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The Political Representation of Asylum Seekers by Migrant NGOs in Ireland:

Examining the policy and practice of deliberative engagement

Thesis presented by

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This is to certify that the work I am submitting is my own and has not been submitted for another degree, either at University College Cork or elsewhere. All external references and sources are clearly acknowledged and identified within the contents. I have read and understood the regulations of University College Cork concerning plagiarism.

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Claire Dorrity

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Abstract

This thesis explores the political representation of asylum seekers in Ireland through an examination of the policies and practices of migrant NGOs. The rationale for undertaking the study stems from an interest in the way asylum seeker participation is facilitated and a concern that despite the promise of more participatory governance, the inclusion of asylum seekers in political processes remains under-explored. In particular, the research draws on the concepts of deliberation and participation as a guiding framework for the empirical study. Core principles underpinning the theoretical framework are drawn from Iris Marion Young's theory of deliberative democracy. The alignments between deliberative structures and the four tenets of Young's approach namely political equality, inclusion, public reasonableness and publicity are used to evaluate how migrant NGOs politically represent asylum seekers. The methodological approach is twofold. First, the study is anchored in critically investigating understandings and practices of representation and involves nine semi-structured interviews with migrant NGOs. Second, the study explores how asylum seekers understand, experience and participate in representation through conducting two focus groups with asylum seeker participants. Key findings highlight how ineffective representation cannot be limited to the actions of state institutions, but must also attend to how migrant NGOs facilitate participation and activism. The argument constructed from the findings illuminates how the critical scrutiny of the practices of migrant NGOs is necessary in order to re-orient practices of representation to inclusivity, openness, and the facilitation of solidarity across migrant NGOs. As such, the overall contribution demonstrates how poor representative structures inhibit opportunities for asylum seekers to become actively involved and exercise influence in decision-making processes and emphasises the need to promote the long-term consolidation of democratic governance in order to ensure active participation and a strong foundation for deliberation.

Dedication

This thesis is dedicated to all those who have sought protection outside their country of origin, have been denied their basic human rights and have been rendered voiceless through dehumanising and oppressive state practices that perpetuate their exclusion and non-participation. In particular, it is dedicated to those who have endured and those who continue to endure the system of Direct Provision (DP) in Ireland.

There may be times when we are powerless to prevent injustice, but there must never be a time when we fail to protest.   Elie Wiesel

The study of migrant associations and other forms of migrant activism is a prism through which we can understand the participation and integration of people who move and settle in new countries. It is through these associations that the state and other actors can address migrants as a collective, contributing directly and indirectly to the elaboration of migrant identities, in part by defining the grounds on which their associations are granted legitimacy

(De Tona and Morea, 2012: 21)

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Abbreviations

ADI	Anti-Deportation Ireland
CEAS	Common European Asylum System
DP	Direct Provision
DJE	Department of Justice and Equality
DJELR	Department of Justice Equality and Law Reform
EC	European Commission
ECHR	European Commission on Human Rights
ECtHR	European Court of Human Rights
EMN	European Migration Network
EU	European Union
ERA	Equality and Rights Alliance
FLAC	Free Legal Advice Centre
GNIB	Garda National Immigration Bureau
ICI	Immigrant Council of Ireland
IHREC	Irish Human Rights and Equality Commission
IOM	International Organization for Migration
INIS	Irish Naturalisation and Immigration Service
IOM	International Organization for Migration
IPAT	International Protection Appeals Tribunal
IPO	International Protection Office
IRC	Irish Refugee Council
MASI	Movement of Asylum Seekers in Ireland

NAPS   National Anti-Poverty Strategy

NAPs/incl. National Action Plan Against Poverty & Social Exclusion

NCCRI   National Consultative Committee on Racism and Interculturalism

NDI   National Democratic Institute

NGO   Non-Governmental Organisation

ORAC   Office of the Refugee Applications Commissioner

QD   Qualifications Directive

RAT   Refugee Appeals Tribunal

RIA   Reception and Integration Agency

SIU   Social Inclusion Unit

TORL   Turn Off the Red Light

UN   United Nations

UNCRC   United Nations Convention on the Rights of the Child

UNHCR   United Nations High Commissioner for Refugees

WHO   World Health Organisation

Chapter 1
Political Representation and the Research Study

1.1 Introduction and Context Setting

This thesis examines the political representation of asylum seekers in Ireland. It specifically looks at the role of deliberative processes of engagement and the way such processes give voice and meaning to asylum seeker representation. In particular, it examines the role of migrant non-governmental organisations (NGOs) in terms of their engagement with state institutions, the practices of deliberation they employ, and the strategies they use to facilitate the participation of asylum seekers in decision-making processes. While acknowledging the significant barriers that exist in politically representing asylum seekers, the research postulates that when deliberative and participative mechanisms are present in the political representation of asylum seekers, they are more likely to strengthen political participation and inclusion.

The study acknowledges the many forms of exclusion experienced by asylum seekers, often based on non-participation, a denial of rights, and exclusion from channels of access to the political sphere. As a result, asylum seekers can experience stigma, discrimination, exclusion and poor integration opportunities (The National Democratic Institute (NDI), 2017; Quinn, 2014). The limitation to rights and opportunities and the exclusion experienced by asylum seekers compels my investigation into their lack of political representation and inclusion. Through examining the dynamics shaping engagement processes, the study aims to provide

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insight into the effectiveness of migrant NGO representation. Factors which are considered important relate to the ways in which political equality, inclusion and accountability is promoted in the representative practices of migrant NGOs. In highlighting the benefits of inclusive representation, the study highlights the need for migrant NGOs to not only advocate 'for' asylum seekers, but also highlights the need for migrant NGOs to advocate 'with' asylum seekers.

Drawing on principles of inclusion, the theoretical background of the thesis is informed by Iris Marion Young's model of political representation, which is based on the premise that democratic ideals are more likely to succeed, when political equality and deliberative and participatory mechanisms are employed in representing excluded social groups (Young, 2000). The research investigation, thus, relates to how best to promote asylum seeker participation, viewing this as a key factor in enabling asylum seekers to access political leverage, which can in turn, result in more just policy outcomes. In particular, the research study emphasizes increasing political inclusion as a strategy directly linked to deliberative processes and bottom up approaches that promote inclusive decision-making processes. To this end, political representation features as a central component of the research study.

Within the thesis when I advocate for deliberation and deliberative processes to be inclusive of asylum seekers, I am not arguing that deliberation is the only effective form of representation. However, I highlight it as having a significant role to play in ensuring participation, which subsequently impacts on the quality of representation. Besides, deliberation, effective representation must also create spaces for lobbying, agency, political mobilisation and effective strategies to engage the state and civil

society organisations. What is specific to my enquiry is the context in which deliberation takes place, and to what extent representation is inclusive and participative. In this regard, I want to examine the tensions that may exist not only between migrant NGOs and state institutions, but also relationships across migrant NGOs, and raise questions relating to why, despite the expansion in the number of migrant NGOs in Ireland, very little has changed in the more effective representation of asylum seekers.

The study is informed by reflections on the theoretical constructions of representation, most specifically Iris Marion Young (2000), investigating the value of deliberative approaches and their practical application. The study is undertaken in the belief that it is only when we actively engage in the dynamic between theoretical speculation and its practical application that we can begin to understand the possible opportunities, outcomes, and consequences pertaining to the inclusion of excluded social groups, like asylum seekers. Such engagement also allows the space for deconstructing the practices of more dominant political institutions and can potentially open spaces for migrant NGOs to have significant influence over political processes relating to decision-making. With this in mind, this study is concerned with interrogating deliberative practices, drawing on the value of deliberative theory, in order to understand if engagement is undertaken in a meaningful way in representing asylum seekers in Ireland. It is anticipated that the study will provide both a critical and pragmatic evaluation of engagement processes between state institutions, migrant NGOs and asylum seekers.

When I discuss the concept of deliberation, I refer specifically to the requirement of political inclusion that allows for inclusion in decision-making, enabling the entry of previously excluded groups into the political arena. In a deliberative context, this takes place through ensuring that communication is expanded to include the participation of excluded groups in discussions, debates and dialogue (Young, 2000). Collaboration, on-going consultation and deliberations 'with' as opposed to 'for' asylum seekers are viewed as significant in this process. I consider this a model of democracy that brings about unity and collaboration through the continued practice of orienting discussions towards inclusion and participation. Within this context, while power differentials may prevail, they are not viewed as complete obstacles to participation and inclusion.

1.2 Political Representation in the Research Study

The concept of political representation is recognised as a highly elusive term with extensive literature offering many different perspectives on its meaning (Dovi, 2018). Theoretical contributions, in the past have mainly focused on formal procedures of representation and accountability. However, in more contemporary discussions this is no longer viewed as satisfactory (Ibid). Increasingly, non-state actors are viewed as important representatives who play a significant role in politically representing excluded groups and advancing public policies that make such groups visible (Dovi, 2018; Young, 2000; Pitken; 1967). Theorists like Jane Mansbridge (2006) claim that normative understandings of representation have not kept up with contemporary democratic practices and advocates that political representation must be expanded and aligned to include multiple forms of democratic participation (Dovi, 2018). Melissa Williams' (1998) work has also challenged normative understandings and pointed to the need to provide voice to disadvantaged groups through a more deliberative quality

of representation that gives marginalised groups a voice in decision-making. Challenging understandings of representation as merely formalistic and based on accountability, Williams provides an understanding of political representation, which recognises that interactions between representatives and those they represent are based on mediated relationships and building trust.

While there have been countless discussions on political representation[1], one of the key influential contributions that has focused on the inclusion of excluded groups has been that of Iris Marion Young. In *Inclusion and Democracy* (2000), Young expands the notion of mediated relationships to consider group differentiated relationships and how they can be negotiated in the political sphere, most specifically when power differentials prevail. Her understanding of representation accommodates the diversity of groups being represented but also lends to an understanding to how political institutions can both include and exclude. Young's theory provides an account of representation that brings together two important factors which she views as essential to achieving political equality and inclusion in democratic practices. The first factor is the exercise of deliberative democratic practices and second is the employment of participatory mechanisms that allow previously excluded groups a voice in decision making processes. Young argues that enhancing deliberation and participation can only happen through reasonable measures that accommodate diverse perspectives and opposing positions and provides space for dialogue in public forums. Young (2000)

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[1] For a detailed discussion on Political Representation see Dovi, S (2018) 'Political Representation', *The Stanford Encyclopedia of Philosophy* (*substantive revision Wed Aug 29, 2018)* https://plato.stanford.edu/entries/political-representation/
For a more substantial discussions on political representation see Pitkin, 1967; Habermas 1993; Phillips, 1996; Mouffe 2005, Mansbridge 2006.

points to four necessary elements of representation which allow deliberative and participative mechanisms to be truly meaningful: political equality, political inclusion, reasonableness and publicity.

To this end, the understanding of political representation that I employ in the thesis is one that includes both the deliberative and participative components of political representation. Though they are distinct forms of representation, they are, nonetheless, interlinked through frameworks that address structural divisions and power differentials relating to social group marginalization. The deliberative component, with its key proposition that those engaged in deliberation do so in mutual dialogue and respect under terms of fair cooperation, is predicated on creating a space for public discussion and decision-making that cuts across difference and diverse perspectives. The participative component of representation allows the opportunity for excluded groups to participate and have an input into political discussions affecting them, with the aim of influencing the actions of political actors and institutions. The normative thinking behind this approach is that more marginalised groups with fewer resources and status can achieve political goals when the democratic process is open and fair, allowing non-state actors to play a crucial role in promoting political equality and inclusiveness through sustained commitments to justice, equality and inclusion (Young, 2000). Within this context, accessing the political sphere is closely associated with emphasizing the importance of recognizing how representative institutions include as well as exclude (Dovi, 2018; Young, 2000).

With this in mind, Figure 1.1 below illustrates the framework for political representation which I use in assessing the quality of representation afforded to asylum

seekers by migrant NGOs and the strategies they use in promoting deliberation with state institutions, other migrant NGOs and asylum seekers. Within this model the factors that are acknowledged as important in understanding the quality of deliberation and participation are power differentials, levels of political equality and inclusion, the accommodation of diverse and competing perspectives, and degrees of reasonableness, accountability and publicity. These will be addressed in an in-depth way in the theoretical framework of the thesis outlined in Chapter two.

Figure 1.1: The Model of Representation Underpinning the Research
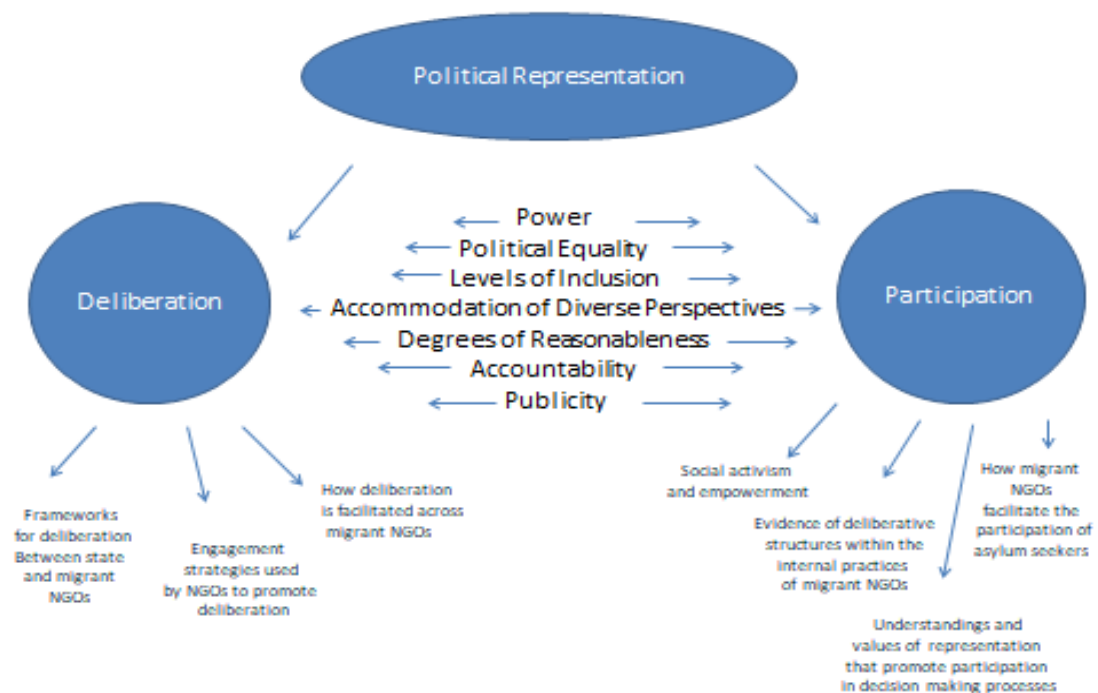
While the theory underpinning the research draws specifically on Iris Marion Young's (2000) understanding of political representation, I also make reference to Kadlec and Freidman (2007) who draw on Young's approach in situating the theory in a practice context. They highlight the surprisingly few attempts that have been made to apply theory to its practical implications in exploring deliberative democratic practices. In

this research investigation, situating theory within an empirical study is viewed as affording the possibility of exploring the way democratic ideals play out in everyday political practice, while also providing the foundations for assessing how representative institutions understand and frame representation (Weeks, 2012).

Kadlec and Freidman's (2007) response to Young addresses the embedding of democratic ideals, most notably by examining the practices of NGOs. In particular, they draw attention to three fundamental challenges of deliberative practice, relating to control, design, and democratic change, arguing that 'if public forums are to be truly inclusive and representative much more active and targeted forms of outreach and invitation must be pursued' along with a 'legitimate bottom-up process in which participants are free to engage in meaningful dialogue' (Kadlec and Freidman, 2007: 12). In this way, Kadlec and Freidman make explicit the necessity of Young's theoretical account, with its ideals of political equality and inclusion, reasonableness and publicity, but expand this to explore the potential influence of non-state actors over deliberative and participative outcomes for excluded groups. As such, their observations are considered important to this research study.

1.3 Asylum Seekers, Exclusion and Racism

Asylum seekers experience multiple forms of oppression and marginalization. Their right to influence political outcomes and decision-making processes often remains profoundly restricted due to the nature of the asylum process and the restricted status they occupy within states (Titley, 2012; Lentin and McVeigh, 2006). In Ireland, asylum seekers are afforded some formal political rights but these remain severely restricted. They are afforded the right to vote in local elections but are denied the right

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to vote in general and presidential elections. They are also denied the right to vote in EU elections. As a result, achieving political representation remains difficult and claims for inclusion and participation often remain neglected (De Tona, 2012). Where representation does take place, it is often negotiated through poor channels of political engagement, contestation and confrontation (Harvey, 2012). Within this restrictive political environment, asylum seekers look to migrant NGOs to mediate with state institutions on issues relating to their rights, freedoms, inclusion and participation (Free Legal Advice Centre (FLAC), 2010). Mediating with state institutions and gaining access to the political sphere can however, prove challenging, particularly when accommodating these rights is not favoured by state institutions (Schnyder, 2015). When restrictions prevail, modes of representation have been varied and perspectives on how to best influence policy and decision-making remain highly divisive (Rocha Menocal, 2014).

Within the context of exploring how asylum seekers are represented in Ireland, when I refer to state institutions I am referring specifically to institutions charged with responsibility for asylum policy and decision-making on asylum issues. These are the Reception and Integration Agency (RIA), the International Protection Office (IPO), formerly the Office of the Refugee Applications Commissioner (ORAC) and the Department of Justice and Equality (DJE).

Commenting on the provisions made by state institutions in Ireland, NGOs and academics alike have criticised the treatment of asylum seekers, highlighting the challenges that restrictive policy and practice can present to their inclusion and integration (Dorrity, 2018; Conlon and Gill, 2013; Kinlen, 2013; Conlon, Waters and

Berg, 2012; Lentin and Morea, 2012; FLAC, 2010; Nasc 2007; Feldman et al, 2005; Fanning 2002). The FLAC (2010) have sternly criticised the system of Direct Provision (DP), a system set up to accommodate asylum seekers, highlighting how it leaves asylum seekers isolated, socially excluded, impoverished, deprived of services and demoralised. It also noted how the denial of the right to work renders asylum seekers deskilled and institutionalised. Loyal (2003) has also criticised the system of DP, highlighting how it creates a disempowered social group, particularly due to its denial of the right to work and access to education, leaving asylum seekers socially, politically and economically marginalised. However, the denial of the right to work has recently been challenged in the Supreme Court and as a result the right to work provisions for asylum seekers have been enacted under the Recast Reception Conditions Directive. This came into force on 6th July 2018. However, the right to work has only been made available to asylum applicants in the international protection process who are waiting for a 'first instance' decision on their international protection application for 9 months or longer (Nasc, 2018). This, in essence, excludes a large cohort of asylum seekers, whose asylum application has been denied in the first instance and is in the appeal stage. These issues highlight not only the unfair and exclusionary treatment of asylum seekers, but also draws attention to the discriminatory aspects of state practices and the failure to promote the positive integration of asylum seekers into Irish society.

It is within this context that the study makes the case for more expansive and inclusive political representation for asylum seekers. From a critical perspective, I argue the right to political asylum is already enshrined in international and EU law and places an obligation on states to protect those who are vulnerable and seeking protection.

Under human rights law, the right to seek asylum is laid down in Article 14(1) of the 1948 Universal Declaration on Human Rights, the 1951 Convention Relating to the Status of Refugees (the Refugee Convention) and the 1950 European Convention on Human Rights. Each of these instruments broadened the criteria under which states should grant asylum (Justice, 2016). Within Ireland's own national strategies for inclusion, asylum seekers have been identified as a specific vulnerable group. Both the National Anti-Poverty Strategy (NAPS 2002) and the National Action Plan Against Racism (NPAR 2008) reflect this. The National Action Plan Against Racism (2005-2008) identified asylum seekers as a target group that are susceptible to poverty, discrimination and exclusion. One of the core elements of the strategy focused on inclusion and participation with a particular concern placed on full participation in Irish society, including at a political level, a policy level and at community level. The strategy also emphasised enhancing the participation of cultural and ethnic minorities in political processes and consultative forums (Department of Justice Equality and Law Reform, 2005). However, this has not been prioritised in the administration and practice of asylum policy. This will be elaborated upon in chapter three, particularly with references to assessing the role of consultative and deliberative processes of engagement between state institutions and migrant NGOs.

Some of the factors relating to poor policy frameworks relate to Ireland being ill prepared for the increase in the number of migrants coming to Ireland. Hence, it is argued that policy makers were ill equipped to deal with the effective management of migration (Focus Migration, 2015). Other factors relate to Ireland being a largely mono-cultural society prior to the arrival of new immigrants and hence, had little exposure to cultural diversity (Cullen, 1999). However, Boucher (2008) argues that a

key factor relating to the exclusionary nature of state responses to asylum seekers has been Ireland's piecemeal approach to integration which has been more reactive than proactive and effectively excluded asylum seekers. This type of exclusion is highlighted within the study.

1.3.1 Asylum Trends in Ireland

Prior to the 1990's the number of asylum applications recorded in Ireland were very low, with just 39 applications in 1992 and most of these were programme refugees. However, from 1994 asylum seekers began coming to Ireland independently and the numbers arriving rose steadily until 2002, (as outlined in Table 1 below). Subsequently, the number steadily declined until 2014 when again numbers started to increase. This recent increase is indicative of increasing trends across the EU relating to the Mediterranean migrant crisis and the increasing flows of asylum seekers coming to Europe, fleeing conflict and war both from the Middle East and North Africa (Focus Migration, 2015). In 2016, the number of asylum seekers fell with a decrease of 31.5% (ORAC, 2016), indicative of a pattern across European states and increased border securitization practices.

Table 1.1: Number of Applications from 1994 to 2018
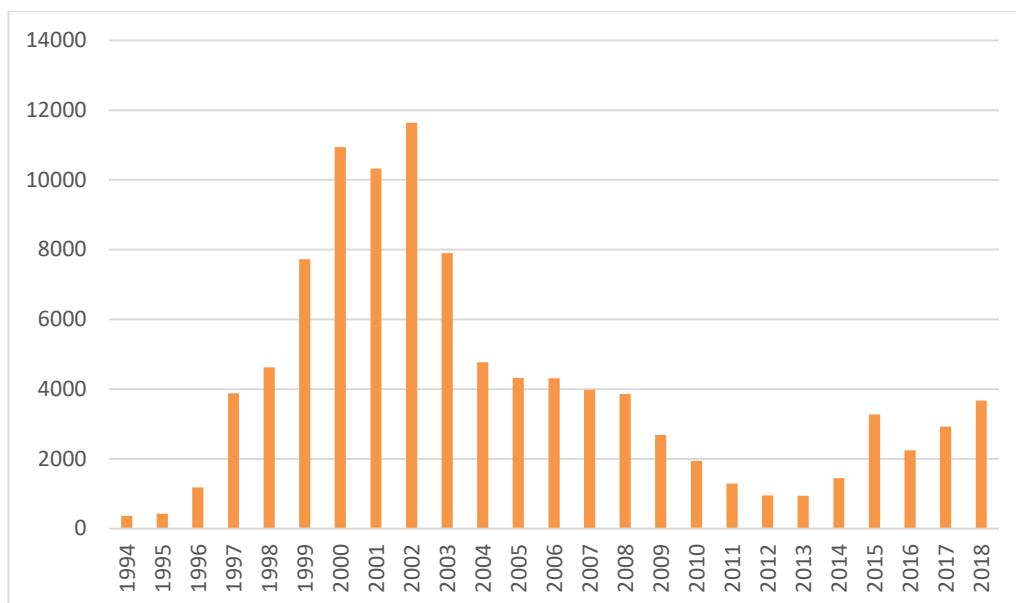
Data sources: 1994-2016 ORAC and 2017-2019 IPO

Table 1.2 Asylum Applications by Gender 1994-2018

Data sources: 1994-2016 ORAC, 2017-2018 Asylum Information Database

Table 1.3 Asylum Applications by Age 1994-2018
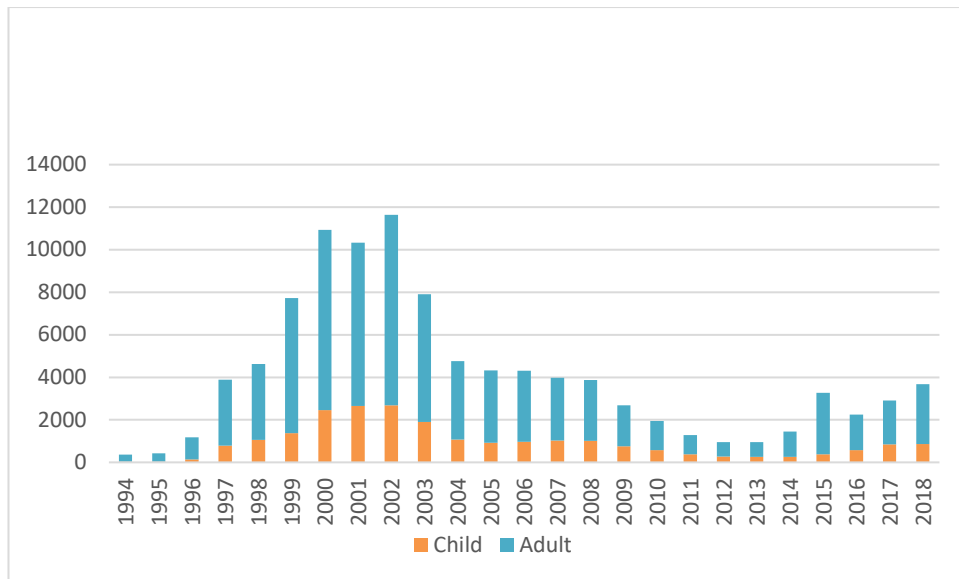
Data sources: 1994-2016 ORAC, 2017-2018 Asylum Information Database

The scale of the increases in asylum applications in the late 1990's propelled the government to construct the system of Direct Provision (DP). It was officially introduced in 2000. This changed the previous system, removing the right to work and third level education. It also prevented asylum seekers from living in the rented housing sector, which had previously been permitted. Most exclusionary, have been the removal of the right to social welfare and the universal provision of child benefit. This was replaced by a weekly allowance of €19.10 per week adults and €9.60 per child which existed from 2000 until 2016. The rate did not change in over 16 years despite incremental increases in social welfare allowances in the broader community. In January 2016, the child allowance increased to €15.60 and the adult weekly allowance now stands at €21.60 (Department of Social Protection, 2016). In 2018, both adult and child allowances were equated to 21.60 (Citizens Information, 2018). The allowance increased to come in line with the Working Group on the Protection Process and Direct Provision recommendations with an increase of €29.80 for children

and €38.80 for adults (from week beginning 25 March 2019) (Pollak, 2019). The system of DP has continued to operate despite mounting criticisms and the overall decline in asylum seeking numbers.

1.3.2 The Administration of Direct Provision

DP is administered by the RIA as part of the Department of Justice and Equality (DJE) and is contracted to provide full board and accommodation for asylum seeker residents. Food is provided at fixed times daily and centres are mainly staffed by personnel from private contractor agencies. Until recently, there was no requirement for staff to have undertaken training in the area of child protection. Nor was there any obligation placed on staff to have had any training of working with asylum seekers or vulnerable people (Irish Refugee Council, 2013). However, in 2016, RIA brought their child protection policies in line with new legislation and now have a dedicated seconded child protection social worker on staff. There is also now a requirement for training in child protection and when working with vulnerable children and adults (RIA, 2018).

The introduction of the policy of DP has been widely criticised by academics and the migrant NGOs alike, for its failure to consult with asylum seekers and migrant NGOs prior to its implementation and for the exclusionary and restrictive nature of the system on the daily lives of asylum seekers (Dorrity, 2018; Lentin 2012; Healy, 2007; O'Connor, 2003). Furthermore, while the Council of the Europe introduced a Council Directive 2003/9/EC of 27 January 2003, putting in place minimum standards for the reception of asylum seekers, the Irish state opted out of this directive. This allowed Ireland to continue administering the system of DP at a policy level. The system

allows for little recourse for those living within DP (Irish Refugee Council, 2011). In their 2012 report *State Sanctioned Child Poverty and Exclusion* on child poverty in the DP system, Arnold (2012: 21) highlighted a number of concerns and stated:

> The Special Rapporteur on Child Protection, Geoffrey Shannon, has raised concerns about the detrimental effect of DP accommodation on children and on parents' ability to provide adequate care. He describes the system as amounting to institutionalised poverty.

Arnold (2012) also highlighted reports of 'unsuitable living conditions, malnourishment, poverty, exclusion and lack of play space over the first 13 years of DP accommodation' (2012: 21). The Irish Human Rights and Equality Commission have also repeatedly expressed concern about the human rights of residents in the DP system (Irish Human Rights and Equality Commission, 2014).

Commenting more broadly, Fanning (2018) argues that contemporary responses to refugees and asylum seekers in Ireland have been shaped by a legacy of exclusionary state practices and racism. Garner (2004) argues that the asylum issue in Ireland has been characterised by punitive actions of state institutions. This has been evident in the implementation of selective legislation, a narrow framework for the Refugee Act and a failure to apply international procedures correctly (Garner, 2004). MacNamee (2017) also notes a worrying trend in the increase of reported racist incidences in Ireland. While the prevalence of racism is not the focus of this thesis, it is, however, an important factor to consider when examining how representation is constructed

within the practices of state institutions and the way it operates to perpetuate political exclusion.

1.4 The Role of Migrant NGOs

Migrant NGOs form an integral part of representing asylum seekers through acting as a direct link between asylum seekers and policy makers. As such, migrant NGOs are viewed as legitimate voices in addressing under-representation in political processes (Dogra, 2012). Brummer (2008: 2) argues that although there is 'little consensus on the precise nature of the democratic potential of civil society organisations or how they could best realise this potential' there is an overwhelming acceptance that they are relevant and play a key role in 'strengthening if not affecting' the democratic quality of policy making, decision making and representation.

In Ireland, the number of migrant NGOs has grown significantly in recent years, both at national and international levels, with migrant NGOs increasingly viewed as important political players in the design and implementation of migration policy (Geiger and Pécoud, 2013; Duschinsky, 2000). As advocators of rights, migrant NGOs claim to represent asylum seekers and refugees at a political level through forming platforms in order to gain more influence in politics (Lazovic, 2014). In representing asylum seekers, they pursue varied agendas, marked by a diversification in roles, types of organisations and services, often with differing responsibilities and priorities (Spencer, 2006).

In Ireland, the migrant sector is made up of more than 400 migrant organisations of varied size and capacity (Lentin and Morea, 2012). Many of these are small,

voluntary, and migrant-led organisations operating on limited financial resources. Within migrant NGOs that make up larger organisations, there is a notable focus on labour market issues (Cullen, 2009). Across the sector, the activities of migrant organisations are varied, including lobbying, activism, advocacy, outreach, training and support, service provision, community development, participation in policy debates, campaigning, and providing rights-based platforms for under-represented groups (Lentin and Morea, 2012).

In Spencer's (2006) examination of the impact of migrant NGOs in Ireland, she points to key factors which determine the level of influence that NGOs will have on national policy-making. These include the extent to which pressure groups can exert influence, how open state institutions are to external influence, the channels (both formal and informal) through which non-state actors can communicate with policy makers, the level of communication that non-state actors have with legislators, media and institutions that have the power to influence state bodies, and finally, the internal capacity of NGOs to access the above opportunities. Specific to migrant NGOs, her study identified a number of areas affecting the way migrant NGO representation takes place. These included the levels of co-operation across migrant NGOs, the legitimacy of organisations in the mind-set of policy makers and the strategies that are used within organisations. While Spencer's observations relate to migrant NGOs more generally, and not simply those who represent asylum seekers, they are, nonetheless important factors to consider when trying to understand the political representation of asylum seekers. In particular, they take into account how political mobilisation is structured and how deliberation is exercised. These factors are important to consider when

setting up the research study relating to the quality of representation offered to asylum seekers, which will be explored in detail in Chapter Five.

1.4.1 Terrains of Representation and Migrant NGOs

Developing a comprehensive overview of the role of migrant NGOs in representing asylum seekers and one that captures the length and breadth of the services, advocacy and activism they provide is not an easy task. Some organisations focus on legal supports, some focus on health and well-being, and some focus on integration (Lentin, 2012). Others focus solely on providing services, while others are actively involved in political mobilisation, awareness raising and lobbying (Lentin 2012, Spencer, 2006, Feldman et al, 2005). Regardless of the orientation of organisations, migrant NGOs representing asylum seekers tend to prioritise the issue of human rights as central to their work (Cullen, 2009).

Of the estimated 61 migrant-specific organisations in Ireland, many have contact with asylum seekers, however, only about one sixth of these organisations place a strong focus on prioritising asylum issues (The Immigrant Council of Ireland, 2009). As representative organisations, their remit is to strive to mitigate the effects of exclusion through efforts to shape positive policy outcomes in order to improve the day to day living conditions of asylum seekers (Kinlen, 2013). As such, they aim to have a direct impact in decision-making fora (Ibid.). Their presence is viewed as not only influencing understandings of representation but also feeding into wider connections and relationships, mediated through their capacity to politically influence (Lentin, 2012). Notwithstanding these efforts, it remains that many migrant NGOs representing asylum seekers do so in hostile environments, where accessing channels

to engage in political decision-making is often challenging and restrictive (Cullen, 2009).

1.4.2 Spaces of Influence

As previously stated, the main channels of access to political decision-making on asylum policy and practice in Ireland are limited. Situated within the DJE, the RIA and the International Protection Office (IPO) remain the two main state bodies with whom migrant NGOs can directly interact with in their attempts to influence policy outcomes. Other avenues can include lobbying local politicians, participation in Oireachtas Committees on asylum issues, Dáil submissions on proposed Bills, publishing reports, meetings with the Minister of State for Equality, Immigration and Integration and through direct interactions with the other state institutions such as the HSE. However, despite the availability of these avenues, migrant NGOs highlight how representing asylum issues remains restrictive and consequently, asylum issues continue to be poorly represented in political processes (Arnold, 2012; Conlon, Waters and Berg, 2012; Nasc, 2007). Furthermore, while some efforts have been made by the state to promote integration, in the context of a 'general social inclusion and equality framework' and an insistence on a 'two-way model of integration' (Murphy, 2015:1), there is little focus on the integration of asylum seekers. Cullen (2009) argues that another contributory factor is the erosion of grassroots activist approaches and a state orchestrated co-option of migrant NGOs through shifts towards models of professionalization and bureaucratisation to the detriment of social activism.

To date limited attention that has been given to professionalization practices within migrant NGOs and their impact on the capacity to influence political spaces. Dempsey (2009) argues that in order to better understand new state orchestrated dynamics

shaping engagement, there is a need to investigate the role NGOs play in this process and, more importantly, to examine the way such shifts impact on the groups that NGOs claim to represent. In particular, she draws attention to the taken for granted notion that NGOs always operate from the grassroots, with much less attention paid to the limiting role of professionalization and bureaucratization on the dynamics shaping representation and activism. These observations are considered to be significant factors when assessing the role of migrant NGOs in representing asylum seekers and provide insight into whether these shifts have impacted on how serious state institutions take the actions of migrant NGOs. Saidel (1991) notes that within the migrant sector, the influence of migrant NGOs can be outweighed by other contributing factors and as such, it remains unclear the exact impact of organisations or whether their claims are even taken seriously by state institutions. These factors can relate to strategic decisions taken by an organisation, how organisations manage their own internal processes, and the way they organise around their external engagement (Ginnell, 2013).

Fisher (1997) argues that the connection between state institutions and non-state actors is complex and often affected by competing practices, changing relationships and relations of power. This affects the multiple and varied spaces that are used, the scope for political action and the role of networking in influencing the political mobilisation. These factors cannot be separated from other issues when examining the factors shaping representation and contentious political spaces (Leitner, Sheppard, and Sziarto, 2008). Neither are they often made explicit in discussions relating to representation, yet can be important in lending insight into the complexities of representation.

With this in mind, and recognizing the centrality of migrant NGOs as key players in representing asylum seekers, the study raises important questions relating to why migrant NGOs claiming to foster participatory and inclusive approaches to the representation of asylum seekers have not created more robust representative forums in their interactions with both state institutions. In particular, it raises concerns about whether much of what passes for deliberation is simply giving way to reproducing undemocratic tendencies imposed by state institutions, tendencies that migrant NGOs must be prepared to counteract. Getting to the crux of this matter requires grappling with the underlying politics at play, questioning prevailing power relations and examining the way representation is constructed (Rocha Menocal, 2014). It requires an exploration of the way organisations representing asylum seekers negotiate and navigate the political landscape and the channels they use to mediate between state institutions and those they represent.

1.4.3 Potential Influence and Complexities

Takle (2013) argues that migrant organisations can provide pivotal opportunities to mobilise political participation, but only when their mandate is accompanied by specific functions that allow for participation and democratic mobilisation. These must include 1) migrant NGOs functioning as a public arena for its members, drawing them from the private sphere to public sphere through the work of the organisation, 2) increasing the knowledge of political participation and representation through promoting broader knowledge of the political system, and 3) through developing a political culture within the internal democratic procedures and structures of the organisation (Takle, 2013). Takle argues that through engaging those they represent

and increasing political awareness, migrant NGOs can ensure those they represent are politically present. In developing internal procedures that are political and democratic, they can promote an understanding of representation that is both inclusive and representative. These factors are made explicit in the perspectives of Young (2000) in her account of how political inclusion and participation which will be discussed in a more in depth way in Chapter Two.

The juxtaposition of roles that migrant NGOs have to play when trying to engage state institutions is acknowledged in this research investigation and is considered important to understanding cross-sectoral relationships and how they are facilitated. The study also acknowledges the tensions that exist between migrant NGOs and state actors. However, the discussions put forward also call into question important political issues relating to representation and decision-making processes between sectors that affect meaningful representation (Irrera, 2016).

1.5 Why Representation and Why it Matters?

As for how my ideological thinking is positioned in the research, I argue that those whose interests are affected by decisions should, at the very least, have a voice and participation in those decisions (Song, 2012; Goodin, 2007; Young, 2000). Questioning representation, in this way, is understood as posing questions relating to the legitimacy of democratic institutions, the context in which institutional incentives respond to under-represented groups and acknowledging the potential role of migrant NGOs in advancing political participation for asylum seekers in Ireland.

The importance of deliberation and political participation forms my own normative commitment to the study, contributing to the integrity of the politics of representation not just for politically recognised excluded groups and those who are citizens of the state, but it also recognizes the need for non-citizens to be included within a state. As such, the conceptual understanding I use relating to asylum seeker representation, is not only to convey the legal/political issues, but also addresses the practical everyday issues affecting asylum seekers and their rights to have these issues represented politically. My commitment to the study places value in the position that people have the right to be represented and have the right to be actively present in the decision-making contexts that pertain to them.

Considering the impact of the nature of political representation and how it is negotiated is important to exploring both the political relations that precede representation and the actual forms of political organisation available to asylum seekers. Within this framework I argue, in as much as representations determine the way we think about marginalised social groups, it also influences the social practices that determine whether groups are included or excluded from political participation (Weldon, 2005). Furthermore, debates on citizenship have been persistently driven by discussions that have traditionally ignored asylum seekers as an excluded group. Immigration and asylum scholars have challenged the association of citizenship with membership and questioned its relationship to issues of inclusion, examining how this association also functions as a form of exclusion and discrimination (Modood, 20011; Kivisto; 2001; Modood and Werbner, 1997). As such, I aim to highlight the need for asylum seekers to have specific rights recognised based on the nature of their exclusion and the gross injustices they experience within the asylum system. In making this case, I argue that

if we accept that those significantly affected by the decisions taken by a government should have the right to participate in some way, it then follows that their exclusion from political participation is then deeply problematic (Goodin, 2007).

1.6 Aims of the Study

My intention in carrying out this research is to determine whether interventions by migrant NGOs have influence in representing asylum seekers and whether participatory mechanisms they employ correspond with deliberative practices of engagement. In particular, the research seeks to explore if embedding more deliberative and participative processes might have a place in counter balancing some of the restrictive and discriminatory aspects of state policy and practice on asylum issues. In particular, I am interested in exploring whether the practices of migrant NGOs are adequately countervailing the power structures of state institutions in engagement processes or whether there are specific gaps that need to be addressed through more meaningful participatory and inclusive practices that include asylum seekers in decision-making processes.

The thesis specifically aims to understand whether representative mechanisms place a strong emphasis on participation, collective decision-making and deliberation in representing asylum seekers. The study is conducted with a number of migrant organisations, assessing the impact of varied interventions and examining to what extent they are underpinned by commitments to political equality, inclusion, reasonableness and publicity.

The study will primarily focus on the types of representation and activities that migrant NGOs engage when representing asylum seekers and the understandings of representation underpinning their actions. Through drawing on core principles in the literature on deliberative democratic processes, I seek to pose questions relating to how migrant NGOs understand representation and deliver on their strategies of representation and to what extent they are truly inclusive and participative.

Intrinsic to my research is a questioning of spaces for consultation, deliberation and negotiation and to raise questions about the effectiveness of these processes. I am interested in investigating to what extent asylum seekers are considered important agents in these processes. In particular, I want to explore to what extent asylum seekers are considered important participants in their own agency and if the services provided by migrant NGOs provide a space and support for asylum seekers to reflect this.

In short, the research explores the representation of asylum seekers, their inclusion in political processes and the levels of deliberation and participation embedded in the engagement processes of migrant NGOs. It is anticipated that the research will lend insight into some of the challenges facing migrant NGOs, but also highlight the ways in which migrant NGOs might enhance representative structures for asylum seekers.

1.7 Research Questions

Focusing on the role of migrant NGOs in representing asylum seekers, the study is centred on the following four research questions:

- How do migrant NGOs politically represent asylum seekers in Ireland and what kinds of relationships exist between migrant NGOs and representative state institutions?

- In what ways do the practices and policies of migrant NGOs encourage deliberative and participative processes to strengthen the political participation and representation of asylum seekers?

- How are the tenets of Iris Marion Young's approach to deliberative democracy useful in examining the policies and practices of migrant NGO asylum seeker political representation with reference to: 1) Political Equality 2) Political Inclusion 3) Public Reasonableness and 4) Publicity?

- What types of relationships do asylum seekers have with migrant NGOs and what are their views on how they are politically represented?

1.8 Methodology

The methodology for the research is informed by the value of group representation and promotes a view that advancing rights in a deliberative and democratic way, not only enhances the visibility of vulnerable groups (such as asylum seekers) but also benefits society as a whole through providing enriched collective understandings of injustice and oppression. Empirically, the thesis researches migrant NGOs, critically investigating their potential to influence political thinking and policy making relating to asylum seekers. This investigation is based on an assessment of how migrant NGOs understand representation and whether deliberative democratic processes feed into the practices of migrant NGOs.

Questions in the thesis are investigated through a reflection of deliberative ideals and how these can best promote deliberation and participation. The theory is used as a foundation on which to base specific questions relating to deliberation in practice settings. Ireland is used as a case study to investigate key questions relating to deliberation in engagement processes between migrant NGOs and the state and migrant NGOs and asylum seekers. Informed by the theoretical framework, the empirical research is focused on raising questions relating to how deliberation is promoted in engagement processes and assessing the quality and types of access asylum seekers have to political participation and the political sphere. Particularly important, is questioning to what extent processes of engagement are embedded in practice settings and how reflective these are of participative and inclusive structures when representing asylum seekers.

