Working Notes Issue 54 Editorial

on Monday, 05 February 2007. Posted in Issue 54 Immigration and Integration: Realities and Challenges, 2007

February 2007

The cover of this issue of *Working Notes* features a colour photograph of a scene from Moore Street in Dublin just a few weeks ago. This street, like many other parts of Dublin, is now populated by many nationalities – immigrants who have come to live in this country. Ireland has become more colourful as a result of immigration and many people, both migrants and Irish, are enriched personally, socially and culturally as a result. Individuals, communities and organizations have embraced the opportunities presented by immigration and have responded positively to the associated challenges. Many newcomers are making great efforts to adapt to their new home and share their talents and cultural riches. However, international experience shows that the harmonious coming together of peoples in a host country cannot be taken for granted.

Ireland is at a unique point in managing immigration and the challenges it presents. We have passed the point of debating if we want immigration: the fact that about 10 per cent of our population are immigrants confirms that Ireland has become a country of destination.

We are now at the stage where we have to adopt principles, policies and practices that will maximize social cohesion, and foster the inclusion and participation of immigrants. We need also to realistically acknowledge the challenges which immigration poses for the host population and to deal with these challenges in ways that guard against exploitation of migrants, xenophobia and racism.

The articles in this issue of *Working Notes* contain analyses of some important aspects of migration. Outgoing CEO of the Irish Refugee Council, Peter O'Mahony gives a pithy overview of the asylum system. Acknowledging the improvements in the system over the past seven years, he draws attention to the continuing deficiencies and restrictions of the system which impose hardship on asylum applicants and inhibit integration. The barriers he identifes are state imposed and could be removed if the Government adopted a more enlightened approach.

In his article, Gerry O'Hanlon SJ explores the position of Islam in Ireland and sheds light on some key issues that need to be addressed if there is to be a fruitful engagement between Islam and other traditions in Ireland. How can Muslims, Christians, members of other religions and of none engage in the kind of dialogue that will help overcome simple denial of differences on the one hand and cultural panic on the other?

There are dark sides to the reality of migration. Cathy Molloy's article highlights the issue of trafficking of women and girls into Ireland for sexual exploitation. She notes that an adequate response to this problem requires much more than the long-overdue legislation against traffickin and even services to support victims. It requires addressing the cultural and social attitudes to sexuality that have become pervasive in our society.

In the final article, Eugene Quinn, highlights the still nascent state of official policy on integration and the fact that this is focused primarily on the integration of refugees rather than on the much

larger number of migrant workers. He emphasises the need to closely coordinate integration policy with immigration policy.

Some useful policy directions are provided by two NESC documents on migration published in late 2006. They set out the basis for a principled guided policy on migration which will entail many action points. It is clear that we need to implement policies on integration across a wide range of areas. The Jesuit Centre for Faith and Justice endorses the recommendation in Peter O'Mahony's article that such implementation should be led by a Minister of State with specific responsibility for integration, whose remit will not be driven primarily by security concerns.

Integration: A Challenge in Principle, in Policy and in Practice

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Introduction

The economic boom of the Celtic Tiger years has transformed Ireland from a country of origin into a country of destination. Sustained and stellar economic growth from the early 1990s not only persuaded thousands of Irish nationals to return but attracted non Irish national migrant workers in large numbers. They were responding to the recruitment efforts of Irish employers who, faced with the significant skill and labour shortages that were a consequence of the boom, began to look overseas to fill vacancies.

In the year ending April 2006, immigration into Ireland reached 86,900, which is the highest figure recorded since the Central Statistics Office started its series of annual migration estimates in 1987. Almost half (43 per cent) of immigrants were nationals of the ten countries which joined the European Union on 1 May 2004.1

Far fewer in numbers than migrant workers, but still significant by comparison to earlier decades, have been the numbers of people coming to Ireland over the past ten years to seek asylum. Under the Geneva Convention, to which Ireland is a party, the country is required to offer protection to persons seeking refuge who have ‘a well-founded fear of persecution’ on certain specified grounds. In 1992, less than fifty people came to Ireland seeking asylum. From 1995 there was a rapid increase in the numbers applying for asylum, reaching a peak of over 11,000 in 2002. Following the citizenship referendum in June 2004 and subsequent legislative changes, and consistent with underlying trends internationally, the number of asylum applications has fallen dramatically. In 2006, there were just over 4,300 claims for asylum in Ireland. Less than 10 per cent of applicants for asylum in Ireland receive refugee status, with a small additional number obtaining leave to remain in the country.

The Central Statistics Office has estimated that, with continued inward migration and an increasing number of immigrants becoming long-term residents, the number of non Irish born people resident in the country could exceed one million by 2030 – by comparison to 400,000 at the time of the 2002 Census.2

With the changing face (and indeed faces) of Ireland, integration represents one of the most important challenges to modern Irish society: a challenge in principle, in policy and in practice.

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Integration to Date – A Subjective Assessment

The Economic and Social Research Institute study, *Migrants' Experiences of Racism and Xenophobia in Ireland*, published in November 2006, presents the findings of the first large-scale survey in Ireland of migrants' subjective experiences of racism and discrimination and of their sense of belonging in Ireland.3 The survey, conducted in 2005, covered two groups of immigrants: work permit holders and asylum seekers. It found that over one-third of respondents had experienced racism in public places, including public transport. Of work permit holders, over 30 per cent had experienced insults or harassment in the workplace.4

The ESRI study was the Irish part of a survey carried out in twelve EU Member States. The findings showed that, in general, levels of reported racism in Ireland tended to be lower than those in the other countries, particularly Southern European countries. Reports of being treated badly by the police and of being denied access to housing were much less common among immigrants in Ireland than in most other countries.

The section of the survey on 'subjective integration' measured people's attitudes to and feelings of belonging in the host country, as well as the extent of their social contact with the Irish people. Overall, about 40 per cent of immigrants stated that they intended to stay in Ireland permanently. As might be expected, substantially more asylum seekers indicated their intention to stay for good. Around two-thirds of all migrants reported that they socialise 'often' or 'always' with Irish people and that they found it easy to make friends with Irish people.5

Noting that migration is a very recent phenomenon in Ireland, the authors of the study raise the question whether racism will increase or decrease as migrant communities become more established and increase as a proportion of the population. They point out that the fact that the Irish experience of migration coincided with very rapid economic growth and vastly increased employment opportunities, which may have had an important bearing on the survey's findings in relation to experiences of racism and integration. "It is possible that the economic boom has created an auspicious context for the reception of migrants in Ireland."6

Integration: A Challenge in Principle

There is considerable academic debate on the subject on how integration is to be defined. However, there is no generally agreed understanding of what exactly is integration or how it might be achieved. As one writer has put it:

*Definitions of integration are sketchy or altogether absent, and there has been little theoretical reflection on how to measure integration or on the facts that determine it. Consequently, our understanding of the integration process remains incomplete.*7

Among the theoretical models of integration which have been elaborated, 'assimilation', 'differentiation' and 'multiculturalism' have long been particularly prominent. In recent years, 'interculturalism' has gained a more dominant position in the discourse on migration and integration.

Some commentators posit the view that integration has become the new buzzword, enabling us to disavow, overlook, and ultimately avoid naming and confronting racism, especially when, they suggest, racism is inherent in state policy.8

The European Council on Refugees and Exiles (ECRE),9 which has been to the fore in promoting

the integration of refugees and other migrants, considers integration to be a process of change that is: which report
· Dynamic and two-way: it places demands on both receiving societies and individuals and/or the communities concerned;
· Long-term: from a psychological perspective, integration starts at the time of arrival in the country of final destination and is concluded when a refugee becomes an active member of that society from a legal, social, economic, educational and cultural perspective;
· Multi-dimensional: it relates both to the conditions for and actual participation in all aspects of the economic, social, cultural, civil and political life of the host country as well as to the refugees' own perception of acceptance by and membership in the host society.10

Interestingly, the recent report by the International Organization for Migration for the National Economic and Social Council (NESC), *Managing Migration in Ireland: A Social and Economic Analysis*, stands back from becoming "embroiled in the theoretical debate" and questions whether, for policy development purposes, integration "needs to be distinguished from other closely related terms, such as adaptation, acculturation, absorption, assimilation and incorporation?". For the purposes of the NESC report, integration is defined as "the adjustments that result from interactions (or their lack) between immigrants and mainstream Irish society."11
To date, in Ireland, the development of integration measures has focused on the needs of refugees and has been largely shaped by the findings of an Interdepartmental Working Group set up in December 1998 to "review the arrangements for integrating persons granted refugee status or permission to remain in Ireland". In its report, *Integration: A Two Way Process*, the Working Group defined integration as follows:

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.12

An important impetus for Ireland to expand its understanding of and response to integration needs so as to include all migrants, and not just refugees, comes from the EU Common Basic Principles on the integration of migrants. These principles were agreed by all EU Member States in November 2004 and aim "to assist Member States in formulating integration policies by offering them a … guide of basic principles against which they can judge and asses their own efforts." The first principle reasserts that: "Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States."13

Integration: A Challenge in Policy
The development of policy in relation to integration has to be viewed in the context of overall immigration policy. Up until recently in Ireland immigration policy has been reactive rather proactive, driven initially by asylum applications and then by labour migration trends.

Ireland was caught unawares by the rapid increase in numbers seeking asylum in the mid-nineties. The administrative infrastructure to process applications was totally inadequate, and no specific services to meet the particular needs of people seeking asylum. Until the Refugee Act 1996, there had been no primary legislation on immigration or asylum since the 1935 Aliens Act. The 1996 Act initiated a period of rapid legislative reform: it was followed by the Immigration Act 1999 (governing the detention and removal of foreign nationals from the state); the Illegal Immigrant

Trafficking Act 2000 (creating an offence of trafficking), and the Immigration Act 2003 (introducing carrier sanctions).

Since the start of the new century, the needs of the labour market have drawn attention to the legal and socio-economic position of migrant workers. Between 1999 and 2003 the number of work permits issued by the Department of Enterprise, Trade and Employment increased from 6,000 to almost 48,000. The Employment Permits Act 2003 was introduced to facilitate free access to the Irish labour market by nationals from the then EU Accession States. The Employment Permits Act 2006 sets out procedures relating to the application for, and the granting or refusal of, work permits. It outlines new protections for migrant workers, and establishes a new system for highly skilled workers, which the Government has likened to a 'green card' system (although this has been strongly contested by some NGOs).

As noted already, integration measures in Ireland have been articulated primarily in terms of refugee integration, driven by the report of Interdepartmental Working Group in 1999. In that report, the Group concluded that the two most pressing issues relating to integration were the need for an appropriate organisational structure for developing integration policy and the development of a comprehensive strategy for implementing integration policy in Ireland.14

In fact, new organisational structures, in the form of the Reception and Integration Agency within the Department of Justice, Equality and Law Reform, were introduced quite rapidly. However, the development of a comprehensive strategy for implementing integration policy has effectively been on hold, awaiting the articulation of an integration policy beyond the initial recommendations made in *Integration: A Two Way Process*. Nevertheless, in practical terms, a degree of progress has been made, including making some services more accessible to refugees through the provision of information in several languages and a limited telephone interpretation service for medical practitioners.

