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The making of the Irish Traveller Community

Mobility discourse, settlement policies
and the Irish state 1950–2010

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Abstract

The Irish Traveller Community represents an indigenous minority group defined largely by its supposedly 'traditional' lifestyle of mobility within the Irish state. By considering the perception of mobility as a cultural trait, this paper traces the development of discursive themes regarding Irish Travellers from the 1950s through to the present day, categorising these into a class-poverty and a culture-ethnicity paradigm. It is illustrated how such discursive categories in turn informed the state's practical interaction with the Traveller community, shaping political action, policy and legislative developments. This analysis highlights the simultaneous maintenance and marginalisation of the Traveller Community, creating a definitional 'other' in the process of constructing an Irish national identity.

Keywords: Irish Travellers, internal mobility, national identity, settlement policy, class-poverty, culture-ethnicity.

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1 Introduction

The most recent census of Ireland (CSO 2012) identifies 29,573 individuals as Irish Travellers within the Republic of Ireland in 2011. The Irish Traveller Community therefore currently represents less than one percent of the population. Although seemingly small in number, this indigenous and traditionally mobile group has featured heavily in the narratives of social, legal and political development in Ireland. The Traveller Community has largely been portrayed as a disadvantaged or deviant group, widely referred to in what are now considered derogatory terms such as 'Tinkers' and 'Itinerants' (Helleiner 1998). In line with such marginalisation, Travellers were historically pressured by government policy that promotes cultural assimilation, encouraging in particular the permanent settlement of mobile households. Despite this the population of Travellers in Ireland in 2011 represents a significant increase from the figures recorded in the 1950s and 60s.

This increase in the Traveller population could simply be assumed to represent the result of failed assimilation policies. Alternatively, one might assume that in line with general population increases, the Irish Traveller Community remains a distinct and stable group, increasing in size proportional to the majority settled Irish population. In fact, the Traveller portion of the Irish population has increased from about 0.2% to 0.6% from the 1950's to present¹. This paper seeks to offer a more nuanced and theoretical explanation for the continued and growing presence of the Traveller Community in Ireland despite the group's persistent marginalisation. The political significance of group definition will be presented as the cornerstone which accounts for continued indigenous plurality in Ireland, bringing to attention the manner in which the relationship between the Traveller Community and the Irish state constructs and develops the identity of both.

The Irish Traveller Community has historically been framed within two opposing discourses. The first of these deems Travellers to represent a class of poverty, an archaic remnant of the country's colonial past. In contrast, the group has also been discussed outside the framework of class, being perceived rather as a distinct cultural group in need of recognition as an indigenous ethnic minority within Ireland. Through an in-depth analysis of this discursive dichotomy, it will be argued that state perpetuation of group difference was in fact beneficial to the Irish nation-building process. The deliberate maintenance of difference, such as the perpetuation of mobility, is evidenced in the context of state reports, policy and intervention. Adopting a chronological approach, both discursive and practical state interactions with the Traveller Community will be considered contextually, identifying historically and politically significant 'windows of opportunity' during which both groups undergo processes of self-definition by emphasising cultural difference.

2 The discursive making of the 'other'

2.1 The emergence of 'Traveller' Discourse

Considering Traveller identity specifically in relation to the state is crucial in light of the fact that the question of Traveller culture and its place in Irish society emerged in conjunction with the founding of the Irish Republic in 1949. With the exception of the *Vagrancy Act* of 1824 which was enacted during a period in which Ireland was under the legal jurisdiction of the United Kingdom, there is little evidence for state intention to intervene with the nomadic peoples of Ireland. This can likely be attributed to the fact that significant political focus was invested in power struggles between Ireland and its colonial authority and the Irish fight for independence. The new state interest in the Traveller Community is

¹ Based on Traveller and total population figures respectively: 1960 (6,500; 2,818,341) and 2011 (29,573 ; 4,588,252) (CSO 2013).

evidenced primarily by efforts at documentation in the early 1950s and 60s. The first of these attempts was carried out in the 1950s by the Irish Folklore Commission, a body established by the Irish state in 1935 to document Irish tradition and culture. Almost a decade later, the government-commissioned Report on Itinerancy (1963) confirms the Travellers' new position of significance within state discourse. By considering the contexts in which reports were commissioned as well as their stated intent, one can begin to identify the emergence of a dichotomy within state discourse in regard to Travellers.

In 1952 the Irish Folklore Commission issued a questionnaire to all regions of the country, seeking respondents exclusively from the dominant, settled Irish society. The intention of the commission was to produce a 'representative documentation of certain aspects of the tinkers' way of life...before it is too late to do so' (Delargy 1952). It is evident that there existed an underlying impression that the Traveller way of life was nearing extinction and their culture required documentation as folklore. In fact some respondents lamented the fact that such documentation had not been undertaken forty years previously, writing that they were 'gathering up anything that's left' (Ó Súilleabháin & Harrington 1952). The intention of the Folklore Commission was therefore evidently the preservation of a culture through documentation, effectively initiating a discursive interaction with an aspect of Irish history not previously focused on. At the very beginning of the Irish state-building process then, the Traveller Community was to some extent historicised as a result of the nature and intention of the organisation commissioned to document the group.

In contrast, the Commission on Itinerancy was established under different circumstances and therefore possessed rather different intentions. In 1960, responding to repeated requests in the Dáil (Irish House of Deputies) for a government policy with regard to Travellers, then Taoiseach Seán Lemass instructed his Minister for Justice Charles Haughey to establish a commission investigating Traveller culture with a view to proposing policy recommendations. With no Traveller representative on the commission board, the resulting report can also be seen as providing an exclusively state-orientated insight into Traveller culture and its place within the Irish state.