The overall thesis takes a critical approach. A critical analysis is applied when constructing my arguments relating to the construction of asylum policy and the way representation is understood and practiced by state institutions. I also draw from critical theory, for example, when constructing my arguments relating to inclusive decision-making practices and the conditions and mechanisms that need to be present for the enhancement of deliberative and participative democratic structures of engagement.

Alongside a critical analysis of policy, qualitative research is employed in the conducting of the interviews with migrant NGOs and the focus groups with asylum seekers. Nine semi-structured interviews with migrant organisations were undertaken, along with two focus groups with asylum seekers. While the research questions for

the study draw on the theoretical underpinnings of the research, the qualitative component brings to bear the questions raised by the theory as a way of teasing out and exploring the practice of migrant NGO representation.

As for the parameters of the study, it is restricted to migrant NGOs that have a specific focus on representing asylum seekers in Ireland. While it is acknowledged that a wide number of NGOs provide different kinds of services to asylum seekers, the scope of this study is confined to those that claim to place a particular focus on agency, integration, human rights, political advocacy and political mobilisation. The empirical research was undertaken between 2011 and 2014. Interviews with migrant NGOs were undertaken first, followed by two focus groups with asylum seekers. As such, the study does not include analysis of more recent events that have contributed to attempts to embed more deliberative processes stemming from the publication of the *Working Group to Report to Government Working Group on the Protection Process on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers* in 2014/2015. Nonetheless, these are important events in any assessment of deliberating forums in representing asylum seekers and will be briefly dealt with in my concluding chapter.

1.9 Limitations of the Study

Whilst the research attempts to capture the perspectives of representatives of migrant NGOs and those of participating asylum seekers, there are limitations to the study. These include the fact that the sample is small and cannot be used in terms for large-scale generalisations in the findings. In particular, the sample of participants for the focus groups was relatively small, with both of my focus groups conducted with

participants from the same Direct Provision (DP) centre. Thus, they cannot be viewed as reflecting the views of all asylum seekers. Further perspectives from asylum seekers across different DP centres would have been beneficial in this regard. However, despite the small sample size, some of the findings are backed by other research reports and publications.

Other limitations relate to a lack of emphasis on gender and race in the research study as potentially significant factors that can also influence experiences, their relationships with migrant NGOs and how policy is made and implemented. This may have added depth and dimension to the research study but as my overall focus was more concerned with how representation is constructed, and so addressing race and gender issues was viewed as beyond the scope of this research study.

1.10 Chapter Outline

Following on from this introductory chapter, which has set the context for the study and has outlined the background and rationale for the research investigation, Chapter Two explores key debates and discussions on political representation. It reviews key theorists in the field. This chapter also highlights key factors required for robust participatory processes of engagement. In particular, I am guided by the proposition that deliberative democratic practices can secure justice and inclusion for politically marginalised groups. This can be done through legitimacy of voice conveyed through equality of influence in deliberative procedures, communicative action based on acts of reasonableness and collective action. Iris Marion Young's theoretical analysis is highlighted as providing a valuable analytical framework on which to assess the way migrant NGOs influence political processes of engagement in their representation of

asylum seekers. Within this chapter, I develop my argument through exploring conceptions of equality, inclusion, and participation and highlight their importance in understanding the way representation is conceptualised in providing voice to excluded social groups.

Chapter Three investigates the role of migrant NGOs in representing asylum seekers in Ireland and provides an account of the way processes of engagement have occurred in partnership processes between state institutions and migrant NGOs. It also examines the Irish state's policy response to asylum seekers, highlighting its restrictive shaping of asylum policy and the conditions under which asylum policy is administered. In particular it examines efforts undertaken by migrant NGOs to engage the state and questions some of the contradictory aspects of partnership processes and policy formation.

Chapter Four gives an account of the methodology used in this study. I begin the chapter by describing the research approach I employed, outlining its relevance to the study. I also explain my own normative commitment to the study, drawing on my ontological and epistemological positioning in undertaking the research. I also outline why a qualitative research approach was employed and detail the primary research carried out.

Chapter Five presents the findings of the study from my interviews with migrant NGOs. In this chapter I examine the role of migrant NGOs in their representation of asylum seekers. In particular, I explore how migrant NGOs understand representation, the strategies they use in politically representing asylum seekers, the way decisions

are made within the practices of migrant NGOs and to what extent participation of asylum seekers is prioritised.

Chapter Six presents the findings of the focus groups conducted with asylum seekers. The focus groups explore the perspectives of asylum seekers and the value they place on engagement processes. The findings of two focus groups are presented with conclusions drawn from both the interviews with migrant NGOs and the perspectives of asylum seekers.

Chapter Seven concludes the thesis by summarising the six chapters and outlining the key findings of the study. Deductions are made from the research investigation through revisiting the research questions and presenting concluding remarks from the data analysis of the study.

Chapter 2
Political Representation: Affirming Deliberation in Representative Processes

2.1 Introduction

This chapter draws on a view of political representation that advocates for democratic processes of decision-making, which are actively inclusive of those who are marginalised and who would otherwise be under-represented in political processes. Within this framework, deliberation is viewed as a precondition for the legitimacy of democratic political decision-making, allowing for decisions to be arrived at through reason and collective decision-making (Egan, 2016).

From a theoretical standpoint, the work of Iris Marion Young (2000) offers a strong case for the inclusion of excluded and politically under-represented social groups. Her theory is considered relevant when evaluating engagement processes and while it has it is not without its short comings, it is nonetheless viewed as having importance when evaluations the terms of political inclusion. In particular, Young's (2000) theory highlights the significant role of civil society organisations in promoting inclusion and participation and the way this feeds into more just policy outcomes. In short, the theory signals how those most affected by political decisions must be part of decision-making process and, at the very least, such, should have an 'opportunity to influence the outcomes' (Young, 2000: 6). When considering the quality of representation afforded to asylum seekers, their input into political processes, is thus significant. This includes examining their capacity for self-advocacy and the level of engagement

which takes place with both migrant NGOs and political institutions and a strong emphasis on advocacy as taking the form of advocating 'with' rather than 'for' asylum seekers. Young's theory is also considered relevant in highlighting the way power structures operate and act as a barrier to inclusive participation. As such, it provides a foundation for analysing power, how it operates and its implications for fair and effective representation. In the research study such power structures are presented as not only evident in power differentials between state institutions and migrant NGOs but are also viewed as existing between migrant NGOs and those they represent. In this way, Young's theory is viewed as attending to the way structures of representation are constructed but also the meanings and efficacy of deliberation (Kadlec and Freidman, 2007). As such, it provides a context for explaining the impact of deeply embedded power relations and the way deliberation and participation can remedy this to ensure the inclusion of marginalised social groups.

The theory presented in this chapter is viewed as important in providing a base on which to ask specific questions relating to the quality and form of representation provided to asylum seekers. It is considered a valid theoretical guide to answering the research questions outlined in chapter one, relating to how migrant NGOs can best represent asylum seekers, the way deliberation is facilitated between migrant NGOs and state institutions, and the avenues provided to asylum seekers to participate in this process. In this way, this chapter is addressing research question 3 of my research questions, which asks how the tenets of Young's approach to deliberative democracy may prove useful when examining the policies and practices of migrant NGO representation. Young's conceptual understanding centres around four key features of political representation that must be present for representation to be viewed as

meaningful and inclusive. These are *1) political equality, 2) inclusion, 3) reasonableness,* and *4) publicity.* These critical reflections engage broadly with the value of non-state organisations as engaged and influential actors in communicating and representing the interests of excluded groups (in this research study, the case of asylum seekers). These four concepts will be examined further within the chapter with a view to directing the reader to their relevance to the research questions. Within this context, the extent to which power differentials can deflect from successful deliberative decision-making processes is considered important. This is a particularly significant when examining the positioning of asylum seekers in the Irish context and whether strong principles of political equality and inclusion inform their representation. Drawing on deliberative models, I emphasise the need, not only to provide advocacy 'for' asylum seekers in their representation but the requirement of advocating 'with' asylum seekers in order to ensure political equality is sustained across representative processes.

In this way, investigating the interplay between the normative and empirical aspects of deliberation within representative processes and the challenges this poses for inclusive and participative representation in practice is noteworthy (Steiner, 2012). Having said this, the chapter does not seek to propose that deliberation is the only important factor in representative processes, but rather, it argues that it does have a significant place. Equally, it is not my intention to argue that the theory will always provide answers to empirical questions or *vice versa*, rather it is to acknowledge that questioning the interplay between the two allows a space for pragmatic reflections on how representation plays out in practice settings.

As such there are three main areas being addressed in this chapter. I will first provide a background context through exploring theoretical discussions and debates on forms of representation. The aim, in this section, is not to give a comprehensive overview of the literature on representation but to present the most relevant points pertaining to the participation of otherwise excluded groups. In doing so, I draw on what is conceptually helpful in presenting a framework for investigating the representation of asylum seekers in the Irish context.

Second, I draw on key elements of Iris Marion Young's work in order to develop my conceptual framework for understanding representation, in a way that gives legitimacy to the participation of asylum seekers in political processes. An emphasis on political mobilisation/ agency, inclusion and participation are important in this regard. In this section, I also draw on Kadlec and Friedman's (2007) approach as a means of building on Young's approach and applying it to the practice context of deliberation.

Third, I will outline how I will use important components of the theory to understand and critique what is happening in the Irish context in relation to the political representation of asylum seekers. This will involve extracting questions from the theory that will have practical relevance to the empirical investigation and answering my research questions, outlined in Chapter One. In advocating for deliberative representation for excluded groups, I acknowledge that democratic processes in political representation may not always be prominent, and that consequently opportunities to actively participate are often restricted. Nevertheless, I consider my research questions important in investigating the opportunities that can be offered through deliberative processes and the negative impact it has on asylum seekers when

deliberation and participation are not actively pursued. It is also anticipated that my line of enquiry provoke reflection on transformative strategies that promote the inclusion and participation of asylum seekers within political processes.

Finally, having outlined the main features of the theories that are applicable to addressing the political exclusion of asylum seekers, I subsequently address how models of deliberation that have drawn on key features of Young's model, have had a significant impact in changing the positioning and representation of asylum seekers, while also having had a significant impact on more policy outcomes. In this section, I draw attention to empirical studies, in which strong mechanisms of deliberation and participation have been applied. These models highlight the value of collaboration and building capacity and agency through the direct involvement of asylum seekers in decision-making processes. In these cases, successful outcomes for asylum seekers have been based on models of representation that place a strong focus on advocating 'with' as opposed to advocating 'for' asylum seekers. As such, they demonstrate the importance of building on political equality, inclusion, collaboration and activism in the representation of asylum seekers.

2.2 Background Discussion on the Concept of Political Representation

Many contemporary political theorists have highlighted the significance of Hanna Pitkins (1967) theory on political representation. Importantly, Pitkin's theory highlights the value of including marginalised groups in political processes and having members of these groups represent key issues in political processes. Her theory continues to inform key deliberative discussions among contemporary political theorists (Dovi, 2006). Pitkin (1967) argues, that rather than trying to reconcile the

paradoxical nature of the concept of representation, that of whether the representative or the represented is best placed to inform decisions, we should aim to preserve this paradox by ensuring that citizens safeguard the autonomy of both the representative and of those being represented.

Pitkin's (1967) theory identifies four types of representation – formalistic, symbolic, descriptive and substantive. Formalistic focuses on the institutional arrangements that precede and initiate representation and questions the institutional arrangements that progress and initiate representation. Symbolic, refers to the way that a representative acts on behalf of the represented and places emphasis on the 'meaning' that a representative has for those being represented. Descriptive refers to the extent to which the representative resembles those being represented. Substantive refers to the activity of the representative i.e. the actions taken on behalf of or in the interest of the represented (Pitkin, 1967).

Many more recent theorists highlight the importance of Pitkin's discussion in setting the context for their own discussions on political representation (Mansbridge and Parkinson, 2012; Mansbridge, 2007; Mansbridge, 2006 Dovi, 2006; Young, 2000; Williams, 1999). These discussions include broadening the scope of inquiry to acknowledge multiple actors who are engaged in representational activities in a variety of different ways (Celis et al., 2008). Such theorists include Mansbridge (1999) who argues that the contexts in which excluded groups should be represented must include representation from someone belonging to that group. Williams (1999) has argued that marginalised groups need a 'voice' in policy discussions and decision-making and that the deliberative quality of representative institutions requires the presence of

individuals who have direct access to the context of such exclusion. Saward (2008) also argues that political representation must advance the interests of those being represented through contact with members of that group and organisations that represent them.

Theorists such as Phillips (1995), Young (2000), Gutmann and Thompson (2002), Dryzek (2010), Fishkin (2011) and Mansbridge and Parkinson (2012) also make compelling cases for effective representation through prioritising participation and deliberation, viewing it as a central component of political decision-making. Many of these theorists have cited Pitkin's (1967) theory on representation, highlighting its importance to establishing fair procedures for reconciling conflicts and providing fair representation (Dovi, 2006). However, in expanding the discussion, they highlight how Pitkin's account pays insufficient attention to the difficult and complex issues of power differentials in democratic politics (Philips, 1995; Young, 2000; Dovi, 2006). In Pitkin's account, political equality is assumed to be fair and equal. This however, fails to take account of the hierarchical and structural inequalities that exist, along with the multiple and competing dimensions to political representation. Phillips (1995), Young (2000) and Kadlec and Freidman (2007) all argue that in order to address exclusion, any meaningful approach to political representation must give careful attention to the deep structural inequalities that prevail, along with the complex power relations that underpin democratic politics. Kadlec and Freidman point to Young's (2000) analysis as crucial to understanding meaningful deliberation because it addresses the shortfalls of democratic processes of exclusion. Like Young, they argue that deliberative democracy fails profoundly when it reproduces undemocratic power

relations that are 'neither sufficiently inclusive to be democratic nor meaningful enough to be genuinely deliberative' (Kadlac and Freidman 2007: 2).

In drawing attention to the value of deliberation and participation to processes of political inclusion and the need for effective and communicative dialogue, Young's (2000) theory comprises one of the major contributions to discussions on justice, political participation, and inclusion. Her theory that has helped transform understandings of how political and social institutions operate through exposing relations of domination, exclusion and political marginalisation (Weldon, 2008).

2.3 Iris Marion Young on Deliberative Democracy and Group Representation

Iris Marion Young incorporates a view of political representation that subscribes to a deliberative approach to democracy. Such a view holds that democracy should be made up of deliberative practices through which groups and individuals participate and negotiate in order to solve public problems. Young's contribution is focused on examining what constitutes ethical democratic practices, and draws particularly on insights from feminist and post-modem social theories of difference (Friend, 2016). Her approach is one that contends that all those affected by a policy should have a part in the decision-making processes, most specifically, in matters affecting them. As such, she argues excluded social groups should be afforded an opportunity to influence decision-making processes. Her theory embraces inclusion, particularly on grounds of difference. Young is interested in how democracy can respect difference, while also embracing inclusive and meaningful forms of political equality and inclusion.

Young (2000) argues for the presence of excluded groups in policy discussions and the need to attend to their invisibility and exclusion in policy implementation. Most

specifically, she highlights the important role of non-state actors, civil society organisations and the role of social activism. While she acknowledges that not all parties are likely to agree and may have opposing viewpoints, she argues that emphasising practical reasoning is important. This gives added value to deepening democratic approaches, where consensus and reasoning is more likely to be achieved. Her framework endorses not only *political inclusion* and *political equalit*y, but also highlights the need for *publicity* (where people are held accountable), and *reasonableness* (reasonable discussion among participants) as vital components to ensuring effective deliberation and participation (Walhof, 2011). In doing so, she brings to bear the importance of including non-state actors and other relevant representative bodies (that often lie outside of the political sphere), as key players that can have influence in political processes when communication is directed towards understanding and reaching consensus.

Situating non-state actors as primary players, Young argues their presence can influence new and more inclusive understandings of representation through focusing on participatory understandings of deliberation. Such understandings affirm the importance of disagreements, consultative practices, deep democracy and emphasise alternative forms of speech (that take into account excluded social groups), all guided towards the achievement of inclusion. Applying such a conceptualization acknowledges that there is a wide range of actors involved in the representation of excluded groups.

Deliberative theorists, like Young (2000), insist on the need for dialogue which breaks the link between social positioning and political exclusion (Fisken, 2011; Drezek,

2010; Drexler, 2007; Fung, 2006; Dryzek, 2000; Young, 2000; Phillips, 1995). Fiskin (2011) argues that deliberative democracy is a combination of political equality and deliberation. In particular, he argues that more engaged ordinary citizens are able to competently and fairly discuss and resolve complex issues in a thoughtful and receptive manner. Amy Gutmann (2002) argues that deliberative democracy must focus on liberty and equality of opportunity. Dryzek (2010) points out that democratic legitimacy is present when authentic deliberation is facilitated, which is inclusive of those affected and carried out collectively. In short, he argues that a defensible theory of deliberative democracy should be critical of established power, pluralistic, reflexive in questioning established traditions and extend capacity across boundaries, through a dynamic platform that has openness to changing constraints and enhancing opportunities for democratization.

Other theorists, such as Fung (2006) argue that deliberative democracy must begin by promoting local governance as a model for understanding participatory and deliberative democracy. This must include mechanisms of participation that rest on three important dimensions - who participates, how participants communicate with one another and make decisions together, and how discussions are linked with policy or public action (Fung, 2006). These three dimensions constitute a space in which any particular mechanism of participation can be located. Such an approach has been promoted by many other political theorists who argue in favour of deliberative processes of inclusion[2]. Young's position points to deliberation as something that

Philosophers like Habermas (1996), argue that public discussion and debate are significant in democratic processes and allow reflection and dialogue that ensure rational discussion, which is more likely to produce collective preferences. Other political thinkers argue that liberal democracies lack democratic legitimacy and argue in favour of extending participation to civil society actors and the direct involvement of organisations representative of socially excluded groups (Gutmann and Thompson, 2004; Phillips, 1995). In essence,

should take place in open and accessible forums, where participatory democratic processes promote the ideal of heterogeneity (Young, 1990). Promoting the active participation of non-state actors is an essential part of this process, most specifically in remedying the injustice experienced by excluded social groups (Young, 2000). Young argues that this approach to deliberation is omitted in liberal frameworks of representation (Young, 2005).

Important in the above approaches, is the way deliberative democratic processes are organised in order to allow mechanisms that feed into policy and practices of inclusion (Phillips, 1995; Elster, 1998). Young (2000) theory, however, takes a more critical stance, taking into account the specific claims of different social groups, differing political positions, and pays attention to differences in privilege and group-specific oppressions. She questions how these can be accommodated in dialogue and discussion to promote a politics of inclusion under conditions of power and privilege (Young, 1990).

In remedying the under-representation of social groups in political processes, Young (2000) promotes their participation in all aspects of institutional organisation, public action, and social and political practices. This requires openness to more diverse practices within public institutions and opening up spaces for dialogue that include the

they argue that such processes have the potential to strengthen the democratic quality of effective decision-making. These discussions on group representation have become increasingly important for democratic theorists in their rejection of the liberal position.

recognition and accommodation of diversity, diverse perspectives within the public sphere and the ways in which various groups are oppressed and marginalised.

According to Young (1990:3), social justice requires 'explicitly acknowledging and attending to those differences (both economic and cultural) in order to undermine oppression'. It is only then that oppression can be addressed (Young, 1990). When such an approach is applied to an excluded group such as asylum seekers, it can be used to highlight the need for platforms for voice and political visibility and the creation of spaces that address both their social and cultural exclusion.

2.3.1 Young's Position on Remedying Social Justice and Oppression

In her 1990 monograph *Justice and the Politics of Difference*, Young highlights the importance of deconstructing what is meant by 'oppression' in order to address the ways social groups are excluded. She argues that it is only when oppression and its relationship to democratic processes is explored that political transformations can emerge. This requires basic institutional change and provisions for group representation in policy formation. These include (1) participation in the decision making process, (2) rights of representation in the public realm, and (3) cultural inclusion. While Young's (1990) account of oppression does not address the injustice experienced by asylum seekers as an excluded group, her theory is nonetheless important and relevant to addressing their exclusion and marginalisation. As a group, asylum seekers suffer multiple forms of injustice and oppression, both socially and economically, but also in the policy and practices of state institutions. They are placed outside the realm of having citizen rights and are excluded from participating and integrating fully in host societies. As such, their political visibility can often be limited. Young's attention to social group positioning is thus considered important

when evaluating the depth and levels of oppressions experienced by asylum seekers and potential avenues for deliberative practices to remedy this.

Young account of oppression utilises 'social group positioning' as a preferred term in order to convey a more expansive way of thinking about exclusion, incorporating an examination of the power relations that prevail (Young, 1990). It highlights how a sole focus on economic marginalisation ignores important elements of injustice and exclusion including social structures and how they operate, social positioning within democratic processes and the institutional and cultural context of injustice that is perpetuated through dominant perspectives and norms. Confronted with overlapping and multiple identities competing for inclusion, Young argues the need to conceptualize social group difference in relational rather than substantive terms. By identifying social group difference in 'relational' terms (meaning the way that groups relate and react to each other), she argues that societies can acknowledge social group difference, treating it as a collective term for groups that suffer both different and similar forms of exclusion determined by cultural forms, practices, special needs or capacities, structures of power or privilege. (2000: 90). Young (2000) argues that this conceptualisation allows for overlaps, and interdependence among groups, which is at the core of a deliberative democracy. This concept of difference is important when assessing the exclusion of asylum seekers. As an excluded group they cut across different ethnic, national and cultural backgrounds, yet they share the experience of similar injustices, exclusions and oppressions.

This approach takes into account different perspectives on exclusion but is likely to produce shared concerns about participation, the elimination of discrimination or

marginalisation and forms of oppression. Within this approach there may be mutual and different concerns. Young asserts that a democratic process makes room for this and is more likely to bring about a divergence of views, which can incorporate even opposing and contradictory interests (Young, 2000). Young does not view this as problematic but rather sees it as an opportunity to address oppression and legitimate democratic participation by allowing groups the opportunity to express their concerns and deliberate over the solutions in a more public and inclusive way. Such differentiated communication of problems and their solutions allows the opportunity for a public to collectively construct a more comprehensive account of how social processes work, address oppression in a more open way and foresee how policies may work or fail (ibid.). Within this framework, attending to the way different forms of oppression have manifested and how these forms of oppression continue to perpetrate exclusion for certain social groups is considered significant.

2.3.2 Young on the Five Faces of Oppression:

In exploring how oppression manifests itself, Young (1990) identifies five specific forms: 1) exploitation, 2) marginalisation, 3) powerlessness, 4) cultural imperialism, and 5) violence. According to Young the ways these forms of oppression interact are significant in demonstrating the level of injustice that different groups are exposed to and in turn how their issues are represented. This proves significant when assessing the positioning of asylum seekers and the way their issues are represented. A major concern for Young (1990) is to make visible the way these forms of oppression impact on a group's social experience and how they are addressed within political processes.

Young (1990) first argues the need to examine the way political discourse has dealt with the term oppression. While it is a term often used in philosophical and theoretical literature (mainly by radical social movements), Young (1990) argues its meaning is rarely examined within political dialogue, albeit in discussions on conquest and colonial domination. Outside of this context, she argues, it rarely fares prominently in the literature on injustice in liberal thinking and liberal democracies (Young, 1990). This in itself is a form of oppression, as an injustice is suffered by some groups as a direct consequence of the often unconscious assumptions and reactions within liberal democracies, is noteworthy. This is evident in forms of cultural stereotyping, labelling, stereotypical media imaging, institutional practices and biased political decision-making (Young, 1990). Young notes that:

> Entering the political discourse in which oppression is a central category, involves adopting a general mode of analysing and evaluating social structures and practices which is incommensurate with the language of liberal individualism that dominates political discourse
>
> (Young, 1990: 39)

Each of the forms of oppression which Young (1990) identifies (exploitation, marginalisation, powerlessness, cultural imperialism, and violence) involves issues related to injustice. She argues that while they may all cause distributive injustices, they also involve issues of injustice that go beyond issues related to distribution. She argues that to reduce all injustices (including racism, sexism, ageism and homophobia) to a class-based analysis of redistribution, would fail to allow for a comprehensive understanding of the multiple and varied ways in which oppression manifests for

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certain social groups. Moreover, though issues of race, gender, age, sexuality and disability may interact with class oppression, class is not the only factor that needs considering (Young, 1990). For this reason, Young makes explicit her five- point classification of oppression to indicate the multiple and exclusionary ways oppression.

- Exploitation:

Young identifies oppression as exploitation, where injustice occurs in social group processes that bring about an imbalance between groups in the accumulation and distribution of resources due to exploitation by social institutions. Through private ownership and the market allocation of resources, this systematically gives power to some people over others. Some may not only suffer material disadvantage within this framework but also suffer a loss of control because of such power relations which is turn can result in lack of self-respect or feelings of demoralisation (Young 1990). These unequal relations are produced and reproduced to reaffirm the systematic process where power, status, and wealth remain the terrain of the more privileged groups.

- Marginalisation:

According to Young, marginalisation is probably the most dangerous form of oppression. While exploitation occurs in the form of injustice generally associated with access to material resources, marginalisation occurs when social groups within the system cannot access material resources due to race, colour, ethnicity, culture and stigmatization. Young asserts that addressing these injustices in terms of redistributive policies does not alleviate the extent of the injustice caused by such marginalisation and requires specific attention in its own right to issues

relating to cultural oppression. This requires addressing the cultural, practical and institutional conditions that determine the life opportunities and the scope for recognition, inclusion and integration (Young, 1990).

With reference to asylum seekers, this point is worth noting. In particular, it takes into account the multi-levelled way in which asylum seekers are excluded. Not only are they disqualified from accessing the labour market, they also face cultural exclusion based on ethnicity and culture embedded in the institutional practices that reinforce exclusion, segregation, and non-participation. Marginalisation, in this sense, is evident in material, cultural, and social disadvantage. In each of these cases it is tied up with factors relating to misrecognition and under-representation.

- Powerlessness:

In bringing attention to the issue of powerlessness, Young (1990) argues that domination is enacted through the powers associated with various bodies involved in policy decisions. Young notes that there are those in society that are deprived of power, even when it seems power is mediated through representative bodies. In these interactions power is being exercised over the social group without them ever getting the opportunity to exercise power themselves within such processes. Young identifies powerlessness in three distinct ways. First, powerlessness related to the development of one's capacities, second, powerlessness associated with the lack of input in the decision-making process and, third, powerlessness associated with exposure to disrespectful treatment because of the status one occupies. In each of these instances, power is exercised over asylum seekers, located in the dynamics associated with those who make the decisions, those who carry them out

and those whom they affect. Power is also enacted in the procedural aspects of DP and the systemic and institutionalised nature of its exclusion and control over the lives of those seeking asylum. Their positioning outside the realm of citizenship with limited rights and opportunities also reinforces powerlessness. Within this context, those seeking asylum are denied the right to develop their own capacities and have limited scope for integration into society. While asylum seekers do have some agency in their interactions with migrant NGOs, their access to decision-making processes within state institutions is highly restricted. Access to participate in the internal and external activities of migrant NGOs is thus an important aspect of reducing powerlessness.

- Cultural Imperialism:

Cultural imperialism for Young differs from exploitation, marginalisation and powerlessness. These three forms, she explains, are directly related to structural and institutional relations that impinge on people's material well-being and their abilities to develop their capacities for choice. Cultural imperialism relates to when the dominant group in society renders another group invisible by marking it as the 'Other'. One group's experience becomes more dominant over others through prioritising the cultural perspectives of one group and establishing this as the norm. Therefore, the dominant values express goals, experiences, and the cultural experience and achievements of that society to the exclusion of others. For Young, cultural imperialism is to:

Experience how the dominant meanings of a society render the particular perspective of one's own group invisible at the same time as they stereotype one's group and mark it out as the Other.

(Young, 1990: 58)

These hierarchical relationships are then taken as given both socially and politically. An encounter with other groups that may challenge the dominant claim to universality is thus often viewed negatively and frequently reconstructed as 'deviant' or 'inferior'. This is significant in discussions relating to asylum seekers who are often the subject of negative stereotyping,, which are reproduced and represented through state sanctioned policies of exclusion (Andersson, 2014).

Young (1990) argues, that in this context it, is all too easy for the dominant groups to view anything that deviates from the norm in inferior terms and then frame it in expressions of 'otherness'. This allows formations of cultural imperialism to continue to define how less dominant groups should be positioned. Within this framework, they are forced to identify with those who do not consider the less dominant cultural representations as significant. This gives way to cultural subordination. This again, is important when examining the position of those seeking asylum, evident through embedding the practices of the dominant culture as the norm. In this way, the experiences, values, and goals of asylum seekers remain undermined. Within this contexts justice can only prevail if there are political spaces created to ensure socially excluded

groups are included and brought into discussions on equal terms (Young, 1990).

- Violence:

Young's fifth form of oppression relates to the role of systemic violence can play in relation to one's identity or status within society. This systemic violence can take different forms and can mean that certain groups or their members can live in fear of unprovoked attacks to themselves or their property with the deliberate intention of causing harm and humiliation. She points out that what makes violence a form of oppression is less to do with the particular acts themselves but the context surrounding them, which renders them possible in the first place. Young (1990) notes that the shocking frequency and degree of violence associated with these attacks often goes undocumented, where discriminatory acts can often be rendered invisible. She points out how most violent acts and harassment are typically associated with extremists and not always questioned in matters relating to institutionalised practices relating to social justice. Young argues that violence can be a symptom of social injustice when it exists as a social practice and when it is directed at a member or members of a social group. Living with the threat of violence deprives people of both freedom and dignity. According to Young, oppression through violence exists as a social practice because the wider society lives with the knowledge that such acts or violations exist for some groups based solely on their group-specific identity. In this context, cultural imperialism exists alongside violence where elements of imposed fear on the part of the dominant group can partly account for cultural imperialism and violence (Young, 1990).

Young argues that violence in this sense is both institutionalised and systemic because it is tolerated within institutional practices.

Addressing these forms of oppression must incorporate reform within institutions and the social practices which cause oppression (Young, 1990). This includes addressing cultural and stereotypical imaging and exclusion, while also questioning the reproduction of relations of dominance. This can only be a meaningful process if inclusion, integration and participation are part of the representation process.

Applied to the lived experienced of asylum seekers in Ireland, there is a clear correlation between their social positioning and acts of systemic oppression and exclusion. Many asylum seekers have fled their country of origin due to persecution, conflict, oppression, war and violence, only to experience exclusion and segregation within host countries. Though oppression may not be explicit in the host countries, asylum seekers, by the very nature of asylum systems, are predisposed to conditions which deny them their rights and exclude them from full participation in the host society. Coupled with this, they experience economic and cultural marginalisation, which further compounds their exclusion from actively participating. Within state practices, there is little consideration given to the multiple layers of oppression experienced by asylum seekers in the pre and post migration process. To the contrary, within host states, the emphasis has been placed on exclusion, detainment, and deportation (Mountz and Llyod 2014). Within such practices, asylum issues have been portrayed negatively through constructions of 'otherness' which operate to create resistance to asylum seekers through depicting them as 'deviant' and 'problematic'

(Hall, 2012). The realities of oppression lie outside these representations, thus, remaining under-explored (Andersson, 2014).

The forms of oppression identified by Young highlight, not only exclusionary processes relating to economic and cultural inclusion, but also point to an erosion of democratic processes, which, in turn, prevents those who are oppressed from accessing the political arena. When evaluating Young's perspectives on oppression, it is evident that when any one of her five conditions is present, it is sufficient to identify a group as oppressed. As such, her theory lends understanding to the multi-layered levels of oppression which asylum seekers experience in their everyday lives. It highlights the intensity of oppression and the way institutional conditions exacerbate this. It also provides a framework to assess the ways a system such as DP prevents capacity, which is one of the foundational aspects to accessing the political sphere. Within the system of DP, not only does economic and cultural oppression operate, but matters relating to choice and decision-making are also impacted upon. These restrictions are highlighted in institutional power practices which undermine rights, personal choice and autonomy, while also distancing asylum seekers from processes of inclusion and participation.

Adopting Young's (1990) theory of oppression highlights how asylum seekers are suppressed through a culture of silence imposed by the dominant group. As one of the most marginalised groups in Irish society, they experienced economic, social, political, and cultural exclusion (Lentin, 2012; FLAC, 2010). Yet, the forms of oppression they experience remain poorly understood and politically under-represented. Within this framework, people lack significant power in decision-making

which is often enacted on their behalf through widely dispersed powers of agents mediating for that group, with little experience of key issues. To that extent, Young argues the need to address the problem of power through inclusive communicative practices; ones that attend to and understand democracy as being a struggle between groups that are differently positioned to each other in relations of privilege and power, but will aim to transcend these differences and find ways to understand each other through forms of communication that reflect the distance and difference between groups (Young 1993; Joonas, 2015).

Young's expands on this in her later work *Inclusion and Democracy* (2000), highlighting participation as having a key role in addressing structural social group differences and exclusion. Highlighting the challenges for democracy and inclusion, she points to the need to widen democratic inclusion and to pay attention to the important role of non-state organisations, particularly in how they promote political discussion and influence state policy and outcomes for excluded social groups. Most specifically, Young places a focus on the ways participatory and deliberative frameworks can remedy exclusion and under-representation.

2.3.3 Democratic Processes and Inclusion

Focusing on legitimate modes of political communication including rhetoric, public protests, civil society involvement and deliberative democratic goals, Young defends communicative engagement through reviewing meanings of political representation (DeWiel, 2001). Through a compelling argument, she questions norms of political communication and to what extent deliberation, engagement and negotiation are

embedded in political processes. In doing so, she invites a re-thinking of democratic representation through questioning how political inclusion is understood.

Young (2000) argues that theorizing democracy as a central process of communication has not been sufficiently grappled with, but yet, is a central component of the democratic practice. Highlighting the significance of deliberation, Young (2000) points to the potential for promoting the interests of those who are excluded, while simultaneously holding the ruling power in check. This is achieved through devising explicit mechanisms of accountability where 'democracy can also be strengthened by pluralizing the modes and sites of representation' (Young, 2000: 133). This includes incorporating the interests, opinions and perspectives of those who are excluded in the political arena but does not necessarily mean attributing common opinions and interests to all excluded and oppressed groups. A deliberative process allows for an exploration of the different ways in which groups are included and excluded. Within this framework there is room for negotiation and the inclusion of veto powers in policies directly relating to the exclusion of social groups (Stevenson 2003).

Young (2000) points to the efforts of new social movements in openly resisting the institutional practices of government that politicise vast areas of social, institutional and cultural life. She argues that a truly democratic process operates in a way that ensures that social movements, excluded social groups, and voluntary organisations can influence government decisions and have a say in the way policy is implemented.
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2.3.4 Rejecting More Traditional Forms of Deliberation

In proposing deliberative forums for participation, Young also explores the more typical accounts of deliberative political theory and points to some of the flaws in the processes that many political theorists refer to as 'deliberative' politics. In particular, she is critical of those who assume that proper settings of deliberation can only take specific forms. For example, she argues that there are those that think deliberative communication can only take place through face-to-face relations. Others, she argues, consider debate as the primary source of political communication. Others claim that commitment to the democratic process requires attending primarily to the common good. Finally, there are those who advocate norms of order and abiding to law as a means to deliberation (Young, 2000). Young rejects these forms, because they can remain exclusionary and are generally based on norms that fail to reflect the diversity of represented groups and therefore, are not inclusive. She argues that any theory of inclusive democratic communication must attend to the way in which communicative interaction takes place and must be applicable to the wider society and all differentiated social segments.

2.3.5 Young's Four Features of Deliberative and Participative Democratic Practices

Young (2000) bases her analysis of effective deliberation on four distinct features of democracy, which must be present to achieve a truly democratic process. These features are 1) *inclusion,* 2) *political equality,* 3) *reasonableness and* 4) *publicity.* *Inclusion* is a process in which all affected by the decision making process are included in it. This can help to ascertain which ways they are affected by exclusion and how strongly. It allows for maximum expression of interests and perspectives relating to both the problem and the solutions. Young's second feature is *Political equality*,

which she argues, in a normative sense, must imply equal treatment in the democratic process. She notes that this does not just imply that individuals are nominally included but that they are also included on equal terms. This means that all should be permitted an equal right and an effective opportunity to express their concerns and interests. This model of deliberate democracy is one that promotes free and equal opportunity to speak and to decide while also recognising the right to be heard. Her third feature, *Public Reasonableness*, refers to a form of participation that is open to other points of view and where reaching a decision is made in a collective process. Resolving problems becomes the discussion of the collective where no one body can assert their own interests above all others (Young, 2000). Finally, *publicity* requires that the conditions of inclusion, equality and reasonableness become part of the decision-making process and form a public that holds its members accountable. In this way, participants are required to express themselves in a way that is accountable to others. This entails both putting forward proposals in a way that are understandable to others, and openness to others, so that decisions are made in a more co-operative way. Deliberate exchange, thus, becomes more about posing questions and collectively answering them. Young argues that if these four principles are not taken into account, meaningful and successful deliberative outcomes are less likely to materialise.

Young asserts that within a framework that includes the above four features, political claims can serve to strengthen communications between various groups and in turn improve communications in that process (Young, 2000). This model is concerned with a democratic process, which does not treat the public and private sphere as separate entities but rather one that brings them closer together. She argues that if deliberative democracy is exercised properly, it works as a means through which

individuals can promote their interests without the threat of one group holding power over another. This process is less likely to raise conflict and acts as a means of problem solving 'which depends for its legitimacy and wisdom on the expression and criticism of the diverse opinions of all the members of the society' (Young, 2000: 6). Young argues that a plurality of views can be reflected in political discussions and such views can capture the diversity of social groups and their positioning within contemporary societies. Arguing against assimilative strategies that tend to favour the dominant group, she points out how plural perspectives can bring formerly excluded groups into the mainstream and ensure their presence and recognition in political processes. From this perspective, a democratic process is inclusive not by formally incorporating all potential groups in the same way but by attending to the social relations that positions them differently. In this way group participation:

> unravels the false consensus that cultural imperialism may have produced, and reveals group bias in norms, standards, styles and perspectives that have been assumed as universal or of highest value
>
> (Young, 1994: 136)

This, in turn, enables a public to collectively construct more progressive procedures and understand social processes more comprehensively, allowing for more progressive policy proposals. This increases the likelihood of social justice through inclusive representation but it will also permit a greater social knowledge that will benefit all (Young, 2000). This form of collective decision-making is important, not only because it represents excluded groups in political processes, but also because it allows

scope to address injustices across groups without running the danger of essentialising group identities (ibid).

When examining the exclusion of asylum seekers from political processes, the assertions of Young are considered important. It specifically highlights the way more dominant perceptions of inclusion are assumed by the more privileged group. This is important when assessing the way in which asylum seeker claims are represented politically and how participation is facilitated. Also important to note is the normative framework that enables or inhibits such participation, which is mainly at the discretion of the political authorities in the host society and can often detract from inclusive processes. Pointing to the positioning of asylum seekers Armend and Antara (2018: 10) argue that quite often 'their opportunities for participation are limited, which in turn perpetuates their marginalised status in society' (Armend and Antara, 2018: 10). They also highlight the need for a reliance on non-state actors to play an active role in representing asylum seeker issues to policy-makers. This in turn, promotes wider debate among policymakers and non-state actors and acts as a means to ensure greater social inclusion for asylum seekers through strengthening democratic norms and practices (Armend and Antara, 2018).

While Young's (2000) theory does not make specific reference to asylum seekers as an excluded social group, her theory is nonetheless important when assessing how their political representation is constructed. Most specifically, her theory is important when assessing the degree to which exclusion can act as a barrier to political participation. It is also important when assessing the forms of engagement migrant NGOs can employ. Young (2000) argues that it is only through addressing the ways

social groups are excluded that actual spaces for progressive discussion and inclusion (rather than division, segregation and exclusion) can be created. Moreover, she argues that differences and opposing perspectives can act as a powerful resource in ensuring democratic legitimacy and can act as an important way of communicating justice. Political representation, thus, becomes a way of reflecting diverse and opposing perspectives and addressing under-representation and exclusion (Young, 2000).

Young's theory argues that for a state to be truly democratic, it must give legitimacy to the role of non-state actors, acknowledge the role of social movements and promote the participation of excluded social groups within the political sphere. As stated:

> Deliberative democracy must not implicitly or explicitly assume that state institutions such as legislators and courts are the primary sites of deliberation
>
> (2000: 167)

For Young (2000) sites of deliberation can be validated through civil society institutions which provide important potential spaces for deliberation. They do this through widening democratic participation and 'promoting greater inclusion in decision-making as a means of promoting more just outcomes' (Young, 2000: 17). In this way her position supports:

> a tight theoretical connection between democracy and justice; under ideal conditions of inclusive political equality and public

reasonableness, where democratic processes serve as a means of discovering and validating the most just policies.

(Young, 2000: 17)

Young argues that deliberative processes include politicised spaces of resistance through mediated forums that reflect many forms including non-state actors, the arts, culture, and many other forms of activism and expression that can inform and influence the wider society (Young, 2000). Within such spaces, civil society institutions play an important role in creating forums for inclusion, debate, and promoting justice. Subsequently, forms of protest *cannot* be dismissed. Publicity, (one of the four features in Young's analysis) is relevant here. It is about creating public fora that can connect people and provide spaces that are accessible to all. For Young (2000: 168), it conveys a sense of 'a particular kind of relationship among people reflexively created by universally accessible sites' populated by a plurality of actors. The public sphere, thus, becomes a critical site for public deliberation. It represents a broad range of forms of communication where both similar and divergent points of view are formed and articulated.

Young (2000) argues that discussion and dissemination help present public discussion 'as a process which people can enter and leave', where excluded groups can be heard and have their views and opinions validated within it (2000: 170). It is about promoting democratic processes that enable and encourage the organization of multiple and contending discourses, discussions and dialogues where the public sphere becomes the 'primary connector between people and power' (2000:173). This space should be judged on its ability to function as both a space of opposition and

accountability on one hand and its ability to influence policy on the other (ibid). Within this context, the way public communication and organising can limit arbitrary powers is significant, as it makes government officials and representatives more accountable. In this way, exposing power through public communication can itself invoke change and reduce potential harms and exclusions, where non-government actors have an important role to play as agents of change and performing important functions in democratic processes. Their value is particularly relevant in the promotion of activities that ensure processes are deeply democratic. There are, of course, risks that when procedures are created to link state and civil society for purposes of policy-making, they can become over-influenced by state bureaucratic processes, co-opting civil society organisations to conform to embedded state practices. On the other hand, Young (2000) argues that when deliberation and decision-making involves diverse locales and perspectives, it is likely to disperse dominant perspectives and lose the authoritative nature of decision-making. This can also help to counteract exclusions imposed by the state that 'are sometimes grave in consequence but yet widely accepted as legitimate' (Young, 2000: 236). Essentially, Young's theory points to political activism and the role of NGOs as having a strong role in enhancing deliberation. More specifically, she argues that activists and those in pursuit of justice for those they represent can use the power of exposure to pressure political actors and make the voices of those who are excluded heard in political circles.