More significantly, the Irish Government launched the National Action Plan Against Racism (NPAR) in January 2005. The NPAR originates from commitments given by governments, including the Irish Government, at the United Nations World Conference Against Racism in South Africa in September 2001. The overall aim of the National Action Plan is to provide strategic direction to combat racism and to foster the development of a more inclusive, intercultural society in Ireland. The Plan is underpinned by five objectives: effective protection and redress against racism; economic inclusion and equality of opportunity; accommodating diversity in service provision; recognition and awareness of diversity; and full participation in Irish society.

Coinciding with the launch of the National Action Plan, the Minister for Justice, Equality and Law Reform, Michael McDowell TD, announced the allocations made in relation to the fifth 'Know Racism' grant scheme, under which organisations working towards the objectives of the NPAR could receive funding. A total of €250,000 was allocated to forty-four projects throughout the country.

Despite these positive initiatives, the limitations of Ireland's integration policy are all too evident. As Sarah Spencer of the Oxford Centre on Migration Policy and Society said in a report published in 2006:

While some political priority has been given to tackling racism and discrimination, a significant barrier to migrant integration, the political momentum to develop a broader strategy for the integration of migrants has been lacking. Ireland has no system of support for new arrivals to assist

in labour market and social integration nor a coherent strategy to dismantle the barriers migrants face, beyond discrimination.15

The NESC report also draws attention to the fact that Ireland's few integration programmes are largely confined to refugees. Asylum seekers are deliberately excluded from integration measures, a restrictive element of government policy designed to eliminate the so-called 'asylum-shopping' phenomenon. In order to serve the broader immigrant and minority population, the NESC report recommends that programmes and services should be expanded in three ways so that they will:

- extend beyond refugees to include all classes of immigrants;
- reach beyond the head of household to include other member of the family; and
- extend beyond immigrants to address issues confronting second-generation migrants.16

In a chapter entitled 'Fostering Integration', the NESC Report says that Ireland's immigration strategies to date have been "quite rudimentary". "They were shaped by a desire to maintain orderly labour markets, to offer protection to refugees and to prevent discrimination but were essentially reactive and accommodative."17 It goes on to say that the National Action Plan on Racism and the Scheme of the Immigration, Residence and Protection Bill "hint at the fact that broader strategies are being contemplated, though neither document sets out a bold vision for integrating immigration management with integration and with a larger set of high-level strategic objectives."18

NESC makes five critical recommendations to assist policymakers to navigate the complex issues that arise in seeking to foster the integration of migrants in Irish society. (These recommendations are summarised in Table 1.) The adoption and implementation of the recommendations would have significant practical implications in terms of resources and the development of the capacities of a wide range of stakeholders – public, private and voluntary.

Table 1: Summary of NESC Critical Recommendations to Foster Integration

Recommendation 1	***Create a clear strategic vision to mobilise society***
	The need to establish a clear strategic vision for immigration and integration derives from the complexity of the issues involved and the fact that the Irish Government is not the only stakeholder. Business, unions, non-governmental organisations, migrants and the public at large need to be mobilised for integration to succeed.
Recommendation 2	***Integrate policies as well as people***
	The NPAR needs to be integrated with the Immigration, Residency and Protection Bill, with envisioned secondary legislation, with citizenship legislation and a host of integration-related measures in the fields of health, education, housing and justice. Consideration should be given to a single migration agency that could exercise leadership.
Recommendation 3	***Act locally through horizontal partnerships***
	Integration takes place at the level of neighbourhoods, workplaces and schools. It results from day-to-day contact between newcomers and residents and it depends on the willingness and capacity of public and private institutions to respond to migrant needs. Integration projects need to be planned, coordinated and delivered locally through broad horizontal partnerships between local service providers and community agencies.

Recommendation 4	***Privilege social interaction over common values***
	Integration is a process and the manner in which the process is conducted is as important as its results. Implicit in this is the idea that values are by-products and not ends: the result, not the precursor, of living, working and socialising together, particularly on projects in the public domain. The Government needs to address the question "how we might best live together?".
Recommendation 5	***Focus on the long term***
	The long-term horizon requires the development of many capacities within public and private spheres to respond to the needs of both migrants and hosts – including a capacity to mobilise public support; a capacity for political action; a capacity to coordinate policies and programmes at both national and local levels; a capacity to leverage non-governmental support; and a capacity to evaluate policies and to transfer the lessons to other locales.

Perhaps the most significant strategic migration policy decision for Ireland relates to the extent to which today's migrants are to be considered as temporary workers or as immigrants who are expected to settle.

As the NESC report puts it: "To date, migration has been viewed as a temporary phenomenon and not part of a long-term strategy to promote economic and social goals."19 It adds that the shape of Ireland's future integration strategy will be contingent "on whether Ireland embraces permanent or temporary migration, and in particular how it wishes to treat migrants arriving from non-EEA countries."20

An indication that there is beginning to be official recognition that immigration may be less transient than assumed heretofore is provided in the Scheme of the Immigration, Residence and Protection Bill, published in September 2006. This proposes to include in legislation a provision for a long-term resident status for certain limited categories of immigrants to accord them status and rights similar to those enjoyed by Irish citizens.

Integration: A Challenge in Practice

In view of the fact that it is only ten years since Ireland became a country of significant immigration, and of the reality that the development of specific policies on integration has been extremely slow, it is hardly surprising that integration in practice is in its infancy in Ireland.

Despite the growing demand that integration projects and services should be expanded in scope to include all migrants, many continue to be targeted primarily at refugees. For example, English language proficiency is a prerequisite to full participation in Irish life and society. Yet 'Integrate Ireland Language and Training', which has provided free education for adult refugees since 2001, does not have a mandate to offer the same service to the wider immigrant community. The problem of inadequate provision of publicly supplied services is exacerbated by the fact that courses in private language schools are not affordable for many migrants.

Since 2001, the European Refugee Fund (ERF) has been funding projects to promote integration. One such project is being undertaken by the Jesuit Refugee Service (Ireland), which has been running a refugee integration project, Community Links, in Dublin's inner city sine 2002. Through its work, Community Links has become acutely aware that not only the capacity of refugees but the

capacity of refugee-led organisations needs to be strengthened. “Refugees need to be the subjects, not the objects, of change.”21

The issue of a migrant voice in research and policy analysis as well as in the formulation of policies and services affecting migrants is critical. A 2002 report, *Research, Development and Critical Interculturalism: A Study of the Participation of Refugees and Asylum Seekers in Research and Development-Based Initiatives*, highlighted concerns raised by those involved in research, community development and development education projects, that:

- There is a lack of effective inclusion and participation by refugees and asylum seekers at all levels of such projects;
- The lack of participation has led to feelings of exploitation and burnout, as well as suspicion regarding the agendas underpinning these projects;
- The policy of funding mainstream organisations to carry out projects that minority ethnic community members should be undertaking themselves is hampering the development of minority-led organisations and networks.22

In order to be able to fully participate in and contribute to Irish society, it is essential that migrants are able to have ready access to information regarding their rights and entitlements. The NESC report noted that accessing information on their rights in Ireland has been a major issue for migrants.

It notes also that government departments not directly involved in immigration policy have not taken the needs of migrants sufficiently into account in the development of their policies. Its says: “All social services, whether involving health, housing, education or social welfare will have to recognize that Ireland has become a much more diverse country because of immigration.”23

The community and voluntary sector, through local migrant groups and non governmental organisations (NGOs), often takes a primary role in welcoming migrants and helping them to integrate. Despite the extent to which voluntary sector organisations have direct contact with migrants – as well as their strong motivation to affect positive social change – these groups operate under significant resource, and in particular financial, constraints.

State funding available to NGOs tends to be tied to specific outcomes with only minimal flexibility to enable the adaptation of programmes to meet the demands of a very dynamic environment. Administrative requirements can place a huge burden on organisations, especially those that are small scale, and can tie up significant amounts of their limited resources. This is not to deny the need to be transparent and accountable for the use of state funds: however, the administrative burden needs to be proportionate. The fear persists that excessively stringent funding guidelines result in projects and services for migrants being ‘funding driven’ rather than ‘need driven’.

There are many issues affecting the lives of migrants where policy (or the lack of policy) impacts significantly on their ability to integrate, hampers the efforts of organisations and groups that seek to assist them, and indeed undermines the positive effects of integration measures. Such issues include: family reunification, the habitual residency clause, exploitation and employment rights, the right to work for asylum seekers, access to third level education, inadequate use of migrant skills and the absence of a permanent immigration channel.

A lack of knowledge, data and understanding of migrants and their circumstances has been identified as a key constraint in planning and in the development of evidence based policy. Sarah

Spencer in her recent report on the role of the sector suggested that the Government should improve "the collection and transparency of data on all categories of migrants in Ireland, their participation in the labour market, needs and uses of public services, in order to strengthen the evidence base for policy development and for NGO policy submissions." She proposed also that NGOs could develop "evidence based workable proposals to tackle the policy issues that will be on the government's future agenda".24

In its reflections on the role of the community and voluntary sector, the NESC report notes that: "Ireland's integrative capacity is still fairly rudimentary: NGOs have shown themselves as being adept at advocacy, but their capacity to deliver assistance and services to migrants is still weak, especially outside Dublin and other major urban centres."25

Conclusion

Perhaps the fundamental problem with the Irish Government's approach to integration has been to start with structures and policies in the absence of an overarching guiding framework or vision. The NESC report highlights the need to build support across a wide range of stakeholders so that a clear vision of how integration might contribute to the creation of a dynamic, secure and socially cohesive Irish society can be developed. Coherent plans can then be developed to implement this vision across various sectors and involving a range of actors (for example, state institutions, employers, trade unions, media, community organisations, migrant groups and the general public).

The NESC Report points out that there exists a considerable degree of "latent sympathy for migrants as a result of the country's recent, and harsh, experience with emigration. It remains to connect this latent empathy with local action in the service of immigrant integration."26 In this process, it is critical that the migrant voice is actively listened to and that there is real engagement with migrant communities in the development of policies and services for their benefit.

The Government needs to answer the key question: does it consider migration a temporary or a permanent phenomenon? In its concluding comments on how integration might be fostered, the NESC report states: "Ultimately for integration to succeed, migrants will have to be seen as potential assets and not as charitable works or temporary aids to facilitate labour adjustment."27

Notes

1. Central Statistics Office, *Population and Migration Estimates, April 2006*, Dublin: Central Statistics Office, 2006.
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3. Frances McGinnity, Philip O'Connell, Emma Quinn and James Williams, *Migrants' Experience of Racism and Discrimination in Ireland: Survey Report*, Dublin: ESRI, 2006.
4. *Ibid*., p. 33.
5. *Ibid*., pp. 27–29.
6. *Ibid*., p. 65.
7. Tom Kuhlman, "The Economic Integration of Refugees in Developing Countries: A Research Model", *Journal of Refugee Studies*, 1991; 4 (1), pp. 1–20.
8. Ronit Lentin and Robbie McVeigh, *After Optimism? Ireland, Racism and Globalisation*, Dublin: Metro Eireann, 2006.
9. The European Council on Refugees and Exiles (ECRE) is a network of more than sixty-five refugee-assisting NGOs spanning both the EU and neighbouring countries.

