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Not In My Back Yard: Control of Irish Travellers by Paramilitaries and Vigilantes across the Island of Ireland

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This article concerns control of Irish Travellers by paramilitaries and vigilantes. The essay is influenced by Becker's (1963) work on deviance. Inspired by Elias and Scotson's (1965) theories on the established and the outsiders, it is also underscored by the views of Lianos & Douglas (2000) on dangerisation. Across the island of Ireland the accommodation needs of Irish Travellers have been largely overlooked by both governments. Amidst a wholesale failure to provide adequate accommodation, including transient sites which would permit nomadic Irish Travellers to continue to be so, harsh anti-trespass laws have recently been sanctioned. However, despite these recent anti-trespass laws and no doubt due to the failure to provide accommodation, across the island illegal encampments remain common. Thus, a failure of the public system is evident (Johnston, 1993). As such, this article demonstrates how, in turn, this failure may encourage vigilantes to adopt self-help private violence as moral action (Weisberg, 1995) against 'deviant' Travellers, whilst self-justifying their actions in comparison to the violence exhibited by, and, that inherent to, state sanctioned law (Sarat & Kearns, 1995).

Key Words: Law's violence. Irish Travellers. Paramilitaries. Vigilantes. Deviance. Gypsies.

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A note on the Methodology

During interviews for my research on Irish Travellers and criminal justice agencies across the island of Ireland (Drummond, 2008) some participants in Northern Ireland¹ began to discuss the influence of paramilitaries and vigilantes on the community. However, the majority of the quotes used in the findings below were not presented within my PhD. My task there was to focus solely on the criminal justice systems. Nevertheless, having personally transcribed and analysed the data, not only did I come to '...know [my]... interviews better' (Seidman, 1998, p. 95), I also became intrigued by what the data had to say on the relationships between paramilitaries, vigilantes and Travellers.

The fieldwork was carried out from May 2004 – July 2006. In order to reach out to this community snowball sampling was employed, aided no doubt by my prior experiences as a

research assistant on the Room to Roam Project (concerning Gypsies and Travellers) in England (Power, 2003). Forty five semi-structured interviews (and 2 focus groups) were held across the island. Twenty five of those were with male and female Irish Travellers aged from 18 – 65 years old. The remainder consisted of Traveller support agency workers, police, a magistrate (in Northern Ireland), and, probation officers in both parts of the island. Here though, the experiences of only *four* Travellers are used alongside the views of police officers, probation officers and agency workers. Although this raises concerns as to generalizability it would have been unethical to engage Travellers in discussion on issues other than the aims stated at the outset of the interviews: to ascertain Travellers' perceptions of and experiences with the criminal justice systems. Nevertheless, as purposive sampling was employed to choose participants known to be valuable sources of knowledge on the Traveller community, I believe this lends reliability and validity to the findings discussed below.

Field notes were taken and a diary was written up after every interview or series of interviews (Flick, 2002). In addition to memory, field notes and a diary were critical in what has been referred to as an iterative inductive process, being '...a repetitive interplay between the collection and analysis of the data' (Bryman, 2004, p. 399). Nevertheless, bearing in mind contention as to whether or not the text remains '...faithful to ...the individuals it is supposed to represent.' (Flick, 2002, p. 245), this research cannot stake claims to being representative of Irish Travellers. The findings that ensue should be considered only as a tentative generalisation on the situation of Travellers with paramilitaries and vigilantes. Even so, I am confident that the methods used underscore what Golafshani (2003, p. 601) refers to as the 'credibility' (if not 'confirmability') of qualitative research. Indeed, I believe the findings may be considered credible on three counts: the use of purposive sampling techniques, the fact that interviewees had nothing to gain from being

so candid, and, the largely negative situation pertaining to legal and policy responses towards Travellers which is outlined in detail below.

Introduction

The international success of Firecracker Production's 'My Big Fat Gypsy Wedding' series (Ch4, 2010) gave the world an impression of who Irish Travellers are. However, in 2012 promotional billboards proclaimed a second series as being even 'Bigger. Fatter. Gypsier' than the first. Following complaints (Burrell, 2012) the Advertising Standards Authority considered the billboards could ignite prejudice against the community (Deen, 2012) thereby underscoring the *raison d'être* of this article.

In order to set the context for the research findings, in the first instance the differences in the legal status of Irish Travellers across the island of Ireland are set out. Next, reasons for the growth of vigilante activity are discussed. The meaning of law's violence (Sarat & Kearns, 1995) is then explained before discussion turns to what I believe are three major aspects influencing control of Irish Travellers by paramilitaries and vigilantes. Thereafter, the issue of Travellers commonly being perceived to be dangerous and deviant within the public mindset is debated. This is followed by the main research findings demonstrating both the negative and positive aspects of informal control.

This research took place as Northern Ireland transitioned from a state of conflict (The Troubles) to relative peace, commencing 5 years after The Good Friday Agreement 1998 (GFA). Under the GFA 1998, the Irish Government committed itself to introduce human rights protection that would be equal across both jurisdictions. As stated by the Taoiseach² himself, in a speech at an Amnesty International conference:

The Good Friday Agreement, which offers so much hope to everyone on this island, represents a major advance in the protection of human rights throughout Ireland. Human rights apply to *all* people of this island....The Irish Government is committed to taking steps to further strengthen the protection of human rights...[added emphasis] (Taoiseach, 1998).³

Later, [T]he Equality Commission for Northern Ireland (2002: 6) stated that the GFA ‘...and other recent policy changes may bring about benefits for the Traveller population’. Nevertheless, despite the hope inspired by the GFA 1998, the human rights of Irish Travellers are *not* protected equally across the island. Between the two jurisdictions disparities are apparent in the legal status of Irish Travellers and policy can be especially weak concerning accommodation (Drummond, 2008).