For the reasons pointed to above, Young's theory of deliberation is considered an important site for assessing the representation of asylum seekers, not only by bringing attention to the power exhibited by state representative bodies, but also through examining the role migrant NGOs play through their interactions with state bodies in

representing asylum seekers. It calls into question the way engagement takes place, the devolution of decision-making processes and the extent to which non-state actors are effective in their role as political actors. As such, the theory offers a pivotal site for examining migrant NGOs as a primary site of connection between asylum seekers and state institutions; as agents of change; and as actors providing important spaces for deliberative exchange. Within this framework, the promotion of communicative dialogue is important, along with the extent to which political equality and inclusion is adhered to and prioritised in interactions between migrant NGOs and state institutions and between migrant NGOs and asylum seekers.

In short, Young's position offers insight into the liberating potentials embedded within deliberative processes and promotes the development of communicative mechanisms that can lead to mutual understandings between differing parties. In this way, her theory lends insight into how the accommodation of a plurality of voices can facilitate change both in policy and the promotion of the participation of excluded social groups. Her theory draws attention to fundamental factors that need to be present in order to embed parity in practices of political decision-making. Furthermore, it provides a framework for assessing how institutions and practices support deliberative and participative engagement and promote democratic legitimacy. In particular, it provides an important site for assessing the 'processes that bring all the potentially affected parties or their representatives into a public deliberative process' (Young, 2001:672). This is an important aspect to 'enhancing the inclusiveness, responsiveness, transparency and accountability of socio-political decision-making' (Healy 2011: 295).

However, Young's theory is not without its flaws. Her theory opens up avenues for understanding deliberation in a more inclusive way but it does not comprehensively evaluate the practice context of deliberation and how interactions between parties might direct the thinking of more dominant groups to move towards duties and responsibilities of justice for less dominant groups. Furthermore, in making sense of injustice, she proposes that all injustices can be dealt with in the same way because they share specific features. The structures through which social processes operate to maginalise and oppress asylum seekers may have similar distinctive features to other groups but it does not make their marginalisation the same. Applying a type of macro space in which social positions are viewed as directly related to one another may adversely exclude some groups with less resources and have unintended consequences for political equality and inclusion. Within a deliberative model, there needs to be a space to question the relevant differences between the relationships of participants and the different types of things that are at stake in different structures (Jubb, 2013). While Young elaborates on this through emphasising a social connection model of deliberation, appealing to parameters of reasoning as a remedy to accommodating the interests of diverse perspectives, her theory is based on reaching agreement through persuasion and rational argument. In doing so, she locates the value of contestatory practice through the lens of reason, which ultimately may act as reinforcing the very boundaries which she intends to reject (Drexler, 2007). Mouffe (2005) also makes this observation arguing that the ideal of reaching consensus through reasoning and persuasion negates the quest for seeking genuine alternatives to the political status quo, and dangerously, precludes genuine contestation and disagreement from entering the political arena. Joonas (2015) argues that Young's approach of consensus-oriented models of deliberative democracy fails, despite its intention to make plural and

reasonable discussion the basis of political communication. In particular, he highlights the different group-situated perspectives on exclusion as a key condition that politics needs to aim towards, if it is to effect justice. Reasonable discussion aimed at consensus cannot always accommodate this. Drysek (2000) argues that deliberation across diverse perspectives is best achieved not through reasonable discussion directed towards agreement, but through contestation, allowing an explicit place for oppression to be addressed. Kadlec and Friedman (2007: 6) raise similar concerns with Young's approach and argue that much more credit needs to be given to civil participation and its capacity to 'confront undemocratic forces'. They suggest that to propose a view of consensus as the goal of deliberation naively implies that conflicting interests are easily surmountable through reasonable discussion and an orientation towards meeting common goals. They argue that in practice this is more likely to 'elide conflicts in such a way that the interests of the less powerful are rendered silent, invisible and unthinkable' (2007: 13)

The above observations highlight a need to re-shape and emphasise collective responsibility and the capacity to apply pressure on dominant institutions. Young's theory brings to bear questions relating to the normative aspects of deliberation, where they intersect, and the impact of deliberative theory in practice of representation. In particular, it raises questions about types of relationships and how norms of deliberation might relate to better policy and practice in representing the interests of excluded groups. Furthermore, it allows a questioning of the extent to which deliberative interventions can secure justice and ensure affected parties have equal representation in political processes, leading to more meaningful political outcomes. However, the critical edge of Young's approach needs to be expanded and re-shaped

to include a deeper emphasising of civil society's oppositional stance and a focus on public spheres as sources of democratic critique and renewal (Dryzek, 2010). One way of ensuring this is through subjecting contestation to democratic control through involving embedded network forms of political organisation in the actions of civil society organisations (Dryzek, 2000). This is addressed more comprehensively in the section below, which builds on Young's approach to deliberation and highlights power as more nuanced when political equality, inclusion and activism feature strongly in the internal activities of non-state actors.

To sum up, however, I argue that Iris Marion Young's model of deliberative democracy should not be completely abandoned. Despite its flaws, I propose it as a useful framework for evaluating how engagement is constructed under conditions of structural inequality and how political equality can be enacted under these conditions. I argue that her model provides a form of deliberative democracy that makes it possible to assess levels of exclusion and equal participation. It also provides a framework for addressing obstacles to participation, offering a comprehensive account of how political equality and inclusion might be better accommodated in the political representation of excluded groups. It also provides a basis for evaluating democratic processes and tackling issues of invisibility, bringing the structural conditions that prevent meaningful communication to the surface.

2.4 Building on Young's Approach in the Practice Context of Representation

While the thesis primarily draws on Iris Marion Young's approach when investigating the representation of asylum seekers in Ireland through an emphasis on political equality and inclusion, it also asks questions about how theory might be useful in

examining the practice settings in which deliberation takes place. From this perspective, the thesis prioritises a view of representation that rests on promoting channels of access to participation through a model of representation that is rooted in participatory and deliberative mechanisms and advocating 'with' rather than 'for' asylum seekers. In investigating the practice context of deliberation, a number of theorists draw on Young's model of deliberation, using it as a foundation to expanding their positions and explain how theoretical constructs of deliberation play out, particularly in the in practices of non-state actors (Joonas. 2015; Healy, 2011; Da Sylva, 2011; Kadlec and Freidman, 2007; Warren, 2002). These theorists highlight Young's theory as significant to describing the potential for inclusive policy development, levels of transparency and creating voice for excluded groups. A number of these theorists have highlighted the significance of Young's approach and have based their own understandings of political representation on features of Young's model (Bohman, 2007; Kadlec and Freidman, 2007; Fung, 2005). As such, I argue Young's theory provides important frames of reference for assessing political representation and examining attempts to further the scope for promoting and accommodating decision-making processes within and between institutions However, as stated in the previous section, it is not without its limitations, most notably, its failure to explicitly examine the structures of public forums, civic capacity, and the way targeted forms of outreach might be accommodated to address structural inequalities – in other words it lacks a focus on the practical consequences of deliberation. These concerns are included here to draw attention to how her theory might be developed to lend further understanding to the practice of deliberation in non-state organisations. However, this does not mean we lose sight of the core principles promoted by Young in her pursuit of effective and inclusive deliberation.

Healy (2011) argues that often in politically engaged settings, which have been the main focus of Young's approach, it is not always easy to understand differing and opposing perspectives from the perspective of the excluded group, particularly when historicity and complex cultural patterns are factors relating to exclusion. In this context, he argues that Young's interpretation of the way deliberation should take place needs some unpacking. He points to how it may be impossible for the opposing or dominant party to understand the complexities of exclusion or give them due consideration when they have not experienced them in the same way. Warren (2002) also raises questions about the way deliberative processes are explained in Young's account, arguing that only relatively minimalist procedures of inclusion normally exist within western democracies, which may not respond to the multiplicity and diversity of issues raised by a wide variety of excluded social groups. These groups may also have to compete against one another when seeking political representation. Warren (2002) argues that dealing with complex and overlapping interdependencies can be challenging when trying to secure political equality. As noted:

> Complex interdependencies produce multiple democratic entitlements
> in which the meaning of political equality becomes much more
> complex
>
> (Warren, 2002: 650)

Young's theoretical perspective attempts to deal with this through advocating that when groups are brought together, there will generally be consensus because of the desire to move agendas forward and thus, it follows, that reasonable argument and

discussion will prevail. Her account on how to address the multiple and competing claims of excluded groups is exercised through paying attention to 'social group positioning' which takes into account the multiple ways in which oppression occurs and how through reasonable argument, those in power will be more likely to listen. On this point, Young suggests that meaningful political engagement may require, not only a change in perspectives on political equality, but also institutional change. She argues the need to understand participation and deliberative democracy as 'radical ideas that in full form cannot be implemented without other institutional changes' (2004:47). However, Hutchins (2011) argues that even when you accept this need for change, in reality it does not always map onto the state/non-state contrast as easily as Young is suggesting and points to her analysis of power as misleading. Rather than focus on static power relations between state and non-state actors, Hutchins points to such relations as more fluid, ever-changing and premised on more nuanced changes in state/non-state relations that help influence public policy while also shifting the contours of the institutional landscape.

Kadlec and Friedman (2007) also take up Young's analogy of power and argue that while her theoretical position provides important value in giving insight into the way we think about the complexity and obstacles to deliberation, her analysis of power is problematic. They point to a rigidity in her position and a 'seemingly totalizing view of power' (Kadlec and Friedman, 2007:6). They note how Young asserts that most people in society think about their social relations in terms of the dominant hegemonic discourse of those in power. Kadlec and Friedman argue that such a view suggests 'pervasive and often unconscious cultural and linguistic assumptions' that is not always the case in contemporary societies (Kadlec and Friedman, 2007:5). They argue

that there '*is* room to manoeuvre via deliberation in meaningful and powerful ways' (Ibid.). This is not rooted in a conception of power that is as 'all-encompassing' (2007:6) as Young suggests, but rather is rooted in spaces for interaction and activism which increasingly overlap with those of the state and create 'critical opportunities for authentic democratic engagement' (2007:6). They suggest that if power did have such a grip as is being suggested by Young, then it would seem impossible to conceive of alternatives which place a focus on strong engagement. Pointing to more possibilities than Young would have us believe, they suggest that much more credit ought to be given to ordinary citizens, non-state actors and the role of social activism in enacting power through civil society organisations. They state:

> This is not to say that powerful interests will not at times seek to subvert
> deliberative efforts. Nor is it to contend that citizens can deliberate
> successfully under any and all circumstances. But we do assert that
> under favourable conditions the broad citizenry can deliberate quite
> effectively and with meaningful results.
>
> (Kadlec and Freidman, 2007: 6)

Kadlec and Freidman (2007) take their starting point in highlighting opportunities where the practical experiences with deliberation have the potential to loosen categories 'enough to create alternative ways to negotiate the issues' (2007:6). In essence, their approach, builds on Young's theory to deliver a more specific and contextualised argument relevant to the practice of non-state actors, appealing to the pragmatic functions of deliberation. Importantly, they point out that while Young's position is clear in identifying how deliberative democracy to date has failed to connect even the best deliberative efforts to processes of institutional and social

change, her account, however, does not grapple enough with the extent to which practical application can neutralize the harmful effects of power. Moving beyond Young's analogy of power, they argue that deliberation in practical settings such as non-state institutions can occur through addressing three inter-related elements of deliberation: *control, design* and *change*.

2.4.1 Control, Design and Change

Similar to Young, Kadlec and Freidman (2007) argue that a key practical problem for deliberation is first how *control* will be exercised to ensure and protect its integrity. Also similar to Young, they point to the issue of *design* and argue that no single entity with a stake in the outcome of deliberation should be the main designer of the process. They argue that co-operative organisation of a deliberative process is a means through which the challenge of control can be managed (2007: 7). Thus far, there are clear interconnections between Young and Kadlec and Freidman. While Kadlec and Friedman point to 'control' and 'design' as key foundational factors in deliberation, Young identifies political equality, inclusion, publicity and reasonableness as key factors. Both these positions are inter-related in contextualising the necessity and outcome of political discussions to ensure the inclusion and representation of excluded groups. Both these accounts appeal to core principles of political discussion through theorising the need for coherence and pragmatic functioning in democratic decision-making processes. However, Kadlec and Freidman are keen to extend this position to include further factors that are important when identifying the potential for political change.

Kadlec and Freidman (2007: 9) argue the need to address 'change' and the factors which prompt the potential for change. This includes questioning who is invited to participate, under what circumstances, and whether parties are allowed to criticise freely. In particular, they argue change can only occur when the following questions are examined:

1) Who and how are people recruited to participate?

2) How will the issue under consideration be framed?

3) How will the process be structured and facilitated?

4) How should the goal or purpose of deliberation be conceived?

Some of these questions are also central to Young's (2000) discussion. In Young's account, she indicates that deliberation must take the form of agenda-setting bodies that are representative of diverse facilitators to introduce difficult topics for discussion and other communicative mechanisms to assist in widening the discussion. Kadlec and Freidman (2007) point out that Young's perspective lends to an account of deliberative democratic processes which does at many levels provide the basis for examining communicative processes and the way agency and advocacy are organised between state and non-state bodies. Moreover, it provides a space to analyse democratic legitimacy and the remedies to creating reasonable and reflective dialogue and deliberation that are inclusive and representative of excluded social groups. However, Kadlec and Friedman argue that good design in deliberative processes must also attend to the specific processes and structure of public forums. Otherwise, those with fewer resources will find themselves marginalised. They argue that what can appear on the surface as democratically sound may paradoxically stifle participation. While this is addressed in Young's theory, Kadlec and Friedman point to the need to

interrogate deliberative processes further, through examining the complexities relating to the practical issues in successful deliberation and how this space is occupied in democratic politics. This practice space, they argue, is often omitted in theoretical speculation. In this regard, the important role of activism is prioritised in their account of deliberation. They argue that while there are indeed different types of actors, ends and political positions, there is also a complex space in which they are all interconnected. They point to Young's 2001 article *Activist Challenges to Deliberative Democracy,* in which Young discusses the role of activism and suggest that the way Young conceptualises activism does not reflect the interconnectedness between state institutions and the space for activism. While Young (2001) suggests that the activist can often eschew deliberation through a resistance to engaging with official representatives or those wielding economic or political power, Kadlec and Freidman propose a more overlapping intersectionality between activism and political institutions. Young conceptualises activism as favouring alternative actions such as street demonstrations, sit-ins, boycotts and direct action. However, Kadlec and Freidman argue that this is not the only way activism operates and point to spaces between political actors and civil society organisations as important sites for enacting activism. They argue the need to explore deliberation and activism not only through protest demonstrations but also in the internal activities of non-state organisations advocating on behalf of excluded groups which they represent. Important, within this space is the way engagement and advocacy is operationalised, the way organisations politically mobilise and the role of strategic alliancing. These factors prove an important site for influencing policy activities and outcomes. In this way, Kadlec and Freidman's position can be levelled against my own position relating to the requirement of participatory mechanisms and creating a space where those who are

excluded are directly involved in decision-making through working alongside non-state actors in pressuring for change. Their theory also provides an added dimension to Young's relating to how are people recruited to participate, how issues are framed and the way deliberation is conceptualised and understood in the actions of non-state actors.

In this way, Kadlec and Freidman's (2007) perspective adds an important dimension to Young's theory, which is relevant when assessing the role of migrant NGOs in representing asylum seekers. This added dimension adds value to the relationship between theoretical speculation and its practice context, emphasising the role of contestation and collaboration in the practices of NGOs. In this way, Kadlec and Freidman's approach provides a response to Young (2000) that moves her discussion beyond political inclusion and reasonableness and addresses an important space occupied by NGOs in their role as social actors and the influence of their own internal practices. This brings to bear not only required elements of political equality and inclusion and reasonable discussion but also raises specific questions relating to the resistance politics and its significance in promoting political participation and deliberation. In particular, their framework allows a space for raising questions about how social action is organised and how participants are recruited to the processes of deliberation. In this way, the model of 'change' emphasised by Kadlec and Freidman brings to bear important factors on which to assess and evaluate the practices of migrant NGOs in their representation of asylum seekers. First, it highlights the importance of strategic alliances and second it highlights the importance of questioning how partnerships are fostered and how spaces for collaboration are

facilitated. In this way, degrees of inclusivity, participation and agency are important frames of reference. These degrees of inclusivity are strongly co-related with:

- The process and structure of public forums

- The level of inclusive and representative active targeted forms of outreach and capacity

- The ongoing expansion of civic capacity and the range of concrete opportunities it can produce

- Sustaining deliberation and participation over time through collaboration

(Kadlec and Freidman, 2007: 18)

When these issues are taken into consideration the deliberative process is 'less likely to be compromised by pernicious forces if they are controlled and safeguarded by those whose stake is in the integrity of the process' (2007: 8). In this way, the responsibilities and duty of non-state actors in representing and promoting access to participation and ensuring inclusive mechanisms for those who have been marginalised from political processes is significant. This includes bringing those who are excluded into decision-making processes through participation in the internal activities of migrant NGOs, which can feed into the creation of robust platform for change. This model of collaboration subsequently, has the potential to influence power and control through strong mechanisms of solidarity that influence the negotiating capacity of non-state actors.

Similar to Young, Kadlec and Friedman (2007) recognise there are limitations and complexities to deliberation within representative systems of governance. They

acknowledge that representative political systems do not always clearly articulate a significant role for deliberation but recognise that leaders and experts are obligated to take seriously the carefully constructed deliberations by civil society organisations and 'to respond to them in authentic ways that move the policy process and debate forward' (2007: 21). As such, a model of representation that incorporates the core tenets of Young's (2000) approach combined with the framework outlined by Kadlec and Freidman (2007) for addressing the practice context of deliberation is considered foundation on which to pose questions of the practices of migrant NGOs organise in representing asylum seekers. This is viewed as providing a frame of reference for examining the scope for deepening democratic legitimacy in the representation of asylum seekers in Ireland but also in identifying significant gaps in the representative strategies of migrant NGOs in Ireland.

2.5 Extracting Key Points from the Theory to Investigate the Representation of Asylum Seekers by Migrant NGOs in Ireland

In discussing the representation of asylum seekers in Ireland, an important aspect is the recognition of the wide range of ways in which power is exercised between political institutions, asylum seekers and migrant NGOs. Applying the theory is viewed as a way of extrapolating information and lending insight into how participation and deliberation are facilitated. In this way, the theory provides an important site to evaluate and understand how representative bodies can exclude as well as include (Kurebwa, 2015).

The first key point I am extracting relates to how power operates and subsequently, how this relates to the exclusion of asylum seekers. Young's theory on oppression is

considered important to demonstrating the levels of oppression experienced by asylum seekers and how this relates to the subsequent exclusion from political processes. These will be considered key indicators of the role of state in maintaining exclusion. Analysing power is also important in evaluating to what degree inclusive and participative deliberative processes are incorporated into the representative practices of migrant NGOs. In particular, the theory is useful to examining the types of relationships that exist between asylum seekers and migrant NGOs, along with the types of relationship that exists between migrant NGOs and state representative institutions. As such, conceptual understanding of political equality and inclusion prove important to answering my research questions with reference to how political equality is negotiated and how political inclusion is understood as a form of representation in the practices of migrant NGOs when representing asylum seekers.

The second point I am extracting relates to theoretical constructions of representation. The theory provides an important foundation for understanding how representation is constructed, how it is understood in the practices of those representing asylum seekers and under what conditions it operates. As such, it is important in assessing the extent to which inclusive and deliberative processes improve the visibility of asylum seekers and enhance their participation in political processes. Migrant NGOs provide a significant site for representing asylum seekers that can influence levels and opportunities for engagement, which in turn, feeds into the way policy is shaped. In tracing the way representation is constructed within the practices of migrant NGOs, the theory acts as a foundation for how asylum seekers could and should be represented as an excluded group. The theory offers a pivotal framework for assessing how decision-making processes are structured. Exploring questions relating to

consensus, contestation, reasonableness, collaboration and communication are considered important in this regard. Questioning these aspects of political participation allows an exploration into the types of relationships asylum seekers experience in their interactions with both migrant NGOs and state actors and to what degree democratic legitimacy is given priority in this process.

Notwithstanding the reluctance of political institutions to create meaningful forums for engagement, the theory is viewed as lending insight into how deliberative institutional democratic arrangements have the potential to provide a platform for change. Young's account illustrates possibilities for meaningful deliberation through prescribing and evaluating a model of deliberative democracy which allows for participation, access, and representation. It does this through adherence to strong principles of inclusive dialogue, accommodating diverse claims and making visible the claims of those who are excluded. Drawing on this framework allows for an integration of her ideas into examining the role and functions of migrant NGOs. However abstract, Young's account may be considered by her critics, it reflects an awareness of the injustices experienced by social groups and provides a foundation for remedying some of these injustices. As such her theory is viewed as important in provides steps to strengthen participation and ensure visibility through strong principles of political equality and inclusion.

The third point I am extracting from the theory relates to the practice context of representation. I draw here on aspects of Kadlec and Freidman's perspective relating to 'change' and its influence in deliberation processes as a particular way of understanding the actions of migrant NGOs in representing asylum seekers. In

particular, they place an emphasis on recruitment processes and collaboration. This allows for an evaluation of who is controlling the deliberative process and whether deliberative mechanisms act in a way that is responsive to those they represent. While Young's approach is used for exploring political equality and inclusion and degrees of reasonableness and publicity in the representation of asylum seekers, Kadlec and Freidman's (2007) account is useful in evaluating the extent to which resistive politics is embedded in the practices of migrant NGOs and to what extent alliance building and collaboration is exercised. It particular, it is considered useful in posing questions relating to the various ways different actors act with and on behalf of those they represent.

Kadlec and Friedman's account is significant when drawing attention to the effectiveness of advocacy, the process and structure of public forums, and the internal activities of organisations in the way they practice representation. In this regard, the research study seeks to understand whether particular approaches to advocacy and action actively curtail or enhances the potential space for political representation. Questioning these processes is considered important when interrogating demands for accountability and responsiveness and highlighting substantive measures that lend to better understandings of representation through questioning the opportunities and constraints in which decisions are made.

2.6 Empirical Evidence Supporting Deliberative and Participative Practices of Political Representation.

This section draws on empirical evidence that highlights the benefits of deliberation and participation when actively pursued and practiced in the activities of both non-

state actors and state institutions. These approaches highlight the benefits of participation and the involvement of excluded groups in an explicit way in their own political representation and in the administration of policy that directly affects them. As the research study focuses specifically on the political representation of asylum seekers, the below examples draw specifically on two case studies relating to the inclusion of asylum seekers and demonstrates how robust mechanisms of deliberation and participation have impacted positively on the inclusion of asylum seekers and on society at large.

2.6.1 Case Studies

In 2014, the Migration Integration Policy Index (MIPEX) identified Portugal, Sweden, and Scotland as providing comprehensive approaches to asylum seeker political representation and integration, identifying strong collaborative measures and a focus on participation as significant factors in generating successful and inclusive immigration and integration policies. The successful integration of asylum seekers was located in investment in equal opportunities for asylum seekers, strong collaborative mechanisms of representation, the successful incorporation of asylum seekers into decision-making processes and solidarity and unity across migrant NGOs (Sunderland, 2016; Huddleston, Bilgili, Joki and Vankova, 2015).

In 2018 the Scottish government published its second comprehensive and inclusive integration strategy which prioritises the participation of asylum seekers in policy implementation, recognizes culture as an important part of the integration process and emphasizes capacity building and autonomy as key features of successful integration and participation (The Scottish Government, 2018). Scotland's progressive approach

has secured it as top amongst European countries polled in 2016 on public confidence in asylum seekers and refugees and their successful integration into local communities (European Council on Refugees and Exiles, 2018).

Both the Scottish and Portuguese models recognize the value of embedding strong collaborative processes and provide person-centered approaches to the accommodation of asylum seekers from their immediate arrival in the host country. MIPEX (2015) highlights the benefits of such approaches in the development of robust receptive conditions, while also providing the best conditions for social solidarity and community cohesion (Huddleston, Bilgili, Joki and Vankova, 2015).

Evidence from Scottish and Portuguese models of political representation for asylum seekers highlights how solidarity and unity across the migrant NGOs has had transformative effects on the policy landscape (Huddleson, Bilgili, Joki and Vankova, 2015). Underpinning these approaches is an acknowledgement of the precise links between all actors and the value of participation (Dorrity, 2018). Central to these approaches is deeply entrenched collaboration, strong values of inclusive representation among all representative parties and a starting point that emphasizes strong values of solidarity, political inclusion and social justice (The Scottish Government, 2018; The Portuguese Refugee Council, 2018). Both models stress the significant role of civil society actors, public administrators, state institutions and most importantly, asylum seekers. Success is located in all parties having an equal stake in the policy making process and embedding a proactive political narrative which secures visibility and voice for those seeking asylum (Dorrity, 2018). This type of

representation has prioritised inclusion and emphasised protection and security and the way it is managed both socially and politically (Palmer and Zapata-Barrero, 2017).

The Portuguese Model

Portugal's reception system was founded in 1991. Part of its strategy was bringing together not NGOs and asylum seekers but also bringing academics in the field of migration into the promotion of dialogue with policy makers (WHO, 2014). Central to this politically inclusive process was the establishment of the High Commission for Immigrant and Ethnic Minorities (Alto Comissário para a Imigração e Minorias Étnicas – ACIME) in 1995. Its primary aim has been promoting the integration and participation of migrants and co-ordinating the inclusion and participation of different bodies representing the interests of migrants, including migrant organisations in local municipalities and various government bodies and other civil society organisations with which migrants interact. As such, ACIME acts as a political mediator between the government and the migrant associations (Cruz Beja Orrico Horta and Gonçalves de Oliveira, 2014; Sardinha, 2007). In 1998, ACIME established a semi-autonomous representative body under the auspices of the Consultative Council for Immigrant Issues (Conselho Consultivo para os Assuntos da Imigração – COCAI). This is made up of representatives of migrant NGOs, representatives of institutions that work with migrants, labour union representatives, business association representatives, church representatives, and members of various regional and national government bodies (Ibid). The emphasis is on the participation of asylum seekers and refugees with and through their representative organisations, creating space for them to become "social and institutional partners in delineating integration policies" (Sardinha, 2007:14). The

Portuguese system has been exemplary in prioritising knowledge sharing, promoting policy discussions, and prioritising shared decision making. Most importantly, these bodies emphasise countering the negative effects of 'fear mongering' which includes a wide dissemination of facts pertaining to successful refugee policy, particularly highlighting the importance of immigrants to Portuguese society (Palmer and Zapata-Barrero, 2017). The Portuguese model highlights the way effective political equality and inclusion has impacted successfully on political outcomes for asylum seekers. Active collaboration and networking across migrant NGOs also underpins the success of this approach (Dorrity, 2018).

The Scottish Model

Similar to Portugal, Scotland pursues an all-encompassing view of political equality and places a strong emphasis on participatory frameworks to allow access to the political sphere for those seeking asylum. This access to participation is promoted, even while navigating asylum seekers are navigating their way through the asylum system. Like Portugal, the Scottish model promotes explicit on-going consultations and deliberations with asylum seekers, their representative bodies and their local communities with the aim of prioritising inclusion and participation (Dorrity, 2018). The Scottish resettlement model takes into account a range of initiatives to help promote awareness and access to rights. In including the participation of asylum seekers in the policy process, the lived experience of asylum seekers is carefully considered and feeds into the support mechanisms which those seeking asylum require (The Scottish Government, 2016).

Core to its inclusionary aspects, is a deeply embedded political equality approach, the active participation of asylum seekers in the shaping the delivery of policy, and including the expertise of many partners across public services, local authorities, community sector organisations, private sector representatives, community groups, all working collectively to achieve positive outcomes for asylum seekers and refugees (Scottish Government, 2016). Similar, to the Portuguese model, participation is viewed as key to legitimising reformist strategies and providing institutionalised platforms for dialogue and interaction. Migrant NGOs are viewed as having an active role to play in reaching out to asylum seekers and providing legitimate avenues of access to participation (ibid.). Successful outcomes have resulted in a reduction of racism in Scottish society and a deepening of cohesion strategies and outcomes within local communities (MIPEX, 2015).

Within both the Portuguese and Scottish models, political representation is conceptualised through workable solutions and providing avenues for asylum seeker agency and autonomy. This is achieved through incorporating strong goals of participation and deliberation and making political equality, inclusion, reasonableness and publicity part of the policy process. Such approaches make explicit the way bottom up as opposed to top down approaches produce positive outcomes for asylum seekers.

These bottom-up democratic and interest-based approaches ensure both asylum seekers and migrant NGOs have a significant role in decision-making processes. These models show how deeply embedded institutional and participatory frameworks of inclusion give way to approaches that place value on advocating 'with' and not

mere advocating 'for' asylum seekers. They highlight the benefits of strong consultation mechanisms and establish access to the political sphere through liaising between all parties. Both these models offer important opportunities for thinking in a deeper way about the value of deliberation and highlight how models of inclusion that deliberative theorists promote have relevance in practice settings. They also highlight how theories can have empirically sound and positive impacts.

Incorporating models of deliberation in Portugal and Scotland have not been without their challenges but what has been core to their success has been openness to change, strong collaborative engagement, and the inclusion and participation of all parties. The evidence from these models indicates asylum seekers as not just passive actors unable to participate politically, but are vital actors in this process. The Migrant Integration Policy Index (MIPEX) concludes that inclusive representational policies are much more likely to improve social cohesion and create positive conditions for promoting diversity, interculturality, and inclusion (Huddleston, Bilgili, Joki and Vankova, 2015).

2.7 Conclusion

Overall, this chapter has considered how deliberative models of representation can offer ways to understand political representation and ensure political presence for excluded groups, in this case those who seek asylum. I first presented an overview of important discussions on political representation, which make explicit the requirement of deliberation as a precursor to inclusive and participative politics. I highlighted how these discussions remain important and have value in attending to the inclusion of marginalised groups in political processes. I then, more specifically, explored Iris

Marion Young's model of deliberative democracy as a distinct form of policy and practice responsiveness in addressing the exclusion of social groups from political processes. In particular, I highlighted deliberation and participation and the quality of communication as central aspects of political representation and emphasised the importance of incorporating the interests and claims of excluded groups in decision-making processes between state and non-state actors. Within this section, I drew on Iris Marion Young's approach and highlighted the benefits of understanding representation through the lens of political equality, inclusion, reasonableness and publicity. Following on from this section, I presented a further section which expanded Young's approach to address the practice context of deliberation. This was considered an important extension and adding value to models of representation, particularly in assessing the practice context of representation in the activities of migrant NGOs. In this section, I drew on the perspective of Kadlec and Friedman (2007) and others, highlighting important components to understanding the value social activism and a more nuanced understanding of power that gives validity to the practices and position of non-state actors in deliberative processes. Most specifically, these accounts of deliberation were included in order to lend an insight into important dimensions of deliberation that are accounted for by placing attention on how excluded groups are recruited to participate and under what terms.

I then highlight the value of theory in addressing my research questions. In this section I highlight key points that can be extracted from the theory and highlight their value for assessing the practices of migrant NGOs and their effectiveness in facilitating participation and collective action. The latter section of the chapter then drew on empirical studies that highlight the benefits of deliberative approaches and the

importance of collaborative and inclusive mechanisms in ensuring the participation of asylum seekers in political processes. In this section, I illustrate the effectiveness of approaches that advocate 'with' rather than advocate 'for' asylum seekers and their positive implication for inclusive collaborative politics.

Overall, the theoretical framework aims to highlight the principles and practices under which deliberation and participation should be evaluated. In this sense, my interest is in adapting the communicative, deliberative, and participative orientation of deliberative approaches and using them as a framework to ask questions relating to how migrant NGOs represent asylum seekers. In particular, I aim to apply this framework to investigate the quality of decision-making, access to participation, levels of political equality and the extent to which deliberation is considered a valuable mechanism of representation in politically representing asylum seekers within the Irish context.

These issues will be explored explicitly in the following chapters, which will provide detailed discussions on the policy context relating to the representation of asylum seekers, the practices of migrant NGOs in representing asylum seekers and, finally, the perspectives of asylum seekers relating to how they experience representation. The following chapter is the first of these chapters and addresses the political context governing the administration of asylum policy and efforts that have been made to promote deliberative democratic processes of engagement between state institutions and migrant NGOs. In particular, it will examine the conditions under which engagement takes place and ask questions relating to how effective engagement has been in promoting the participation of asylum seekers. As such, the following chapter

will provide a context which describes the environment in which migrant NGOs operate in attempting to politically represent asylum seekers and will act as a bridging chapter between the theoretical and empirical components of the thesis.

Chapter 3 – Political Representation and Asylum Seekers in Ireland: Debates and Context for Representation and Seeking Asylum in Ireland

3.1 Introduction

This chapter investigates the political representation of asylum seekers in Ireland, outlining the policy context in which migrant NGOs operate in representing asylum seekers. It aims to document the way in which interactions have taken place between migrant NGOs and state institutions and raise questions relating to the effectiveness of deliberative and participative mechanisms of representation. As such, it will detail the degree to which the state is receptive to forms of representation sought by migrant NGOs, as evident in their policy and policy-making fora and engagement processes. This will set the context for the empirical study outlined in Chapter Five and Chapter Six, which will explore political representation through lens of migrant NGOs in the form of one-to-one interviews and with asylum seekers in the form of focus groups. In this way, the chapter serves as a bridging chapter between the theoretical review on representation in Chapter Two and the empirical research relating to the practice of representation in Chapter Five and Six.

In short, the chapter examines the policy context in which asylum policy is administered in Ireland, the role of Social Partnership (in place until 2009) and the role of Direct Provision NGO Forum (in place until 2014) in enhancing deliberative mechanisms of representation. It investigates the conditions under which deliberation

takes place with state institutions such as the RIA and the DJE, while also raising important questions on which to evaluate the quality of democratic communication and levels of inclusion. The concluding part of the chapter raises specific questions relating to the promotion of participative structures, linking to the research investigations undertaken in Chapter Five.

The chapter begins with a background context outlining some of the challenges faced by migrant NGOs in engaging political institutions. It then outlines on a descriptive level, the key stages that have led to an increase in engagement structures and new efforts made by the state to promote civil society organisation participation and collaboration in the policy process. In this section, I first discuss deliberation through a more general account of partnership as a system of governance and policy deliberation in Ireland. This includes clarifying the general policy trends e.g., the role of Social Partnership, and efforts to support and include community and voluntary organisations in decision-making processes. I then move on to consider the types of engagement have been made available specifically to migrant NGOs. This is done through a more rigorous focus on partnerships that have sought to address asylum seeker inclusion and political representation in Ireland. In this section, I discuss the role of the National Consultative Committee on Racism and Interculturalism (NCCRI), founded in 1998 and its influence in promoting deliberation between state institutions and migrant NGOs. I then discuss the significance of the Department of Justice, Equality and Law Reform's commitment to addressing social and cultural exclusion through the development of its national action plan - *Planning For Diversity: The National Action Plan Against Racism 2005-2008*. Along with these two important initiatives, I also examine the role of the Direct Provision (DP) NGO Forum,

a platform bringing together migrant NGOs and state institutions to address key asylum seeker issues and the system of DP. At this point, I question how, and if, its establishment has resulted in a meaningful process to strengthening the representation of asylum seekers in political processes in Ireland.

Following on from this section, the chapter moves to a critical assessment of the values/ideas and assumptions that have informed models of representation in the practices of state institutions and migrant NGOs. Here, I discuss to what extent attempts to engage in deliberative and consultative processes in the Irish context have been informed by strong principles of participation, deliberation, and inclusion.

In the final part of the chapter, an evaluation is made with reference to the often contradictory nature of engagement between state institutions and migrant NGOs. The concluding points of the chapter highlights important questions relating to how engagement has been characterised by practices that have been dominated by power differentials, regulatory frameworks and top-down governance imposed by the state institutions. However, while acknowledging significant factors relating to power differentials and the disconnect that exists between state centric and migrant NGO approaches to representation, the chapter also raises questions that elucidate other factors such as leadership in the practices of migrant NGOs, the role of migrant NGOs in empowering asylum seekers, the role of political mobilisation, and finally the role of advocacy in the actions of migrant NGOs. In particular, I highlight issues relating to lack of resistance and democratic legitimacy, brought about through an unquestioning acceptance of the underlying premise of state political processes of control. This discussion will set the scene for the empirical study in chapter five

investigating the way migrant NGOs understand and facilitate deliberation, the types of participation they promote and their role as advocators and actors of change.

The timeframe is which this investigation was undertaken is important here. In particular, I am examining the policy context from 1996 to 2014. I use this timeframe to coincide with events leading up to my empirical research and the timeframe in which the empirical research was undertaken (2011 – 2014). Since then, significant developments have taken place relating to engagement from state institutions with migrant NGOs in the form of the *Working Group to Report to Government Working Group on the Protection Process on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers* (2015). However, the empirical study had already been undertaken at this time. As such, I only briefly make reference to the Working Group in this chapter. I do, nonetheless, return to it in my concluding chapter as a way of directing the reader to more recent developments and as a way of building my overall argument relating to the way deliberations have been framed.

3.2 Background to Asylum Seekers and Movement

Across European states, the growing advancement of cross border movement and greater global mobility has presented compelling challenges to how states deal with the issue of asylum, migration and citizenship (Grove-White, 2012). Within this context, the welfare of asylum seekers and related policy development has become a contentious issue and received heightened attention in both media and political debate (Klocker and Dunn, 2003). It has also presented challenges for migrant NGOs both nationally and internationally in how they represent and address the needs of asylum

seekers. While migrant organisations work with policy makers to bring about change, they also raise concerns about the lack of regard for ethical policy commitment when it comes to asylum seekers (Wurie Khan, 2011). In particular, they highlight inefficient government structures, which fail to take into account the social and economic factors which contribute to the marginalisation of asylum seekers (Dorrity, 2018; Themistocleous, 2012; Fanning, 2007).

Despite asylum seekers being granted the rights to protection under the 1951 United Nations Convention Relating to the Status of Refugees and in UN Development Programmes (United Nations Development Programme 1994; United Nations development Programme 2013), protection within national borders remains a site of contestation. The rights to seek asylum is set out in the United Nations Convention on the rights of refugees and clearly lays out the rights under which asylum seekers can be granted asylum. Despite this however, state institutions within national borders have continued to interpret this differently and at large, drawn distinctions between citizens and non-citizens with respect to the rights afforded to asylum seekers. This in essence, has meant that a gap exists between rights guaranteed under international law and those afforded to asylum seekers within states (Office of the United Nations High Commissioner for Human Rights, 2006). Such differentiated and ad hoc approaches, also means there is a lack of consensus on the precise capacity of migrant NGOs to influence policy both within and across states. There is, however, general acceptance that the presence of migrant NGOs do, in fact, matter (Kohler-Koch, 2011). However, in realistic terms, debates on asylum seeker exclusion have remained neglected and when they have taken place, are frequently driven by exclusionary mechanisms and a 'rhetoric of fear' and 'moral panic' among political institutions

(Garner, 2013; Nyers and Rygiel, 2012; Wurie Khan, 2011; Peutz and De Genova, 2010). Such representations of asylum seekers have often legitimated the introduction of targeted draconian policies within states (Klocker and Dunn, 2003). Within the Irish context, what has been witnessed is a move towards a form of punitive state policy, which has effectively excluded asylum seekers socially, politically and culturally. This has coincided with a poor track record of acceptance rates for asylum seeker applications (Cusack, 2016).

In a recent study undertaken by Eurostat, it revealed that Ireland fares lower than almost all other EU countries in its numbers of successful applications at the first instance and comes last out of all EU countries in percentages of those granted refugee status (Cusack, 2014). The system for processing applications has also been criticised for its piecemeal character and continued tightening of controls coupled with the withdrawal of social and economic supports and entitlements to asylum seekers (Kinlen, 2013). Furthermore, asylum seekers in Ireland frequently face lengthy periods in reception centres while awaiting a decision on their application (FLAC, 2010).

In attempting to contribute to the development of asylum policy within states, members of the European NGO Platform on Asylum and Migration (EPAM) have pointed to the need to prioritize the creation of spaces for open and inclusive dialogue where asylum seekers in need of protection are placed at the centre of policies (EPAM, 2014). They point to the importance of migrant NGOs in influencing policy-making fora. In this way, raising the profile of migrant organisations within states is important. Political mobilization can, however, prove challenging when state structures of

engagement are not open, transparent, and inclusive (Cullen, 2009). Within this environment, providing asylum seekers links to increased participation and decision making processes is not always easy. In Ireland, this has been further complicated by conflicting approaches by state institutions on asylum issues. On the one hand, state institutions have been seen to support more inclusive strategies of engagement through partnership processes with migrant NGOs and the development of services and local integration strategies to aid migrant integration. However, on the other hand, the state has displayed a growing reluctance to providing access to international protection for asylum seekers evident in poor protective measures and increased levels of deportations (Cusack, 2014).

Operating within this environment presents challenges for migrant NGOs in engaging state institutions, particularly on issues of human rights and the political representation of asylum seekers. This is further compounded by the fact that many migrant NGOs are reliant on state funding, where funding is dependent on NGOs fulfilling conditions laid down by the state. Policies governing migrants and refugees devised at a national level are more generally more applicable to migrant integration for those who have been granted protection status, while those targeting asylum seekers are often ignored. Increasingly funding trends within national borders and across the EU are tied up with a subsequent reduction in the scope for civil society activism and a diminished space for upholding the values of democratic processes (Vosyliute and Conte, 2018; Szuleka 2018). Within this context, Vosyliute and Conte (2018) argue that the funding of organisations can often be used as a tool to silence migrant NGOs.

Spencer (2006) reminds us how NGOs are often not just pressure groups lobbying the state on policy change, but increasingly contracted by the state to provide particular services and are often required to cooperate with state institutions on issues relating to those they represent. According to Cullen (2009), this can profoundly compromise the scope for political mobilization for migrant NGOs. Others, however, take a different perspective, arguing that through providing essential services, NGOs occupy an important space that is underpinned by the state's reliance on the sector. This reliance opens up opportunities for NGOs to influence policy and expand their spaces of influence (Kadlec and Friedman, 2007). Within this framework, there is scope for both complimentary and adversarial partnerships to prevail between state and NGOs (Kadlec and Friedman, 2007; Spencer, 2006; Young, 2000). In this way, this space is viewed as a negotiating space which needs to be carefully navigated in order to ensure the best possible outcomes for those they represent. Cappiali (2017) notes that while it is recognised that migrant organisations can exert influence, it is also important to capitalise on their communicative power in representing important issues, through evaluating how they enact their power. How migrant NGOs enact their power and how open the state is to engagement will, in turn, determine the types of relationships that exist between them. This will also impact on the scope for resistance and protest. A further factor that will also influence their position is the level of unity across migrant NGOs. These factors in turn will affect the degree to which state representative institutions take partnership and collaboration seriously (Kadlec and Freidman, 2007). For this reason, when setting the discussion on asylum seeker representation in Ireland, it is important to understand how representative structures have developed between state institutions and migrant NGOs and to examine the

specific factors that have had a direct/indirect impact on participative and collaborative structures.

3.3 Factors influencing the way Asylum Seekers are represented in Ireland

In Ireland, there are a number of factors influencing the representation of asylum seekers. These include the influence of EU interventions, the interpretation and application of international human rights treaties, the role of political debate, the development and influence of partnership approaches between state and non-state institutions, and the quality of communication. In setting the context for this discussion, it is important to examine these factors with a view to understanding the challenging position faced by migrant NGOs in representing asylum seekers.