10. European Council on Refugees and Exiles, *Good Practice Guide on the Integration of Refugees in the European Union*, Brussels: European Council on Refugees and Exiles, 1999.
11. National Economic and Social Council, *Managing Migration in Ireland: A Social and Economic Analysis, A Report by the International Organization for Migration for the National Economic and Social Council of Ireland*, Dublin: National Economic and Social Development Office, 2006, p. 151.
12. *Integration: A Two Way Process*, Report to the Minister for Justice, Equality and Law Reform by the Interdepartmental Working Group on the Integration of Refugees in Ireland, Dublin: Department of Justice, Equality and Law Reform, 1999, p. 9.
13. Draft conclusions of the Council and the Representatives of the Governments of the Member States on the establishment of Common Basic principles for immigrant integration policy in the European Union, Brussels, 18 November 2004. 14776/04. MIGR 105
14. *Integration: A Two Way Process*, op. cit., p. 50.
15. Sarah Spencer, *Migration and Integration: The Impact of NGOs on Future Policy Development in Ireland*, Oxford: Centre on Migration Policy and Society (COMPAS), University of Oxford, 2006, p. 18.
16. National Economic and Social Council, *op. cit.*, p. 153.
17. *Ibid*., p. 168.
18. *Ibid*., p. 168.
19. *Ibid*., p. 201.
20. *Ibid*., p. 201.
21. In an interview with Ruth Diaz-Ufano, Coordinator, Community Links integration project on 26 January 2007.
22. Alice Feldman, Carmen Frese and Tarig Yousif, *Research, Development and Critical Interculturalism: A Study of the Participation of Refugees and Asylum Seekers in Research and Development-Based Initiatives*, Dublin: Social Science Research Centre, University College Dublin, 2002.
23. National Economic and Social Council, *op. cit.*, p. 145.
24. Sarah Spencer, *op. cit.*, pp. 56– 57.
25. National Economic and Social Council, *op. cit.*, p. 164.
26. *Ibid*., p. 164.
27. *Ibid*., p. 202.

Trafficking and the Irish Sex Industry

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'These stories are horrific. They made us really angry that this could be happening in our country.' 'We are not going to stop until the legislation is changed.' (*The Carlow Nationalist*, 19 May 2005 quoting Catriona Kelly a then Transition Year student at St. Leo's College.)

At the Young Social Innovator of the Year Awards 2005, the Transition Year class of St Leo's – founded by the Sisters of Mercy in 1839 – won the Global Citizenship Award. Their project, 'Stop the Trafficking of Women into Ireland for Sexual Exploitation', was inspired by stories of young girls and women whose experiences were so shocking that they could not be ignored.

The discovery of the body of a 25-year old Malawian woman near Piltown, Co Kilkenny, and the story of an 11-year old non-national trafficked into Ireland and raped and abused, spurred the students into action to raise awareness of the issue of trafficking and to work for a change in the laws that will reduce the possibility of such events being repeated.1

Move on to 8 May 2006 and a *Prime Time Investigates* programme on the trafficking of women and girls prompted many people to engage with the issue. At the Dail Adjournment Debate on the Sexual Trafficking of Women on 10 May 2006, Ciaran Cuffe TD (Green Party) put it to Michael McDowell TD, Minister for Justice, Equality and Law Reform, that, although a 2002 EU Council Framework Decision obliged all EU Member States to introduce legislation to criminalise human trafficking by 2004 at the latest, Ireland remained the only Member State that had yet to do so. He also asked for sensitivity and compassion in the treatment of victims who have suffered terribly at the hands of traffickers, rather than arrest and imprisonment followed by deportation, as in the case of a Romanian woman whose traffickers were never brought to justice.

'The idea that they are acting with relative impunity makes me sick to my stomach.' So said Senator Mary White in reference to traffickers, on 29 June 2006 speaking at the Seanad Order of Business.

There must be an end to the ignorance that women who have been trafficked for sex are not being exploited in Ireland. The Prime Time Investigates programme highlighted the way women are being exploited in country towns and in cities throughout the country. There must be a concerted effort to highlight the fact that this is a modern day slave trade of vulnerable people, mostly women and children, for the sexual gratification of morally depraved individuals.

We, as legislators, must initiate a zero tolerance approach to those who are engaged in trafficking human beings for sex. The idea that they are acting with relative impunity makes me sick to my stomach. I want to see this issue accorded the priority it deserves and zero tolerance legislation introduced as quickly as possible.2

Trafficking is a virtually non-quantifiable aspect of the migration issue. By its nature it is secretive, exploitative, and thrives on a culture of oppression and fear in which human beings are literally treated as commodities to be moved, bought and sold, used or dumped at the whim of those whose aim is to profit at their expense. Trafficking in human beings includes also the moving of people – men and women and children – for cheap labour and is rightly called the 'slavery' of our time.

The issue of trafficking of women and girls into Ireland for sexual exploitation is becoming more widely acknowledged. A certain momentum is being built up among various State and non-governmental bodies who are including the issue in their research and publications. For example, the Irish Refugee Council Report 2006 includes a Draft Information note on human trafficking; in May 2006 the Department of Justice, Equality and Law Reform and an Garda Siochana Working group reported on Trafficking in Human beings; in Northern Ireland the PSNI reported on trafficking in January 2006; Ruhama, a Dublin-based NGO, working since 1980 with women involved in prostitution, published *The Next Step Initiative*, research report on barriers affecting women in prostitution in 2005; the print media and RTE have also been picking up on the issue.

What precisely do we mean by trafficking?
A United Nations (November 2000) document provides a definition. Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplements the United Nations Convention against Transnational Organised Crime, states:

'Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the

purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

Organisations working on this issue point out that it is important to recognise that trafficking can occur regardless of whether victims are taken to another country or simply moved from one place to another within the same country. It involves violation of the most basic rights to freedom, autonomy and human dignity. It is fostered in part by demand for sexual and other services which, in effect, provides the economic impetus for trafficking. So while deterrence and criminal punishments, awareness raising and so on are part of the solution, there is need for much more explicit analysis of the conditions that drive both the supply and demand.

International studies cited in the Ruhama report show that poverty in its various forms, abusive backgrounds, drug abuse and homelessness and the exploitation of women in these situations by unscrupulous men and women, drive the supply side, and increased wealth and some of its manifestations and side effects – emotional and psychological as well as financial – the demand.

The Expanding Sex Industry in Celtic Tiger Ireland

Among much interesting data in the report, *The Irish Study of Sexual Health and Relationships*, commissioned by the Crisis Pregnancy Agency and the Department of Health and Children, was the finding that young men are more likely to pay for sex in the present financial climate.4 Notably, there is no section in the report with a question about trafficking, and only brief reference to 'commercial sex'.

It is no doubt impossible to estimate how much the vastly expanded sex industry of the Celtic Tiger is an unacknowledged contributor to GNP in the Ireland of 2006. Maybe such information might be part of a future report on sexuality in Ireland. If the amount of money spent in sex shops, massage parlours, escort agencies, sex chat lines, web sites, so-called adult video outlets, lap-dancing clubs and other 'entertainment' (quantifiable and verifiable because publicly advertised by presumably financially accountable businesses), were to be added to the non-quantifiable (because exchanged covertly) amount of money changing hands in the sexual exploitation involved in prostitution and trafficking in Ireland – North and South – the figure might surprise. Or maybe it would not, and what would be surprising would be any genuine, concerted effort to stop the sexual exploitation involved in these activities. On the face of it, it would seem that while there are occasional noises about human rights abuses, we are not very serious about putting a stop to this particular form of exploitation.

Legislation and enforcement of laws are one necessary way for governments to deal with the problem of the exploitation of women and girls, and sometimes children and men too, but can never be the whole answer. The Ruhama report indicates that radical societal and cultural changes in relation to social, economic and educational disadvantage, and to gender relations, are needed for many women to participate fully in society: 'The denial and secrecy operative in the area of prostitution allows society to avoid the issue and to overlook the fact that the majority of women involved in it believe that they did not have a choice'. Among its recommendations is that awareness of the realities of prostitution should be raised among all those connected with social, medical and educational services and that all 'education and training should present sexual exploitation in a human rights framework and as a gendered issue.'5

There remains the more fundamental problem of sexuality in general in our society which seems to lunge from crisis to crisis. The debates in recent years on contraception, marriage and divorce, the change in law making rape within marriage a crime, the issue of sexual abuse of children, the question of recognition of marriage between homosexual and lesbian couples, the case of the stored embryos, the debate on the age of consent, show human sexuality to be a central issue in our self-perception as people, and what we believe and do about it are of enormous significance. Clearly, it cannot really be said to be a private matter as some would wish. How the provision of sex education in the schools can meet the different needs and expectations of people with strongly opposing views as to whether or how it should be conducted is a frequently aired topic. The numbers of children being reared in single parent families who are at high risk of poverty is an ongoing cause of concern. Problems about how sex offenders and those who have been released after serving prison sentences should be treated in society continue to emerge when high-profile cases are reported in the media, often accompanied by a kind of hysteria. The lack of sufficient places in treatment centres for offenders and the seemingly conflicting views about the effectiveness of treatment are recurring issues. From the issue of HIV/AIDS to child sexual abuse, from the reported vast increase in the incidence of other sexually transmitted infections to the increase in sexual violence and rape generally, many people see a real problem in our society which has gone from virtually no talk about sex and sexuality to a situation where talk of recreational sex, or commercial sex is relatively common currency.

Making Connections

Have we really arrived at a mentality that sees ‘commercial sex’ as though it were just another option in the exercise of sexuality? Is it now acceptable at societal level to consider sex as something apart from persons, something to be bought and sold, and the people involved, whether buying or selling, as mere commodities to be exploited for the financial gain of those controlling the industry? Is the sexual abuse of children – because that is what we are talking about in relation to underage girls who are trafficked or involved in prostitution – somehow less offensive because money changes hands? Is it really prudery to suggest that, for example, Christmas office parties, or private or corporate entertainments that involve visiting lap-dancing or other ‘clubs’ offering women’s bodies – whether to be touched or not – as the principal entertainment, are representative of something really sad in our society?

