Working Notes Issue 44:
Facing up to a Multicultural Future

The Contradiction of Justice

on Thursday, 10 April 2003.

Brian Lennon, SJ

Justice is about right relationships

Justice is about right relationships, respect for others, above all about the protection of the weakest in society. Child abuse is about as basic a contradiction of justice as there is. All child abuse is awful but it has been a particular shock for Catholics to realise that some priests whom they trusted and respected have been involved in it. However, the most difficult aspect to comprehend of the Church's response to Clerical Child Abuse was the policy of moving offenders to another location where they had the possibility to re-offend. This policy was tantamount to putting the 'good name' of the Catholic Church above the safety of children..

The role that the Catholic Church occupied in the public and private lives of many Irish citizens is key to understanding the sense of moral outrage and anger that has greeted the recent Prime Time documentary. In its teachings the Church has always been very exact in what is acceptable and unacceptable in every aspect of physical and sexual relations of its members. The Church has taken high profile positions on moral issues such as abortion, divorce and contraception. Also the Church has been a great advocate of justice for the poor, the vulnerable and the most marginalized members of Irish society. But when called upon to exercise justice to protect the most vulnerable, that is, our children, it was found terribly wanting. The horrific nature of child abuse makes the policy response all the less understandable. It appears in not wanting to cause scandal to its members the Church has been a source of a deeper and more fundamental scandal.

The suffering caused by abuse is incalculable. It is impossible for those who have not experienced it to imagine it. For some the pain has been so great that it has led to suicide. Some have suffered – and continue to suffer - in silence. Others have gone public and called their abusers and the Church to account. Lay Catholics, priests and bishops who have been scandalised by the institution's response have also suffered, but this is in no way comparable to the pain of those who have been abused.

Many of the victims who have gone public have said that they did so to protect children from future abuse, and also because they want the Church to recognise and accept the wrong it has done. They are entitled to both.

There are a number of tasks to be faced:

- One is that the State pursues criminals no matter who they are or what their status is;
- secondly, to ensure future protection for all children;
- thirdly, to give a measure of justice to victims.

- fourthly, to face questions about the treatment of convicted abusers after they have served their sentences;
- fifthly, to find symbolic and practical ways in which the Church can show its repentance and,
- sixthly, for the Church to find ways to reform itself.

In the eyes of the State...

In the eyes of the State all citizens are subject to the same laws, and have the same duties and rights. The fact that a suspect is a priest or religious should makes no difference. That is – or should be – obvious. It is up to the Garda to pursue criminals, both to protect children from further abuse and to give a measure of justice to victims. Where evidence is insufficient the State needs to make decisions about the advisability of public enquiries.

Canon Law is important for members of the Church. From the State's point of view it has – as the Minister for Justice recently put it – an importance similar to that of the rules of a golf club. Courts respect to a degree the internal rules of organisations, and on that basis may give some weight to Canon Law. This may be relevant when dealing with issues of confidentiality. In some circumstances, as for example with journalists and lawyers, confidentiality is respected. Again it is for the courts to decide if Church confidentiality should be legally respected, and if so to what extent.

The conviction of their abusers is part of the justice to which victims are entitled. Justice vindicates the victim. It says clearly and publicly that it is the perpetrator and not the victim who is guilty. Often victims imbibe deeply the message given them by their assailants that the abuse is their fault, that they are non-persons, that they are there to be used and abused, that they are objects of power. Public justice can do something to counter this.

Clearly justice also involves due process. This is not only for the sake of the accused but also that the truth may emerge. We have seen in other contexts, such as that of the Birmingham Six, the damage done when the desire for results leads to false convictions.

Pursuing criminal charges, where successful, helps give a measure of protection to children because it puts abusers behind bars. But child protection also needs a culture, a strong ethos in organisations, good protocols, evaluation of their implementation, and a public awareness of what constitutes good and bad practice. The Church, especially given its failures, should be at the forefront in ensuring all these exist in any organisation linked to it. For this there is need for on-going, independent and public evaluation of the effectiveness of the Church's child protection practice.

There are no simple answers to questions about treatment of convicted abusers. Where should they live? What limits should be put on their movement? What guarantees can be offered that they will not offend again? How can we ensure that children will be protected? Both the State and the Church need to address these issues.

Actions - not words

The most cogent way in which the Church can show its repentance is through actions, not words – although words are important. Only when people see Church leaders actively involved in dealing with abusers, cooperating with Garda enquiries, helping and supporting independent enquiries, will they begin to believe that child protection and not institutional protection is the priority for the Church.

The reform of the Church was never more urgent. The crisis has highlighted the lack of accountability of Church leaders to its members. That fact has been obvious for many years, but the abuse has brought home to people in a new way the dangers of non-accountability. It is not easy to be optimistic about the possibilities of change. The structure of the Church as a whole is deeply hierarchical and patriarchal and many are still in denial about the size of the task involved in confronting it.

There is a need for deep learning, which can only come from deep listening, before any move to new structures is made, although new structures to empower lay people will be needed. However, lay people will not engage in listening exercises, such as diocesan assemblies, if these are merely designed to allow them vent anger. There has to be the possibility of change at the end of the process.

So what is the answer? Again, like many, I have no idea. There are no easy solutions. Many now despair of the capacity of the institutional Church to change. It is up to those of us who remain committed to it to show this need not be the case. As Bishop Willie Walsh said recently the Church is subject first and foremost to the law of Christ, which is the law of love. Anything that does not serve this should be removed.

While nothing will undo the harm done it is good at least that the abuse issue has been exposed and in such a way that Church leaders and the State have had at last to confront the problem. It is not unreasonable to hope that this may lead to greater protection for children.

Nothing less than a deep, effective and transparent commitment to the protection of children and justice for victims will do

Politics, Corruption & Europe

on Tuesday, 18 February 2003.

Edmund Grace. SJ

An Away Match

When the supporters of the Irish soccer team visited Estonia in early June 2001, the Nice Treaty was not on their agenda. Yet one effect of this particular away match on Dermot, a Dublin northsider, was to convince him to vote 'yes' in the first Nice referendum a few days later. Seeing for himself the standard of living among people in that part of the world, and knowing how well Ireland has done in recent years as a member of the European Union, he felt it was only right that the Lithuanians should be admitted as soon as possible.

