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ACCEPT
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The Embodiment of Tolerance in Discourses and Practices addressing Cultural and Religious Diversity in the Political Sphere in Ireland

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ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES

The Embodiment of Tolerance in Discourses and Practices addressing Cultural and Religious Diversity in the Political Sphere in Ireland

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SCHOOL OF POLITICS AND INTERNATIONAL RELATIONS



**Work Package 4 – National Case Studies of
Challenges to Tolerance in Political Life**

**D4.1 Final Country Reports on Concepts and
Practices of Tolerance Addressing Cultural Diversity
in Political Life**

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ACCEPT PLURALISM is a Research Project, funded by the European Commission under the Seventh Framework Program. The project investigates whether European societies have become more or less tolerant during the past 20 years. In particular, the project aims to clarify: (a) how is tolerance defined conceptually, (b) how it is codified in norms, institutional arrangements, public policies and social practices, (c) how tolerance can be measured (whose tolerance, who is tolerated, and what if degrees of tolerance vary with reference to different minority groups). The ACCEPT PLURALISM consortium conducts original empirical research on key issues in school life and in politics that thematise different understandings and practices of tolerance. Bringing together empirical and theoretical findings, ACCEPT PLURALISM generates a State of the Art Report on Tolerance and Cultural Diversity in Europe, a Handbook on Ideas of Tolerance and Cultural Diversity in Europe, a Tolerance Indicators' Toolkit where qualitative and quantitative indicators may be used to score each country's performance on tolerating cultural diversity, and several academic publications (books, journal articles) on Tolerance, Pluralism and Cultural Diversity in Europe. The ACCEPT PLURALISM consortium is formed by 18 partner institutions covering 15 EU countries. The project is hosted by the Robert Schuman Centre for Advanced Studies and co-ordinated by Prof. Anna Triandafyllidou.

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List of Abbreviations

CSO	Central Statistics Office (Ireland)
ENAR	European Network Against Racism
EU	European Union
ICI	Immigrant Council of Ireland
ICP	Immigration Control Platform
INIS	Irish Naturalisation and Immigration Service
ITM	Irish Traveller Movement
LGBT	Lesbian, Gay, Bisexual and Transgender
NCCRI	National Consultative Committee on Racism and Interculturalism
NPAR	National Action Plan Against Racism
OMI	Office of the Minister for Integration
OPMI	Office for the Promotion of Migrant Integration
RTE	Radio Telefís Éireann
TD	Teachta Dála (Member of Irish Parliament)
TUI	Teachers' Union of Ireland
UK	United Kingdom (of Great Britain and Northern Ireland)
VEC	Vocational Education Committees

Executive Summary

This report examines the extent to which cultural and religious minorities participate as equals in Irish public, institutional and political life, and examines the avenues and obstacles to their participation, in order to explore the meaning of tolerance and tolerance-related concepts in Ireland and their embodiment in practice.

This issue arises in an Ireland whose population, despite the economic downturn, has continued to increase in numbers and diversity in the first decade of the twenty first century,

Political institutions in Ireland facilitate the inclusion of cultural and religious minorities in certain respects. Non-citizens are not excluded from employment in the public service or in specific occupations. While political rights in national elections are confined to Irish (and British citizens), Ireland has granted political rights to vote and stand in local elections to those resident for a minimum of six months, and has thus one of the more inclusive voting systems in the EU.

The opportunity to stand for local elections has been taken up by a number of candidates from minority groups; some of these have been successful and in some cases have achieved considerable media notice. Political parties, however, were slow to recognise immigrants until the 2007 local elections, when most put up immigrant candidates. Immigrants have been relatively slow to mobilise and to register to vote. Aside from conventional electoral politics, migrant communities have also engaged in active participation and representation through the development of a variety of community structures and networks.

Access to citizenship, a significant benchmark of inclusion in society and political life, may be seen (again in comparative European terms) as relatively inclusive in principle. Resident non-nationals can acquire citizenship after five years of residence, but with a number of other conditions. In addition, there is complete Ministerial discretion to award or reject applications. For many years, the numbers of those naturalising were very low, due to small number of applications, slow processing and a rather restrictive approach. In recent years this has changed considerably. Increasing numbers are naturalising, and the process has been speeded up, though the numbers refused are still high, and there is no process of appeal.

Issues of recognition for cultural and religious groups have arisen most notably in connection with the claim by the Traveller community to be recognised as an ethnic group. This has been supported by the Equality Authority and the United Nations Periodic Review on Human Rights group, but has been resisted by successive governments. With respect to other areas of recognition, Ireland has not signed the European Convention of Nationality nor the Convention on Minority Languages.

Migrant inclusion is favoured by the Equality Act, which forbids discrimination on nine grounds, including race and religion, by a series of government anti-racism campaigns, and by the institution of a Minister for Integration, from 2007 to 2011. The office of the minister was intended to co-ordinate policy with respect to migrants across government departments. This has now been replaced by a co-ordinating office without a dedicated Minister of State. A consultative Ministerial Council with appointed migrant minority representatives, which was set up in 2010, has been discontinued. These shifts may, along with shifts identified in official language, constitute a wider trend to interpreting integration in a more assimilationist way.

Ireland has not seen the emergence of any real right-wing, anti-immigrant party, or any significant campaign against immigrants. Nor has there been a strong emphasis on security concerns in connection with immigrants. At the same time there is evidence of a significant underlying level of racial discrimination, and of intolerant and racist discourses, including by political and media figures. It is not clear whether instances of racially motivated violence have increased in frequency or seriousness or whether they are being better documented, and it is clear that only a percentage of these is reported.

In order to explore in more depth and details the meaning of the three levels of acceptance: *intolerance – toleration – respect/recognition*, in political and public life, and how they manifest themselves, this report focuses on a case study of a recent challenge relating to religious and cultural diversity in Irish public institutions - the controversy that emerged in 2007 when a member of the Sikh community applied for membership of the Garda (Police) Reserve.

While still small in numbers, the Sikh community is quite visible. After 9/11, Sikh men in Ireland became more liable to encounter prejudice and racism because of their turban and beard, which led some to equate Sikhs with followers of militant Islam. It is a significant part of the Sikh tradition to serve in the military and police forces. As the part-time Garda Reserve was being set up, a Sikh applicant, who had taken part in the training process, was informed just before being commissioned that he would not be allowed to wear his turban with the uniform. The man refused to accept this, and did not take up his post. The issue sparked a significant media and political debate, in which journalists, politicians, NGOs and others took a wide variety of positions. The case was referred to the Equality Authority, which is still considering it.

Our analysis of this case is based on desk research and empirical fieldwork, consisting of semi-structured qualitative interviews with representatives of the Sikh community in Ireland, former and current politicians, representatives from NGOs working with migrants, migrant candidates, as well as a discussion group. Combining data gathered through the desk research and the empirical study, we employ a critical discourse analysis to highlight and discuss the main argumentation strategies evidenced in the controversy. We interpret this as a case of official non-toleration of a practice, and non-accommodation of a primarily religious (though also cultural), new immigrant minority in the public service.

Three main discursive topoi were identified in the turban debate.

The first, ‘this is a uniform’ topos, encompasses arguments addressing the most basic, obvious and ostensibly rational arguments advanced: the very definition, justification and meaning of ‘a uniform’. The Gardai emphasised that the uniform represented the impartiality of the force, claimed to treat all religions equally, and drew attention to their concurrent intercultural policies. The opponents of the ban questioned the possibility or desirability of homogeneity, and the implied secularity of the Irish state - and of the police force in particular, pointing to the acceptance of Catholic practices, and argued for the equal recognition of all religions within the police force. The argument that the uniform requirement was specifically important for a police force was countered by pointing to its acceptance in police forces in other countries, including Canada, England, and notably, Northern Ireland.

The second topos – ‘discrimination and rights’ encompassed arguments that the uniform argument covered up more contentious issues, and that the decision in fact amounted to religious, if not racial, discrimination. This was denied by the Gardai, who pointed that they accepted the Sikh reserve on condition that he wear the uniform hat. It was also claimed that the ban was contrary to the equivalence of rights under the Good Friday Agreement and to the country’s own National Plan against Racism and Migration Nation policies, which called for the reasonable accommodation of diversity.

The third topos identified was the ‘This is Ireland – how far do we have to go to accommodate?’ This encompasses arguments dealing with the recognition of and support for diversity in Irish society, as the issue of the turban developed into a broader reflection on the perception and accommodation of religious and cultural minorities in Ireland and on the nature of Irish interculturalism. Arguments were advanced that newcomers have to recognize the Irish way of doing things, perhaps reflecting a certain sense of threat to the cultural character of a small country from the novelty and difference brought by immigrants. Others emphasized the difficulties, including segregation, experienced by countries seen as having pursued strong multicultural policies. In response arguments were advanced that integration is a two-way process, and criticisms of the slow pace and limits of accommodation and engagement with new minorities, even in view of the adoption of an ostensibly interculturalist approach.

This case provides an interesting contrast to the controversy over the wearing of the hijab in Irish schools, which concluded with broad acceptance, where the hijab could be incorporated into the uniform. The contrast may indicate the limits or selectivity of toleration and accommodation in Ireland

In interpreting the Sikh turban case in terms of the spectrum of non-toleration, toleration, respect/recognition, the ban may initially be understood as exemplifying the limits of recognition or accommodation of diversity in Ireland, in not adjusting a policy which creates an obstacle to full participation of a minority in public institutions. It may be argued, however, that it also involves the border between toleration and non-toleration. To the extent that the turban is a non-negotiable aspect of the Sikh faith, and banning it thus effectively prevents any Sikh from joining the police force, the ban constitutes a policy of exclusion, limiting the rights and career options not only of ‘new migrants’ but also of their Irish-born children. It thus represents a case of non-toleration of the practice, and non-accommodation of religious/cultural diversity in the public service in Ireland.

Keywords

Toleration, Sikhs, turban, police, political participation, interculturalism, accommodation, integration

1 – Introduction – the social, political and institutional context

In a relatively short period of time, Ireland's growing cultural, ethnic and religious diversity has generated several challenges in various areas such as employment, housing, the health system or education (see Honohan & Rougier 2011), but also, more generally in terms of incorporating new needs and demands, and new and varied customs and values, in the civic and political spheres of Irish society.

In recent years, one area that has generated a great deal of attention from both academics and policymakers has been participation in electoral politics (Fanning et al. 2003; 2004; Fanning et al. 2009; Fanning and O'Boyle, 2010). Representation and participation in politics through voting and running for office can be seen by migrant and minority communities as a way of ensuring that their voices are part of the political process, while it can be perceived by political parties as either an asset or an intrusion disturbing traditional ways of doing politics. However, electoral participation is not the only way in which migrants and minorities – in other words, 'diversity' – can either contribute to, or challenge, the civic and political sphere of a country.

The participation and representation of migrants in various public institutions, for example, is also an important element of inclusion, as is the simple acknowledgment of their cultural difference or religious values and needs by the various organs of the state. At every level, various actors and institutions can either assist or reduce their capacity to integrate and fully participate in Irish society.

Therefore, the main questions this paper addresses are: what are the avenues and obstacles to minorities' political participation and representation in Irish society, and how can these be interpreted with regard to the spectrum of concepts of 'non-tolerance/tolerance/respect-recognition'? Through an overview of the various challenges generated by Ireland's growing diversity over the past 20 years and the detailed examination of a particular case study, this report aims to explore the meaning and practices of tolerance when it comes to issues of cultural and religious minorities' political representation and participation in Ireland, and to investigate 'how much' and what 'kind' of cultural diversity is considered acceptable in Irish political life. Focussing on issues concerning claims for special representation or participation that migrant or native minorities may raise, and the establishment of alternative structures and channels for their political representation and participation, we will explore what special claims have been made, and how these have been received; what sort of political practices are considered tolerant or intolerant and what values, norms or behaviours are considered to promote or undermine tolerance in Irish political life.

1.1 The social context of diversity

Having been a country of emigration for a large part of its history, from the mid-1990s, Ireland underwent a dramatic increase in immigration, and by 2006, the foreign-born population stood at over 10% (CSO, 2007).

The first results of the last census undertaken in April 2011 were released in March 2012 and revealed that, despite the economic crisis and a return of emigration, Ireland's population has continued to grow strongly since the last (2006) Census, to reach almost 4.6 million, its highest level in 150 years (CSO, 2012). They also revealed that the make-up of Ireland's population today encompasses more nationalities, ethnicities and languages than ever before and that diversity is therefore an established fact of Irish life.

Whilst it was thought that many immigrants had left Ireland in recent years, the number of non-Irish nationals has actually increased by 29.7% (124,624 persons) since 2006 and now account for 12%, or 544,360 of the population. A small number of groups account for the majority of the increase. Polish nationals increased by 93.7% (from 63,276 to 122,585), accounting for almost half of the total increase of this group, and, significantly, overtaking UK nationals as the largest non-Irish group living in Ireland. Other groups showing large increases were Latvians, Lithuanians, Romanians, Brazilians and Indians. As of 2011, the number of Irish residents who were born outside the country has also reached a new high of 766,770, a 25% increase since 2006, and represent now 17% of the population.

A question on foreign languages, asked for the first time in the 2011 census, shows 514,068 people living in Ireland (11% of the population) speak a foreign language at home, more than 25% of whom were born in Ireland. Unsurprisingly, Polish – with 119,526 people – was the foreign language most spoken in the home.