The more benign side – if such a thing can be said of it – of sexual exploitation, as instanced in some advertising, so-called soft pornography on offer as the norm on late and not so late evening television, some ‘fashion’ on offer for young people, some of the surgical remodelling of bodies, that seems to part of the daily diet of print and visual media today, seems omnipresent. Is there really no connection between some of these and the list of crisis issues in relation to sex listed above? Do we honestly think the solution to any of them will be found in more and better STD clinics, absolutely necessary though these are, the tagging of convicted sexual offenders, the deporting of some women or girls working in prostitution while the traffickers go free? Are these kinds of measures the limit of our imagination in terms of ways to a healthy and happy societal attitude to sexuality? Is there truth in the suggestion that interpersonal relationships of all kinds are bearing the brunt of economic success, that the price of getting ahead economically is too often to fall behind emotionally, not to have time or energy for relationships – especially emotionally and sexually fulfilling relationships?

This may be why it seems to have become more acceptable to make light of what many have called the sexual saturation of our society, the coarseness of much reference to sex, and to imagine our sexual needs and desires are well enough met by participating in whatever aspect of the 'sex industry'? Studies cited in the Ruhama report point to men's desire to separate sex from intimacy with the convenience of sex with a prostituted woman requiring less effort, negotiation and time than within an intimate relationship and being also a way to allow greater control and power during the sexual encounter. The normalisation of sexual exploitation has made that increasingly possible.6

Libby Brooks, in a piece entitled 'A New Sexual Manifesto', suggests we are all the poorer for much of the so-called sexual liberation of today. She asks about a world in which it is considered fine, even trendy, for middle-class men and women to visit swanky lap-dancing clubs while 'remaining oblivious to the continuum of exploitation that links these polished performers with the crack-addicted working girls on the street corner'.

It is not a question of being prudish, or easily embarrassed, or un-liberated, she writes, *But it is about anger, about feeling short-changed and wanting to shake awake the majority of us who have been badgered into apathy by the sexual saturation of modern western culture. It is about taking back control of sex, its meaning and representation from the market before it's too late. It's about celebrating the human freedom that sex embodies, how desire can take us to the heart of our greatest potential: that in a moment we might be anybody or anything*.7

The gender differences reported in relation to sex show the male sex drive to be higher, and that women find greater satisfaction in emotional intimacy than in genital sex. Is it simply that this is how men and women are? Or is there a cultural factor strongly at play, which, subtly or not, tells girls that sex is about love, commitment and having children, while boys are told that it is more about a measure of masculinity? Girls must make themselves attractive, pleasing to men, which, in the present culture, seems to mean overtly sexually inviting and available in dress and manner. And boys must be macho, cool, sexually conquering, out to prove themselves in this way. Is this as far as we have got to in societal terms as regards expectations of what it means to be sexual beings? And what should be made of the signs of a cultural change that may be emerging with the so-called sexual liberation of ever younger girls and reports of their taking the initiative in sexual matters?

There is pressure on young men and young women to conform to approximations of these caricatures. At one end of the spectrum it is obvious that, at the least, girls and women suffer from conflicting messages: 'Look like this but do not behave like this'. And girls and women can be their own worst critics in this regard. Boys and men suffer too from the pressure to appear confident and powerful, sometimes even dominating in their relationships. At the other end of the spectrum, as the *Ruhama* report points out, "the attitudes of men as buyers of sex, and society's acceptance of these attitudes, serve to exempt men, and society as a whole, from accountability for the damage and social problems created by prostitution …"8

The fact remains that this translates for some men and women into the giving to themselves of permission to engage in commercial sexual transactions with vulnerable and exploited people. Is it right that because someone is paying for sex they are justified in blinding themselves to anything of that person's reality? Are they justified in turning a deaf ear to the growing knowledge that many 'sex workers' are victims of the most appalling human rights abuses, that they may have no control over any aspect of their lives, be without papers, living in fear of their traffickers, without the

connection of friends or family, without access to adequate or perhaps any health care, in short be trapped into what is rightly called slavery?

It is hard to imagine that men who buy sex are all that very different from men who do not. Reports suggest that they come from all social groups and walks of life. It is hard to imagine that if they were asked whether they approved of slavery in general they would answer in the affirmative. Yet are they in a position to be certain about who is trafficked and who is not, about who is literally and immediately coerced and who may think she is exercising 'choice' in this matter? Do people who purchase sex think about whether 'choice' has real meaning in context of women in prostitution? How would property owners who let their property to people running such businesses react to the knowledge that they were an important link in the slavery chain? What is the connection between the Ireland of the big charity donations and the Ireland of the exploitation of trafficked girls and women? Are there places where these overlap? Could that place of overlap be a place of the beginning of hope for some of those exploited? What would be needed for this to happen?

Sexuality and Justice

The equal dignity and basic rights of every human person form the basis of Christian social teaching. Explicitly from this perspective, Michael J. Kelly SJ (well known and widely acknowledged for his work with and on behalf of people living with HIV/AIDS in Zambia, and for his tireless efforts to educate in relation to prevention) strongly believes that the gender issues in relation to sexuality must be addressed. Although treating the question from the perspective of HIV/AIDS, and specifically with regard to HIV transmission, his notion of 'A Just Sexuality' offers practical insights, which are as relevant in considering some of the issues in Celtic Tiger Ireland as they are in some poverty-stricken and AIDS-torn parts of Africa.

For a just sexuality to prevail, justice must be respected in every type of sexual encounter. At the minimum this implies the observance of two principles:
1. The no-harm principle that induces people who move into intimate sexual contact with their occasional, varying, or semi-detached partners to take the necessary efficient measures so that pregnancy, HIV and other sexually transmitted diseases … are prevented.
*2. The equality principle that attaches as much value to the other as to oneself. This principle requires that, at the very least, a person should never be forced, directly or indirectly, to have sexual contact with another.*9

Among a series of possible injustices in the area of sexuality he includes: narrow understandings that identify sexuality with physical sexual activity; failure to respect, protect and fulfil the rights of young people to comprehensive sex education; a moralising approach that fails to take account of the personal or socio-economic circumstances that may influence or even dictate a person's behaviour.

In another publication, *Faith and AIDS in Zambia*, Kelly notes that some system of patriarchy, with men in a dominant decision-making role, seems to be almost universal. Even in countries where women occupy highly prestigious positions many say that decisions about when and how to have sex are made by their boyfriends and husbands, not by themselves.

Commenting on 'casual and commercial sex', Kelly notes that this may be the only way available to many women to support themselves and their children. For them, it is a business and a livelihood. He is critical of a stigmatising attitude that makes it difficult to see deeper than the woman waiting at the street corner.

We fail to see that … the person beneath is a tired, harassed, caring, concerned, loving mother doing the only thing she is able to do for the support of her children (and too often of her husband as well). For her, sex is not pleasurable or glamorous. Neither does she see it as a moral issue. For her it is a matter of life and death, a survival strategy for herself and her children.10

A first response to these comments might be to wonder what Zambia has to do with Ireland in these matters. A second look might see that experiences of some of the vulnerable people in the Irish sex industry are not so far removed from their Zambian counterparts. A third look might see that attitudes to the gender issue as signified in attitudes in the society generally to sexuality, and to casual and commercial sex in particular, may be closer than we would have imagined.

The closing down during 2006 of *Stringfellow's* club in Parnell Street, Dublin –probably due to a combination of factors, but the silent protest of local people undoubtedly played its part – was greeted with mixed responses. The reporting of this high-profile case tended to bring out the simplistic prude/conservative versus liberal/broad-minded taking of sides. It was something of a pity that the arguments did not often lead to a discussion of values, to a reflection on how the entertainment on offer affected not just the people living in the surrounding area but those who were part of the various aspects of the enterprise and indeed the sex industry generally up and down the country. The serious issues of poverty, drug and alcohol addiction, lack of educational opportunity and of meaningful choices in life for many involved, and their connection, directly or indirectly, to the exploitation of many young and indeed older people both among the buyers and sellers of 'commercial sex', could do with broader exposure in the newly wealthy Ireland.

Conclusion

The issue of trafficking of women and girls into Ireland and within Ireland is gradually gaining importance in the public mind. Trafficking represents the most dramatic negative side of recent migration and the vigilance of many groups and individuals in society is needed if this gross injustice is to be curtailed and stopped. Some politicians are already playing a significant role in raising awareness but much more is needed from the many people who wittingly or unwittingly are part of the spectrum which runs from what is seen as 'harmless entertainment' to the serious exploitation and violation of women and girls, to even the death of some of them.

The proposed referendum on the rights of the child in Ireland has been almost universally welcomed. However, Ireland still remains the only country in the EU which has failed to pass a law criminalizing human trafficking – despite the EU Council Framework decision.

Legislation, however, is just a part of what will be needed to right the situations of injustice currently experienced in the sexual exploitation of people. The notion of 'a just sexuality', proposed here from the Zambian context has much to say to the current situation in Ireland. Our understanding of the cultural factors at play in the new Ireland would benefit from being accompanied by a more concerted effort at discussing some of the values we are absorbing as a society, whether consciously or by default, and whether these are compatible with the kind of understanding and experience of sexuality we would want for ourselves and our future generations.

Making the connections and links between our own situation and the radical injustice involved in the explicit exploitation of women and girls, whether local or from other countries, is a challenge for the whole society if we do want to retrieve control of sex, its meaning and representation, from the market, and to try to restore its full potential as a fundamental way of human relating.

Notes

1. http://archives.tcm.ie/carlownationalist/2005/05/19/story24199.asp
2. http://www.senatormarywhite.ie/news/story.html?id=34
3. Report on Human Trafficking and Prostitution in Northern Ireland – talk given 28 January 2006 AGM of Queen's Women Graduates. http://www.qub.ac.uk/home/Alumni/Association File Store.
4. Richard Layte et al, *The Irish Study of Sexual Health and Relationships*, Dublin: Crisis Pregnancy Agency and the Department of Health and Children, 2006.
5. *The Next Step Initiative*, Research Report on Barriers Affecting Women in Prostitution, , Dublin: Ruhama, 2005, p. 137.
6. *Ibid*, p. 7.
7. Libby Brooks, "A New Sexual Manifesto", *The Guardian*, 8 April 2006.
8. Op. cit. p. 67.
9. Michael Kelly SJ, *HIV and AIDS*: *A Justice Perspective*, Lusaka: Jesuit Centre for Theological Reflection, 2006, p. 2.
10. Michael Kelly SJ, *Faith and AIDS in Zambia*, Lusaka: Jesuit Centre for Theological Reflection, 2006 (Chapter 3, Section 11: 'Women, Child Abuse, Sexuality', pp. 22–4).

Asking the Right Questions: Christians, Muslims, Citizens in Ireland

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Our neighbour, eight-year old Muhammad, arrived at the front door on Hallowe'en night in the guise of Darth Vader; he was flanked by two other children from the road, disguised as a pirate and the devil. Later, his eleven-year old sister, Selma, arrived on her own, gorgeously dressed as a witch. As they departed with their trick or treat goodies, I recalled the words of President McAleese, addressed to Muslims in Ireland at the tenth anniversary celebrations of the Islamic Cultural Centre in Clonskeagh, Dublin: 'Your being here helps us and keeps challenging us to find ways to be joyfully curious about each other … we, I hope, will try our best to make Ireland a country of real welcome and a country of celebration of difference …'1 Are the President's words realistic or are they naïve? I want to explore the kinds of questions we need to put to one another as Irish citizens so that obstacles to the realisation of the President's hopes can be overcome.

