr. Kane*: That is not what I said. I said that the Traveller might be intimidated by others who wanted access to the site, whether the site is empty or full.
>
> *Cathy Peattie*: I will leave the issue there.
>
> (Scottish Parliament 2001b, p.108).

Nobody, of course, would consider denying residents of a block of local authority flats the keys to their front door, but this point was not raised in the course of the parliamentary debate.

Equally, in many cases, site residents pay for power using electricity cards which are supplied specially for the site by the power companies and available only from the site manager. Again, this means that residents cannot purchase them when the site manager is unavailable. Other sites have metered power on each pitch. In both instances, power use tends to be charged at industrial rather than residential rates. Site residents and advocates have been engaged in ongoing negotiations with local authorities over this issue for a number of years but thus far have had little success in achieving change, or even justification for the blatantly discriminatory treatment. Past research also reveals that families with local authority site addresses have been turned away from health centres or falsely informed that the local school is full (see McKinney 2001).

It is clear from these examples that the treatment of site residents remains riddled with institutionalised discrimination on the part of some local authorities. Those families who opt not to live on official sites have the choice of privately run sites, which are often prohibitively expensive and of varying quality, or camping unofficially, which has become near to impossible. The final choice, which the majority of Gypsy/Travellers in Scotland have made, is to take settled accommodation for part or all of the year. In many cases, families do this because the difficulties of accessing

education, health care and other services from both sites and camps are simply too great.

Service provision aimed at Gypsy/Travellers has been designed according to a surface-level prioritisation of their health and social well-being. The underlying pressure, however, has for many years been the encouragement of nomadic families to adopt ever-more sedentary lifestyles: an ongoing process of cultural assimilation. In the 1971 report that promoted the establishment of the Secretary of State's Advisory Committee on Scotland's Travelling People, the prevalence of this agenda was explicit:

> A considerable diversity of opinion exists amongst local authority staff about solutions to the traveller problem, reflecting the whole spectrum of attitudes from the one expressed view that children should be forcibly removed from their homes and taught to be like the settled community, to the idea that integration should be a gradual process aiming to maintain those aspects of the travellers' lives which are worth preserving. (Gentleman and Smith 1971)

In the subsequent Advisory Committee reports, it became somewhat more subtle but continued to mark the tone and aim of Scottish Office/Executive policy. Even in 1998, the Advisory Committee was concerned to persuade Gypsy/Travellers that their desires to maintain nomadic lifestyles were largely rooted in nostalgia '… for a past which is now increasingly impractical' (Secretary of State's Advisory on Scotland's Travelling People 1998, p.40). Discriminatory treatment and marginalisation do not cease, however, when families settle. In many cases, housed families experience such extreme harassment from neighbours that they are forced to leave their homes.

It is difficult to know how effective the parliamentary recognition of Gypsy/Travellers as a minority ethnic group will prove in identifying and stopping discriminatory policy and practice. It may help ensure that individual Gypsies or Travellers are entitled to use the race relations legislation in order to fight specific cases of discrimination and racism. It may also motivate local authorities and other service providers to examine their relationships with Gypsy/Travellers and adapt their work to be more inclusive of them without the assimilationist tendencies. For example, there are indications that some local authorities, though by no means all, are in the process of drafting policies for the sensitive management of unauthorised

camping. Finally, it may help to raise public levels of awareness of Gypsy/Travellers within Scotland generally.

On the other hand, the recommendation is also potentially problematic for Gypsies and other Travellers. Most obviously, the Equal Opportunities Committee's report contains no discussion of who, exactly, is covered by the recommendation. The inquiry looked specifically at the experiences of Gypsies and other 'traditional' Scots Travelling people. It did not include Show Folk and other Occupational Travellers, nor did it include New Travellers. And yet, these groups share the experiences of discrimination and marginalisation with Gypsy/Travellers (Jordan 2001) and, as we have already discussed, the boundaries are never clear-cut. There has been no discussion about whether members of these groups should be consulted on their own positions vis-à-vis the recognition of ethnicity.

There is also the potential for this recommendation to create a public impression that Gypsy/Travellers have been granted 'special rights' because they are a legally recognised minority ethnic community. For example, one frequently encounters the belief, even among workers in the anti-discrimination arena, that Gypsy/Travellers reside on local authority sites rent-free. In fact rent on Scottish local authority sites averages roughly £5 a week more than that for other council accommodation. In return, residents receive a gravel or concrete pitch on which to place their own trailers, and a basic 'amenity block' containing a toilet and shower. I disagree with the former Secretary of State's Advisory Committee that ethnic recognition will drive a wedge between Gypsy/Travellers and others, largely because that wedge is already there and it is a substantial one. It is, however, possible that the perceived granting of 'special rights' will cause some members of the public to begrudge Gypsy/Travellers the services they do receive, and to which they are entitled as citizens.