Ireland remains an overwhelmingly Catholic country with over 84% of the population (or 3.86 million), describing themselves as Roman Catholic. While the number of Catholics increased by nearly 179,889 over the last five years, ‘much of this increase came from the non-Irish (mostly European: Polish, Latvian, Lithuanian, American, Indian and Filipino immigrant) national community’ while the increase in native Irish Catholic numbers is estimated at 2% (Hilliard, 2012).

The Church of Ireland had the second highest membership with 129,039 (a 6.4% increase), followed by Islam (49,204 – up by 51.2%), Christians (41,200 – up by 40.9%) and Presbyterians (24,600 – up by 4.5%). Some denominations have experienced spectacular growth since 2006, though from a low base - most impressive is the 117.4% growth in Orthodox Christians (from 20,798 to 45,223), the 75.7% increase in the number of Hindus (from 6,082 to 10,688) or the 73% growth of Apostolic or Pentecostal Christians (from 8,116 to 14,043). In contrast, the Methodist Church in Ireland, traditionally one of the four main churches on the island, has experienced a spectacular drop of 43.7% in the Republic (from 12,160 to 6,842), and the number of people who disassociate themselves from any creed (mainly native Irish) has risen by 45% since 2006 (from 83,500 to 269,800) (McGarry, 2012).

A final interesting result is the 32% increase in Irish Travellers enumerated in the 2011 census – while the population stood at 22,435 in the 2006 census, it now stands at 29,573. However, Damien Peelo, Director of the Irish Traveller Movement, said the census results reflected an increase in people ‘self-identifying’ themselves as Travellers rather than an actual rise in the population and suggested that the census was still under-representing the number of Travellers in the Republic, which he maintained was closer to 36,000 (Burke-Kennedy, 2012).

1.2 Main structures of central and local government

Ireland is a unitary parliamentary, representative democratic republic with two houses of the legislature and a directly elected head of state, the President, who exercises a mainly ceremonial role.¹ Political power rests mainly in the Government, led by the Taoiseach (Prime Minister), indirectly elected by the Dail.²

¹ The President however possesses certain powers and has absolute discretion in certain matters - for example, referring a Bill to the Supreme Court for a judgment on its constitutionality

² Article 28 of the Irish Constitution states that the Government may consist of no less than seven and no more than fifteen members, namely the Taoiseach, the Tánaiste (deputy prime minister) and up to thirteen other ministers. The Taoiseach is appointed by the President, after being nominated by Dáil Éireann. The remaining ministers are nominated by the Taoiseach and appointed by the President following their approval by the Dáil.

The Oireachtas, the national parliament of Ireland consists of the President of Ireland and the two houses: Dáil Éireann (the lower house) and Seanad Éireann (the Senate or upper house). Dáil Éireann is the dominant House of the legislature. Members of the Dáil (Teachta Dála or TDs), currently numbering 166, are directly elected by the people at least once in every five years under the single transferable vote form of proportional representation from multi-seat constituencies. Membership of the house is open to all Irish citizens who are aged at least 21 and permanently resident in the State.

The political landscape has been dominated for decades by two parties, Fianna Fáil, traditionally the largest party, and Fine Gael, historically opposed and competing entities, in a political system in which the fundamental cleavage was based on Civil War divisions rather than socio-economic issues. Both occupy the traditional centre ground. Currently the other main political parties represented in Dáil Éireann are the Labour Party and Sinn Féin. Since the early 1990s no single party has had a majority in the Dáil, and therefore coalition governments have been the norm. In 2011 there was a major political realignment, in which Fine Gael replaced Fianna Fáil as the largest party, Labour rose to second, and Fianna Fáil dropped to third place. There is also a significant number of Independent TDs who are not members of any of the main political parties.

There is a permanent civil service responsible for running Government departments. The broader public service includes Government agencies and bodies, such as local authorities, Vocational Education Committees and An Garda Síochána (the Police).

Along with the central institutions, local government is organised through local authorities: 29 County Councils, 5 City Councils, 5 Borough Councils, and 75 Town Councils. At regional level there are also eight Regional Authorities and two Regional assemblies. Local elections are held every 5 years and members of the local community elect Councillors to represent the community in local authorities. Compared with other European countries, local government has very limited independent powers, but provides a wide variety of services such as: planning, housing, waste management and recycling, libraries, roads and public parks.

1.3 Political participation and citizenship

Voting rights

In order to be included on the Electoral Register compiled each year, individuals need to be over eighteen and have been ordinarily resident in the State on the 1st September in the year before the Register comes into force (15th February) which means that they need to have been residents for only 6 months.³ Irish citizens living abroad cannot be entered on the register of electors and therefore cannot vote in an election or referendum in Ireland (except Irish officials on duty abroad who have a postal vote).

In Ireland, individuals' right to vote depends on both their citizenship and the 'type of election':

- *Irish citizens* may vote at *every election and referendum*;
- *British citizens* may vote at *Dáil elections, European elections and local elections*;
- *Other resident EU citizens* may vote at *European and local elections*
- *Resident non-EU citizens* may vote at *local elections only*.

As all residents may vote in local elections, Ireland has among the most favourable conditions regarding political participation for migrants in the EU and, according to the latest Migrant Policy Index (MIPEX, 2011), on this indicator, 'Immigrants benefit from Ireland's traditionally inclusive

³ <http://www.citizensinformation.ie>

political community, a strong point for its integration policy. Tying third with the Netherlands after Finland and Norway, Ireland leads on local voting rights'. Provisions for the participation of foreign nationals in local elections go as far back as 1963.

Standing for elections

Eligibility to stand for elections mirrors eligibility to vote:

To stand for local elections individuals need to be ordinarily resident in Ireland and at least 18 years old, but do not need to be Irish citizens. Candidates may nominate themselves or be nominated by a local government elector registered in the area. Individuals may be nominated to stand in more than one area.

To be eligible for election as a member of the European Parliament (MEP) individuals must be over 21, Irish citizens or resident EU citizens, and must be nominated for election. Candidates may either nominate themselves or one elector for the constituency may nominate them.

To be eligible for membership of the Dáil or the Seanad individuals must be over 21 years of age and must be Irish citizens.

Access to the civil and public service

Non-citizens can work in the public service and, unlike some other European countries, there is no list of occupations from which they are excluded. The Public Appointments Service is the centralised provider of recruitment, assessment and selection services for the Civil Service. They also provide recruitment and consultancy services to local authorities, the Health Service Executive, An Garda Síochána and other public bodies. The Commission for Public Service Appointments is a separate body which sets standards for recruitment and selection to the civil service. In 2007 the Commission published a Code of practice for appointment to positions in the civil service and public service.⁴

Access to citizenship

In Ireland, individuals can qualify for citizenship either through birth in the country, descent from a citizen, or naturalisation.⁵ Foreign nationals are eligible to naturalise after residence in the state for five of the previous eight years. Their application is subject to a considerable range of conditions, however, several of which include discretionary elements. These include being of 'good character', having an intention to continue to reside in the State and making a declaration of fidelity to the nation and loyalty to the State. Applicants are also usually required to have been 'self-supporting' (and this is interpreted as not having been dependent on social welfare for the three years prior to application). People who are granted Irish citizenship have to swear an oath of fidelity to the nation.⁶

⁴http://www.cpsa.ie/User_Uploads/Code_of_Practice_for_Appointment_to_Positions_in_the_Civil_Service_and_Public_Service_%28No__01-07%29.pdf

⁵ Irish citizenship law and policy has changed significantly in recent years. Until 2005 Ireland granted citizenship to anybody born on the territory (the *ius soli* principle). After a referendum in 2004 on a Constitutional amendment, changes in citizenship provisions were enacted which mean that any person born in Ireland after 1 January 2005 to non-Irish parents will not be automatically entitled to Irish citizenship unless one of the parents was legally resident in Ireland for at least three out of the four years preceding the child's birth (Irish Nationality and Citizenship Act 2004).

⁶ Irish oath of fidelity to the nation and loyalty to the State: "I, (name in full), of..., having applied to the Minister for Justice and Equality for a certificate of naturalisation, hereby solemnly declare my fidelity to the Irish nation and my loyalty to the State".

The Minister for Justice and Equality has ‘absolute discretion’ in granting an application for a certificate of naturalisation and may choose to waive certain conditions for naturalisation.⁷ At €950.00, the fees for naturalisation are among the highest in Europe and North America (MIPEX, 2011). The average time from the date of application to a decision has been rather long at 23 months, but is currently being reduced. Since 2011, large collective citizenship ceremonies, where new citizens make a declaration of fidelity to the Irish nation and loyalty to the State and receive their certificate of naturalisation, have replaced individual declarations before a court. Finally, Irish citizens may hold the citizenship of another country without giving up their Irish citizenship.⁸

2 - Exploring challenges to representation and participation in Irish civic and political life

2.1. Intolerant discourses in political life

Ireland has not seen the emergence of any real right-wing, anti-immigrant party, or indeed any significant political campaign or protest against immigrants as a reaction to its recent large-scale immigration. This is not to discount the evidence for significant underlying levels of racial discrimination. One anti-immigration voice has been the Immigration Control Platform (ICP), a single-issue political grouping which put up candidates in the 2002 and 2007 Irish general elections. It is not registered as a political party; its candidates ran as independents in the 2007 Irish general election, and nationally, its three representatives received less than 0.1% of the total votes cast.⁹ O’Malley (2008) observed that, while Ireland has some ‘favourable conditions’ for the growth of a radical right party (i.e., rapid and large-scale immigration, current economic crisis and unemployment, etc), the space usually taken by such parties in other European countries is taken in Ireland by Sinn Féin, as ‘its anti-establishment position and its radical nationalism might be attractive to the type of voter which, in another country, with a different nationalist past, might support a radical right-wing party’. However, as O’Malley emphasises, Sinn Féin is rather leftist and in favour of immigrant rights, mainly because its historical nationalist discourse is supportive of minorities’ rights - ‘to espouse an anti-immigrant platform would be dissonant to its nationalist mythology’ (p.961).

It is noteworthy, also, that there has not been a strong emphasis on the ‘security’ issue connected with migration and diversity, unlike in other countries (UK, France for example), by either political parties or Government. Nor has ‘Muslim radicalisation’ come to the fore so far in Ireland. The Muslim community in Ireland is quite different in terms of origins and socio-demographic composition from that in other EU countries.¹⁰ This, and the fact that the Irish Government and institutions have sought to establish a dialogue with the Muslim community and have allowed for some accommodation of religious practices (i.e., accommodating the hijab in schools) might be seen as the two main reasons for the absence of either major claims or problems with regard to Islam in Ireland.

Instances of intolerant and even ‘racist’ discourses, however, have recurred over the years, involving most extensively the African community. Following his election in Portlaoise in 2007,

⁷ For example, if the applicant is of Irish descent or is the spouse of an Irish or naturalised person.

⁸ Naturalised citizens, however, are liable in principle to have their Irish citizenship revoked if they voluntarily take up another citizenship (Handoll, 2010).

⁹ Although a small voice, the ICP is still active through its website - <http://www.immigrationcontrol.org/index.html>

¹⁰ Compared with other EU countries, especially the neighbouring UK, the Muslim community in Ireland includes a great variety of ethnic and national origins including Malaysia, Somalia, South Africa, Nigeria, Algeria, Libya, Bosnia and Pakistan. Muslims in Ireland also have a distinctive social and economic background (Honohan and Rougier, 2010).

Ireland's first black mayor, Rotimi Adebare, was targeted by race-hate websites (O'Brien, 2007a); four years later, while running as a candidate in the general election and despite having acquired Irish citizenship, he was still subject to allegations about his history as an asylum seeker (Phelan and Ni Bhraonain, 2007).

Most notoriously, in 2008 the ICI lodged an official complaint with An Garda Síochána and with the National Consultative Committee on Racism and Interculturalism (NCCRI) in relation to an article written by Kevin Myers for the *Irish Independent* newspaper, questioning whether the article, titled 'Africa is giving nothing to anyone - apart from AIDS' had breached the Prohibition of Incitement to Hatred Act 1989. The Office of the Director of Public Prosecutions (DPP) decided not to prosecute because of the weaknesses of the legislation; the Press Council however concluded that the article did breach Principle 8 (Prejudice) of the Code of Practice in that it was likely to cause grave offence. It did not, however, determine that it was likely to stir-up hatred or that there was any intention to do so, and concluded that there were no clear grounds on which to make any findings in relation to the complaints under Principles 1 (Truth and accuracy), 3 (Fairness and honesty) and 4 (Respect for rights) of the Code.¹¹

In October 2011, the Immigrant Council of Ireland launched a report documenting high levels of racist violence and harassment endured by migrants living in Dublin (Fanning & al., 2011). Speaking at the launch, Denise Charlton, chief executive of the ICI, said: 'This report illustrates very starkly the price being paid for our lack of consistent, effective and strong action against racism'. On November 25, 2011 leaders of the black community in Ireland organised a press conference in Dublin to demand that the government take action against racism.¹² They argued that immigrants in Ireland are 'under siege', and that there is a widespread regime of verbal, physical and psychological attacks on immigrants and on Black Africans in particular. They highlighted several recent examples such as an attack on a black woman in Cork, and a black security guard attacked and left for dead in Coolock (both in September 2011), the rape of a 16-year-old black girl in Athlone in November 2011, and the death of taxi driver Moses Ayanwole following a racist attack in the centre of Dublin the previous week. Highlighting the racist remarks made by Cllr Darren Scully a few days earlier,¹³ which resulted in his resignation as Mayor of Naas, they called on the government to act to end racism in Ireland. During the press conference, the Nigerian Embassy's deputy head of mission Georges Alabi also noted how he himself and his wife have been racially abused, including through phone calls to his house (McCarthaigh, 2011).