3.3.1 EU Asylum Law, Human Rights Instruments and Asylum Law in Ireland

Within the EU, the right to seek asylum is enshrined in the 1951 Convention Relating to the Status of Refugees and the associated Protocol of 1967. However, as previously indicated, the procedures, conditions and qualifications for asylum seekers can differ across member-states. The development of the Common European Asylum System (CEAS), which emerged from the 1999 European Council in Tampere attempted to address such inconsistencies (Toshkov and de Hann, 2011). It sought to do this through harmonizing existing national asylum procedures and coordinating the handling of asylum applications across the EU (Jacobs et al., 2015). However, implementation continues to remain varied with immigration laws determined by national as opposed to European regulations. Nevertheless, a number of legal acts were adopted setting the standard for asylum protection across the EU. The Dublin II Regulation (amending the 1990 Dublin Convention) introduced a set of rules to

determine which member state is responsible for assessing an application. The Reception Conditions Directive (2003) imposed minimum standards in areas such as housing, health care and education and the Qualification Directive (2004) set the criteria for the qualification of asylum seekers for refugee status or subsidiary protection. Importantly, the Qualification Directive regulated that asylum seekers who do not qualify for refugee protection under the 1951 Refugee Convention may be granted international protection on humanitarian grounds not included in the Convention. Finally, the Asylum Procedures Directive (2005) attempted to ensure that throughout the EU all member states adhere to the same standards of protection (Toshkov and de Hann, 2011).

While the enforcement of Amsterdam Treaty in 1999, in particular, saw the issue of asylum take a significant space in EU policy and brought together the agreed cooperation of the EU on asylum and immigration issues, the intensification and promotion of harmonised EU policies has since been widely criticised by many scholars who argue that it has resulted in the gradual enforcement of a 'Fortress Europe' (Nyers and Rygiel, 2012; Peutz and De Genova, 2010). This restricting approach has failed to give adequate consideration to asylum seeker representation and protection within the EU (Kaunert, Léonard & Hoffmann, 2013). Additionally, while the fundamental values of the EU, enshrined in the Treaty on the European Union (TEU), include respect for human dignity, liberty, democracy, equality, the rule of law and respect for human rights, these values only apply to citizens of the EU and are not extended to those seeking asylum (Jacobs et al. 2015). Moreover, the more recent asylum debate has pointed to a failing of the European system, along with a

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failure of EU institutions to touch on deeper issues relating to representation and immigration (Bralo and Morrision, 2005).

Bralo and Morrison (2005) argue that moves by the EU to legislate for asylum protection has in recent years seen European states gradually shift from approaching asylum as a human right and replacing this with the view of asylum as an administrative humanitarian procedure. In this way, it has focused more on common procedures in the administration of policy rather than a strong focus on rights as laid down in the UN Convention. Furthermore, while 'procedural safeguards exist to reinforce the protection afforded by each contracting state and the rights and freedoms guaranteed in the European Commission on Human Rights (ECHR)', there has been little done by the European Court of Human Rights (ECtHR) in way of 'strengthening these basic guarantees in cases involving refugees' (Lambert, 2005:45). What is even more problematic is that formal agreements by nation states, directed at improving human protection, have not done so and have even resulted in worse practices towards refugees and asylum seekers (Hafner-Burton et al., 2008).

Coinciding with moves towards common administration of policy across the EU, there have been no formal structures of supervision put in place to review the fairness of decisions in the granting or withdrawal of protection (Mole and Meredith, 2010). This has remained a neglected part of policy, despite the United Nations High Commissioner for Refugees (UNHCR) monitoring the way member states comply with their international obligations. This may be partially understood by the fact that within EU structures, the features of membership granted to asylum seekers continue to be defined by individual nation states, despite the advancement of collective

international human rights instruments and the development of CEAS. Furthermore, Askola (2015) argues that much of the EU's human rights activity has been outward looking focusing on human rights globally rather than a concern with human rights within its borders. Craig and De Búrca (2011) argue that, if there is one area where the EU has been criticised for its lack of a firm human rights approach, it is the field of the refugee and asylum policy.

In Ireland, the legislative and institutional framework for asylum policy is relatively new (Quinn, 2009). It was only in 1996 that Ireland put into law the status of asylum claims as set out in the Refugee Act, 1996 (as amended). It took a further four years before this was properly enacted (Dorrity, 2018). The Refugee Act 1996 came into law in 2000 and allowed for the establishment of the ORAC, the Refugee Appeals Tribunal (RAT) and the RIA. The 1996 Act was amended by several subsequent pieces of legislation (Quinn, 2009). These include the Immigration Act 1999, the Illegal immigrants (Trafficking) Act, and the Immigration Act of 2003 and the Immigration Act of 2004. The main purpose of the Refugee Act was to give statutory effect to the State's obligations as signatory to the 1951 UN Convention Relating to the Status of Refugees, and the 1967 New York Protocol (European Migration Network Ireland, 2015). Section 5 of the Act provides for the prohibition of refoulement (return to country of origin) Section 8 provides for applications for asylum, and Section 9 provides that applicants for asylum shall be given leave to enter and remain in the State (Ibid.). Ireland is also bound by the EU Asylum Procedure Directive 2003. This directive establishes common standards of safeguards and guarantees access to a fair and efficient asylum procedure (European Commission, 2015). However, Ireland, the UK and Denmark used an opt-out facility which meant they were not bound by the

same reception mechanisms of other EU states. Due in part to the Irish opt-out facility, EU legislation has, as such, only had a limited effect on Irish immigration policy (Quinn, 2009).

A Recast Qualification Directive (2011/95/EU) of the European Parliament and of the Council of Europe was applied in December 2011. This Directive put in place standards for 'the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted' (European Parliament, 2011). The Qualification Directive (recast) is a crucial component of the EU asylum procedure, which 'provides for the adoption of measures for a Common European Asylum System (CEAS) comprising a uniform status of asylum and a uniform status of subsidiary protection (recast) [2011] OJL 337/9' (European Asylum Support Office, 2016:11). However, yet again, Ireland along with the UK and Denmark opted out of this directive. As it did not opt in to this single asylum procedure, comprising the common guarantees of the CEAS, it has had an opt-out of any EU proposals regarding immigration, asylum and civil law. Ireland has also opted out of the family reunification regulation, the reception conditions relation, the recast regulation on reception conditions and the returns directive (European Migration Network, 2015). As such, Ireland retained domestic control in the above areas and remained firmly outside of CEAS on many asylum issues (Dorrity, 2018, Cosgrave and Thornton, 2018).

Despite pressure from the EU Commission, no official reason was ever given for Ireland's non-participation in the Directive, but the right to work obligation as part of

the directive has been particularly problematic in Ireland (Dorrity, 2018; Higgins, 2004). This Directive has, however, recently been challenged in a case taken against the state by a Burmese asylum applicant. On 9th Feb 2018, the Supreme Court declared that Ireland's ban on the right to work for asylum seekers was unconstitutional. In 2018, pressured by the decision of the Supreme Court, Ireland opted into EU Reception Conditions Directive (recast). From 9th February 2018, asylum seekers were entitled to apply for a work permit as part of the interim measures that have been introduced by the Irish Government, while it prepared to opt-in to the EU (recast) Reception Conditions Directive (Doras Luimni, 2018). The prohibition on employment for asylum seekers in Ireland had been accompanied by other restrictions i.e. a prohibition on access to the social welfare system, with the exception of a weekly payment of €21.60 (recently increased to 38.80), a denial of the right to third level education, denial of access to social housing and a denial of access to the child benefit system (Dorrity, 2018; Cosgrave and Thornton, 2018, Lentin, 2012, Fanning, 2007).

3.3.2 Procedure for Asylum Claims in Ireland

There are three main bodies with responsibility for asylum policy, asylum claims and related asylum issues in Ireland. These are:

- The Department of Justice and Equality (DJE), previously the Department of Justice and Equality and Law Reform (DJELR)

- The Gárda National Immigration Bureau (GNIB)

- The Irish Naturalisation and Immigration Service (INIS)

The DJE is charged with being the lead department for immigration and citizenship related issues. The DJE is the main body responsible for asylum applications, 'leave

to remain' and security and protection issues. It locates itself as a department involved in the promotion of a fair and just society and credits itself on being both 'tolerant' and 'caring' (Department of Justice and Equality, 2018). In its mandate it states:

> We are committed to initiating and supporting programs that develop a more caring and tolerant society, where equality of opportunity is promoted and advanced.
>
> (Department of Justice and Equality, 2018: 1)

In 2001 the GNIB was established, holding the responsibility for border securitization, the control and registration of non-Irish citizens, the administration of deportation orders and the carrying out of deportations, and the implementation of anti-trafficking measures (Ní Shé, Lodge, and Adshead, 2007). In 2005, INIS was established providing a one-stop-shop for asylum, immigration, citizenship and visa services. Housed within INIS, is the IPO, which is responsible for examining and processing applications for international protection (both refugee status and subsidiary protection) (DJE, 2018). An asylum claim is determined by the IPO at first instance, (previously decided under ORAC). A negative asylum determination can be appealed through the International Protection Appeals Tribunal (IPAT), previously the Refugee Appeals Tribunal (RAT) (Cosgrave and Thornton, 2015).

Other human rights treaties that the relate to Ireland include the International Covenant on Civil and Political Rights (ICCPR), the Convention against Torture and other Cruel, Inhuman or Degrading Treatment (UNCAT), the Convention on the Elimination of

All Forms of Discrimination against Women (CEDAW), the Convention on the Elimination of All Forms of Racial Discrimination (CERD) and the Convention on the Rights of the Child (CRC). These, however, do not specifically provide for rights to international protection (Irish Human Rights and Equality Commission, 2014).

Thornton (2014:1) argues that the hallmark feature of asylum policy in Ireland has not only been a reluctance of the Irish state to adopt EU policy on asylum but has demonstrated the 'the continual withdrawal and diminution of social rights'. He argues that the way the Irish state administers asylum policy is not fitting with the 'Irish government's supposed commitments to social inclusion' (Thornton, 2014:3).

3.4 Formal Efforts Undertaken by the State to Promote Political Engagement and Partnership Processes with NGOs in Ireland

Historically, state relations with the NGO sector have existed in an inconsistent and ambiguous way with the state failing to identify with the value and integrity of the NGO sector (O Rourke, 2010). However, between 1987 and 2009, the period in which formal Social Partnership was in place, the state gave greater recognition to the role of the NGOs and undertook a number of initiatives which involved more participatory forums for other parties, such as community and voluntary organisations to participate. This effectively opened up the channels of Social Partnership to potentially allow much greater opportunities for organisations to influence policy.

The development of Social Partnership marked key changes in relation to consultation and decision making to include a wide variety of actors representing different social

groups. This was largely the result of the involvement of the Community and Voluntary sector from 1997 onwards. The role of Social Partnership was to bring together representatives from interest groups outside of elected representatives and allow these groups to play a more active role in decision making related to policy provision (The Equality Authority, 2008). This form of partnership created the opportunity for the Social Partners to enter into discussions on a wide range of social issues relating to the delivery of policy and social inclusion. The development of Social Partnership was viewed as one of the most significant undertakings by the Irish state in engaging with the NGO sector, providing a distinctive mode of governance that examined partnership in action both at local and national level (Ó Riain, 2006). For the first time it paved the way for area based partnerships to tackle social exclusion and inequality (Ibid).

Initially, such a move was welcomed by the Community and Voluntary Pillar, though many NGOs had an ambivalent relationship with the Social Partnership process (Meade, 2005). Nonetheless, it was considered a significant move towards putting in place measures to ensure previously excluded groups were represented in key institutions. From 1997 onwards, the Community and Voluntary Pillar were instrumental in the development of a number of national agreements, addressing inequality and social exclusion between 1997 and 2009. This was directly responding to the exclusion experienced by certain segments of Irish society and the promotion of enhanced participation at both national and local levels, allowing communities and NGOs a say in local and national decision making. Murphy (2002) argues, however, that within the Social Partnership process there was little scope for collective problem solving. This presented restrictive opportunities to redress social exclusion and

equitable civic participation (ibid.). McInerney (2013) argues that despite a trend towards supporting participatory models, the state began reverting back to a type of civil society containment and providing less support to NGOs pursuing overt social justice spaces.

Along with the development of Social Partnership, in 1998, Ireland saw the establishment of the National Consultative Committee on Racism and Interculturalism (NCCRI). This organization was developed as a partnership body which brought together both government and NGOs with a view to developing a consultative forum on which to promote policy changes and more effective integration strategies relating to migrants, refugees and asylum seekers. It consisted of a large umbrella group organization Integrating Ireland which had a network of over 200 community and voluntary organizations working to promote equality and the integration of migrant communities (Feldman et al., 2005). One of their core aims was to develop an inclusive and strategic approach to combat racism and promote interculturalsim and to establish and maintain links with organisations that develop intercultural policies and practices at a national, EU, and international level. As a partnership body, it actively sought to develop initiatives designed to eradicate racism and promote positive integration.

3.4.1 Commitments to Migrant NGOs

A commitment to partnership processes was also given in a key migration policy document in 2000 – *Integration: A Two Way Process* (2000). In this document the state recognises the role of migrant NGOs in the integration of refugees and as a sector with the capacity to exert influence in the policy arena. The document recognised and welcomed various undertakings by migrant NGOs and community groups in assisting

refugees in overcoming barriers to integration and acknowledged their capacity to raise greater public awareness on the needs of refugees (Department of Justice Equality and Law Reform, 2000). It also highlighted that while efforts had been made by migrant NGOs to address integration, a lack of overall co-ordination of the various programmes had resulted in fragmented integration measures across different sectors. It recognised that 'the goodwill and the enthusiasm which exists among NGOs and the wider community must be harnessed and given direction to achieve maximum benefit both for refugees and society' (Department of Justice equality and Law Reform, 2000: 20). Furthermore, the document recognised the potential positive contribution that refugees can make to Irish society and states:

> Refugees and other immigrants living in Ireland can enrich the society around them and contribute to the continued development of Ireland. They can do so by participating in the activities of the community and society, drawing on their own experiences, culture and background...The task of transforming the social environment in Ireland into a country which welcomes refugees and embraces cultural diversity must be shared by the government of Ireland and its people.
>
> (Department of Justice equality and Law Reform, 2000: 20)

However, in this same year, the state made moves to withdraw the right to work for asylum seekers and officially introduced the system of DP. Furthermore, while the integration strategy made reference to asylum seekers, the overall emphasis of the strategy focused on those who had been granted refugee status or 'leave to remain'.

In the same year, the state, for the first time formally recognised the value and right of NGOs to speak out freely and independently on issues affecting various excluded groups and people in Irish society (The Equality Authority, 2008). This development was largely as a result of the White Paper on Supporting Voluntary Activity, which formally acknowledged the role of community and voluntary organisations, not simply as a provider of services but also pointed to its potential contribution to the development and implementation of policy (Ibid.). Furthermore, in the 2001 *Report of the Working Group on the National Anti-Poverty Strategy and Health*, asylum seekers and refugees were identified as a group at high risk of experiencing poor health. Also at that time, the EU requested Ireland to prepare a National Action Plan on Social Exclusion to address specific vulnerable groups in Irish society. As a result, Ireland reviewed its 1997 National Anti- poverty Strategy (NAPS) and produced *The National Action Plan Against Poverty and Social Inclusion 2003-2005 (NAPS incl. 2003-2005)*. This plan aimed to specifically target social exclusion and deprivation experienced by socially marginalised groups.

In 2005, the Commission of the European Communities also published a document entitled *A Common Agenda for Integration* giving guidance to all member states relating to the integration of migrants into host societies. In 2006, the Irish government launched its *White Paper on Irish Aid* promoting how an empowered society over time can be an effective driver of political reform and proclaiming Ireland as 'a strong vocal civil society' (2006: 41). In 2007, the Houses of the Oireachtas Joint Committee on European Affairs published its thirteenth report entitled the *Report on Migration and Integration in Ireland.* Within this report, the Committee proposed the setting up of a National Forum on Integration, chaired by one designated

Government Department that would provide a space for permanent dialogue between the state, local authorities, immigrant representatives, and migrant NGOs (House of the Oireachtas Joint Committee on European Affairs, 2007). Both reports came about as a direct result of The Hague Programme, which was adopted in 2004 by the European Council, promoting the need for greater coordination of national integration policy. Of the eight principles outlined in the Report on Migration and Integration in Ireland, two referred directly to the importance of more robust representative structures for migrants in host communities, including access to institutions in a non-discriminatory way, interaction with representatives of migrants, and the participation of migrants in democratic processes through the promotion of active citizenship. However, the emphasis was once again, on those who had refugee status and were legally resident in the state. This did not include asylum seekers.

At the same time that the Irish state was promoting the participation of non-state actors and community organisations, the NGO Alliance (a network of over fifty (NGOs) working on a broad range of anti-racist, community and human rights issues) began highlighting the importance developing mechanisms for dialogue and interaction as a key part of building a more inclusive society (NGO Alliance, 2004). In particular, they recommended developing more robust structures of engagement and deliberation between migrant NGOs and state institutions. These recommendations not only addressed strong engagement but also established the communicative involvement of otherwise under-represented groups in decision making processes.

Emerging from these recommendations and the increased involvement of the NGO sector in partnership processes, *The National Action Plan against Racism* (NPAR)

(2005-2008) was developed. The NCCRI was one of the key actors in the development of the NPAR. In particular, they acted in a policy advisory role to the government (McGee, 2008). The development of NPAR for the first time involved extensive public consultation with various institutions on matters related to the representation of migrants and was overseen by a national steering group. The organizations involved included government departments, specialised and expert bodies and a wide variety of groups working with migrant, refugees and asylum seekers (NPAR, 2005). A key aim of the plan was to take into account significant changes that have occurred in social, economic and cultural spheres in Irish society. It recognised the fact that Ireland was rich in different ethnic and cultural backgrounds and sought to promote the positive aspects of diversity. The plan of the strategy was driven in part by Ireland's changing social structures and a commitment to the development of a more inclusive society. Figure 3.1 summarises the overall key aims of the strategy as noted in the NPAR.

Figure 3.1 Summary of intercultural framework underpinning the NPAR

Protection:	Effective protection and redress against racism.
Inclusion:	Economic inclusion and equality of opportunity.
Provision:	Accommodating diversity in service provision.
Recognition:	Recognition and awareness of diversity.
Participation:	Full participation in Irish society.

(NPAR 2005-2008: 35)

In addition to these five goals, asylum seekers are highlighted as a particularly vulnerable group. Two of the key areas highlighted in the strategy relate to inclusion and participation. In particular, reference was made to consultative mechanisms that are inclusive of asylum seekers in areas relating to accommodation and provision. With reference to asylum seeker accommodation the following is stated:

> Ensure there is an equitable approach to the provision of accommodation for asylum seekers, consistent with Government policy
> Enhance participation in the consultative processes related to accommodation policy and provision.

(NPAR 2005-2008: 31)

On the issue of participation strategic goals were prioritised. These included enhancing participation in consultative forums and in local communities. As stated:

> Enhance the participation of cultural and ethnic minorities in policy consultative forums and research
> Enhance the participation of cultural and ethnic minorities in community and local development.

(NPAR 2005-2008: 35)

Additionally, access to resources, rights and services needed for participation in society were highlighted, along with preventing and addressing exclusion. Targeting all forms of discrimination resulting in the exclusion of asylum seekers and refugees

was also noted. A Strategic Monitoring Group was established to oversee the implementation of the NPAR. This group included a wide range of representatives including government bodies and the social partners (IBEC, ICTU and representatives of the voluntary and community sector), along with representatives from newly emergent ethnic minority communities and the NCCRI. However, no asylum seekers were invited onto the Strategic Monitoring Group.

In 2007 a Junior Ministry for Integration was established. The aim of this Ministry was to develop and coordinate integration policy through the cooperation of the migrant sector in promoting integration (Ruhs and Quinn, 2009). In 2008 a formal strategy for integration was developed by the Office of the Minister for Integration. This saw the publication of the *Migration Nation*, which set down the principles underpinning Ireland's integration policy. The central features of its policy statement were to mainstream an approach to the provision of services for migrant and new communities. The four key areas highlighted in the recommendations in this document were as follows:

- Develop a national integration policy, based on equality principles and taking a revised and broader view of social inclusion which builds on the experience of other countries.
- Appoint a Minister of State to implement the national integration policy. The Office will bring together in one administrative unit key officials from relevant Government Departments who provide services to immigrants.
- Increase the number of language support teachers to 1,800 and review language requirements across government.

- Continue to promote national campaigns aimed at challenging racism and promoting understanding of diversity and fund campaigns that educate the Irish public about the role of immigration in Irish society.

- Support the services offered by ethnic-led non-Governmental organisations working with the immigrant community, in particular those that provide for the educational, cultural and linguistic needs of migrant workers.

(Office of the Minister for Integration 2008:65)

However, despite its focus on integration, very little emphasis was placed on the integration of asylum seekers. Additionally, while its remit was also to develop a cross-departmental mandate to co-ordinate migrant integration policy across government departments and agencies, a more decentralised approach was, in fact, adopted. This was promoted at local levels, co-ordinated by local councils rather than at macro level by the Office of the Minister for Integration. It has been suggested that this narrow approach represented a political reluctance to tackle the deeper issues, particularly those which might require additional public spending (Murphy, 2015). Additionally in 2008, a 43% budget cut was announced for the Equality Authority, whose main purpose was to combat discrimination and promote equality of opportunity (Baker, Lynch and Walsh, 2015). 2008 also saw the government's attempt to merge several statutory bodies, including the Equality Authority. A number of community and voluntary organisations responded by forming the Equality and Rights Alliance (ERA) in opposing the proposed merge. Under pressure, the state conceded to a simpler merge of the Equality Authority and the Irish Human Rights Commission into the Irish Human Rights and Equality Commission (Ibid). In 2008,

it was also announced that the NCCRI would be disbanded. Anastasia Crickley, its chairperson, cited it as a weakening of supports to address racism and integration (McGee, 2008). Large cuts to the budgets for the Equality Authority and the Irish Human Rights Commission were also witnessed (Ibid.).

The government did, however, establish the Integration Centre, though this, in essence, was the amalgamation of two former organisations - The Refugee Information Service and Integrating Ireland, the Immigrant Network. Such moves were not carried out in isolation. Cuts were imposed right across both statutory and Community and Voluntary Sector organisations at that time. These moves had been in response to the impact of the financial difficulties, which Ireland was undergoing from 2008 onwards. The financial crisis and dramatic rise in unemployment meant that integration was no longer given the same priority and pushed back on political agendas. This coincided with the collapse of Ireland's 22-year-old system of Social Partnership in 2009, as the government failed to reach agreement with the public sector and trade unions on securing a reduction in public sector pay (Eurofound, 2010). The financial crisis of 2008 coincided with a substantial move towards cuts right across the Community and Voluntary Sector and saw the profound cuts to Community Development Projects (CPDs) under the guise of rationalisation and the integration of services with local development structures (McInerny, 2013). These measures also saw increasing state controlled merging of organisations and the loss of the Combat Poverty Agency (a state agency heavily invested in social justice issues and addressing the marginalisation of some of the most vulnerable groups in Irish society. It is argued that this rationalisation process was a direct attempt by the state to inhibit advocacy through constraints on funding and pressuring community organisations to comply

with state structures of control (McInerney, 2013, Harvey, 2012). In a study undertaken by Harvey (2014), accounts are provided by community organisations recalling how many departments and agencies had limits imposed on what they could do and say accompanied by supervision and micro-management. These impositions remained throughout the economic crisis but since then the Commuinty and Voluntary sector has witnessed continued stagnation and retrenchment even in a recovering economic climate (McInerney, 2015). Cuts in funding have severely impacted on the sector and the promotion of social justice and inclusion (Considine and Dukelow, 2012; Forde, O' Byrne and Ó hAdhmaill, 2015).

This period of economic crisis also saw the closing down of the NCCRI which had been in operation for 10 years (Murphy, 2015). It effectively saw its funding budget of €500,000 cut completely by the Department of Justice as a direct impact of cutbacks. While the organisation had raised funds from other sources, it was not sufficient to sustain its existence and was disbanded as a result. It was also viewed as a weakening of the state's commitment to addressing racism and discrimination and the scapegoating of migrants, refugees and asylum seekers. The functions of the NCCRI were transferred to the Minister for Integration (McGee, 2008). Furthermore, plans laid out in Migration Nation were shelved and the Ministerial Council on Integration discontinued. Plans to put in place the Immigration, Residence and Protection Bill 2010 (which would see the speeding up of asylum application decisions) were also discarded.

Under new government, in 2011 the Minister for Integration was removed and effectively abolished (Murphy, 2015). Furthermore, while the state had set up models

of partnership, through government programmes, it remained that migrant NGOs had little stake in policy decisions. From 2011 until 2014, there were little moves made by the state to promote integration.

In 2014, state institutions were forced to take some action on asylum issues, after a series of protests took place across a number of DP centres. The protests coincided with the appointment of a new Minister for Justice, who was attempting to put new plans in place and reform the DP system, despite a targeted campaign by migrant NGOs and activists advocating for the abolition of the system (Lentin, 2015). Through their protests, asylum seekers sought the abolition of the DP system, the removal of the denial of the right to work and an end to deportation. The Irish government responded by setting up a working group made up of a number of representatives including a number of migrant NGOs. However, no asylum seekers were invited on to the working group and the focus remained on reforming the system rather than its abolition. The *Working Group to Report to Government Working Group on the Protection Process on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers* was published in 2015. Over 170 recommendations were drawn up, but to date, less than 20 recommendations have been implemented in full (Nasc, 2018). Also in 2015, the International Protection Act was signed into law by President Michael D. Higgins, only six weeks after the Bill was presented to the government for consideration. The Act replaces the Refugee Act 1996 and has been viewed by the Irish Refugee Council as taking a 'step backwards for Ireland in both its support for refugees and in its standing in the international community' (Irish Refugee Council, 2015: 1). The legislation was pushed through before the Christmas recess with no opportunity for discussion. While the government

pointed to this as bringing Ireland in line with other EU countries, Sue Conlon CEO of the Irish Refugee Council has argued that:

> No explanation has been given for the rights accorded to refugees under the previous legislation, the Refugee Act 1996, being eroded. At a time when Ireland should be increasing the role that it plays in response to the refugee crisis, this Act will therefore mean that many will not get the protection that they need.
>
> (Irish Refugee Council, 2015:1)

To sum up, the policy landscape in Ireland relating to the representation of asylum seekers is problematic. On one hand, the state has promoted active engagement through government initiatives to address inclusion through setting up the NCCRI and the implementation of the NPAR, but on the other hand, it has also conducted business through a dismantled structure of inclusion when under threat. Furthermore, despite its commitment to inclusion through participative process, migrant NGOs have had little influence over the policy context. In fact, it has been suggested that migrant organisations were, in fact, the first to receive cuts when the state transferred it funding to a more decentralised process of local councils (Ejorn, 2012).

Additionally, while the NCCRI may have been promoted as reflecting a commitment by the state to involve migrant NGOs (for example in the development of the NPAR), those working in the sector have expressed a grave concern on the lack of policy framework in relation to the integration and inclusion of asylum seekers (Spencer, 2006). Many migrant NGOs have argued that the way in which negotiations and

deliberations were conducted in the process of developing the NPAR were open to question (Ibid).

Additionally, while the NGO Alliance acknowledge some progress was made when the NCCRI was established, they also point to a serious lack of consultations with NGOs, with often only larger organizations being consulted on decisions relating to migrant and asylum issues (NGO Alliance, 2004). This is also reinforced by the fact that the NCCRI only had limited scope in terms of influencing policy implementation. This was particularly evident in its lack of capacity to make decisions at policy level, brought about by political constraints and limited opportunities to address the injustices experienced by asylum seekers. While the organization may have attempted to bring migrant NGOs and government agencies together to broaden the scope for greater participation, its scope to decisively bring about change remained limited. As an agency, the NCCRI may have proved successful in acknowledging the issues that migrant NGOs highlighted, but their input in partnership agendas was minimalistic. Highlighting, a weak input in Social Partnership, Feldman et al. (2005) argues that the NCCRI failed to penetrate the terms and conditions of policy making structures, where other organisations managed to make significant strides. In particular, Feldman et al. (2005) highlights how migrant organisations remained underrepresented within this process, in contrast to other groups. In essence, she argues, that expert bodies, such as Nasc: The Irish Immigrant Centre, the Irish Refugee Council, and the Immigrant Council of Ireland, despite being well established, were not given the same input in a policy context as other bodies. As a result, asylum seekers and their issues remained on the periphery of policy implementation.

The deliberative approach, which was supposed to be entrenched in the work of the NCCRI, thus, became questionable. Harvey (2009) points specifically, to its state-sponsored status as partly responsible for its lack of influence. This combined with the lack of willingness on the part of the state to adequately shape deliberative engagement, effectively left asylum issues on the periphery (Harvey, 2009; Feldman et al, 2005). Thus, when examining the construction of deliberative processes in state processes of engagement, these factors are important to acknowledge.

3.5 Migrant NGOs and the Representation of Asylum Seekers in Ireland

The migrant sector in Ireland is made up of more than 400 migrant organisations of varied size and capacity (Lentin and Morea, 2012). Most of these organisations have been established from 2001 onwards as a reaction to the growing need to respond to diversity in Ireland. Overall, the activities of migrant organisations are varied and complex and can incorporate a number of roles including lobbying and activism, advocacy, outreach, training and support, service provision, community development, participation in policy debates, and providing platforms for under-represented groups (Lentin and Morea, 2012). Within the Community and Voluntary Sector, migrant NGOs have created their own alliance structure, focused on gaining credibility through the provision of expert knowledge on issues affecting migrants in Ireland. These include poverty issues, human trafficking, migrant rights, human rights, the sexual exploitation of women, family reunification, legal matters, female genital mutilation (FGM), asylum seekers issues, the system of DP, and the representation of diverse ethnic groups.

A large number of the organisations which have emerged are small voluntary migrant-led organisations operating on limited financial resources. Yet, however small, such organisations have illustrated the way migrants themselves are actively participating in Irish society as agents in their own integration (Immigrant Council of Ireland, 2009). Of the larger organisations (of which there are few), two organisations have made significant advances in engaging with the state, the Migrants Rights Centre of Ireland (MRCI) and the Immigrant Council of Ireland (ICI) (Cullen, 2009). However, both of these organisations place a strong focus on labour market orientation and are focused on those with the right to work (Ibid). As such, there is limited representation for asylum seekers issues within these organisations. The Irish Refugee Council (IRC) is recognised as one of the main representative organisations for asylum seekers. In accordance with the 1951 Convention, the IRC operates to fulfil its mandate to assist people seeking asylum in Ireland and to have their fundamental right to claim asylum recognised. In their mandate they highlight how they work together with other organisations, activists and individuals to secure the best interests for people seeking asylum (IRC, 2019). While the IRC has been active on asylum issues, it has, however, had less success in engaging state institutions and penetrating the policy context on asylum.

In their efforts to engage policy makers, migrant NGOs attempt to create allies within state institutions. These can include public officials who are sympathetic to the issues addressed by organisations, but also those who rely on NGOs for expert information and service provision (Cullen, 2009). Migrant NGOs also play an indispensable role in meeting the needs of migrants in areas that the state has often neglected (Lentin and Morea, 2012; Cullen 2009; Kerwin, 2009, Spencer 2006).

3.5.1 Challenges to Representing Asylum Seekers

With the state being the arbitrator of control on asylum issues, the role of representing asylum seekers has proved challenging for migrant NGOs. While the NPAR, as previously discussed, made efforts to address asylum seekers as an identifiable excluded group, it did not however, have much influence in effectively advancing the representation of asylum seekers at a political level. This, in essence, has been left to migrant NGOs. However, given the restrictive way asylum issues have been framed at a political level, asylum seekers have effectively remained excluded from the political arena. As a result, asylum seekers have come to rely heavily on the migrant NGOs to harness their political mobilization (Lentin and Morea, 2012). While some progress has been achieved in the form of lobbying, campaigning, and advocacy, the scope to infiltrate the policy landscape has remained limited. As such, Lentin argues that migrant NGOs find themselves compromised by political pressure, which limits the space for resistance (Lentin, 2012).

However, in a more general discussion on the role of NGOs, Asad and Kay (2014) highlight the need to interrogate not only the nature of state/non-state relations in determining the success of political mobilisation, but also the need to examine the kinds of relationships which exist across NGOs, the degrees of collaboration amongst NGOs and the way they build relationships with state actors. In particular, they point out that the political context in which NGOs operate can vary greatly, and this will, subsequently, have an impact on the degree to which the state engages. Highlighting the state as a complex, heterogeneous and fragmented actor, they point to the need to recognise the overlapping and contested space between NGOs and state institutions.

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Moreover, they argue that a framework is lacking which 'appropriately reflects the tug of war of power and interests between states and NGOs across political contexts' (2014: 1).

The observations of Asad and Kay are important when examining the dynamics shaping engagement and the complexities that can often prevail. Migrant NGOs in Ireland, have sought to engage state institutions on asylum issues through their engagement with the RIA, the setting up of policy fora, and through direct policy submissions to government. They have also lobbied the state on asylum issues through targeted campaigns and informal interactions with RIA. Nevertheless, state responses have remained poor. While overall the scale of developments in the migrant sector has been significant, in that the sector has expanded significantly in the last fifteen years, progressive policy responses and integration measures have primarily focused on the integration of migrants with the legal right to remain and highlighted a reluctance of the state to respond more inclusively on asylum issues. However, Asad and Kay (2014) argue that the likelihood of more successful relationships existing between NGOs and state institutions will not only depend on whether the state is willing to engage but will also be determined by the level of strong alliances and networks among NGOs. In particular, they highlight how the unique political context, in which NGOs operate will 'influence how it carries out its own work' (Asad and Kay, 2014:1). This will depend on how NGOs build relationships with state actors and their collaborating capacity. Importantly, they highlight how strong collaboration across NGOs when engaging state institutions, can in essence, solidify and strengthen their political legitimacy.

When assessing the relationship between migrant NGOs and representative state actors and how they politically represent asylum seekers, engagement factors are complicated by the fact that asylum seekers come under government programmes of provision. This means that the state in essence takes full responsibility for their welfare, resulting in asylum seekers experiencing unmet health and social needs (O Sullivan, 2006). This is reflected in the system of DP, in which there has been little changes since its inception in 2001. Much of the work of migrant NGOs has been associated with highlighting the inadequacies of these provision arrangements and advocating for better rights for asylum seekers (Irish Refugee Council 2012, FLAC, 2010; Akidwa, 2010; Nasc, 2007).

3.5.2 Engaging Migrant NGOs and State Institutions

Engagement between state institutions and migrant NGOs is complex and requires recognition of the context of representation, the power differentials that prevail and available spaces for negotiation. Spencer (2006: 7) argues that in practice any analysis of the policy-making process and state/non-state engagement requires:

- An understanding of the opportunities and constraints within which decisions are being taken.

- Clarity on who takes the key decisions and on what basis.

- Understanding of the operation of the institutions in which decisions are taken.

- The process by which decisions are taken.

- The relationship which those external to government have with the decision makers.

While what has emerged in the Irish context, is a somewhat controlling relationship between the state and migrant NGOs, increasingly defined by service delivery expectations, funding constraints, and compromised channels for political activism (Spencer, 2006), there is nonetheless, merit in examining the relationship across NGOs and investigating their potential for greater influence in the process of decision-making. While the funding environment has been identified as placing constraints on the governance of NGOs (Lentin, 2012; Kirby and Murphy, 2011; Feldman et al, 2005), there are also commentators that point to ineffective coordination across migrant NGOs (Morea, 2012).

Feldman et al (2005) argues that one of the key obstacles to migrant NGOs having more influence in the policy arena relates to the absence of minority-led group representation at a national level. Similar to what has been highlighted in this chapter, Feldman et al. point to how asylum seekers have remained invisible within government policy.   Also coinciding with points raised in this chapter, Feldman et al. argue that the commitment to develop inclusive policies for asylum seekers has been effectively erased from political agendas. Spencer (2006) argues that such moves took place despite those working in the sector expressing concern on the lack of policy framework in relation to inclusion and the injustice experienced by asylum seekers. Murphy (2011) also argues that deliberative processes more generally across the NGO sector have been compromised through a push towards a restructuring of the NGO sector at both local and national level to fulfil state interests.   In doing so, Murphy (2011) argues that the state has effectively locked the sector into a strategy which has

served to co-opt and disempower organisations. To this end, Irish policy formation has exhibited a more 'top down' rather than a 'bottom up' approach in its engagement with the migrant NGO sector.

For migrant NGOs trying to penetrate the political arena in their representation of asylum seekers, engagement, can thus prove challenging. However, other factors also warrant attention: this includes examining the space between grassroots activism and political interventions and the overall approach that is being undertaken across migrant NGOs. While these can be sometimes be tension filled relationships driven by competitive funding environments (Kirby and Murphy, 2011; Dempsey, 2009; Harvey, 2009; Meade, 2005), they also can provide scope for political engagement. De Tona and Morea (2012) point specifically to the need to question the interplay between resistance and the power exercised by the state towards migrant NGOs when assessing scope for more robust representation.

3.6 How Migrant NGOs Respond in their Efforts to Promote Deliberative Processes of Engagement

One of the key areas where migrant NGOs have made progress in building relationships with state institutions is through the establishment of the NGO Forum on Direct Provision. This Forum was set up in 2010 and during the period it remained active, consisted of a number of migrant organisations who were actively involved in campaigning for change on issues related to the administration of DP. In particular, they sought changes in the system to better protect the health and welfare of asylum-seekers and their children (Nasc, 2019). A key objective of the Forum was to establish channels of communication between migrant NGOs and the RIA. Having previously

sought change, but found the state unresponsive, it concluded that the best course of action would be through a targeted forum advocating and campaigning for change. The NGO Forum on Direct Provision was, thus, established. The Forum was successful in engaging the RIA and the Department of Justice. Its members were made up of key organisations directly involved with the representation of asylum issues. It included AkiDwA, Barnardos, BeLonG To -LGBT Youth Services, Crosscare Migrant Project, Cultúr, Doras Luimní, FLAC, Galway Refugee Support Group, Irish Catholic Bishops' Conference Refugee & Migrant Project, The Integration Centre, The Irish Refugee Council, The Jesuit Refugee Service, Mayo Intercultural Action, SPIRASI, and Tralee International Resource Centre (Nasc, 2019).

A key point highlighted by the NGO Forum on Direct Provision was the poor conditions within the system of DP, emphasising the system having 'an unconscionable human cost' (Nasc, 2019: 1). Its members sought to put pressure on government bodies, namely the Department of Justice and Equality and the RIA, advocating for the introduction of an alternative system. Through direct contact with the RIA, the forum sought to end the long-term institutionalisation of asylum seekers, deeming it as harmful to both to asylum seekers and their children. They also advocated for an independent complaints system to protect the rights of asylum seekers (Ibid). Throughout the period that the Forum remained active, its priority was to ensure that the human rights of those in DP were respected and promoted (IRC, 2014).

In 2013, a one-day series of protests took place with a target message to 'End Institutionalised Living'. These demonstrations were held throughout the country,

highlighting the impacts of DP on the lives of asylum seekers. In 2014, a Seanad Cross Party Group on Direct Provision was also set up with the aim bringing asylum issues to a wider group of political representatives. However, despite this engagement, no changes were made to the system of DP or the overall administration of asylum policy. The forum, did however, welcome a commitment that was made by the government to expand the remit of the Office of the Ombudsman to include asylum seekers (Nasc, 2019). The NGO Forum on Direct Provision is currently inactive with most of its members actively involved in the subsequent, 'Working Group to Report to Government on the Protection Process on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers 2015'.

The Working Group on Direct Provision and the Protection Process was set up as a direct response to a number of asylum seeking protests which took place in 2014. The Working Group has, however, been criticised by the Movement of Asylum Seekers in Ireland (MASI) who argue that the Working Group acted as a 'cosmetic exercise designed to make the government look concerned, while delivering nothing of real worth for asylum seekers' (MASI, 2019: 1). The lack of engagement of asylum seekers both in the Working Group and on the NGO Forum on Direct Provision has also been considered as falling short on calls for justice for asylum seekers (MASI, 2019).

In 2014, MASI an organisation made up of asylum seekers and activists petitioned politicians, the Department of Justice, and the Working Group demanding that asylum seeker representatives from all 34 centres be recruited to the Working Group discussions. They argued that asylum seekers have been continually muted in

engagement processes and that their voices have not been accommodated in dialogue and discussions affecting them (MASI, 2019). However, no asylum seekers were directly invited to join the Working Group. Nor were any asylum seekers ever part of the NGO Forum on Direct Provision.

As the establishment of the Working Group took place after my research study was concluded, I will not expand on its relevance here. However, I will return to it in the concluding comments of the thesis, when addressing subsequent events relating to engagement processes in representing asylum seekers that have followed since undertaking my research study.

The non-participation of asylum seekers in the NGO Forum on Direct provision indicates possible contradictions in engagement processes in state processes but also raises questions relating to the inclusive principles of migrant NGOs when representing asylum seekers. Some of the issues addressed in this chapter take into account the challenges faced by migrant NGOs in attempting to improve the interface between state institutions and asylum seekers. However, other factors are also worth considering, such as, why, when a lot of effort has been expended both at local and national levels to address asylum seeker issues by NGOs, these efforts have amounted to no real progress in policy terms. To provide possible explanations for this, factors that need to be taken into account, not only relate to how migrant NGOs operate in their interactions with state institutions, but also how they conduct their own internal activities. This means addressing the structures employed by migrant NGOs in their political mobilisation, internal actions within organisations and more specifically their engagement with other migrant NGOs and asylum seekers.

Specific to any examination of engagement processes, must be examining the way consultation and inclusion takes place. Mobilising and improving the involvement of excluded groups has been identified as key to tackling inequality in policy consultation processes and bringing forward the interests of socially excluded groups (The Equality Authority, 2008). How this is managed by migrant NGOs is equally important. Within the constraints imposed by the state, the challenge for migrant NGO's is in how they respond to state imposed conditions. This means questioning their ability to create strong alliances and resistance, their ability to build robust networking strategies to combat such constraints and their ability to build unifying relationships with those they represent. What is important to acknowledge here, is that while resistance can be compromised by state processes, it can also provide the space for unity and alliance building, which in turn, has the capacity to place increased pressure on the state (Morea, 2012). Important, therefore, in assessing the role of migrant organisations is the kind of political equality which migrant organisations can employ in constrained political situations and whether their actions can sufficiently attend to issues of political equality, inclusion and reason. Other factors relate to the interactions of migrant NGOs with their members and whether structures of alliance building, campaigning and activism are adequate in increasing robust structures of engagement that can enhance the representation of asylum seekers. In this way, how political equality and inclusion are understood in the practices of migrant NGOs is important.