The Commission on Itinerancy's intended objective was to assess the problem created by itinerancy and to 'reduce to a minimum the disadvantages to themselves and to the community resulting from their itinerant habits' (Commission on Itinerancy 1963: 11). In order to examine the existing situation and Traveller lifestyle, the commission begins with an attempt at group definition, reporting that Travellers 'do not constitute a single homogenous group, tribe or community...neither do they constitute a separate ethnic group' (Commission on Itinerancy 1963: 37). Working towards the intended aim of addressing the itinerant 'problem', the commission promotes the absorption of Travellers into the dominant settled community, by increasing both the regulation of mobility as well as the provision of permanent camping sites. Not only does the Commission on Itinerancy depict the Traveller Community as an economically underprivileged class rather than a distinct cultural entity, it recommends a policy of assimilation, promoting the image of the Irish state as a culturally homogenous one. These early recordings and reports regarding Irish Travellers represent dichotomous discursive approaches, historicising the group on the one hand while highlighting their contemporary deviant status on the other. What the two approaches hold in common however is that they view Travellers as a separate and largely disadvantaged class in Irish society, a perception which has been reproduced in academic discourse.

Travellers became the focus of academic attention during ongoing state attempts at Traveller assimilation through permanent camping site provision in the late 1960s and early 70s. Patricia McCarthy, echoing the Report of the Commission on Itinerancy, situated her doctoral thesis on Irish Travellers within a class-poverty framework. McCarthy (1972) examined the Irish Traveller Community within a 'culture of poverty' model. Perhaps as a result of failing assimilation policies, she

argues that the nomadic lifestyle of Travellers represents not merely a short term adaptation to poverty and challenging circumstance, but rather that they are dropouts from dominant society. In line with this reasoning, Travellers are therefore perceived as representing a subculture that is a victim of its own inadequacy. This is seen to result from their adherence to an archaic value system and practices such as nomadism. Not only does McCarthy's application of the 'culture of poverty' framework reinforce the social class-based approach to studying Travellers initiated by the Commission on Itinerancy, but it implies further that the Travellers' status of poverty is a self-perpetuating one, compromising state attempts at assimilation, rehabilitation and cultural homogenisation.

Implying that mobility was merely a reactionary trait, placing nomadism at the bottom of an inevitable and irreversible path of social evolution towards sedentism, the 'culture-poverty' framework provoked a discursive response, primarily amongst anthropologists. The evolutionary view of social practice and culture resulted in researchers such as George and Sharon Gmelch entering the discourse surrounding Irish Traveller identity. Carrying out ethnographic fieldwork in Dublin, their research is based on insights provided by individuals who identify as Travellers. Deeming previous definitional attempts as ethnocentric and unilinear, Gmelch & Gmelch (1974) challenged the Commissions on the basis that it denied the ethnic status of Irish Travellers.

The Commission had avoided the category of ethnicity when referring to Travellers on the basis that 'there is no system of unified control, authority or government and no individual or group of individuals has any power or control over the itinerant members of the community' (Commission on Itinerancy 1963: 37). With anthropological definitions of ethnicity moving beyond race and class discourse around the time in question (see for instance Barth 1969), a new body of research and literature on Irish Travellers emerged, concerned primarily with situating Irish Travellers in ethnicity discourse. As a consequence of the apparent necessity of definitional categorisation, much academic emphasis has since then been placed on the defining features of Traveller culture, such as the group's social organisation, their language as well as their historical origin. The resulting discussion of state and settled perceptions of Travellers have therefore been 'ethnicised', warning against policies which result in marginalisation or indeed assimilation, but advocating rather for group recognition.

This emerging culture-ethnicity paradigm evidently sought protection as well as recognition for the Traveller Community rather than cultural assimilation. Simultaneously, discussions of ethnic difference promote exoticising the group in question by comprehensively setting it apart. Although fundamentally different in their theoretical foundations, both the class-poverty and culture-ethnicity paradigms outlined here share paradoxical characteristics, simultaneously seeking to preserve historic or ethnic culture as well as to marginalise or set the group apart. In order to move beyond merely tracing discursive changes over time, these recurring themes will now be drawn upon to facilitate an analysis of how such discourse may have been harnessed, in this case as part of the nation-building process in Ireland.

2.2 The construction of 'Travellers' as part of the nation-building project

The manner in which the modern nation is imagined and constructed deems the 'other' or 'foreign' to be an ontological threat to the nation's stability. This is certainly the case when viewing the nation as a binding entity of territory, people and culture, imbued with some sense of primordial rootedness which culminates in a collective character, set of values and consequent behaviour. Nationalist thinkers tend to consider the 'foreign' within this context, identifying a problem in need of a solution to ensure national stability. In line with this thinking, it becomes apparent that the state's discursive relationship with Travellers in Ireland parallels that between the 'native' and the 'foreign'. In order not only to identify such 'threats' but also to engage with them, definitions of the 'other' are an instinctive reaction. The

formulation of the class-poverty and culture-ethnicity paradigms of discussion which are considered above undoubtedly represent such definitional attempts.