Dermot may have agreed with the stance taken by the Irish political elite in the Nice referenda, but they can draw little comfort from his attitude to their leadership. In the recent general election his main concern in voting was to express his disgust at the level of corruption in politics. One party was a particular focus of his annoyance, but that did not translate into support for any of the other mainstream parties.

Marie, from county Louth, voted 'no' in the first referendum, though she recently told me that she had nothing against the Nice Treaty itself. She certainly did not want to exclude the countries of central Europe, but she was unable to bring herself to give a 'yes' vote. When asked why not, she replied: 'I don't like being bullied; they're shoving it down our throats.' She decided in the end to repeat her 'no' in the second to express her deep anger at the behaviour of the Irish political establishment which, in her view, has behaved with a contempt for democracy.

Dermot and Marie, unlike many of their peers, think it worth their while to turn out and vote. Both come from family backgrounds in which social responsibility and political awareness would be taken for granted and neither of them would have any time for a 'little Ireland' mentality. Yet if anyone were to suggest to them that Irish public life needs people with a strong sense of values like themselves, their reaction would be one of wry amusement. In their eyes, as with many of their generation, you would have to be very naïve indeed to think that you could achieve anything worthwhile through a career in politics.

In Praise of Interfering Busybodies

'Politicians…'
Some of our more caustic journalists would sympathise with this view. One recent sample from Kevin Myers' column in the Irish

Times captures the mood:
‘Politics doesn’t usually recruit passionate idealists so much as busybodies whose ambition is to interfere in other people’s lives.’ 1 Presumably Myers doesn’t want to be taken too seriously when he says of politicians that they should be watched ‘with the same horrified fascination with which we might observe beetles revelling in dung.’ The tenor of his article, however, is such that it would discourage any right thinking person from getting involved in politics.

Its easy to forget, when talking about ‘the politicians’, that elected representatives are only the tip of the iceberg of political activity in any democratic system. Each of them has to begin their political careers as just one other individual among many thousands of others throughout the country who are involved in campaigning, lobbying, protesting, debating. Many of these people are not members of political parties. Indeed, the community pressure group has probably replaced the local cumman as the focus of political involvement at grass roots level. It is a mistake to equate political involvement with membership of this or that party.

To most of the population, however, it is quite incomprehensible how anyone would want to endure the endless hours of tedium, tangled arguments and peculiar personalities to be found whenever people get together to debate and make decisions about issues of public concern. Most people find such activity wearisome in the extreme and they tend to see both the local community activist and the public representative as being, at best, a bit daft. Many would sympathise with Myers’ distaste for politicians but before concluding that those who do get involved must be pathological, its worth considering why they might bother to do so.

The public happiness.
One popular explanation is that ‘political types’ simply love being noticed. According to this view such people will seize any opportunity, no matter how wearisome and bleak, for indulging their addiction for notoriety. It would certainly be impossible to remain politically active for any length of time if you did not enjoy being in the limelight, but this enjoyment is not necessarily unhealthy. Those who have an aversion to any kind of notice are often more to be pitied than admired. No one thrives in isolation and to thrive in a fully human way is to be able to revel happily in the recognition of others.

The American founding fathers spoke about ‘the public happiness’ by which they meant the enjoyment people get from going to meetings and public assemblies, not just out of duty or even to pursue their own interest, but because they enjoy being present on such occasions. ‘Wherever men women or children are to be found,’ wrote John Adams; ‘whether they be old or young, rich or poor, high or low, wise or foolish, ignorant or learned, every individual is seen to be strongly actuated by a desire to be seen, heard, talked of, approved and respected by people about him, and within his knowledge.’2

We all need recognition and affirmation, because we all want to know that we are making a difference to the world in which we live. The early Americans spoke of this desire to make an impact on others as 'the passion for distinction.' They considered that this passion, like anger, could be used for good or ill. In its virtuous form they spoke of it as 'emulation' or 'the desire to excel another.' As a vice they called it 'ambition.'3 Even the most selfless individual, if they have the capacity to engage in political activity for any length of time, will have a good dose of this particular vice, but to insist that no one should engage in public affairs unless they are certifiable saints is to demand more than human nature can deliver.

'Who Cares?'

To engage in political activity is a service; no one seriously denies that. What many today genuinely – and thoughtlessly – doubt is that this service could ever be worthy of human nature at its best. Certainly, while the desire to be noticed by others is intrinsically healthy, it does not of itself suggest an eagerness to help others. Few people, if asked, would include politics among the helping professions, but it is worth persuing an analogy between politics and another very different form of activity – nursing.

At first sight this analogy may be disconcerting to the point of hilarity, but nurses and politicians are alike in that they are required to take a practical approach to painful realities. A nurse who dissolved in tears every time a patient is brought into intensive care would be as useless as a politician who went about in a perpetual state of mournful grief at the injustice of society.

A second feature, which we have already noted in the case of political involvement, is that it would be impossible for nurses to do their job for any length of time without enjoying what they do. This does not mean that they enjoy hospital odours or dealing with the less pleasant tasks of caring for seriously ill people. Good nurses, however, know that the work can't be done unless they are ready to deal with these items and, in that sense, they will be genuinely happy to do so. In like manner many of the activities associated with politics have their distasteful side – such as dealing with ruthless powerful people who have no time for anything except their own selfish interests. Political leaders have to do this if a society is to be governed responsibly.

The happiness associated with nursing is not on the level of aesthetics or physical comfort or even public esteem. It takes the form of a personal satisfaction which has nothing to do with any normal criteria of success. The primary objective of medicine is to restore people to good health, but the quality of nursing care is not measured by a patient's successful recovery. Indeed, those nurses who consciously devote themselves to the care of the dying are held in particularly high esteem. The primary satisfaction of a dedicated nurse is knowing that they have cared for the sick.

Most people accept this assessment of nursing without too much difficulty, but they find it difficult to accept that anyone involved in political activity could get the kind of satisfaction that nurses get out of caring for the sick. As we have seen, political activists are usually the kind of people who

enjoy being noticed and we all tend to be dubious about people who have a knack at drawing attention to themselves. This is particularly true about those who put themselves forward to deal with issues about which we ourselves have strong feelings, while lacking the energy to do very much about them.