Feldman (2007) argues that what is witnessed in the Irish case is a 'growing disconnect between political institutions and democratic processes' where migrant NGOs are left

on the periphery of deliberations (2007: 200). As such, migrant organisations can find accessing engagement opportunities challenging. Takle (2013) argues that despite challenges to engagement practices, pivotal opportunities to mobilise political participation can occur, even in the presence of adverse state practices. However, this can only come about if their mandate is accompanied by specific functions that allow for participation and democratic mobilisation (Takle, 2013). This must include migrant NGOs functioning as a public arena for its members through developing a political culture within the internal democratic procedures and structures of the organisation (Ibid.).

As the research study is concerned with how representation is structured and maintained within the practices of migrant NGOs, it is important to examine to what extent the disjuncture between state institutions and migrant NGOs is impacted by broader engagement and networking strategies that can inhibit deliberation and participation processes in the representation of asylum seekers. Within this framework, decision making processes and power dynamics are acknowledged, but what is also required is an examination of the degree to which spaces for collective action are effectively pursued and whether these spaces are inclusive of all parties and connect institutionally through established modes of communication and participation.

Much of the literature to date has explored the policy context relating to the arbitrary role of the state. Feldman et al's report *Diversity, Civil Society and Social Change* (2005) and Spencer's report *Migration and Integration: The impact of NGO's on Future Policy Development in Ireland* (2006) have both successfully highlighted the narrow policy context within which migrant NGOs operate. In particular, Spencer

highlights the need to increase the legitimacy of migrant NGOs in the eyes of policy makers but without 'losing credibility in the eyes of their members' (2006: 57). Spencer also points to the need to strengthen the participation of migrants, highlighting the recognition of their expertise as important in increasing participation. She also highlights the need 'to take advantage of the government's concern to stay in line with EU policy by highlighting its commitments at EU level on social exclusion and integration issues' (2006: 57). Lentin and Morea's (2012) publication *Migrant Activism and Integration from Below in Ireland* has also illuminated the role of migrant-led organizations in facilitating integration and social change in Ireland through highlighting the importance of grassroots activism and participation. While outlining the inconsistencies between state processes and migrant NGOs, De Tona and Morea (2012) also highlight the important space that migrant NGOs hold in representing asylum seekers. They argue that even though some organisations can be small, they provide important supports for migrants in the community and illustrate how migrants in Ireland can actively participate as active agents within these organisations. However, they also point to leadership issues and co-option practices as key factors affecting a more all-inclusive approach to asylum issues. This, in turn, can eliminate spaces for collaborative decision-making.

Taking on board the issues raised in this chapter, related to migrant NGO representation of asylum seekers, it was thus, considered important to investigate the specific strategies used by migrant NGOs, the types and quality of representation they provide and to what extent practices are reflective of inclusive and collaborative processes. Exploring the spaces of interaction and negotiation are, thus, considered important in lending insight into the degree to which political equality, inclusion,

reasonableness and publicity are embedded in the practices of NGOs. This includes an investigation into the participatory and deliberative frameworks within the practices of migrant NGOs and whether they can be used to leverage more influence in the policy arena in the representation of asylum seekers.

3.7 Conclusion

This chapter, as mentioned in the introduction, acts as a bridging chapter between the theoretical component of the thesis and primary research outlined in Chapter Five and Six of the thesis. In particular, it has examined the specific conditions under which asylum policy is administered in Ireland and outlined efforts that have been undertaken by the state to promote more deliberative practices with migrant NGOs.

First, it looked at the role of the state engagement processes more broadly and outlined what appeared to be the state embarking on new paths to engagement and deliberation with NGOs with reference to decision making and partnership processes through engaged participative structures. Second, and contrary to the promotion of partnership processes, the chapter outlined the restrictive nature in which asylum policy is administered and the controlling and organised way that state institutions engage with migrant NGOs. In particular, it outlined that while some scope for consultation was initially witnessed in the growth of Social Partnership Agreements, migrant NGOs did not have any real stake in this process. As such, it points out how migrant NGOs only ever existed on the margins of partnership processes relating to Social Partnership. Third, the chapter emphasised how the role of the NCCRI and the publication of the NPAR, along with other published migration and integration documents have not, in effect, brought about any real change for asylum seekers. It describes how policy

documents, while making reference to asylum seekers, have focused mainly on the integration of those with residency status and leave to remain, paying limited attention to asylum seekers. Fourth, the chapter has highlighted the background context relating to the environment in which migrant NGOs operate in navigating the political arena. It tracked the constraints placed on migrant NGOs in bolstering the political representation of asylum seekers. In this way, the chapter highlights how the actual responsibility for developing and implementing policy has not fundamentally changed and has resulted in NGOs being co-opted into state processes of bureaucratization and conditional consultation (Lentin and Morea, 2012; Hardiman, 2008; Powell and Geoghan, 2004).

However, while the chapter indicates significant power differentials which exist between state institutions and migrant NGOs, the chapter also highlighted efforts undertaken by the state to enter into processes of engagement, particularly through the establishment of the NCCRI and the setting up of the NGO Forum on Direct Provision. The latter part of the chapter, in particular, opened up questions relating to the way migrant NGOs themselves promote deliberative arrangements and questions the effectiveness of the internal and collective organisation of migrant NGOs in engaging inclusive relationships with state institutions but also with asylum seekers and other migrant NGOs. While it acknowledged the difficulties posed by state controls, the chapter ended by raising questions relating to the need to examine the internal structures of migrant NGOs and the need to question the way representation is structured, the way participation is promoted and the way political equality and inclusion are exercised in the practices of migrant NGOs.

Limiting the space for resistance has specific implications for opportunities to engage on important issues affecting asylum seekers. Most specifically, this relates to the right to participate in political processes. The chapter concluded by posing questions relating to need to question the types and quality of representation provided by migrant NGOs, arguing that the space for interaction and negotiation needs to be explored more extensively in order to understand the way that Young's criteria of political equality, inclusion, reasonableness and publicity are employed in the practices of migrant NGOs. In this way, the theoretical component of the thesis will be important going forward and will feed into the way the research study is structured in order to address the research questions highlighted in chapter one.

The concluding part of the chapter has raised questions relating to whether engagement processes are solely characterised by power differentials and a restrictive funding and policy environment or whether other contributory factors also need to be taken into account. This includes questioning the way participatory and deliberative frameworks are set up within the practices of migrant NGOs and whether they can be used to leverage more influence in the policy arena. In short, the concluding points specifically highlight the need to question the proposition that policy development is solely determined by regulatory frameworks and top-down governance imposed by the state or whether other pragmatic factors relating to the practices of migrant need consideration. This feeds into the research questions relating to the kinds of practices and policies migrant NGOs use to encourage deliberative and participative processes in strengthening the effective representation of asylum seekers.

While the chapter has, at some level, addressed the relationships that exist between migrant NGOs and state institutions (most specifically those employed in the exercise of asylum policy i.e. RIA and the DJE), it does not provide a comprehensive account of the specific strategies used by migrant NGOs, the way political mobilsation is organised, the principles that govern the way representation is structured within and among NGOs and the way participative structures and alliance building are orchestrated. These are the questions my research is interested in investigating in order to address my research questions in chapter one of the thesis. These relate to the practices and policies that enhance deliberation, the way participation is facilitated, the way the tenets of Iris Marion Young's approach are employed in the representation of asylum seekers and the relationships and interactions that directly involve asylum seekers in decision making processes.

Chapter 4 – Methodology: Factors Underpinning the Methods Used in the Study

4.1 Introduction

In this chapter, I outline my methodological approach to the empirical research. I document the planning of the research and explain the rationale for using the particular methods of data collection within the study. To set the context for the chapter, I first revisit the aims and objectives of the research and explain the value of my theoretical approach in the planning of the research investigation. I then provide an account of the research design and my reasons for using qualitative research methods within the study. Within this section I provide a profile of the organisations I interviewed and present my rationale for choosing these specific organisations. I then highlight some of the ethical considerations and the parameters of the research. Following this, I provide a brief description of how I organised and planned the collection of data and discuss the framing and mapping of themes and concepts under which the data could be analysed. This section will also detail the careful selection of data to be reviewed and how the data was managed.

4.2 Background: Connecting the Theory on Representation to the Empirical Research

In restating my research questions outlined in Chapter One, the study addresses four key areas. The first relates to how migrant NGOs politically represent asylum seekers in Ireland. The second relates to the ways the practices and policies of migrant NGOs

promote deliberation and participation in strengthening the political representation of asylum seekers. The third relates to the extent to which the tenets of Iris Marion Young's approach to deliberative democracy are embedded in the policies and practices of migrant NGO asylum seeker political representation (with particular reference to their efforts to promote 1) Political Equality 2) Political Inclusion 3) Reasonableness and 4) Publicity). Finally, the fourth question relates to the types of interactions asylum seekers have with migrant NGOs involved in representing them politically.

The previous chapter has indicated the restrictive environment in which migrant NGOs operate in their interactions with state representative institutions. It also indicated avenues where the state has attempted to engage with migrant NGOs. However, what the chapter did not do, and what it is anticipated the study will do, is explicitly explore the nature of deliberation and participation in the practice context of migrant NGOs. Most specifically, the aim of the research study is to provide a deeper insight into the practices of migrant NGOs in their relationships with state institutions, their strategic mobilisation across migrant NGOs and their interactions in promoting the participation of asylum seekers in political processes. In doing so, it will aim to address the effectiveness of the actions of migrant NGOs in engagement practices, examining how deliberation is facilitated not only in the interactions of migrant NGOs with state representative institutions but more importantly with asylum seekers themselves.

Addressing the inclusion of asylum seekers in engagement processes was a key focus in developing my research questions and therefore, using Young's theory was viewed

as an important way to raise questions on the way representation is understood and constructed in the Irish context. As well as providing a base for evaluating the types of engagement processes which exist between migrant NGOs and state institutions and NGOs and asylum seekers, the theory also provided key principles to guide the research. These were anchored in a particular understanding of democratic representation that was considered significant when assessing the inclusion of asylum seekers. In this way, it was viewed as a basis for questioning who is involved in decision-making processes and to what extent policy and practice reflects this.

Young's approach to political representation highlights the value of democratic representation to inclusive processes of engagement and decision-making. This, when legitimated through processes of participation, gives agency to those who are under-represented (Young, 2000). It follows that at the core of this study, is a belief that the capacity of migrant NGOs to influence political representation can be best achieved through meaningful processes of deliberation, political engagement and grassroots activism. To this end, the core components of Young's approach were viewed as important research concepts both in informing the approach of the research but also in providing key areas on which to evaluate the data.

The theory also emphasizes political inclusion as a strategy directly linked to bottom up approaches that promote inclusive decision-making processes. In this way, the theoretical component of the research on political representation is used as a tool to help better understand and raise questions relating to the way representation is constructed within migrant NGOs in Ireland and the policies adopted by migrant NGOs to promote inclusive and participative models of representation. Thus, through

drawing on the theoretical component of the research, I sought to adopt strategies that would enable me to convey how theoretical enquiry is useful in assessing representative structures in their practical application.

4.3 The Constructivist Approach to the Study

Within this study, a constructivist approach is considered the preferred approach to analysing data relating to the way representation is perceived and practiced among migrant NGOs. This approach is viewed as important in locating how political representation is socially constructed within representative migrant NGOs and how this influences strategies used to promote engagement and participation. It is also considered significant to gaining an understanding of the actions of such social actors, through lending insights into how political conditions can influence practices, experiences, understandings and meanings. This in turn influences the types of thinking that are attached to concepts of representation, political inclusion and political engagement. In this regard, the research process is marked by an acceptance that the social world does not exist independently of an individual subjective understanding but is made accessible to us by respondent's interpretations. In this way, there is an acceptance that different positions may yield different understandings. But this does not mean that diverse perspectives cannot be captured and that interpretations can be multi-layered and multi-faceted and convey different meanings in different circumstances (Snape and Spencer, 2006).

In this way, a constructivist approach can reveal valuable insights into attitudes, understandings and perceptions. In evaluating understandings of representation within the practices of migrant NGOs, I aim to allow a space for exploratory research that

makes room for gathering important information that can provide in-depth insights in responding to and extracting data relating to the research questions. This allows for a process of making observations in order to develop a theory or research argument. Within the research study, it is recognised that the state, migrant NGOs and asylum seekers may have very different approaches to understanding representation. This can be tied in with different conceptual understandings, informed by different factors in their social reality. Therefore, understanding the way social processes, social relations, and social practices influence representation is important.

Further to a developing a constructivist approach, participant's views and insights are considered an important way of explaining or understanding a particular course of action a group or organization may take. From this, it is possible to construct an argument concerning what interventions organisations and groups may require to ensure they adequately represent and promote participatory policy making. Insofar as is possible in my research study, I set out to establish whether the deliberative and inclusive components of representation outlined in the theoretical component of the thesis are evident in the understandings and practices of migrant NGOs.

4.4 Critical Enquiry in the Study

The study aims to move beyond descriptive accounts to provide a critical review of migrant NGOs, their representative capacity, and how effectively they represent asylum seekers. As such, along with investigating the views of migrant NGOs, the study also aims to include the perspectives of asylum seekers. In particular, the research is focused on promoting ideals of justice, equality and political presence, hence, it is considered important to include the participation of asylum seekers. Their

participation in focus groups is anticipated to create a space to reflect their opinions and perspectives and in this way provide a space in which their views are heard.

4.4.1 Critical Analytical Approach

The study incorporates a critical analytical approach which attempts to delve beneath the surface and identify the extent to which political conditions influence actions and experiences and understandings of representation. In this way, it is possible to identify not only how participants experience representation but also to understand the dimensions of power that prevail that decrease agency and political mobilisation for excluded groups like asylum seekers. Within this context, a critical analytical approach provides the basis for social enquiry which is aimed at addressing the confinement of freedoms and exploring ways to diminish this (Bohman, 2016).

To this end, critical analysis is significant in two ways. First, it is underpinned by "a critical-dialectical perspective which attempts to dig beneath the surface" through questioning societal structures and realities (Harvey 1990:3). In particular, it aims at analysing social processes, delving beneath ostensive and dominant conceptual frames, in order to reveal underlying practices and their structural manifestations (Harvey, 1990). A constructivist analysis of power, thus, asks not only what the concept of power means but also examines what it does and examines its specific role in political discourse. In this way, it moves actions into the scrutiny of a public realm where justifications are needed, stressing the reflexive relationship between knowledge and social reality (Guzzini, 2005).

Second, critical analysis derived from critical theory often begins with a questioning of concepts such as democratic processes and autonomy. It also involves 'wider questions about the political economy of expertise or knowledge production' (Guzzini, 2005: 500). For Guzzini (2005) power is not only viewed as occurring when in action but also happens in communication. This is considered significant when examining the way representation is constructed in the practices of migrant NGOs, their interactions with representative institutions and the way they communicate with those they represent. It is also important when examining the dynamics of democratic politics, both in terms of any analysis of political representation and its associated political struggles but also in examining how political claims are heard and how group voice is represented (Kauppi and De Gunzburg, 2003). It is particularly important when examining how groups and individuals are given recognition through their representatives and how their agency is constructed through communication.

4.5 Why Qualitative Research?

Burgess (2003) suggests that one of the main reasons for engaging in qualitative research is to gain knowledge on how beliefs and values are understood, and that doing this type of research presents an opportunity for insights to be gained. Using qualitative methods that allows the researcher to access to people's views, perspectives and understandings is considered significant. This means taking into account the perspectives of those being interviewed and penetrating the frames of meaning using methods of analysis and explanation which reflect the complexity and context of the data produced (Snape and Spencer, 2006).

Qualitative research provides the scope to explore in depth understandings and is an important tool for identifying what informs meanings and perspectives and the factors that influence processes (Richie and Lewis, 2006). Qualitative methods are thus considered valuable for evaluating and appraising meanings of representation, the way representation is constructed within the practices of migrant NGOs, and the effectiveness of representation strategies in giving meaning to political presence. Generating such data is important to revealing the types of representation offered to asylum seekers and how representation is understood in the participant's own terms. It also provides an evaluative platform to explore the intersections and divergences between how representation is understood in different settings and by different actors. This is considered useful to mapping the range of perspectives on how representation is experienced, the meanings of representation expressed by participants, and what defines the different approaches to representation that exist in the practices of migrant NGOs.

Within the research study, assessing the views of the participants required knowledge of and critical assessment of conditions such as a restrictive state policy environment and its resultant exclusion of asylum seekers from decision-making processes. Through the process of interviewing representatives from migrant NGOs, particularly those involved in decision-making processes, my aim was to gain insight into how understandings of representation influence engagement, the capacity for political mobilisation and how this in turn potentially includes/excludes asylum seekers from political processes.

Within a qualitative framework, it was considered important to explore not only the perspectives of representatives from migrant NGOs but also the perspectives of asylum seekers, most specifically to explore how they experience representation. Including asylum seekers in the research study was also considered important in bringing both an inclusive and a comparative aspect to the research.

4.6 Planning the Research Study

The qualitative approach to the research study can be categorised into three phases, all of which required careful planning. These are detailed under three main headings:

1. the exploratory phase
2. the interview stage
3. the focus group stage

In exploring these three phases, careful attention was given to the factors that would contribute to strong data collection, which could in turn provide insight into my research questions. This required exploring the style and scope of the qualitative research methods in such a way that they produced relevant data and provided evidence relating directly to the research questions. Migrant NGOs were considered particularly important because of their specialist knowledge on asylum issues and taking a leading professional role in representing asylum seekers. Asylum seekers were also viewed as information rich participants and a study population particularly valuable for expressing first-hand the challenges and difficulties relating to asylum seeker representation.

4.6.1 Exploratory Phase and Sampling Strategy

Undertaking a mapping exercise was considered important to identifying most relevant organisations for the research study. Within the mapping exercise the ethos, the mission statements, and the focus of organisations were significant. In particular, this involved identifying migrant NGOs that focused specifically on asylum issues in their areas of support and advocacy and political mobilisation. One of the tools I used to map the organisations was by conducting an extensive exploration of websites, alongside an examination of mission statements, policy submissions and examining the research publications available on migrant NGO websites. Once I had gained familiarity with the work and activities of organisations, a number of phone calls were made to these organisations in order to establish their level of direct involvement with asylum seekers. To contact organisations I used internet searches. I also contacted the UNHCR's Irish branch for a list of relevant organisations. I also used the *Directory of Migrant-Led Organisations in Ireland* (2009) published by the Immigrant Council of Ireland. The Immigrant Council of Ireland Directory listed the contact details of sixty one migrant organisations, with information on the main services they provide. The literature on the websites of organisations was also helpful in deciphering relevant organisations to contact and extracting information on possible organisations relevant to the study. Along with speaking directly to organisations I had also used my attendance at migration conferences (Immigrant Council of Ireland, Dublin and Nasc, The Immigrant Support Centre, Cork) as a way of accessing and meeting representatives from organisations and talking about my research. This also helped me in determining the relevancy of some organisations and not others to my research. Through this networking at conferences, one key actor from the Immigrant Council of Ireland gave me a list of the organisations which might be useful for my

research. He based these recommendations on the information I had provided him with when discussing the background to my research. He also followed up with specific contact details of key people within these organisations.

From this scoping exercise, I contacted approximately twenty-five migrant NGOs, which I had identified as possible participants for the study. I based this on information provided on their websites, the information provided in directories and the information I had acquired at conferences. However, on contacting the twenty-five organisations, it became clearer that not all organisations placed a strong focus on asylum issues, despite information on their websites to the contrary. Some provided assistance and support with preference to those with the right to work. These organisations were not considered as relevant to the study as they did not place a strong focus on asylum seekers. In the end, I reduced the potential organisations for the study to fifteen migrant NGOs. However, when I followed up again with these organisations through sending material directly to the organisations explaining the context for my research, only ten of these organisations stated that they felt their organisation would be important to the research. The other five organisations declined on the basis that asylum seekers only constituted a small number of the overall number of migrants availing of their services and hence, stated their input would not be considered that helpful in providing data for the study. Out of the ten remaining organisations, nine agreed to be interviewed. The other organisation said their focus was more on trafficked women and due to time constraints were unable to participate in the research. These conversations with organisations were important for me in clarifying the organisations that could assist in answering my research questions.

In contacting organisations, making reference to the contact from the Immigrant Council of Ireland seemed to provide appeal in attracting participants from organisations to become involved in the study. Many of the potential representatives from these organisations were known to my contact and this seemed to make potential participants more accessible. While I had intended to contact the recommended organisations from my own scoping exercise, stating that it had been my contact's suggestion to contact the organisation seemed to stimulate more interest from potential participants. All participants were provided with written information on the aims and objectives of the study prior to undertaking the interviews (See Appendix I).

4.6.2 Types of Organisation

Rahman (2006) argues there are two broad types of organisation within NGO organisations: those that pursue a 'social mobilisation' paradigm incorporating concepts of empowerment, collective action and engagement in the broader political arena and those that pursue a 'service delivery' paradigm, in which the provision of services is strictly separated from political engagement (Rahman, 2006). From the mapping exercise, it was evident that within the selected sample, this was not always true with regard to migrant NGOs. Many organisations did not confine themselves to one or the other paradigm but incorporated both and more generally pursued a multi-levelled approach, arguably, filling in gaps where the state has failed. Through exploring the selected organisations for the study, it was evident that organisations dealing with refugee and asylum issues are often expected to undertake a number of roles, and respond to a variety of diverse needs. In this sense there was not a clear divide between service providers and those engaged in more politically mobilised approaches although organisations did often lean towards one than the other. Within

the sample there was often an overlap between service provision, advocacy, and engaging with state institutions.

The nine selected organisations all worked directly with asylum seekers although often with different foci. Some focused mainly on political mobilisation, others focused on the legal aspects of asylum applications and providing legal support, others focused on service provision, others focused on self-organisation, and others functioned as information and support centres. Many of the organisations were engaged in a number of these roles.

Of the selected organisations, it was evident both from the website material and mission statements and my follow up conversations with the participating migrant organisations, that four broad categories of organisations existed although these often overlapped in the their functions and aims. The four categories included two organisations with a strong focus on legal and political issues, three who identified strongly with service provision, two that identified as self-organising (although also identified as strong activist roles) and two with a particular focus on empowerment and capacity-building strategies.

4.7 Planning the Semi-Structured Interviews

Selecting the research participants involved identifying those most able to provide research rich information (Lewis, 2003). Within this context, attention was given to acquiring data that could best address the research question and the most suitable methods for generating data. It was considered important to speak with participants within each of the selected organisations who had a role in decision-making processes,

those who were in a position of knowledge relating to the key functions of the organisation and how engagement takes place within and between their organisation and other organisations and with state institutions.   One representative was selected from each of the participating migrant NGOs. All but one of the interviewees from the nine migrant NGOs occupied senior positions within management within the organisation. Only one interviewee was not employed in a management position but played a key role in the organisation in terms of engagement strategies and campaigning. Two of the participants came from ethnic minority backgrounds and were ex-migrants. The other seven participants were white Irish.

4.7.1 The One to One Interviews

In the planning of the research I decided upon semi-structured interviews to combine both structure and flexibility (Legard, Keegan and Ward, 2006). Semi-structured interviews allowed a space to ask formulated questions, but did not confine participants to strict adherence to the questions of the interviewer. This style of interviewing allowed for questions to be covered in the order chosen by the interviewer but also allows a space to probe and explore the responses of the respondent. It allowed a space for follow up questions and forms of exploration that could extract deeper data.   Semi-structured interviews were considered important in the interviewing of migrant NGOs as they allowed scope for participants to explore their own perspectives, understandings and meanings of representation, but also because this process allow a one-to-one space to discuss organization specific issues. While initially some thought was given to conducting focus groups with migrant NGOs, for practical reasons, one-to-one interviews were considered more appropriate. It was

anticipated that the possibilities and practicalities of trying to get representatives of NGOs to attend focus groups would not be practical.

Within the interview process it is recognised that the interviewer plays an active part in the data collecting process (Legard, Keegan and Ward, 2003). Knowledge is constructed through collaboration between the interviewee and the researcher (Ibid.). For this reason it was considered important to give some thought to the order in which topics might be discussed, the data the research study could generate and the degree to which data would be relevant to my research questions. This involved some preparation and mentally picturing myself in the interview, so as to work out the most beneficial way to structure and plan the interviews (Arthur and Nazroo, 2006). While, it is acknowledged that this can change through the course of the interview, depending on the responses of participants, it is nonetheless considered important to have devised a robust planning process (Arthur and Nazroo, 2006).

Planning also includes the ability to combine structure with flexibility in the research process (Legard, Keegan, and Ward, 2006). This was considered important in the timing of the interviews to ensure interviews took place at a time that was convenient for the interviewee and at a time when there would be minimum disruptions. An hour was allocated to each of the interviews. To accommodate interviewees, all but one of the interviews took place within organisations. Only one interview took place outside of the organisation and this took place at a hotel where the CEO was staying during a conference visit to University College Cork. While undertaking the interviews meant often travelling long distances to access interviewees, it was nonetheless considered

important to include all of the nine chosen organisations to get a more in-depth insight into the activities and practices of representative migrant NGOs.

All nine of the participating representatives from migrant NGOs were provided with background information relating to the aims and objectives of research prior to completing the interviews (See Appendix 1). Written consent was obtained from all participants prior to conducting the interviews. The consent form also provided information on the interview process (Appendix II). When planning and preparing for the interview process, careful consideration was given to compiling questions, the types of questions and the main topics for questioning. Overall themes for questions included 1) Types and Models of Representation 2) Understandings of Representation 3) Strategies to Promote Engagement 4) Participative Structures within Organisations and 5) Political Mobilisation and Activism. Sub questioned were catergorised under each of these headings (See Appendix III)

4.7.2 The Interview Process

Along with conducting audio recorded interviews, field notes were also taken during the interview process. A range of probes were also devised to help the interviewee to elaborate and achieve depth in their responses. Allowing adequate time for responses was considered important in obtaining fuller responses from interviewees (Legard, Keegan, and Ward, 2006). A semi-structured format of interviews was also viewed as allowing scope for the organisations to raise important issues, which they felt were relevant to the research. The interviews lasted between 40mins and one hour and covered approximately thirty five questions.

Initially, I had anticipated disclosing the names of organisations while maintaining the anonymity of the participant. However, after some consideration, it was decided that keeping the organisations anonymous would yield more information and allow for more insightful discussion. Additionally, given that there are only a small number of organisations in the migrant sector which place a strong focus on asylum issues, it was the preference of interviewees that the interviews remain anonymous. In particular, interviewees expressed a discomfort with making critical observations if the names of organisations were made public. I decided that maintaining the anonymity of the organisations would allow for participants to be more open in their discussions and that anonymity would add to the types of discussions this would enable to take place. In the interests of extracting the most information rich data, the anonymity of organisations was chosen as the most beneficial option for the research.

After the interviews were complete, a debriefing took place to ensure the interviewees were happy with the contents of the interview. This was also considered an opportunity for the interviewee to raise any questions or issues they may have had with the interview process. The participants were also assured that should they decide at a later stage (within a six month period) that the information provided in the interview should be withdrawn, that I would do so on contact from the organisation. Contact details were included in the information sheet on the aims and objectives of the research should the interviewee wish to make contact at a later stage.

4.8 Planning the Focus Groups

Along with interviewing representatives from migrant NGOs, it was considered important to include the perspectives of asylum seekers and to gain an understanding

of how they experience decision-making processes, the level of participation available to asylum seekers, and to what degree they experience values of political inclusion, equality, reasonableness and publicity in representative processes. The main challenge in the planning stage was to ensure questions were focused but without constraints and reflected the purpose of the study while also allowing participants adequate time for discussion. Developing a written plan at the preparation stage was thus essential, as it allowed scope for arranging my ideas, listing potential questions and clarifying the research process. Consideration was also given to the way to recruit asylum seekers. This was recognised as challenging given the vulnerability of asylum seekers in the system so avoiding any factors that might give way to additional distress and discomfort had to be carefully considered.

I decided to conduct focus groups as I anticipated that the focus group setting would create more openness and be less threatening for asylum seekers and create a space where they would feel supported by fellow asylum seekers. In this regard, it was envisioned that the focus groups would yield more in-depth information and give more freedom through collective discussions, rather than one to one interviews. I also anticipated a focus group would also allow for the opportunity to explore varied meanings and understandings of representation. To this end, the significance of the focus group approach was rooted in helping me as the researcher understand how individuals construct understandings of their situations (Burgess 1982). In other words, it gave meaning to the way the participants understand and interpret their social reality (Bryman 1988). As such, the focus groups helped in exploring the situated knowledge about processes, experiences and understandings of participants.

A qualitative approach in the form of focus groups was employed as a way of collecting data on both the individual and collective experiences of asylum seekers. In conducting the focus groups, I was aware of the fact that this could provide a space for asylum seekers to express concerns, they might otherwise have to suppress about the policy environment. For this reason, it was considered important to highlight the focus group as a safe environment for expression where participants' anonymity was guaranteed.

In conducting focus groups, practical consideration was given to accessibility and the difficulties asylum seekers may experience given the nature of their daily living schedule. Gaining consent from participants was therefore viewed as something that had to be handled carefully and sensitively, with careful explanation about the research given. To this end, building up trust and ensuring anonymity was viewed as significant in the research process.

Upon deciding to involve asylum seekers, careful consideration was given to the most beneficial and sensitive way to collect data. On the advice of a contact I had with asylum seekers, focus groups were deemed as the most appropriate way to conduct the research with asylum seekers. This was due both to the practicalities of transport to and from the DP centres and a reluctance of asylum seekers to be involved in one-to-one interviews. My contact had discussed the research with potential participants and from these discussions he concluded that participants were less likely to participate in one-to-one settings.

The group context of the focus group was also viewed as a way of generating interaction between participants to allow them to express their own views and perspectives, and to hear the views and perspectives of other participants. Allowing participants the opportunity to respond to issues raised by other members of the group was considered a useful way for acquiring additional material through open discussion (Finch and Lewis, 2006). Focus groups were also viewed as a space for spontaneity where the group works together and more likely to reveal more refined, deeper and more considered responses (Ibid). To this end, undertaking focus groups with asylum seekers was viewed as a way of combining opportunities for accessing information and facilitating deliberative discussion. Being a white researcher, I was aware of how I might be perceived as being in a position of power and privilege by asylum seekers. In this context, it was important to explain carefully the nature of the research and the way in which it promoted the participation and empowerment of asylum seekers through inclusion and creating a safe place for discussion.

4.8.1 Focus Groups: Time Constraints and Accessibility

Recruiting asylum seekers proved a difficult process. When deciding to involve asylum seekers in the research, I first approached a migrant organisation known to me locally and asked if they would help in the recruiting of asylum seekers. At first the organisation seemed helpful. A number of flyers were printed up and delivered to the organisation upon request. I also documented what my research was about and had a number of copies sent to the organisation that could be distributed to potential participants for the focus group. However, follow up was poor and after contacting the organisation a number of times, I was finally informed that asylum seekers simply were not interested in participating. Other migrant NGOs had also initially offered

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help in accessing participants but at a later stage informed me that there were difficulties with accessing participants. The only reasons given were that asylum seekers did not appear to be interested in participating.

As previously discussed, I had a contact that had direct access to asylum seekers. Initially, it was anticipated that three focus groups would be undertaken with groups of six to eight participants in each. However, as the time for the focus groups came nearer, a number of participants decided they did not want to engage with the research process. There were no reasons given for this but my contact felt that some were fearful that it might jeopardise their application process and became more anxious as the timing of the focus group drew near. In the end only two focus groups were undertaken. There were seven participants in the first focus group and six participants in the second. Though the anticipated number of participants had fallen, and as I exhausted all other possibilities, I decided to go ahead with the focus groups despite the smaller numbers.

It was decided that the focus groups would take place within the university setting as accessing the DP proved difficult. Both focus groups were conducted in UCC. All of the participants came from the same DP centre, as this was the centre that my contact had most interaction with and was the more accessible to UCC. Other DP centres are located further away from UCC. Transport was arranged for participants to and from the centre. One focus group consisted of all males and one consisted of all females. The gendered nature of representation did not feature as a part of the research. The fact that there were two gendered-specific groups was based on practicalities and the

advice from my contact who advised the women were more likely to participate in a female only group.

4.8.2 Conducting the Focus Groups

The focus groups took place over a two-week period. Similar to the approach adopted in the semi-structured interviews, all participants in the focus group were provided with background information about the research (Appendix I). They were also provided with information about focus group process (Appendix IV). Consent was also obtained from all participants prior to undertaking the focus group (Appendix V).

Within the focus groups, careful guidance and ensuring participants were at ease throughout was considered important. Ensuring anonymity was also emphasised with participants. Three factors were given consideration prior to undertaking the focus groups:

1. Moderating skills and alleviating uncomfortable situations if they should arise

2. How to capture the data to reflect the perspectives of participants

3. How the data could be analysed to adequately reflect the views expressed by participants.

I anticipated that the participants may possibly be initially guarded, tense or anxious regarding the focus group process, in particular relating to the sensitive nature of the discussion for asylum seekers living in the DP system. It was important to place the participants at their ease on arrival at the focus group and begin with friendly and warm conversations before commencing with interview questions. Before beginning the interview process, I also introduced myself and gave an outline of my research,

stating why it was important for me to include the perspectives of asylum seekers. Explanations were also given about the research process and how the focus group would be conducted. Engaging in discussion was encouraged, along with stressing the importance of having the unique views and experiences of asylum seekers.

The types of questions guiding the focus group related to broad questions relating to representation (Appendix VI). These included:

1. How Asylum Seekers Experience Representation

2. Participation and Decision-Making Processes

3. Key Issues

4. Interactions with Migrant NGOs and State Institutions

Probing questions also related to the role asylum seekers play in their own representation. Questions posed also related to how adequately asylum seekers are represented, how effectively the policy and practices of state and non-state bodies reflect the needs and interests of asylum seekers and the perceived barriers to asylum seeker participation. Guiding the participants through these topics was considered important in observing how participants responded to questions, how issues are conceptualised from the asylum seeker's perspective and the way the group interacted in these discussions. It was important to remain sensitive and flexible in these interactions with the group.

Picking up and identifying those who were not participating in the group was viewed as significant. It was important to note any forms of non-verbal communication such as head nodding and facial expressions in order to interpret the dynamics within the

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group and also provide opportunities to invite non-participating members of the group to become involved. Also important was the mood of the interviewees. For example in the women's group, one participant sat turned away from the rest of the group and initially seemed reluctant to participate. While it may have been perceived as lack of interest it was important to acknowledge that the discussion could be upsetting for some group members. Acknowledging this allowed the participant to feel validated in the interview process and quickly changed the dynamics with this participant becoming much more involved in the discussion and interacting in a much more positive way within the group. Non-verbal interactions were thus seen as important in determining the dynamics of group interactions. Showing empathy, anticipating the sensitivity of the subject matter and being able to interpret this through respect and understanding was important.

Guiding the focus groups was viewed as significant. Active listening and observation, and using open ended questions were essential in this regard. Also noted was the need to balance the contributions of participants and including everyone in the group. It was also considered essential to impose some structure to ensure the study questions were addressed but equally important to balance this with remaining non-directive when free flowing discussion was taking place. Deciding when to move from one topic to another thus requires attention and skill in order to keep the discussion relevant while also promoting further reflection and debate (Finch and Lewis, 2006). Probing was considered essential in this context to encourage participants to delve deeper and cover different perspectives.

4.8.3 Verifying the Focus Group Research Results

Conducting the analysis from the focus groups proved time consuming. This was due to time spent transcribing data. As English was not the first language of a number of participants, accents were at times difficult for me to understand. In some of the transcriptions the exact words of participants were inaudible and therefore I was unable to use some data. At other times the data was inaudible due to a number of people speaking at the same time and thus could not be used in the study. Nevertheless, data was extracted that conveyed a deep sense of what asylum seekers experience and how they experience representation by both the state and migrant NGOs.

Some of the following factors demonstrate the validity of the research findings. First, the respondents participated of their own free will and made time to come to the university to participate in the focus groups. They indicated that they did not have to do this, but participated because they hoped that participating in the research study might contribute to some kind of positive outcomes in terms of raising awareness about the injustice of the system for asylum seekers.

Second, when participants were reminded of anonymity, they seemed to demonstrate more trust in the process and appeared more open with their responses. Third, a number of participants were willing to speak out on issues, despite knowing that their statements may be viewed as provocative. As a researcher observing, this demonstrated to me a strong degree of trust in the process.

Respondents were willing to speak out despite some of them having been served a deportation order and fearing what they may say publicly might impact on their appeal application. Some of the information volunteered was honest to the point that it may have affected a person's asylum claim if disclosed to an immigration official.

A number of participants continued contact with me after the research process and attended a number of university seminars after the focus groups took place. It is unlikely that this would have happened if the participants had not trust in the process.

4.9 Data Collection / Analysis

Data was generated from recordings from both the semi-structured interviews and the focus groups. Notes were also taken in both processes. Data from both the interviews and the focus groups was transcribed. The data from both the one-to-one interviews and focus groups are stored on my office PC, and will be encrypted to ensure safety. All data was deleted from the recording device. Hard copy transcriptions will be stored in a safe place in my office under lock and key for a minimum period of ten years.

Making sense of the field notes, transcripts, and interview observations proved challenging, given the wide variety of data that had been collected. This meant careful readings of all of the data in order to get a handle on the information provided and to identify an overall structure to analysing the data collection. As noted by Esterby Smith (1991), sometimes in the research process where there is such a large volume of information, it can be difficult to make sense of it all. Finding an approach suitable for managing the data was thus essential. Having transcribed the interview and focus

group data, I began my analysis by trying to find recurring concepts or themes through subjecting the material to a thematic analysis.

Thematic analysis was viewed as significant to the research study as it offers an accessible and theoretically flexible approach to analysing qualitative data (Braun and Clarke, 2006). It was also considered important to identifying, analysing and reporting themes within the data, but also through interpreting different aspects of the research topic (Boyatzis, 1998). Braun and Clarke (2006) argue that, while ideally, there will be a number of instances of a theme across the data, this does not necessarily mean the theme itself is more crucial than others. They point out that what is more significant is whether the data captures something that relates back to the overall research question, which will be driven by the researcher's theoretical interest in the area or topic.

In this way, thematic analysis is viewed as important to this study because it takes into account my own theoretical and analytical interest in the area. This in turn maps on to the way the data is coded. Within this context, my starting point was identifying broad themes and categories for analysis through examining underlying ideas, assumptions, and conceptualizations that inform the practices of migrant NGOs. In particular, it was about identifying the specific features that give representation form and meaning. In this way, it involved a level of interpretive work, which comes from a constructionist paradigm.

As the theoretical component of my research provided the framework for devising my questions for the one-to-one interviews, overarching themes for analysing the data had

already been identified. In this way, I use pre-conceived themes which I was looking

for in the data which were informed by the theory on representation.   I then employed

a comprehensive review of the range and depth of the data in order to yield recurring

concepts and themes and perspectives relating to the themes on representation I was

looking for. Finding common categories and concepts within the data was viewed as

the most effective way for bringing the data together (Punch, 1998).

4.9.1 One-to-One Interview Analysis

I began with emergent over-arching themes in the one-to-one interviews.   As I

explored the data I was struck by the different elements of the data that spoke to both

themes from the theory and my overall research questions. In this way, it was possible

to identify components of the theory to guide my analysis and use them as a way of

framing the thematic foci of the data. I began with pre-selected themes from the

theory, which informed my thematic framework. I then used this framework to

identify themes in data.   Because I had specific theoretical interests around

representation, my approach, hence, was more deductive in orientation. Therefore, a

list of themes were generated from my theoretical discussion, and then used to code

overarching themes and sub-themes in my research that spoke to what I wanted to find

out in the research.   The below table captures the four main themes extracted from

the theory and identifies key sub themes on which the data can be analysed.

Table 4.1 Themes and Sub Themes in the Study

Theme 1: Understandings of Representation
Sub themes:
- How Migrant NGOs understand representation

- How Migrant NGOs understand participation
- The role of deliberation in understandings of representation
- Inclusive decision-making in understandings of representation

Theme 2: Models of Representation and Degrees of Inclusion, political equality, and reasonableness in the practices of migrant NGOs

Sub themes:
- The types of representation employed by migrant NGOs in representing asylum seekers
- Key issues represented by migrant NGOs
- Inclusive policies and participatory practices

Theme 3: Engagement Processes
Sub themes:
- Interactions with state institutions
- Interactions with asylum seekers
- Policies and practices that promote political equality
- Publicity in engagement processes
- Publicity through targeted campaigns
- Inclusive elements of representation i.e. political equality, inclusion, reasonableness and publicity

Theme 4: Deliberation and Participation
Sub themes:
- Decision-making processes
- Political equality and the active participation of asylum seekers
- Representation of asylum seekers in the internal activities of migrant NGOs
- Networking and collective organisation

This deductive approach, with specific themes that had already been decided upon was applied across all of the interviews with migrant NGOs. It was used as a specific way of searching and labelling the data. I first used a colour coding mechanism to extract data relevant to the four key themes. This also proved useful in making connections between the theory and data and the theory and practice. It also helped to inform the direction of the study in relation to the organising the data, identifying common threads, but also in identifying specific themes within themes and to capture whether different understandings and approaches to representation were evident in the policies

and practices of migrant NGOs. Categorising the data in this way also allowed for a better conceptual lens to emerge and helped move the data into a wider context of interpretation. In this regard, the codes shaped the data analysis but also allowed for searching across the data to identify and interpret particular phenomena.

Using the above categories, helped further organise the data and extrapolate specific quotes. While this proved a laborious task in assessing all of the data, it also allowed a more satisfactory decipherment of the data and helped in the organization of specific quotations relating to specific themes. It also assisted in identifying different conceptual understandings of representation, participation and deliberation emerging in the data. Coding also allowed for a more rigorous analysis of the data, through locating the data within various categories which later allowed for cross sectional analysis and further reflection on the research questions (Spencer, Richie and O Connor, 2006).

The sub categories were introduced for more specific issues directly related to issues emerging in the interview process. Identifying sub categories also allowed for a more robust analytic approach and an opportunity to tease out comparisons and contrasts in the responses of interviewees. Having such a system assisted in connecting common themes, drawing clear comparisons, and provided the space for more informed reflections and cross-reference.

4.9.2 Focus Groups

Within the focus groups, a similar strategy was adopted to organising the data. This was applied across both focus groups. Again, a number of themes emerged that

connected with points raised in the literature. As with the one-to-one interviews, a thematic analysis was adopted that included a careful review of the data and drawing up some broad categories. As such a deductive approach was once again applied incorporating pre-conceived themes and used as a way of searching and labelling the data. I first used a colour coding mechanism to extract data relevant to the four key themes listed below. The selected categories for data analysis and recurrent themes in the content of the focus groups are indicated in Table 4.2.