Irish Travellers are free to travel and/or reside within both jurisdictions of the island of Ireland. Yet, in general, public opposition to the settlement (whether in houses or on sites) and the nomadism of Irish Travellers across Ireland remains vehement (The Irish Independent, 2004; Wallace, 2005). Without sufficient accommodation provision nomadic Irish Travellers appear to be deviating from what Becker (1963; 2005: pp. 240 -242) would describe as ‘...the mean or average’ (the largely housed majority) their encampments ‘...sticking out like tall stalks of corn’ (*ibid*, 241). This situation may act as a catalyst for vigilantism as Irish Travellers are left more vulnerable to control by informal measures.

Legal Recognition of Irish Travellers

In Northern Ireland Irish Travellers are protected from discrimination on racial grounds. Within Article 5 (2) of the Race Relations (Northern Ireland) Order 1997, Irish Travellers are defined as:

‘...the community of people commonly so called who are identified (both by themselves and by others) as people with a shared history, culture and traditions including, historically, a nomadic way of life on the island of Ireland.’ Similarly, within the Equality Act 1998 in the Republic of Ireland, the Traveller community are defined as: ‘...the community of people who are commonly called Travellers and who are identified (both by themselves and others) as people with a shared history, culture and traditions, including historically, a nomadic way of life on the island of Ireland.’ Assumptions may be made that as Travellers are similarly defined within both jurisdictions they are fully protected from race discrimination across the island of Ireland. This is *not* the case. Although a subsequent law, the Equal Status Act 2000, also recognised Travellers as defined within the Equality Act 1998, and, outlawed discrimination in access to services and goods on grounds of belonging to the ‘Traveller Community’, the Irish Government steadfastly refute any notion that Travellers be recognised as a racial or ethnic group (Drummond, 2008: pp. 117 – 125) even though they are recognised as such within Northern Ireland’s equality and human rights legislation. Indeed, the Minister for Justice McDowell affirmed that Travellers ‘... do not constitute a distinct group from the population as a whole in terms of race, colour, descent or national or ethnic origin’ (cited by Holland, 2003, p. 4). Later, in answer to criticism by Traveller support groups, on 11th March 2004 the Minister reaffirmed that:

In the course of drafting the [Committee on the Elimination of Racial Discrimination] report the question of whether to include Travellers arose. Travellers do not appear to fall within the definition of racial discrimination adopted by the convention in that they do not appear to constitute a distinct group from the population as a whole in terms of race, colour, descent or national or ethnic origin (JCFASHR, 2004, p. 3).

As such, within the Republic of Ireland it remains the case that Irish Travellers are not protected from racial discrimination in access to accommodation under the terms of the EU Race Directive

2000 (NCCRI, 2004).⁴ Subsequently (and to no avail) the National Consultative Committee on Racism and Interculturalism (NCCRI, 2004, p. 2) criticised the official denial of Traveller ethnicity claiming that:

This position is out of step with most respected legal and academic opinion in recent years, which clearly would support the position that Irish Travellers are an ethnic group.

A major reason for the inequality suffered by Travellers in the Republic may be due to reliance on the Irish Constitution. Underlining the precedence that the Irish Constitution would be given over and above human rights legislation (the European Convention on Human Rights Act 2003) that would soon be ‘incorporated’ within Irish law, Minister for Justice (McDowell, 2003, p. 2) stated that:

...the Convention was never intended to have effect as a shadow constitution for any member State of the Council of Europe; nor was it designed to be incorporated as a Constitution in the member States. Giving the Convention the ‘force of law’ would have attempted that precise result and it would mean a continual, rolling and uncertain amendment of every law in the State depending upon the interpretation of the Irish courts at any given point.

Furthermore McDowell (*ibid*: 2) warned that:

...it is simply not possible for the legislature to mandate or authorise an Irish court in the future to disregard the clear meaning of an Irish law by reference to a prior instruction to disregard anything which happens to be inconsistent with developing and changing Strasbourg jurisprudence.

In contrast, Northern Ireland (and the rest of the United Kingdom) does not have a written Constitution. Thus, the Human Rights Act 1998 (offering protection to Travellers, and recognising them as a racial group) guides law and policy.

Underlining lack of protection from discrimination on racial grounds in the Republic the Housing (Miscellaneous Provisions) Act 2002, has frequently been used to evict Travellers from illegal encampments with less than 24 hours notice. Given that the EU Race Directive 2000 bans race discrimination in access to accommodation on grounds of race/ethnicity, if Irish Travellers were recognised as an ethnic/racial group in the Republic, there would be a greater onus on the Irish state to facilitate a nomadic way of life, and, provide sites for Travellers that do not wish to be nomadic. Nevertheless, the refusal to recognise Travellers as a racial group within the Republic, and subsequently, the failure to provide accommodation as required by the principles set out within the EU Race Directive, could provoke vigilantism against Irish Travellers on unauthorised encampments as they remain visible. Although Irish Travellers are protected as a racial group in Northern Ireland, likewise, lack of adequate and appropriate accommodation there could provoke vigilante attacks on this community as they remain high profile, stigmatised as outsiders.