In order to gain greater analytical depth in studies with such a significant nationalistic element, Honig (2001) suggests a shift in focus away from the attempts at definition which are employed to identify 'problems'. Instead he advocates an approach which considers the 'other' as a political tool or resource. In fact, Honig (2001) claims that the presence of the 'other' is essential in the creation of national units, leading in some instances to the construction of the 'other' as part of the nation-building process. In light of this, I will consider Irish Travellers and the nomadic lifestyle which is an inherent aspect of their identity within this role as a crucial cultural resource in Irish state-building.

According to Honig (2001), foreignness plays a divisive role in shaping political communities by marking a negative definitional 'other' while simultaneously providing a cultural platform for the importation of certain practices and values. With Honig (2001: 6) suggesting that 'nationalists would undoubtedly engage in the symbolic politics of foreignness', I seek to identify such dichotomous interplay with the cultural 'other' in the Irish context. At its most basic, the argument posits the self-evident fact that in the absence of an 'outsider' there can exist no concept of 'insider' membership in any national project. Considering the Irish historical context, particularly the political and military struggle for freedom during the first half of the 20th century, it is evident that Britain as the colonial authority occupied the role of the definitional 'other'. Bearing in mind the necessity of a definitional 'other' in the nation-building process, the sudden interest in Traveller groups following British de-colonisation and the formation of an independent Irish state, gain some clarity. Maintaining this line of thinking, one can also begin to gain a more nuanced understanding of the potential benefits active group definition could offer the state.

As part of the state-building process following independence, the 'other' was sought internally, highlighting the potential intersection here with the concept of ethnicity understood in the form of cultural boundaries (Barth 1969). Furthermore, if one considers Traveller culture as one harnessed as a political tool by the state, then the portrayals of Travellers produced by state reports cannot merely be understood as promoting a class-poverty or culture-ethnicity framework for discussion and policy. Instead, they facilitate an analysis of these models as enabling the simultaneous maintenance and marginalisation of the Traveller Community. The failure for instance of assimilation policy must not solely imply the Travellers' refusal to adapt culturally or resistance on the part of the Traveller Community, but potentially also a state desire to maintain its definitional 'other' while ensuring continued group marginalisation.

This paradoxical portrayal of Irish Travellers can most clearly be identified in public and state discourse regarding one of the group's key discerning features, namely mobility. Geographical mobility is a major defining feature of the group's past and as a result nomadism is a central theme in the various narratives which are understood to account for Traveller group origins. Since existing theories about the origin of the Travellers are devised almost exclusively by the sedentary community, mobility remains an important factor in understanding how the group is perceived by non-Travellers even though the nomadic lifestyle is not maintained by many who identify as Travellers in Ireland today. In the absence of firm historical evidence, such theories of origin typically take the form of myth and folklore with genetic studies² entering the discourse only in more recent years. Rather than attempting to discern the validity of the numerous origin myths in existence however, I suggest that these theories offer an insight into assumptions and perceptions associated with mobility in the Irish context, offering a

² See for instance North et al. 2000.

historically informed insight into the manner in which the Traveller Community has been utilised in the state-building process in Ireland.

2.3 Historic and mythical influences in 'Traveller' discourse

I will begin by outlining in more detail some of the suggested theories that have been linked to the emergence of the Traveller Community. As indicated above, many of these theories exist as locally retold myths and legends, some of which are documented in the responses submitted to the Irish Folklore Commission in 1952. Of the records which were collected, a general dichotomy emerges between the historic romanticisation of Traveller culture and its condemnation as deviant behaviour. Cantwell (1952) for instance asserts that 'the tinker and the traveller are a whole millennium nearer to nature than the average, educated ordinary individual' mirroring romanticisation seen elsewhere in the world where nomads have been considered 'closer to the first state and... removed from the evil habits that have infected the hearts of settlers' (Khalidoun 1958: 332). In contrast, the local perception of Travellers documented by Delaney (1952) deems them to be 'harmless but entirely useless; parasites', labelling the group as social deviants. The origin legends and myths documented by the various respondents to the Folklore Commission embody this dichotomy which depicts Travelling culture as exotic on the one hand and deviant on the other. This illustrates how the lifestyle of the Traveller Community has been both positively and negatively associated with the historical migration experience of Ireland as a whole. The dichotomous nature of this discourse offers valuable insight into the symbolic role played by Travelling culture in the Irish state-building process. Travellers effectively represent an indigenous 'other' which can be portrayed positively or negatively as a definitional comparison to the state or majority population.

The widely-recorded Traveller origin myth with most historical depth situates the Irish Traveller within the legendary image of 'The Wandering Jew', suggesting that a deviant role was assumed at the turn of the first millennium AD. Several submissions to the Folklore Commission (Tréinfhear 1952; Mac Coiligh 1952) reiterate the existence of local myths that Travellers comprise the descendants of those who agreed to manufacture the nails for the crucifixion of Christ. Being held accountable for this collaboration, the responsible deviants were condemned to wander the earth until the time of the second coming. This curse is believed to have resulted in the emergence of a distinct group of Travelling peoples whose lifestyles are perpetually restricted by nomadism. Such legends presumably emerged due to the fact that many Travellers worked in tin-smithing, however their almost exclusive association with the Catholic faith as well as the absence of historical evidence for such events indicates that this story is likely to be rooted firmly within the realms of myth. Crucial for the purposes here, however, is the manner in which the myth constructs group otherness not only according to their lifestyle or economic niche, but also by portraying nomadism in an inherently negative light, representing a form of punishment which is unwillingly imposed and ultimately inescapable.