Muslims in Ireland

The 2002 Census of Population recorded that there were 19,147 Muslims in Ireland, of whom 17,979 were 'normally resident' in the country. Over 5,000 gave their nationality as Irish.2 When the full results of the 2006 Census become available it is likely they will show the Muslim population of Ireland to be between 25,000 and 30,000.3

Ireland's Muslim population is estimated to include more than 42 different nationalities from many different parts of the world – the Middle East, Africa, Asia, and elsewhere, including countries such as Egypt, Malaysia, Pakistan, Indonesia, Somalia, China, South Africa, Nigeria, Algeria, Libya, Bosnia and Turkey.4 It is generally reckoned that the majority of Muslims in Ireland have a solid educational background and so, not surprisingly, are listed among the top five socio-economic and social class groups in a break-down of the 2002 Census figures by the Central Statistics Office.5 It is estimated also that there may be in excess of 3,500 asylum seekers among them.

Religiously, the Muslim population is mainly Sunni, with up to 2,000 Shi'a; there is also a number of sects and sub-sects within these groups, including Sufis (who focus on the more mystical side of Islam), Barelvis (who are popular in South Asia), Deobandis (most common in Pakistan and India), and Salafis (similar to Wahhabism in Saudi Arabia). The two biggest Sunni mosques in Dublin are at Clonskeagh and the South Circular Road, while the Shi'a community's mosque is in Milltown. Outside Dublin the only purpose-built mosque is in Ballyhaunis, Co Mayo. Many Muslims outside Dublin and Ballyhaunis (there are vibrant communities in Cork, Galway, Limerick, Cavan, Ennis, Tralee, Meath and Waterford) gather to pray in converted warehouses, rented houses or private homes. There are up to 4,000 Muslims in Northern Ireland, the majority coming from Pakistan.

Diversity and Unity

There is, then, considerable diversity among Muslims in Ireland deriving from different

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nationalities, languages, the distinction between Sunni, Shi'a and others, liberal and secular, as well as more mainstream and even stricter interpretations. Given this diversity, it is more accurate to speak of 'Muslim communities' rather than the shorthand 'Muslim community'.

In this context, it has been difficult to establish an overall governing body and umbrella group organisation for all mosques and Muslim organisations in Ireland. The Supreme Council of Muslims was formed 'with the general though uncommitted confidence of Muslim leaders' in 2005.6 More recently, the Irish Council of Imams was launched in Dublin on 19 September 2006, representing all 14 imams in Ireland of both the Sunni and Shi'a tradition and wishing to speak with authority on relevant issues on behalf of the Muslims of Ireland.7 Chaired by Imam Hussein Halawa of the Islamic Cultural Centre of Ireland at Clonskeagh, its Deputy Chairman is Imam Yaha Al-Hussein of the Islamic Foundation of Ireland on Dublin's South Circular Road, while its General Secretary is Ali Selim. It lists among its aims the encouragement of the positive integration of Muslims into Irish society; the provision of social and educational programmes for imams; the formation of a specialised official Muslim body to give the Islamic view on topical issues in Ireland; dialogue with people of other faiths and the spread of the spirit of Islamic tolerance. Unlike other religious bodies in Ireland, its remit does not seem to extend to Northern Ireland.

Obstacles to Dialogue

What then are the obstacles to the kind of mutual enrichment and tolerant dialogue which President McAleese and the Irish Council of Imams hope for as Muslims in Ireland – many of them already Irish by birth and most of them well educated – negotiate a space for themselves in Irish society?

Shortly after the President's address at Clonskeagh an Irish Times columnist wondered: 'how is our legal system to deal with the Islamic claim that Muslim men have a right to physically chastise their wives?'8 In the same edition of the newspaper, a correspondent to the Letters Page who had worked in Saudi Arabia for five years queried the wisdom of a school in Tallaght arranging a special parent-teacher meeting for Muslim women who were uncomfortable being in the same room as men who were not their husbands: 'In their ignorance they believed they were integrating these people, but I feel this is a very dangerous step to take. What next? Separate waiting rooms in hospitals, doctors' clinics, dental clinics, etc?'9

These are but two instances of a more general fear which many Irish people have that somehow our values and our way of life may be threatened by the presence of Muslims among us. Sometimes this fear finds its focus on the seemingly small questions of dress. The wearing of the head-scarf or hijab has not become a contentious issue in Irish society, but the furore over Jack Straw's remark in October 2006 about the face veil or niqab provoked much public interest and debate in this country. It may be asked: Is the niqab a sign of difference so extreme as to indicate alienation, perhaps even radicalisation, and so not to be welcomed?

Lurking under the surface of these questions is the even deeper fear and bigger question of physical violence and terrorism. The claims of Sheikh Shaheed Satardien, who is associated with the Supreme Muslim Council of Ireland, that Muslim clerics here were 'in denial' about rising extremism within certain elements of the community in Ireland were rejected by clerics and many ordinary Muslims.10 Similarly, the Taoiseach was reassuring in the Dail about the report from

declassified official US papers that up to six Islamist terrorist groups had units in the Republic three years ago to deliver financial and logistical support to other cells abroad.11

Influences on the Debate

This deeper fear is, of course, shaped by recent events outside Ireland, such as the murder of film-maker Theo van Gogh in Holland, the controversy over the Danish cartoons and the Pope's Regensburg address. It is influenced too by the terrible unrest in the Middle East: the pivotal and ongoing Israeli–Palestine conflict, the suspended war in Lebanon and the ongoing violence in Iraq. It reflects the disquiet in some places regarding the possibility of Turkish accession to the EU with, among others, some prominent political and Church leaders expressing extreme caution, if not outright disapproval. One can add to all this the ongoing tensions in other European countries such as England and France about issues of integration, assimilation and multi-culturalism.

It is clear, then, that dialogue in Ireland is inevitably influenced by the wider European and world situation as it unfolds. What may seem, at first, like a relatively quiet and containable conversation among ourselves is, in fact, joined by the many clamouring voices of our contemporary world.

And the conversation is joined not just the voices of today, but also those from history. Think of the folk-memory of the Crusades, the long period of Islamic greatness and imperialism, which ended with the fall of the Ottoman Empire in the early twentieth century. But, in reality, Islamic imperialism was overtaken centuries before that by Western Modernity with its Enlightenment and Industrial Revolution, its science and technology, its capitalism and democracy, its separation of Church and State, its rule of law and declaration of universal human rights.

The Partners in the Dialogue

One can readily understand that many Muslims worldwide might have a love-hate relationship with this Western world as they try to make their own attempts at coming to terms with modernity. They can be envious perhaps of the obvious successes, resentful at the arrogance that goes with it, angry at what is perceived as the imperial and partial stance of the world's only surviving super-power (the USA), frustrated at their own slowness in adapting to the modern era, and deeply critical of what they see as Western moral bankruptcy on so many fronts.

And in this context they have as dialogue partner a Western world in which the project of secularism increasingly reveals its own narrow base and lack of moral capital.12 In significant ways, Ireland exemplifies this: with all the welcome successes of our Celtic Tiger, this is a country still failing to match social with economic progress, to provide for the have-nots of our society, and where values are often compromised so that, for example, our culture is excessively sexualised in ways that damage both physical and emotional health and puts enormous pressure on young people in particular.

And we have a Christian faith which is less sure of itself. Sometimes, it is so tolerant in its inclusive pluralism that one wonders why in the end it is important at all to want to be a Christian; sometimes (as in the Religious Right in the USA) it is so intolerant as to rival anything that so-called Islamic fundamentalism can produce. And all the time, Christian faith in the Western world is faced with the challenge of trying to renegotiate its own space in the public square as well as its relationship to other religions.

Questions for the Way Forward

Given this heady cocktail of diverse factors, how can the different partners in our Irish conversation – Muslims, Christians, members of other religions, citizens of the State and of our island – engage

in the kind of conversation that overcomes simple denial on the one hand and cultural panic on the other? It may help to identify some of the deeper questions and issues behind the obstacles that I have already mentioned.

Let us take as a starting point the seemingly small question of the veil. Is this, in whatever form, a strict requirement of the Qur'an? Muslims themselves seem to differ on this, so that, for example, in admittedly secular Turkey, women attending university are forbidden to wear it and many devout Muslim women in Europe and elsewhere, now and more so in the past, have not worn it. Culturally, one can well understand that in certain situations women themselves want to wear the veil for many different reasons – for example, as a mark of their identity, in particular when feeling under threat from their socio-political environment. Many say they experience wearing the veil as empowerment, not oppression.

However, one also notes the kind of underlying issue that is involved here and that some Muslim women themselves articulate. As one Muslim commentator has pointed out: female modesty in most religions tends to make women 'the bearers of honour and shame, the repository of sexual ethics and family values … the problem with this is that it also camouflages a lot of the abuse and subjugation that goes under the guise of honour.'13
{mosimage}

Clearly, the disputed question of the religious normativity of veil wearing within Islam is vital both to the issue of the equality of women and men and to the issue that Jack Straw raised as to how Muslim women negotiate a space for themselves in public life.

Religious Authority within Islam

Several more major questions can be seen to follow. If the religious normativity of the veil within Islam is disputed, who has the authority to settle the dispute? In fact, while there are subtle differences within the different branches of Islam itself on this matter of religious authority, in particular between Sunnis and Shi'as, the bottom line seems to be that it is one of the glories of Islam that each Muslim decides for him/herself before Allah. Of course, imams, representative bodies, the fatwahs (or legal pronouncements) of respected clerics and scholars, are all taken into account: but there is certainly nothing like the normative role played by the Magisterium within the Roman Catholic Church. In practice, of course, it can be hoped that a body like the Irish Council of Imams will speak effectively for the Muslims of Ireland.

Nonetheless, this structural reality of Islam in respect to authority is important to bear in mind when one listens to the different interpretations of the Qur'an world-wide, not just on a matter such as veiling, but on issues of life and death like suicide bombers. Islam has good claims, both historically and within its own self-understanding, to be a religion of peace and tolerance.14 But it bemuses many how respected and often charismatic Islamic leaders can justify the killing of innocent women and children by means of suicide bombers.15 During our own terrible conflict, the Churches in Ireland on all sides were often, with some justification, accused of not doing enough to bring about peace. But it would have been truly shocking had any Church leader tried to justify Republican or Loyalist violence.

The Authority of the Qur'an

Another question which follows from the issue of the veil is the much more delicate one of the authority of the Qur'an itself. Christians need to understand that within Islam the text of the Qur'an is viewed with the kind of reverence which Christians themselves might show not just to their own

Scriptures but almost to Jesus Christ himself. The Qur'an, with the hadith (the documented traditions of the teachings and actions of the Prophet Muhammad which were not in the Qur'an but which were recorded for posterity by his close companions and family members) and the Sunnah (the habits and religious practices of the Prophet, similarly recorded) are what Muslims base their faith on. These are the foundations of Shariah, the body of Islamic sacred law, which has lead to Fiqh (Islamic jurisprudence – the study and application of the body of sacred Muslim law).

