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Testing the limits of the politics of recognition: Fox hunters in the United Kingdom

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Abstract

Research into the rights of minority groups to preserve their culture and identity has tended to focus on claims for cultural recognition made by indigenous peoples or other socio-economically disadvantaged groups. By contrast, this article examines the political appeals to culture and identity made by campaigners in the United Kingdom seeking to defend the sport of hunting with hounds in the lead up to the creation of the Hunting Act (2004). Opponents of the hunting ban consciously echoed arguments about cultural survival and cultural diversity made by indigenous hunters with the goal of fighting animal welfare legislation. These cultural arguments had little persuasive force when deployed by this relatively powerful and affluent group. I argue that the moral force of appeals to culture derive not from a vital human need for cultural recognition but from the imperative of redressing longstanding patterns of social, economic and political disadvantage.

Keywords

Fox hunting, hunting with hounds, culture, recognition, Hunting Act (2004)

Introduction

Research into the rights of minority groups to preserve their culture and identity has tended to focus on claims for cultural recognition made by indigenous peoples, migrants, refugees or other socio-economically disadvantaged groups. Comparatively little attention has been given to claims made by minority groups which are not economically or politically marginalised for recognition of practices important to their cultural identity. This article analyses the deployment of the language of culture by a relatively powerful and affluent group: supporters of fox hunting in the United Kingdom. It focuses particularly on the unsuccessful campaign led by the Countryside Alliance to defend the sport of hunting with hounds in the lead up to the creation of the Hunting Act 2004. This case offers an opportunity to examine the normative weight we give cultural claims in our political

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judgments when the issues of dispossession and socio-economic disadvantage are bracketed out, thereby increasing our understanding of the moral underpinnings of multiculturalism.

The Countryside Alliance, which had formed in 1997 from the merger of the British Field Sports Society with a number of other pro-hunting organisations, employed a range of different arguments in its efforts to mobilise public opinion against the proposed ban. Its well-funded pro-hunting campaign stressed the importance of hunting to the rural economy, and the job losses that a ban would entail. It also used the argument – employed for centuries by hunting enthusiasts – that hunting with hounds is an effective and humane form of pest control. In addition, it said that hunting promotes conservation of biodiversity because it encourages farmers to preserve areas of fox habitat. But intriguingly it raised another issue: the importance of fox hunting as a cultural tradition of the British countryside. I do not engage here with the merits of the arguments made about animal welfare or the rural economy, but instead concentrate on claims made about the importance of hunting with hounds to supporters' cultural identity. These claims concerning the fox hunters' identity were repeated when the Countryside Alliance and others mounted a legal challenge to the Act on the grounds that it was incompatible with the European Convention on Human Rights. Their challenge was dismissed (first by the Divisional Court, then by the Court of Appeal, and finally by the House of Lords).

As I will show there is an intriguing resemblance between arguments employed by British fox hunters in support of their right to hunt foxes and arguments made by indigenous hunters in other parts of the world. Like indigenous hunters, British hunters presented themselves as a minority group holding distinctive values which set them apart from the rest of society. British hunters held hunting to be central to their identity. They claimed that their desire to preserve and uphold the tradition of their ancestors should be respected.

When employed by indigenous hunters, cultural claims can be effective in helping secure special rights. By contrast, the idea that rural people in Britain are culturally different and therefore deserve cultural recognition and accommodation was not taken seriously by opponents of hunting. While contemporary indigenous hunting practices can prompt conservationists and animal rights campaigners to agonise over the proper limits of cultural toleration, no animal rights activists confessed themselves torn between the rights of foxes and the rights of fox hunters to preserve their centuries-old culture. Moreover, the House of Lords held that the ban did not constitute discrimination or violate anyone's human rights even as it acknowledged the importance of hunting to some people's identity and way of life.