Alongside such condemning accounts, exceedingly romantic notions of nomadic lifestyles are also commonly recorded in the questionnaire responses, associating Travellers with old Gaelic clan lineages (Lyons 1952). Ó Rúanaidhe (1952) alludes to this idyllic ancestral association, noting that 'there seems to be a tradition that the tinkers are the pure Irish race and that they are the remnants of the old Irish chiefs'. The pre-colonial Gaelic clan order was certainly centred on nomadism, being defined by travelling warriors and craftspeople. As a result, this period of Irish history is often associated with a romantic view of personal liberty in the absence of imposed authority either on the part of permanent employers or colonisers (Finn 1952). Being seen as descendants from this era, Travellers are therefore considered to have maintained their wandering lifestyle rather than fleeing the country during 'The Flight of the Earls' in 1607 (Ó Luinneacháin, Ó Cróinín, Ó Luinneacháin, Waldron

& Ó Bréanáin 1952), an event which saw certain Gaelic aristocrats escape in the face of colonisation. The old Gaelic lifestyle is then believed to have been maintained by some groups in resistance to the land system being established by British colonisers during the various plantation efforts (Delaney 1952; Ó Beirn 1952), a historic trajectory now widely associated with Travellers due to its nomadic nature.

Rather than embodying punishment, mobility in this instance represents the preservation of an archaic lifestyle in face of colonial imposition, effectively an idolised indigenous resistance. Traveller disassociation with the agrarian land system established during the colonial Plantations of Ireland is reinforced by a further origin theory which suggests that Travellers represent those banished to the rough terrain of as part of the 'to hell or to Connaught' policy imposed during the Cromwellian expansions (Mac Gáraidh 1952). Although to some extent admired for their apparent resistance to the agrarian order imposed by British administrators and agriculturalists, the Irish relationship to land which this system created represents a major cause of Traveller marginalisation, as the group did not participate in the developing Irish attachment to land.

It was largely during the aftermath of British appropriation of Irish land during the Plantations that Irish society, social relations and identities became intimately intertwined with and defined by land. While the Gaelic social hierarchy consisted of chieftains, warriors, craftsmen, freeman and serfs during the reign of the Gaelic clans, the Plantations introduced an exclusively land-based order. Consequently, following the Plantations, land tenure or ownership effectively classified individuals hierarchically into what can be seen as a land-based class system. Within such rankings, individuals or groups were invested with varying degrees of control or dependency. In order to gain some insight into Ireland's social organisation and how different strata of society were categorised or indeed created by such a system, it is necessary to gain a basic understanding of the land system established in the country at the time as well as the rules regarding ownership and tenure.

Although varying in degree according to the region of Ireland in question, local rebellion against the colonial administration became a common occurrence following British Plantation attempts. In response to this, Cromwell laid claim to the territories of Ireland through military conquest. While numerous private plantation estates were maintained, regional rebellion saw some Irish townlands (locally specific territorial categories usually containing a 'baile' or town consisting of a cluster of households) pass into the direct control of the British Authorities. Whether administered by the Crown or by private landlords, large estate owners systematically leased or alternatively sold individual townlands to several land-agents or landlords who acted as middlemen. These middlemen in turn administered small-scale local tenancies. Leases of this kind tended to be purchased by British agriculturalists or business men, not least due to their financial capability to acquire such sizeable properties. These could be pioneering British agriculturalists, British ex-military men, or moderately affluent Irish graziers. These middlemen then proceeded to lease their land to smaller Irish tenant farmers as well as leasing small cottage spaces to labourers, known in the Irish context as cottiers (Vaughan 1994).

It becomes clear that land division was carried out based on a lengthy chain of command. In this way the manner of land ownership and tenancy created a well-defined ladder of social rank as land and its possession directly conferred status and as a result defined one's place within the social order. Based on size of property, there emerges a clear hierarchical structure ranging from the aristocratic estate owner to small tenant farmers and cottier labourer. With social status clearly defined according to land ownership and inheritance (land was split between all family heirs, maintaining their social status), it is evident that travelling craftspeople were situated outside such a hierarchy. With property and sedentary roots being of paramount social importance, the suspicion of mobility became a necessary negative correlative. As one respondent to the Folklore Commission points out: 'the Irishman who has

been firmly rooted in or to the soil for generations is a very conservative character indeed and looks, with something akin to shock, upon anybody whose livelihood has no permanence and who is in fact leading a hand to mouth existence and who therefore is to be avoided' (Cantwell 1952).

Remaining chronologically aligned with Ireland's historical trajectory and migration experiences, the notion of banishment and uprooting from the land remains central in the theorising of Traveller origins. This is due to the fact that the group is widely assumed to represent the descendants of those families and individuals evicted from their properties as a result of rent arrears during the Great Famine of the 1840s (Ó Cuinneagáin 1952; Ó Briain 1952). Being a period of Irish history marked by geographic mobility, in the form of emigration primarily to the United Kingdom and United States, internal mobility as a result of dispossession is associated only with the poorest social classes. Such an undesirable past has reflexively been projected onto the Traveller Community.