Such examples were replicated in other minority racial communities, as the case study of the Sikh community below will further illustrate.

2.2. Opposition to - and facilitation of - the political mobilisation of minorities

Travellers' claim to recognition as an ethnic group has been the leading issue of recognition in recent years. This is not a 'new' issue, but it represents the main socio-political claim by a 'native', ethnic minority, and has gained momentum since 2008. In December 2008 the Irish Traveller Movement launched the Traveller Ethnicity campaign (ITM, 2009). They are supported by the Equality Authority, which emphasises that the lack of recognition as an ethnic group 'has negative practical implications in the promotion of equality of opportunity for Travellers and in the elimination

¹¹ <http://presscouncil.ie/decided-by-the-press-council-after-referral/complainants-and-irish-independent-.1132.html>

¹² <http://www.thejournal.ie/immigrants-in-ireland-are-under-siege-say-black-community-leaders-289470-Nov2011/>

¹³ Speaking to KFM, Darren Scully, Mayor of Naas, co. Kildare, stated that he would no longer represent people of African origin in the town because of the 'aggressive' attitude he experienced when representations were made to him by black Africans, and that he would refer any black African seeking assistance from him to another of his council colleagues (see: Carroll and Deeney, 2011; Carroll, 2011; Hough and O Cionnaith, 2011; Telford, 2011).

of discrimination experienced by Travellers' (Equality Authority, 2006, p.8). Amnesty International is also promoting the petition. However, the Irish government does not officially recognise Travellers as an ethnic group and refers to them as a 'cultural group'. It is interesting to note that the category 'Irish Traveller' is a Census category in Britain, where Gypsies and Irish Travellers have been recognised by the courts to be two distinct ethnic groups, and thus have the full protection of the Race Relations Act (Commission for Racial Equality, 2006). In Ireland, while travellers are specifically protected under the Equal Status Act, 2000, it defines them only as follows: "Traveller community" means the community of people who are commonly called Travellers and who are identified (both by themselves and others) as people with a shared history, culture and traditions including, historically, a nomadic way of life on the island of Ireland.'

In December 2009 The Combined Third and Fourth Reports by Ireland to the United Nations International Convention on the Elimination of All Forms of Racial Discrimination stated:

'...The Irish Government's view is that Travellers do not constitute a distinct group from the population as a whole in terms of race, colour, descent or ethnic origin. (...) Whether or not Travellers are considered to form a distinct ethnic group in Irish society is of no domestic legal significance. The key antidiscrimination measures - the Incitement to Hatred Act, 1989, the Unfair Dismissals Acts 1997, the Employment Equality Acts and the Equal Status Acts specifically identify Travellers as a group whose interests are protected in legislation'.

According to Catherine Joyce, chair of the ITM: 'Ethnic status would provide greater protection of Travellers cultural independence under law. This would include official recognition of Traveller culture in the provision of housing, education, health services. For example, nomadism would have to be properly catered for in housing provision. It also would have implications in terms of ensuring Traveller representation in the political system. Furthermore, there is also an important symbolic meaning of Traveller Culture becoming validated as both distinct and valued within Irish society' (ITM, 2009).

In August 2010, Mary White, then Minister of State for Integration, announced that civil servants were preparing a document on 'the practical implications of recognising Travellers as a distinct ethnic group' (Parsons, 2010) – nothing came of this. At the Universal Periodic Review of Human Rights in October 2011, Justice Minister Alan Shatter again stated that 'serious consideration' was being given to the legal recognition of Travellers as an ethnic minority group. The announcement was welcomed by Pavee Point and the ITM, the latter arguing that such recognition would mean a move 'away from assimilation to a cherishing of our largest indigenous minority' (Mac Cormaic, 2011). Questioned again on the issue in the Dail in February 2012, the Minister stated that 'consideration is still ongoing and I intend that the question will be before the Government for decision as soon as possible'.¹⁴

There are several active Traveller organisations (i.e., ITM, Pavee Point), but apart from this claim for recognition, Travellers have not been extensively involved in representative politics. One member of the Traveller community, Rosaleen McDonagh has run unsuccessfully for election to Seanad Eireann on the Dublin University Panel (TCD) as an independent candidate three times (2002, 2007 and 2011).

In terms of 'conventional (electoral) politics', the opportunity both to vote and stand in local elections by non-Irish nationals has been taken up to a certain extent by members of some minority groups, with significant differences by country of origin. For instance, research commissioned by the Immigrant Council of Ireland found marked differences across four immigrant national groups in political participation. Of four national groups researched, 50% of Nigerians were registered to vote

¹⁴ Dáil Éireann, Vol. 755 No. 2, 14.02.2012.

compared with between 10 and 20 % of the other three national groups (Chinese, Indian, and Lithuanian). Over 70% of respondents said they did not know that they could register to vote while 60% of the Lithuanians surveyed indicated that they were not interested in registering (ICI, 2008).

The various political parties have also reacted to Ireland's new diversity in different ways. In 2003 Fanning, Mutwarasibo and Chadmayo undertook a survey of the main political parties in Ireland and found an absence of measures aimed at encouraging immigrants and ethnic minorities to become involved in Irish politics.¹⁵ In a follow-up study published a few months before the June 2004 local elections, the same authors noted that although some of the political parties had taken positive steps to remove institutional barriers to the participation of immigrants, the measures were insignificant, and described the level of immigrant involvement in the main political parties as 'abysmal', as neither of the two parties that made up the coalition government had nominated immigrant candidates to contest the elections on their behalf. The report linked institutional barriers to immigrant participation in Irish political parties to racism in Irish society and called for urgent measures by the party leaderships against racism: 'Racism in Irish politics is a reality. The mono-cultural character of Irish politics is part of the problem of racism in Ireland' (Fanning et al 2004: 8).

A survey before the 2007 General Election found that most of the political parties had postponed work on recruiting immigrant and ethnic minority members until after the election. This was interpreted as 'pragmatic indifference' to immigrants given that only Irish and UK citizens could vote or stand in General Elections (Chadmayo et al, 2007).

However, in their latest survey of Irish political parties in relation to immigrants and integration the authors detected some commitment to integration and 'tangible political efforts' to engage with immigrants. Prior to the 2009 local elections the Office of the Minister for Integration funded initiatives on voter awareness among immigrants run by Dublin City, Fingal, Dun Laoghaire and Rathdown and Cork County Councils (Fanning et al, 2009). Non-government organisations also ran a campaign to encourage more immigrants in 10 local authority areas to register to vote (New Communities Partnership and the Africa Centre, 2010). Fianna Fáil and Fine Gael appointed integration officers and both parties ran high-profile campaigns to attract Polish members. By April 2009 all the parties, with the exception of Sinn Féin, had selected a number of immigrant candidates to represent them in the local elections (Fanning et al, 2009). Four of these were elected.

In 2010, the Immigrant Council of Ireland developed a manifesto setting out priority areas of reform to assist political parties in the development of their election manifestos, and in September 2010 they undertook a 'Count Us In' campaign to remind political parties and candidates that thousands of those eligible to vote in the 2011 general election would be migrants who have been granted citizenship as well as second generation migrants. The campaign's other aims were also to raise awareness among naturalised Irish citizens of their right to vote in the General Election, and to remind political parties and candidates of the need to engage with migrants when canvassing. Four independent candidates of immigrant backgrounds contested the 2011 General Elections – none were elected.

Aside from conventional electoral politics, migrant communities have also engaged in active participation and representation through the development of a variety of community structures and networks. In May 2006 the Immigrant Council of Ireland published its first *Directory of Migrant Led Organisations* in response to a need for a centralised information resource on the location of these organisations and the services they offered. Over the years, some of these organisations ceased to exist while new groups have emerged, and in 2009 a second edition was published, listing 61 organisations,

¹⁵ Fianna Fáil, Fine Gael, Labour, Green Party and Sinn Féin. In 2004 the survey was also sent to the Progressive Democrats (now defunct).

demonstrating a wide range of supports and activities in civic, commercial and community spheres (ICI, 2009).

2.3. Public policies of inclusion and exclusion

Contemporary concerns for equality and inclusion may be seen in current legislation that forbids discrimination in employment and services (in both the public and private sectors), on grounds including race (including nationality), religion (or lack thereof), and membership of the Traveller community. However, Ireland has not signed the European Convention of Nationality nor the convention on Minority Languages.

Since Ireland's migration turn in the late 1990s/early 2000s, the Irish Government has introduced several measures in response to the changes and increasing diversity in Irish society. These include a 'Know Racism' campaign, to stimulate awareness of racism and respect for cultural diversity in 2001, and the National Action Plan Against Racism (NPAR) 2005-2008, designed to provide a strategic direction for a more intercultural inclusive society in Ireland.¹⁶

In 2007 the Government introduced the post of Minister of State for Integration and established an Office of the Minister for Integration (OMI) to develop and co-ordinate integration policy across Government departments, agencies and services. In 2008, the OMI published '*Migration Nation: Statement on Integration Strategy and Diversity Management*' setting out the key principles of state policy with regard to integration as: 1) a partnership approach between the Government, non-Governmental organisations and civil society bodies, 2) strong links between integration policy and wider state social inclusion measures, strategies and initiatives, 3) a clear public policy focus that avoids the creation of parallel societies and urban ghettos, and 4) a commitment to effective local delivery mechanisms that align services to migrants with those for indigenous communities.¹⁷

A Ministerial Council was established in 2010 to advise the Minister of State for Integration on issues faced by migrants in Ireland. The Council consisted of 74 members and four regional fora.¹⁸ Members of the Council were appointed for a period of five years and each regional forum was to meet two or three times a year. The inaugural meetings of the regional fora took place in October and November 2010, however, no subsequent activities have been reported since then, and it seems the Ministerial Council is no longer in operation.¹⁹ Questioned on its activities in the Dail in February 2012, the Minister for Justice and Equality stated that 'The position is that no meetings of the Ministerial Council on Integration were held in 2011 as the future of the Council is under consideration and I will make a decision on the matter shortly'.²⁰

In 2011, the OMI became the Office for the Promotion of Migrant Integration (OPMI), with a cross-departmental mandate to develop and co-ordinate integration policy across Government Departments, agencies and services. Its functions include the promotion of the integration of legal immigrants into Irish society, the management of the resettlement of refugees admitted as part of the United Nations Resettlement Programme, and the administration of funding from national and EU sources to promote integration. While the overall responsibility for the promotion and coordination of

¹⁶ The publication of the Plan was in fulfilment of a commitment given at the World Conference against Racism in Durban 2001. Ireland was one of the leading States putting a National Action Plan Against Racism in place.

¹⁷ [http://www.integration.ie/website/omi/omiwebv6.nsf/page/AXBN-7SQDF91044205-en/\\$File/Migration%20Nation.pdf](http://www.integration.ie/website/omi/omiwebv6.nsf/page/AXBN-7SQDF91044205-en/$File/Migration%20Nation.pdf)

¹⁸ Close to 500 valid applications were received. Applicants were required to have been legally residing in the State for more than two years or to have acquired citizenship.

¹⁹ <http://www.integration.ie/website/omi/omiwebv6.nsf/page/aboutus-ministerialcouncil-overview-en#more>

²⁰ Dáil Éireann, Vol. 755 No. 2, 14.02.2012.

integration measures rests with the OPMI, no specific minister is in charge of the office and the actual delivery of integration services is the responsibility of mainstream government departments.

Overall, Ireland's new ethnic and cultural 'diversity' has been relatively well perceived, it has been seen as an 'enrichment' and a 'revitalization' of society and overall the experience of most migrant communities is a positive one. However, there are also concerns that there might be 'too much' diversity which has potentially negative implications for Irish society and 'Irishness' (Honohan & Rougier, 2010). Minorities' participation in Irish society is not always smooth and, as we will see, not every claim for recognition or representation in the political/civic arena has been accommodated, revealing variations in Ireland's policies of inclusion and exclusion.

Access to citizenship, a significant benchmark of inclusion in society and political life, may be seen (again in comparative European terms) as relatively inclusive in principle. For many years, the numbers of those naturalising were very low, due to small number of applications, slow processing and a rather restrictive approach. There was no focus on encouraging naturalisation. In recent years this has changed considerably. Increasing numbers are naturalising, and the process has been speeded up, though the numbers refused are still high, and there is no process of appeal. In addition the government has set up highly-publicised, large scale citizenship ceremonies as a sign of welcoming the 'new Irish'.

According to Department of Justice annual reports the number of applications for naturalisation has steadily increased in recent years. A total of 10,885 applications were received in 2008, a 36% increase on the previous year - 7,827 applications were processed and 3,117 certificates of naturalisation were issued. In 2009, 27,765 applications for a certificate of naturalisation were received, representing an increase of 155% on 2008 levels. A total of 25,582 applications were processed during 2009; of the 7,329 eligible applications processed, 5,868 were approved and 1,461 were refused. A total of 4,531 certificates of naturalisation were issued during the year. Finally in 2010, 25,796 applications for a certificate of naturalisation were received - 20,723 applications were processed during 2010 with 15,083 deemed to be invalid or ineligible. Of the 5,669 eligible applications processed, 4,539 were approved and a total of 6,394 certificates of naturalisation were issued during the year.²¹

Although the above figures provide a certain amount of information, it is difficult to fully analyse them. The Department of Justice does not publish disaggregated data detailing the numbers of applications submitted in any given year, when those applications are actually granted or refused and, if refused, the reasons for the refusal (ICI 2011).²²

2.4. Focus and methodology of the current research

In order to explore in more depth and details what the levels of acceptance: *intolerance – tolerance – respect*, mean in the area of political life in Ireland and how they manifest themselves, we have chosen to focus on a (relatively recent) challenge relating to religious and cultural diversity in Irish institutions.