I argue that the case of British fox hunters supports Will Kymlicka's (2007: 97–108) argument that it is the liberal conception of multiculturalism, not the conservative or traditionalist conception of multiculturalism, that is compelling. If Brian Barry (2001) was correct that the moral impulse behind multiculturalism was traditionalism, supporters of multicultural rights would have found the fox hunters' claims persuasive. At its heart multiculturalism is about the dismantling of status hierarchies, and this is why the fox hunters' claim to minority rights was unconvincing.

I start by showing that some fox hunters considered fox hunting an important cultural expression of the British countryside, and that this was not an unreasonable position from an anthropological point of view. I then establish that some fox hunters tried to make the argument that they were an ethnic minority. I suggest some reasons why this attempt failed. I then assess their claim to be an oppressed identity group and explain why this was not convincing. I then consider the notion that the claims of British fox hunters are analogous to those of indigenous hunters. I argue that the political, economic and social position of British fox hunters renders this idea implausible.

I then consider the real substance of the dispute between those who were for and against the ban on hunting with hounds. I argue that fox hunters had different views from the rest of the population

about whether hunting wild animals for recreation is ethical. They also had different views about the continuing relevance of aristocratic symbols to British national identity. The debate over whether hunting should be banned is better understood as a struggle among people who share a British identity than as a struggle between a minority culture and a dominant culture.

Hunting as a form of cultural expression

Fox hunters have employed a range of arguments to defend their sport against detractors over the centuries; what is remarkable about the campaign led by the Countryside Alliance is the incorporation of moral and political claims more commonly associated with ethnocultural minorities. The proponents of the ban were accused in the House of Lords of seeking 'to destroy not only a country pursuit – a disciplined and historic form of fox and deer control – but also a part of the very culture of the countryside' (Lord Hutchison cited in McGinness et al., 2002: 45). Hunt enthusiasts condemned the proposed ban as an 'assault on our culture' (Lewis, 2003). They demanded that their group-based cultural difference be recognised and respected.

Hunters participating in the Liberty and Livelihood March in Central London on 22 September 2002, organised by the Countryside Alliance, were perceived to be demanding not only liberty to pursue their own leisure interests as individuals, but the right to preserve a collective way of life. For example, the President of the Council for the Protection of Rural England said, 'I was marching because I believe passionately in the rights of minority cultures and the right of country people to live their own lives in their own way, rather than have a set of values imposed on them' (Sir Max Hastings cited in Brooks et al., 2002). The Countryside Alliance presented rural people as a community fighting for their right to be different from the rest of British society, and appointed itself as their representative. The march itself – which brought together hundreds of thousands of people from around England and Wales, 'many blowing hunting horns and dressed in country tweeds' – was described as 'a demonstration of cultural difference' (Tristram Hunt cited in Brooks et al., 2002; *Toronto Star*, 2002).

Supporters of hunting emphasised that it should be seen, not as a sport but as a culture, and therefore a repository of meaning and a source of identity. Hunters were said to be the bearers of a distinct inter-generational identity which made them innately and pervasively different from their fellow citizens. These people saw the distinctness of this identity confirmed by a unique cultural heritage. One passionate fox hunter explained, 'If you look at people who follow country sports they have their own literature and own art. It goes back centuries, with great painters such as Stubbs and modern ones such as Mick Cawston' (Foggo, 2004). Supporters of hunting with hounds argued that hunting differed from outlawed sports such as cockfighting and bear-baiting (to which it was sometimes compared by those supportive of a ban) because it 'is a culture and way of life supported by folklore, literature, music and art in all its forms' (Earl Peel cited in McGinness et al., 2002: 41).

The actual practice of hunting itself was portrayed as part of a cultural inheritance passed from generation to generation. Hunters felt that it had been bequeathed to them by their forefathers and that they themselves had a duty to pass on the legacy of hunting to their children (Branigan, 2001). A hunt supporter quoted in the *Daily Telegraph* felt that her 'grandchildren's birthright has been taken away from them' by the hunting ban (Bunyan, 2005). As a centuries-old tradition, and therefore a form of cultural property, hunting was seen not merely as a practice of the past, but an entitlement of present and even future generations.