It is evident that both internal mobility and emigration have marked Irish history for centuries. The importance of mobility in defining Travellers, with mobility acting as the key to negative portrayals of the group, being represented both as a punishment for and as a catalyst of deviancy. In addition, mobility is viewed as the inevitable consequence of low social status and poverty as well as the inability or refusal to adjust to modernisation, particularly in the agrarian sector. Alternatively, origin myths evidently romanticise nomadic lifestyles, presenting the Traveller Community as a final remnant of traditional Irishness, providing a lens into the historical past and embodying indigeneity as well as resistance to colonial imposition. Such images of the exotic Traveller who embodies historical Irish values have notably also been cemented in literature. A particularly salient example of such exoticising is J. M. Synge's play 'The Tinker's Wedding', which depicts the Traveller as embodying Irish indigeneity and bohemianism (Burke 2009). This exoticised perception which stems from the period of the Irish literary revival³ is reaffirmed by Corduff & Corduff (1952), who clearly express such a romantic view in their response to the Folklore Commission, admiring 'the violent ebullition of nomad passion as compared with the lukewarm bubbling of Mr. Average citizen's controlled anger.'

Understanding the historical background which has led to both the romanticisation and marginalisation of Travellers by the settled community is vital in understanding how discourse surrounding Traveller culture was harnessed during the definitional stages of the independent Irish state. Romantic imaginings of Travellers are vital in facilitating the creation of national history defined by indigeneity and resistance to colonialism. In contrast, negative historical experiences of uprootedness, displacement and migration place the Traveller in a position that lends itself to being a definitional 'other' which, as discussed above represents a vital fibre in the fabric of nationalism.

3 The practical making of the 'other'

Based on the discussion thus far, an in-depth impression has been created of state and public discursive engagement with the Irish Traveller Community, highlighting a dichotomy between romanticising and marginalising discourse. It has been argued that this dual perception of Irish Travellers is not only beneficial but in fact necessary for the development of the Irish state's definition of the self. Thus far, this argument has been presented theoretically. It is the intention now to explore a sample of active state engagement (official statements, policy and legislative changes) in order to establish whether these did in fact simultaneously maintain and marginalise Travellers in order for the group to function as a definitional 'other'. This will in turn provide insight into whether such measures on the part of the state altered or shaped the Traveller Community itself.

³ The Irish Literary Revival refers to a period of revitalised interest in Gaelic literary heritage during the late 19th and early 20th centuries (Burke 2009).

3.1 Practical manifestations of the class–poverty discourse

In order to understand the transformative impact the Irish State had on the Traveller Community, one must assess state-commissioned reports and policy documents within the historical context of their issuing. As with the identification of discursive themes, the 1950s and 60s represent a crucial starting point for an analysis of the instrumental role the state played in shaping Travelling practices in Ireland. Following Ireland's refusal to join the allied forces during World War II and the formation of the Republic, the country was left economically isolated and struggling during much of the 1950s. In the context of the economic upheaval associated with this decade, the primary aim of the new Republic's government was to identify as well as to tackle any hindrance to the country's progress and modernisation. This political environment created a context which had exclusionary consequences for the Traveller Community whose culture came to represent an antithesis of the national agenda (Fanning 2002). Practically, this can be seen in the emergence of the calls for proactive policy intervention against Travellers. This is most clearly evident from repeated requests by members of the Dáil for the introduction of legislation which increases the powers of local authorities when engaging with the Traveller Community.

In 1958, Patrick J. Burke⁴ brought to the attention of the Dáil that 'another burning question... is the question of itinerants' asserting that the house must 'seriously consider legislation to put them off the roads' (Burke 1958). Mr. Burke in fact suggested the provision of state housing for Travellers, but crucial here is the fact that his comments mark the beginning of intensifying pressure on the government to take action with regard to the Traveller Community. Early in 1959, the Minister for Local Government was asked in the Dáil by Joseph Blowick⁵ what action would be taken to ensure that itinerants would not camp where they may create annoyance or damage to an area (Blowick 1959). This was followed in 1960 by James Ryan⁶ questioning the Minister for Local Government why authorities were failing at preventing Traveller encampments in public areas (Ryan 1960).

It was in response to such pressure in the Dáil that the government established the Commission on Itinerancy in 1960. The discursive intentions of this Commission have already been outlined in the previous chapter, however the practical aspects of its establishment are worthy of note at this point. By taking into consideration the committee members chosen to draw up the report of the Commission on Itinerancy, one gains some insight into the political effect the government intended the report to have. Not only did the committee lack Traveller representatives, but the group consisted almost exclusively of individuals from positions of power within the state. Chairing the committee was a High Court judge, joined by two medical officers, the Chief Superintendent of the *Garda Síochána* and the former Chief Inspector of the *Department of Education*. Joining these sectors of state interest were religious representatives such as the Director of the *Dublin Institute of Catholic Sociology*, various church and voluntary organisation as well as individuals from numerous community and agricultural organisations.

This appointment of this final sector notably reflects the Irish attachment to land discussed previously. In addition to the Chairman of the *General Council of the Committees of Agriculture* being on the board, the committee received memoranda from the *National Farmers' Association*, *Macra na Feirme* ('Stalwarts of the Land', rural youth organisation), *Muintir na Tire* ('People of the Country', rural community organisation), the *Irish Creamery Milk Suppliers Association* and the *Irish Countrywomen's Association*. It is often remarked that the Commission on Itinerancy did not seek input from Travellers who were subject to the policies being developed, however the state's selection of agricultural and

⁴ Patrick J. Burke was a Fianna Fail MP representing the Dublin County constituency in the Dáil.

⁵ Joseph Blowick was an MP for Clann na Talmhuain, representing the south Mayo constituency.