Our study examines the controversies that emerged in 2007 when a member of the Sikh community applied for membership in the Garda (Police) Reserve. The applicant, who had taken part

²¹ Department of Justice, Equality and Law Reform Annual Reports, 2008, 2009 & 2010.

²² Although there are difficulties with the concept of naturalisation rates, and these are not fully comparable especially in societies with stronger *ius soli* provisions such as Ireland, some information may be obtained from the fact that Ireland's apparent rate is the second-lowest in the EU. According to figures published by Eurostat, the EU27 average was 23 per 1,000 resident foreigners, whereas in Ireland's the rate was only six. See <http://ec.europa.eu/eurostat>

in the training process, was informed just before being commissioned that he would not be allowed to wear his turban with the uniform. The man refused to take off his turban and thus did not take up his post on the Garda Reserve. The issue sparked an important media and political debate. It involved a primarily religious (though also cultural), relatively 'new', and (almost exclusively) immigrant minority, and represents an issue of 'non-tolerance'/'non-accommodation' of religious/cultural diversity in the exercise of public service in Ireland.

Our case study included both desk research and empirical fieldwork. The desk research consisted of collecting and analysing the available scholarly literature, statistical data, media coverage, internet blogs, parliamentary proceedings, consultation papers and policy documents related to the challenge explored. The fieldwork consisted of semi-structured qualitative interviews and a discussion group.

Seven interviews were conducted between November 2011 and February 2012 with representatives from the Sikh community in Ireland, former and current politicians, representatives from NGOs working with migrants, and migrant candidates. Interviewees spoke not only about the particular challenge of the turban but also about the general context of minorities' political participation and representation in Ireland. Some respondents agreed to be identified; but others preferred to be anonymised; accordingly, we decided to identify all respondents by acronyms only in order to maintain a balance amongst them. (The full list of interviews is presented in Annex 1.)

An interview guide was developed from our initial desk research and adapted to each respondent (see Annex 2). The interviews started with a brief presentation of the project, the case study and the kinds of issues we were interested in, and a few background questions about the respondent. The interviews took place in the respondents' offices, in UCD, or, in some cases, in coffee shops, and lasted between thirty minutes and two hours. All interviews were recorded and transcribed verbatim.

We provided respondents with an explanation of the recording and transcribing process, and offered to let them see the transcript in case they wanted to add or correct anything – all requested to see the transcriptions and some sent back additional comments and clarifications, which were included in the transcriptions.

A discussion group was organised with experts and practitioners in the field of migrants' rights and political representation on Thursday 16 February 2012 in Dublin. In addition to the two researchers from the Irish ACCEPT Team, 7 people took part (see Annex 3). At the start of the session, we briefly outlined our research so far and gave them a list of topics for discussion (see Annex 4). With the participants' agreement, we recorded the 2-hour session.

Combining data from the secondary sources gathered during the desk research with the empirical data gathered through the interviews and the discussion group, this case study provides a comprehensive picture of a particular challenge to tolerance in Irish political and civic life in the case of a minority/religious group. The qualitative data were analysed using a critical discourse analysis approach (Wodak, 2001; Wodak and Meyer, 2009) and the main discursive topoi (argumentation strategies) are highlighted and discussed.

3 – Case study – The Sikh turban in the Garda Reserve

3.1 – Sikhs in Ireland

Immigration of Sikhs to the island of Ireland goes back at least to the early 1900s. Sikh immigrants were noted in what is now Northern Ireland in the late 1920s. These were mainly former

members of the British army, originally from India via East Africa and Britain. There were 219 Sikhs in Northern Ireland at the time of the 2001 Census,²³ most coming from the Punjab. The Northern Ireland Sikh Association was formed in 1990 and shortly afterwards the Northern Ireland Sikh Cultural and Community Centre was established in Derry.

It is impossible to find an exact number for members of the Sikh community in the Republic, as the category has not appeared in any population Censuses, and, while it is possible to ‘write-in’ a particular religion on the Census form, it does not seem that many do, as the term ‘Sikh’ does not appear at all in any Census results.

The Health Services state that there are approximately 2,000 Sikhs in Ireland,²⁴ while the website of the Irish Sikh Council gives a number of approximately 1,000. They are primarily of Punjabi descent, ranging from toddlers to the very elderly; the main community lives in the Dublin area, but there are also small communities in Cork, Clare, Limerick, Sligo and Roscommon. Sikhs work in the areas of medicine, IT, business, the hotel and catering industry. Most are first generation migrants, but there is also a small but significant second generation of Sikhs who were born and educated in Ireland.

The only Sikh public place of worship in the Republic – the Gurdwara (full name: Gurdwara Guru Nanak Darbar) – is in Dublin. Besides being a place of worship, it functions as an information and support centre for Sikh and Indian immigrants.

Although a number of Sikhs were living in Ireland since the early 1980s, the main growth of the community took place during the years 2000-2003. Concerns of parents looking for schools, patients in hospitals facing difficulties to explain their religious needs, and other such issues generated the need for a representative body for the Sikh community, and the Irish Sikh Council was established in July 2004.²⁵ Since then, the Irish Sikh Council has been involved in promoting cultural diversity, creating awareness about Sikhs in Ireland and advising public service bodies about their concerns and their needs. They provide a range of services including: information services, education and training, community awareness and cultural events. They provide guided tours to the Gurdwara for school children, and visit schools to give lectures on the Sikh way of life, engage with the media to generate awareness about the Irish Sikh community and have been involved in various cultural and sporting events. Among the most significant, the Sikh community participated in St Patrick’s Festival Parades in 2007 and 2008 with performances in folk dances and Sikh martial arts. Over the years they also participated in the Dún Laoghaire Festival of World Cultures and a number of other cultural events across the country. The Irish Sikh Council has also been working in collaboration with Sports Against Racism (SARI), promoting intercultural sporting events.

In 2010, they collaborated with the Forum on Migration and Communications (FOMACS), Dublin Institute of Technology, to launch a photographic and life history project called ‘A Sikh Face in Ireland’.²⁶ The multimedia exhibition was a collaboration initiated by an Irish researcher, Satwinder Singh, and photographer/oral historian, Dr. Glenn Jordan, and represented the first systematic exploration of the Sikh presence in Ireland.

Though small, the community is quite ‘visible’ in Ireland as baptised Sikhs wear a specific dress code, including the turban, bracelet and kirpan (or miniature sword), as part of their religious

²³ Census 2001 - Table KS07c: Religion - <http://www.nisra.gov.uk/archive/census/2001/key%20statistics/district/KS07c.xls> - The latest Census took place in March 2011 - The first results will be published in Summer 2012

²⁴ Health Services Intercultural Guide – Last updated on: 22.10.2009 - <http://www.hse.ie/eng/services/Publications/services/SocialInclusion/InterculturalGuide/Sikhism/profile.html>

²⁵ <http://www.irishsikhcouncil.com/default.aspx>

²⁶ <http://www.fomacs.org/projects/photography/A-Sikh-Face-In-Ireland>

observance. Following 9/11, the (male) Sikh community in Ireland became more vulnerable to prejudice and racism because of their turban and full grown beard that often led uninformed people to equate Sikhs with followers of Bin Laden. Members of the Sikh community have not only faced verbal abuse but have also suffered physical attacks on the streets of Dublin and in other areas. In that regard the Irish Sikh Council also serves a support structure for victims and as an advocacy group in cases involving apparent discrimination or harassment, or as an intermediary between the community and state organisations/administrations in case of dispute. One such case is presented below.

3.2 – The event that sparked the debates

In 2007 a member of the Sikh community applied for membership of the newly instituted Garda (Police) Reserve, to which minorities were invited to apply.²⁷ The applicant, who had taken part in the training process, was informed just before being commissioned that he would not be allowed to wear his turban with the uniform. Initially he was told that wearing a turban would not be a problem, but later a senior officer warned him that if he wanted to go on duty in a station, he would have to remove his turban. The issue sparked a significant media and political debate. Sikhs argued that wearing the turban is a non-negotiable aspect of their faith – one which has been successfully accommodated by police forces around the world. The Irish Sikh Council criticised the Garda rules and warned it risked creating distances between immigrant communities and the indigenous population. They met with the Garda Commissioner and with the then Minister for Integration, Conor Lenihan. Lenihan backed the Garda stance, saying that people who come and live in Ireland must respect the country's cultural requirements. The Garda explicitly denied that the turban ban was based on race or religion, but claimed that it was based rather on the imperative to provide an 'impartial police service' requiring, among other things, 'a standard uniform and dress'. The Sikh man did not take up his post on the Garda Reserve.

This issue was hotly debated in the media and the political arena. It involves a primarily religious (though also cultural) minority, a relatively new and (almost exclusively) immigrant minority, and represents an issue of 'non-toleration' / 'non-accommodation' of religious/cultural diversity in the public service in Ireland.

3.3. Analysis of the debates

Combining data gathered through the desk research and the empirical study, our analysis employs a critical discourse analysis to highlight and discuss the main argumentation strategies – or discursive topoi (Wodak and Meyer, 2009) – through which the particular challenging event and the issues at stake have been constructed and debated. The desk research consisted of analysing the available scholarly literature, media coverage (newspaper articles, blogs, TV and radio recordings), parliamentary proceedings, consultation papers and policy documents related to the challenge explored. The empirical study involved seven qualitative interviews and a discussion group.

While mixed and intertwined within the different discourse, **three main discursive topoi** can be identified in the turban debate.

The first topos can be termed the 'This is a uniform' topos and encompasses arguments calling to the most basic, obvious, 'rational' arguments of the dispute: the very definition of 'a

²⁷ The Garda Síochána Act, 2005 provided for the establishment of a Garda Reserve and in October 2005, an advertising campaign was launched by Minister for Justice Michael McDowell to attract ethnic minority applicants (Breaking News, 2005). The Garda Reserve is a voluntary unpaid body drawn from the community to assist the existing Service at times when extra personnel are required. The first recruits began training at the Garda College in September 2006.

uniform', its justification/rationalisation and its meaning(s). The Garda (and opponents to the turban) emphasised the meaning of the (Garda) uniform, while the Sikh community (and their supporters) tried to counter these arguments on both principled and practical grounds.

The Garda position was summarised in a press statement released by Superintendent Kevin Donohoe, Head of Garda Press & Public Relations, in August 2007:

The Garda Síochána has, historically, been seen as providing an impartial police service, policing all sections of society equally. By accommodating variations to our standard uniform and dress, including those with religious symbolism, may well affect that traditional stance and give an image of An Garda Síochána which the Commissioner feels the public would not want. The Garda Commissioner has set the required standards of dress and behaviour for An Garda Síochána and these standards are binding on all members of the organisation. Within the principles of an intercultural approach An Garda Síochána are not advocating one religious belief over another, nor are we, in any way, being racist. We are attempting to firmly retain an image of impartiality while providing a state service to all citizens. The decisions regarding our integration policy, including that of the wearing of a turban, were not made on a whim, but rather following extensive research and consultations.

The statement also emphasised the measures already taken by the Garda as part of their 'intercultural approach' including: the changes made to the entry requirements to the organisation to facilitate a variety of backgrounds and cultures;²⁸ the establishment of the Garda Racial Intercultural and Diversity Office (GRIDO) in 2001, the appointment of 500 Ethnic Liaison Officers (ELO)²⁹ in 2002, the setting up of special dietary arrangements (for choice, medical or religious reasons) at the Garda College, and the availability of spiritual and pastoral care across a number of religions for Garda members.

The statement concluded, however, by saying: 'The Garda Commissioner is satisfied that the intercultural approach and the decisions made within that framework, to date, is the right approach at this time for An Garda Síochána and the communities it is sworn to serve'.

The various arguments presented in the Garda statement were contested by opponents to the ban. On the basic point of 'uniformity', one of our interviewees argued that it was simply not possible to conceive of a complete 'homogeneity' of Garda officers and that slight variations in appearance were unavoidable (ISCRRep). The argument that, when on duty, a Garda officer represents not only the police force but also the State, and that since the Irish Republic is secular, 'no crosses, veils, turbans, etc. should be visible on duty', was contested in several ways.

One counter argument which appeared strongly in both the media and political debate and in our interviews was that Ireland is not truly a secular state. Many newspaper columnists and individual contributors highlighted that every session of the Dáil and the Seanad starts with a Christian prayer, that public hospitals are decorated with Catholic symbols, that the Army runs an annual pilgrimage to Lourdes, that the preamble to the Irish Constitution itself states: 'In the Name of the Most Holy Trinity, from Whom is all authority and to Whom, as our final end, all actions both of men and States must be referred, We, the people of Éire, Humbly acknowledging all our obligations to our Divine Lord, Jesus Christ...', and that the Garda itself organises masses to mark the opening of police stations (i.e. O'Toole, 2007, McGrath, 2007). As one of our respondents argued 'there is an undercurrent of Catholicism that permeates public life in Ireland' (GPP).

²⁸ The removal of the requirement of a proficiency in the Irish language and of Irish citizenship – see the Notes for Applicants & Conditions of Service at: <http://www.publicjobs.ie/publicjobs/campaignAdvert/105/booklet.htm> .