Table 4.2 Themes and Sub Themes in the Study

Understandings of Representation
<u>Sub themes</u>
- o How asylum seekers understand political representation
- o How asylum seekers experience political equality and inclusion
- o Deliberation and participation within understandings of representation
- o How asylum seekers experience inclusion

Theme 2: Models of Representation
<u>Sub themes:</u>
- o Types of representation experienced by asylum seekers.
- o Accessibility to participation in models of representation
- o Key issues which asylum seekers identify as requiring representation
- o How asylum seekers experience inclusion in the practices of migrant NGOs
- o Effectiveness of models of representation employed by migrant NGOs
- o How migrant NGOs challenge and engage political institutions

Theme 3: Engagement Processes
<u>Sub themes:</u>
- o Interactions with state institutions
- o Interactions with NGOs
- o Policies and practices
- o Decision making and political equality
- o Involvement and effectiveness of targeted campaigns

o Evidence of reasonableness in engagement processes
o Impact of publicity
•

Theme 4: Deliberation and Participation
Sub themes:
o Accessibility to decision-making processes
o Active participative structures
o Asylum seekers involvement in the internal activities of migrant NGOs
o Types of participative structures available to asylum seekers
o Key issues that asylum seekers see as warranting representation
o Requirements for deliberation

These four key areas were common to both of the focus groups and viewed as important categories in understanding how asylum seekers experience representation. In making sense of the data collection, a similar approach to the interviews was employed which included categorising the main topics and using colour coding to identify quotes and responses relevant to the identified categories. This allowed the scope for identifying emergent findings, cross reference and important reflections drawn from the responses of participants.

4.10 Analysis and Interpreting the Data

Having established a clear thematic focus and sub categories it was possible to develop a conceptual framework upon which emerging issues could be analysed. This, firstly, included developing the themes and relevant sub-categories from the data collected and then analysing the data in relation to these themes and relating this back to the research questions and issues raised in the theoretical component of the research. The type of evidence gathered from the data and its interpretation would fundamentally inform the analysis. Specifically important was information relating to the construction of representation which could be analysed against issues raised in the theories on representation. In examining the data through this lens, clustering and

specific patterns could be detected. This in turn also allowed a space for connecting data from both theory and the primary research leading to a refining of the analysis. In doing so, it was considered important not to manipulate the data to fit with the theoretical framework but rather allow a process where the findings emerged freely from the data and subsequently observing how the findings from the data were reflected in the theory. Richie and Lewis (2006) note that where the researcher uses theoretical frameworks it may be appropriate to lend theoretical explanations to the research findings. However, they hasten to add that:

> Explanations developed in this way must be carefully checked to ensure that they reflect the uniqueness and diversity of the data and do not 'bully' the findings to fit preconceived ideas.
>
> (2006: 257)

In this context, the emergent data needed to be subjected to rigorous analysis in order to ensure the breath of the data was explored and not manipulated by my own thinking as outlined in the theoretical framework of the research. Careful attention needed to be given to both to ensure the analytical process reflected reliable evidence and findings.

Such processes required clear documentation, careful data management and sound interpretation. It was also important to reflect the uniqueness of the research and provide insight into factors that underpin the particular direction that the research sought to take. This included bringing together the theory analysis, the different ways in which representation is constructed in practice, how different types of organisations might conceptualise representation differently and the impact of such processes on the

way asylum seekers experience representation. Transforming the data into concrete research findings and adding new knowledge to this area thus proved challenging.

Della Porta and Keating (2008) argue that reflection and interpretation of the empirical findings is crucial. It is also important in determining validity and requires a process of careful navigation through the theory in order to give consideration to the emerging conceptual framework within the data. Therefore, having awareness of the potential underlying assumptions and perspectives is significant in the findings that the study produces. Within this framework, it was important that the findings of the research were based on critical investigation and reflected important discussion on the representation of asylum seekers in Ireland. As this has been a neglected area of study in debates on asylum in Ireland, a strong focus was placed on contributing new and important insights that adds to the political discussions on representation in Ireland and also more broadly to discussions on the way we understand and conceptualise representation.

4.11 Ethical Considerations

Resnik (2015:1) notes that there are a number of reasons why it is important to adhere to ethical norms in research. He points out:

> First, norms promote the aims of research, such as knowledge, truth, and avoidance of error...Second, since research often involves a great deal of cooperation and coordination among many different people...ethical standards promote the values that are essential to collaborative work, such as trust, accountability, mutual respect, and

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fairness...Third, many of the ethical norms help to ensure that researchers can be held accountable to the public.

Ethical research promotes moral and social values such as social responsibility and human rights. Both social responsibility and human rights feature heavily in the research study and inform the ontological elements of my research position relating to justice and inclusion. Such values have guided the research and were considered central to my thinking when forming the research questions. As such the research recognised that in conducting qualitative research the researcher becomes more intimately involved in research. As Ratner (2002:1) notes 'Subjectivity guides everything from the choice of topic that one studies, to formulating hypotheses, to selecting methodologies, and interpreting data'. In conducting studies, the researcher is encouraged to 'reflect on the values and objectives he brings to his research and how these affect the research project' (Ibid).

According to Bryman and Bell (2007), there are a number of principles that need consideration in conducting ethically sound research. These include not subjecting the research participants to any harm, acquiring consent, ensuring the privacy of the research participants, confidentiality, anonymity, avoiding deception or exaggeration of the research findings, honesty and integrity, and avoiding misleading representations. They also point out that in conducting qualitative interviews voluntary participation is most important and the use of language that could be construed as offensive must be avoided. Access, ethics and informed consent are thus core to the research objectives and an important part of the ethical considerations of the research.

4.11.1 Obtaining Consent

Prior to obtaining consent, each interviewee was provided with an overview of the background to the research. Interviewees were advised that consent would need to be sought prior to the interview process. Consent was obtained from all organisations prior to interviews. Similarly, consent was sought from all participants in the focus groups. Participants were advised that they could withdraw from the research process at any time and that should they subsequently wish to withdraw (within a six month framework), the information provided would not be used in the research.

4.11.2 Informed Consent

As with any research, it was important for the study that informed consent was obtained (Lewis, 2003). This meant providing participants with information regarding the research, the purpose of the study and how the data will be used. It also meant explaining to the participants what was expected of them in the interview process. Additionally, asylum seekers living in the system of DP were viewed as particularly vulnerable and therefore voluntary participation without any pressure on the participants was a key objective in the ethical considerations of the study.

4.11.3 Anonymity and Confidentiality

Anonymity was considered a priority. While it is important for the researcher to acquire consent directly when undertaking research, in the case of asylum seekers, it was necessary to involve a third party due to the difficulty in accessing participants. It was important that this third party was known personally to both the researcher and the participants in order to ensure anonymity. In this case the contact was both a

colleague to me the researcher but also someone known on a personal basis to asylum seekers and working directly with them in promoting their inclusion.

As stated previously in the chapter, the one-to-one interviews with NGOs also helped to guarantee anonymity. This was considered important in generating information rich data and the agreed participation of migrant NGOs. As already stated, initially, disclosing the name of the organisation was considered, but upon further reflection, it was felt that this might limit the content that might emerge from or that could be extrapolated from the interviews and could possibly have implications for the organisation in terms of their political engagement and mobilization. Consequently, ensuring anonymity was pursued as a more viable option. It was also felt that anonymity would also ensure their perspectives were represented more fully.

4.11.4 Protecting Participants from Harm

Richie and Lewis (2006) argue that in conducting interviews you also need to be aware of what extent qualitative interviewing achieves your ethical goals and have awareness that participants may experience anxiety, guilt, and damage to self-esteem during data collection. I had to be aware that some of the interviewees in migrant NGOs might find my questions provocative or may perceive my questions as critical of the organization, so it was important in the planning stage to give the format of questioning careful consideration and phrase my questions in a way that did not make the interviewee feel uncomfortable. With regard to the focus groups, a variety of factors had to be considered. As an oppressed group, predicting distressing situations was viewed as particularly important. For this reason, it was important that I as a researcher was aware of the practical and ethical limits of the study questions. Careful

planning was, thus, viewed as important in developing the focus group questions. It was important that the focus groups reflected sensitivity and an awareness of dynamics that might raise potential risks for the participants. For this reason it was considered important to give clear direction about the research expectations, outline the process of the focus group and allow participants to comment on any uncertainties they had prior to commencing the focus groups. It was also considered important to reassure participants that if, at any point, during the research process a participant felt uncomfortable or wished to stop, this could easily be accommodated.

It was only when I was confident that all participants were happy to proceed that I commenced the focus group. I did this by checking with participants that were still happy to proceed. It was also emphasised that nothing they said could have any influence either positively or negatively on their asylum claims. I felt it was important to say this as I wanted to alleviate any concerns that participants might have had that information could be used against them. Equally, I did not want to raise any false expectations among participants that participating might positively affect their asylum claim. Respondents were also told that they could decline to answer questions if they wished and that they could leave to focus group at any time if they wished and it would not cause offence.

After the interview was complete, it was also considered important to check with participants that they were happy with the way the focus group had went and that they were still happy with me using their perspectives moving forward with the research. I also provided a summary of some of the key issues raised and the responses that were given from my written notes. I also asked if anything that was raised had caused any individual distress. Participants acknowledged that while it can be difficult to talk

about issues, they also welcomed the opportunity to speak out about issues, a privilege that is often denied them. Time was also allocated to allow participants to ask questions of me after the focus group was complete.

As previously stated, initially, one-to-one interviews were given consideration with asylum seekers but it felt that this process might be perceived by asylum seekers as too invasive or potentially threatening. Additionally, conducting focus groups was viewed as a way where participants could feel supported by each other in the group and hence, not feel so isolated. In this way, conducting a focus group was viewed as having less potential risks to harm and a space more fitting for the participants.

4.11.5 Data Storage

Data generated during the course of research study will be kept securely in my locked work office in both paper format and a further encrypted back-up on my work computer. The data will be stored for a minimum of ten years as per UCC's data management protocol. Data will be stored in a way that permits a complete retrospective audit, if necessary. The data will be monitored regularly to ensure functioning completeness and accuracy.

4.12 Positionality as a Researcher

My own positionality as a white female researcher compelled me to think carefully about racial and cultural bias I may bring to the research. In this regard, it was important to be aware of and give careful attention to any actions that might pose difficulties for asylum seekers through the research process. It was also important as

a researcher that I anticipate any possible dangers of research bias in the decisions I made in the research process or any processes that could circumvent misinterpretations (Milner, 2007). I had to be mindful of the role of my own positionality and cultural ways of being and how this may pose difficulties to those I sought to represent. Researching the self in relation to researching others was therefore considered important (Milner, 2007). This required an active engagement with tensions that can occur when conducting research where issues of race and culture are concerned. Moreover, it was considered important that I ensure a deep understanding of cultural issues and represent asylum seekers in a way that not only took into account my own normative thinking about the way asylum seekers are oppressed but also shift that thinking into to a critical assessment of systems of representation, where injustice prevails. As such I had to have an awareness of the way asylum seekers historically have been misrepresented, silenced, and oppressed. In representing their experiences, I had to ensure that my values and approach matched with a desire for social change and transformation.

4.13 Parameters of the Study

Data collection took place between 2010 and 2014. The interviews with migrant NGOs took place between September 2010 and July 2013 and the focus groups with asylum seekers took place in late 2013 and early 2014. This timeframe was considered important as the study particularly wanted to capture developments and changes that took place in the migrant NGO sector between 2000 and 2014 and whether these changes had enhanced the representative capacity of migrant NGOs in their representation of asylum seekers. In particular, the measures undertaken to improve the inclusion and participation of asylum seekers were considered significant.

4.14 Limitations to the Study

The research study is not without its limitations. Acknowledged is the fact that asylum seekers are in a vulnerable position within the political system and therefore trust can be a specific issue. While I tried to address this in the focus groups through reassuring participants, it is however, acknowledged that this may impact on the responses of participants and hence in the validity of the findings.

Second, the sample size of both of the focus groups was smaller than I first had anticipated. Initially I had intended conducting more focus groups with asylum seekers but as accessibility proved challenging, I had to confine it to two focus groups. As a researcher, I felt it would have been better to have a larger number of focus groups to allow for more in depth and information-rich data to be accumulated.

It is acknowledged that smaller groups can lead to difficulties with the representative capacity of the focus groups and therefore the findings cannot be generalizable or transferred across the entire asylum seeker population. Additionally, all of the participants came from the same DP centre which does not allow for comparison across DP centres. While it would have been my preference to have participants across different centres, gaining access to asylum seekers proved much more difficult than initially anticipated. Nevertheless the data was considered rich in content and proved important to highlighting important aspects of the barriers asylum seekers experience in accessing the political system.

Broader limitations relate to the timeframe of the research. As such, the findings do not allow for the inclusion of changes that have occurred since 2014. It is difficult to

say whether subsequent events such as the 2014 asylum seeker protests and the formation of the Working Group in late 2014 have influenced participation, but they have been important events, nonetheless, in making asylum issues more visible. These events have also indicated changes and further developments in the praxis of migrant NGOs that are beyond what I can comment on in the research study.

4.15 Conclusion

This chapter has indicated why I opted for qualitative research methods in conducting the study. Along with this, it has aimed to trace the research process and convey why qualitative research methods were useful in addressing the research questions. As such, the chapter has aimed to capture the breath of the study process, the rationale for using chosen research methods, the design and principles guiding the research, along with the overall purpose of the study. The chapter has also conveyed some of the challenges and obstacles that I needed to overcome in order to make the study possible. Additionally, it has sought to provide the reader with a sense of where the theoretical component of the research and the data arising from the study intersect.

It has also set the context for the follow up chapters relating to the study which are incorporated into Chapter Five and Chapter Six of the thesis.

Chapter 5 – Representation in the Policies and Practices of Migrant NGOs: Exploring the Quality of Representation

5.1 Introduction

In this chapter I present the findings of my interviews with the personnel from nine migrant NGOs in Ireland. As detailed in my methodology chapter, conducting the interviews involved particular attention to the way representation is constructed and framed in the policies and practices of organisations. Linking with the research questions in chapter one and the framework of representation outlined in chapter two, the study was specifically interested in exploring the activities and frameworks for representation that migrant NGOs employ to promote participation and deliberation. In analysing the data, I sought to explore the themes and sub themes identified in my methodology chapter relating to understanding representation, models of representation, engagement processes and principles of participation and deliberation. These themes were informed by the theory on representation, providing key areas for analysis, namely 1) inclusion 2) political equality, 3) reasonableness and 4) publicity. In the context of the study inclusion, thus, refers to the level by which those who are affected by decisions (in this case asylum seekers) are included in decision-making. Political equality refers to whether asylum seekers and migrant NGOs are included in discussions on equal terms and afforded opportunities to speak free and openly when engaging with state institutions. Reasonableness refers to the willingness of all parties (namely state institutions, migrant NGOs and asylum seekers) to accommodate the perspectives of others and to what extent these are open to challenge. Finally,

publicity refers to how all of these three factors (inclusion, political equality and reasonableness) are incorporated into democratic decision-making processes in public forums which hold people involved accountable.

In this way, the interviews with representatives from migrant NGOs were viewed as important to answering three of my four research questions listed below:

- How do migrant NGOs politically represent asylum seekers and what kinds of relationships exist between migrant NGOs and political institutions in politically representing asylum seekers?

- In what way do the practices of migrant NGOs encourage and promote participative processes to ensure asylum seeker involvement in the practices and decision-making processes of organisations?

- To what extent are the tenets of Iris Marion Young's approach embedded in the practices of migrant NGOs, i.e. political equality, inclusion, reasonableness and publicity?

Table 5.1 Organisation size, structure, mission, and orientation

	Size*	Structure	Mission	Orientation
Org. A	Large	Legal supports, reporting racism, Campaigning, legal clinics, Family Reunification, citizenship, immigration And asylum issues Engaging with decision makers and public representatives at the local and national levels	To realise the rights of refugees	Legal and Political
Org B	Large	Legal supports, legal clinics, drop-in centres Media communication, casework, seminars, Refugee and asylum issues. engaging with decision makers and public representatives at the local and national levels	Closing the protection gap	Legal and Political
Org C	Small	Outreach services, including support to individuals and families living in Direct Provision Centres and to those who are furthest removed from accessing services. Person-centred supports	All new-comers are resourced to live and integrate in a society where they feel welcome, fully accepted, equal, and make a	Service Provision

		Education, Training & Employment Services English Language services and training at a range of levels aimed at increasing opportunities to integrate.	valuable contribution in Irish society.	
Org D	Small	Information provision Referrals to relevant agencies. Supporting families in 'direct provisions' through family support projects. Coordination of various activities, including education, health, language support, various training and information workshops Raise awareness on racism Links and networks with other statutory and non-statutory agencies Best practice and contributes to policy development Drop-in centre	To provide practical, moral and social support to asylum seekers, refugees and other migrants	Service Provision
Org E	Large	Drop-in centre Support services Direct provision transition Human trafficking Policy areas: Direct Provision and engaging with decision-makers and public representatives at the local and national level	To promote and uphold the human rights and well-being of migrants through personal advocacy, integration development and collaborative advocacy campaigns at the local and national level	Service Provision / Legal and Political
Org F	Small	Focus on empowerment strategies and collective decision-making Engaging with decision makers and public representatives at the local and national levels Focus on anti-discriminatory practices Developing evidence-based solutions that address key issues affecting migrants Networking with migrant NGOs and other NGOs Resource centre and training Outreach and training programmes Collaborative decision-making Promoting agency and autonomy among members	Promote equality and justice for migrants Promote migrant participation in local communities; in civic and political structures, government consultations and decision-making processes	Self-organising / Capacity Building / Political Mobilisation
Org G	Small	Providing communal/social space for ethnic minority led organisations to interact, exchange ideas and empower themselves. Representation and participation of ethnic minorities in decision-making processes and consultative forum. Training and capacity building Helping migrants, refugees, and asylum seekers to identify their own needs and develop an awareness of the policy context within which they operate. Development of services and initiatives that respond to identified needs Drop-in Clinics Collaborative decision-making	Providing a unified and inclusive voice for ethnic minority communities, including asylum seekers and networking at the grassroots level	Self-organising/ Capacity Building / Political Mobilisation
Org H	Large	English language classes Outreach psychosocial services Supporting victims of torture and inhuman or degrading treatment Therapy – psychosocial and therapeutic Self-care / Capacity building Education initiatives Outreach services for asylum seekers	To build capacity and empower members of the organisation	Capacity Building
Org I	Unknown	Training and capacity building Therapeutic and psycho-social supports Communal space for interaction Building integration strategies Capacity building and developing asylum seeker agency	To build capacity and empower members of the organisation	Capacity Building

* Size of organisation is based on the annual funding of organisations. Organisations with over 250,000 euros annual income are categorised as large, those with an annual income of between 150,000 and 250,000 euro are categorised as medium and those with an annual income of under 150, 000 euro are considered small.

While acknowledgement is made of the many good practices of migrant NGOs, my intention in the research study was to probe beneath the surface and investigate what structures and practices within organisations successfully give way to deliberative and participative mechanisms in both in the interactions of migrant NGOs with state institutions and with asylum seekers. In other words, my intention was to explore the means through which migrant NGOs challenge political institutions on one hand, and how their interactions with asylum seekers secure practices of political equality and inclusion for asylum seekers on the other.

In section 5.2 of the chapter I explore key themes and concepts in the mission statements of participating migrant NGOs. In section 5.2 I outline the key types of representation that migrant NGOs representatives identified. In this section, I also highlight the specific tools they use to facilitate representation. Following on from this, in section 5.3 I give an overview of the study. I then outline the different types of representation provided by participating migrant NGOs in section 5.4. In section 5.5 I provide an account of how interviewees from migrant NGOs understand representation. This is followed by section 5.6 which highlights the key issues that migrant NGOs address in their representation of asylum seekers. Section 5.7 provides an overview of engagement processes with state institutions. Within this section, I examine the factors that NGOs identify as effective to deliberative processes and

participation. In section 5.8 I outline how migrant NGOs challenge state institutions and identify barriers to representation. Section 5.9 addresses issues relating to governance and funding. Section 5.10 examines deliberative and participative structures within the internal activities of migrant NGOs. Finally, section 5.11 I provides an account of the key findings of the study. In this section I assess the data against the tenets of Iris Marion Young's approach identifying to what degree political equality, inclusion, publicity and reasonableness are evident in the policies and practices of migrant NGOs and to what extent their activities encourage and promote deliberation and participation. In this section, I tease out some of the complexities with representation that can often go unrecognised in theoretical speculation.

5.2 Themes in the Mission Statements and Aims and Objectives

The following are some of the common themes and concepts in the mission statements of participating migrant NGOs:

- Integration
- The promotion of human rights
- Social justice and equality, inclusion
- The right to seek asylum

Some of the common aims and objectives include:

- Promoting public awareness
- Capacity building
- Policy change
- Effective networking
- Empowerment

- Enhancing integration

- Collaboration

More specific aims relate to addressing inequality in economic, social, political and cultural spheres, addressing equal opportunity and equal access, the promotion of collaborative advocacy campaigns, along with addressing the injustices in the system of DP. Access to integration, encouraging self-reliance, providing support, and enhancing representation are also considered significant.

These statements indicate an inclusive approach to representation, which is asylum seeker-centred and justice-promoting. They also highlight capacity building, promoting integration, networking, and collaboration as important. Strengthening the capacity of asylum seekers and the exercise of rights are strongly advocated for across all organisations.

Overall, the mission statements highlight organisations as agents of reform and social change and important actors in representing asylum seekers. However, when examining the websites, only a very small number of organisations referenced asylum seekers as important actors in their own representation. At the time of the study, only one of the nine organisations made reference to representation through direct participation. Overall, there appeared to be very little emphasis placed on collective advocacy or the active involvement of asylum seekers. However, since undertaking the study, two organisations have updated their aims and objectives on their website to reflect 1) ensuring participation of asylum seekers is prioritised and 2) collaborative advocacy work. This was considered an important observation for the research study

as it was my view that tis may possibly indicate that participating migrant NGOs favour a more advocacy based framework, which requires migrant NGOs to act on behalf of asylum seekers.

5.3 The Study

Of the selected organisations in the study, each identified with specific strands to their work. These included: 1) Political and Legal Representation, 2) Service Provision, 3) Self-organisation and 4) Capacity Building. Those engaging in political and legal representation generally focused on legal advice, human rights law, and political campaign work. Service providers, generally engage in a number of services including the provision of information on rights and entitlements, drop-in centres, English language provision, education, training and development, and promoting integration. The main bodies they engaged with were local authorities, the RIA and local politicians. They placed a strong focus on health and welfare issues, providing support to families living in the DP centres. Self-organising migrant NGOs engage in strong migrant-led initiatives and promote a specific approach that involves the direct participation of its members. Core strategies include collective consultation, shared decision-making processes, and the direct participation of its members. Unique to these organisations was a strong grassroots activism approach, combined with politically motivated actions that included the participation of asylum seekers. Capacity-building organisations engaged with strong community development approaches that placed support interventions at the core of their ethos. Assisting in integration strategies within communities was prioritised, along with a strong focus placed on empowerment.

While I had not conducted any pre-interview scoping exercise relating to the types of organisation, it became evident while conducting the interviews that the selected organisations fell under four main categories:- two had a strong political and legal orientation, three identified as services providers, two organisations were self-organising and two organisations had a strong capacity building orientation. While organisations overlapped in services provided and activities and often had things in common in how they represented asylum seekers, each of the participants identified mainly, though not exclusively, with one of these four categories, with reference to the type of organisation they identified themselves as. These were identified as follows:

- Organisation A and B: Political and legal Representation

- Oranisation C, D, and E: Service Provider

- Organisation F and G: Self organisation, Political Representation and Activism

- Organisation H and I: Capacity Building and Advocacy

As the interviews progressed, they revealed interesting information on the relationship between the different types of organisations and their different approaches to understanding and framing representation within organisations.

5.4 Types of Representation

The types of representation provided by migrant NGOs differed depending on the roles and activities of organisations. From the interviews, it was evident that political representation was emphasised more in organisations with a political and legal orientation, but also in self-organising migrant NGOs. Organisations with a strong focus on service provision and capacity building were generally less political, but often

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had direct contact with asylum seekers. The following is a summary of the types of representation provided.

5.4.1 Political and Legal Orientation

Political representation in the work of these organisations is achieved through a focus on raising public awareness on issues affecting asylum seekers and political campaigning. Political campaigning was generally focused on the injustice of the DP system and weak asylum policy. Much of the work of politically and legally orientated organisations was associated with calling on state institutions to reform the DP system, and promoting a fair and just system for those seeking asylum.

Organising 'politically' for the participants from organisations A and B was broadly seen as taking the form of engaging with other politically motivated migrant organisations, other NGOs, local politicians, and with key stakeholders (both state and non-state). Engaging with the RIA was viewed as particularly significant, though not always seen as effective due to specific political constraints. There was consensus among the participants from organisation A and B that engagement with state agencies such as RIA and the DJE were often challenging and there was a general consensus that accessing the political arena was difficult. In this way, ensuring publicity was problematic. Interactions between various parties were not seen as always productive or based on discussing collective problems under a common set of procedures. In essence, the representatives from these organisations felt that their claims were not always taken seriously by state institutions such as RIA and the DJE.

Within the work of politically orientated organisations, types of representations were generally, though not exclusively, centred on both legal representation and political representation. Legal representation takes the form of legal advice, legal referrals and legal representation in individual asylum cases. Both organisations (A and B) were similar in this regard. Each had published documents on the legal issues, particularly with reference to the difficulty in proving the credibility of asylum claims and the unrecognised needs and rights of asylum seekers. The interviewee from organisation A pointed to significant gaps which migrant organisations try to address. Specific issues highlighted by this participant related to the low number of asylum claims being granted and the accelerating number of deportations. In their legal representation, both representatives from these organisations highlighted the need for transparency and reasonableness to be promoted by the DJE (then known as The Department of Justice, Equality and Law Reform (DJELR)). Challenging the state on issues relating to poor reception conditions for asylum seekers was viewed as important. Promoting accountability in decision making relating to asylum claims was also identified as significant. However, bolstering engagement with state institutions such as the RIA was viewed as particularly challenging due to their unwillingness to meaningfully engage with migrant NGOs.

Coinciding with their role in challenging state practices, both of these organisations also prioritised the provision of high quality legal support to asylum seekers. The following areas are viewed as particularly significant: 1) the application process, 2) DP, 3) Subsidiary Protection, 4) Leave to Remain, and 5) Family Reunification. Both of the representatives from these organisations (A and B) noted the pronounced increase in cases being brought before the Refugee Appeals Tribunal (RAT) and

highlighted the need for migrant NGOs to challenge political institutions on this. Engagement with RIA was noted as important in this regard, though often challenging. Legal representation was viewed as becoming much more significant in the role of these organisations, directly related to increased volumes of failed asylum cases coming to these organisations for assistance. This increased need for legal representation and legal assistance has meant these organisations (A and B) had to change their strategic approach and move from a previous focus on a community development approach to a greater focus on legal and political representation. As stated:

> the first phase of the organisation was mostly… it was kind of a community-based approach with informal support services, and some information provision and group work. Over the years the organisation has evolved and we've responded to a particular demand….and focused on legal issues that aren't dealt with by the local solicitors, either the free legal aid solicitors or private solicitors, and that are too complicated essentially and specialised for, say, the Citizens Information Service…..So it emerged that there was a gap. The nature of the kind of queries that were coming into the service made that clear. (Organisation A)

The interviewee from Organisation B also identified a shift in the direction of the work of the organisation in response to the need for legal representation:

It was decided in 2010 that we should actually have a very significant

service, with a law centre being opened ….in order to do some direct

legal work. This enables actually doing casework at a different level.

But in addition, to extract from those cases relevant information about

patterns, the way things were going, in order to see how that should

feed into policy work. (Organisation B)

The interviewees from organisations A and B generally accumulated information on

the needs of asylum seekers through drawing on the testimonies of individuals

presenting in their legal clinics. They tend not to engage in any types of collective

strategizing. They view individual testimonies as a way of identifying need, and this

in turn feeds into their advocacy work:- identifying the key issues affecting asylum

seekers through direct contact which helps the organisation in prioritising issues

From such statements, the representatives of organisations saw themselves as

responding to a particular demand. This was identified though their interactions with

asylum seekers.

Clearly we get information almost on a daily basis about what is

happening to individuals…..because we're dealing with people

directly. (Organisation B)

This had resulted in a move towards to prioritising legal work and political

campaigning directly associated with the claims of those using their services.

Interviewee from organisation A also regarded such interactions as important in the advocacy work that they do and in their political activism:

> the service provision that we do and the information and advice centre and the individual advocacy…. provides us with consultation on a scale that we could never do if people weren't coming here and getting something out of it for themselves….. So that helps us to identify the needs. So that isn't only service provision; that's our main consultation with migrants really. And it's on an individual basis and it's on their own terms. We're answering the questions that they ask us. There's no agenda there that's set. So we believe that in terms of a consultation process it's pretty… it's led by the needs of the migrants and not by our own preconceived agendas about what we think……So we're pretty happy that that's very effective. And that informs us then of the need (Organisation A).

However, both of the participants noted that this had meant there was less scope for community work and direct involvement of asylum seekers in the organisation as a direct result of this shift.

In this sense, inclusion as a democratic model of decision-making is legitimated through advocating on behalf of asylum seekers through legal and political channels. Inclusion in these organisations is seen as being legitimated through recognising decisions and policies that significantly condition people's lives and therefore encompasses values relating to moral respect. However, within these organisations

inclusion is not coupled with political equality where the expressions, interests and opinions of asylum seekers are accommodated through inclusive decision making. Rather, it is accommodated through what are considered as opportunities for advocating on their behalf.

5.4.2 Service Providers

In contrast to organisations with a political and legal orientation, service providers identified as engaging much more through face-to-face discussions with asylum seekers and were likened with a more personal approach. Organsiations C, D, and E all identified as being service providers and had direct contact with asylum seekers through the services they provide. The forms of representation identified by interviewees included advocacy, capacity building, service provision, integration strategies and when possible campaign work and political representation. However, only one of the organisations had stated they had a strong activist role and involvement in targeted campaigns to lobby state institutions for change. The representatives from these organisations generally saw themselves as filling important gaps that were not being resourced by the state or where state institutions have pulled back on services. As stated:

> It seems to be that we are going to be providing service because there
>
> are so much cutbacks in administering services...So we are filling in
>
> the gaps (Organisation C).

This was something echoed by the representatives from organisations D and E. Cuts to funding and scarce resources were also viewed as impacting on the potential for

advocacy and policy work and more meaningful representation. As such, these organisations saw their role as confined to service provision and less about political activism. Interestingly, the responses from the representatives from these service providers indicated that they view their work in the area of service provision as a type of representation in itself. The interviewees justify this by pointing out that the service provision component of their work includes advocacy on behalf of asylum seekers. In particular, they highlight their interactions with local authorities, RIA, local ministers, and other NGOs as significant. Other relevant organisations that service providers link in with are the HSE and local community organisations. The interviewees argued that through providing access to services, they are meeting the needs of asylum seekers and providing support that helps asylum seekers to better cope with the difficulties of living in DP. When questioned further, however, these services were identified as taking the form of social events, activities within the organisation, providing relevant information on rights and entitlements, drop-in centres, English language provision, and education and training classes. These services did not appear to correspond with political activities or engaging politically with the institutions outside the organisation that they engage with. For example, inviting local politicians to organised events was somehow viewed as a form of political representation. This however, did not tie in with a specific policy area of their work. In fact, only one of the three service providers was able to identity engagement with political campaigning, lobbying and collective organising with other organisations to represent asylum issues.

Representatives from these organisations (C, D and E) emphasised advocacy and support as an important part of their representation and viewed assisting and acting on behalf of asylum seekers as representation. While this in itself is not a form of political

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representation, it was interesting how service providers often equated this with a strong component of advocacy and saw it as part of the organisations representation of asylum seekers. The risk, in this instance, is that any encounters with asylum seekers were being interpreted as legitimising representation but yet these efforts did not always promote and enhance the visibility of asylum seekers. Nor did it include political activities that engaged political institutions on important asylum issues. In this context, forms of political equality and deliberation were limited to forms of forms of advocacy. As a result, political representation was generally weak in these organisations and providing services prioritised.

Also limited in these organisations, were any forms of collective decision-making with asylum seekers. There tended to be limited spaces for open discussions and exchanges leading to agreed-upon policies with asylum seekers. There was also very limited space for asylum seekers to offer proposals on how to address some of the issues directly affecting them. Judgements about particular actions and policies within service-providing organisations generally took a more pragmatic function, determined by those working within the organisation. A process of public deliberation did not appear to be strongly evident in these organisations.

5.4.3 Self-Organising NGOs

Self-organising migrant NGOs (Organisation F and G) differed from most other organisations in that they placed a strong focus on promoting the direct involvement of asylum seekers. Providing asylum seekers a direct link to increased participation and decision-making processes was considered a core objective in representing asylum seekers. Key strategies identified by the interviewees from these organisations

included direct consultation, participation through meetings, involvement in agency-specific strategies relating to integration, awareness raising that included the direct involvement of asylum seekers to identify key issues and the participation of asylum seekers in decision making processes within the organisation. Focus groups and group meetings were identified as key tools for bringing members together and accumulating perspectives relating to key issues. Political mobilisation was considered important in these organisations, and it is directly informed by the perspectives of members. Training, capacity building and networking were all essential to involving asylum seekers and increasing their participation within the organisation and beyond. Building alliances with other organisations was viewed as core to increasing the representative capacity of the organisation and enhancing political visibility. These organisations (F and G) were politically active and emphasised retaining a grassroots approaches to their political activism. Both of these organisations linked in with other migrant organisations but also other NGOs, through campaigning and engaging in public forums, meetings, and discussions. In this way publicity was guaranteed through interactive and deliberative exchange both inside and outside of the organisation.

The ethos of these organisations was centred on creating spaces for asylum seekers to interact and exchange ideas, while also providing opportunities for asylum seekers to meet and interact with other asylum seekers. This was seen as allowing opportunities for self-empowerment and agency, harnessed through support mechanisms and inclusivity. While advocacy was viewed as important, it was led by group members, through the prioritising of an anti-discriminatory and inclusive approach. This approach was viewed as creating a space for capturing the diverse views of all its

members. In this way, self-organising migrant NGOs aspire to inclusive decision making processes through support and an emphasis on self-representation. Both of the participants in these organisations (F and G) viewed this as an important aspect of the success of the organisation both in terms of involving their members but also in terms of making the organisation more visible and politically relevant.

Within these organisations inclusion and political equality is pursued through reaching out to their members and including them in discussions, where members are included on equal terms. Inclusive decision-making incorporates accommodating diverse opinions, perspectives and discussions. The promotion of reasonableness is evident through ensuring voices are heard in the activities of the organisation. Political inclusion is embedded in the ethos of these organisations and asylum seekers are actively consulted in decisions taken by these organisations. In this way, principles of inclusion and political equality are adopted within the internal activities of organisations but principles of publicity and reasonableness are also endorsed through discussion reflecting diversity in approaches and accountability. Reasonableness is guaranteed through entering into discussions where problems are solved collectively.

5.4.4 Capacity Building

Organisations endorsing a strong capacity building approach tended to frame their work with asylum seekers around a community development approach centred on empowerment and enabling capacity building strategies. Capacity building was also viewed as a valuable tool in allowing asylum seekers to develop a sense of self-autonomy while trying to navigate their way in a political system that denies this. Like self-organising migrant NGOs, capacity-building organisations place asylum seeker

welfare at the centre of their work, and thus promote interactive engagement. In their approach, these organisations take into consideration the extremely vulnerable position that asylum seekers are in. A particular emphasis is placed on the psychological impacts of living in DP and trauma associated with pre-migration and post-migration processes. As such, the representatives from these organisations (H and I) highlighted human rights as a central component of their representative strategies. Through placing an emphasis on empowerment, these organisations endorse an understanding of the multiple layers of oppression affecting asylum seekers. Within this approach, representation is understood as something that asylum seekers require but because of their circumstances, may not always be in a position to access. The work conducted in these organisations was focused on building this capacity, which was viewed as potentially providing asylum seekers access to their own political mobilisation. This is accommodated through support and targeted empowerment strategies. As such, representation was understood as providing mechanisms "to help asylum seekers to help themselves" (Organisation I). Key strategies included participation in activities within the organisation, group meetings with asylum seekers, prioritising mental health, promoting integration into local communities, and providing asylum seeker-specific services that address trauma and injustice. Promoting inclusion, capacity development, and empowerment strategies with holistic and therapeutic strategies was particularly important in both of these organisations.

This type of representation differed from that of self-organising migrant NGOs, in that it involves an approach that specifically addresses the individual support needs of asylum seekers and uses person-centred capacity building strategies to assist asylum

seekers in overcoming them. These organisations (H and I) work from the premise that asylum seekers who are marginalised, or who are suffering from prior trauma, require targeted supports. Inclusion and integration are viewed as important but a focus on wellbeing and individual support were noted as particularly significant. As such, these organisations took two approaches, one that focused on individual needs and one that focused on collectively representing the needs of asylum seekers outside of the organisation. This meant networking with other organisations but also developing targeted supports and integration strategies to assist asylum seekers in their local communities. Capacity-building organisations provide supports through the use of expert professionals, holistic therapies, along with community activities and a focus on integration. Providing safe spaces for people to interact, the provision of targeted workshop activities and the provision of both women's and men's groups were viewed as important components in facilitating representation.

An overarching aim of capacity-building organisations is to provide asylum seekers with a safe space to interact that will subsequently give their members a sense of self-autonomy and empowerment. In this way, issues presenting for asylum seekers inform their work, and subsequently, acts as a means of guiding the services the organisations provide. This does not mean, however, that they do not engage in collective activities. Activities are employed that create spaces for asylum seekers to become collectively involved in the organisations. The men's and women's groups are viewed as strategies that promote collective involvement and empower asylum seekers to become involved in decision-making. What is specific to capacity building organisations is that individual empowerment is viewed as something important in laying the foundations for collective empowerment, which can subsequently provide spaces for political

mobilisation. In this way, political mobilisation is not viewed as a core aim of the organisation but is valued as a strategic outcome in the work of the organisation.

> We create the facility for people to be able to articulate their needs, the needs for them to survive, to live, but also the educational input, the difficulties people are experiencing, and how to deal with that…So we provide training, we provide support, we try to empower people to empower themselves and therefore focus on, I suppose, providing the skills to them to be able to take things forward for themselves. We see the work as having an important role in supporting people first in a very holistic way and second through providing support to allow them to play a key role in their own agency (Organisation I).

Within this type of representation, accountability to asylum seekers is viewed as significant. The promotion of human rights is important. The representative from organisation H noted how representation in state practices often lacks accountability and recognition of the psycho-social aspects of asylum seekers' lives and that organisations such as theirs will often have to take up this responsibility. As stated: 'there is a growing humanitarian situation that we need to respond to that looks at the psycho-social, education, and mental health needs' (Organisation H). This participant saw accountability as a key factor in effectively representing asylum seekers and noted how organisations dealing with vulnerable populations have both a duty of care and a duty to inform people on the reality of what it means to be an asylum seeker. Finding ways to promote public reasonableness was thus viewed as significant. Important in the work of capacity building organisations was raising public awareness relating to

the traumatic experiences of asylum seekers. Highlighting injustice, oppression, domination, and the constraints of the system of DP and its impact on self-development and autonomy were viewed as central components of representing asylum seekers.

In this way, these organisations (H and I) highlight the limited space for asylum seekers to follow their own pursuits and view this as directly impacted upon by institutional constraints in the political sphere. Organising and political mobilisation was not the central concern of these organisations but networking with other organisations that do was viewed as particularly important.

5.5 Understandings of Representation among Migrant NGOs

Similar to what presented in the different types of organisation, the understanding of representation from interviewees also differed depending on the type of organisation they associated with. Pinning down an understanding of representation that cut across organisations was, thus, difficult. While all of the participants signalled a particular understanding of representation in a practical context relating to the practices they engage in to represent asylum seekers, they did not generally identify with specific norms or principles that inform how they do representation. This meant that as an interviewer, I often had to try to tease out some of the responses in order to get a more in depth sense of how organisations understand representation. Broadly, speaking understandings of representation were situated around principles relating to rights, justice and inclusion. These were reflected in many of the mission statements of organisations and key concepts that interviewees identified with. When questioned on the principles and ideas that inform understandings of representation, only a minority

made reference to participation and deliberation as key to understanding perspectives on representation. Self-organising migrant NGOs were the exception in this regard. What also emerged as an interesting observation was the way different types of organisations had different understandings of representation, depending on the types of representation they provided.

5.5.1 Organisations with a Focus on Political Mobilisation and Legal Representation

The interviews with politically and legally motivated organisations (A and B) suggested that they understand representation as the ability to speak out on behalf of asylum seekers who do not themselves have access to the political sphere. Representation is thus understood in terms of advocacy. These organisations tended to understand representation as their ability to advocate through campaigning, media representation, engagement with the Reception and Integration Agency (RIA), engagement with politicians and engagement with other NGOs. These were noted as types of collective organisation on behalf of asylum seekers. However, there was no direct involvement of asylum seekers in these processes, which rendered the collective component open to question in terms of how organisations understand collective action.

The focus on legal representation within these organisations was generally perceived as more focused on individual cases, without any real strategies for collective organisation on legal issues. Both of these organisations stated that in recent years, it was the legal aspect of their work that had been prioritised, and pointed to this shift as a direct response to 'changing emergent needs' (Organisation A). Nonetheless, these organisations did involve themselves in campaigns to address the injustice of DP and liaised with state institutions such as RIA and the DJE on a regular basis.

Along with legal and political representation, both of these organisations also had a service provision element to their work and provided drop in centres for individual advice and support for asylum seekers. This part of their work is viewed as not only directly related to the legal and political strands of the organisation, but as a strand of the work that engages with capacity building. When questioned about how this fed into their representative capacity, the response from organisation B highlighted capacity building, not as something involving asylum seekers but as a service it provides to legal professionals to build skills and knowledge of asylum issues. For example, Organisation B stated:

> We have what we call representation, which is dealing with individuals and advocating for them on their individual cases. That's the law centre and the Information and Referral Service. We then have what we call the capacity building where we actually try and enhance the ability of others who are working within the field to do their job better or in a different   way.   We   train   lawyers,   for   example. (Organisation B)

Within this understanding of representation, capacity building is located in building capacity in the organisation's employees and other law professionals as opposed to a capacity building approach involving asylum seekers. In this sense, representation equates with speaking to and working with other organisations to sharpen their skills and understanding of asylum seekers and asylum issues. While this understanding of representation may endorse making connections with other organisations to strengthen

the representative framework for asylum seekers, it does not involve any direct participatory frameworks with asylum seekers. In essence, the above statement suggests the organisation is working on an individual basis with asylum seekers, placing little emphasis on the importance of a collective focus directly involving asylum seekers. Within this framework, the responses from participants indicated the organisation are more likely to embed a view advocacy, as one that where migrant NGOs act on behalf of asylum seekers. If organisations are making these equivalences, it reveals a very limited engagement with the politics of representation and highlights significant gaps in political equality approaches to politically representing asylum seekers. It also highlights asylum seekers as a group in need of representation rather than seeing them as autonomous actors who can play a part in their own agency.