The Countryside Alliance claimed that the survival of a rural way of life was at stake (Anderson, 2006). Fox hunters said they were protesting 'the end of a certain way of life' (Brooks et al., 2002; Townsend, 2004). (Interestingly, Robin Hanbury-Tenison, one of the founders of

Survival International – an organisation which champions the rights of tribal peoples around the world – was Chief Executive of the British Field Sports Society at the time of its metamorphosis into the Countryside Alliance.) Hunting with hounds was presented as a valuable and irreplaceable element of the world's rich cultural diversity. Comparisons were invited between fox hunting and endangered languages. Losing hunting, they claimed, would be 'like losing a language – an accumulation of meanings that offer an insight into human behaviour' (Moss, 2000). Hunting was described as one of the 'last vestiges' of a world that had 'been eroded by the forces of modern life' (Branigan, 2001).

Lest readers judge the use of the language of culture as entirely strategic and self-serving in this case, it is worth noting that it is not only supporters of the sport who have seen fox hunting as a form of cultural expression. Some ethnographic scholarship lends support to this idea. For example, the anthropologist Garry Marvin has examined the ritual aspects of fox hunting in detail (Marvin, 2002). He notes that British fox hunting is a highly formal public event governed by strict notions of etiquette and appropriate behaviour. Like other public rituals it involves pageantry and ceremony, music, formal gestures, references to tradition, mystical elements, special codes of dress, and a unique lexicon not easily understood by outsiders. This leads him to conclude that 'From an anthropological perspective … fox hunting can be interpreted as a highly formal and complex ritual event enacted in English rural space' (Marvin, 2002: 140). The special vocabulary, customs and costumes of hunting also impressed Eric Eliason. His ethnographic study of fox hunting in Lincolnshire concludes: 'Fox hunting is simply the most elaborate cultural expression going on in the English countryside' (Eliason, 2004).

The social anthropologists Italo Pardo and Giuliana Prato find that hunting with hounds is 'deep-rooted in the culture and tradition' of England (Pardo and Prato, 2005: 153). They observe that English hunters, like hunters in other parts of the world 'are bearers of an ethical view of nature that is absent in those who have never hunted' (Pardo and Prato, 2005: 144). This ethical view is linked to the valued opportunities hunting affords to experience and appreciate nature first hand. To these anthropologists, the conflict over hunting with hounds 'brings to mind the conflict between settled people and hunter-gatherer nomads' (Pardo and Prato, 2005: 144). They conclude that banning hunting amounts to the illegitimate imposition on rural people of the culture and morality of an urban elite (Pardo and Prato, 2005: 152).

When considering whether the Act violated hunters' human rights, the House of Lords affirmed some of the fox hunters' claims about the cultural significance of hunting. Lord Bingham acknowledged that to its supporters hunting 'is an activity deeply embedded in the tradition, life and culture of the countryside, richly portrayed in art and literature, a highly cherished, skillful, healthy and useful form of communal outdoor exercise'.[1] Lord Hope said that 'For many people hunting with hounds is a way of life … it has a rich cultural tradition of its own which has been built up over many years. The customs and beliefs which are shared by those who participate in it are different from those shared by others in the population generally'.[2]

Part of the reason for taking part in hunting is to self-consciously affirm a particular British cultural identity. The hunting enthusiasts of the last decades of the eighteenth century – the period when the sport of fox hunting was in its infancy – hunted because it was thrilling and fashionable. To them it was not traditional, it was the latest craze. Then, as now, many people are drawn to '"the sensation of screaming delight", the exhilaration of a fast run, the sheer test of nerve not easily to be found in a sedentary society' (Carr, 1976: 2). As the sport's popularity grew, and it spread throughout the country, it began to attain the status of not a mere sport but a British tradition.[3]

