



Falling 1 by Cris Neuman, 2003, cardboard on panel, 15" x 10" x 2"

CHAPTER 15

The Land of Conditional Welcomes

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Central Statistics Office figures show that it was only in 1996 that Ireland officially became a country of net immigration, much later than most other EU member states.

One might have expected that Irish popular attitudes towards, and treatment of, immigrants would be conditioned by the history, stories and personal experiences of Irish emigration: in host societies, Irish economic immigrants were not always welcomed or treated well historically. But neither the memory nor the legacy of Irish emigration seems to inform attitudes towards contemporary immigrants in Ireland.

This lack of social learning by Irish people has been accompanied by a lack of policy learning by the Irish state. Again, one might have expected that the state's migration policy would be based on 'best practices' determined by the wide variety of experiences of immigration in other European countries. Generally this has not been the case. The state has in fact adopted a 'Fortress Europe' approach to asylum seekers, who have been 'criminalised' and policed in line with the EU Treaty of Amsterdam, and dispersed and directly provisioned following UK policy.

As Mac Éinrí notes, the majority of migrants who arrive to work in the Irish labour market are subjected to a short-term 'market-driven approach'.¹ This policy shows little learning from the experiences of countries like Germany, which relied on a *gastarbeiter* or guestworker policy and wrongly assumed that the 'guests' would go home after a short time and not become permanent residents and raise families in the host country.

In the Irish case, the major policy gap has been a lack of co-ordination between the asylum, refugee, labour market and EU and EEA immigration and the integration of non-Irish migrants into Irish society. This is surprising given that, in interviews² with twenty-two representatives drawn mostly from social partnership organisations and state bodies, there was a broad consensus that the Irish state needed a comprehensive and co-ordinated immigration policy.

Arguably, Ireland's lack of a comprehensive and co-ordinated immigration policy has resulted in contradictions between the various policy areas of immigration and integration, between and within the government departments responsible for these policies, and in the daily experiences of immigrants in Irish society. As such, Ireland has become a land of conditional welcomes. Whether and to what extent newcomers are made to feel welcome is predicated on a number of factors including the immigrant's categorisation, access to rights, level of state intervention in the migrant's life and day-to-day experiences in Irish society.

¹ P. Mac Éinrí, 'Towards a Strategic Immigration Policy: Some Key Elements', Cork: Irish Centre for Migration Studies, pp. 3-4, <http://migration.ucc.ie/immigration.htm>

² The interviews were conducted in 2002 as part of Project 'Flexcom' – Flexibility and Competitiveness: Labour Market Flexibility, Innovation and Organisational Performance (funded by the European Commission within the IHP Programme, contract no. HPSE-CT-2001-0093).

This chapter explores some of these issues. It begins with a portrait of immigration in Ireland in 2002, which leads to a discussion, first, of the different forms that conditional welcomes take at institutional and societal levels, and, second, on the state's fragmented and contradictory immigration policy. Finally, it examines some of the institutional, political and socio-cultural reasons that may help to explain the continued lack of a comprehensive and co-ordinated Irish immigration policy.

Profile of immigration in 2002

The Irish Census of 2002 reveals that, of the people normally resident in the Republic of Ireland, 89 per cent were born in the Republic, 7 per cent in the UK, 1 per cent in other EU states, and 3 per cent outside the EU. However, not everyone born outside the state is necessarily non-Irish. According to the 2002 Census, the proportion of non-Irish people resident in Ireland is just over 6 per cent and most of these are from the UK or other EU states. The proportion of Irish residents from non-EU European states, Africa, Asia, America and Australia/New Zealand therefore remains very low (around 2 per cent).

Yet, much of the popular, official and academic debate about Ireland's historical transformation to a country of immigration focuses on the reception of the relatively small percentage of non-white and Eastern European asylum seekers and refugees, and on the topics of racism and anti-racism.