Political activity, however, involves a great deal of sheer hard grind which could not be sustained simply by a desire for notoriety. There are easier ways of attracting attention to oneself and there are many people who persist in their political commitment in spite of very limited success – standing as a runner up candidate in one election after another or lobbying on issues which command little public interest. Even the electorally successful have to endure their share of frustration – and electoral success can never be taken for granted.
Whatever the rest of the population may think, those who get involved in politics – and remain involved – do so, with very few exceptions, because they have the robust brisk energy to do something about the more intractable problems faced by the society in which they live. They are the only available answer to the cynical despairing question which is often asked about public issues - 'Who cares?'

Personal lives.
Politically active people, with all their failings, do care. That does not necessarily make them sweet and gentle, but nor does it mean that they have no time for ordinary human relationships, as their critics would like us to believe. 'The rest of us,' according to Myers, 'cherish our homes and hearths, our friends and our families' while politicians enjoy 'endless meetings on November nights' and 'talking to people they dislike.'4 A political activist who genuinely enjoys long dreary meetings is about as rare as a nurse who loves the smell of medicine but, like nurses, a dedicated politician will be happy to do what needs to be done.

There is no denying that politics can draw people away from family life, but there are many forms of activity which can have this effect. The demands of political involvement, as with other activities, can be a very maturing and character building and can actually enhance what a person can bring to their family life. As for friendship, every challenging activity is a fertile breeding ground for good humoured affection and solidarity among those involved and part of the absorbing nature of political involvement for many people is that this activity often brings with it the reward real enduring friendship. On a purely personal level they would be genuinely lost without it, just as others might feel lost if they were to stop playing golf or following their favourite football team or painting or singing in a choir or playing bridge. Its entirely appropriate to choose our friends from among those who share our interests.

Awkward characters.
The analogy between nurses and politicians is not confined to the question of personal interest and motivation. As with nurses, political leaders at any level often have to deal with human nature at its

most demanding and self-centred. Awkward characters – in the hospital bed or at a public meeting – are often speaking out of a sense of hopelessness arising out of a distressing situation. Common sense, even at its most cynical, demands that they be treated in tolerant manner, but it is also admirable to try to avoid compounding their isolation.

In every public forum, along with issues of genuine political concern, people bring personal agendas of a depth and complexity which would tax the wisdom of Solomon himself. Any situation of real injustice will be complicated by such unspoken personal agendas and, although they are frequently a by-product of the wider situation, they cannot be resolved on the political level. No one can be effective in democratic politics without learning how to respond in differing ways to these differing types of demand. Legitimate anger, imagined slight, issues which are easily resolved and those for which there is no short term remedy are, from the point of view of an aggrieved person, part of the one immediate and painful reality.

The task of a responsible political leader, at any level, is to focus on what can be done and to keep hope alive in situations of genuine grievance where there seems no clear way forward. They must also learn to humour demands, which may appear flawlessly reasonable to those who make them, but are unrealistic in practise. An experienced nurse may be able to tell a grumpy patient to wise up may be a viable option for, but political leaders are rarely in a position to tell their supporters when they are being unreasonable. The primary challenge, in dealing with the really difficult political problems, is to keep hope alive.

Why no one likes ‘popular’ politicians

A question of charm.

The ability to offer hope in hopeless situations is a key hallmark of leadership in any sphere, but particularly in politics. When this ability goes hand in hand with the actor’s enjoyment of public acclaim the combination is a powerful one in terms of electoral appeal. The democratic process cannot function without the emergence of publicly sympathetic political leaders whom people regard as ‘one of us.’ The fact that such figures are in positions of power gives people that sense of hope which is vital to the healthy functioning of any political process.

This personal attractiveness, however, is an ambivalent quality. It is bound up with a popular recognition of that caring motivation already discussed and a political leader, who becomes the object of people’s longing in this way, is in a very powerful position – and a potentially corrupting one. A genuine sense of compassion provides no automatic protection against becoming disillusioned by a lack of achievement or being made arrogant by the scale of one’s own popularity. Here lies the danger, because, as well as winning votes, the ability to inspire hope dulls the critical faculty in those who lead as well as those who are lead.

There is great satisfaction – and undeniable electoral advantage - to be obtained from granting favours to those who seek them. That satisfaction can also give rise to a reluctance on the part of a public representative to take a critical look at the conditions which cause people to seek those same favours in the first place. This reluctance can degenerate into a cynical exploitation of gullible followers, but politicians don't have to be corrupt to generate a climate of complacent despair in which corruption thrives.

One advantage of a clear ideological struggle between political parties is that it helps to keep complacency at bay among political leaders by focusing them on the challenge of competing political programmes. With the collapse of socialism, however, there is no longer any clear ideological debate within western democracies and in recent years one dominant feature of politics is an emphasis on the personal appeal of candidates rather than on the policies they claim to espouse. It is not surprising under these circumstances, that political life should lose some of its cutting edge and that corruption – both in reality and in the public mind – should emerge as a major issue.

Whether corruption is a bigger problem now that it has been is a matter for debate. What is beyond question is the lower tolerance among voters of any abuse of power. As standards of education rise, people are more critical of those in positions of power and the relationship between voters and those whom they elect has become more complex. The individual voter will continue to respond on a level of personality in voting for a particular candidate but, when that same individual views politicians in general, that element of charm, which candidates need to get elected, comes under a more critical – and sceptical – scrutiny. People are more keenly aware of the corrupting ambivalent nature of that key ingredient of political success – popularity.

No confidence.

The two young voters referred to at the opening of this article, Dermot and Marie, typify the jaundiced view which many now take of elected politicians. This is particularly the case among articulate, and altruistic people who can see for themselves that people on the margins are not even despised by the majority; they are simply unnoticed. They know that this is unjust and, in the long run, will be harmful to everyone but they have no faith in the political process as a means of providing a remedy for the situation. In their view no one can engage with that process unless they begin by selling their soul to an alliance of big business and complacent voters and, as for the issue of corruption, that is only a symptom of a deeper malaise.

Once any group of people in power are seen as a class apart and intent on furthering their own interests, the challenge of trying to restore public confidence in their bona fides can hardly be overestimated. As they set about undoing the damage caused by their corrupt colleagues, elected politicians will be greeted at every step with the question: 'For whose benefit are you doing this?'While tough anti-corruption laws may win the approval of the electorate, on their own they are likely to be seen merely as a minimum requirement; an underlying distrust will persist. Should the

politicians try to argue that they, unlike their critics, are trying to get the political process to work on behalf of the people, they will be met with a further question: 'Does democracy have to be like this?'