If we acknowledge that fox hunting is a traditional cultural expression for a subset of the British population, as I believe we should, we must concede that it is not only indigenous peoples who derive a part of their identity and self-worth from upholding tradition. Lord Rodger thought that

hunting 'is a core part' of some participants' lives and 'can be said to be integral to their identity'.[4] Traditions such as fox hunting give people a chance to affirm their connection with a specific landscape and with generations who have come before them. Fox hunters believe hunting allows them to be 'in tune with their ancestors' (Odone, 2002) just as indigenous peoples see their traditions as a way of reaching back in time to join with their ancestors. There is a traditionalist case that can be made for preserving fox hunting, but it is not one British multiculturalists find compelling.

Fox hunters as a culturally distinct minority

Fox hunting can be thought of as cultural practice because it is ritualistic, self-consciously traditional and important to participants' identities. But is it a practice of a minority culture? The pro-hunting lobby certainly tried to make the case that hunters are culturally different from those who wanted to ban hunting. It is striking that defenders of hunting used the language of ethnicity to communicate the distinctiveness of the hunting community. A pro-hunting organisation claimed that fox hunters were 'ethnically and culturally different' (Foggo, 2004). Roger Scruton said of the Liberty and Livelihood March 'It was the first time the English had appeared as an ethnic minority in their own land' (Scruton cited in Brooks et al., 2002). A journalist for the *Observer*, following the Countryside Alliance's lead, used the language of nationality to describe the distance between fox hunters and their opponents: 'For the metropolitan middle classes who voted New Labour, hunters are foreigners, their way of life alien' (Odone, 2002). A banner carried by pro-hunting protestors asked 'Are we an alien culture?' (Lewis, 2003). The conflict over the proposed ban was conveyed by hunters through terms associated with ethnic conflict. The slogan chosen for one pro-hunting sign was 'We will not be culturally cleansed' (Maynett, 2002). A correspondent to the *Independent* said the ban 'will destroy a living, socially harmonious culture' and characterised the ban as 'cultural genocide' (de Pelet, 2000).

Attempts to portray fox hunters as ethnically distinct from other white Britons do not appear to have been convincing to people who did not hunt. It did not seem natural to describe fox hunters as 'culturally other' because they were not descended from a different population. Fox hunters were seen as an avocational subculture, rather than an ethnocultural group. While acknowledging that hunting was important to the identity of some participants, Lord Rodger noted that the same could be said of occupations or of other recreational activities that some people take very seriously, such as mountaineering or playing the piano.[5]

Comparing fox hunters with oppressed groups

Supporters of hunting claimed that the proposed ban was motivated by 'prejudice' and 'bigotry' towards an identity group: 'Hunting and farming people, and their supporters, feel insulted by this Government in the way that black people feel insulted by racism – the horrible sense that you are hated simply for what you are' (Moore, 2002). They said that the abolition of fox hunting 'has little to do with animal welfare, and everything to do with extinguishing fox hunters' (Hastings, 2004). The Alliance's advertising tried to equate prejudice against hunting with racial prejudice. To this end, they created a national advertisement featuring two images of a Black woman: the first shows her in ordinary clothes with the word 'prejudice'; the second, shown underneath, has the same woman in hunting gear with the slogan 'tell me about it' (Pook, 2003). Fox hunters saw themselves as a 'victimised minority' (Appleton, 2002). They appealed for 'tolerance' and the opportunity to 'co-exist' peacefully with their critics (Tibbetts, 2003).