THE WAY FORWARD: RE-DEFINING SCOTTISHNESS

Where do Gypsy/Travellers proceed from here? Or rather, where does Scotland proceed from here in its effort to actually become the inclusive society it aspires to be? While Gypsy/Travellers are fully entitled to describe themselves as an ethnic group if they so wish, it seems clear that the official recognition of their ethnicity offers only a partial and temporary solution to the difficulties they face. As a weapon to be used in the fight against racism it may be somewhat instrumental, although evidence from the Republic of

Ireland, where specific mention of the Traveller community was made in anti-discrimination legislation as far back as 1989, suggests this should not be taken for granted (Helleiner 2000).

The political discourses about Scottishness in the years surrounding devolution have been dominated by words such as 'inclusion' and 'openness'. Devolution itself was widely hailed as a 'New Dawn' for Scotland and, as Paterson (2000) has pointed out there was an almost utopian optimism about the impending changes. It was also a time in which many people were actively thinking about what it meant to be Scottish (McKinney 1999). As Andrew Neil, editor of **The Scotsman**, wrote on the morning of the devolution referendum: 'Is Scotland complete, alive and prepared for what the new millennium brings, or is it merely the name for an episode in history that has almost passed? We know who we have been. Who, and what, do we now choose to become?' (**The Scotsman** 1997). 'Who are we?' was a question never far from the lips of politicians, artists, musicians, journalists, and academics concerned with the experiences and conditions of being Scottish at the end of the twentieth century.

Yet, this question was almost entirely posed in the context of Scotland's relationships with England, the UK or, occasionally, Europe. When the question was directed toward Scotland's internal makeup, it focused nearly entirely on those divisions which are so familiar that they have almost come to characterise the essence of Scotland themselves: Highland/Lowland, East/West, Nationalist/Unionist, Protestant/Catholic. While it is not difficult to reconcile these differences with an over-arching sense of Scottishness, the issue for some reason becomes thornier when race and ethnicity enter the equation. McCrone and Kiely ask, for example, 'Can black people be English, or do they think of themselves primarily as British, given that they are citizens of the state'(2000, p.20). The question is equally relevant to Scotland, but I suggest it should be rephrased because surely the ability to consider oneself English or Scottish lies with the individual. Perhaps it is more accurate to ask whether the white and/or sedentary majority can fully accept the black and/or nomadic minorities as English, or Scottish.

As McCrone and Kiely (ibid) rightly point out, we inhabit a world in which ethnic and civic identities are increasingly disaligned. Difference characterises any population, and, despite many predictions to the contrary, it appears to be increasingly relevant to many of us in the ways in which we construct our own senses of identity. Yet when it comes to physically

grasping difference in order to make sense of it, or to legislate for it, it falls through our fingers like sand. This is the paradox which confronts the future relationship between Gypsy/Travellers and the state. Current Scottish Executive discourse with respect to equal opportunities is dominated by the notion of 'mainstreaming', which aims to build ethnic, racial and other aspects of equality into policy from the onset rather than tacking reference to them on as an afterthought. However, 'mainstreaming' is open to interpretation by the full range of service providers; the fear at least among many Gypsy/Travellers is that some local authorities will direct their efforts toward mainstreaming people rather than equal opportunities and that this will result in the reduction of specialist services such as site provision. 'Mainstreaming' can suggest that ethnic difference lies outwith the norm, and that lifestyles arising out of ethnic difference are fundamentally problematic for the provision of services. Because of the particular demands their nomadic lifestyle places on the state, Gypsy/Travellers are perhaps the ultimate test of the efficacy and flexibility of public policy, both in Scotland and across Europe.

Perhaps it is the concept of citizenship that offers some signposts for the future of this debate (see also Hawes and Perez 1996). While the Scottish Parliament has no legal jurisdiction over the rights entitled by citizenship within the United Kingdom, it should have scope to ensure that Scots can access these rights in groundbreaking ways. Instead of pursuing an equal opportunities agenda which, consciously or not, adopts the language of assimilationism, the devolved Scottish government must lead by example in designing policies which guarantee the rights of citizenship, including accommodation, health care, education and political enfranchisement, regardless of ethnic difference.