The immigration figures for 2002 suggest that this focus is not comprehensive enough. Of the roughly forty-seven thousand people who migrated to Ireland in that year, approximately one-quarter arrived as asylum seekers, almost one-half on work permits and another five per cent or so on work visas and authorisations. Thus, over fifty per cent of all official migrants to Ireland in 2002 arrived as official labour market immigrants on permits and visas.

If Ireland follows the pattern of earlier countries of immigration, a significant proportion of these immigrants will become permanent Irish residents and citizens, and will bring over their families or find partners and have children in Ireland. The lack of a comprehensive and co-ordinated immigration policy has contributed to a lack of public debate about the long-term integration of these immigrants into Irish society.

One welcome will do

Cead míle fáilte, one hundred thousand welcomes, is an Irish language expression that is often used on official occasions to greet representatives of foreign governments and organisations arriving in Ireland. *Fáilte* is also part of the tourist board's Irish language name, representing the official welcoming image of Ireland marketed to potential tourists abroad. However, it is not an expression that one hears or sees used officially to welcome immigrants entering Ireland.

Instead, immigrants to Ireland are immediately channelled into official categories such as asylum seeker, programme refugee, and work-permit, visa or authorisation holder, each subject to different rights and policing arrangements. These categories, rights and arrangements are derived from UN conventions, EU law and agreements, as well as Irish law and institutional practices. The effect of this de facto stratification is that immigrants to Ireland are subjected to conditional welcomes, depending on their official immigrant status.

Irish conditional welcomes continue for immigrants living in Ireland. The lives of asylum seekers are strictly controlled through a policy of dispersion and direct provision; the jobs of work-permit holders are tied to their employers; and, while work-visa holders are allowed to change employers within their sector, they do not have the right to social welfare, free medical care or education. In practice, these rules are not always enforced and it is

common enough, for example, for asylum seekers to move from their officially assigned domicile to their emerging ethnic communities in cities or for work-permit holders to change employers.

The Irish state's rather rigid treatment of immigrants *entering* the country is to some extent offset by its often lax treatment of those same immigrants *living* in the country. The extent of the state's intervention in the immigrant's life varies according to official categories. Asylum seekers are by far the most controlled and policed group of immigrants, while those on student and work visas are rarely subject to intervention. The Irish state does not overly concern itself with the day-to-day integration of legal immigrants in Irish society.

With the state hardly involved in the integration process, the conditionality of Irish welcomes is extended into the daily life of newcomers. Integration is, by and large, left to the individual, family, ethnic community, friends, state agency and labour market. Therefore, the immigrant's daily experience may be fragmented and contradictory. For example, a typical immigrant's day-to-day experience may include: friendliness by some Irish people and direct discrimination by others; pressure to assimilate to Irish practices and counter-pressure to remain separate within one's ethnic community; the creation of new practices between the immigrant and Irish friends; and civil treatment as well as institutional discrimination by representatives of the Irish state.

A fragmented and contradictory immigration policy

This fragmented and often contradictory treatment of immigrants is sometimes reflected in a single government department. Thus, the Department of Justice, Equality and Law Reform enforces the Irish version of 'Fortress Europe' within the UK and Ireland Common Travel Zone. The department has overall responsibility for immigration and citizenship law and control of immigration, including

asylum seekers and refugees. It created the Reception and Integration Agency to oversee the dispersal and direct provision programme. The term 'integration' applies here only to asylum seekers and its use is contradictory: the agency transports asylum seekers upon arrival to hostels and other group residences, usually in less-populated areas, where they are expected to remain until the asylum application procedure is complete. Only in Orwell's doublespeak could 'integration' mean 'forced segregation'.

Yet, the department also incorporates the Equality Authority (which actively works to promote non-discrimination) and the National Consultative Committee on Racism and Interculturalism (which develops anti-racism and intercultural programmes and actions). The remits of these two state bodies seem to be at direct variance with some of the policies implemented by the department itself, particularly with respect to the current treatment of asylum seekers.