²⁹ The role of the ELOs is to liaise with representatives of the various minority communities in their division, and establish communication links with each of these communities

One of our interviewees argued that, in a way, every officer was carrying both his cultural background and religious beliefs on the job, whether this was 'visible' or not, and therefore that, in effect, 'being a Sikh Garda' was no different from being a 'Catholic Garda' or indeed a 'Black Garda' or a 'Chinese Garda' (ISCRep). He questioned the Commissioner's view that the public would not want to see and engage with a 'Sikh Garda' and suggested that the sections of the public who might take offence to him were also likely to react in the same manner to a 'Black officer' or perhaps even to a 'female officer', suggesting that potential prejudiced views are unavoidable and should not represent an argument against 'visible diversity' within the force. These arguments also challenged the interpretation of 'the impartiality of the police force' on the same grounds (that a Sikh Garda would in no way be more or less impartial than a Catholic, Protestant, Jewish, Black, Chinese, male or female Garda).

The fact that many Garda officers (like the Taoiseach in the Dáil) wear ashes on their foreheads on Ash Wednesday was also highlighted by many – even though it can be argued that Lenten Ashes do not 'technically' form part of the uniform, they do represent a 'visible religious symbol' which clearly contradicts the Garda's 'religious neutrality'. Pressed on whether Lenten Ashes should be allowed, Superintendent Donohue stated that the issue would be examined as 'the whole movement of diversification in Irish society has forced us to look at the practices and policies that we have. And certainly the issues like crucifixes, like pioneer pins, like ashes on Ash Wednesday, they are certainly in the pot' (Holland, 2007). For one of our interviewees, to be truly secular the state should be 'above all religions and cater for all religions', and, regarding the display of religious symbols in the police force, he said: 'we have raised these issues... we don't want them to stop other... like, for example, we don't want them to stop, asking Gardai to not wear the ashes and all those sorts of things... we, on the other hand, are asking for equal rights, let them follow their beliefs, let us follow our beliefs' (ISCRep).

This notion that all religious and cultural backgrounds should be equally recognised and equally respected in the police force was also argued by many throughout the media debate and in our interviews. Arguments emphasised that, as Ireland has become a religious and culturally diverse society, its police force *should* reflect this diversity. Finian McGrath, an Independent TD, argued that rationale in the Dáil in October 2007:³⁰

'It is important in the context of community policing that we encourage minority communities and foreign nationals to join the police service. I welcome them. I urge the Minister and the Garda to be more open on the question of Sikhs serving in the Garda Síochána. (...) It would send out a positive message that they respect all cultures and all religions'.

However, other politicians took the opposite position, denying the importance or even relevance of individuals' religious and cultural background – as one of our interviewees put it:

...a person applies to join the Irish Garda or the Irish civil service, is joining the Irish civil service and is joining the Irish Garda, it may be a person who is non-Irish but ... I don't think it's overly unfair to suggest that if you want to become a member of the Irish Garda or if you want to become a member of the Irish civil service... I mean... it's not your background you should be concentrating on, or that we should be concentrating on, it's the job that you sign yourself up to do... (FGS)

The 'specificity' of the job and its practical requirements were also debated as the Garda raised the 'practical' issue of wearing a turban while on duty as an issue of 'effectiveness', arguing that Garda officers wear a cap for both practical and security reasons. This argument was contested by the Sikh community and their supporters on the basis that the wearing of turbans instead of caps or

³⁰ Dáil Éireann, Vol. 638, No. 4, 03.10.07.

hats has been permitted by several other police forces around the world, most notably by the PSNI (Police Service of Northern Ireland) (McAleese, 2007). Ciarán Cuffe, the (then) Equality spokesperson for the Green Party, called on An Garda Síochána to reverse its ruling - in a press release posted on his website he said:

‘I am calling on the Garda authorities to review this ruling, and have written today to Commissioner Noel Conroy requesting him to do so. I informed him that in my opinion it does not meet with international best practice. This decision is in complete contrast to the positions of other reserve forces, such as the London Metropolitan Police and the Royal Canadian Mounted Police, who allow Sikh members to wear their turbans. Police forces in the UK, USA, Singapore, Malaysia, Pakistan and India have no problem in allowing the wearing of turbans’.³¹

The London Metropolitan Police Sikh Association strongly criticised the decision, arguing that Sikhs have been wearing turbans as part of the uniform in the Metropolitan Police since the early 1970s, reflecting the community the force serves. They argued that ‘Ireland’s police force is 40 years behind the Metropolitan Police Service and the other civilised countries that recognise that Sikhs need to wear their turbans as part of their religion whilst officiating in public roles’ (O’Brien, 2007).

The Garda emphasised that they sought the advice of UK police forces and met with representatives of the Sikh community in Ireland before making their decision. Speaking at the Humbert School on August 24, 2007, Garda Commissioner Noel Conroy said that some UK police forces which permit uniformed Sikh colleagues to wear the turban had told Garda representatives that ‘if they could put the clock backwards they would like to’ (McGarry, 2007).

Within the ‘uniform’ topos, this specific argument was indeed the main ‘counter-argument’ advanced by the opponents to the turban ban and, as they perceived it to be a very difficult argument to justify and sustain - this leads us to **the second topos – ‘discrimination and rights’** - encompassing arguments that the uniform issue was in fact an excuse to avoid more contentious issues, and that the decision in fact amounted to religious discrimination.

The Irish Sikh community received messages of support from Sikh organisations around the world as the story appeared in the *Times of India*, the *Hindustan Times*, and the *Irish Voice* newspaper for Irish emigrants in New York, among others. As the turban has been accommodated in the police and army forces of several other countries many argued that there was ‘no good reason’ not to accommodate it in Ireland. This, in turn, was countered by the simple argument that the fact the turban had been accepted elsewhere was not a valid reason to adopt it in Ireland.

Some even hinted that the UK especially should not be regarded as a ‘good example’ of integration as its multicultural model had engendered segregation, ghettoisation and the creation of parallel communities – for Devlin (2007), ‘The argument that Britain allows Sikhs to wear turbans as part of their police uniform is irrelevant. That’s akin to contending we should have a royal family because Britain has one’. Interestingly, it was the London Metropolitan Police Sikh Association which ignited the controversies when they accused the Garda of racial discrimination in relation to the matter, stating: ‘The MPSA is dismayed to learn that Ireland’s police force, An Garda Síochána, has racially discriminated against the Sikhs in their refusal to allow a Sikh officer to wear a turban as part of his police uniform’ (O’Brien, 2007). The Gardaí strongly rejected the suggestion that the decision was in any way based on race or religion and suggested that Sikhs – like any other members of Ireland’s ethnic and religious minorities – were welcome in the force, provided they abide by the (uniform) rule, that is to say, provided they take off their turban. However, as it was emphasised over and over during the debate, taking off their turban is impossible for baptised Sikhs. Harpreet Singh

³¹ <http://www.ciarancuffe.ie/PR/2007/PR070821J.Cuffe.Calls.Reverse.Turban.Ruling.htm>

(then) President of the Irish Sikh Council explained that ‘asking Sikh community members to get rid of the turban is like asking a Sikh to remove his head’ (Irish Independent, 2007).

The specific ‘religious’ aspect of the perceived discrimination was emphasized by Dr. Jasbir Singh Puri who explained that he has worked in operating theatres in Ireland for more than 20 years, and not once has he removed his turban. He argued that the Sikh applicant to the Garda Reserve ‘has been denied his freedom to practise his religion, and that is a conflict of his constitutional rights. We all feel that we have a fundamental right to equal employment, and in this way, the gardaí have acted at the forefront to deny this right’ (Reilly, 2009). Articles 44 and 42 in the Irish Constitution have tended to be interpreted as making pluralism and tolerance essential; and the fact that ‘freedom of conscience and freedom of profession and practice of religion’ are guaranteed would seem to translate into permitting wearing a turban (or indeed other religious symbols) in the police force. However, as one contributor highlighted on one of the Facebook pages dedicated to the issue,³² while the turban has a strong spiritual significance, it is not itself a ‘religious requirement’ as it is not part of the 5Ks, that is to say, the five articles of faith worn by practising Sikhs.³³ While this point was debated in the ‘turban dispute’ in France (where Sikh children were asked to remove their turban in order to comply with the ban on ‘conspicuous religious symbols’ and argued themselves that, unlike the uncut hair, the turban was not a religious symbol and therefore should be allowed), it was not actually used in the Irish debate as the distinction between the Kesh (unshorn hair) and the turban was never highlighted by those advocating the ban, perhaps revealing a lack of knowledge and understanding of the Sikh faith and customs.

The issue of equality of rights between religious groups was, however, brought up by the Sikh community and justified through references to the PSNI’s accommodation of the turban. Refusing to allow the turban was presented as going against the 1998 Belfast (Good Friday) Agreement, which ensures ‘equivalence of rights’ in Northern Ireland and the Republic and ‘This equivalence, particularly in matters of religious discrimination was presumed to require greater vigilance in the protection of religious minorities’ (Mullally, 2011). Most significantly, the ban was perceived as going against Ireland’s own policies as set out by the government in the National Action Plan Against Racism (2005-2008) and later in Migration Nation (2008), both of which called for the ‘reasonable accommodation of diversity’ and emphasised integration as a ‘two-way’ process.

The NCCRI in particular expressed their concern at the approach adopted by the Gardaí and put forward suggestions to the Commissioner, demanding that the dress code policy ‘be reviewed to allow for some compromise from the present inflexible position’ (NCCRI, 2008). In their 2004 submission to the Democracy Commission, the NCCRI had defined ‘institutional racism’ as ‘(what) happens when the practices, policies and attitudes of institutions result in the systematic exclusion of some minority ethnic groups, again either consciously or unconsciously’ and emphasised that, as the model chosen by Ireland, ‘Interculturalism is essentially about interaction, understanding and respect. It is about ensuring that cultural diversity should be acknowledged and catered for. It is about inclusion for minority ethnic groups by design and planning, not as a default or add-on. It further acknowledges that people should have the freedom to keep alive, enhance and share their cultural heritage’ (NCCRI, 2004).

When asked to justify or explain the decision, government representatives tended to revert to the force itself as sole authority on the matter. In 2007, in the Dail, the Minister for Justice, Equality and Law Reform, Brian Lenihan was asked twice about the issue of the turban in the Garda. Each time, his response was the same: ‘The Garda Síochána Uniform and the wearing of any items of

³² <http://www.facebook.com/groups/4907550329/>

³³ The 5 Ks are: Kesh (unshorn long hair); Kangha (a small wooden comb worn in the hair at all times); Kara (a circular iron or steel bracelet worn around one or both wrists); Kirpan (a sword/dagger usually worn at the waist); and Kachera (cotton underwear with cord string).

clothing as part of that Uniform, for either the full time Force or the Reserve, is a matter for the Garda Commissioner'.³⁴ The then Taoiseach (Bertie Ahern) was also asked (by the current Taoiseach) to clarify his position on the matter – similarly, he replied that 'The Garda Commissioner is responsible for the turban issue as it is an operational matter for the force'.³⁵ The supreme authority of the Garda Commissioner was also emphasised by our respondent from the Garda whose main 'answer' on the question was: 'we have to follow the rules set by the policy makers and passed on by the Commissioner' (GRep).

Finally, some discourses hinted that the Garda issue was indeed symptomatic of the way Sikhs are perceived and treated in Ireland. Several incidents where Sikhs have encountered problems or been victims of harassment or discrimination because of the mere 'visibility' of their 'religious difference' were brought to the fore. The media reported incidents related to the wearing of a beard, mandatory for male Sikhs, as some Irish restaurants refused to employ bearded Sikhs, despite the fact that the hairnets commonly utilised by female employees would resolve hygiene issues. In November 2008 a 12-year-old Sikh boy in Ashbourne, Co. Meath, was told by the referee during a football match that he had to remove his turban. The boy refused to play the second half of the game; he had worn his turban during matches without any difficulties for four years before the incident.

Our Sikh respondents also reported various instances of intolerance, harassment and discrimination in their daily lives. Several issues in the area of work were mentioned – a few dealing with blatant discrimination and many more highlighting a more 'subtle' or 'masked' kind. These included various forms of favouritism of 'native' Irish workers over 'immigrant' ones, lack of training opportunities or flexibility in hours; disregard for the real 'value', 'competence' or 'seniority' of Sikh/immigrant employees. One of our respondent highlighted that many issues had arisen in schools with regard to boys wearing the turban and starting to grow a beard (the school demanded they shave it) but that these were definitely under-reported and relatively ignored (SkRep). Our other respondent emphasised that many discrimination and harassment incidents were not in fact reported, first because it was extremely difficult to 'prove discrimination' in the work domain, especially when this was an isolated case, but also because the community had grown disheartened by the lack of interest and follow-up of the authorities when case of harassment were indeed reported (ISCREP).

Both our Sikh respondents also emphasised the paradox/challenge faced by the Sikh community in Ireland in that they represent perhaps the most 'visible', 'visibly different' (ethnic and religious) minority and at the same time, they still seems to be one of the least known and understood. Instances of verbal and physical abuse as a result of mistaken identity – as Muslims and/or 'followers of Bin Laden' – have increased after 9/11 and the 2005 London bombings and recurrently increase whenever the media report on related events, or even simply present a documentary on related topics. As early as the 4 October 2001, the *Irish Times* had reported several individual attacks on Sikhs in a piece titled 'Sikhs in Ireland confused with Muslims and become victims of racist attacks' (Cullen, 2001). Over the years, this has led many members of the Irish Sikh community to change their appearance (i.e., abandon the turban and shave their beards) and/or hide their identity to 'blend in' and enjoy an easier and fuller access to and participation in Irish society (ISCREP) – this has also led many (mainly young) Sikhs to simply leave Ireland for other, more 'Sikh-friendly' countries such as the UK, Canada or Australia (SkRep).