An ever increasing proportion of the electorate doesn't bother to turn out and vote. Fewer and fewer people of leadership calibre are interested in joining political parties. A growing number of people are getting involved in other forms of opposition politics. Are these developments to be taken as tacit approval for the political system as currently constituted or as a vote of no confidence?

'The unemployed don't vote.'

In the liberal democratic tradition universal suffrage is designed to ensure that the voice of the people is sovereign. The parties which dominate parliament, however, are no longer seen as mass movements voicing deeply held concerns. In the popular mind they have become self-selecting interest groups focused on the task of getting elected to power. The formulation of party policy is no longer rooted primarily in political struggle but modelled instead on the market process. Political parties design their programmes and present them to the electorate in the same way that commercial organisations design products and offer them for sale.

The tradition of party politics in which all our current political leaders have been formed has brought undeniable benefits, but its limits are unwittingly revealed in a hard-headed comment attributed to Margaret Thatcher: 'The unemployed don't vote.' Political parties are geared towards responding to the interests of those who actually turn out and vote and they are electorally constrained by those interests. This means that they are at one removed from one of the key political challenges of our time – the disaffection of marginalised minorities. Apart from the question of justice, our complex interdependent world is easily destabilised by a small group of people who see themselves as having nothing to lose.

Faction politics.

Majority rule is often seen as the inevitable embodiment of democratic values, but we need to ask if those values are always well served by this model of politics. A clear answer to this question was given over two centuries ago by the founders of the United States of America, who are among the great pioneers of the liberal democratic tradition.

In the early years of American independence, when each of the thirteen former colonies were sovereign states, self-serving cliques got themselves elected to power and proceeded to govern without any sense of fairness or foresight. The result was economic chaos and social dislocation. The solution devised by a small group of far sighted political leaders was to create a wider entity – 'the United States' – where no one parochial clique could dominate and no coalition could survive without leaders of stature who had the intelligence and integrity to command enduring and widespread trust.5

Access to political power can only come about through the forming and re-forming of alliances and networks of personal contact. There is a healthy aspect to the interplay of factions, but faction becomes unhealthy when a network of people with privileged access to power begins to cultivate self-serving attitudes which have the effect of monopolising power in their own hands. They don't have to set about this in any formal manner; often the less formal and more implicit their interaction the more effective it will be.

In the popular perception elected politicians form just such a clique and, even if they cannot accept the validity of this perception, they cannot afford to ignore its significance for the future of democratic government. To restore public confidence in the political process a model of democratic politics will have to be developed which will amount to something more than an occasional choice between a small number political parties which are perceived as little more than self-selecting factions. This will not happen without a new form of opposition politics and, in this sphere of activity, we in Ireland have an honourable and inventive tradition.

An opening for marginalised groups

An Irish perspective on Europe.

Figures such as O'Connell and Parnell and the political leaders of Irish America played a pioneering role in the development of the party political machine which has come to dominate politics throughout the world. This strategy of combining grass-roots organisation with tight party discipline was first devised as a means of opposing the then political establishment. The party machine was successful as a means of gaining access to power, on both sides of the Atlantic, for people who until then had been excluded.

The recent referenda campaigns in Ireland, not just those relating to Europe, have marked the emergence of a new form of opposition – this time to the very political machines which we Irish helped to create. This development, when taken with the social partnership model which has worked so successfully in recent years - and which we adopted largely from mainland Europe - has effectively sidelined the political party as the primary mechanism for change. Certain issues, however, remain intractable particularly with regard to socially excluded groups who have no faith in the political system. Issues relating social marginalisation such as housing, substance misuse and prison reform continue to be low on the political agenda and it is unrealistic to expect this to change as long as electoral politics at national level continues to function as it does. With all the goodwill in the world conscientious politicians will be constrained by the complacency of the average voter.

Democracy is about government by all the people and a crucial principle of democratic government has to be that marginalised have a right to privileged access to the political arena as a means of overcoming their marginalisation. Without such an inclusive vision 'the people' will degenerate into a collection of mutually antagonistic factions. When this happens no one gains except small groups of corrupt racketeers.The founders of the United States had the insight that a single political process

in a larger democratic unit would be more inclusive than the more self-contained parochial politics smaller independent states. Perhaps the time has come for marginalised groups in Ireland to look more closely at what a wider European political process might have to offer in the area of social marginalisation.

A more inclusive style of politics.

The resolution of social problems calls for consistent long-term planning combined with gradual steady implementation. The undeniable political achievements of the European project have resulted from just such a long-term approach on issues which at the outset were only of concern to small numbers of dedicated people.

This way of proceeding has left it increasingly open to the charge of being undemocratic. Indeed, there is much talk about the democratic deficit, but no one seems too sure what exactly to do about it.

However, this political vulnerability of European institutions offers a possible opening for those who have a concern for the rights of marginalised groups. Instead of trying to model itself on the prevailing understanding of democracy, the European Union could best serve democratic values by championing the interests of marginalised groups and in that way challenging the complacency of majoritarian politics.

Until now those who have sought to further the agenda of social politics have focused on strategies which, consciously or otherwise, are modelled on party political process of national parliaments - \'our members,\' \'my constituents.\' Who cares about \'my constituents\' if they don\'t vote, or \'our members\' if they are an impoverished and disenfranchised minority? What\'s the point in arguing that more would be done about homelessness or drug addiction or community care for the mentally ill if there were votes to be gained from it? Surely by this stage that\'s obvious to everyone. Its not that the majority of voters are opposed to the concerns of marginalised groups; its just that their interest is limited. A political process designed around the concerns of the majority, therefore, cannot but fail to do justice to those who need it most.

A more effective way of arguing for the rights of marginalised groups is within a forum which operates from the perspective of the common good. ‘Who is being excluded?’ ‘Whose talents are being neglected?’ ‘Whose dignity is being violated?’ ‘How can we thrive as a community?’ These questions strike the note of pathos which is absent from contemporary politics and without which any appeal to justice will go unheard. They are also more likely to strike home at the level of European rather than national politics, because the European political forum is still in the process of formation. In particular, the Commission is specifically charged with the task of concerning itself with the common good of the European project. Marginalised groups need real political leverage. The European Union needs democratic legitimacy.