In practice, the interpretation of both the Qur'an and Shariah has differed considerably down through the centuries, even if Sunni Muslims declared in the fourteenth century that the 'gates of ijtihad' (ijtihad is the 'independent reasoning' used by a jurist to apply the Shariah to contemporary circumstances) were closed and that scholars must rely on the legal decisions of past authorities instead of upon their own reasoned insights.

Much of this will recall for Christians the old, now essentially resolved, Roman Catholic–Protestant dispute between the authority of Scripture itself and that of Tradition, as well as our ongoing Christian concern to read, through the Holy Spirit and the Church, the Signs of the Times of our day in the light of Sacred Scripture. But this resolution of the intra-Christian dispute drew on all the critical thinking of the Enlightenment, the application of historical-critical studies to the Scriptures and Patristic Studies, and resulted in a very real appreciation of the inherently human form of divine revelation. There is an understandable nervousness even among otherwise progressive Muslims about submitting their sacred text to this kind of investigative scrutiny, and yet there are signs that it is happening.16

Shariah Law

A final major question arises from this seemingly small issue of the veil: are Muslims intent on creating a Shariah-law society wherever they are in the majority? This is a major question because it lies behind many of the fears which non-Muslim Westerners (including Irish) have when they view the kind of restrictions imposed on citizens and other religions in some countries with Muslim majorities. They wonder is this the kind of future which Muslims in the West are obliged by their religion to strive for?

Again, only Muslims in the end can answer this question,17 but a few observations may be helpful. First, it is clear that several major countries with Muslim majorities do not understand Islam in this way – Turkey, for example, can have serious aspirations to EU membership only because its State is constitutionally secular in a way that can pass the test of EU membership, and Indonesia is a similar example.

Furthermore, both historically and at present, the interpretation of what is meant by Shariah law is very different and all kinds of modifications are being made today to marry Shariah with various forms of democracy: the Taliban of Afghanistan are not the only model of what Muslims have tried to do in terms of a government that is inspired by the Qur'an. Interestingly, in this context, the former Pakistan cricket captain, now politician, Imran Khan is reported to have said that the closest example he has ever seen of an ideal Islamic society in the world today is Sweden! 18

Religion and State

This is interesting because well worth examining is the notion that a really worthwhile debate can be held between the Islamic concern with justice and its self-understanding as a 'total religion' (i.e. as applying to all aspects of life, including politics) and the Christian experience in the West of the different forms of Church–State separation which have become normative. Khan can hold up

Sweden as an example of a good Islamic society because of its concern with justice. Christians hold up the necessity of Church–State separation because of their own experience of religious wars and the need to create space for the accommodation of difference. But it took Christians a long, and often bloody, time to come to this understanding. (In the case of the Roman Catholic Church, it took until the 1965 Decree on Religious Liberty in the Second Vatican Council, even if in reality the situation on the ground for Catholics was already changing in that direction in most countries of the West.)

Maybe as we develop a better climate for dialogue Muslims can learn a bit from the Western Christian experience in this area. But perhaps we Christians and citizens in the West can also learn from the Muslim insistence on the relevance of religion for public life. Christianity too is a 'total religion': it has a passion for justice at its core; it claims to have important things to say about all areas of life. While the current separation of Church and State serves well as a governmental structure,19 its actual implementation too often relegates religion to a private sphere which impoverishes society and the common good as well as domesticating religion.

These, then, are some of the questions to Muslims that might be part of our ongoing conversation. I have noted en route questions that need to be addressed to Christians – for example, the relevance of religion for public life, the limits of pluralism. I have noted, too, questions to be addressed to citizens of all beliefs or none – for example, how do we learn in a liberal democracy to treat religion less illiberally, how to draw on the resources of religion and secular humanism to correct the moral blemishes in our society. Muslims in Ireland can sharpen these and other questions to us in our ongoing dialogue.

Ways Forward

Good dialogue is not a bland exercise in being nice but is precisely a robust exchange with those who are different and yet whom one respects. It is an exercise in overcoming obstacles as one engages in a common project. We have seen the difficulties with the assimilation model of integration in places like France and the multi-culturalism model in England. Assimilation does not allow sufficient legitimacy to difference, while multi-culturalism does not lead to sufficient integration. Some people in Ireland now, including Minister for Justice Michael McDowell,20 are talking in terms of inter-culturalism: a seeming third way which would respect difference but without sacrificing integration.

For this to happen, we need to be more pro-active in setting up fora in Ireland at many different levels to encourage a sharing of information, dialogue, and working together of the different communities involved.21 The Government should give the lead here: already, it has committed itself to a formal dialogue with faith communities and other non-confessional organisations. This is to include Muslim leaders, and, according to the Taoiseach, is scheduled to begin 'within months'22 And beyond the issue of structures for formal dialogue, there is the question of the social policies across a range of areas – for example, education, housing, support for community initiatives – that can encourage integration.

But apart altogether from action at governmental level, we need as citizens and religious people in civil society to find ways to encourage this kind of interaction as well. Can Church parishes find ways to find common ground with Muslims in their neighbourhood? Are there common concerns regarding the environment and other issues of justice in our society which can bring together people of diverse backgrounds, including Muslims?

We need in particular to be better informed about one another. Muslims need to learn more about the self-understanding of Christians: our view of the death of Jesus Christ, for example; what we like and dislike about Western values; our attitudes to the so-called War on Terror.

Christians need to learn more about the self-understanding of Muslims. Despite the strong identification worldwide of Muslims with one another through the ummah – the Muslim community globally – there are nonetheless many significant differences. Predominantly Muslim countries have gone to war with one another, and the majority of Muslims worldwide are not Islamist jihadists intent on world-wide domination through violence.

Isolation or Participation?

The danger is that, if we are not pro-active, the Muslim community in Ireland will develop separately. In his study of Islam in Ireland, Kieran Flynn notes a typology of integration, from the British context, that included a 'spectrum of types', consisting of, among others, collective isolation and limited participation.

It would seem that there is a growing tendency among some groups of young Muslims in Ireland to seek new cultural ways of being Muslim and at the same time to look for constructive participation in wider society. However, the picture of the Irish Muslim community in general as it moves into its second generation still seems to reflect a trend towards isolationism and the existence of parallel cultures.

It is perhaps not difficult to see why this may be so. For newcomers in a strange country trying to make their way, there is comfort in remaining within one's own community. Moreover, air travel, satellite television and internet access mean that contact with home families and communities is greatly facilitated – 'it is possible to live in Ireland and relate globally for many individuals and families'.23

In addition, it is not so easy for young Muslims to socialise in the same way as other Irish young people do in the pub and drinking culture that predominates. Ali Selim, General Secretary of the Irish Council of Imams, says, 'On Friday and Saturday night in town you often feel alienated, like a stranger in this city which is your home'.24 And in the more general atmosphere of what is perceived by many Muslims as rampant Islamophobia in the West it is understandable that even in the smaller and quieter context that is Ireland many Muslims would feel they have enough on their hands without adding the demands of dialogue and collaboration with people they don't really know and are not sure want to get to know them.

As France, Britain and other countries have shown, this kind of isolationism only stores up trouble for the future, for all communities. The number of Muslims in Ireland is relatively small, we have the experiences of other countries to draw on, we have our own recent history of difference and conflict in Northern Ireland to provide models of unity in diversity – there is now an opportunity for us to work together at fashioning a way of living with one another in harmony and to our mutual benefit. This will include, inter alia, developing good practices and habits around controversial issues to do with cultural and religious differences (for example, wearing of the veil, parent-teacher meetings in schools). Ways of dealing with these issues are better coming from a full and respectful debate rather than as ad hoc solutions to paticular problems: this latter way of proceeding can lead too easily to raised expectations on the one hand, and the gradual erosion of cherished aspects of a way of life on the other. It will also include the gradual involvement of Muslims in key areas of Irish life such as politics, the Gardai, sport, entertainment and so on.

None of this will happen by default. It needs pro-active engagement, and arguably the greater responsibility for this lies with the host community in Ireland.

Conclusion

As the Irishman is supposed to have said when asked directions by a foreign traveler: 'I wouldn't start from here'. It may seem a pity that the relationship with Islam is so fraught, even before some of us have met individual Muslims – strange starting a relationship to realise that there's already a quarrel going on!

But we are all first of all human beings, with common concerns and curiosities, getting on with life in ways both ordinary and extraordinary, as is the human destiny. And as Christians and Muslims we believe in common that we have been created by God, by Allah, to lead good lives. In addition, historically, there have been periods of great peace between our two faiths. Before the horse bolts we now have a wonderful opportunity in Ireland to get our stable in order, and perhaps even, as aspired to in the Northern Ireland peace process, to create the kind of society that will serve as a helpful model further afield. We will be helped in doing this by focusing not just on Muslims, Christians, secularists but also on the other religions which have increasing numbers of adherents among us.

Muslims can enrich Ireland enormously with their reverence for the transcendent and their passion for justice. They can perhaps also learn something of value from their contact with Christianity and the values of liberal democracy here. This will happen only if there is constructive engagement between the communities. Only in this way can the hopes of President McAleese and the Irish Council of Imams be realised. Only in this way will little Muhammad and Selma be seen in the future as the rule and not the exceptions to the rule.

Notes

1. *The Irish Times*, 27 October 2006.
2. Central Statistics Office, Census 2002, *Volume 12, Religion*, Dublin: Stationery Office, Table 4a, p. 17.
3. Email from Census Enquiries Section, Central Statistics Office, 31 October 2006.
4. For these figures and for what follows, see Kieran Flynn, 'Understanding Islam in Ireland', *Islam and Christian–Muslim Relations*, Vol. 17, No. 2, April 2006, pp. 223–238; Stephen Skuce, *The Faiths of Ireland*, Dublin: Columba Press, 2006, Ch. 4; Mary Fitzgerald, *The Irish Times*, 13 October 2006.
5. Even if, somewhat curiously, around 7,900 (out of 19,147 Muslims in Ireland) are recorded as being in the category, "socio-economic status" and "social class" categories, "All others gainfully occupied and unknown". Central Statistics Office, *Census 2002, Volume 12, Religion*, Tables 20 and 21, pp. 114–115.
6. Kieran Flynn, *op cit*, p. 229.
7. *The Irish Times*, 19 September 2006.
8. John Waters, *The Irish Times*, 30 October 2006.
9. Joan Barry, *The Irish Times*, 30 October 2006.
10. Mary Fitzgerald, *The Irish Times*, 13 October 2006; see also Patsy McGarry, *The Irish Times*, 19 September 2006.
11. *The Irish Times*, 24 October 2006.
12. For a development of this theme, see Gerry O'Hanlon, *'Religion and Society', Studies, Vol. 95*, No. 378, 2006, pp. 141–152.