5.5.2 Organisations Focused on Service Provision

The interviews with service providers demonstrated an insight into issues around rights and entitlements and how migrant NGOs represent asylum seekers. However, less clear is how the politics of representation is understood. As previously mentioned, participants from organisations that identified themselves as service providers demonstrated an understanding of representation that linked less with political activities and more with support structures and referral services. Yet, the participants from these organisations viewed service provision as a form of representation in itself. They saw representation as taking place through supports provided to asylum seekers in the form of information centres, drop-in centres, assistance with asylum claims, and contact with the DP centres. Understandings of representation, in these instances, were not always viewed as 'political' but rather viewed more as a 'hands on' and

'reactive' approach, to the needs of asylum seekers. Representation, in this sense was understood as manifesting through making links and working directly with asylum seeker welfare services via health services and support services. The responses from interviewees highlight how this understanding of representation is located in an approach whereby organisations place value on maintaining good working relationships with the local authorities and other institutions in order to enhance the representation of asylum issues. In particular, maintaining working relationships with the RIA is viewed as important. However, these organisations tended not to challenge institutions such as the RIA and HSE providers. To the contrary, they tended to avoid any confrontations with the RIA for fear of breaking down communication channels. In this context, representation was not understood in terms of any strong forms of political activism, nor did it demonstrate any incorporation of political equality and meaningful dialogue between migrant organisations and state institutions. Rather, it was predicated on a type of constrained engagement process where organisations were not in a position to challenge political institutions, such as the RIA. Therefore understandings of representation were limited and focused on responsiveness to need, but with little recourse for action. The role of political advocacy is thus weak and understandings of representation are reduced to forms where political equality and inclusion are minimalised. Service user involvement and forms of participation are lacking and inclusion is not comprehensively endorsed to recognise the participation of asylum seekers. Organisations C and D indicated that political activism is not always possible when trying to maintain working relationships with state institutions such as RIA and how keeping working relationships with RIA needed to be viewed as a priority, in order to protect asylum seekers. This constrained relationship with state institutions, namely the RIA, has weakened any scope for political activism and

confines representation to a very narrow and non-political type of engagement. Participants note that while political mobilisation may be a desired goal, it cannot always be activated under these circumstances. As noted by the interviewee from Organisation D: 'we have to tread very carefully in what we do'. Overall, participants pointed to an unbalanced arena for addressing asylum issues and an unwillingness of state institutions to engage in a more deliberative and open way.

5.5.3 Self-organising Migrant NGOs

In contrast, to service providers and political /legal representing organisations, the representatives from self-organising agencies described their understanding of representation as one that actively involves asylum seekers in organisational decision-making processes. This understanding of representation sees asylum seekers as important active agents in their own advocacy. Challenging political institutions is done in partnership with asylum seekers. Grassroots activism is an important strand of how these organisations understand representation. In contrast to other organisations, activism and confronting political institutions is not viewed as compromised. There is acknowledgement that it is a constrained political arena, therefore understanding representation in participatory terms remains a core strand of the work of such organisations. Understandings of representation are closely associated with values of political equality, inclusion and autonomy. The participation of asylum seekers is viewed as an essential component of representation. In particular, these organisations (F and G) understand representation as addressing asylum issues through mechanisms that involve both confrontation and consultation. Promoting the active participation and working collectively with asylum seekers was viewed as core to facilitating engagement more broadly with other NGOs and state institutions.

We have a membership of about two thousand eight hundred…and all

of them are from over thirty-five countries of origin. They articulate

their needs. But also they come up with the response of how they can

respond to these needs. They articulate on that as well……we actually

developed a strategic plan to be able to achieve more, because we felt

like we can influence policy. We can actually promote their equality

and visibility more by allowing them to get into the policy with us,

getting into the other issues that are working on the ground, and with

anybody else who can help. So that's the route that we've

taken…(Organisation F)

Understanding representation is, thus, focused on creating a space for asylum seekers

and embedding a platform for voice and active involvement. Important to this process,

is having well established relationships with asylum seekers. In this way,

understanding representation involves strong deliberative processes and the active

promotion of self-representation. As noted:

...so we feel it necessary to build a platform or create a platform where

people can represent themselves, speak about their own self and where

we actually consult very heavily… (Organisation F)

Asylum seekers are not seen as passive in this understanding of representation but seen

as well informed on matters of injustice. Providing opportunities for asylum seekers

to speak in public forums was viewed as significant in this regard. Self-organising

NGOs, thus, work very closely with asylum seekers and see their role as facilitators

of interactive relationships. Deliberation is embedded in the organisation where spaces for negotiation, discussion and dialogue are prioritised. Asylum seekers are part of a process. Those affected by the problems are part of the solutions. As noted by Organisation F:

> We are building the capacity of the people experiencing the problems….We started in a very informal way and now the organisation has been structured into a very formal organisation. Our work is actually very much informed by members themselves. …

In this sense, self-organising migrant NGOs draw their understanding of representation from a vision of representation that both empowers and politically mobilises its members. It does this through providing members with direct links to decision making processes within the organisation, through listening and giving voice to their members and through collectively challenging state practices. In this way, political equality and inclusion are deeply embedded in how the organisations understand representation. Deliberation is facilitated through incorporating the diverse views of members and accountability is displayed in the way the organisation responds to the needs of its members.

Both of the participants from these organisations had identified how this approach had not alienated organisations from engagement with state institutions but had in fact deepened it. The success of this approach was also located in strong networking strategies and collaborations with both other NGOs and other broader networks both nationally and internationally.

5.5.4 Capacity Building Organisations

Organisations H and I identified themselves as placing capacity building as central to their understanding of representation. This was expressed through strong identification with mechanisms that took into account the psychological impact of living in DP and the effects of prior trauma on asylum seekers. This understanding of representation did not equate with direct political activism but was focused on embedding activities within the organisation that directly targeted both individual and collective empowerment. Understanding representation was linked with a strong concern for protection, rights, safety and security. These were noted by the interviewee from Organisation H, as components of representation that are absent from political discussions and service provision and need representing in their own right. A proactive approach was viewed as necessary and as one that provides safe spaces and fosters strong capacity building mechanisms. As stated:

> A lot of people describe the space we provide as a second home or a family or a setting where they feel comfortable and safe… (Organisation H)

Providing support was viewed as feeding into a broader understanding of representation that recognises and fosters inclusivity. Noteworthy in the responses of these interviewees, was how *not* having a political orientation in an organisation did not equate with the non-representation of asylum seekers or non-participation in political processes. Nor did it equate with erasing the possibilities for creating spaces for grassroots activism for asylum seekers. In fact, the activities of the organisations

were viewed as having transformative effects on its members that could in turn, open up potential spaces for asylum seekers to become active agents in their own representation. Empowerment, in this way, is viewed as central to representation and creating an avenue to self-autonomy, which in turn provides asylum seekers with better routes of access to representation, integration, political participation and greater political voice. One interviewee pointed to the work that had emerged from its women's group, which had started as a simple meet up group for women. Through the women's group the participants had become motivated and began focusing on addressing specific issues that were affecting them. The interviewee noted:

> Things the women have come up with relate to things they are experiencing. Issues relating to deportation, domestic violence, rape, FGM, parenting issues, HIV, pregnancy, direct provision and migration issues……all of these issues feed into broader political processes (Organisation I).

Representation in these organisations is understood as person-centred and creating opportunities to build relationships of trust. Acknowledging human dignity is a core element of enhancing representation. Creating ways to allow individuals and groups to articulate and address difficulties in a safe and holistic way is viewed as essential to developing human potential. As noted by the interviewee from Organisation I:

> We are working on integrating and acknowledging the human dignity
> of every person...to build relationships of trust, hospitality, welcome,

acknowledging difference, valuing difference, and accepting the other

as they are (Organisation I).

Within such organisations, representation begins with the person and is heavily built on a transformative outcome. It is not based on a structured approach but seen as evolving and responding to the needs of the group or individual. As noted:

I suppose we've built the organisation on that approach...and that's

maybe going back to looking at the emerging needs...we don't structure

it. (Organisation I)

While this work is centred on working on a very personal level with individuals, the work of these organisations is also aimed at bringing groups together. Allowing groups a platform to create their own agendas and finding ways to take these forward is also considered important. Bringing together different groups and cultures and addressing shared problems is considered important in breaking down barriers and creating communal spaces to interact. As noted:

We've already managed to set up a steering group that has both

Christians and Muslims where there is a collaborative effort in looking

at where we need to go in the future   (Organisation I).

Through encouraging participation among asylum seekers, these organisations contribute to embedding more participative models of representation from within the organisation itself. This in turn feeds into furthering participatory networks through

their connections with other migrant organisations and other NGOs. This is used as a way of connecting asylum seekers with other organisations who may address similar issues. This is aligned with creating a space for the voices of asylum seekers to be heard in a wider arena. In this way, representation is something asylum seekers can themselves build on and find support in taking their own agendas forward.

5.5.5 Summarising How Participating Organisations Understand Representation

Overall there tends to be differing understandings of representation depending on the primary focus of the organisation. While there is some overlap among organisations, what appears to emerge is two distinct ways of understanding representation: – those that see asylum seekers as active in their own representation, and those that see asylum seekers as passive and in need of advocacy through representation from the organisation. Those that see asylum seekers as active in their own representation tend to engage closely with asylum seekers and promote active participation within their organisations, while those who see asylum seekers as passive are more likely to see asylum seekers as powerless in the system and in need of advocacy. Politically orientated organisations and service providers in particular tended to view asylum seekers as in need of advocacy, while self-organising and capacity building organisations placed a much greater emphasis on promoting participatory frameworks. It is however, considered important that these understanding of representation are not viewed in isolation to one another. Both reflect important aspects of the types of marginalisation that asylum seekers experience. However, both require an acknowledgement of the need for strong political representation that promotes political equality, inclusion, reasonableness and publicity.

The next three sections explore the perspectives of the interviewees in more detail, paying particular attention to 1) Key issues migrant NGOs identify in representing asylum seekers 2) Models of engagement used to promote representation 3) How migrant NGOs challenge political perspectives through promoting deliberation and participation.

5.6 Key Issues Highlighted by Migrant NGOs in their Representation of Asylum Seekers

A number of issues were common across the wider range of organisations, while other issues were more organisation-specific. Some of the common issues related to the poor policy context for administering asylum policy, poor engagement processes by representative state institutions (namely RIA and DJE), a lack of emphasis on human rights within asylum policy, and poor deliberating mechanisms. Other common issues related to the size and scale of resourcing, the capacity to network widely and the capacity to challenge state practices. Some of the more specific issues related to the denial of the rights and the impact of DP on the mental health of asylum seekers. Mental health issues were viewed as being directly related to the system of DP and consequently impacting on the capacity for seekers to integrate and participate in local communities.

The above issues are summarised under three headings below:- Lack of engagement and deliberation, human rights, and mental health and well-being.

5.6.1 Lack of State Engagement and Poor Deliberation

Overall, the interviews with participants reveal an unsatisfactory policy framework for addressing asylum issues, with most organisations identifying poor policy outcomes as a direct consequence of the lack of political will to engage. Highlighted was the need for political institutions to deliberate more closely with migrant NGOs. Particular concerns expressed related to the challenges facing NGOs in such a hostile political environment. Interviewees point out that while some efforts had been made by the state to involve migrant NGOs through consultation with local institutions such as the HSE and Social Inclusion Units (SIUs), state engagement remains compromised and state centric, with engagement on asylum issues continuing to be defined through narrow and ad hoc state/migrant NGO relations. As noted: 'Engagement is difficult and ad hoc with state bodies - sometimes they will listen, other times not' (Organisation B).

The participant from Organisation F also made reference to the difficulties with state engagement processes:

> Engagement can be challenging - I'm actually not speaking on it in a very positive way. I met with the representative from RIA. I had made thirteen recommendations – from a document we published. They only took one and actually refused to accept that there is a problem with the DP or the complaints procedure. (Organisation F)

Another participant noted similar difficulties and pointed specifically to the RIA as problematic: 'RIA don't want to know…if you contact them re an issue they will pass you on someone else' (Organisation C). These comments from participants indicate

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how opportunities for political equality, inclusion, reasonableness and publicity are often as absent in state engagement structures. The capacity for an input into decision-making tends to be restrictive, with state institutions holding a lot of power. Within this framework participants highlight how the state controls the level and exercise of collaboration. This brings into question whether the model of deliberation as proposed by Young (2000), can work effectively in the Irish context given the restrictive way in which migrant NGOs have to operate.

In particular, the participants noted how the bureaucratic nature of state relations in implementing policy, is underpinned by a focus on economic factors. To this end, asylum seekers are viewed in numerical over human terms and thus, opportunities for inclusion and political equality remain largely absent. Organisation B noted how engagements are often governed by 'economic factors, efficiency, and cost effectiveness, rather than a focus on protection issues'. Consequently, democratic politics is reduced to differential power mechanisms and lacks any form of publicity or the formation of legitimate democratic ideals where motivations to reach decisions is collective. In this way, there is limited possibility for political co-ordination, negotiation, or co-operation.

5.6.2 Human Rights

A number of the participants noted how the narrow framing of human rights and a failure of the state to provide adequate spaces for dialogue and consultation was ultimately, embedding bureaucratic structures, which fail to take into account the complex nature of asylum issues and the human side of the problems asylum seekers face.

> The asylum system is based on rigid administrative exchanges that fail
>
> to create space for meaningful articulations. (Organisation B)

In relation to the practice of rights, participants noted a gross 'under-representation' of rights in the practices of state institutions. Highlighting it as an area of concern, participants point to the lack of commitment on the part of political parties to address how exclusion is occurring. A number of organisations had made parliamentary submissions and approached relevant government ministers both locally and through the DJE but reported being disillusioned by these interactions.   A failure on the part of the DJE and RIA to facilitate meaningful inclusion was noted by one participant:

> …it's not a central issue for anyone [in government]. There's no one
>
> party that is saying, 'We're committed to this'… It makes it difficult
>
> but we're just trying to work with people where they're at…you could
>
> get a paragraph in the programme for government on a more effective
>
> immigration and asylum system but nothing more specific than that.
>
> (Organisation B)

In terms of commitments by state institutions to involve migrant NGOs and bring about change in the area of human rights one participant noted:

> there's no political commitment to change…it's not happening…it's
>
> just ticking a box. They are not serious about it. (Organisation F)

In particular issues were noted relating to the failures in the administration of policy where migrant NGOs have to try to navigate in a very closed and constrained environment on rights issues. The restrictive and marginalising impacts of policy intervention were noted as particularly problematic.

> Where the policy framework is being driven, I think that's where the difficulty lies, and it's quite difficult to work within that framework. (Organisation H)

The lack of adherence to human rights was noted as particularly problematic. A number of participants highlighted how human rights is not prioritised and often neglected in asylum discussions at a political level. Organisation B pointed to how this is further problematised by:

> the state's failure to endorse EU directives that would provide rights to asylum seekers in the area of work and education.

These failures are noted as leaving asylum seekers further marginalised. This was echoed in issues identified by Organisations G and C who highlighted how issues are exacerbated by the nature of institutional living. These are issues which migrant NGOs seek to represent through emphasising the erosion of the human rights of asylum seekers. Pointing to the absence of a rights-based framework, Organisation F stated:

we experience social exclusion, discrimination, and racism as major issues...so it is important that we can represent ourselves on these issues…as this is not pursued [by the state] as a rights based framework. (Organisation F)

The above issues highlight the conditions of structural inequality under which asylum seekers have to navigate their political claims. It also highlights the nature of political representation as authoritative with little scope of jurisdiction for challenging the boundaries of political institutions. Far from exhibiting ideals of political equality and inclusion, it highlights a severely compromised arena for widening and deepening democratic practices of inclusion for asylum seekers.

5.6.3 Mental Health and Well-being

All of the nine organisations referred specifically to the effects that living in DP has on individual and group well-being. As noted by one participant:

Everybody can see how it's [the DP system] actually affecting the mental health and the psychological needs of people seeking asylum in Ireland. Everybody can see the damage of that system itself and they [the Department of Justice] deny it… it's not there. So there's no political commitment to change. (Organisation F)

The denial of rights and the impact of trauma were identified by Organisation H, as a particular issue warranting attention, and one that is grossly neglected in the administration of asylum policy. In particular, the interviewee pointed to the multiple

layers and complexities, which present when trying to empower asylum seekers affected by prior trauma.

> When you're working with a highly vulnerable population like survivors of torture, and a population that's essentially powerless within society, how to empower and how to involve that population is challenging on an organisational level when they face barriers at every level. (Organisation H)

As a result of the system, the participant argued that both individual and collective needs get ignored.

The mental health of asylum seekers was highlighted by all participants as a specific issue that requires strong representation. The interviewees pointed to poor mental health as directly related to the marginalising effects of DP, racism, and lack of access to integration which asylum seekers experience. The denial of the right to work and education were also noted as impacting on the mental health of asylum seekers. Mental health issues were acknowledged by eight of the nine interviewees as an escalating problem for asylum seekers. The views of a number of participants highlighted how this was directly correlated with the protracted lengths of stay in DP centres. As noted by one interviewee:

> There are the issues that are presenting themselves at the moment….what we experience is the isolation, the not knowing, the

demoralisation…very often depression, mental health issues arise out

of it [DP]. (Organisation I)

The mental health and well-being of children living in DP is another area where the interviewees highlighted the need for representation. This was noted by organisation D as 'a significant issue that needs to be represented politically'. In particular, this participant highlighted the impact of institutionalised living on child development, identifying unaccompanied minors as a particularly vulnerable group. This participant also made reference to the different needs of asylum seeking men, women and children and highlighted that mens only hostels are a site of immense pressure and profound mental health problems. Arguing that such conditions are unsustainable, the interviewee noted:

the men's hostels are just a hotbed of pressure, depression, paranoia, very, very unstable living conditions…People not being able to sleep…Lack of privacy, lack of security. (Organisation D)

Other issues represented by this organisation are issues relating to child protection and welfare. The interviewee stated:

A big one for us is child welfare in the DP system in terms of children not being supervised adequately, children not being mentally and physically stimulated adequately, and also children being exposed to the behaviour of adults – drinking, drugs and sex. Unaccompanied minors are particularly vulnerable - they have no family structure.

They're entirely on their own. They have been on their own since they were young - some of them since thirteen years old - alone in the country. (Organisation D)

5.6.4 How Issues Are Addressed

The way the above issues are addressed and highlighted within migrant NGOs varies depending on the approach of organisations. Political and legal organisations and service providers generally had issues brought to their attention through their drop-in centres and tended to highlight issues through various forums. These include: policy submissions, interaction with academic institutions, conducting research with its members, and through consultation at the drop in centres. Service providers usually acquired information on these issues through drop in centres and tried to promote initiatives within their organisation or sometimes through referring its members to other organisations and community initiatives. Migrant-led organisations worked actively with their own members through workshop facilitation and mental health education initiatives, involving their members in actively addressing and highlighting issues. They also played an active role in lobbying state institutions and highlighting issues with agencies such as the HSE. Capacity building organisations worked closely with their own members through providing targeted and individualised supports. These included holistic therapies, counselling services, targeted workshops, and group supports. Capacity building organisations also work closely with city partnerships, SIUs and the HSE in raising awareness on key issues.

Overall, the interviewees remained open to new opportunities for pursuing agendas that harness more inclusive dialogue around asylum issues, despite the lack of

engagement from state institutions identified by participants. However, they noted that this was not without its challenges. When questioned about how best to open up deliberative and more inclusive mechanisms of representation, most interviewees pointed to the importance of campaigning and linking in with other migrant NGOs. The ability to participate in deliberative processes with state institutions (albeit in a minimalistic way) was acknowledged as pivotal to bringing about change at a policy level. Notwithstanding the compromised nature of such interactions, participants highlighted how they continue to pursue agendas that they hope will bring about more collaborative policy making and enrich working relationships.

5.7 Models of Engagement with State Institutions in the Representation of Asylum Seekers

The views of the interviewees signal that models of deliberation and consultation in decision-making are not a priority on political agendas. In order for policy to be effective, interviewees point to the need for much more inclusive deliberative structures to be in place. They argue that deliberation with state institutions is ad hoc at best and is generally not a type of engagement that is actively pursued by the state. While they acknowledge deliberative processes as progressive and engaging, and identify with deliberation as a model organisations would like to pursue, they also point out that realistically this form of communication is limited and not prioritised by state representative institutions. Collectively, the participating organisations demonstrated a shared commitment to the promotion of political equality and the premise that all parties should have a say in decision-making processes. They recognise the importance of state institutions, excluded groups and their representatives working together to create forums where all perspectives can be heard.

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They acknowledged this as a space through which organisations and groups can mediate their interests with political institutions through dialogue and active participation. However, it was noted by most interviewees that such interventions remain limited and this makes for a challenging context for mobilisation. Hence, while many of the interviewees identified such inadequacies, they concede that they are often rendered powerless in this regard.

Many participants note that the established norms of power favour a type of political communication that is shaped by an unequal playing field. Interviewees note how a concern with human rights or the expansion of deliberation is displaced by an economic rhetoric that dominates the way the state frames asylum issues. This is done through a preoccupation with economic costing. In this regard, some interviewees noted that sometimes the only way to get politicians to engage is through talking in economic terms. Thus, they [migrant NGOs] are forced to address issues through the limited discourses and concerns of the state. As noted by Organisation B: 'through locating discussions in economic terms, it is only then that you can begin to talk about other asylum issues'. Given the limited channels of access to the political arena, this strategy had been employed by the organisation as a specific way to promote state awareness of asylum issues by highlighting the cost implications. As noted by the participant:

> So if their overriding concern is for the economy, we, for example,
> we'll go to them and say, look, last year the Refugee Appeals Tribunal
> spent more than three million euros defending its own cases in the High
> Court. If you had a more effective tribunal you would save money. Or

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by saying, at the moment there are thirteen hundred cases in a non-priority list in the High Court. (Organisation B)

Through engaging politicians in this way, some NGOs had been successful in extending these conversations further and bringing some politicians on board around other concerns. However, one interviewee argued that even when you render politicians more sympathetic to issues, they themselves [the politicians] need strong arguments to get others in the government to listen and this on the whole means bringing it back to economics as opposed to rights. This interviewee stated that there also seems to be uncertainty about what to do among politicians or where to represent or tackle the issues within state institutions. As stated:

even they [the politicians] need arguments they can use to persuade others that it's an issue that they should deal with……We've had meetings recently with the Fine Gael Justice Policy Committee and separately with Labour. And Fine Gael were a little bit lost as to what exactly they do … You know, even if they're concerned about it, well, should it go to the Justice Committee itself or should we actually be pushing for some change? So we're trying to tell them, 'You need to get behind it. You're a government party. You're the biggest government party. If you say to the Minister, 'We think this should happen,' then the Minister will start to listen. (Organisation B)

When operating in this highly constrained political arena, many organisations point out how it becomes increasingly difficult to organise or have asylum issues gain political attention, particularly when the politicians do not show any real interest.

Interviewees also noted a difficulty in trusting ministers and state officials on matters concerning asylum seekers. Others found ministers sympathetic to their claims prior to elections but saw a significant shift post-election. As noted by one interviewee:

> ...we try and co-ordinate our efforts nationally so that they're all hearing the same message [the politicians]…When the new government came into being we were somewhat optimistic…the minister who we were dealing with when he was in Opposition was really well briefed, was very receptive to us when we were doing that sort of direct lobbying …We'd had private meetings with him in the Dáil and meetings with Joint Oireachtas Committees that he was on. There'd been letters. There'd been correspondence back and forth. He had made public statements in support of revising the system of direct provision when he was in opposition and all that changed utterly since he's been in a position to do that. So it's really disappointing and I could only speculate as to why that might be…..Organisations witness willingness on the part of politicians prior to election, but this changes when they reached a position of power.(Organisation A)

Another statement that signals a lack of real commitment was expressed by Organisation G:

There seems to be a very entrenched situation. You look at the statements that were coming out of Labour and Fine Gael before the election and then their post-election hardening on the position and you wonder why this has occurred.

It's partly seen as a minority issue, no matter how many organisations are involved …And it's also that I think the officials themselves feel that they've got the system now at a place where they want it to be; where it's working from their perspective. In other words it's keeping people out - the numbers are reducing – and they are getting rid of people. (Organisation B)

For many organisations, the lack of real commitment on the part of the political parties was the single and most central factor to the under-representation of asylum seekers. Many of the comments by interviewees signal a lack of understanding and a lack of priority on the part of the state. Another interviewee noted:

So we have a big problem. In a country where there's a problem and you actually point it out and you're not the only person who's pointing it out and somebody [state official] says it's not a problem and they're not even prepared to do anything. So it's that whole lack of commitment and lack of doing something. They just ignore everything. There's no commitment…So it's very, very worrying when you have such a department [Department of Justice] and structures, all of them

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existing yet they don't want to look into things and maybe make change. It's very, very worrying…(Organisation F)

As mentioned, this has pushed organisations into navigating the system by utilising and reproducing the economic rhetoric used by state institutions and political parties in order to attempt to engage institutions. While this may be seen as the only way to engage state actors, it also compromises their ability to frame representation within the realm of human rights and protection, which is core to the ethos of their work.

On one hand, it may be beneficial for migrant NGOs to utilise economic arguments to highlight the cost of the inadequate administration of the current system. However, on the other hand, engaging in economic arguments without addressing the infringement of rights is problematic. It allows the state to continue to refuse to engage in progressive forms of political representation and continue to express the issues solely in economic terms. Therefore, debating solely in economic terms runs the danger of pushing other important concerns aside. Within this framework political equality remains firmly located outside of political institutions.

Within such limited frames, the capacity for political resistance is severely compromised and political action is confined to solutions that reproduce state practices of exclusion through negating human rights and prioritising cost effectiveness. This can also leave migrant NGOs little scope for expanding negotiation. Despite good intentions, NGOs may in this instance marginalise those they represent by reducing their issues and concerns to economic costings and in essence, lose the opportunity to extend dialogue about asylum seekers. This can in turn shift solutions away from

inclusive responses and replace it with narrow frameworks focused on the economic concerns of the state.

Importantly, respondents in the study noted the way the state compels them to navigate through institutional and political practices that are at odds with their own positions. Particular difficulties identified relate to limited spaces for negotiation, restrictive bureaucratic and administrative procedures and a lack of political will to endorse policy reform. Overall, this indicates the way migrant activism is constrained by particular modes of representation imposed by the unequal power relationships between state institutions and migrant NGOs, which impact on the quality of representation which migrant NGOs can provide. What emerged strongly in the perspectives of a number of interviewees was how their capacity to challenge state institutions such as RIA was minimalised through their unwillingness to engage in a more inclusive way.

5.7.1 Interactions with RIA

As previously stated service providers are particularly confined in their interactions with state bodies such as RIA. Participants noted the RIA as one of the most difficult state bodies to deal with. Yet, this is the same body that migrant NGOs are expected to address their concerns on asylum issues. The bureaucratic nature of the RIA was noted as particularly problematic. The RIA is viewed as an organisation which treats asylum seekers purely in numerical terms. As Organisation D noted:

> I think RIA's just working on numbers. They are not working on
> people… they are not considering them as people…However, if we

want to continue to have access to our clients in the hostel and have
access to the hostel premises it's very difficult for us to be complaining
[to RIA] about the conditions or anything like that, because quite
simply the door will just be closed on us.

RIA was also noted as an organisation very out of touch with the injustices faced by
asylum seekers. As noted by organisation A:

...we would have found the Reception and Integration Agency very
unreceptive to our efforts to advocate on behalf of individual people or
to assist individual people in doing their own advocacy (Organisation
A)

Organisation D argued that they cannot be seen to be complaining about the RIA if
they are to try and work with them to better the outcomes for asylum seekers. As a
result, the organisation felt this restricted them in the way they politically mobilise and
represent asylum seekers. They also felt that if they were seen to be criticising the
RIA, they risked having their access to the DP centres terminated. On this issue the
organisation's interviewee argued that the welfare of those using the services was a
priority and that access to the centres was pivotal to ensuring a clear insight into the
issues most affecting people. However, in having such contact, they compromised
their position in their role as political actors.

Organisation D, thus, argued that while it wanted to be more politically active, its
focus on service provision and maintaining contact with RIA was essential to continue

their work as service providers. However, the interviewee acknowledged that such relationships are neither democratic, nor predicated on an equal balance of power and noted:

> we have a decent communication pathway with RIA but in terms of having any power to make any changes we really don't. We really don't. And I honestly don't know who does, because we don't and the residents [within the DP] don't. (Organisation D)

Organisations that had spoken out about the RIA, particularly more politically mobilised organisations had seen their access to centres compromised. As noted by one of the interviewees:

> Our law centre applied to do a fortnightly clinic at a Reception Centre where those who are new in the asylum system are placed before they're dispersed [to DP Centres]…to give somebody real legal advice and assistance at the early part. But we've been refused access [by RIA] to do the clinic. (Organisation B)

She indicated this decision was taken because it was seen as a political move by their organisation. In other instances they have been allowed access to the centres. In relation to access she noted:

> It varies as to what the issue is that we're wanting access for. So at the top level when it comes to the head of asylum policy having to say,

'Can our law centre do a free clinic every fortnight?' they say no. When it's dealing with a manager or dealing with RIA over something where they don't think we're going to challenge the system then it's a yes. So it depends who, what for, and when, and what our relationship is with them at any given time… There's kind of an official reticence to allow us in. (Organisation B)

Another participant spoke about their interactions with RIA in a more positive way:

We've assisted with negotiations between hostel management and residents [in DP] on a number of occasions when issues have become very volatile within the hostels…Our own management basically were barred by residents, and we worked with RIA and we have worked very closely with the management of the hostels and the residents…like to bring a resemblance of peace and calm within the hostel. We worked with RIA an awful lot on quelling that [volatile situation]. So I think RIA, they have now begun to see us as a very positive resource in the area. (Organisation E)

The above comment was related to a situation in one of the DP centres where asylum seekers were in conflict with the management of the centres and protesting for better conditions within the centre. This resulted in some violence in the centres between asylum seekers and staff. The participant explained that they were barred by asylum seekers from coming to the DP centre, because they were viewed by the residents as

siding with RIA and not supporting asylum seekers. When asks to elaborate on this, the participant declined.

These comments from this participant indicate a culture of self-censorship within organisations where there is an apparent exercising of control over what can be said and done in order to maintain relationships with agencies such as the RIA. This appears to have been adopted without any overt articulation or official line from the RIA. This regulation of actions by the organisations' own members may inherently have adverse consequences for asylum seekers. This however, was not addressed or acknowledged by the interviewees in these organisations. Yet, being marginalised from political processes is something that eight of the nine participating organisations stated they strive to change.

In their accounts, while it is clear that participants see political exclusion as the main barrier to effectively representing asylum seekers, it is less clear how they actively challenge political institutions. There is a common thread between this and previous issues in the way migrant NGOs claim they have to make compromises in the way they represent asylum seekers, and this, in turn, reinforces the approaches to representation they can pursue. It also indicates that political equality of decision making is not evident and therefore equality in decision making or having the opportunity to influence political decisions is minimal and narrow. This leaves migrant NGOs with limited channels to challenge the state. Organisations, thus argue that the current system discredits and constrains meaningful channels for representation and the full and open articulation of the range of asylum seekers' needs and rights. Interviewees note that while asylum seekers will often use organisations

to make their complaints and issues known and depend on NGOs to make representations on their behalf, migrant NGOs are at the same time constrained in what they can do. In this sense, representation is constructed through a framework of compliance with state procedures and dominant political framings of issues which do not allow for fair or adequate representation of issues.

5.8 Examining How Migrant NGOs Challenge Political Perspectives

The responses from interviewees suggest the potential to open up dialogue and involve the migrant NGOs in decision-making practices is particularly challenging. Participants noted that to acquire meaningful representation there needs to be a reshaping and re-organising of state objectives in order to promote more participative structures.

In the interviews, migrant NGOs highlighted how this can be achieved through embedding robust deliberative processes across migrant NGOs. At present, while migrant NGOs strive to create a unified approach, it is acknowledged that this is a specific area that needs improving. Organisations accept that more effective approaches have to be embedded across migrant NGOs, both within their own organisations and with other organisations in order to address asylum seeker representation more effectively. The representative from Organisation F argued:

> Migrant activism has to some extent improved through some forms collaborative work with other NGOs, but there is a need for more effective coordination between organisations.

5.8.1 The Direct Provision Forum

The Direct Provision NGO Forum was noted as the main forum for addressing and facilitating deliberations both between migrant NGOs and between migrant NGOs and state institutions including RIA and the DJE. This forum was noted as one of the core networking platforms that had emerged to address asylum issues with a particular focus on the system of DP. Five of the participating organisations in the study were members of the Direct Provision NGO Forum. While relationships with state institutions can be challenging the Direct Provision NGO Forum is acknowledged as a Forum where NGOs can have direct communication with RIA in representing asylum issues.

When questioned about the validity of the Forum, it emerged that some of the interviewees were critical of the way the Forum is operationalised. Their criticisms were not only related to constrained relationships with RIA but also related to the inclusion of all parties on an equal footing. Interviewees pointed to issues with its effectiveness in promoting deliberation. While workloads and resource issues were cited as a barrier to participation on the Forum and attending meetings, lack of consultation was also noted as a specific barrier. Some interviewees stated their organisation had not been consulted or invited to participate in the Forum, while others noted the exclusionary aspects of the Forum as problematic. One interviewee noted how some more established organisations tended to dominate the process. Another interviewee noted the ad hoc nature of the forum and pointed to an inconsistency in meetings and developing links between participating migrant NGOs and between migrant NGOs and state institutions. This interviewee argued that 'without consistent

links, it is less likely that strong cohesive strategies could be developed across the migrant sector' (Organisation B).

Some participants argued that the Forum has not had any real impact in terms of policy change. One of the interviewees who had been involved from the beginning highlighted how 'it has not always been effective in creating a unified and robust platform for change' (Organisation H). One of the participants noted that when attempts have been made to bring NGOs together within the Forum, the focus on asylum seekers issues had been too narrow. In particular, this participant pointed to the need to move issues beyond just DP and highlight the need to promote a more all-embracing approach that takes into consideration broader issues relating to human rights and protection. This participant argued that DP is just one of the injustices asylum seekers face and that the problem is much wider than this. As such the interviewee pointed to the need for a more integrated approach that takes into account the psychological aspects of movement, identity issues, racism and discrimination and the many complexities that impact on those seeking protection. The interviewee stated:

> So for me the central issue is protection. So if there was collaboration
>
> on not just the DP, which I think misses the point…the focus is too
>
> narrow…I think there are much larger issues. (Organisation H)

This participant also indicated a lack of a joined up thinking and noted how members of the Forum come to meetings with their own specific agenda without an openness to

hear all parties and their perspectives. This participant also pointed to disharmony and the ineffectiveness of the Forum:

…Well, I think we all have our own kind of agenda. Yeah. I mean, it's difficult…I think after so many years of working on this in so many different ways… I think a lot of the energy mightn't be there anymore. I don't know…I don't know if it's our ineffectiveness or if it's just the state that's unwilling to change its policy position…There's various kind of spaces or platforms on which we would have joint discussions. However, it isn't necessarily harmonious…(Organisation H)

Others pointed out how the Forum has created divisions among migrant NGOs and how certain organisations have more say:

On the whole it tends to be certain organisations that take the lead… others do not feel included. (Organisation B)

This participant signalled that overall the Forum has not been effective and acted more as a 'talking shop' than actually bringing about any real change. As noted:

So we come together every now and again….It's not working too well at the moment. You don't just want to talk shop; you want people who are doing things. Because you can spend your life going to meetings and feeling as though you're having a worthwhile contribution and in

fact that might not be so; you might be detracting from what you're trying to do. (Organisation B)

Organisation E also stated:

I feel like there's so much talking going on and I don't think there's that much actual hard core action, to be honest. (Organisation E)

Also evident from the interviewees' comments is the way in which organisations often find themselves competing against other organisations. The funding of organisations was particularly noted as providing some organisations with more capacity than others. However, one of the interviewees saw this as working in a positive way as 'it forces NGOs to identify their core aims and avoid duplication of services' (Organisation H). This participant noted how this also helps organisations to develop their own unique focus and identify work that is already being done by others. As noted by interviewee H:

I think for me it's important as well to maintain a unique focus. So I know that there are two other organisations who are doing the trafficking-related advocacy work. I'm not going to go there. It's already being done. I know that there's a very good campaign around on FGM issues. I'm not going to go there...I think what it's done is made us focus more on our core services and what are our unique services and what can't be replicated elsewhere.

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The participant went on to say:

> So I think it's important that our organisation is not going to really take the DP issue because, you know, FLAC and the DP Forum are dealing with that. Even though my client group are very heavily affected by it, it's already being done and I'm not going to be effective putting my energies behind that.

This statement may indicate the need to address the duplication of services but it also suggests that fundamental asylum-related issues can get ignored because there is an assumption that these issues are being dealt with by other organisations. The danger here is that in making such assumptions, links between organisations are not adequately established. If most of their members are asylum seekers, then this would suggest it is vital that they are well placed to represent important asylum issues and as such have an important role relating to the DP Forum. This also raises questions about the way organisations strategize and come together to create more robust collaboration.

The above comments highlight how the Forum, on the one hand, may bring migrant NGOs together, but on the other hand, it appears that not all parties are represented equally in the process. This lack of political equality and inclusion within the Forum also suggests the unwillingness to hearing the perspectives of all representative parties. This raises questions relating to whether the essential components of deliberation that are pursued by migrant NGOs in their interactions with state institutions and political leaders i.e. political equality, inclusion, reasonableness and accountability are actively

pursued by migrant NGOs in their interactions with one another. That said, the NGO DP Forum was acknowledged by some interviewees as a site where migrant NGOs do come together and despite its difficulties, it has acted as a channel to address important asylum issues with state institutions such as RIA. Taking on board the limitations of the Forum, participants also noted where some success, albeit minimal, had been achieved. In particular, the Forum was seen as beneficial in bringing complaints from asylum seekers to the attention of the Reception and Integration Agency (RIA). However, participants also acknowledged this has not translated into any real changes in the policy arena.

In short, the responses from interviewees indicate that lack of state engagement cannot be taken as the only factor impacting on deliberating processes in the representation of asylum seekers. Some of the above comments from participants point to fractured relations among migrant NGOs within the DP NGO Forum and this, in turn, can prevent the development of strong mechanisms for deliberation. Other factors also warrant attention – the dominance of some organisations over others and poor communication is also a factor impacting on effective deliberation. The lack of representation from asylum seekers on the Forum is also problematic. However, this was not addressed as an issue by any of the interviewees. To the contrary, some interviewees saw it as problematic. Overall, the comments raise specific questions relating to the way deliberation takes place and whether causal factors relating to ineffective communication and negotiation may in fact hinder the pursuit of more robust representation measures for asylum seekers.

What also appears absent in the organisation of the Forum is a commitment to forms of publicity where members are held accountable to one another. This is particularly important when a plurality of different perspectives is being addressed collectively under a common set of procedures (Young, 2000). From the responses of interviewees, the organisation of the Forum has not worked as a way for all parties to have proposals expressed and explained publically or through democratic processes where members are part of discussions but has tended to be dominated by some parties over others. This in turn has implications for meaningful deliberation.

5.8.2 Representation through Networking

All of the interviewees highlighted the value in networking as a form of representation where organisations can work collaboratively. Through networking, interviewees indicated how this form of representation can also assist in raising awareness and challenging public perceptions. However, interviewees noted that networking can often be difficult given issues with limited resourcing and that, while it is desired, in practice, migrant NGOs tend to focus more on their own agency-specific issues. Additionally, participants noted that when networking does take place, it tends to be with organisations that are addressing similar issues and does not constitute a broader remit of representation shared across migrant NGOs in representing asylum seekers.

While all of the participants saw the value in networking, interviewees also pointed to time constraints and the location of collaborative meetings as problematic. This was viewed as a barrier to the development of strong coordinated strategies and deliberative forums of engagement across migrant NGOs. The centralisation of meetings in one core geographical area, namely Dublin, was identified as a major problem for those located outside of the Dublin area. One participant noted how the

centralising of networking meetings to one location was frustrating and argued that whether you can network or not should not be related to the proximity of the organisation to Dublin. As stated:

> Everything is in Dublin… Even finding time to go to all the different meetings…A lot of people say that if you're in Dublin then you're involved. But outside of Dublin...Every networking meeting is there. (Organisation C)

This was echoed by the interviewee from Organisation E:

> Unfortunately, the vast majority of forums that we would sit on would be based in Dublin. I think we have to be a little bit more strategic on what forums we sit on, what we're able to do as an organisation….And also how we do that – you know the regularity that you meet.

However, this participant also highlighted the potential avenues that remain under-explored in developing networking capacity across migrant NGOs and stated:

> There's a lot more that can be done I suppose, the changing technologies has changed that as well, either from Skype or using things like Dropbox and using Twitter and Facebook. So I think how we network needs to change… We need to be more strategic in how we go about that.   (Organisation E)

Other participants indicated the reluctance amongst some migrant NGOs to engage with organisations with a particular self-organising ethos. When asked about why stronger links had not been developed between organisations, participants argued that they did not always have the same agendas and at times there appeared to be resistance to engaging with self-organising NGOs from other migrant NGOs.

Self-organising migrant NGOs indicated how their approach was not always welcomed by other migrant NGOs because of the type of organisational strategies they pursue, namely, a grassroots activist approach with strong involvement from its members. The participant noted that this exclusion seemed to be based on a sense of disconnection because of their distinct approach, that of being migrant-led. Pointing to the adverse effects of this on networking collaboratively, the participant highlighted a lack of unity across the sector.

> I suppose we have been trying to integrate with other organisations but
> we aren't invited to meetings….And there is almost a sense that the
> work that we are doing isn't of value. I suppose there is a sense that
> we are trying to be pushed out… (Organisation G)

Others highlighted how different approaches from different organisations can lead to conflicts of interest and limit cooperation. As noted by the participant from Organisation B:

> There are things that interfere with collaboration, even when politically
> it's desirable. At the same time there are different ways of looking at
> things politically. And we won't necessarily agree.

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Smaller organisations, namely service providers, also noted exclusion as problematic. They noted how they are not listened to by other NGOs and highlighted their exclusion from deliberative frameworks across migrant NGOs. The interviewee from Organisation C noted: 'We are a small organisation. They [other migrant NGOs] don't listen to us as such'.

Another issue identified as impacting on collaboration and networking was the competitive environment that exists among migrant NGOs. This was identified as creating an environment where migrant NGOs want to protect their own interests over strong collaboration. As the interviewee from Organisation B highlighted:

> I think there's a degree of jealousy. Not jealousy in the sense of I want
> to be doing what they're doing. Not that, but jealously in guarding your
> area of expertise...protecting what you do.

This participant went further to highlight the way that sector has become fragmented and how a focus on issue-specific matters can often move the focus away from overarching and overlapping issues that cut across all migrant NGOs. As stated:

> From my perspective – and I might be completely wrong – I think some
> of these issues have been carved up in a slightly artificial manner so
> that the organisations are all saying, 'Well, that's our little bit. We're
> doing migrant workers. We're doing immigrants who are coming to
> settle. We're doing asylum-seekers and refugees….And although that's

right, there are clearly different focal points for each organisation. Ours is international protection. At the same time real people don't divide up into nice neat little boxes. Migrant workers could have a protection issue. Immigrants who are coming could have a protection issue.....And I think we've [in the sector] divided things up. And particularly we want to keep our own specialism that we've developed ….I think it potentially creates a conflict and it also can weaken the voice [of asylum seekers]…..So we're actually diluting the voice to a degree. I'm not saying you want one big organisation but we're not good in talking to each other.   (Organisation B)

These above comments appear to signal an absence of degrees of reasonableness in the interactions of migrant NGOs in their representation of asylum seekers. This is problematic as reasonableness (as defined in Young's (2000) approach) can only occur where there is a willingness to listen to other perspectives, regardless of whether organisations are in agreement or not. Within this framework, people do not avoid engaging with others, purely based on differing perspectives. Rather, they engage with the knowledge that there are difficulties and differing perspectives. As such, they enter discussion with the aim of reaching a broad consensus. The above responses indicate that the interactions between migrant NGOs representing asylum seekers are both strained and contentious. The mechanisms on which communication is premised fails to ensure decisions take place in a democratic way. This, in turn, poses problems for deliberative and democratic decision-making.