Integration: What's Done? A Lot More to Do

Written by Eugene Quinn on Tuesday, 01 April 2003.

Ireland: A transition to multi-ethnic society

In the last ten years Ireland has experienced dramatic changes that have transformed the political, economic and cultural landscape. The Celtic Tiger years have brought hitherto unknown wealth and prosperity. They also turned the tide of emigration. Ireland for the first period in its history experienced substantial immigration. This was not simply a flow of returning emigrants. Between 1996 and 2001 around 80,000 migrant workers were issued with visas and permits to service the labour demands of a booming economy. There was a dramatic rise in the number of asylum seekers from a mere 39 applications in 1992 to in excess of 10,000 in 2001.

Ireland was unprepared administratively, institutionally and culturally for the new arrivals. The procedures for processing asylum claims were outdated and inadequate. The institutions responsible for status determination were woefully under resourced. We can recall the chaotic scenes on Mount Street with almost endless queues of asylum seekers as the system ground to a halt. On the street the response was equally unexpected. Irish society was revealed to have an ugly underbelly of racism. Almost without exception asylum seekers reported incidences of abuse, either verbal or physical. It was clear that the transition to a multi-ethnic society was not going to be smooth. Irresponsible media coverage inflamed the situation further. It was clear the Government was going to have to act.

A series of legislative measures were passed through the Dail: the 1996 Refugee Act detailing the asylum process and rights of asylum seekers and those granted status, the 1999 Immigration Act prescribing the deportation process and the 2000 Illegal Immigrants (Trafficking) Act outlining the penalties and procedures for trafficking in people. Other policy responses followed with in 2000 the introduction of policies of “dispersal”, under which asylum seekers would be assigned to designated accommodation centres around the country, and the replacement of supplementary welfare cash payments by so-called “direct provision” whereby accommodation and food would be provided directly with a small residual cash payment of £15.

Meanwhile an interdepartmental working group was commissioned to produce a report on integration. In 1999 it published its report “Integration: A two way process”. Arising from recommendations in that report a statutory body, the Reception and Integration Agency (RIA), was established in 2001. It is responsible for coordinating the implementation of integration policy for refugees and persons given leave to remain in the state, and the reception system for those still in the asylum process.

As a lasting benefit of EU Year Against Racism in 1997 the National Consultative Committee on Racism and Interculturalism (NCCRI) was established in July 1998. In response to the growing

concerns about racism in Irish society the National Anti-Racism Awareness Programme was launched in October 2001, with the overall framework outlined in 'Know Racism'. This awareness program is mandated to coordinate activities to address racism both at national and local levels

Understanding Integration

The 'Integration: A two way process' report defined integration as:
"Integration means the ability to participate to the extent that a person needs and wishes in all of the major components of society, without having to relinquish his or her own cultural identity".i
Integration is in essence about equality and respecting difference. The ideal at the end of an integration process is that a person from an ethnic minority background is recognised legally and socially as an equal member of society, while maintaining their freedom of cultural expression. There are two tracks to integration occurring in tandem, legal and cultural. Legal integration is process whereby residency status and legal entitlements are attained. Cultural integration is a process of adjustment and growing mutual respect and acceptance between mainstream society and ethnic minority communities.

Integration: A history of conflict

The experience of history has shown that the process of integration of ethnic minorities is fraught with difficulties frequently resulting in conflict. Racism and xenophobia have often found fertile breeding grounds in states in transition. Political expression of this hatred and distrust of 'non-nationals' has been found in support for parties of the Far Right. In times of economic hardship this opposition becomes more virulent and occasionally violent, perceiving the immigrant community as the cause of this hardship. But racism is not the sole preserve of extremists and many people fear difference, a fear that can find expression in racial discrimination. Racism can also arise from perceptions of racial and cultural superiority that originated in colonial times, these attitudes affect treatment of immigrant minorities right through to the present day.

Models of multi-ethnic states were developed to guide state policy in integrating ethnic minorities. The primary aim from a state's perspective is to reduce the possibility of conflict.

Models of Multi-Ethnic Communities

Assimilation was a model employed in France. This model envisages that ethnic minorities will be incorporated fully into the society and state through a process of individual change in which individuals abandon their distinctive cultural, linguistic, faith or social practices. Essentially people learn to do things the "French" way and in the process are assimilated. The role of the state is limited with no change required in State legal, educational, welfare or health institutions. Conflict is avoided it is argued because ethnic groups are completely absorbed into mainstream society.
A *differentialist* model is one that avoids conflict through a process that eliminates or minimises contact with ethnic minorities. The institutions of state are not required to accommodate members of the ethnic communities or in certain situations parallel institutions are developed. This would have been the experience of Roma communities in Europe or of Travellers in Ireland.

A *multicultural* approach to policies accepts the potential and legitimacy of ethnic minorities. The multiculturalism model envisages that individuals and groups can be fully incorporated in to the society without either losing their distinctiveness or being denied full participation. This process of full participation is the key to the absence of ethnic conflict. The state plays an active role in sponsoring institutional change, and supporting minority groups to preserve their linguistic and cultural identities.ii

Scope of integration

'Refugees' is often used colloquially as a label that describes all immigrant groups present in Ireland. It is important to understand the different categories of groups, why they have come, their residency status and their rights. An understanding of the diverse categories of immigrants is important in assessing the adequacy and appropriateness of policy responses.

Unregistered and undocumented immigrant workers: Foreign immigrants who enter irregularly deprive themselves of the two most important sources for attribution of fundamental rights: citizenship and regular residenceiii. Many of these workers are in low-paid, low-skilled jobs in the black economy. They are among the most vulnerable category of people on the island, open to exploitation without the possibility of legal redress. They have no access to education, health or social welfare services because of their status, ensuring that both they and their family are hugely at risk. There is not universal agreement about how many people are in this position because by definition they are not countable, but some estimate the number to be around 20,000.

Refugees and Asylum Seekers: The rights of this category are determined by whether they have been granted status or whether they are in the application process. Refugees are entitled to the same rights as other Irish citizens except for voting and running for political office. Asylum seekers however are crucially denied the right to work and to vocational training. Furthermore social welfare benefits are prescribed by direct provision and the right to travel restricted. The right to housing is also prescribed through dispersal.