In discussion of the power and control exerted by one group over another Elias & Scotson proposed that: '[O]ne group can effectively stigmatise another only as long as it is well established in positions of power from which the stigmatized group is excluded' (Elias & Scotson, 1965 pp. xx-xxi). Thereafter, the status of the stigmatised group is reinforced as being of 'lower human value' (Elias & Scotson, pp. 1965: xx-xxi) to the socially 'superior' power of the established group. The superior power of the established majority, which paramilitaries and vigilantes share, is in most cases not available to Travellers. In general, many Irish Travellers do not possess access to '...the resources other people have, resources which are in short supply and therefore cannot be had by all,

not in sufficient measure' (Bauman, 2005, p. 26). One example is the capacity for political power and influence over public and government opinion. Travellers without permanent addresses cannot vote, and access to benefits is often delayed or denied (ICESCR, 1999). Also, in light of public opposition to nomadism (Wallace, 2005) it should not be forgotten that Travellers' rights are not 'vote' winners for political parties. Thus, Travellers appear to be excluded from power and vulnerable to the effects of what Weisberg (1995) deems to be self-help private violence as moral action.

Self-Help versus (failed) Justice

Weisberg (1995) believes that the perpetrators of self-help private violence as moral action are responding to the perception (or the reality) that the state has failed to uphold social stability: being the very precept upon which state sanctioned justice is based. Johnston (1993) is equally vociferous arguing that:

For some commentators, taking the law into one's own hands can never be justified, since it tries to replace public standards of justice with private and informal ones. Yet, for others, it is the apparent breakdown of the public system – its failure to provide effective and equitable policing for all sections of the community and its inability to deliver 'just' judgements through the courts – which has, itself, precipitated the growth of vigilante activity (Johnston, 1993, p. 1).

For many Travellers the public system appears broken, exemplified in the failure to provide accommodation, and, effective and equitable policing and just judgements for them through the

courts (Mulcahy, 2005; Mulcahy & O'Mahony, 2005; Drummond, 2008). In other instances, the same case can be claimed for non-Travellers with regards to state-sanctioned justice (Feenan, 2002; Naughton, 2005). However, in taking action against Travellers, vigilantes and paramilitaries may well be influenced by the vengefulness apparent to state sanctioned law.

Law's Violence

Sarat & Kearns (1995) perceive state sanctioned justice as quintessentially violent. Within this scenario Weisberg (1995) proposes that private violence is inspired by the frequently violent and vengeful qualities inherent to formal justice. Thus, vigilantes can esteem their 'moral actions' as just and equitable relative to the 'morality' exhibited by the state. Moreover, it has been claimed by Wald (1995) that the death sentence (no longer used in the UK) typifies law's violence in its most extreme guise, acting as inspiration for those who engage in private violence as moral action/retribution. Even so, a range of authors with practitioner experience of criminal justice systems have proposed that the 'violence' innate to law need not be perceived as being so brutal in the literal sense of the word (Sarat & Kearns, 1995).

The violence of law is demonstrated by other means, for example, when a defendant loses their freedom, property, and, access to their children (Sarat & Kearns, 1995, p. 216). For Irish Travellers anti-trespass legislation exemplifies the harms of law in action. This is especially true when (under the Housing Miscellaneous Provisions 2002 Act) the vehicles of Travellers are impounded and their families are placed in emergency accommodation resulting in extended family groups being dispersed (Deegan, 2003; Drummond 2007). Of utmost importance to my hypothesis though, it has been stated that law '...is a form of blaming' and within that jurisprudence '...in assigning blame,

we reaffirm our moral values' (Weisberg, 1995, p. 194). Thus, those who blame Travellers for unauthorised encampments may feel 'morally' inspired and emboldened to move them on.

Human rights and equality legislation should place limitations on law's violence. Yet, with regards to the welfare of Travellers, restrictions have been placed on it only in Northern Ireland. An example of one of these limitations, especially concerning evictions of nomadic Travellers in Northern Ireland, is contained within Section 75 of the Northern Ireland Act 1998, requiring: '...public authorities to have due regard to the need to promote equality of opportunity between persons...' on a range of grounds including those of race. Consequently, the Police Service of Northern Ireland expressed concerns that when attempting to control illegal encampments via use of the Unauthorised Encampments (Northern Ireland) Order 2005 they would breach Section 75 and the Human Rights Act 1998 (as well as Article 5 (2) of the Race Relations Northern Ireland Order 1997). The breach would be underlined by a lack of adequate transient site provision meaning that the PSNI have nowhere else to direct Travellers to. As a Traveller Support Manager exclaimed 'We have no authorised transient sites in the whole of Northern Ireland so anywhere that a nomadic group goes they are encamped illegally'. The hopelessness of the situation leaves Travellers exposed and vulnerable to private violence.