The new parliament was established in order to help re-define Scotland, both in its changing relationship with the rest of the UK and, perhaps more critically, in its ways of knowing and understanding itself. The fight against discrimination is central to this task. Such a fight must not focus solely upon the protection of those specific groups who have been identified as 'ethnic' but should broaden into a new vision of Scottishness, in which difference is taken for granted. It is admirable that the Scottish Parliament has sought to tackle such a project so early in its existence. The question remains, however: does Holyrood have enough imagination to realise this lofty aim in practice towards its most excluded citizens? We conclude, then, with this question still open and with a challenge posed by Zygmunt Bauman:

> There seems to be little point in designating alternative modes of togetherness, in stretching the imagination to visualise a society better serving the cause of freedom and security, in drawing blueprints of socially administered justice, if a collective agency capable of making the words flesh is nowhere in sight.
> (2001, p.127).

REFERENCES

Arshad, R. (1999). Racial inclusion and the struggle for justice. In G. Hassan & C. Warhurst, eds. **A different future: a moderniser's guide to Scotland**. Edinburgh and Glasgow: Centre for Scottish Public Affairs & The Big Issue, 218-228.

Barth, F, ed. (1969). **Ethnic groups and boundaries: the social organisation of difference**. Oslo: Universitetsforlaget.

Bauman, Z. (2001). Identity in the globalising world. **Social anthropology** 9(2), 121-129.

Blum, A. (2001). Recognition as protection/ recognition as threat: understanding the link between minority rights and ethnic hostility. **Nationalism and ethnic politics** 7(2), 95-124.

Gentleman, H. & S. Swift. (1971). **Scotland's Travelling people: problems and solutions**. Edinburgh: HMSO.

Hancock, I. (2000). The emergence of Romani as a koïné outside of India. **Scholarship and the Gypsy struggle**. 2000, ed. T. Acton. Hatfield: University of Hertfordshire Press.

Hawes, D. & B. Perez. (1996). **The Gypsy and the state: the ethnic cleansing of British society**. Bristol: The Policy Press.

Helleiner, J. (2000). **Irish Travellers: racism and the politics of culture**. Toronto: University Press.

Jenkins, R. (1999). **Rethinking ethnicity: arguments and explorations**. London: Sage.

Jordan, E. (2001). Travellers in Scotland: today and tomorrow. Scottish Parliament 2001b. **Equal opportunities committee 1st report: inquiry into Gypsy Travellers and public sector polices volume 2**. Edinburgh: Scottish Parliament.

Kenrick, D. & C. Clark. (2000). **Moving on: the Gypsies and Travellers of Britain**. Hatfield: University of Hertfordshire Press.

McCrone, D. & R. Keily. (2000). Nationalism and citizenship. **Sociology** 34(1), 19-34.

McKinney, R. (2001). **Different lessons: Scottish Gypsy/Travellers and the future of education**. Edinburgh: Scottish Travellers Consortium.

McKinney, R. (1999). **Old tunes for new times: contemporary Scottish nationalism and the folk music revival**. Edinburgh University: Unpublished PhD thesis.

MacRitchie, D. (1894). **Scottish Gypsies under the Stewarts**. Edinburgh: David Douglas.

Maan, B. (1992). **The new Scots: the story of Asians in Scotland**. Edinburgh: John Donald Publishers.

Neil, A. (1997). Editor's column. **The Scotsman**. 11 September 1997.

Netto, G. & A. Diniz. (2001). Researching 'race', racism and anti-racism: the development of an ethical code. **Multicultural teaching** 20(1), 15-19.

Okely, J. (1983). **The Traveller-Gypsies**. Cambridge: University Press.

Paterson, L. (2000). Scottish democracy and Scottish utopias: the first year of the Scottish Parliament. **Scottish Affairs** 33, 45-61.

Scottish Parliament. (2001a). **Equal opportunities committee 1st report: inquiry into Gypsy Travellers and public sector policies volume 1**. Edinburgh: Scottish Parliament.

Scottish Parliament. (2001b). **Equal opportunities committee 1st report: inquiry into Gypsy Travellers and public sector polices volume 2**. Edinburgh: Scottish Parliament.

Scottish Parliament. (2001c). **Official report**. 5 December, 2001.

Secretary of State's Advisory Committee on Scotland's Travelling People. (2000). **Ninth term report**. Edinburgh: The Scottish Executive.

Secretary of State's Advisory Committee on Scotland's Travelling People. (1998). **Eighth term report**. Edinburgh: The Scottish Executive.

Turner, R. (2000). Gypsies and British Parliamentary language. Unpublished conference paper. Cited with permission.

March 2002