



England Rules Phrase “Bloody Foreigners” Racist

By Dr. Lorne Foster

Sociologists have noted for some time that in “racialized societies” (that is, societies, like ours, where certain ideas and activities become linked with race) racism never disappears, rather, it tends to reappear in a variety of different guises.

Consequently, racism has undergone a kind of evolutionary development. “Old fashion racism” tended to be overt, conscious and deliberate acts of intolerance that had a harmful impact on members of a group perceived to be culturally and biologically inferior. However, as sociologists have observed, the “new racism” dominating the early 21st century tends to be sophisticated and disguised and less direct than in the past; nevertheless, the undercurrent of thinly veiled hostility is no less disconcerting and destructive.

This new racism often finds its focus in, and as, a response to the growing presence of increasingly assertive racial minorities, whose activities and demands are criticized as a threat to the national identity and social harmony. Here many critics from the dominant culture can claim not to be racist, but rather, disapproving of the actions of a minority group that is “undermining the moral integrity and social fabric of the nation.” The criticism doesn’t involve unsavory racial epithets or slurs, but rather, implied racial codes - like “inner-city youth,” and “boat-people” to name but two. The effect, however, is that the minority group can come to be understood through a lens of negative or “criminal” imagery - providing justification for differential treatment, and increased scrutiny by institutional authorities and agencies of social control (police, immigration, secret services, etc.).

In mixed societies like ours, because the new racism is seemingly innocuous at the surface level of life, and only visible in its deep-rooted consequences and destructive outcomes, it has been generally unacknowledged in everyday life. Yet, there have been indications of late that the beginnings of a sociological understanding of the new racism may be slowly seeping into some other prescribed public sectors.

Consider, for instance, judges at London England’s High Court have recently ruled that using the phrase “bloody foreigners” can be racist.

This ruling stemmed from a case involving a 16-year-old youth who used the phrase in an argument with a Turkish-speaking chef in a Portsmouth kebab shop, before cracking the shop window. The youth, who cannot be named for legal reasons, had been charged under section 28 of England’s 1998 Crime and Disorder Act following the incident last August. Comparable to Canadian “hate laws,” this legislation exposes offenders to higher penalties where crimes have a racist element.

The (Lower Court) magistrates in Fareham, Hampshire, originally ruled the words “bloody foreigners” could not be construed as “expressing hostility” based on the victim's presumed membership of “a particular racial group”. Instead, the lower court found the youth's behaviour had been more motivated by the argument over whether he had paid for his food. But the High Court has now ruled the magistrates' decision was unsound in law and that the motivation for the youth's behaviour was irrelevant. For the offence to be committed, all that was

necessary was for the defendant “to demonstrate towards the victim hostility based on the victim's membership, or presumed membership, in a racial group,” said the judge.

The judges did not direct the magistrates to continue the case against the youth, now 17, who had been drunk at the time. So, the youth involved will not face a retrial, but the ruling will be taken into account in future cases. Lord Justice Auld, sitting with Mr Justice Richards, decided that since the case was several months old it was enough that the law had been clarified.

Of course, in our society the term “bloody foreigner” may not have a direct Canadian equivalent. But home-grown terms like “inner-city youth” and “boat people,” which are replete in our airwaves and public discourse, can also function as coded language signifying membership, or presumed membership in a racial group. In the new racism, such coded language is often employed to control, conceal, evade issues, draw attention, or dictate surreptitious agendas about who “truly” belongs to the mix and who does not. In this regard, while they may be thought of as race neutral, labels like “inner-city youth” and “boat people” can convey a message of intolerance by highlighting differences, enlarging distance, and sanctioning inequality through invisible yet real boundaries.

The subtle sophistication of the new racism ultimately stems from the ability to use race neutral language to camouflage an influence on racial outcomes. Because of this subtle and disguised character, identifying the new racism will never be unequivocal nor unproblematic. So, “innocuous” labels and statements will now and forever be as difficult to discern as “only seemingly innocuous” ones.

Indeed, in the end, the only identifying connection between the old and the new racism that we have to look to as a clarifying marker in our on-going vigilance is that both involve merciless attacks on anything that threatens the balance of power.

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