Due perhaps in part to the commodification of land, and, lack of sites, illegal encampments are often high profile, in car parks in towns and cities, and occasionally, as oft reported by the press, on busy industrial estates (Belfast Telegraph, 2004; UTV, 2005; BBC News, 2005). Unfortunately for Travellers though, it may be the case that: '...the press...increases the ignorance and the prejudices of the crowd; in a word, it poisons public opinion' (Bonger; 2005, p. 59). Following the spate of high profile encampments outlined above, indicative of the wider policing of the

Traveller community by the media (Richardson, 2007) and lending credibility to Bonger's (2005) views, a Traveller in Northern Ireland commented that:

...the media can actually increase levels of intolerance towards Travellers...last night, the early hours of this morning there was a house petrol bombed and we think it's connected to the Travellers who have moved around the industrial estates, they have the same name [as the Travellers named in local press reports on illegal encampments].

The widespread intolerance of Travellers is underlined by data. In 2000, 40% of the people of Northern Ireland believed a Traveller lifestyle to be 'invalid' and that it should not enjoy the support of Government. Moreover, 57 per cent were unwilling to accept Travellers within their neighbourhood (Connolly and Keenan, 2000). Later in 2006 attitudes had improved slightly as 41% of those participating in a survey '...indicated that they would mind having a Traveller as a neighbour' (Equality Commission for Northern Ireland, 2006, B, P. 38). In the Republic Brown (2004, p. 5) found that 'Travellers and asylum seekers are the minorities viewed most negatively by the majority population'. In fact Brown (2004, p. 1) found that attitudes towards Gypsies and Travellers are '[m]ore instinctive, more deeply ingrained and less subject to correction by liberal sensitivity'.

In addition to widespread animosity towards Travellers across the island (Hogan, 2005; Shiel, 2005) as outlined earlier, the legal situation for them within the Republic appears harsher than in Northern Ireland. The Equal Status Act 2000 offered protection to Travellers when accessing services and goods (including accommodation), yet, the Housing (Miscellaneous Provisions) Act 2002 has been used frequently to evict Travellers from illegal encampments with less than 24 hours

notice. Although Travellers had no legal stopping places to resort to, on many occasions they were evicted or their vehicles were impounded rendering them immobile. However, despite the Housing (Miscellaneous Provisions) Act 2002 being used to evict Travellers, illegal encampments continue across the Republic. Thus, (across the island) control of Travellers by vigilantes may be viewed as a more attractive proposition (by vigilantes) than reliance on state sanctioned justice.

It is apparent that dichotomies arise for the state with regard to maintaining social stability and balance of the public system versus the demands of/implications imposed by, equality and human rights legislation. Law dictates that discipline is achieved within society directly by means of legislation, law being the premise that order is based upon. Yet, both equality and human rights legislation pose a challenge to law's violence and this challenge contains the potential to benefit the (often oppressed) outsider. Conversely though, the established can perceive that certain minorities don't deserve rights (Slack, 2005). This situation creates a conundrum for the state's ability to achieve equality for all, as both the outsiders and the established (Elias & Scotson, 1965) perceive that the public system has failed on both counts, to provide effective and equitable policing for all sections of the community, and to deliver just judgements through the courts (Johnston, 1993, p. 1).

Travellers: 'Tall Stalks of Corn'?

My research identified three major aspects that may be considered to underpin self-help private violence taken by paramilitaries and vigilantes against Irish Travellers. One facet already mentioned is that on the island, despite the existence of laws that should, in the public imagination at least, curtail illegal encampments, nomadic groups of Travellers remain visible. I believe this to be a key issue by which the seeds of self-help private violence as moral action are sown. Quite simply, highly visible illegal encampments of Travellers embolden public perceptions that the law is ineffectual

with regards solving the 'problem' of 'illegal' behaviour by nomadic Travellers. Even so, Vanderbeck (2003) has observed that, although '[T]he mobility of Travellers has long been constructed as a social problem; now their settlement is also being constructed as problematic' (Vanderbeck, 2003, p. 369). This observation indicates that nomadism is *not* the sole reason for self-help private violence taken by vigilantes against Irish Travellers. Other circumstances need to be considered such as the second aspect: media coverage of Travellers' alleged or actual involvement in crime.

My research revealed that largely, agencies do not collate statistics concerning the involvement of Irish Travellers in criminal cases. Nevertheless, anti-trespass laws officially criminalize nomadic Traveller culture, and, by association, whether nomadic or not, those identifying as Irish Travellers are also stereotyped as criminal. As indicated in the Traveller's comments above, the media inflate this issue, more often than not naming and shaming Irish Travellers in instances related to actual or alleged crime (Farrell, 2004; Greenhill, 2004; Hogan, 2005; Drummond, 2006; Drummond 2012).

The third aspect that may encourage self-help private violence is comprised of four essential issues placing the socio-economic situation of many Irish Travellers into perspective. The first relates to the work ethic (Bauman, 2005) and Irish Traveller culture. The second concerns the decline of the 'Traveller Economy' (McVeigh, 1998; DEL, 2000).⁵ The third consists of the high unemployment of Travellers, leading to the fourth issue: their steady reliance on welfare benefits (Helleiner, 2003). In relation to unemployment, Bauman (2005) believes that existent issues of dependency encourage the public to form the perception that workless individuals are not only unemployed but unemployable, and, consequently, redundant. In turn, Bauman (2005) has commented that: "...redundancy' indicates that the redundant: are 'superfluous, supernumerary,

un-needed...’ (Bauman, 2005, p. 69) and, that this situation encourages the redundant to be considered by the majority as an underclass that society would be better off without (2005, p. 72).