Hunters claimed to be a cultural minority equally deserving of special consideration as immigrant minorities within Britain. A pro-hunting campaigner told a crowd at a country fair that

'supporters of the traditional country way of life should be given the same rights as blacks, Muslims and gays' (*BBC News*, 2002). Opponents of the ban drew attention to the willingness of the government to permit halal slaughter despite its incompatibility with mainstream sentiments about animal welfare, and accused the government of hypocrisy (Johnson, 2002). A spokesperson for the Countryside Alliance said, 'if any other community were treated in the way the hunting community was, there would be "an absolute outcry"' (Pook, 2003). The director of the Countryside Alliance's Campaign for Hunting said 'Hunting enthusiasts are ridiculed, victimized and pilloried without foundation or evidence in a way that no other minority would ever have to put up with' (Foster, 2002). Prince Charles, a keen fox hunter, wrote to the Prime Minister to express concerns that country people were being treated worse than other minorities. He appeared to endorse the view that 'If we, as a group, were black or gay, we would not be victimised or picked upon' (Bates, 2002).

The Countryside Alliance was correct in its perception that the general public is less worried about negative portrayals of fox hunters than they would be about similarly vigorous denigrations of gays or Muslims. Yet there are good reasons why negative portrayals of gays or Muslims are more harmful than negative portrayals of fox hunters. Both these identity groups face injustices that go beyond insults and stereotyping. While the pro-hunting lobby correctly observed that fox hunters do experience hostility from the broader society (as I explain below), they cannot be said to suffer a sustained pattern of economic, political or social disadvantage relative to other members of society. Fox hunters are generally affluent and powerful. Nor is the hostility they face based on prejudice against an identity that is immutable or involuntary.

The Countryside Alliance's portrayal of fox hunters as a persecuted minority depends on the idea that the hunting ban itself was a form of oppression. The Alliance characterised the ban on fox hunting as an assimilationist measure imposed by the state at the behest of members of the dominant culture. However, the banning of one practice alone is not conclusive evidence of group-based oppression. The fact that analogous sports had been banned for many decades suggests that the Bill was not an illegitimate attack on a particular identity-based group. As I explain below, the ban should be seen as an attempt to put fox hunting on the same footing as other blood sports.

Indigeneity

Hunting was described as 'part of our indigenous English culture' (2004) and some hunters represented their situation as analogous to that of indigenous peoples. One hunter told the *Guardian*, 'I feel like a Red Indian' (Vidal, 2001). A participant in the 1997 Countryside Rally said country people were 'indigenous people as threatened as "any poor bugger in the rainforest"' (J. Vidal cited in Woods, 2003: 317). In the Countryside Alliance's *March Magazine*, fox hunting was portrayed as an aboriginal tradition usurped by the later arrival of rival traditions: 'I have often compared the plight of the English countryman to that of the Native American "Indian". The fact that we were there first will avail us nothing in the coming struggle for survival … the concept of the countryside as a living, breathing workplace will be consigned to the dustbin of history along with the aboriginal inhabitants' (cited in Wallwork and Dixon, 2004: 27).

One fox hunter urged hunters in the West to seize the moral high ground by linking the plight of their 'hunting culture' to that of indigenous hunting cultures such as the Bushmen of the Kalahari or Australian Aborigines. He felt the Countryside Alliance was beginning to make the connections between the fox hunters' struggle to continue their hunting culture with the plight of indigenous peoples. As an example, he cited the participation by representatives from the organisation at 'the weekly vigil outside Botswana's High Commission, protesting the forced eviction of Bushman hunter–gatherers from that country's vast Central Kalahari Game Reserve to make way for

diamond mining' (Isaacson, 2002). The Countryside Alliance campaign director for hunting said, 'There is a global issue here – the constant pull away from nature in every society. We need to bring hunting communities around the world into closer contact, to campaign both for their human rights and for the continued existence of their cultures – whether Bushmen or fox hunters' (Isaacson, 2002).