As one of our Sikh interviewees highlighted, pre-9/11, there had been some 'positive interest', mainly brought on by 'curiosity' about the Sikhs' visible identity in Ireland; he recalls how children in particular were fascinated by the turban and the long beard:

³⁴ Dáil Éireann, Vol. 638 No. 1, 26.09.07; Dáil Éireann, Vol. 638 No. 5, 04.10.07.

³⁵ Dáil Éireann, Vol. 642 No. 3, 27.10.07.

... I have seen kids sometimes coming and shouting at me ‘look at the alien!’... or coming at me and saying ‘Aladdin’, those sorts of things... like somebody from a fairytale... and during Christmas time a lot of kids, like young kids, would come and say ‘look mum, Santa!’ because of the beard...’ (ISCRRep)

However, it seems that the interest has faded away and, as he observed, never reached the political arena, perhaps because the community remained small and never reached a sufficient ‘critical mass’ to make it ‘attractive’ to either political parties or other decision makers but also, and perhaps mainly, because of a lack of enthusiasm on the part of the political and civic sphere to fully include (some of) Ireland’s minorities and to acknowledge both their participation and their concerns in their conception of Irishness.

This leads us to **the third topos identified in the turban debate: the ‘This is Ireland – how far do we have to go to accommodate?’ topos.**

This topos encompasses arguments dealing with the ‘recognition’, ‘representation’, ‘inclusion’ and ‘support’ for diversity in Irish society as conceived and implemented by Irish political and civic institutions, as the issue of the turban developed into a broader reflection on the perception and accommodation of religious (but also cultural/ethnic) minorities in Ireland and on the definition/nature of Irish interculturalism.

As defined by the NCCRI and promoted in the NPAR (2005-2008) and Migration Nation, the Irish ‘intercultural model’ should have allowed Sikhs to wear turbans in the Garda as an example of ‘reasonable accommodation’, however, arguments advanced by the advocates of the ban highlighted significant contradictions in the Irish conception of ‘interculturalism’.

The (then) Minister for Integration, Conor Lenihan, backed the Gardaí’s stance and commented: ‘If we are to take integration seriously, people who come here must understand our ways of doing things. When the President and ministers travel to the Middle East, they accept cultural requirements of the country and the culture they are operating in. It is a vice versa situation, I would have thought, with regard to Ireland’ (Irish Independent, 2007).

That statement was widely relayed by the media and became perceived as the ‘official’ government stance on the issue of immigrant and minorities at the time. Public opinion appeared relatively split.³⁶ Some applauded, emphasising the need for the Garda (and hence Ireland) to maintain its public image as a religiously neutral (state) organisation. As one of our interviewees summarises it:

‘A lot of Irish people were worried about tradition and continuity and they felt ‘yes, we are happy to accommodate difference, but how far do you want us to go?’ and they felt... I think Irish people felt they were being taken out of their comfort zone on this issue...’ (GPP)

Others saw the decision as a regrettable desire to impose a secular monoculture. For one of our Sikh respondents, the Minister’s statement was an alarming indication of the government’s take on diversity and of its potential repercussions in the broader society.

... how can that person integrate... who doesn’t even understand different beliefs and systems?... who just thinks that because I’m wearing a turban I’m from the Middle East, because if you read his statement very carefully he does quote the Middle East, he made the same mistake that every other person who would have abused, attacked or called names a Sikh

³⁶ See for instance the hundreds of entries posted on the main blogs which debated this particular issue at : <http://www.politics.ie/forum/culture-community/19648-sikh-member-reserve-banned-wearing-turban.html> and <http://www.boards.ie/vbulletin/showthread.php?s=b898736aba7f9c45b4992fdf30d44b66&t=2055135729>

person on the street as ‘Bin Laden’... equalise that with a Sikh turban... that statement itself shows the ignorance of the politicians, how much they know about the fabric of the new Irish society... (ISCRRep)

In an article in the Irish Times, Breda O’Brien (2007) summarised the perplexity generated by the overall issue and, most significantly, by Conor Lenihan’s statement:

‘If the Minister understands our way of doing things he should be giving tutorials, because most of us find living in this grand little country bewildering at the best of times. (...) Perhaps the Irish way of doing things is to be able to happily ignore irreconcilable realities. Our policy on immigrants is going in several incompatible directions at once. We want a more inclusive police force, but a Sikh cannot wear his turban in the reserve. Allegedly, *dastaar*-wearing will lead straight to what used to be known as *ban gardai* legging it in burkas after burglars, and you couldn’t have that. In a similar vein, the Government publishes a worthwhile document called *Integration – A two way process*, but the Minister with responsibility for integration decides only to emphasise one half of the process – the others understanding us. (...) A turbaned garda will not threaten our way of life but a failure to genuinely attempt to understand the diverse cultures that now co-exist in Ireland certainly will’.

Several issues were identified as contentious. First, it was argued that the Minister’s statement emphasised – and indeed ‘focused’ on – the ‘novelty’ of diversity as associated with the large immigration wave to Ireland in the last 20 years (‘people who come here’). This discourse highlighted the persistence not only of the idea that diversity is a relatively ‘new’ phenomenon in Ireland but also that it is somehow ‘temporary’ and that eventually, most immigrants will ‘go back’. Exemplifying this frame of mind, one of our interviewees actually equated the ‘New Irish’ to ‘long term visitors to our country’ when discussing the future (2014) local elections (FGS). However, this perspective represents an obvious denial of a growing ‘second generation’ in Ireland and, as was emphasised by the Irish Sikh community, the ban affects not only Sikhs coming from other countries, but Irish-born Sikh children, thus limiting their future job opportunities and full participation in Irish public life.

The second contentious issue – as highlighted in O’Brien’s article – was the perception of an underlying ‘fear’ that (religious and ethnic) minorities were ‘bringing’ (and almost trying to ‘force on Irish society’) their culture, religion and customs, and therefore that allowing the accommodation of one specific religious symbol into the Garda uniform risked ‘opening the floodgates’ of requests, not only in this particular organisation, but more broadly in every facets and institutions of Irish society.

Sikhs emphasised the need for dialogue to allay fears and misconceptions. The president of the Irish Sikh Council, argued that: ‘Although we strongly believe and accept that as an immigrant community we should respect and adopt cultural values of the Irish community, we would like to stress that integration is a two-way process. Integration can never be brought about by asking the migrant communities to give up their basic beliefs... Better integration is achieved by better understanding and mutual respect of each others’ beliefs in a multicultural society’ (Metro Eireann, 2007).

Nevertheless, suggestions that the hijab and, most significantly the burka, ‘could be next’ emerged in media commentaries and internet blogs (Devlin, 2007). Our two Sikh respondents also highlighted the strong and recurrent conflation of (any) demand for religious accommodation with a fear of Islamic customs and potential danger of radicalism. As with the issue of the Muslim veil in Irish schools, the issue of turban in the Gardaí raised not only questions around the Irish approach to cultural difference but also debates about the definition of Irishness and fears about a dilution or even a loss of identity – and the Garda uniform was construed as representing a strong symbol of that identity. In the various discourses that presented accommodating diversity as a potential ‘identity threat’, Ireland’s small size and insular nature was highlighted by some:

I guess a small country like Ireland, there's always that worry about... having to... worry about the fact that... there's a lot of other people out there and protecting your image is quite difficult when... Ireland is a country of five millions in the European Union of 500 millions, it's important to maintain your own identity and is this the beginning of a loss of identity for Ireland... (GPP)

Others emphasised that Ireland had to somehow maintain some control and 'sovereignty' while keeping its door open but also learn from European states with a longer experience of dealing with similar issues:

...without sounding harsh, I mean this is Ireland and you know I think we have a certain entitlement to have at least minimal rules and regulations as part of our open door to the world... the European Union is not a singular country, the world is not a singular state, I mean the people who choose to come to Ireland... and I think in the vast majority of cases they are very welcome... I think they must also try to respect as far as possible our culture and our traditions... we must also try to learn from other European countries who may have thought they were making progress... I'm thinking of France or Germany or even Britain... but they seem to have ended up with a very divided, segregated society... (FGS)

In most of these discourses, again, diversity and its (potential) hazards were equated with a relatively recent, most likely 'temporary', and definitely 'alien' population – the growing numbers of Irish-born 'ethnic minority' children and the naturalized 'new citizens' were largely overlooked.

The Sikh community and opponents to the ban emphasised that the Garda decision risked creating even more distance between the different religious/ethnic communities and the indigenous population and therefore preventing not only the smooth and successful integration of the newcomers but also the full participation and representation of the second generation. Loyal (2007) recalled that in October 2005, as part of the Gardai's attempt to recruit individuals from minority ethnic backgrounds, it was stated that the force was committed to adapting uniforms, diet and working practices to suit recruits from various backgrounds and that the (then) Minister of Justice, Michael McDowell, had emphasised the importance of recruiting minorities: 'In five or ten years, teenage kids from ethnic minorities will be growing up in our cities and towns and the issue is whether they are going to look at our police force and see faces and hear voices which reflect the communities they come from, or are they going to regard it as a force with which they have little to do'.

It is also interesting to note that just weeks before the turban issue reached the news in July 2007, the (then) Minister for Justice, Brian Lenihan had expressed his 'concern' and 'disappointment' at the low number of people from ethnic backgrounds joining the Garda (RTE, 2007). At that time, more than 1,000 recruits were in training but only 11 were non-Irish nationals. The Minister said he did not accept that the policy for recruiting foreign national applicants had failed, but said he was reviewing the regulations to try and increase the numbers.

It was widely acknowledged – both in the media debate and in most of our interviews – that Ireland had, so far, a relatively good record in accommodating a variety of minority requests. Interestingly, the Garda had often been cited as one of the most 'proactive' organisations with the creation of its Racial Intercultural and Diversity Office (GRIDO), the appointment of Ethnic Liaison Officers, the introduction of varied dietary options in the Garda College, and its efforts at recruiting members from diverse minorities.

One of our interviewees, however, argued that, considering that Ireland's 'new diversity' was already over 20 or even 30 years old, 'it should have done better by now' (SkRep) and many other voices emphasised that most of the 'accommodation' and 'efforts to engage' with the ethnic and

religious minorities had been mainly superficial. In particular, some aspects of the 'Garda's promotional campaign' were harshly judged by some of our interviewees. They maintained that ELOs were absent in many Garda stations and that many officers were still unaware of the existence and role of the GRIDO (NGO). One respondent hinted that some aspects of the Garda's 'diversity strategy' could be seen as somewhat ironic:

'On the outside, everything looks good... I don't want to be unfair for those but... but what is that?... just by allowing different food in the training college, what's that going to achieve if I'm not even allowed to be part of that college... (laughs) Like, you give me one thing and take away the other thing... so you still leave me out' (ISCRRep)

Similar observations were made with regard to a wide range of organisations and state institutions by all our interviewees and many acknowledged the 'abundance of good intentions' but the lack of in-depth action and concrete, practical, measures. Our minority respondents emphasised in particular the proliferation of 'diversity officers' or 'integration units' in various local and national organisations but also maintained that, more often than not, the whole 'diversity strategy' and 'integration approach' of these organisations was effectively limited to the one person responsible, which considerably restricted the scope of positive action. One interviewee summarised the situation as follows:

...this is a very tricky area because you see most of them are, especially in 2005 when this whole National Action Against Racism stuff came up... and people went around developing their own diversity strategies... it came out to what we call the intercultural strategies, everybody was using that as a template to develop something within their institution...well... it doesn't really change anything, it is a piece of paper... but the organisations themselves or the institutions themselves haven't really done any change... so there are pieces of paper all across... everywhere displaying, you know... intentions about diversity... promoting equal opportunities and all these kinds of things but... it's difficult to really see real change within the way the institutions are structured so... there's still a lot to be done in that area and I don't think... most institutions are still, you know, dealing with... the way they used to deal with their own people say 20 years back... most institutions have not REALLY got the grasp that the society has changed... (NGO)

Embodying the various issues and questions raised in the debates around the nature of contemporary Irish multiculturalism, two articles in the *Irish Times* proposed two different ways of resolving the underlying questions pervading the turban debate: How much – and what kind of – accommodation should Ireland contemplate and (potentially) strive for? - or, in other words, what does interculturalism as a model really mean in the Irish context?

For Steven Loyal (2007), it was a question of facing the reality of a contemporary diverse Ireland and 'Getting our heads around reality of multiculturalism':

'Migrants have made a major contribution to our economic growth... they have adapted and contributed to Irish society, socially and culturally. Now that it is the State's turn to act, one of its central institutions is unwilling. It is time Ireland stopped talking about integration and interculturalism and actually started doing something to make them a reality. It entails language classes, allowing family reunification, easier pathways to citizenship and enforcing anti-discrimination laws. It also involves making small compromises to uniforms in order to allow some religious freedom' (Loyal, 2007).

For Fintan O'Toole, (2007), it was time to make a choice, cast off the ambiguities of Irish Interculturalism and take a firm stand and for him: 'The choice is simple: All or nothing'

‘The State can allow every public servant and every public institution to display and proclaim every lawful expression of religious identity. Or it can allow no public servant or institution to display any expression of religious identity. Either of these positions is sustainable’.

While he did not believe that the turban should be allowed in the Garda in order to preserve the neutrality of police officers, he contended that the state had no legitimate right to refuse it:

‘So long as we evoke a specific religious belief system in every aspect of our system of governance, we have no right to tell anyone that they have to keep their religion separate from their public function. Unless we are to practise naked discrimination, the logic of our current system is that our police officers can wear turbans, hijabs or Jedi light sabres – anything that is required by their faith. We also have to provide a range of religious schools in every community, all paid for by the taxpayer. We have to start Dáil sessions not with one prayer, but with at least 25 – one for each of the main religious groupings in the State – and with an atheist evocation of humanist principles. Or we could just cop on to ourselves and start creating a public realm in which religions are respected because none is invoked’.