In discussion on the ‘work ethic commandment’ (and reliance on welfare) Bauman (2005, p. 5) believes there are ‘no “free lunches”, it is always *quid pro quo*, “tit for tat”; you need to give first, in order to be given later’ and that ‘...working is a value in its own right, a noble and ennobling activity (*ibid*: 5).’ However, the problem that many Travellers have in fitting in with the work ethic commandment is that many non-Travellers will not let them adopt it. Recently, a case concerning Travellers working in the sedentary economy in Northern Ireland proved that racism against Travellers in the work-place is now being taken seriously by the Equality Commission for Northern Ireland.⁶ Ultimately, in the case of claimants Martin McDonagh and Patrick Stokes against the respondent Event 22 Limited, the ECNI (2006) found that:

The unanimous decision of the tribunal is that each of the claimants was discriminated against by the respondent on the ground of their race. Each claimant is awarded £10,000 to include an award of aggravated damages in each case. In addition, interest of £2,800 is awarded to each claimant.

As mentioned earlier, surveys by Connolly and Keenan (2000) on Northern Ireland, and, Brown (2004) on the Republic of Ireland indicated the prevalence of racism against Travellers in the work-place. The National Consultative Committee on Racism and Interculturalism⁷ also claims that ‘Traveller participation in the mainstream labour force is very low’ and attributes this to a number of factors including ‘discrimination’.

Before presenting the main research findings, other ways in which the mobility and settlement of Travellers may be constructed as a social problem, and the means by which the informal control

of them appears to be sustained, begs analysis (Vanderbeck, 2003, p. 369). This is linked to theories of danger and deviance.

Establishing Travellers as Dangerous and Deviant

According to Lianos & Douglas (2000) the concept of 'dangerisation' relates to the fact that every society establishes certain actions as deviant according to its socially regulated norms. Many of these norms are affirmed within state legislation. Anti-trespass laws provide an example, 'legitimately' encouraging the labelling of nomadic people and their associates as deviant. Despite this observation, behaviour does not necessarily have to be illegal to be regarded as 'deviant,' all that is required is a 'perceived probability' (Lianos & Douglas, 2000, p. 104) of deviance by members of the established group attributable to those considered as 'outsiders' (Elias & Scotson, 1965). Although it has been acknowledged that many of those considered to be deviants are known to suffer social deprivation, they are also subjected to containment (Scruton, 1977; Lianos & Douglas, 2000, p. 104) and this is because in a post- industrial, post 9/11 zero-tolerant society obsessed with security on a personal, national and international level, deviants are perceived to present as: dangerous, suspicious, aggressive or 'dodgy' (Lianos & Douglas, 2000, p. 104).

Lack of articulacy, lack of literacy, use of colloquialisms and different language; surnames, types of vehicles owned, dress and appearance such as large earrings and long hair (for women), large families and (in Northern Ireland) southern accents and southern vehicle registrations, all act as clues identifying Irish Travellers as outsiders. Perhaps more significantly, in the age of post-industrial security and the NIMBY effect, oil-stained driveways, graffiti and litter in neighbourhoods no longer signify lack of education and the erosion of local community bonds; instead, the

signification is: ‘non-managed – therefore dangerous – and lawless territories’ (ibid). By virtue of often residing on un-kempt sites, many Travellers would easily fit this lawless profile.

Categories of race, age, gender and poverty have also been recast in the mould of dangerousness (Lianos & Douglas, 2000, p. 118). Due to the impact of wider structural inequalities many Irish Travellers would fit this emergent ideology. Even so, female Irish Travellers may be especially susceptible to being labelled as dangerous. The strongly patriarchal nature of their culture forces them into the public domain more often than males, placing them at higher risk of identification. Indeed, within my interviews many female Travellers reported being under intense surveillance by security guards whilst shopping and one even reported being asked to provide receipts for groceries when stopped and searched by police on their way home. When operationalised by the established group, the process of dangerisation ensures the continued labelling of Travellers as dangerous and deviant. Hence, Travellers can remain in an extremely subordinated position.

In addition to ordinarily labelling Travellers as dangerous and deviant I believe that the three major aspects mentioned above: the persistence of illegal encampments and official criminalisation of Traveller culture; media stereotyping of Travellers as criminal, and, the socio-economic circumstances of Travellers, in combination with equality legislation offering protection to them has created an explosive societal cocktail emboldening the actions of those who would use self-help private violence as ‘moral action’ against them. Accordingly, the findings presented below underline the power of established groups such as paramilitaries and vigilantes in contrast to that of Travellers as outsiders.

The Findings

The discipline meted out by Republican paramilitaries (a group fiercely in favour of a united Ireland) to Travellers can be in response to anti-social behaviour, as the following quote of an interview with an ex Traveller support worker exemplifies:

I know that when I worked with Travellers you had on one hand a certain respect for say the Republican Movement and on the other hand an abject fear of the Republican Movement. I worked with one family in particular who I saw had a great deal of social problems themselves. They needed a great deal of support and the children had behaviour problems. There was an issue of drugs with one of the younger sons and in the end, after really annoying a lot of the local people [in a city in Northern Ireland] and hitting a priest and all those horrific things that happened that shocked the community, the IRA actually gave the family seven days to leave. The behaviour of this one family meant that they had skirted very close on so many occasions and were lead directly into the path of the local IRA, local paramilitaries. That's why I think that so many Travellers try to do this balancing act with paramilitaries. You know we will not annoy you if you don't annoy us.