13. Professor Mona Siddiqui, Director of the Centre for the Study of Islam at Glasgow University: 'To me, as a devout Muslim woman, the veil has become a totem issue.' *The Tablet*, 14 October 2006, p. 9.
14. For example, see Seyyed Hossein Nasr, 'Islam and the Question of Violence' and Khaled Abou El Fadl, 'Islam and the Theology of Power', in Aftab Ahmad Malik (ed.), *With God on Our Side, Politics and Theology of the War on Terrorism*, Bristol: Amal Press, 2005, pp. 273–276 and pp. 299–311.
15. In a series of articles on Islam in Ireland (*The Irish Times*, October 2006) Mary Fitzgerald, refers to views expressed by Sheikh Yusuf al-Qaradawi, chair of the European Council for Fatwa and Research (ECFR). (The Council has its headquarters at Dublin's Clonskeagh Mosque, its serving Secretary General being Sheikh Hussein Halawa, himself Chair of the Irish Council of Imams.) Sheik al-Qaradawi is, apparently, seen by many Muslims as a charismatic and moderate reformer who helps seam Islam with modern life and who has enormous influence. Yet he is reported as supporting Palestinian suicide bombings, justifying civilian casualties on the basis that Israeli society is 'militarised'. And in respect of the verses of the Qur'an which seem to allow physical chastisement of wives by husbands, he has stated that such chastisement is not obligatory or desirable but is acceptable if done 'lightly' as a last resort.
16. Toby Lester, 'What is the Koran?', *The Atlantic Monthly*, Vol. 383, No. 1, January 1999, pp. 43–56.
17. I note in this respect the *Islamic Charter* drawn up by the Central Council of Muslims in Germany (ZMD), which says, *inter alia*: 'There is no contradiction between the divine rights of the individual, anchored in the Qur'an, and the core rights as embodied in Western human rights declarations.' Michael L. Fitzgerald and John Borelli, *Interfaith Dialogue: A Catholic View*, Maryknoll, NY: Orbis Books, 2006, pp. 130–131.
18. Mary Fitzgerald, *The Irish Times*, 27 October 2006.
19. This, by now common, Church teaching is expressed in a striking way in a statement from a joint meeting of African and German Bishops:

Experience shows that relations between Christians and Muslims can be guaranteed and enhanced by a legal framework that includes the rule of law, equal citizenship, human rights in the political, economic and cultural fields, religious freedom, good governance and the promotion of justice and peace. …

That is why the Church, in line with the teaching of Vatican II, advocates a secular state order. …

Any legal provisions which are derived from religious traditions and teachings of only one religion, as for instance the prescriptions of the sharia, understood as a religio-politico law, are incompatible with this understanding of civic order. …There is nothing wrong in expecting Muslims to accept that religious demands derived from Islamic law can only be enforced within the legal framework of a democratic secular state.' (*Christians and Muslims – Partners in Dialogue*, Sixth joint meeting of African and German Bishops, Akosombo, Ghana, 10–15 October 2004, Bonn: Secretariat to the German Bishops' Conference, pp. 32–33.)
20. Text of address given on behalf of Michael McDowell TD, Minister for Justice, Equality and Law Reform, to a conference, 'Changing Shades of Green: Pluralism and the Changing Face of Ireland', organised by The Milltown Institute, in association with SPIRASI and the Irish Missionary Union, in The Milltown Institute, 13 October 2006.
21. I note the by-now conventional four-fold distinction in inter-religious dialogue between

different forms of dialogue – of life, action, religious experience and theological exchange. This distinction alerts us to the reality that while conceptual and even dogmatic clarity have their importance, still there are other ways to engage humanly, and there are can even be surprising compatibilities arising from life experience and action which might not seem likely viewed from a formal intellectual analysis. See also Sadik J. Al-Azm, 'Islam and Secular Humanism', *in Islam and Secularism*, Antwerpen: Universitair Centrum Sint-Ignatius Antwerpen, 2005, The Dialogue Series 2, pp. 41–51.

22. An Taoiseach, Bertie Ahern TD, as reported in *The Irish Times*, 16 November 2006. This dialogue (to be 'open, inclusive and transparent') was announced by Dermot Ahern TD, Minster for Foreign Affairs, in a speech at the Irish College in Rome on 13 November 2004 (Department of Foreign Affairs, Press Release, 15 November 2004).

23. Kieran Flynn, *op cit*, p. 236.

24. *Ibid*, p. 235.

Ireland’s Asylum System – Still a Shambles?

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Introduction

Having worked overseas for more than ten years, I returned to live in Ireland in 1997. In the years during which I was away, both the pace and the scale of change in this country were significant; over the subsequent decade, however, they have been even more dramatic.

Nowhere has this been more evident than in the area of migration. Ireland, long seen internationally as a country of huge emigration, with, a mere generation ago, outflows in some years of more than 50,000 people, is now a country of substantial inward migration, both forced and voluntary.

By far the largest categories of immigrants to Ireland in recent years have been migrant workers from other parts of the European Union. However, Ireland’s response to the far smaller numbers of people seeking international protection by coming here asking for asylum – that is, asking to be recognised as refugees – merits close examination.

Some seven years ago, the asylum system was described – correctly – by one senior politician as a ‘shambles’.1 How far has it progressed since then?

Ireland\'s Asylum System

While small numbers of people had sought asylum in Ireland in previous decades, relatively large numbers of people fleeing their home countries to seek protection elsewhere came Ireland’s way for the first time in the 1990s. Ireland was hopelessly unprepared when the annual number of people seeking refuge here rose from dozens in the early 1990s to a peak of over 11,000 in 2002. Asylum applicants commonly suffered unreasonable delays; there were major inconsistencies in how cases were dealt with, raising questions as to the authorities’ commitment to ensuring transparency and fairness in the system. Worryingly, the State – particularly the Department of Justice, Equality and Law Reform and its agencies – continued to hope that an EU Convention known as the Dublin Convention, would ensure that Ireland, with few direct flight links with refugee-producing countries, would have to take responsibility for only a tiny number of asylum cases.2

The acceptance in 1999 – after the ‘shambles’ remark – that the system was not coping was, however, a turning point. In the subsequent two years, substantial investment was made in the asylum infrastructure. Large numbers of personnel were made available to staff both an Office of the Refugee Applications Commissioner and a Refugee Appeals Tribunal to hear individual asylum cases, while a Refugee Legal Service offered legal assistance to asylum-seekers. An accommodation system known as ‘direct provision’ ensured that asylum applicants at least had a roof over their heads.

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NGOs and various arms of the State were now providing services to asylum-seekers and refugees. Schools, in particular, responded well to the challenges that were undoubtedly posed by the increasing diversity of their pupils' backgrounds and the fact that many were not fluent in English. A 2005 scheme allowed a large number of asylum-seekers and other migrants who were parents of Irish children the security of residency, at least on a temporary basis.3 The National Action Plan Against Racism4 has many welcome elements and some Government initiatives include increased funding for those working with refugees and other migrants.

Obstacles to Integration

As yet, there is little evidence that the integration of people who have sought asylum here, and whose future is in this country, is happening in a way that will guarantee long-term social stability. Nor is there any evidence that we have learned from the experience, positive and negative, of many other countries with a longer history of dealing with large-scale migration.

In all societies, some members of new communities, including refugees, are unwilling to make the efforts necessary to ensure integration. Ireland is unlikely to be different in this respect. However, the biggest obstacles to integration of our new communities are State-imposed. Inter alia, these include policies in relation to family reunification, work, education, and accommodation as well as ongoing flaws, including delays, in an admittedly much improved asylum system.

Leave to Remain

Despite huge progress in dealing more promptly with new asylum applications, a large number of people are caught in the backlogs in the system. This applies particularly to those who, having been refused asylum, exercise their right to apply to the Minister for Justice, Equality and Law Reform for 'leave to remain', that is, permission to stay in Ireland.

Among them, one family known to me has been here – legally – since the late 1990s; by now, their children have spent several years in the Irish education system. Yet the family still does not have a guarantee of leave to remain. Also known to the Irish Refugee Council are two asylum seekers who qualified for the right to work under a once-off government scheme in 1999 and have been in full-time employment for a period of years since then. Like many others, they continue to languish in uncertainty, always faced with the possibility that, when group deportations are being planned and seats on deportation charters need to be filled, their applications for leave to remain could be refused and closed, allowing them to be booted out regardless of the contribution they have made to their new home over a prolonged period of time. One woman who was similarly in limbo for many years had the good fortune to get to know a solicitor socially; after his intervention on her behalf, the unstated but ever-present risk of deportation was eventually replaced by a decision to give her

leave to remain. Should enjoying one's rights depend on whom you know?

Separated Children

A fifteen-year old boy who applied for asylum has recently 'celebrated' his seventh Christmas here, again unsure of when or if he will get permission to remain here long-term. The comments of other separated children (unaccompanied minors) – a particularly vulnerable group, which was the focus of research produced by the Irish Refugee Council in December 20065 – on their experience in Ireland give a sense of their perspective. In workshops with these separated children,6 one young person commented: "Even though I live in a safe country now, I don't feel safe enough as I don't have refugee status." 7 For another, "Being an unaccompanied minor is not easy especially in a strange country all by yourself. At first the process of asylum is complicated for most minors especially because most of the time we are treated as adults when it comes to the asylum process and are expected to produce the same documents relating to our stories as adults would …"8 A young Rwandan separated child living in Dublin recently explained that his meagre allowance meant that when school friends asked him to go to the cinema or other social outings, he had to refuse … and the schoolmates soon stop asking.

In the workshops with separated children, those who had not received refugee status pointed out that they could not go on overseas school tours with the rest of the class, as they did not have the right to travel. All spoke of the racism they encountered, and said that more should be done to teach people to respect diversity. Many dread their eighteenth birthday when, instead of celebrating this milestone in their growing up, they are faced with the looming possibility of imminent deportation. One 'aged out minor'9 who arrived in Ireland as a teenager from West Africa has been signing on for deportation every fortnight for over eighteen months. Each time he expects to be taken and put on a plane and each time he is given a reprieve of another week or two as travel arrangements cannot be made for him. Having started off as an optimistic teenager with dreams and hopes, what chance is there that, even if he lives here long-term, he can now realise his full potential?

Impact of 'Direct Provision'

Other than those who qualified under the 1999 scheme, no asylum-seekers in Ireland are allowed to work. While the impact of the work ban on their physical and mental health has not been properly quantified, it seems indisputable it has a massively negative effect. The situation is compounded by the fact that access to education for adult asylum-seekers is heavily restricted. Most will have spent

long periods of time in the institutional setting of direct provision accommodation centres, where their contact with mainstream Irish society is minimal. Their only guaranteed cash income is €19.10 per week for each adult and €9.60 per week for each child (asylum-seeker children are not normally entitled to Child Benefit). It is notable that while Ireland's management of a programme for invited Kosovar refugees in the late 1990s was in many respects excellent, the impact of institutionalisation on the beneficiaries of that programme was negative.