What are we to make of the claim that the hunters are in some way like Native Americans? Is there any sense in which their political demands are analogous to those of indigenous peoples? To answer this question, we first need to consider who 'indigenous peoples' are and what makes them distinctive as a category. 'Indigenous peoples' is a complex and contested term which has gained remarkable currency within the last few decades despite the lack of agreement on its meaning (Niezen, 2003: 18–19). According to the UN Permanent Forum on Indigenous Issues, the category takes in 370 million people spread across 70 countries worldwide – which indicates that this body interprets the term widely to encompass peoples with a great diversity of experience (United Nations Permanent Forum on Indigenous Issues, 2007). The paradigmatic examples of indigenous peoples are populations colonised by European settlers, such as Australian Aborigines and Torres Strait Islanders, the Māori in New Zealand, First Nations in Canada, and the Native Americans in the United States (Bowen, 2000: 13).[6]

Most indigenous peoples have a cluster of characteristics in common. It is worth taking each of these characteristics in turn to consider how much weight they give to claims for special rights. Firstly, indigenous peoples are distinguished by their attachment to particular ancestral territory and their claim to be descended from the original inhabitants of this territory.[7] But this does not go to the heart of what makes them distinctive or candidates for special rights. The mere fact that a particular group of people made a place their home before all others seems an entirely arbitrary way of justifying rights. Waldron argues that we should avoid any principle which 'purports to license some people, on grounds of historical priority, to repudiate and marginalize the claims of others' (Waldron, 2003: 80). The notion that the cultures of earlier inhabitants of a territory deserve greater priority over those of later arrivals has a dubious history. For example, Nazis claimed that Germans had special entitlements as the autochthonous people of Europe (Bowen, 2000: 14). The claims of indigenous peoples to special consideration do not derive their full force from the fact that their cultural practices are autochthonous.

The claim of indigenous peoples to have their distinctive moral understandings of the relationship between humans and animals treated respectfully owes far more to their remarkable achievement in living sustainably from time immemorial within the limits of particular ecosystems (Hendrix, 2007; Weir, 2009). This feat contrasts impressively with European colonists' subsequent rapid depletion of resources and eco-destruction.

The most significant characteristic that indigenous peoples around the world have in common is a historic experience of brutal dispossession and severe discrimination (Moore, 2005: 284–287; van Meijl, 2006: 74–75). Their human rights were systematically violated. Their spiritual and cultural beliefs and practices were branded savage, primitive and uncivilised by colonisers who attempted to eradicate their ways of life. Indigenous peoples were prevented from transmitting their languages and beliefs to younger generations, including through state policies of forced removal of children. They were encouraged to feel ashamed of their difference, and forced to adopt the language and cultural practices valued by the colonisers. The systems of justice and conflict resolution they had developed were usurped by those of the colonising state. Many groups were forced off their land. Their forced incorporation into modern states calls into question the legitimacy of the political and legal system imposed upon them (Moore, 2005: 284–285; Mulgan, 1998). It is the relationship between these peoples and the militarily, politically and economically more powerful states within which they are subsumed which places them in a special normative position.

In other words, it is the relational element of indigeneity which seems to ground the strongest claims of indigenous peoples: the right to self-determination and the right to retain their cultural distinctiveness.

Thus, the fox hunters resemble Native Americans only in minor ways. Like indigenous peoples, British fox hunters wish to affirm and preserve a traditional identity which is bound up in a particular landscape and ways of knowing and using that landscape. Yet, the overall context of their grievance against the state differs sharply. The legitimacy of the political institutions British fox hunters are subject to is not at issue. Fox hunting is a ritual which recalls a vanished world, but the forces that destroyed that world are not analogous to the colonisation that interrupted the transmission of indigenous rituals. By definition, indigenous peoples are non-dominant and vulnerable groups. By contrast, hunting with hounds can count among its supporters very affluent and powerful people, and this has protected fox hunting throughout the twentieth century as the British public became increasingly concerned about animal welfare. Fox hunters' campaign against the hunting ban has little in common with indigenous peoples' struggles for hunting rights. Though some participants testify that fox hunting provides an opportunity for learning about the natural world through direct sensory experience and empathic engagement, it would be unjust to equate fox hunters with indigenous peoples who are custodians of ecological knowledge accumulated over thousands or tens of thousands of years. Fox hunting can only be described as an indigenous practice in the very limited sense that it is native to England.