At the same time, the Department of Enterprise, Trade and Employment administers the work permits programme, under which the majority of immigrants arrived in 2002. To make things more complex, the Department of Foreign Affairs has played a leading role in the immigration of programme refugees; and it administers work visas and authorisations in its embassies and consulates, with the Department of Justice, Equality and Law Reform retaining overall responsibility. These employer-based immigration schemes appear to be run separately from the rest of Irish immigration policy. For example, the education, skills and work experience of asylum seekers in Ireland are not matched to jobs required by Irish employers who seek employees abroad to come to Ireland on permits, visas and authorisations.

The fragmented, contradictory nature of the Irish immigration system has not gone unnoticed, even within government. Thus, the Interdepartmental Working Group on the Integration of Refugees in Ireland stated in terms that could apply broadly to Irish immigration policy that:

In the absence of a co-ordinated national policy on integration ... the measures taken by the state to facilitate integration have been fragmented and lacking in co-ordination ... there must be cohesion in delivery of services and the Government's commitment to integration must be clearly grounded in Government policy.³

Two of the main employers' bodies involved in social partnership have gone further, advocating a singly administered comprehensive immigration policy. For the Irish Business and Employers' Confederation, this administrative body should have 'one single administrative procedure, combining entry visas and work/study/permit applications and renewals'; while for the Chambers of Commerce of Ireland, a 'new executive agency' called 'the National Immigration Authority' should 'ensure the efficient implementation of all aspects of economic immigration policy'.⁴

As noted above, these official views are broadly confirmed by the twenty-two interviews with state and social partner representatives as part of Project 'Flexcom'. For example, a respondent from the National Economic and Social Council criticised the market-driven approach to immigration adopted by the state, arguing that 'there is a need for a clearer long-term policy on migration beyond the ad hoc policies based on market and supply demand factors'. Further, a representative of the Irish Congress of Trade Unions proclaimed that 'We need a coordinated integrated immigration policy ... Currently, we are getting mixed messages confusing asylum-seekers, refugees and migrant workers'.

³ Department of Justice, Equality and Law Reform, *Integration A Two Way Process*, Dublin: Government Publications, 1999, p. 20. The working group included representatives from eight government departments.

⁴ Irish Business and Employers' Confederation, *Social Policy in a Competitive Economy*, Dublin: IBEC 2002, p. 17; Chambers of Commerce of Ireland, *Labour Force 2001 Economic Immigration*, Dublin: CCI, 2001, p. 2.

Why is there no comprehensive and co-ordinated immigration policy?

There is broad agreement within the Irish state and social partnership organisations that a comprehensive and co-ordinated Irish immigration policy is needed. Yet, it does not exist. There are a number of institutional, political and socio-cultural factors that may help to explain this situation.

• *Institutional factors*

The first institutional reason concerns the time it takes for institutions to innovate in response to new policy demands. Ireland has been a country of immigration for less than ten years and the state has been fairly innovative in terms of policy changes. It has, for instance, created new bodies like the National Consultative Committee on Racism and Interculturalism and the Reception and Integration Agency; established programmes such as the work visa scheme; and passed new legislation dealing with immigration and citizenship including the Refugee Act, 1996, Immigration Act, 1999, Illegal Immigrants (Trafficking) Act, 2000, Irish National and Citizenship Act, 2001 and the Employment Permits Act, 2003. From this perspective, it is mostly a matter of time before the state develops a comprehensive and co-ordinated immigration policy.

The second reason undercuts the first by stressing the importance of institutional traditions and of conflicts between state agencies over resources, power and prestige. As Fanning⁵ shows, the current division of labour over immigration policy between the three government departments has its roots in the development of Irish immigration policy from the 1930s through to the 1950s. Its main concern was the maintenance of strict control over which 'aliens' entered the country in order to ensure that foreigners did not take jobs from Irish citizens and to avoid immigrants of any category becoming a burden on the state.

⁵ B. Fanning, *Racism and Social Change in the Republic of Ireland*, Manchester: Manchester University Press, 2002.