3.4. Concluding remarks on the case study

There was no ‘back-down’ from the Garda – the Sikh applicant did not take up his post. The case is still under review with the Equality Tribunal. The Sikh community is eagerly awaiting the outcome of the case not only as it would allow members of the community to apply to the Garda now and in the future, but also because it would send a broader positive message to Sikhs that Ireland can also be perceived as a ‘Sikh-friendly country’ offering a variety of opportunity for those already living here and those contemplating moving in. Significantly, such a decision could also reduce the emigration of Sikhs which has been observed by the community since the outbreak of the turban issue in 2007 (SkRep). However, as one of our respondents also emphasised, there are worries that, should that particular case reach a positive outcome, it could be limited to a ‘one-off’, as the applicant in question had already completed part of his training and therefore, represented a ‘special case’, but that the institution could still, as he puts it ‘come up with some sort of laws’ to prevent the integration of a greater number of Sikh applicants (ISCRRep).

In 2009, two years after the emergence of the turban issue, the Garda launched its Diversity Strategy & Implementation Plan 2009 – 2012, which had the subtitle ‘Beyond Legal Compliance’. In its foreword, the then Commissioner Fachtina Murphy stated that, taking its lead from the government’s ‘National Action Plan Against Racism (NPAR) 2005 – 2008’ and ‘Migration Nation’, ‘For An Garda Síochána, Diversity is about recognising, acknowledging, and respecting *difference*. (...) This Diversity Strategy, however, goes much further, in that it aims for action, beyond *mere legal compliance*. It sets out how An Garda Síochána will deliver on its commitment to champion, value and accommodate, where possible, all aspects of Diversity. Treating people objectively on merit, as individuals, rather than just as members of minority or majority groups, will pay rich dividends in our corporate vision of ‘Excellent people delivering policing excellence’ (An Garda Síochána, 2009).

It can be argued that the position of the Gardaí was ambiguous, as were the arguments they used to justify their decision: after launching a campaign to attract members from ethnic and religious minorities, and recognising that Sikhs have a proud and valuable history in police and army forces around the world, they denied a Sikh applicant (already in training) the opportunity to join the force wearing his turban. In addition, while arguing that they had consulted widely (including other police forces which have allowed the turban and the Irish Sikh community), they set aside the recommendations of the NCCRI, the government’s advisory body on issues of immigration and integration at the time, which strongly advocated ‘reasonable accommodation’ with regard to the turban issue in order to send a positive and more inclusive message to the various minorities in the country.

Throughout the debate, the majority of politicians somehow avoided taking part in the dispute, leaving full responsibility to the Garda on the matter; responses to his attempts to reach out to politicians in relation to the turban issue recounted by one of our respondents exemplify the general attitude:

...we went to every single TD asking for their support, 90% of them replied back saying ‘talk to the Minister of Justice, we can’t do anything on this’...(…) one of the common responses that politicians would give us is that ‘the majority of my local electorate are making representations against giving this’... they are looking for the votes... they think that if we allow this, we lose votes because a lot of people will stop voting for us because of this reason, this becomes a negative issue for them... (ISCRRep)

This tendency by the political arena to ‘disengage from minority issues’ was recently further revealed by the findings of a survey carried out by the Integration Centre,³⁷ and the lack of debate around immigration and integration issues during the campaign for the last General Election in 2011 will be discussed further in the next section.

In interpreting the Sikh turban case in terms of the spectrum of non-toleration, toleration, respect/recognition, the ban may initially be understood as exemplifying the limits of recognition or accommodation of diversity in Ireland, in not adjusting a policy which creates an obstacle to full participation of a minority in public institutions. It may be argued, however, that it also involves the border between toleration and non-toleration. To the extent that the turban is a non-negotiable aspect of the Sikh faith, and banning it thus effectively prevents any Sikh from joining the police force, the ban constitutes a policy of exclusion, limiting the rights and career options not only of ‘new migrants’ but also of their Irish-born children. It thus represents a case of non-toleration of the practice, and non-accommodation of religious/cultural diversity in the public service in Ireland.

4 – General conclusion

4.1. The Irish conception of acceptance in civic and political life

Non-accommodation of the turban was based primarily on arguments about fundamental principles rather than practical reasons.³⁸ While its advocates considered that including the turban in the Garda uniform was not such a big step to accommodate, for its opponents allowing such a visible marker of ‘difference’ within a state institution was not only demanding too much but was potentially perceived as a threat.

Since Ireland’s ‘migration turn’ in the late 1990s, the official emphasis has been on the integration of diverse religious and cultural communities, framed in terms of ‘interculturalism’, defined by the NCCRI as the ‘development of strategy, policy and practices that promote interaction, understanding, respect and integration between different cultures and ethnic groups on the basis that cultural diversity is a strength that can enrich society, without glossing over issues such as racism’ (NCCRI, 2006: 29). Such a definition could have allowed for ‘reasonable accommodation’ of the turban in the Garda.

³⁷ Attitudes towards Immigration and Immigration Policy Among TDs, 1st February 2012 – Available at: <http://www.integrationcentre.ie/The-Integration-Centre.aspx>

³⁸ As we have seen, the Garda’s attempt to advance ‘practical’ (operational/safety) reasons was quickly and efficiently dismissed by the fact that the turban has been accommodated in many police and army forces around the world.

However, as with the debate on the hijab in Irish schools (which emerged as an issue a few months later the same year – see Honohan & Rougier, 2011) the issue engaged with the general perception of ‘Irishness’ and what it stands for in terms of values, traditions and customs and highlighted potential contradictions in Ireland’s understanding – and ‘mainstreaming’ – of interculturalism.

The controversy over the turban in the Garda represents an interesting contrast to the case of the hijab in schools. In both cases, a request from members of a religious (and migrant) minority challenged existing rules on uniforms in state institutions. In both cases, the request led to a certain confusion in responses of the institutions concerned. In the case of the turban, the Sikh applicant was initially told that the turban would not pose a problem, and the campaign to recruit minority candidates to the Garda Reserve had also led minorities to believe that accommodation was part of the Garda’s agenda (Breaking News, 2005), before he was denied going on duty in a station unless he removed a visible symbol of his religious affiliation. In the case of the hijab, the Department of Education initially decided not to issue a formal directive on the issue, leaving the onus on each individual school to decide their own policy, before issuing a statement and recommendations on uniforms.

In contrast with the hijab case where the issue was discussed mainly in terms of respect for religion and acceptance of religious beliefs and religious minorities, the religious aspect was, surprisingly enough, not emphasised strongly in the turban debate. While in the hijab case the focus was strongly on integration through inclusion, here the focus seemed more on the threat of visible diversity within a major state institution.

This leads us to the following question: Why was a religious (Muslim) symbol accommodated in schools and another religious (Sikh) symbol not accommodated in the police force? An exhaustive response would require a more in-depth investigation beyond the scope of this short report, however, some elements of response can be presented.

We may identify these cases as providing an indication of the kinds of diversity Ireland is prepared to deal with, and as revealing a strategy to accommodate diversity within certain areas and to reject - or at least minimise - it in certain (emblematic) institutions.

First, in Ireland, schools are not technically ‘state institutions’ and therefore, they do not represent the state in the way the Garda does. However, as they are mainly religious (and mainly Catholic) institutions, accommodating a different religious group might have seemed to present a greater challenge than accommodating a less widely controversial religious symbol in an organisation that is not itself religious. Despite the underlying fear of Islamisation in Europe, Ireland has so far integrated its growing Muslim community without any major difficulty. However, as was reported by our Sikh respondents and various media reports, prior to 2007, the Sikh community in Ireland was also establishing itself despite issues of ‘mistaken identity’ generated by 9/11 and the 2005 London bombings. One element of response may thus lie in the lack of knowledge of the Sikh faith and community compared with Muslims, and reveal a mistrust of the unknown stronger than Islamophobia. For our Sikh respondents, the community in Ireland has always been too small to be interesting or even potentially dangerous enough to attract media or political attention and thus public interest.

Another potential element of response might be that, while Ireland has had so far a relatively good record of integrating diversity, it can also be quite selective in the nature and amount of diversity accommodated. For instance, in March 2011, attending the St Patrick’s Parade in New York, Irish Foreign Minister Eamon Gilmore stated: ‘We need to celebrate Ireland as it is, not as people imagine it. Equality is very much the center of who we are in our identity in Ireland... This issue of exclusion is not Irish, let’s be clear about it. Exclusion is not an Irish thing... I think that’s the message that needs to be driven home’ (O’Doherty 2011). He was, however, specifically criticising the organisers of the parade for excluding LGBT participants. One of our interviewee also emphasised that ‘positive

discrimination' for people with disability in the civil service had been well perceived and strongly supported by people (GPP), although one activist during our discussion group suggested that, in this particular area too, integration was also very 'selective' as '[people] have to have a certain type of disability, minimise it, control it... let's be clear, it's very narrow and it defines disability in a very specific way'.

These examples and this 'selectivity' in openness to, and accommodation of, diversity tend to indicate that there are 'scales of tolerance' in Ireland, depending on *who* or *what* is tolerated, *where* it's tolerated and *why* it's tolerated. According to our respondent from the Garda, the minorities the most discriminated against – or least 'tolerated' – in Ireland are (in that order): Travellers, then Roma, then 'Black people' – there was also a general consensus from participants in our discussion group over that classification.

Another important issue – mainly evoked by politicians generally and highlighted by one of our interviewees – is the perception of whether or not minorities are 'making a contribution to Irish society'. As one of our interviewees put it:

'The best integration of all will come from work and jobs, involvement and contribution... we need to use everybody's talents whether they are Irish, British, Muslims, Eastern Europeans to help create economic activity, to play their role in putting the country back to work... to be participants in the economic side of the equation, not just recipients' (FGS)

This perception of the active participation and contribution of migrants and minorities to Irish society can be seen as closely associated with their relative value to society. Thus, in the context of our question above, we can envisage that, as important agents of socialisation, schools can be perceived as appropriate, even favourable, spaces where diversity can be accommodated, and children going through the Irish education system as the future actors and 'contributors' to Irish society, while An Garda Síochána, as a 'guardians of the peace'³⁹ in the Irish state can be conceived as a protector of certain specific values, traditions and customs.

The notion that children going through the school system will constitute the future of Irish society was strongly emphasised by all our interviewees, but especially by our minority respondents, some of whom worried about the limitations they perceived on their children's future aspirations and opportunities because of certain (more or less visible) barriers such as the turban ban in the Garda Reserve. Issues relating to the lack of positive role models for minority children were also highlighted in our interviews and during our discussion group with migrant and community activists. The difficulties encountered today by the first generation, the hardship endured and battles fought in order to gain both more visibility and greater access and participation in every corner of the civic and political arena were often mentioned by minority parents. While acknowledging that such a process was relatively common in the history of the first (migrant) generation in every country, they also expressed serious concern about the lack of engagement from the government, and more generally the civic and political sphere, for migrant and minority issues.

As suggested earlier, the tendency of elites in the political arena to 'disengage from minority issues' was recently demonstrated by the lack of debate about immigration and integration issues during the campaign for the 2011 General Election. This was further revealed by a survey carried out by the Integration Centre.⁴⁰ Its findings grabbed media headlines and were mentioned by many of our respondents. It revealed that, despite the fact that TD's were aware of racist attitudes (60% having encountered racism while canvassing for the 2011 General Election), 1 in 4 were unfamiliar with anti-racism and diversity strategies in their own constituencies and more than a third also felt that speaking up on behalf of migrants would damage their electoral support. In addition, while a majority of TDs

³⁹ The literal translation/meaning of 'An Garda Síochána' in English is 'The Guardians of the Peace'.

⁴⁰ The Integration Centre (2012)

agree that changes need to be made regarding training and integration, 1 in 5 did not agree with mandatory training of frontline public sector staff in the area of diversity.⁴¹ Killian Forde, CEO of The Integration Centre argued that ‘at the moment (...) there is neither a Minister with the remit of Integration, as there was with the last government, or a national integration plan. This laissez faire attitude will have ramifications. The biggest challenge to Irish society at the moment is around integration, get it right and we can be a model to the rest of the world, get it wrong and we will struggle for generations to come with a disenfranchised, excluded minority and all the associated problems this leads to’.⁴²

With regard to the absence of debate about immigration and migrant issues in elections, we have seen earlier that Ireland has no real right-wing, anti-immigrant party. It may also be worth noting that, prior to the 2011 Election, ENAR Ireland updated and circulated the Anti Racism Election Protocol first developed by the (now defunct) NCCRI.⁴³ The Anti Racism Election Protocol has played an important role since 2001 in ensuring that elections are conducted in such a way that they do not incite hatred or prejudice on the grounds of ‘race’, colour, nationality or ethnic or national origin, religious belief and membership of the Traveller Community.⁴⁴ However, as was mentioned in our discussion group, while the absence of heated debate about immigration in Ireland can be seen as a positive factor, it also reveals a relative lack of any debate on the subject, which in turn highlights a lack of interest from both government and political parties.

4.2. The Irish state of acceptance in civic and political life

Despite its initial emphasis on ‘interculturalism’, in the government’s most recent policy document, Migration Nation (2008), the key theme throughout was ‘integration’. This already represented a first shift from interculturalism. The closure of the NCCRI in 2008 and, soon after, the cuts to the budget of the Equality Authority and later the dissolution of the Office for the Minister for Integration also raise questions regarding the government’s commitment and approach to diversity.⁴⁵

We can observe now another slight shift in interest – particularly visible in the government’s media strategy – towards increasing the naturalisation of the ‘New Irish, the message conveyed being that becoming citizens represents the main path to integration and therefore full participation in Irish society.