In this sense and in general, Republicans do not appear to differentiate between the behaviour of anti-social Travellers and anti-social non-Travellers. The circumstances related to reasons for expulsion or punishment beatings (Feenan, 2002) are similar. However, given that lack of accommodation (including lack of transient sites) for Travellers is a key issue impacting upon opportunities for their social inclusion, the actions of Republicans (and vigilantes in general) are cause for concern. The following quote from an interview with a Traveller support worker

exemplifies this situation in Northern Ireland, although it remains unclear whether paramilitaries or public vigilantes were acting here:

I know quite a few families ...and the Housing Executive have allocated houses to them and the local community would have found out the day before they were to move in....the Housing Executive, they now don't tell anyone when a Traveller family is moving in because what happened was the local community came in and, I am not sure who it was, I am assuming it was people who are strong enough to break sinks...turn the electricity off...flood from the hot tank and completely destroy the house so there was no way anybody was going to move into it the next day. Unfortunately Travellers are well used to that and it's very frightening.

Although it is unclear who vandalised the property intended for Travellers the experiences of them being forced to move on (Cox, 2004) by Republican paramilitaries were supported in an interview with probation officers from the Probation Board for Northern Ireland (PBNI). One officer stated that: 'Settled Travellers, certainly last year and the year before, the ones who settled in...[an area in Northern Ireland] experienced issues with paramilitaries which caused some of them to have to leave that area very quickly.' Although it remains indistinct as to why Travellers were moved on by Republican paramilitaries, as the following section shows, the majority of Travellers would probably be disinclined to report their expulsion to police.

No Collusion

As most Travellers in Northern Ireland reside close to or within Republican communities, it would be untenable for them to take legal action against Republican paramilitaries. One major reason is that those living within Republican communities are warned not to liaise with the police. This situation was confirmed in an article by Douglas (2005). Douglas revealed that a welcome pack compiled for ethnic minorities by an anti-racist network organisation in a city in Northern Ireland stated that:

The police force ...[PSNI] is seen by most people here as an extension of the British state and has no support. You should avoid calling them into the area unless it is a necessity, eg, for insurance purposes. [It was also stated that] As you may be aware, most of the residents in ...[a Republican area of NI] today have no confidence in the PSNI and would only have contact with them as a last resort. (Douglas, 2005).

As will become evident, some Travellers regard themselves as Republicans therefore mediation with the police in Northern Ireland may not be plausible. Nevertheless, some appeared apolitical, occasionally revealing unproblematic and amiable relationships with the police in Northern Ireland, whilst others obviously mistrust the police. Even so, in discussion of the anti-racist organisation alluded to in the extract above, an officer of the PSNI informed me that:

In ...[a city in Northern Ireland] they have a policy of not talking to the police. We have tried on numerous occasions to get in contact with them to meet with them to talk to them because really we are doing the same job. We are working with ethnic minorities and in

all honesty we provide the best for minorities living here. They [anti racist group] won't meet with us.

The manager of a Traveller support group in Northern Ireland affirmed the opinions of the officer above, stating:

The Traveller Community in Northern Ireland is so excluded from the mainstream that there are difficulties. Also ...because of the political situation in the north of Ireland there are real difficulties about whether people would approach the police or not. Traveller support groups are now coming out of a situation of conflict where we didn't engage with the PSNI on any level as communities, as settled communities: either community.

The exclusion of Irish Travellers from the 'mainstream' was underlined in another interview. In particular, the following quote highlights the distance between Travellers as outsiders and some police as members of the established.

'You Can't Kick a Gypsy Hard Enough'

It would appear that whether suffering discriminatory actions or assault by vigilantes or paramilitaries, the situations described so far place Travellers in a no-win situation. The fact that the ethnic minority liaison officer quoted above believes that the PSNI 'provides the best for ethnic minorities' is also debatable. This is especially so with regards an interview with a Traveller living

in a city in Northern Ireland. Recalling an incident that had occurred in 2002 the Traveller revealed that his brother was attacked:

Five lads jumped on him and gave him a beating and a settled person across the road witnessed it. That person went to give a statement and the policeman said 'Oh those Gypsies, you can't kick a Gypsy hard enough.' So that's the attitudes they have towards Travellers. There is a lot of negativity from the police towards Travellers and vice versa. There is a lot of Travellers have got harassed by the police coming in with their search warrants. Some people say it's [the police do it] just for badness and they [the Travellers] don't know how to complain, if they went to complain they wouldn't trust them. They wouldn't trust them.

In the incident referred to above, an individual from that Republican area did report directly to the police. This contradicts the opinions of the Traveller support manager and, to a degree, those of the police officer quoted above. Even so, the response was derisory, supporting the views of the anti-racist organisation revealed by Douglas (2005). This type of response acts as a disincentive to reporting criminal acts by citizens residing in areas with high levels of ambivalence toward policing. Knowledge of negative responses towards those reporting acts of violence towards Travellers also impacts heavily on the confidence of the Traveller Community in relation to policing. It appears even more likely then that acts of aggression by paramilitaries or public vigilantes remain undisclosed.