Fox hunting enthusiasts' empathy with indigenous hunters in other parts of the world has come shamefully late. In the 19th century nostalgic settlers imported chase animals to the Australian colonies of New South Wales, Tasmania, Victoria and South Australia (Rolls, 1969: 301–329). While settlers recreated the English tradition of hunting with hounds – complete with all its pageantry – the indigenous population was being decimated by frontier violence, introduced diseases and hunger. Foxes brought from England for the purpose of hunting eventually established wild populations on the Australian mainland, causing the extinction of numerous native mammals of cultural, spiritual and economic importance to Australian Aborigines (Woinarski et al., 2015). A love of hunting seems to have prompted no fellow feeling with the indigenous owners of the land the colonists hunted on. Indeed, fox hunting is a cultural expression closely associated with imperialism. Nineteenth century enthusiasts boasted of hunting's role in inculcating the manly virtues necessary for maintaining Britain's place in the Empire and the world (Itzkowitz, 1977: 22).

The debate over whether hunting should be banned is best understood as a struggle among people who share a British identity. To its opponents, fox hunting represented the unnecessary infliction of pain and suffering on innocent animals by people whose wealth and political clout had shielded their sport from previous waves of animal cruelty legislation. In the words of one opponent: '[Fox hunting] is about amusement through cruelty. It is the interests of the landed, wealthy and powerful that have protected this blood sport's immoral and archaic place in the nation's life' (Jones, 2002: 3–4). To many it seemed the hunters were simply protecting an anachronistic blood sport, their opponents fighting for the lives of foxes. Opponents of hunting contested the continuing relevance of aristocratic symbols to British national identity. Those who wanted to ban hunting were motivated by their hostility towards a symbol of aristocratic privilege, rather than hostility to a minority cultural group.

Some denigrated the Liberty and Livelihood march as an exclusionary and reactionary intervention into the debate on British identity. Their criticism focused on the marchers' claim to be defenders of 'a way of life'. The *Daily Mirror* stated that the marchers risked coming 'across as small-minded, small-hearted racists, who dream of preserving some lost England where we were all happy and white together' (Parsons, 2002). Writing in the *Independent*, Ugandan-born Yasmin Alibhai-Brown saw 'a coded message' 'behind all these "way of life" complaints'. She linked the

march with racism and exclusion. '[M]ay we not speculate that the march is in truth making a stand for the kind of country this was before all us darkies arrived?' she asked (Alibhai-Brown, 2002). Alibhai-Brown viewed the fox hunters' desire for cultural preservation as akin to that of 'Orthodox Jews' or 'the mullahs of mayhem', and in her view it was similarly problematic. 'I don't accept any group in this country has the right to demand that their cultures should be protected from pollution' she said (Alibhai-Brown, 2002).

Conclusion

Iris Young wrote that what Charles Taylor calls 'misrecognition' is not 'a political problem independent of other forms of inequality or oppression' (Young, 2000: 105). She criticised the impression given by Taylor that groups demand recognition 'not for the sake of or in the process of seeking other goods' but 'for its own sake, to have a sense of pride in their cultural group and preserve its meanings' (Young, 2000: 105). Where there are demands for cultural recognition there are usually also demands for the redress of discrimination and structural disadvantage, she observed: 'Many conflicts over cultural toleration or accommodation in contemporary liberal democracies, in my observation, occur within a context of structural inequality between the dominant groups and cultural minorities' (Young, 2007: 82).[8] I have shown that as an empirical fact elite groups – such as British fox hunters – do engage in struggles for cultural recognition. The difference is that their cause does not have the same claim to justice.