⁶ James Ryan, Minister for Finance in the 16th Dáil.

landowner lobby groups as a key source lacks emphasis. Given that the agendas of these organisations strongly reflect a historically developed Irish attachment to land, an active construction of nomadism as deviant behaviour through this policy document was preconditioned through the initial committee selection.

In its final report, the commission advises that Travellers should best be absorbed into the majority settled community, concluding that this can only be achieved 'by a policy of inducing them to leave the road and to settle down' (Commission on Itinerancy 1963: 106). While the provision of housing is mentioned, the report's recommendations for action emphasise the criminalisation of Traveller practices. Viewing Travellers as the creators of their own misfortune, the Commission effectively concludes that through a rigorous enforcement of legislation which criminalises the nomadic lifestyle, Travellers will inevitably settle to avoid prosecution. Assimilation therefore is not presented as a positive option, but rather a necessary adaption in the face of anti-nomadic legislation. The legislative recommendations in the Report on the Commission of Itinerancy paved the way for an increasing political emphasis on the criminal offences and penalties for trespass. Unsurprisingly, given the interests of members on the commission board, the report justifies the resentment on the part of landowners towards the Traveller practice of letting livestock graze on roadsides and in fields during the night. It goes on to condemn the 'excessive tolerance and leniency by the courts' (Commission on Itinerancy 1963: 100) and asserts that the Traveller population itself will ultimately benefit if severe legal punishment is enforced regarding such practices.

While the restriction of travelling practices is encouraged by the Report of the Commission on Itinerancy, recommendations regarding the provision of housing to Traveller families are deemed beyond the scope of the Commission. The primary result of the report therefore was to encourage the criminalisation of nomadism. In the absence of any national legislation specifically related to Travellers, the report's recommendations resulted in local authorities around the country becoming justified in utilising alternative laws to criminalise nomadism. In fact, the Commission itself recommends reference to the *Vagrancy (Ireland) Act* of 1847 as well as Part IV of the *Local Government (Sanitary Services) Act* of 1948. Of these, the latter is concerned with the regulation of temporary dwellings and the use of land for camping, granting local authorities the right to pass by-laws for the purpose of sanitary supervision. By not explicitly calling for laws relating specifically to Travellers and yet encouraging local authorities to take action against Traveller encampments, this state report allowed previously discursive association of Traveller with deviancy (in terms of land ownership) and inadequacy (primarily sanitary concerns) to be consolidated in practice. This can be evidenced in the report recommendation to employ the above vagrancy and sanitary acts to 'keep itinerants in the area on the move' (Commission on Itinerancy 1963: 53) by issuing fines or confiscating dwellings if camping was deemed a danger to public health or interfere with traffic.

The Commission on Itinerancy therefore presents a paradox if one compares its stated intention and the practical effects of the committee's recommendations. While it represents the first state report which problematizes the nomadic lifestyle of Travellers, it indirectly promotes displacement in the absence of a housing policy pertaining specifically to Travellers. Through the actions of the Commission, the complex historical and moral issues which underlie tensions between the settled population and the Traveller Community discussed previously are filtered into legal categories such as trespass. While the stated intention is to promoting settlement by criminalising nomadism, such legal categories in fact perpetuated mobility through displacement. In effect, although not verbalised legally, the Traveller lifestyle was indirectly criminalised, creating a stable stigmatised category of the 'other' facilitating any transfer of disillusion from state to a minority group.

The selection of a committee board with distinctively anti-traveller interests, indicates the state's attempt to marginalise the Traveller Community, or certainly to disassociate the group from a developing and modernising state. At the same time, however, the fact that the report recommendations were not reinforced by the passing of new and Traveller-specific legislation indicates that similar to the dichotomous discourse examined in the previous chapter, the state was in practice not entirely committed to group assimilation. In effect therefore, the process of commissioning a report on itinerancy and the subsequent publication of its recommendations fulfilled the role of both condemning the Traveller lifestyle, while simultaneously facilitating its restricted continuation. In light of these actions on the part of the state, the nature of nomadism itself was undoubtedly altered, effectively transforming voluntary mobility into forced displacement.

Given that national policies regarding housing schemes as well as trespass and eviction were not introduced until the late 1980s and early 1990s, the paradoxical outcomes of the Commission on Itinerancy outlined above evidently suited the state project during the formative initial decades of state's existence. The *Housing Act* of 1988 represents the first statutory recognition of Traveller-specific accommodation needs, being enacted almost twenty-five years after the publication of the report on the Commission on Itinerancy. Furthermore, this legislation does not introduce a legally binding housing policy for Travellers, but merely notes that housing authorities may provide or manage sites for caravans used by Travellers. While the act does not criminalise Travelling, clear legislative powers are imbued with regard to eviction rather than to the provision of services for Traveller encampments. This disparity in emphasis reinforces the increasingly forced nature of Irish Traveller movement caused by eviction rather than a self-directed nomadic lifestyle.

The increased powers of eviction introduced by the *Housing (Miscellaneous Provisions) Act* of 1992 were reinforced a year later with the *Roads Act* of 1993, empowering local authorities and the *Garda Síochána* to remove temporary dwellings impeding public road construction, maintenance or function. This undoubtedly targeted Travellers who represented those most likely to be affected given that in the absence of approved halting site groups often camped on roadside grass verges. It was not until the *Housing (Traveller Accommodation) Act* of 1998 that local authorities were legally obliged to meet the current and projected needs of the Traveller Community specifically. In light of this legislation, and regardless of its success as an effective settlement programme, trespass on public and private land was comprehensively criminalised under the *Housing (Miscellaneous Provisions) Act* 2002.