While the former Department of Justice had primary responsibility for this policy area, both the precursors to the Department of Enterprise, Trade and Employment and the Department of Foreign Affairs had important subsidiary roles. To create a new state agency to co-ordinate immigration policy would upset the traditional balance of power between these departments, most likely in favour of the Department of Justice, Equality and Law Reform – the front runner to 'house' the new agency. It would also increase the costs of administering Irish immigration policy. Thus, the consensus about the need for a comprehensive and co-ordinated immigration policy does not extend to which department should run it or which departments would have to divert funds in order to pay for it.

• *Political factors*

This institutional inertia might be overcome with sufficient political pressure from the government or electorate. However, the neo-liberal coalition government of Fianna Fáil and the Progressive Democrats in power since 1997 promotes an agenda of intense policing of asylum seekers and undocumented immigrants, as well as a 'free market' perspective on labour immigration. It is unlikely that such a coalition would agree to create a new state agency for immigration, let alone exercise the political will necessary to overcome institutional resistance.

There is little evidence of electoral support for a comprehensive and co-ordinated immigration policy. Instead, there is much anecdotal evidence from canvassers in the 2002 national election that far too many Irish people believe that asylum seekers abuse the Irish state, that foreigners are taking Irish jobs and that Irish immigration policy is not strict enough. If these beliefs are widespread, it becomes difficult for the government to push for a more progressive immigration policy. At the same time, there is little evidence that government members are willing to challenge these popular beliefs in official speeches, media appearances, constituency clinics or on the doorstep of people's homes.

- *Socio-cultural factors*

Even if the political will existed to create a comprehensive and co-ordinated immigration policy, official economic nationalism and popular cultural self-denial might lead to additional problems of support and implementation.

In terms of the former, those interviewed as part of Project 'Flexcom' stress that the state narrowly focuses on immigration (outside of asylum-seeking) in terms of labour market supply and demand. No-one expected the Celtic Tiger boom to last as long as it did, to lead to labour and skill shortages or to attract large numbers of immigrants. It was expected that, when the boom ended, unemployment and emigration would increase again. Should this occur, it is believed that existing jobs should go to Irish people and immigrants should go 'home' unless their skills are needed. Thus, what appears to be simply a neo-liberal market approach to immigration is actually an expression of the economic nationalism that underlies the traditional policy on labour immigration.

With respect to cultural self-denial, it is not so long ago that Irish society was characterised as having a 'dependency syndrome'.⁶ A dependency culture existed alongside a flourishing informal economy. Many Irish economic immigrants carried this cultural baggage with them, for example working illegally in the US or claiming the dole both in Ireland and the UK. While tribunals have focused attention on the corruption of the wealthy, there has been little public discussion of the everyday corruption that pervades Irish society. Instead, this repressed cultural knowledge appears to be projected onto asylum seekers and foreign others, scapegoats for the anger and moral outrage that the 'Irish' would not turn on themselves. They deflect onto immigrants the very qualities of 'sponging' and 'cheating' that they recognise in themselves, but which they prefer to deny. It is unlikely that a 'Know Racism' campaign⁷

⁶ J. Lee, *Ireland 1912-1985*, Cork: Cork University Press, 1989, p. 560.

⁷ Know Racism is a national anti-racism awareness programme, see www.knowracism.ie for further details.

can effectively breach this level of cultural self-denial or transform it into support for a comprehensive and co-ordinated immigration policy.

Conclusion

Since the mid-1990s, Ireland has become more of a cosmopolitan, multicultural and multiracial society than previously. The formation of intercultural Ireland is happening now. Even a severe economic downturn would not lead a large proportion of the new immigrants to 'go home'. They have endured the conditional welcomes and many have already made Ireland their new home.

Official policy needs to catch up to the social reality that Ireland is a country of immigration, which requires a comprehensive and co-ordinated policy to ensure the long-term integration of immigrants into Irish society. There is much support within the state and the expanded community of social partners for a progressive approach to immigration and a policy of integration that extends beyond the rhetoric of *cead míle fáilte*.