In 2011, reforms were introduced to the processing of citizenship applications to tackle the backlog of applications that had arisen due to the huge increase in the volume of naturalisation applications in recent years. The new measures introduced aimed to deal with almost all new citizenship applications within 6 months. According to the Department of Justice, these measures have already resulted in a significant increase in the number of cases decided with double the volume of

⁴¹ This was further corroborated in our Discussion Group as one participant related an event in recent months where a Labour councillor had put forward a motion to his Town Council asking for diversity training to be provided for councillors and he was ‘voted down’.

⁴² <http://www.integrationcentre.ie/Media/Press-Releases/2011/WE-UNDERSTAND-THE-ISSUES--NOW-WE-NEED-TO-ACT.aspx>

⁴³ The protocol was originally developed in 2001 by the NCCRI in partnership with all political parties, see: <http://www.nccri.ie/pdf/pol-protocol-info.pdf>. Political parties that have already endorsed the protocol include: Fianna Fáil, Fine Gael, Green Party, Labour Party, Sinn Féin, Socialist Party, Workers’ Party, Libertas, People before Profit.

⁴⁴ The categories defined in the Equal Status Act (2000) and the Employment Equality Act (1998).

⁴⁵ The Office of the Minister of State for Integration has now been renamed to the Office for the Promotion of Migrant Integration. The operations of the Office have been transferred from the Department of Community, Equality and Gaeltacht Affairs to the Department of Justice and Equality

valid applications being decided in 2011, some 16,000, compared with 2010 when fewer than 8,000 were decided.⁴⁶

In 2011 Minister for Justice, Equality and Defence, Alan Shatter also introduced citizenship ceremonies for the first time in the State to ‘ensure that the granting of citizenship is marked by a sense of occasion for our new citizens’. Persons from 112 countries attended twenty eight citizenship ceremonies in 2011 and further ceremonies have been planned throughout 2012. The impressive media coverage of these ceremonies is strongly emphasising the atmosphere of festivity and merriment of these events as new citizens are ‘welcomed to the national family’ and, once again, the government’s message emphasises the specificity of the Irish - interculturalist - approach to diversity, as is evidenced in Taoiseach Enda Kenny’s speech at one of such ceremony on February 2, 2012 in Dublin:

‘As a people, the Irish know what it's like to be far from home, to leave everything we have known and make a new life in a new world. Which is why, today, we welcome you and your families so warmly. As citizens of this country, you are coming 'home'. (...) Since you arrived on these shores, you have enriched your communities, enhanced your workplaces, bringing new light, new depth, a new sense of imagining, to what it means to be a citizen of Ireland in the 21st century. This is the day we recognise your commitment. This is the day we welcome you with all your hopes, your dreams all the devices of fate or fortune that brought you to us. This is the day we honour you by making you a citizen of our Republic (...) Welcome to your Irish family’.⁴⁷

However, once again, the relative ‘superficiality’ of certain measures and the gap between the good intentions at the top and the lack of subsequent practical measures on the ground persist as was highlighted by M. Kavanagh in a letter to the *Irish Times* newspaper (2012) relating how, following an ‘impressive’ citizenship ceremony, one of his friends presented herself at a Garda station to apply for her Irish passport. When the officer on duty demanded proof of citizenship, she proudly produced her certificate of naturalisation. The certificate was then carefully examined, even ‘held up to the light’, however, as it was all in Irish, the officer declared that he could not fully understand it and requested further proof of citizenship which, of course, she did not have at this stage. Such incidents reveal that the mainstreaming of top-down policies pertaining to migrant and minority participation and representation still represents an important obstacle to the success of the government’s integration ambitions.

Interaction with the state and its various representatives has an impact on what Bloemraad (2006) calls the ‘interpretive dynamic of citizenship’ and can affect ‘understandings of citizenship, especially of immigrants’ legitimate political standing’ (2006: 4). These interactions can happen in many different ways: interaction with immigration officials, schools, local councils and even the police force can all shape immigrant political participation and feelings of belonging. As Bloemraad notes, ‘the story of citizenship is not just about the immigrants we receive, but also fundamentally about the reception we give them’ (2006: 2).

In that perspective, the turban ban definitely represents not only a significant negative experience but also a negative signal - not only for the Sikh community but more generally, for religious and ethnic minorities attempting to carve a niche in Ireland’s civic and political environment. It can also be seen as an example of a failed opportunity to achieve the actual mainstreaming of ‘Irish interculturalism’ through its institutions while indicating that integration can sometimes be a one-way process in Ireland also.

⁴⁶ <http://www.integration.ie/website/omi/omiwebv6.nsf/page/AXBN-8Q7F24115444-en>

⁴⁷ Kenny (2012)

In January 2012, outlining the broad elements of his immigration programme for 2012, Minister Shatter said that he would be working on developing a comprehensive policy approach to family reunification or settlement and on the long-awaited Immigration, Residence and Protection Bill (2010). However, he also announced the development of an English language/civics test for naturalisation applicants, arguing that the ability to speak the language together with some knowledge of the way business is conducted in Ireland was an essential part of the integration process for immigrants and should form an integral part of eligibility for naturalisation. This latter element would bring Ireland in line with other EU countries' immigration policies.

On the positive side, as we have seen earlier, the Irish political arena has been open to migrants and minorities in the area of electoral participation and representation (voting and standing in local elections) and this opportunity has been taken up by members of (some) minority groups. As in other countries, however, newcomers and minorities face important barriers to participation, including a lack of information about the rules and practices, a lack of access to established political networks, sometimes the burden of previous history of political involvement (depending on their country of origin). Another obstacle also comes from a potential lack of motivation as, for non-citizens, participation is restricted to the local level, while their main interests might lie in having a say in the development and implementation of the immigration and integration policies themselves, and these are determined at the national level. Some communities also prioritise their needs and ambitions – in the case of the Sikh community for example, the priority at this stage is simply to be 'accepted' and political ambitions are a far-away prospect (SkRep).

Electoral participation, however, is only one – important though not sufficient – way in which migrants and minorities contribute to (and challenge) the civic and political life in Ireland. Despite significant lack of encouragement, resources and support, the Irish Sikh Council and other migrant-led associations are working actively and being pro-active in the area of integration. Providing support to their communities, information and outreach to the wider society, through advocacy, lobbying and cultural events, they create their own opportunities to participate in and engage with the Irish civic and political sphere, emphasising – and demonstrating – that successful integration comes from bottom-up rather than top-down initiatives and activities, they work on their own 'self-integration' or, 'integration from below' (Lentin, 2012).

4.3. Lessons to be learned

From this exploration of acceptance in Irish political life, three main policy-relevant issues emerge:

- Current voting and standing rights for foreign nationals at local level are an important catalyst for integration but they are not enough – representation and participation in every organs of the civic and political system could ensure not only a more adapted response to the needs of Irish society and its diverse population, but also greater accountability in the decision-making process.
- Using more efficiently their opportunity to stand for (local) elections could allow ethnic and religious minorities to truly make their mark on the Irish political landscape, while the political elite could promote and encourage their participation and use it as a gateway to foster more fruitful interactions between the policy makers and their changing constituencies.
- Stronger national political leadership could facilitate the mainstreaming and dissemination of positive initiatives throughout institutions and administrations, at every level and in every part of the country. Government intervention *can* mitigate both formal and informal barriers to migrants and minorities' political integration, as we have seen in the case of the speeding up

of the naturalisation procedures following Minister Shatter's intervention – such initiatives could benefit other facets of the integration process.

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6 – Annexes

Annex 1 – List of Interviews (in chronological order)

FGS – Fine Gael Senator (male) – Interview 22.11.11, Dublin

GRep – Representative from the Garda (Police) (male) – Interview 24.11.11, Dublin

GPP – Green Party politician, former TD and former Minister (male) – Interview 30.11.11, Dublin

ISCRep – Representative from the Irish Sikh Council (male) – Interview 09.12.11, Dublin

NGO – Representative from an NGO working on behalf of migrants (male) – Interview 25.01.12, Dublin

MgC – Ethnic minority candidate in the 2009 elections (female) – Interview 21.02.12, Dublin.

SkRep – Representative of the Sikh community in Ireland (male) – Interview 22.02.12, Dublin

Annex 2 – Interview Guide

Can you recall the first time you have heard about the Turban being an issue in Ireland? Was it at the time of the issue with the Garda Reserve or before that?

If before that, in what context was it an issue? How was it handled / resolved / not resolved?

Re. the issue with the Garda Reserve - Can you tell me what 'happened' exactly?

What did you think about it initially?

What was the issue really about for you? Did it have to do with strict 'uniform' issues or with something else? (religion, culture, traditions, laws, etc?)

Were there any indications of the turban being an issue in Irish society before or was it a total surprise that it turned out to be an issue there?

Who discussed it – who got involved in the debate – what were the main arguments on both sides?

Did you think it was an important event / debate?

What was your own position on it?

What did you think of the main arguments on both sides – how 'strong', 'realistic', 'reasonable', 'debatable', 'pertinent', etc did you think they were?

How did this issue evolve? In the media, in the political arena?

What do you think/know were the actual 'repercussions' of the decision made? For the Garda? For the Sikh community in general?

Did you think the issue was dealt with in an appropriate manner?

What do you think could have been done and/or argued differently on both sides?

Why do you think each side reacted the way they did? Was it because of beliefs, principles, laws, etc?

What do you think it means for Sikhs in Ireland? For you, what kind of 'message' does it convey to them?

Would you say it shows that Sikhs are 'tolerated', 'accepted', 'recognised', 'respected', 'integrated' in Irish society more generally? And how about (religious) minorities in general?

What do you think of the political life / political context in Ireland?

Do you think it is 'open to minorities' in terms of participation in it and in terms of 'interest for minority issues and minority rights'?

How about various political / public institutions and administrations?

Are minorities sufficiently represented in political life and public institutions / administrations in Ireland?

How do you think they could be involved more? How?

Would you say public institutions / administrations respond in an appropriate way to cultural and religious diversity – do they acknowledge it, tolerate it, accept it, respect it, encourage it?

If yes, can you give me examples of principles or practices that demonstrate that – what do you think demonstrate 'tolerance/acceptance/recognition' of diversity in political life / public institutions / administrations?

If not – do you have example of this? What would you like to see change in the current system?

Do you think minority rights are recognised / respected / ignored in Ireland? Which ones? To what extent?

How could this be addressed?

Are there still tensions remaining with regard to the particular issue of the Turban in the Garda?

Are there other (potential) issues for Sikhs (religious minorities) with regard to political and civic participation in Ireland these days? Which ones?

Annex 3 – Discussion Group - List of Participants (in alphabetical order)

Charlotte Bohl	Banlieues d'Europe, Lyon
Iseult Honohan	School of Politics and International Relations, UCD
Richard King	Crosscare Migrant Project
Rosaleen McDonagh	Pavee Point Travellers' Centre
Karen McCormack	Labour (Party) Intercultural Group
Fidèle Mutwarasibo	Immigrant Council of Ireland & Churches' Commission for Migrants in Europe (CCME), Brussels
Emmanuel Okigbo	School of Sociology, UCD
Nathalie Rougier	School of Politics and International Relations, UCD
Peter Szlovak	The Integration Centre

NB – While we include their professional affiliations here, it should be noted that the Discussion Group participants talked to us 'in a personal capacity' and not as representatives of their respective institutions.

Annex 4 – Discussion Group – Questions/Issues to be discussed

How would you define tolerance? Is it just acceptance of the fact of diversity (of people, cultures, customs, beliefs, practices, etc), some 'acknowledgment' of these groups, or more substantial 'accommodation' or 'equal treatment' or 'special treatment' or...?

Do you think the Irish political sphere is 'open to minorities' in terms of participation in it and in terms of 'interest for minority issues and minority rights'?

How about various political / public institutions and administrations?

Are minorities sufficiently represented in political life and public institutions / administrations in Ireland? How do you think they could be involved more?

Would you say public institutions / administrations respond in an appropriate way to cultural and religious diversity – do they acknowledge it, tolerate it, accept it, respect it, encourage it?

What kind of ‘practical’ issues have you encountered in your work / personal experience?

Would you consider that the issue explored in our case studies – the turban in the Garda Reserve – can be discussed in terms of ‘tolerance’ of religious/cultural minorities in Ireland? Do you see it as representing a ‘challenge to tolerance’ in the public/political sphere in Ireland?

If NOT – can you think of any particular issue/problem that has represented/represents now a ‘challenge to tolerance’ in the political arena in Ireland?

How did you think this particular issue (turban) was ‘handled’ by all the parties involved (Garda, politicians, Sikh community, etc...)? What do you think was done right and/or could have been done differently/better?

What does it mean for them to ‘tolerate’ cultural diversity within political life / various institutions?

Do institutions adopt specific practices or norms that inform the accommodation of cultural diversity?

What was the issue really about for you? Did it have to do with strict ‘uniform’ issues or with something else? (religion, culture, traditions, laws, etc?)

What did you think of the main arguments on both sides – how ‘strong’, ‘realistic’, ‘reasonable’, ‘debatable’, ‘pertinent’, etc did you think they were?

What do you think were the actual ‘repercussions’ of the decision made? For the Garda? For the Sikh community (and other minority communities) in general?

Would you say it shows that Sikhs are ‘tolerated’, ‘accepted’, ‘recognised’, ‘respected’, ‘integrated’ in Irish society more generally? And how about (religious) minorities in general?