The state's differential legislative emphasis on housing and eviction remains a continuous theme from the 1960s through to the new millennium. This practical inconsistency offers a more nuanced insight into the evolution of the Travelling Community since the 1950s. Under the assumption of the Commission on Itinerancy, the successful housing of Travellers should facilitate integration and therefore falling Traveller numbers. The increase in the Traveller population documented in the opening could as a consequence be read as evidence for failing housing and integration policies. An alternative explanation which takes into account the instrumental role of state can be suggested by highlighting the legislative endorsement of eviction alongside assimilation policies. The state therefore played a central role in perpetuating mobility despite condemning it, simultaneously marginalising and maintaining Traveller practices for political purposes. This paradoxical engagement with the Traveller Community was facilitated by the class-poverty discourse which was prevalent at the time in question, enabling both the promotion of charitable support for Travellers (Itinerant Settlement Committees) alongside little official, state-led support. With a change in discourse, from the class-poverty to a culture-ethnicity paradigm a shift in focus from charity to justice occurred, which in turn altered interactions between the state and the Traveller Community (McCann et al. 1994).

3.2 Practical manifestations of the culture-ethnicity discourse

In the previous section, the transition from class-poverty to culture-ethnicity discourse is documented as a discursive shift primarily induced through academic discussion. Within the political context of Ireland's initial decades of focus on national ideology, the ethnicity debate featured little in practice. From the 1990s onwards, however, an economically prospering Ireland became more active on the international political scene as well as becoming for the first time a nation of immigration rather than mass emigration (Mulcahy 2012). In this political climate, one can identify the culture-ethnicity discourse surrounding Travellers moving into the forefront of the state's interaction with the Traveller Community, being harnessed as a political tool as part of the Irish state's participation in a globalising world. This can be seen in contrast to the harnessing of a class-poverty discourse regarding Travellers during periods of Irish modernisation and development.

The 1990s represent more generally a decade during which attention was invested in minority groups on a European and global level. This is embodied both by the 1986 *EU Declaration against Racism and Xenophobia* and the *UN Declaration of the Rights of Persons Belonging to National, Ethnic, Religious and Linguistic Minorities* which was issued in 1992. In fact, the former of these two declarations makes reference to the Irish Traveller Community specifically, deeming them the single most discriminated against ethnic group in Ireland (Committee of Inquiry on Racism & Xenophobia 1991). An initial legislative response to this in Ireland was the introduction of the *Prohibition of the Incitement of Hatred Act* in 1989, which seeks to eliminate discrimination on the basis of race, national and ethnic identity as well as against Travellers. The year 1998 saw the passing of the *Employment Equality Act*, to be overseen by the Irish Equality Authority which was established a year later. The basic premise of the act is to outlaw discrimination in the employment sector on several grounds, including membership of the Traveller Community. This initial equality act was supplemented in 2000 by legislation which seeks to eliminate discrimination in the provision of services. Based on the nature and temporal context of these legislative introductions, it is evident that the Irish state is acting in response to global issues and trends.

What is noteworthy beyond the global political context in which these acts were passed, however, is the mention within these laws of the Traveller Community alongside categories such as national and ethnic identity. While it may be claimed that the exclusive mentioning of the Traveller Community offers the group explicit protection against discrimination, it has more commonly been perceived as the state's active resistance to according Travellers the status of an ethnic minority. This resistance can be seen if one tracks Ireland's relationship to the *European Framework Convention for the Protection of National Minorities*. Ireland ratified the Convention in 1995, implementing it in 1999. Being monitored at a European level, governments are required to submit a report every five years documenting their efforts to preserve the culture of their national minorities. In line with this requirement, the Irish government submitted its first report in 2001 which states that Travellers are an indigenous minority and that the government 'accepts the right of Travellers to their cultural identity, regardless of whether they may be described as an ethnic group or national minority' (Council of Europe 2001).

While many hoped that this was a step toward ethnic status for Travellers, state resistance continued. Having signed the UN's *Convention on the Elimination of All Forms of Racial Discrimination*⁷ in 1968, Ireland finally ratified it in 2000. Submitting its review report to the Convention in 2005, the government made clear its position regarding the ethnic status of the Traveller Community. To begin with, documentation regarding Travellers did not feature in the main body of the

⁷ Monitored by CERD, the Committee on the Elimination of Racial Discrimination.

report, but rather in appendix form where it is stated that ‘the government's view is 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’ (Government of Ireland 2003). In its second report to the European Framework Convention submitted in that same year, the Irish government defended its position, asserting that it was ‘not prepared to conclude that Travellers are ethnically different from the majority of Irish people’ (Government of Ireland 2005).

It is evident therefore that while participating in global political and legislative debates, the Irish government did not practically subscribe to the culture-ethnicity paradigm with regard to the Irish Traveller Community. Should the government intend to maintain and marginalise an indigenous group, as has been argued thus far, one would expect the granting of ethnic status to the Traveller Community would be of political advantage, legally consolidating the group's distinction as a minority. Instead, in practice the government appears to maintain that Travellers represent a socially maladjusted group with alternative cultural values rather than being ethnically distinct.