The fact that paramilitaries discriminate against Travellers was exemplified in a few interviews with Travellers when some informed me that they had been barred from public houses in Republican

areas. One informed me that even though his father considered himself to be a Republican, despite this fact he [his father] remained barred from all Republican bars in a city in Northern Ireland. It was alleged that this was due entirely to his ethnic identity. Another informed me that he had been banned from a pub for fighting. This was despite the fact that the bar manager admitted to the Traveller that he knew the fight had not been initiated by him. When these allegations of discrimination were described to a police respondent, the officer could not envisage a legal resolution to them from the perspective of the PSNI, stating:

In that part of this city it's very much controlled by paramilitaries or political organisations. The best course of action would be to go to the political organisations that run this part of the city and get it sorted through their organisations, and they will do that. They will sort it out. The leading party at the minute are Sinn Féin and their philosophy is to embrace the oppressed person. It's part of the philosophy that Sinn Féin feel that the Irish people are oppressed, not specifically the Traveller, and they identify with oppressed people throughout the world. That aspect would appeal to their belief.

This reply is at odds with the reality for many Travellers residing within Republican areas as parts of Northern Ireland are controlled by the very people who may victimise Travellers. Further evidence of this reality was confirmed by a probation officer. In discussion concerning the failings of Traveller respondents to resolve issues regarding refusal of service in bars the officer replied:

It's a reality in certain areas of this city and certainly the areas where Travellers frequent. We are hopefully moving out of the worst aspects of that but control of territories remains

with the organisations, and, we have to understand, probably will [remain so]. The control of many public houses and clubs are also under control of those who have not had to pay much attention to the law during the last 20 years and human rights aspects and various other things are probably not top of their agenda.

The findings above indicate that some Republicans perceive Travellers to be too dangerous, deviant, or 'dodgy' to be trusted. In contrast though (and as mentioned briefly above) it appears that Republican paramilitaries may at times be used to assist certain sections of the Traveller Community.

'Call in The Boys'

In the interview with a voluntary support worker referred to earlier, it was revealed that one group of Travellers had welcomed the expulsion of their anti-social relatives by the IRA. Other ways in which Republican paramilitaries have been of assistance to some Travellers were also confirmed by police officers. One officer stated that:

They don't actively support Travellers but they are there if there is a problem and they are called in to resolve a community issue. You know, if the Travellers found that they were given a lot of attention from the youths of the area they will tell the paramilitaries and the paramilitaries will stop it. It's as simple as that.

In discussion of a recent intra-cultural incident on a Traveller site in Northern Ireland in 2004, the officer also revealed that the police were hindered in the process of prosecution because Traveller victims refused to testify against other Travellers. According to the officer, the outcome was that:

the Travellers said ‘they called in the boys, called in the paramilitaries’. This had been in opposition to calling in other Travellers:

There were no other Travellers at the camp. They were away at a funeral you see? So they got it dealt with and that’s the sort of thing the police can’t compete with that, the courts can’t compete with that. Their fear was that if you complain against the Traveller he had 10 others with him he’d have 10 others within his family that are as equally violent and there had been a feud going on so rather than do that they got him spoken to. I assume they got him spoken to and dealt with as a punishment but as I say he will not be back.

It is apparent then that some members of the ‘established’ can perceive of Travellers as being dangerous. Likewise we can be certain that Travellers should fear the power of established groups, including Republican paramilitaries (and on occasions perhaps, the police?). Even so, it has been shown that Republicans can at times act to positively protect Travellers. Yet the relationship between Travellers and Loyalist paramilitaries (those with a fierce interest in Northern Ireland remaining part of the United Kingdom) appears to be in stark contrast. Although the findings on Travellers and Loyalist paramilitaries were sparse, the outcome of the following interview is of interest as it indicates that the discipline encountered by Travellers from Loyalists may be totally exclusionary, anti-Traveller, and, sectarian.

The Wheels on the Bus go...?

An interviewee working with Travellers in a voluntary capacity suggested that by entering their enclaves, Travellers had violated Loyalist ‘cultural integrity’ (Weisberg, 1995, p. 184):

One Traveller family told me they had a terrifying night [Summer, 2004] where they had stopped to change a wheel. They were driving through a housing estate. They realised they had a flat tyre and they stopped and all the kids got out and people were hanging around. There were about 5 caravans with them and very quickly they realised that they were in an area that they weren't wanted in. Somebody came up and asked one of the families were they Fenians⁸ and the Traveller child didn't know what this meant and he said 'yes I am'. Within a very short period of time...five men came out of nowhere with balaclavas and guns and just said 'get out you're not welcome here'. The Travellers kept driving with a flat tyre. One of the children said [at the behest of their parents, to keep them calm] they sung 'the wheels on the bus go round and round' when all they could actually hear was the metal of what was now a frame...and the sparks flying off...

The extreme reactions described above appear to reinforce a message that, for example, the actual or threat of '...violence against the outsider... [may serve as]... a legitimate remedy against any further threat to their [Loyalist] culture's residual integrity' (Weisberg, 1995, p. 185). It appears to be the case that not all those residing in Loyalist areas are prepared to collude with the violence of sectarianism though as the same interviewee revealed that:

...not long ago, a Traveller told me that an old woman came up to them, they were actually collecting scrap on the Shankill Road, and she said 'you boys aren't from here?'. They said 'no' and she said 'look I have heard something and I don't think you should

stay' and they just kept going. I remember saying 'were you frightened' and they said 'no, because we are used to it you just keep going, you just drive on and don't look back'.