Not being permitted to work or to attend full-time education has a detrimental effect on the persons themselves and on their children. One woman, speaking to the media in 2005, admitted that many people get depressed because of this situation: "You go to your friends here to spill your problems. But you are helpless. You have no control. It is like you are at the mercy of the system."10 While waiting for their refugee status to be declared (or refused) they have very little to do and many admit they just sit and think and "think too much".

Addressing a meeting in 2005, Dr. Pat Bracken, consultant psychiatrist at Bantry Hospital, who has worked with asylum seekers in Britain and torture victims in Uganda, said that in some ways the system of direct provision could do as much long-term damage to asylum seekers' mental health as the trauma from which they had fled. He told The Irish Times that a similar regime in Britain 'profoundly demoralised' asylum seekers, causing depression and other mental health problems. "It is part of a whole process of invalidation of them as people, of powerlessness, giving rise in many cases to a depression more insidious than the initial trauma," he said, adding that the length of time people are left on a direct provision regime is critical. He went on to say: "I found that what people want more than anything after a terrible trauma is to establish a meaningful way of life, to be a part of the society. I have yet to meet an asylum seeker who is not desperate to work. This notion that people come here to get welfare is utter rubbish."11

Living for lengthy periods in direct provision accommodation is hugely disempowering for adults. In 2005, Dr Anne Sheehan, specialist registrar in public health medicine in the HSE Mid-Western Area, told a conference on services for asylum seekers in Cork: "A major issue for asylum seekers was 'control' over their lives. Most find it difficult to go from leading an active, productive life to one of waiting and inactivity."12 Dr Sheehan, who conducted research on immigrants from 35 countries in Cork and Kerry, said some 48 per cent of the study group were found to have poor mental wellbeing. The long-term effect on children, many of whom will never have seen a parent go out to work nor indeed cook a family meal, remains to be seen.

From Asylum Seeking to Refugee Status

Even where people who have sought asylum have been successful, the achievement of refugee status can sometimes seem like a false dawn. Newly-declared refugees face many barriers to integration.

Refugees – and others – whose academic performance in the Leaving Certificate meets the criteria set down by a university to which they have applied may be unable to take up a college place because they have not been resident in Ireland for sufficiently long to be entitled to avail of 'free fees'. One such young refugee whom I know went back to school for a year – at some expense to the State – purely to kill time before taking up her university place the following year. Who gains from this folly?

For many refugees, a first task after securing their own situation is to pursue their statutory right to family reunification. However, many face excessively long delays. One teenager who had attained refugee status in Ireland applied in 2005 for family reunification with her mother and young

brother, both of whom were already in Ireland as applicants for asylum. At the beginning of 2007, she still remains separated from these family members. In another instance, an adult who had obtained refugee status applied for reunification with his parents who themselves were seeking asylum in this country. Because of an intellectual disability, the applicant is dependent on his parents; however, his application has been refused … on the grounds that the parents are not dependent on him!

A particular absurdity in the system arises in the case of those people who have achieved refugee status and then go on to obtain Irish citizenship. Despite the commitment to this country that seeking and obtaining citizenship implies, they are, on becoming citizens, immediately penalised by the loss of their right to family reunification. I can vividly remember meeting one woman who called to our offices early in 2006 to kick-start the process of getting her children to join her. We struggled to explain to her that her success in getting citizenship meant that she had lost the right to have her children join her.

On attaining refugee status, the individual or family concerned must leave 'direct provision' accommodation. The vast majority will seek accommodation in the private rental sector and, until they obtain employment, they must rely on rent allowance. Finding suitable accommodation can be extremely difficult, especially as many private landlords are reluctant to let to immigrants receiving rent allowance.

While many refugees have indeed found employment, the reality is that newly recognised refugees encounter numerous difficulties when trying to obtain work. The employment situation for refugees is at least as difficult as for other immigrants. Because of the lack of access to training and to English language education while waiting for their applications to be processed, they find themselves de-skilled, unfamiliar with the Irish job market and with how to constructively search for employment, and lagging behind other immigrants in terms of English language skills. Unable to have early access to courses such as those provided by FÁS, this group of people may find they have lost many of the skills they had previously used in their country of origin.

Racism in the workplace and in other areas of life is an all too common experience for many refugees. An insight into the extent and nature of racism and discrimination encountered by recent migrants to Ireland is provided by a study published by the ESRI in November 2006 which explored experiences of discrimination in a number of domains: employment; private life and public places; shops and restaurants; commercial transactions; public institutions.13 Over one third of those interviewed – who included both work permit holders and asylum seekers – reported experiencing harassment on the street, on public transport or in public places. Of work permit holders, 21 per cent had experienced discrimination in accessing employment and 32 per cent reported being harassed or insulted at work. Black Africans experienced the most discrimination of all groups studied and non-EU East Europeans experienced the least.

Asylum seekers were much more likely to report discrimination than work permit holders. This was true for all the domains which are relevant to both groups: public places, shops and restaurants, and institutions, even after controlling for national or ethnic origin. Overall, 17.5 per cent of respondents who had been in contact with the immigration services in the previous year reported being treated badly or receiving a poor service. This was the highest incidence of discrimination by public institutions reported in the survey. It is notable that the incidence of such discrimination experienced by asylum seekers (23.4 per cent) was significantly higher than that for work permit

holders (14.3 per cent).14

The record of the Gardaí in handling the greater diversity of modern Ireland is mixed. While there have been several very positive initiatives, there are also incidents which cannot but give the impression that immigrants, including those in the asylum system, cannot always rely on being treated fairly. In one search of homes carried out by Gardaí in Dublin in 2006, there was no warrant for at least two of the apartments searched, both of which were occupied by immigrants. The doors were forcibly kicked in and the apartments searched in the absence of the occupants. The apartments were left open and unprotected when the Gardaí left and it is now acknowledged that the focus of the search was not associated with either apartment. No apology has as yet been forthcoming.

Looking Ahead

For some years, Ireland has had a 'window of opportunity' to ensure that immigrants are encouraged and facilitated to integrate. If we fail to take the right initiatives, the window will soon have slammed shut. If that happens, the recent experience of countries such as the Netherlands and France would suggest that disaffection among marginalised migrant communities and their descendants in Ireland might grow to dangerous levels with unknown but negative consequences for society at large. The Minister for Social and Family Affairs, Séamus Brennan TD, recently warned that Ireland must properly integrate new immigrants or else face the danger of French-style riots in the years ahead. He said that Ireland must learn from the mistakes made by other countries, in particular, the failure to provide the "welfare, education and social employment policies" needed for the integration of new communities. 15

Though people who sought asylum here are only a fraction of those recent migrants who now see Ireland as their long-term home, it is imperative that integration policies take account of their particular situations and especially the State-imposed obstacles to integration. Despite the best efforts of individuals, communities, schools and others, we cannot – and will not – have meaningful integration unless a number of key initiatives are taken by the State.

Firstly, the Department of Justice, Equality and Law Reform is not, in my view, well placed to lead on integration matters. A Minister of State, independent of that Department and not driven primarily by security concerns, is needed to lead the Government's response to integration, at least for a period of a few years. We have a choice of either doing this in the near future, with a real chance of success, or much further down the line when we are trying desperately to reverse marginalisation and disaffection. Canada is one of a number of countries which offers a possible model for integration policy.

Secondly, people who sought asylum here many years ago – some in the 1990s – and who have not yet received a definitive answer to their applications for permission to remain here need to be given leave to remain so that they can begin to maximise their contribution to Irish society. Since poorly planned amnesties are inherently counter-productive, clearing the backlog of those who are in this category despite being resident for more than, say, three years needs to be done in a careful way – perhaps modeled on a version of the residency scheme of early 2005 for migrant parents of Irish children. Any such scheme would amongst other things allow – indeed, encourage – beneficiaries to access paid employment and would see all who have been in direct provision accommodation allowed to move into mainstream society after a defined time period.

Thirdly, recognised refugees who qualify for third-level education should be able to avail of ‘free-fees’, regardless of the length of time they have been resident in Ireland.

Fourthly, refugees, whose long-term future is in Ireland, need to be able to reunite with their immediate family members more promptly than is the case currently. Situations where there are pressing humanitarian concerns – for example, where family members are at serious risk or where minors are separated from their refugee parents – need to be treated as urgent. This will mean some reallocation of personnel within the immigration and related services to this specific area. Refugees who make the commitment of becoming citizens must no longer be penalised by losing their right to family reunification.

Fifthly, the poverty-causing elements of government policy – including the provision that asylum-seeking children are ineligible for Child Benefit and the fact that the guaranteed cash income for adult asylum-seekers and their children has remained frozen since the year 2000 – must be addressed.

Notes

1. Comment by Liz O’Donnell TD, then Minister of State in the Department of Foreign Affairs, 1999.
2. Under the terms of Dublin Convention, asylum seekers are required to make their initial application for asylum in the EU Member Country they have first entered and that country is to be responsible for processing their application. The Convention was agreed in Dublin in June 1990 and came into force on 1 September 1997 for the twelve countries (including Ireland) who were initial signatories to it.
3. Under the Irish Born Child 2005 Residency Scheme, which was open for applications between January and March 2005 only, a migrant parent who had a child born in Ireland before 1 January 2005 could apply for residency. A total of 17, 917 applications were received, of which 16, 693 were successful. Residency was granted for an initial period of two years; those availing of the scheme are then required to apply for a continuation of their residency for a further three years.
4. Planning for Diversity: The National Action Plan Against Racism 2005 –2008, Dublin: Department of Justice, Equality and Law Reform.
5. Nalinie Mooten, Making Separated Children Visible: The Need for a Child-Centred Approach, Dublin: Irish Refugee Council, 2006.
6. These workshops were carried by the Irish Refugee Council in 2005 as part of a consultative process undertaken by the Children’s Rights Alliance, in the preparation of a submission by children and young people to the UN Committee on the Rights of the Child. (See Our Voices: Our Realities: A Report to the United Nations Committee on the Rights of the Child by Children Living in Ireland, Dublin: Children’s Rights Alliance, 2006.)
7. Making Separated Children Visible, p. 27.
8. Making Separated Children Visible, p. 57.
9. ‘Aged out minor’ is the term used to describe a young person who arrived in Ireland as an unaccompanied minor but who has now passed his or her eighteenth birthday.
10. Kitty Holland, “Stuck in Ireland\'s Hidden Villages”, The Irish Times, 9 April 2005.
11. Quoted in Kitty Holland, “Stuck in Ireland\'s Hidden Villages”, The Irish Times, 9 April 2005.
12. Barry Roche, “Concerns over Asylum Seekers’ Mental Health”, The Irish Times, 26 April 2005.
13. Frances McGinnity, Philip J. O’Connell, Emma Quinn and James Williams, Migrants’ Experience of Racism and Discrimination in Ireland, Dublin: ESRI.

14. Ibid., Chapter 5, “Perceived Racism and Discrimination”, pp. 32–53.
15. Mark Hennessy, “Brennan Warns of French Style Race Riots”, The Irish Times, 27 December 2006.