Such discourses have similarly been harnessed by the Traveller Community, with the emergence of a focus on culture and ethnicity increasing Traveller engagement, allowing the group to seize ‘favourable political and discursive windows of opportunity’ (Royall 2010: 253). Traveller-led organisations such as the *Committee for the Rights of Travellers* (later *The Travellers' Movement*) and the *Dublin Travellers Education and Development Group* (now *Pavee Point*) emerged from the 1980s onwards, seeking to move away from paternalistic acts of charity and gain control of their own affairs. Royall (2010) points out that in challenging dominant state discourse which denied Traveller ethnicity, such groups promoted positive self-identification through the expression of the group's ethnic markers, encouraging the continuation of traditional practices fundamental to Traveller identity. This involved the preservation of nomadic practices as well as the speaking of Gammon/Cant, a distinct Traveller language. This in turn deems the self-definitional effect of the interactions between state and Travellers to be dual in nature.

It has been illustrated that political action pertaining to the Traveller Community can be categorised according to the themes dominant in public and academic discourse. And yet in spite of this, policy and legislative developments promote neither the class-poverty nor the culture-ethnicity paradigm in their entirety, perpetuating the continued identity construction of both Travellers and Irish national identity. Furthermore, it has been illustrated that the lack of a stable legal category which defines the Traveller group, Traveller identity has altered over time, as changes in dominant discourse and political action altered the group's political participation and their demands. This in turn has promoted developments in Traveller practice and self-definition.

4 Conclusion

This paper has traced the discursive representation of Irish Travellers as well as the practical manifestations and repercussions of these representations from the 1950s through to the present day. Over this time period, both the Irish state and the Traveller Community harnessed windows of opportunity in order to construct their own image in a positive light. As a result, the nature of the interaction between the two groups has evolved since 1950, being linked contextually to developing Irish nationalism and politics while also more broadly reflecting the changing relationship between liberal states and national minorities.

Discourse regarding the Irish Traveller Community and the formulation of a political stance towards the group constituted part of the Irish state's agenda for developing national identity and achieving modernisation. Being an indigenous minority group, the existence of the Traveller

Community represented an opportunity for negative traits to be projected onto an already marginal group during periods of national economic stagnation and social deprivation. The harnessing of such a window of opportunity is manifested in the assimilationist discourse and policy regarding Travellers which emerged during this period.

State promotion of cultural assimilation of ethnic minorities with a view to creating national homogeneity is not an exclusively Irish phenomenon. Kymlicka (2007) identifies the approach as a common reaction on the part of liberal democracies in the aftermath of World War II. Attempting to avoid the anticipated destabilising effect of minority groups in nation states, ethnic particularism was pursued in the nation-building process, highlighting that ethnocultural neutrality need not represent the basis of liberal democracy as is often assumed (Kymlicka 2007). The Irish state's relationship with the Traveller Community certainly reflects this, with a national minority being marginalised during the development of an independent, liberal state. Accompanying the discursive and active marginalisation of the Traveller Community documented throughout this paper, is the state's hesitation to practically achieve homogenisation through the active perpetuation of Traveller mobility. Alongside a contextually prevalent trend of assimilation therefore, one can recognise the seeming importance of the 'other' in constructing the state (Honig 2001).

Interestingly, Kymlicka (2007) posits that this initial approach on the part of liberal states was displaced by culturally plural models in the post-Cold War period, as multiculturalism increasingly became codified on an international level. In order to be seen to comply with the liberal standards drawn up by international bodies such as the UN, a change in state relations to minority groups was brought about. Although undoubtedly representing a shift in discourse as well as policy and law, it is argued that the recognition and protection of minorities remains within the general political trajectory of nation-building, with Kymlicka (2001: 1) asserting that 'claims for minority rights must be seen in the context of, and as a response to, state nation-building.'

Following Ireland's initial development and modernisation, the state can in fact be seen to seek political involvement on an international level. Unresolved tensions regarding the Traveller Community provided a basis upon which the Irish state actively participated in contemporary international matters, particular on issues involving minority and ethnic groups. Through engagement with a culture-ethnicity discourse regarding Travellers on the national stage, the Irish state was also able to participate in politics on an international level, allowing Ireland to be politically involved more generally in a globalising world. Engaging with the notion of cultural plurality facilitated international participation through topical and political relevance while simultaneously maintaining internal cultural difference required for the construction of national and state identity.

Alongside the state's engagement with trends in political discourse and action, its interactions with the Traveller Community influenced the development and self-definition of that group itself. Travellers have harnessed state and public discourse to facilitate the pursuit of the group's own objectives. This dual engagement with dominant discourse is most prominently evident with regard to the culture-ethnicity paradigm. In order to capitalise on the dominant discourse of the time, pro-Traveller advocates promoted the emphasis on differences in cultural practices and values, not least their traditional nomadic lifestyle. In the context of discourse centred on the cultural-ethnicity paradigm, group historicisation and romaniticism were therefore also promoted by the Traveller Community.

It is evident that varying discursive paradigms affect not only state and Traveller actions, but are informed by the contextual intentions and interactions of both groups in question, be that nation building, self-definition or the recognition of ethnic status. This in turn facilitates a more nuanced understanding of the dominant themes being discussed on the political as well academic stage. It is certainly true that debates regarding the relations between the Irish state and the Traveller Community

shift over time in their focus on issues ranging from poverty and criminalisation to questions of discrimination and the promotion of ethnic minority status. Nevertheless, the underlying themes informing such discussion and the political action they induce, recurrently revolve around the dichotomy of a class-poverty and a culture-ethnicity paradigm. These contrasting approaches are historically informed and perpetuated over time, as cultural differences are contextually highlighted and harnessed by the state, the majority settled population as well as the Irish Traveller Community itself.

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