Regrettably, my data on the relationship between Loyalists and Travellers is minimal therefore the validity and reliability of the information gathered is open to question. Even so, it indicates that Travellers may not be allowed the opportunity to behave either socially or anti-socially by Loyalists. Racism appears to underpin this attitude whilst perceived violations of 'cultural integrity' (Weisberg, 1995) related to sectarianism are implicated. However, as stated within the methodology section earlier, the findings above can be considered only as a tentative generalisation as to the situation of Travellers with Loyalist paramilitaries. The fact that less data emerged in relation to Loyalists is because the majority of Travellers reside within Republican areas. Moreover, the major part of my research was conducted within Republican and Nationalist areas.

Conclusion

It has been considered here that vigilantism against Travellers may be viewed as self-help private violence. The concept was posited that self-help can be justified by actors, due to their perceptions that the state has failed in its attempt to ensure social stability for them. In addition, it was proposed that private violence, innate to self-help, could be inspired by the frequently violent and vengeful qualities demonstrated by 'law's violence' inherent to state sanctioned justice. Thus, those engaging in self-help private violence may perceive their actions as 'morally' equivalent to the 'morality' exhibited by the state. The proposition was also made that for Travellers, the violence of law need not be considered as brutal as its historical or contemporary extremes such as the death sentence: the effects of evictions due to anti-trespass laws can also be brutal.

Three aspects were considered influential with regard self-help private violence taken by paramilitaries and vigilantes in control of Travellers. The first aspect discussed was that despite the existence of by-laws and anti-trespass laws designed to curtail illegal encampments, nomadic and highly visible groups of Travellers continue to transgress this legislation.

The second aspect debated was media coverage of Travellers' alleged involvement in crime, exacerbating the situation of Travellers already criminalized by anti-trespass laws that label all Travellers as criminal by association. The stereotyping of Travellers as criminal by the media must impact on public perceptions as to who should be perceived as 'dangerous' (Lianos & Douglas, 2000) whilst anti-trespass laws underscore the way in which societies establishes certain actions as deviant according to socially regulated norms.

The third aspect considered to encourage self-help private violence as moral action was identified as relating to the socio-economic situation of Travellers, worsened by the decline of the 'Traveller Economy', underlined by the high unemployment of Travellers and reliance upon welfare benefits. This may encourage perceptions that (in this case) redundant Travellers are (part of) the underclass: '...[s]uperfluous, supernumerary, un-needed...' (Bauman, 2005, p. 69). Once stigmatized, Travellers become outsiders and can be effectively excluded from '...positions of power...' (Elias & Scotson, 1965, pp. xx-xxi). Thus, self-help and private violence as moral action may be emboldened.

The fact that human rights and equality legislation should place limitations on law's violence was discussed, yet, it was acknowledged that for Travellers, restrictions have been observed only in Northern Ireland. For many Travellers the public system is largely broken and has mostly failed to provide effective and equitable policing and just judgements for them through the courts. Lack of accommodation remains an issue for Irish Travellers and the present situation ensures that illegal

camps of Travellers 'sticking out like tall stalks of corn' feed the stereotype of them as dodgy, dangerous, deviants.

Ultimately, the containment of Irish Travellers by paramilitaries and public vigilantes appears to have been achieved by taking advantage of what Elias & Scotson (1965, pp. xx-xxi) describe as the label of 'lower human value' attached to them. The consequence is what Elias & Scotson (ibid) also describe as the socially 'superior' power held by the established group seems to have been maintained. If, in future, state parties were to provide adequate accommodation for Travellers then in harmony with the principles of the GFA 1998, Human Rights may be seen as applying to all people of the island; some private violence against Travellers may be eradicated, and, perceptions as to an apparent breakdown of the public system alleviated. Most importantly though, Irish Travellers may begin to be viewed as belonging to the established as opposed to being 'dodgy', 'dangerous', deviant outsiders.

¹ As there are no physical borders between the two jurisdictions the findings are relevant to all Travellers whether residing in, resorting to, or, contemplating visiting Northern Ireland.

² Bertie Ahern was the Irish Prime Minister at time of the research circa 2005.

³ www.taoiseach.gov.ie

⁴ The EU Race Discrimination Directive (June 2000) has the purpose of harmonising ‘the level of protection against race discrimination across the EU. It guarantees a minimum standard of legal protection for individuals against discrimination or harassment on the grounds of race and ensures a right of redress for all individuals who have been the victims of such discrimination. It covers the fields of employment and training, social protection and social security, social advantages, education, access to goods and services and membership of a workers’ or employers’ organisation’ (Race Discrimination Directive, 1.1).

http://ec.europa.eu/employment_social/fundamental_rights/pdf/legisln/2000_43_en.pdf

⁵ According to a range of authors the Traveller Economy (such as tinsmith work) that once allowed Travellers to maintain specific ethnic boundaries, permitting them to be relatively independent from sedentary society, is now coming to an end.

⁶ The case of Martin McDonagh and Patrick Stokes against the respondent Event 22 Limited, the ECNI (2006).

⁷ Travellers in Ireland: An Examination of Discrimination and Racism, NCCRI website, <http://www.nccri.ie/traveller.html> (Accessed: 20/03/07).

⁸ A derogatory term for Catholics.

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