According to the RIA almost 40% of applicants for asylum are now disappearing from the system within ten days of lodging their claims.iv Presumably they have either left the State or are working illegally, an action that leaves them open to immediate deportation if discovered.
Immigrant workers: Immigrant workers are given permission to work in Ireland in two ways. In excess of 80,000 visas and permits were issued in the period 1996-2001.
Work permits are granted to an employer for a maximum of twelve months and are only for specific posts. The application is made while the potential employee is still in their home country. The employer must demonstrate that no European Economic Area citizen was available for the post in question. Rights are restricted. There is no right to free medical care, social welfare entitlements and education. Family reunification is not permitted.

Work visas are granted to individuals wishing to come to Ireland for certain high skill labour categories that are in short supply. IT skills are an example in recent years. Individuals can choose to change jobs. Rights are similarly restricted with limited family reunification permitted.

Irish Policy Response: A barrier to integration

In considering the Irish policy response to integration, there appears to be a large gulf between the rhetoric and the practice. In essence the model of integration is a multicultural one. Implicit in that model is the assumption that the state plays an active role in sponsoring institutional change. But there has been no real change in key institutions such as education and health that cater for culturally diverse client groups. It is hard not to conclude that while there is undoubted progress particularly in anti-racism and development education that State policy as it currently operates erects considerable barriers to integration.

Integration Scope: Integration policy concentrates simply on those who have been granted refugee status or leave to remain, thus ignoring a majority immigrant population that does not fall into that category. Racism does not discriminate between categories of immigrants. I know of tourists who have been spat on and abused simply because of their colour. If integration is to succeed it needs to include all persons from ethnic minorities on this island: asylum seekers, refugees, immigrant workers on visas/permits, illegal immigrants, tourists, students, Travellers and other ethnic minority groupings.

There is an absence of a coherent immigration policy. It is market driven with the onus in the permit/visa process on the potential employer and the applicant.

Basically the Department of Enterprise Trade and Employment acts like a tap on the flow of immigrant labour. They can increase or decrease the flow as the economy demands. The rights of immigrants appear to be a distant second to economic demands. Mary Harney TD is record as *saying "If unemployment were to rise in Ireland because of the slowdown globally, then we just wouldn't issue the work permits".v* The experience of gastarbeiter or guest workers in Germany has proved that controlling the flow is not so easy. Once a worker is trained and experienced it is not practical to rotate the role every time there is an economic change. The result in Germany was that short term stays were first extended and then ultimately became permanent.

The absence of rights to health and social welfare for these immigrant groups poses serious questions. Imagine a situation where an immigrant worker in low paid employment becomes seriously ill. In the likely absence of private insurance they will be liable for the full cost of private medical care. A cost they will certainly be unable to afford, leaving them in a dire situation. We have witnessed in the recent court case concerning Brazilian cleaning workers how vulnerable immigrant labour is to exploitation. Furthermore, immigrant workers on visas may have to pay PRSI but are not able to claim any social welfare benefits. This is simply unjust.

If integration is a two-way process it appears that for migrant workers it is decidedly one-sided. The situation for unregistered and undocumented migrant workers is even more tenuous. An integration policy that maintains its current narrow scope is doomed to fail. It is shortsighted in the extreme that the Government refuses to learn from the chaos of the asylum situation a couple of years ago and devise a policy for the wider migrant population in advance of a crisis.

Reception: For those groups fortunate enough to be included in the scope of integration policy it is not all a bed of roses either. The process of asylum is a necessary precursor to being granted status.

This period of reception, prior to status determination, is critical to future integration. The conclusion of the NCCRI in 1999 regarding the reception of asylum seekers was *"There is a form of partial integration which takes place, but this integration is unplanned; uncoordinated; and largely unsupported, except for the work of the community sector and the basic safety net entitlements for health, social welfare and education." vi*

With the introduction of dispersal and direct provision the possibility of integration took a large retrograde step. In 'Refugee Lives' (Comhlamh,2001) the dispersal policy is heavily criticised for its impact on the quality of life and health of asylum seekers. Asylum seekers find themselves isolated and lonely in accommodation centres as access is restricted. Accommodation in dispersal centres is often overcrowded and unsuitable, particularly for family needs. Food is of variable quality and refugees are denied the opportunity in many centres to cook for themselves. Direct provision ensures that supplementing their diet is restricted. For those who have suffered trauma the boredom and inactivity exacerbates their condition. It can be difficult to find service providers in remote areas who are skilled to deal with such traumas. The segregation of asylum seekers stigmatises them as a group and affects how they are perceived in the wider public domain.

The dispersal policy is motivated, in part, by a broader problem of housing in Ireland. Even for those fortunate enough to be granted status a combination of sky-high rents and lengthy local authority waiting lists means there is a little hope of finding affordable and suitable accommodation. It can also be a source of conflict with members of the local communities who are competing for the same limited housing resources. While acknowledging the problem that exists with availability of housing particularly in major cities it is clear dispersal is not the answer. "There may therefore be a case for proactive policies to encourage new refugees to live in other areas and towns, however the key feature is choice not enforcement"vii.

A further element of reception policy that impedes integration for asylum seekers is the right to work. In denying asylum seekers the right to work there is a huge loss of self-esteem. Working enables an asylum seeker to contribute to and not just to receive from the economy. A major way of establishing social networks is closed. Even more demoralising is for those with skills or

qualifications to see them rendered redundant through inactivity. This inertia is compounded by a ban on vocational training for asylum seekers.

Integration: A way forward

The wider impact of asylum policy is currently outweighing the positive intentions of integration policy. The thrust of asylum policies such as dispersal, direct provision and the denial of a right to work combined with recent readmission agreements, Operation Hyphen (the Garda swoop on 'illegal immigrants') and proposed legislation introducing carrier sanctions suggest policy is more concerned with keeping asylum seekers out of the country altogether rather than creating an integrated multi-ethnic society.

The policy scope of integration needs to be broadened to include the entire immigrant population. Ireland benefits economically from immigrant labour. But from the immigrant perspective equality demands that there is not simply a paternalistic belief that being allowed to reside in Ireland is adequate reward. A two way process demands that immigrants are granted equal rights over an acceptable time period. Special attention has to be given to the precarious position of unregistered migrant workers.