This point is particularly worth making in light of the numerous other relatively privileged groups who attempt to defend questionable practices on the grounds that such practices are tied to their cultural identity and heritage. In the Netherlands for example, Black Pete (Zwarte Piet) – a golliwog-like figure who helps Sinterklaas distribute gifts to children as part of the annual feast of St. Nicholas – has been criticised as an embodiment of racist stereotypes. These accusations have been met with appeals to Black Pete's importance as a Dutch cultural tradition (Hilhorst and Hermes, 2016). In the US South, white Southerners fight to keep the Confederate flag flying over state capitals and defend other symbols of slavery (Leib et al., 2000). They claim the right to celebrate the Civil War as part of their heritage and identity.

Against Charles Taylor, who claims that cultural recognition is 'a vital human need' (Taylor, 1992: 26), I argue that the claims of cultural communities who have suffered domination are more compelling to multiculturalists than those of more privileged groups. Multiculturalism, as it has played out in Western democracies, should be seen as a movement against racial and ethnic hierarchies (Kymlicka, 2007: 97–108). Its animating impulse is equality, not traditionalism. Much of the moral force of appeals to culture derive not from the importance of cultural recognition or cultural survival, but from the imperative of redressing long-standing patterns of social, economic and political inequality. The argument I have presented here should alleviate the concerns of those such as Brian Barry (2001) that cultural identity operates as some kind of trump card. The case of English fox hunters suggests that merely invoking the cultural importance of a controversial practice is not enough to override ethical concerns.

The analogy the fox hunters drew between themselves and indigenous hunters provides an opportunity to clarify why the cultural claims of indigenous people carry normative weight. I accept that fox hunting is an autochthonous practice of England involving appreciative engagement with local ecosystems. Yet, the cultural practices of earlier inhabitants do not necessarily deserve greater recognition and protection than those of newcomers. Indigenous hunting practices are a special case because of their centrality to lifestyles which have proven ecologically sustainable over thousands of years. Indigenous peoples' cultural claims also derive force from their historical and ongoing experiences of dispossession, racism and marginalisation. The reasons

multiculturalists have for recognising and accommodating the cultures of marginalised minority groups do not apply to those of dominant groups.

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Notes

1. R (Countryside Alliance) v Attorney General [2007] UKHL 52, p.1.
2. R (Countryside Alliance) v Attorney General [2007] UKHL 52, p.27
3. In the nineteenth century fox hunting came to be associated with British national identity and it was thought to inspire patriotism. Though other nations had their own forms of hunting, fox hunting was unique to Britain (Itzkowitz, 1977: 22). It was seen not just as the product of a peculiarly English approach to life, but 'the moulder of a uniquely British character' (Itzkowitz, 1977: 22). Hunting enthusiasts took pleasure in the incomprehensibility of the rituals of fox hunting to foreigners (Itzkowitz, 1977: 22). Victorian hunting novels derive comedy from the failure of characters from outside of Britain to grasp the conventions of hunting (Itzkowitz, 1977: 22).
4. R (Countryside Alliance) v Attorney General [2007] UKHL 52, pp. 42–43.
5. R (Countryside Alliance) v Attorney General [2007] UKHL 52, pp. 42–43.
6. In these countries, the long period between the initial peopling of a region and subsequent European colonisation makes it relatively easy to establish a distinction between indigenous peoples and the rest of the population. The term indigenous peoples also is used in Asia and Africa but on those continents establishing which groups should fall within the term is more difficult (Bowen, 2000: 13).
7. However, when we look at specific groups we find that it is not strictly the case that the people we call indigenous were there before any other humans occupied that territory. According to Adam Kuper, 'it cannot be doubted that some of the First nations were not merely immigrants but actually colonizers. Innu, for instance, entered the Quebec–Labrador peninsula only 1,800 years ago, displacing and assimilating earlier populations' (Kuper, 2003: 392).
8. Iris Young writes 'Where there are problems of lack of recognition of national, cultural, religious, or linguistic groups, these are usually tied to questions of control over resources, exclusion from benefits of political influence or economic participation, strategic power, or segregation from opportunities. A politics of recognition, that is, usually is part of or a means to claims for political and social inclusion or an end to structural inequalities that disadvantage them' (Young, 2000: 105).

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