Undoubtedly an important variable in the integration equation is an individual's capacity to adapt to new situations and environment. I know of one unaccompanied minor asylum seeker who within weeks of arrival had joined a soccer club, was singing in a choir and had settled into school. By contrast I was told of another instance where an asylum seeker after two years could not get five people to say he was of good character because he did not know five Irish people.

Integration is thus not simply about policy it is about individual choice. It is also about opportunity. Did the asylum seeker choose not to know five Irish people after five years or did he not have the opportunity? We must also question whether the ethnic minority voice is being equally heard and listened to within the integration process so that it informs the planning and delivery of services, both at voluntary and statutory level.

Despite the issues raised above there has been without doubt 'a lot done' over recent years. State support for anti-racism education and awareness initiatives has been especially welcome. The diverse and ever expanding membership of Integrating Ireland is a measure of the scale and the extent of work that is been carried out by voluntary and community groups in support of refugees and asylum seekers throughout the country. However, the way forward will require the cooperation of all stakeholders (the state, the voluntary and community sector and all the people who reside on this island) to create a society that is equal, harmonious and respects cultural diversity. Integration is happening despite the shortcomings of government policy, it is obvious however there is "A lot more to do".

Notes

i Department of Justice, Equality and Law Reform, (1999) ‘Integration: A two way process’ pg. 9
ii http://www.unesco.org/most/pp4.htm ‘Multiculturalism: New policy responses to Diversity’
iii http://www.social.coe.int/en/cohesion/action/publi/migrants/legal.htm ‘The integration of immigrants: Social cohesion and Quality of Life’
iv Comhlamh, (2001), Refugee Lives p.19
vhttp://www.onbusiness.ie/2001/0614/cci.html
vi http://www.nccri.ie/ ‘Submission to the Working Group on the Integration of Refugees’, February 1999
vii As in Note vi.

A Rising Tide - but no boats to lift

Written by Peter McVerry SJ on Thursday, 10 April 2003.

Homelessness revisited

Much has been written over the years about the problem of homelessness. The causes of homelessness have been analysed and solutions proposed. Working Notes has included articles on the issue of homelessness in the recent past. In this article, I do not wish to repeat what has already been written but to look at the effects of the last five years of economic prosperity on the numbers of homeless people and on their prospects of escaping from homelessness in the future.

One would imagine that the past five years would have improved the lot of homeless people, as the budget surpluses grew so large that we didn't know how to spend them. One would imagine that the past five years would have reduced the numbers of homeless to an insignificant minority, most of whom would be just too difficult to help.

In reality, however, I have never known so many people who are homeless and desperate, in the 25 years in which I have been working with young homeless people. There is a crisis of homelessness, which is not being acknowledged, let alone addressed. Every night, an increasing number of people are being told that there is no room in any of the hostels and they are being forced to sleep rough. Those living in hostels are less and less likely to find permanent accommodation.

It is estimated that the number of adult homeless people has almost doubled in the past five years. Some months ago, a count of homeless people was taken but the results of that count are not yet available. It is, of course, very difficult to count all those who are homeless as many people who sleep rough like to be invisible, for safety reasons. However, while previous counts have been notoriously unreliable (one Local Authority reported no homeless people in their area despite the fact that there was a hostel for homeless people in their area and it was always full!), this year's count has been much more professionally carried out and should give a fairly accurate estimate of the numbers.

Why, after 5 years of economic prosperity, has the problem of homelessness become so critical?

Ironically, the problem of homelessness has increased because of the economic prosperity we have enjoyed. Three factors have played their part in this increase:

- A large number of people have come to Ireland, or returned to Ireland, to seek employment. They are taking advantage of the economic growth that we have experienced but they are either unable or unwilling to purchase accommodation. They are seeking private rented accommodation, which was previously the most available option to homeless people. Homeless people have been squeezed out.

- Because of our prosperity, the cost of housing has soared out of control. This affects the rents and deposits being charged in the private rented sector. A bedsit, which five years ago might have cost £30 to rent, is now costing €100 or even more. The deposit, normally equivalent to four weeks rent in advance, has also soared from perhaps £120 to €400. Even with the subsidy from the Health Board towards the cost of accommodation, these prices are out of range of many homeless people.
- Again, the soaring cost of housing has made it impossible for many couples to afford a mortgage. Instead of living in private rented accommodation for several years while they saved the deposit for a house, they are now living for much longer in private rented accommodation and some are resigned to living there permanently. Again, this has reduced the amount of private rented accommodation available to homeless people.

It needs to be said here that the housing crisis for homeless people has not been caused by the influx of asylum-seekers in recent years. The perception exists amongst homeless people that asylum seekers are the cause of their homelessness. This was exacerbated in the early years of growth of asylum seekers as they went to the same social welfare office as homeless people to seek accommodation and welfare. Thus they were seen to be in competition for private rented accommodation. Furthermore, because so many could not speak much English, they took a lot more time to conduct their business with the welfare officer, leading to growing queues of homeless people behind them who were getting more and more frustrated. This has created considerable racism amongst homeless people which is now difficult to eradicate. Most asylum seekers are in fact placed in specially selected accommodation, which would not be available to homeless people even if the asylum seekers were to disappear. However, it does show that if the political will to find accommodation is there, the problem of large numbers of people seeking accommodation can be solved.

Hence a situation has arisen where, each year, more people become newly homeless and join the back of the queue, while very few homeless people at the top of the queue are able to leave. Hostels, which a few years ago were relatively easy to access, are now packed, with waiting lists. One hostel was so overwhelmed by the demand that for a time they asked people to phone at 4.30pm to book a bed – if they phoned at 4.35pm, all the beds were gone!

What are the options open to homeless people?

Homeless people, who wish to exit from homelessness, have, in theory, three options:

1. The private rented sector: This has traditionally been the easiest route out of homelessness. Save up the deposit or get a friendly priest to lend it to them (knowing that he was not going to get it back again!) and they were no longer homeless. This worked for many who did not have serious personal problems such as alcohol or drug addiction or behaviour problems. Even the lack of security of tenure (the landlord has only to give one month's notice to quit, no reason is needed) was only an inconvenience, as another private rented flat was easily obtained, using the deposit which the previous landlord had returned.

However, for the reasons given above, this situation has now totally changed. It is almost impossible to access the private rented sector and those few who succeed live with the constant dread of being given a month's notice to quit, aware that in that case their chances of finding another flat are almost nil and they will have to return to homelessness.

2. The Local Authority: The City or County Council is responsible for the accommodation of adults who have no way of securing their own accommodation. However, the waiting lists in every Local Authority area are so large that they simply are unable to cope. Homeless people, particularly single homeless people, are very low on the priority list. The number of homeless people being provided with accommodation, particularly in Dublin and other large urban areas where the problem is most acute, is extremely low and makes little impact on the numbers of homeless.

3. Voluntary Housing Associations: In Britain, voluntary housing associations have been a very important exit from homelessness for many living in hostels and on the street. However, in Ireland, they are a relatively insignificant sector. Most voluntary housing associations provide accommodation for people with special needs, such as the elderly or those with disabilities. Few provide for homeless people. Agencies, such as Focus Ireland, have made an important contribution. But their waiting lists are enormous and their transitional housing projects (where people stay for a limited period of time and learn the skills needed to live independently) have, like others, great difficulty in moving people on to permanent accommodation when their time in the transitional programme is completed.

Homelessness and Housing Policy:

Homelessness is not a problem that exists in isolation nor can it be solved in isolation. It is integrally connected with other housing issues. While the Local Authorities have the primary responsibility for the problem of homelessness, they are all in crisis with long waiting lists. Every house or flat given to a single homeless person means a family with children must wait longer in a B & B or in overcrowded accommodation which they share with relatives. While the number of new houses available to Local Authorities has increased by 12,000 since 1999, the number of households on their waiting lists has increased by 15,000 over the same period. They cannot even keep up with the new entrants. The Government target of 25,000 new social housing units over the lifetime of the Programme for Prosperity and Fairness will, again, not keep up with the numbers of new households seeking such accommodation. There were, in November 2001, 54,000 households waiting for accommodation, the equivalent of 140,000 people. In the last two years there has been an overall 35% increase in those numbers. Cork has had a 44% increase in waiting lists since 2000, Galway a 76% increase, Waterford a 118% increase.

Ultimately, the only solution to homelessness is to substantially increase the number of housing units available to those seeking accommodation, whether homeless or not, particularly those under the control of the Local Authorities. We cannot solve the problem of homelessness without solving the problem of housing waiting lists. However, if in the five years of prosperity, we have not managed to keep the waiting lists from increasing, there is no chance of decreasing them now that cut-backs (or adjustments!) are planned.

The other element to the solution of homelessness is to substantially invest in and encourage Housing Associations, who would buy, renovate or build accommodation for those who are homeless. Again, this would provide extra accommodation which is the core of the solution.

A legal approach:

While most of us cannot imagine life without a place to come back to and relax in, a place to make a cup of tea, a bed to sleep in, there is no right in law to such a basic need. Although the Government signed the now 10-year old UN Convention on Social, Economic and Cultural Rights, which includes the right to housing, it has consistently failed to implement it. Legislation to enshrine the right to housing would make a substantial difference to homeless people, although experience warns us that legislation, without adequate resources to implement it, is in itself no guarantee that the rights it gives will in fact be provided. The High Court is filled most days with homeless children, who have a right in law to accommodation under the Child Care Act 1991, but who are not receiving it.

On the positive side:

1. The most significant advance has been the establishment of the Homeless Agency (formerly the Homeless Initiative).

The Homeless Agency was established to coordinate the work of all the statutory and voluntary agencies working with homeless people and to improve the quality of the services available to them. It is accountable jointly to Dublin City Council and the Eastern Regional Health Authority. Its establishment gave rise to great hope that the problem of homelessness might be, at last, tackled in a meaningful way. After a lot of consultation and reflection, this agency has produced a detailed, comprehensive plan for the eradication of homelessness over a period of ten years. It requires a substantial investment in services for people who are homeless, and the allocation by the Local Authorities of a substantial number of housing units each year specifically for homeless people. The first three-year module of this plan is now at its mid-term stage but many of its proposals, particularly those which relate to the provision of accommodation (and which therefore require significant resources), are significantly behind schedule. However, the Homeless Agency is hopeful that at the end of the three-year plan many of its targets may yet be achieved.

2. A major problem which has arisen particularly in the last few years has been the large number of prisoners who are released at the end of their sentence but have nowhere to go. It is the most serious obstacle to the rehabilitation and reintegration of prisoners that now exists. To address this problem, a multi-agency team, from the Probation and Welfare Service, the Irish Prison Service and Dublin City Council, has been established, called the “Homeless Offenders Strategy Team” (HOST). Again, it is hoped that HOST will provide extra accommodation but without concentrating ex-prisoners in specific buildings which would generate a stigma and create opposition within the local community.

3. For homeless people with special needs, a project providing long-term housing for committed street drinkers is expected to open in Dublin by the end of 2003. Some homeless people, (those we

are more likely to notice on the streets), have an alcohol problem and are barred from all hostels if they turn up with drink taken – which they usually do! Many cities in Europe have a "wet house" where such drinkers can be given accommodation for the night and medical attention, if necessary. Such a service is badly needed in Dublin and its proposed opening is very welcome.

4. Focus Ireland and the Society of the St. Vincent de Paul are hoping to open a "crash pad" for young rough sleepers by the end of 2002. Some young homeless people are barred from traditional hostels, which seek to provide a safe and supportive environment for the young people living there. The needs of this small group are very different to the needs of mainstream homeless young people. They find it difficult to cope with the structured environment of a hostel, as they may have been allowed to run wild at home or have spent a long time on the streets. A "crash pad", which provides a bed at night, with few other demands, will provide a valuable service and may help some of them to move on, over time, to a more stable lifestyle.

5. The Homeless Agency has invited tenders for a 24-hour high-support accommodation-based service for families with multiple needs, to be funded by the Health Board. Sometimes families, who have been provided with accommodation, are unable to maintain it, as they need a level of support which is simply not available to them. This service will cater for families who would otherwise remain homeless for long periods of time or who are evicted, again and again, from accommodation which is offered to them, due to their inability to maintain a reasonably stable lifestyle without support.

Homelessness has always been with us. However, during the past five years, while political eyes have been focused on the economic growth that has been taking place, the problem of homelessness has been rapidly increasing behind their backs, unnoticed, unattended. It is a direct, but unintended, consequence of that economic growth and reminds us once again, that a rising tide does not lift all boats, indeed sometimes it may sink them.