Further to the above comments from participants, other responses indicated that interactions between organisations are not always taken seriously or acted upon in a progressive way. As noted by the participant from Organisation B:

> …There are times when people come together. But sometimes it's just for them to say what they do. Okay, that's very interesting – and then you go your own separate ways again and carry on doing your own thing.

Other responses indicated a type of cherry picking of organisations with whom organisations chose to work closely with. When questioned about this favouring of some organisations over others the interviewee responded:

> Possibly because the regional organisations don't feel the same sense of competition. So I'm not threatening them, they're not threatening me, we're just trying to find a way to work together to give them the back-up, for us to be able to refer where necessary to them. (Organisation B)

The interviewee from Organisation C acknowledged that it is not always the fault of bigger and more dominant migrant organisations that collaboration does not take place more effectively. She noted how organisations could do more to ensure their voices are heard. However, she also accepted that scarce resources can impact on this.   As noted:

And I suppose maybe it's because we don't shout enough, but that's because we just don't have time. The resources are not there to allow us to do it. What we became is a service-provider, which frustrates me and annoys me because I don't want to think that I'm just providing a service; I want to think that I'm supporting people. I want to think that we are supporting people and empowering them….I want to make a difference. (Organisation C)

On the other hand, this participant also noted how pointless networking meetings can be and argued that meetings often did not bring about solutions that transferred into action.

And even if you go to every networking meeting, you hear the same thing all the time….For the last eight years we have been talking about it. Is anything done? No. I think it's about time that they [migrant NGOs] have to do something where let's put it in an objective way; that we are not there to fight with whatever the system is but rather come up with a solution. (Organisation C)

While the above responses would appear to indicate significant issues with networking arrangements, one of the interviewees noted how their organisation had made significant progress through a well-developed networking strategy. In fact, this organisation had made significant advances in engaging both migrant NGOs and had also gained significant influence in engaging political institutions such as the Equality Authority. The interviewee noted how this success had been a direct result of developing and maintaining strong links with bodies both locally and nationally. The

organisation had also made strong international links, most specifically in the EU. This strong networking success tended to be the exception, however. Also noteworthy was that in contrast to other organisations, this organisation had succeeded in maintaining its grassroots activist approach while also engaging with political institutions. In this instance, the willingness to engage actively with other organisations was viewed as crucial to bringing agendas forward, building a stronger forum for change, and raising the political profile of the organisation both nationally and internationally. As noted:

> We have also the government and policymakers, who actually consult with us every time to see if we can help them in inputting into policies that are being developed. Because one thing we've been advocating for is inclusive policies. Policies that take into account that Ireland has changed…... We also actually work at EU level…..So we actually consult and bring our issues to the MEPs who are Irish MEPs and other MEPs from other countries. (Organisation F)

The interviewee from this organisation viewed networking with other organisations as a way of directly representing the needs of asylum seekers and deepening understandings of the issues affecting asylum seekers. Asylum seekers also had direct involvement in the organisation and played an active role in decision-making. Also in contrast to responses from other interviewees, this participant did not see funding as a key barrier to effective representation. The interviewee highlighted how their extensive networking and the promotion of their public profile had been very significant in yielding political and heightened interest in the organisation. Persistent

networking and consultation was viewed as a playing a key role in this. This interviewee also pointed to networking as a valuable tool in overcoming some issues relating to funding constraints. Through strategically working with other organisations, particular NGOs that had access to funding, their organisation was able to continue the work of the organisation while also raising the profile of their organisation. In this instance, working collectively had created a space for networking and sharing of ideas. This interviewee pointed out that lack of funding cannot always be viewed as an obstacle but that organisations have to think strategically in finding ways to pool resources and work together.

> So for me, and I believe big time it's not about money. It's about the way you organise yourself and the way you organise things. That's how you can actually progress and move on. (Organisation F)

This interviewee noted how engaging with other organisations was often challenging due to different approaches and perspectives but how this was overcame through compromises and a willingness on both parts to work towards a common goal. The interviewee noted this as a central approach also in their political communication. The promotion of effective representation was sought through collective problem solving. This approach had also increased their capacity to work collaboratively on community development projects, research projects, delivering training packages, and empowering their members. In this way the interviewee noted how the principles of deliberative democratic processes are respected and maintained.

In short, comments from interviewees suggest that the networking capacities of organisations can both prevent effective collaboration between organisations but can also strategically enhance collaboration and deliberation. The responses from participants indicate that many of the issues are not solely rooted in the state's reluctance to engage but are also related to lack of unity across migrant NGOs. While it is acknowledged that collective action and a widening of engagement is a vital component of political mobilisation, the responses from participants also indicate there are factors which are causing fragmentation and exclusion across migrant NGOs.

While there is recognition that forming alliances across migrant NGOs is important, there are a number of factors that prevent this. The responses from participants suggest that a focus solely on organisation-specific issues without incorporating broader issues can erode opportunities for a wider model of representation that cuts across organisations. This requires the development of strategic alliances, which encompass opportunities to address many of the complex and overlapping issues, affecting asylum seekers.

The findings also reveal that while networking is considered by all participants as a valuable tool in pushing policy agendas, the reality is that collective organisation is being diluted by factors relating to exclusion, lack of willingness to engage with some organisations, and a failure to embed strong principles of political equality and reasonableness. The responses from participants indicate how competition can also hamper unity and cause divisions. The divisions that exist between self-organising migrant NGOs and other migrant NGOs is particularly problematic in pushing forward a deliberative and inclusive agenda for political mobilisation. Rather than forging

relationships of solidarity, competing perspectives appear to be causing disconnections, which are impacting on the creation of a robust collective platform for representing asylum seekers.

The responses indicate how political equality and inclusion, while desired, are not always actively pursued. Promoting reasonableness through interactions is also lacking. In particular, the responses highlight how the willingness to listen to the perspectives of others is not strongly promoted, most specifically when differing perspectives prevail. This, it could be argued is leading to ineffective action and weak representative structures for asylum seekers.

The responses from participants suggest that a much more cohesive and integrative framework is required to build stronger solidarity across migrant NGOs. However, the responses from Organisation F are interesting and reveal important observations relating to how the organisation has overcome some of the barriers to collaboration through strategically promoting both the active participation of its members while also engaging widely outside of the organisation.

5.8.3 Targeted Campaigns

On the issues of targeted campaigns, it is noted that when organisations do come together, it tends to be on shared issues, involving organisations with similar orientations in their work. This has worked effectively on some issues particularly campaigns relating to human trafficking and prostitution. 'Turn Off the Red Light (TORL)' was noted as a particularly successful campaign involving a coalition of over 70 organisations, of which four of the participating organisations in the study were

actively involved. This campaign is located in its effectiveness in brought NGOs together in a unified way to tackle a particular issue. Its success is attributed to its careful organisation, strategic planning, and recognition of the campaign both nationally and internationally.

In relation to specifically representing asylum issues the 'End Direct Provision' campaign was noted as another high profile campaign which saw a nationwide 'End Institutionalised Living' protest take place in 2013. However, the campaign did not have the same success as the TORL. Interviewees pointed to the End Direct Provision campaign as 'lacking momentum' and not having the same careful organisation as TORL. As noted by one interviewee 'It was not organised strategically on a consistent basis' (Organisation B). The degree to which people participated was also noted as problematic. Some of the interviewees note how the 'End Direct Provision' Campaign lacked proper coordination, had a sporadic nature and lacked strategic leadership.

Some participants noted that while it is important that each organisation works on their own issues, there also needs to be a central point where all organisations can come together. An umbrella organisation at a national level with a much broader remit of promoting equality and justice was suggested by the interviewee from Organisation B as an avenue that can address the multiple issues of concern to asylum seekers.

The reality, however, is that most organisations, although well-intentioned, are increasingly find they are more likely to end up working in isolation from one another due to increasing pressures and ill-defined structures of engagement across migrant NGOs. As a result, opportunities for creating meaningful and more powerful representative platforms get side-lined over organisation-specific priorities.

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Maintaining a specific focus, while trying to create a platform that is inclusive of all interests is not an easy task. Against this backdrop, NGOs participating in this study face particular difficulties; firstly NGOs are generally more associated locally and tend to have a deeper understanding of local issues, secondly, legitimating decision-making among a large group of organisations and ensuring inclusivity of all interests and agreement can be problematic given the fragmentation across the sector, and thirdly, there needs to be a clear strategy and commitment to collaboration and cohesion. This would require greater political equality within the sector to ensure all participants have a voice.

5.8.4 Participation, Deliberation and Consultation

Participation, deliberation and consultation are viewed as important parts of the work of organisations in representing asylum seekers. Consultation is viewed as providing important ways of collecting data through the one to one interviews, information gathering from the drop in centres, and research consultation. For self-organising and capacity building organisations (F, G, H and I), interviewees saw direct consultation as taking place through direct participation in decision–making processes. In contrast, service providers and those with a legal orientation saw consultation as a way to inform advocacy. Advocacy in these organisations (A, B, C, D and E) took the form of acting on behalf of asylum seekers.

> We now find that the individual advocacy work is more likely to succeed. (Organisation A)

In contrast, self-organising agencies and those with a focus on capacity building tended to view acting on behalf of asylum seekers as limiting the promotion of the active participation of asylum seekers. While they acknowledge the importance of individual representations, they argue that this must be accompanied by collective dialogue, where the direction of the organisation is guided by asylum seekers themselves. In this sense, the interviewees from these organisations argued the strategic goals of the organisation must be directly informed by its members. As noted by one participant:

> We talk to them [asylum seekers] about the need to speak out and to stand up for themselves…we believe that we can't speak for people without them feeding into us and this informs the work. (Organisation F)

Participants from self-organising NGOs argue that direct consultation is paramount in the representation of asylum seekers and acts as a strategic factor in bringing about more fair and just participation and outcomes for asylum seekers. Allowing those they represent to inform the strategic orientation of the organisation is identified as a more effective way of representing the needs of asylum seekers.

> It's absolutely their approach [asylum seekers] that we've actually used. (Organisation F)

This is viewed as important in ensuring participation and information sharing and hearing the views of all parties. Collective dialogue informs the way the organisation

address the key concerns of asylum seekers, while also giving voice to asylum seekers in decision-making. However, only one interviewee (Organisation F) out of the nine participants insisted that this had to be the main priority of their organisation.

When asked about collective organisation, the interviewee from Organisation A pointed to reluctance on the part of the organisation to engage in this way. As noted:

> Because when we have focus groups or whatever, nobody is interested
> in coming to those things and the kind of group work that we've done
> we find there has to be something in it for an individual person, to be
> frank. (Organisation A)

The interviewee noted that asylum seekers only want to engage if there is something tangible to be gained from this. When questioned on whether asylum seekers should have the right to feel they can gain something from this processes, the interviewee indicated that democratic interventions and participatory democratic processes had not worked within the organisation. It was noted that engaging collectively had not been effective to the point that as an organisation they strategically had decided to shift the focus of their organisational activities. This resulted in a move away from community based approaches to a shift towards legal/political representation.

Organisations with a focus on service provision also tended to view one to one engagement as more effective than collective organisation. One to one contact was noted as an important way to build relationships. As noted:

It's a case of building up relationships and trust and they know this is

a safe place for them to come… We basically work on a sort of design

and deliver programme basis…Just identifying a need and then design

a programme. (Organisation D)

This participant noted how this also works as a way of collecting valuable information on the experiences of clients which feeds into the advocacy work of the organisation. However, in this approach, the focus is on individual rather than collective needs and interests. Additionally, while it provides information on some of the key issues through individual outreach work, it does not allow scope for group deliberation or group discussion on issues.

5.8.5 Publicity

Research was noted by most organisations as a key strategy to breaking down political barriers and a way to open doors to engage dialogue, debate and discussion with politicians and the wider public arena. Research seminars and conferences were also viewed as important ways of disseminating research findings and bringing awareness to wider audiences, including media, political institutions and political leaders.

The interviewee from Organisation F noted how their involvement in research and collaborating widely had resulted in greater connections with the policy arena. Involvement in initiatives that cut across organisations was also noted as beneficial in widening networks with external bodies and raising public awareness. The interviewee noted how this had also helped in 'shaping the profile of the organisation' (Organisation F) and gaining public recognition of the work they do with asylum

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seekers. The interviewee also noted the benefits to asylum seekers, particularly when asylum seekers have direct involvement or participate in the research. This was also viewed as a way of allowing asylum seekers to engage on issues directly affecting them and to be involved in a more public way. This, in turn, feeds into their lobbying work and engaging state bodies such as RIA and the DJE.

Research was viewed as important in terms informing public perceptions and raising awareness. Most of the interviewees stated their organisations were involved in research. However, research on asylum seekers that involved the active participation of asylum seekers was under-represented. Only one out of the nine organisations had, at any time, engaged in action-based research that actively involved asylum seekers and included them in processes of decision-making in the research. Nevertheless, the value of research was noted as significant in gaining access to politicians and raising public awareness and therefore should not be under-estimated. From the responses of interviewees, it was evident how it provides the potential to act as leverage in policy deliberations between the state and migrant NGOs.

However, while organisations make efforts to represent asylum seekers publicly through research, conferences, and seminars, the interviews revealed that the norms and conditions for democratic inclusion in these processes is often narrow and not always embedded in ideals of political equality and collective problem solving. While conducting research may allow organisations to press for better policies that will serve the interest of asylum seekers and have the potential to gain political influence, the lack of participation of asylum seekers in these processes undermines commitments to political equality and inclusion. Important to note, is that the organisation who had

promoted participatory research was also the organisation that had gain more access to political institutions.

5.9 Governance, Funding and Implications for Representation

The interviews suggested that shifting patterns of representation are influenced by forms of governance, which are influenced by the funding environment in which migrant NGOs now operate. It was noted that conditions imposed by funders often put pressure on organisations to adhere to certain constraints and have moved the emphasis away from a community based approaches to more business like orientation. For example, a number of organisations commented on the expectations now placed on organisations to become more professionalised. Some identified this as an important factor in raising the profile of their organisation and attracting more publicity, thus potentially improving their capacity to represent issues, while others saw this as having a more negative effect on the organisation's autonomy. As noted:

> It's made us think a lot more about representation and advocacy and working in a more public way than we might have done previously because if you don't have a profile, if you're not representing, if you're not advocating, you're an unknown entity. (Organisation H)

Other interviewees, however, expressed concern about the changing of governance structures within their respective organisations and pointed to the negative impact that funding constraints has had on their grassroots orientation. One interviewee explored how the pressures to strive towards a more professionalised or business orientated model in their daily practices deflects from the ethos of the organisation:

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Well, I suppose the goals of the organisation or the mission of the organisation have remained broadly consistent over the years but the model through which we think we're going to achieve, that certainly has changed and that has been a result of a rigorous planning process and sort of a business model in a sense. (Organisation A)

Another interviewee also noted that understandings and practices of representation are impacted by demands of this business model reflected on competing visions of accountability:

As NGOs we have to justify our existence to the extent where maybe sometimes we have to step up and say: Whose needs are we meeting? Is it to justify to the funders, or is it the needs of the people that we serve, that we support? (Organisation C)

Organisation F's interviewee also noted difficulties brought about by a restrictive funding environment:

So some experiences have been very, very bad, but mainly it's through funding. When it's not about funding - you come out better but when it's always about funding then it kind of becomes very difficult. (Organisation F)

The interviewees highlight how the funding environment has produced conditions where NGOs have to justify their existence through rigid performance indicators with a strong emphasis on cost effectiveness to satisfy funders. Securing funding is often based on fulfilling the conditions set down by funders with little scope for autonomy and flexibility in how the funding is used. Within such frameworks there are limited avenues for migrant NGOs to engage in critical reflection or apply pressure from the grassroots upward. In particular, some participants noted the way policies and procedures have become more bureaucratic and how this takes from a more personal and collective approach within organisations. One participant noted how the shift in the orientation of the organisation had produced excessive administrative work reducing the representation of asylum seekers to mere token exercises.

> so if we're talking about representation, if I might be truthful, representation becomes kind of ad hoc. Because it is more or less just to be seen… what's the word? It's kind of tokenistic, if I may be honest…We are ticking a box. But how effective is that? (Organisation C)

Overall, there was mixed views regarding the provision of funding and its impact on the governance of organisations. Some organisations had welcomed the shift towards professionalization while others had seen this as a concern in relation to issues of autonomy and meaningful representation. Organisations overall accepted that scarce resources were inevitable following Ireland's period of recession but raised concerns on the restrictive conditions that were now in place to satisfy funding providers.

5.10 Deliberative and Participative Structures within Organisations

While the interviewees signalled a strong commitment to deliberation and participation, the quality of deliberation varied across organisations in the study. The level of deliberation also tended to directly correlate with degrees of participation of asylum seekers. Three key areas were identified by the interviewees. These included 1) Representation on Boards 2) Training and Development and 3) Direct Participation in the Internal Activities of Organisations.

5.10.1 Representation on Boards

Young (2000) argues that even in the best democratic process formal public discussion and decision making can be difficult to access. The study reveals differing perspectives on the value of having asylum seeker representatives on management boards in efforts to enhance the representation of asylum seekers. Some point to the need for representative structures to ensure the inclusion of asylum seekers while others do not. Only four of the nine participating organisations had asylum seekers as members on their boards. Those that did had viewed it as benefitting the quality of representation in the organisation and noted it had given the organisation a clearer insight into the issues facing asylum seekers:

> We have representation on the steering group, our advisory committee, and also even within staffing. We also have for example, a lot of our volunteers who would be from minority backgrounds….Just basically wherever we can we try and bring in the people… there's no point us trying to guess what our clients need. (Organisation D)

Having people from different backgrounds present on their boards, in their staffing levels and in the internal activities of organisations was also considered important for some interviewees. Organisation F highlighted the need to represent the diversity of perspectives among its members in staffing, in forums where they are represented and in the board:

> So our staff is very diverse…Our board is diverse…But apart from that
> we have members representing us in different forums. Like in one year
> we will have over a hundred presentations that we will make and have
> our members represent us in that. (Organisation F)

Organisation G also had representation on their boards and viewed this as both positive and inclusive.

> Having members on our board is considered important to our work and
> its direction.

Organisation B had representation on their board but did not agree that this was always something positive for the organisation. Speaking about the experience of having an asylum seeker representative on their board the interviewee commented:

> We did find that it created a problem with the asylum-seeker because
> although he would now deny it, he seemed to think that by virtue of
> being on the board he was therefore entitled to a service that we actually
> couldn't give him. Ironically, he might have got that service had he

stayed off the board. And I know other organisations have had that

problem; that people think if they're a member or on the board, they

actually think they get something in addition to what everybody else

gets. And sometimes they can get less but certainly they don't get the

superior treatments because of their association with the organisation.

(Organisation B)

Other perspectives also indicated that having asylum seekers on boards is not always the most beneficial way to address wider issues. Interviewees who held this position argued that asylum seekers may not always be best positioned to address issues affecting them, given their vulnerability, and they may lack the expertise and knowledge required to sit on boards. In particular, Organisation C noted that in their organisation, this had become significant when membership on boards involved attending further meetings external to the organisation. Sensitivities relating to vulnerability and wellbeing were considered significant here. Having said that, the interviewee also pointed out how board membership can also often be tokenistic and does not always yield meaningful representation:

It's kind of tokenistic, if I may be honest. I mean, sometimes they put

people there just to be seen and then, oh yeah, there's a representative

(Organisation C)

This interviewee raised concerns about the way asylum seekers are merely used as tokenistic gestures and that other issues relating to mental health and welfare must also be considered when deciding if board representation was appropriate. The participant pointed out that for those who do not know the system, and have not the expertise to

preside on boards this may have a more demoralising effect. For representation to be effective the interviewee emphasised the need for this to be accompanied by 'supports and the willingness to provide a space where asylum seekers can be heard' (Organisation C). However, when asked if these supports were available in their organisation, the interviewee stated they were not.

Organisation H also commented on representation on boards:

> We thought about having representation to have that kind of voice on the board. We haven't gone down that route because we felt from a governance level it might be too much to do that……. In terms of the board, well having clients or having asylum-seekers on the board... it would be great to bring that perspective to the board, it's just we're not sure of the benefit of that. To have clarity of decision-making and being strategic …And then the blurring of the boundaries between this….Yeah, it can be problematic. (Organisation H)

Some of the comments conveyed interesting questions about how interviewees understand the politics of knowledge. This is particularly evident in the comments that conveyed an assumption that asylum seekers may lack expertise and knowledge to sit on boards. If processes within organisations are seen to be promoting participation and informed knowledge then surely the perspectives of asylum seekers must be considered a fundamental part of that process. While taking on board the mental health and well-being of asylum seekers, it cannot be assumed that all asylum seekers are not in a position to be strong representative members on boards. What this

also highlights is a weak understanding of political equality, inclusion, and reasonableness where participation is not a given, but based on structures of authorisation that can reinforce relationships of power. The importance of evaluating the degree to which processes of authorisation and accountability exist within organisations is also undermined. Furthermore, it highlights the lack of connections between representatives and those they represent and potentially devalues the promotion of a plurality of perspectives, which Young identifies as necessary for effective deliberation.

5.10.2 Training and Development

Interestingly, Organisations D and F, G, H, and I viewed training and development as key strategies in assisting with capacity building, which they viewed as empowering for asylum seekers. This, in turn, was viewed as having the potential to promote asylum seeker agency, and subsequently, bolster participation. Organisation G, in particular, had funded leadership training within their organisation as a way of directly equipping asylum seekers with confidence skills in taking agendas forward and providing skills to engage on issues more widely. This initiative was aimed at informing asylum seekers on how political structures operate in Ireland and also how to access them. Some of the key aspects of the training were encouraging participation, helping asylum seekers in developing leadership skills, promoting voter participation in local elections, how to approach government ministers and engaging in parliamentary discussion.

Organisation F also spoke specifically about the importance of training, confidence building, and inclusivity among their members. In the organisation, they encourage

their members to participate both in events both inside and outside of their organisation:

> You know, we have different people [their members] going to talk every time about the different things. And it doesn't actually have to be only the staff, myself or the board. We could actually maybe identify a woman from one of the women's groups that we know and ask them to go on our behalf or just to go for their own self and make a presentation. Okay, we have to sit down and give them what we have and then they also add what they have from their own perspective. (Organisation F)

Organisation D also endorsed this type of approach. Within their organisation they had a number of placements which were filled by volunteers. This provided opportunities for asylum seekers to receive training within the organisation to help them in their own agency.

Interviewees from self-organising migrant NGOs highlighted that when deliberative processes are promoted, they are likely to have transformative outcomes through empowering their members. This was viewed as having the potential of providing their members better access to the policy arena.

5.10.3 Direct Participation in the Internal Activities of Organisations

The representation of organisation members in the staff body was noted as beneficial in guiding the direction of the work of the organisation among some organisations. Interviewees also noted how this can provide asylum seekers (who wish to work in a voluntary capacity), a welcome break from the mundane and oppressive experience of

living in direct provision and assist in keeping up work skills. The interviewee from Organisation H noted:

> We certainly have people who have been through the process, people who have been clients who are now staff members - which is beneficial certainly because you can get the lived experience when you're doing planning or if you're changing processes or if you're doing anything it can be very beneficial to know what impact that might have in advance and maybe get that insight.

The interviewee from Organisation D echoed this and stated:

> When our members are engaged in the organisation, we have more insight into key areas of need.

Overall, there was consensus that asylum seeker participation assists in identifying key issues for asylum seekers but responses from participants also indicated some of the complexities regarding participation. Also noteworthy, is how the different approaches tend to correspond with different contexts and demands within organisations. Attitudes towards the participation of asylum seekers on boards tended to differ across migrant NGOs, but viewed as essential among self-organising migrant NGOs. Acknowledgment that the participation of asylum seekers has the power to affect change was also significant in the responses of participants.

5.11 Reflecting on the Interview Findings through the Lens of Inclusion, Political Equality, Reasonableness, and Publicity

Overall, the study reveals that representation is a 'complex and contentious concept' (Tornquist et al., 2009: 6). The findings of the study highlight how a number of factors affect the quality of representation, deliberation and participation. The study reveals how the migrant-led organisations and more mainstream migrant organisations have different approaches to how they include represent and facilitate the participation of asylum seekers. This in turn, impacts on levels of political equality and inclusion and the degrees of reasonableness in the actions and interactions of migrant NGOs. This is particularly evident in how participation is practiced. While the study highlights a contentious arena for political engagement and one that emphasises state-inspired approaches to inclusion, it also raises questions relating to co-option and incorporation of state practices, particularly in the practices of more established migrant NGOs. This in essence, serves to disable mechanisms of resistance and further alienates asylum seekers from political processes.

The following sections reflect some of the key issues emerging from the study and questions to what level processes and practices of inclusion and political equality are embedded, the degree to which participation and capacity building are facilitated and the level of collaborative strategies that are engaged within the practices of migrant NGOs . When addressing political equality and inclusion below, I will address them under the one term of political inclusion - inclusion referring to how those affected by decision making should be included in decision-making, and political equality being that which guarantees all parties inclusion on an equal footing. In this way, the norm of inclusion is understood as entailing the norm of political equality. Along, with drawing on some of the issues addressed in Young's concept of deliberation, the

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following sections will also make reference to Kadlec and Freidman's (2007) observations on empowerment, capacity building and collaboration and action as a way of expanding on the importance of deliberation and participation.

5.11.1 Connecting Practices of Representation with Theoretical Concepts of Representation

Overall, the study has revealed a number of ways in which migrant NGOs can fulfil their roles as advocators and agents of political representation. This is done through lobbying state institutions, through targeted campaigns, published research, policy submissions and engagement with state bodies such as the HSE, the RIA and the DJE. However, the study also highlights engagement, deliberation and participation as limited and problematic when constructing collaborative and consultative forums that can enhance political participation in a democratic way. To illustrate my above points, I begin with providing a table highlighting a sample of both the concerning, along with the more encouraging aspects of political representation, highlighted in the responses of migrant NGOs. These quotes reflect differing approaches which illustrate both an absence of collaboration and inclusive political representativeness on one hand, while also indicating the benefits of where a strong and connected approach to political inclusion has bolstered structures of political unity and solidarity. It demonstrates how more inclusive and empowering approaches can promote a robust platform for asylum seeker engagement and inclusion. As such, I aim to illuminate how different mechanism of representation can either distance or bring asylum seekers closer to political institutions.

Through a clustering of responses in the table below, an attempt is made to indicate how opportunities for meaningful democratic outcomes are closely linked with levels of collaboration and capacity building in the practices of migrant NGOs. Through consolidating the responses from participants with concepts outlined in the theoretical framework, a link is made between representation and inclusive and exclusive outcomes for asylum seekers. This connects back with my discussion in Chapter Two of the thesis relating to the need to advocate 'with' rather than' for' asylum seekers. Following on from this, a more expansive discussion is presented relating to the need to create a unified forum that expands the capacity for resistance and action, which is inclusive of asylum seekers.

Table 5.11   Theoretical Concepts and Practice Application

Theoretical Concepts	Practice Application: Positive and inclusive - Advocacy 'with'	Practice Application: Exclusive - Advocacy 'for'
Deliberation	'So we felt like we wanted to build a platform or create a space where people can represent themselves, speak about their own self'	'In relation to asylum issues - I don't think they do get represented. I don't think they get very well represented'. I'm not really sure how well we do asylum seeker deliberation but we do a lot of advocacy work on their behalf (Org E) Well, we would assist them if we can in advocating their needs but mainly advocacy is conducted on their behalf (Org A)
Participation	'Our organisation has always been group-led...that is the ethos of the organisation' (Org G). 'We can actually promote their [asylum seeker] equality and that is what works better' (Org F)	'Representation from asylum seekers - That's always been very difficult. I suppose it's due to a lot of different reasons - the transient nature of people living in hostels, the apathy that comes after year upon year of sitting inside in a hostel...' (Org E) 'We don't spend a huge amount of time trying to facilitate groups of asylum-seekers' (Org A)
Inclusive Representation	'So we normally do what we call networking meetings so that you can give people opportunity to discuss about issues affecting them' (Org F) 'Maintaining connections is important' (Org G) 'We raise a lot of awareness on issues. Not in the political arena but what we'll do is intercultural training, intercultural awareness, cultural competences, training and counselling. This links with empowerment (Org I)	'We would sit on an enormous amount of forums. I think we might have one asylum seeker on our board but that's it' (Org E) We have done a lot of advocating on behalf of asylum seekers but I can't say to you at the moment that we have made any change, because I don't think we have (Org B) We thought about having representation to have that kind of voice on the board. We haven't gone down that route because we felt from a governance level it might be too much to do that....... In terms

		of the board, well having clients or having asylum-seekers on the board... it would be great to bring that perspective to the board, it's just we're not sure of the benefit of that (Org H)
Political Equality	'We actually promote the equality and visibility of our members through getting them involved in the policy with us, getting into the issues through working on the ground…So we have a strategic plan that is guiding us and as a result things have changed significantly' (Org F)	'We now find that the individual advocacy work is more likely to succeed' (Org A) On the whole it tends to be certain organisations that take the lead… others do not feel included. (Org B)
Reasonable Engagement	We've had people being asked to join different boards of decision-making (Org F) 'The board is made up of group leaders from our monthly forums…that way, whatever issues come up it plans how we can move forward (Org G)	We've had asylum seekers do a few do placements here, but I'm kind of sensitive about that as well...You don't want somebody doing reception or doing casework if they're likely to meet someone (Org E)
Capacity	'We are building the capacity of the people experiencing the problems' 'We've had members who have gone for local elections…We have people who actually have spoken with confidence and stood up on many issues' (Org F) 'It is about having a voice being heard; just trying to gain some awareness or attention on issues affecting them [asylum seekers]' Org G 'We are working on integrating and acknowledging the human dignity of every person...to build relationships of trust, hospitality, welcome, acknowledging difference, valuing difference, and accepting the other as they are' (Org I).	'The holistic side of the work gets side-lined. I think that's standard in a lot of organisations' (Org E).
Empowerment	I think it's the approach that we use so we are actually working from the grassroots' (Org F) We respond as needs arise, it is not about structure, it is about building capacity (Org I) 'It is important to address the psycho-social, educational as well as mental health needs within the one building. Asylum-seekers find that quite beneficial' (Org H).	I am not always sure that asylum seeker participation equates with empowerment. Some people are vulnerable and need representing (Org D)
Collaboration	'We have also the government and policymakers, who actually consult with us to see if we can help them in inputting into policies that are being developed. We've been advocating for inclusive policies, policies that take into account that Ireland has changed' (Org F) 'We've already managed to set up a steering group, both Christian and Muslim where there is a collaborative effort in looking at where we need to go forward in the future' (Org I).	I suppose we have been trying to integrate with other organisations but we aren't invited to meetings…And there is almost a sense that the work that we are doing isn't of value. I suppose there is a sense that we are trying to be pushed out… (Org G)

The above quotes indicate two different approaches to representation which have

different outcomes for asylum seekers. These highlight how democratic and inclusive

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representation varies depending on how organisations position asylum seekers. The responses also illustrate how capacity building and participation in decision-making inform an important strand of representation and in promoting the inclusion of asylum seekers. The above quotations also yield insight into the degree to which values of political inclusion, reasonableness and publicity are embedded in the practices of migrant NGOs. The following sections will address this in a more in-depth way drawing on the key theoretical concepts highlighted in Chapter Two and using them as a means to highlight gaps and challenges to effective and inclusive representation.

5.11.2 Political Inclusion, Reasonableness and Publicity in Engagement with State Institutions

In relation to engagement structures with state institutions, the findings indicate an absence of *reasonableness* in the way state institutions engage with migrant NGOs. Degrees of reasonableness require a willingness to engage in listening inclusive of all parties, where engagements must be entered into with the intention of reaching collective decision making and in doing so create open and inclusive dialogue. Most of the organisations interviewed pointed out that while this may be a desired approach on the part of migrant NGOs when engaging with state institutions such as the RIA and the DJE, the reality is very different. The main obstacle to reasonableness was identified as the reluctance of state institutions to engage in more open and communicative ways that would allow for the perspectives of all parties to be heard. Findings indicate the way unequal relationships between migrant NGOs and state institutions are sustained through the co-opting of the migrant NGOs into state policies and practices. This is directly associated with the imposition of an economic discourse on migrant NGOs, which excludes any meaningful emphasis on political inclusion

where all parties are included on equal terms. This leaves migrant NGOs further marginalised from political processes. The study shows that despite their good intentions, migrant NGOs do not always have the power to alter or re-shape state-imposed practices or the broader social and economic realms in which they operate but rather have to conform to new ways of operating within it. This is evident in the way NGOs often are compelled to use economic rhetoric when making their case to politicians and state agencies. This pushes organisations further away from more radical approaches to representation and confines political mobilisation and activism to somewhat more conservative models, which obscure migrant NGO ability to engage in a politics of resistance.

Within this framework, democratic and deliberative deficits shape a less inclusive environment and allow political practices and institutional arrangements, such as the administration of the system of DP to prevail, despite strong opposition from migrant NGOs to its existence. Far from demonstrating a commitment to political inclusion, state institutions such as the RIA, impose conditions where securing degrees of reasonableness remains highly problematic. As such, the hierarchical relationship between RIA, DJE and the migrant NGOs demonstrates how power differentials remain a major factor in the weak representation of asylum seekers. While Young's approach presents a deliberative approach that seeks to break down such barriers, the responses from participants indicates that other factors exist, which theoretical speculation does not always take into account. What the research shows is that there are many practice complexities and challenges associated with deliberation that makes deliberation desirable but nonetheless, unrealistic.

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While Young's approach to deliberation gains relevance when parties are open to communication, its navigation is problematic given the level and exercise of power relations between migrant NGOs and state institutions. Some of the responses from interviewees indicated how power relations operate to undermine the development of meaningfully inclusive dialogue and fail to incorporate clear proposals for political inclusion. Further, they argue that efforts by state institutions, such as the RIA and the DJE, have failed to connect even the when the best intentions for deliberative efforts prevail. How deliberation can be cultivated in such a strained environment is both challenging and problematic. It also raises questions relating to what degrees of democracy prevail and how deeply they are connected through unequal relationships of authorisation.

Equally, the study indicates that funding environments impose conditions that erode the principles of political inclusion and destroys the foundations for reasonableness and publicity through the silencing of migrant NGOs. The study reveals how a competitive funding environment forces organisations to compete against one another for scarce resources, and this has a divisive rather than a unifying effect across migrant NGOs. Within this framework, the goal of publicity which entails interactions taking place among all parties in a democratic way through shared decision-making becomes difficult.

Another complicating factor identified was how migrant NGOs are often bound by the governance demands of their funders, which in turn diminishes their autonomy. This erodes the space for publicity where a plurality of different perspectives can co-exist through a shared commitment to collective decision-making. What the responses from

participants indicate is a tendency of state institutions and their funders to move towards conservative models of representation, leaving deliberating processes on the margins. Such an approach is governed more by the top down rather than the bottom up, where the migrant NGOs find themselves increasingly bound by the wider dimensions of state procedures which affect the quality of engagement processes. In this instance, access to deliberation is stifled by the actions of those in positions of power.

However, with the above said, there are also issues highlighted in the study that point to factors relating to poor engagement across migrant NGOs. The responses from participants point to fragmentation within the migrant sector, which in turn, contributes to a weak environment for negotiation with state institutions and diminishes options for action. This also impacts on potential opportunities for political inclusion and greater publicity. While participants acknowledge that deliberation is crucial to transforming the policy landscape, the responses highlight that the way deliberations take place across migrant NGOs is also unsatisfactory. In particular, the interactions that participants spoke about in relation to the way deliberations are exercised in the DP NGO Forum, highlight how engagement is often controlled by more dominant actors, which allow smaller organisations very little opportunity to influence agendas. The findings also highlight the exclusionary nature of the DP NGO Forum with some organisations being excluded from participation in the forum. Responses from participants indicate the nature of relationships as at best ad hoc, fractured, and unequal and how deliberations continue to be framed through top-down approaches. This demonstrates how political participation is failing to reflect an open

political opportunity structure but rather rests on frameworks that hinder this. The next section looks at these issues more closely.

5.11.3 Political Inclusion and Reasonableness in Networking Strategies of Migrant NGOs

Young states that inclusion has two functions: Firstly it motivates those engaged to 'transform their claims from mere expressions of self-regarding interest to appeals to justice' and secondly 'it maximises the social knowledge available to a democratic public' (Young, 2009: 115). The responses from participants suggest that expressions of 'self-regarding interest' act as barriers to engagement processes. Self-regarding interest is expressed in the responses of participants through admissions of 'protecting one's own niche' and the favouring of engaging with some organisaions over others. As such, the responses from participants highlight that while there are challenges to embedding deliberative practices with state representative institutions, there are also challenges to ensuring deliberative engagement across migrant NGOs. The study highlights that across migrant NGOs, structures of inclusion, participation and deliberation are not being effectively coordinated and that is impacting on the quality of representation available to asylum seekers. In particular, the study reveals that solidarity across migrant NGOs is structured through complex relationships which can be tension filled and separatist where some organisations acquire more control than others. These relations reveal low levels of political equality across migrant NGOs. Poor levels of reasonableness are evident in the dominance of some voices over others in engagement processes. The findings demonstrate that in the case of the DP NGO Forum practical reasoning does not ensure that all parties participate equally or that decisions are open to challenge when reaching agreement. This does not mean that

the Forum should not allow for disagreements. To the contrary, a reasonable process allows all parties to enter into discussions with the recognition that there will be disagreements but the overall aim is to take all perspectives on board and move collectively towards consensus (Young, 2000). What the study reveals is that a real appetite for change does not prevail.

Apart for the interactions within the Forum, the responses from interviewees indicate further problems with communication processes across the participating migrant NGOs. These can be explained in the poor networking strategies and a lack of unity among migrant NGOs. The responses from the participants indicate that currently within the sector, there are issues relating to fragmentation, competing agendas, and tensions over scarce resources. Organisations focused on service provision are often compromised in their ability to politically organise due to resource and time constraints, self-organising groups are often marginalised from other migrant NGOs because of their strong activist approach. The findings also reveal that effective coordination across the sector will require a stronger commitment to political equality and meaningful deliberation that is inclusive of all organisations, regardless of size and approach.

The research reveals that organisations, which may not be viewed as politically engaged, namely capacity building organisations, should not be dismissed as strong actors in representation processes. Responses indicate that the approach of capacity building organisations can make a valuable contribution through a strong focus on empowerment and inclusive community oriented approaches. This, in turn, has the

potential to create a space for the active involvement of asylum seekers in their own agency.

The findings also indicate unifying strategies between migrant-led organisations and other migrant NGOs as problematic. Young's (2000) theory argues the need for compromise in bringing organisations together but that this can only happen by giving legitimacy to democratic outcomes and ensuring that everyone is given an opportunity to be heard and included in political mobilisation processes. Currently, however, the dynamics shaping relationships among migrant NGOs are marked by divisions which affect the quality of representation. The study reveals how some organisations are reluctant to focus on issues more broadly for fear they may lose their own unique focus, others fear loss of funding, others fail to take on board the legitimacy of self-representation, others are over-burdened and locked into service provision and others tend to favour working with some organisations over others. These issues specifically highlight the practical concerns with deliberation which cannot always be captured in theoretical speculation. However, while these issues exist and there exist contradictions in approaches, this does not mean that an appetite for change cannot exist simultaneously.

Lentin and De Tona (2012) argue that networks can act as a powerful source of social organisation which can have the advantage of being less centralised or reliant on the bureaucratic processes of organisation and can thus respond to the complexity of issues in a much more meaningful way. Furthermore, they argue that a more coordinated approach has the potential to bring together service providers and smaller organisations who often feel excluded from political debate and participation.

Currently, organisations focused solely on service provision, which also tend to be smaller organisations highlight how they are simply filling in gaps in services where the state is failing and increasingly find themselves being pushed outside the scope for political activism. A coordinated response from migrant NGOs should thus address the inclusion of all respective parties, not only as a way of demonstrating equal respect but is also a way of ensuring all legitimate interests are represented (Young 2000). The above table highlights how working from the grassroots is an important way to respond to issues that arise for asylum seekers. They indicate the value of strong consultation to the inclusion of asylum seekers and how this assists in building relationships of trust that acknowledge important aspects of human dignity and social justice.

5.11.4 Political Inclusion and the Participation of Asylum Seekers

Young (2000:128) states that 'representation systems fail to be sufficiently democratic not because representatives fail to stand for the will of the constituents, but because they have lost connection with them'. Responses from the participants highlight the need to develop a deeper understanding of representation through acknowledging self-representing and the role it can play in involving the participation of asylum seekers. Kadlec and Freidman's (2007) expansion on Young's theory of deliberation is important in this regard. They highlight the need to question who is controlling deliberations and argue the need to cultivate and embed multi-partisan leadership coalitions that cooperatively organize deliberative processes through bringing together 'a variety of actors with cross-cutting agendas' through an 'open and fair-minded process' (Kadlec and Freidman, 2007: 8). Most specifically, they argue that in order to assist a marginalised group, there is a need to help that actor through addressing

both issues of control and responsibility, first, by lending legitimacy and integrity to the deliberative processes and second, by permitting deliberative opportunities by actively involving members of the marginalised group without undue constraint. They argue that 'such organizations are then free to innovate on behalf of deliberative democratic processes in ways that are connected, but not beholden, to leaders and experts' (Kadlec and Freidman, 2007: 9). Core deliberative democratic principles can then be adopted to help overcome the injustice within marginalised communities.

The study highlights gaps in this approach and reveals how embedding this type of representation is both ambiguous and varied in interpretation across migrant NGOs and often affected by relations of power, contradictions and unequal access to political inclusion. Two distinct approaches are evident - representation where asylum seekers are viewed as active in their own representation in the actions and strategies of self-organising and capacity building organisations in the actions of more mainstream and politically visible migrant NGOs. In this way advocacy is administered through two distinct channels – advocacy 'with' and advocacy 'for' asylum seekers. Within these two approaches, mechanisms of inclusion and political equality emerge in different ways, depending on the approach that is taken. In advocating 'for', securing inclusion as a democratic model of decision making is less likely to be employed in the actions of organisations. In organisations advocating 'with' inclusion and participation are more likely to be core principles underpinning the actions of organisations. Equally, when assessed against principles that include those affected by decision-making in the decision-making, organisations that see asylum seekers as active in their own representation display a much more inclusive approach. That is not to say that when asylum seekers speak about their issues in organisations that advocacy on their behalf

is not acted upon. To the contrary, from the responses of interviewees, it is the issues that are raised by asylum seekers that are most likely to inform the work of the organisation. Nonetheless, they did not ensure the active role of those they represent. In contrast, self-organising migrant NGOs placed participation at the centre of their ethos on representation. Organisation F, even demonstrated that when representation was exercised in this way, it had resulted in more progressive and inclusive involvement in policy processes for this organisation. In this way, deliberative democratic ideals were deeply connected with those they represent. Its strategy had not only included the participation of asylum seekers but it had also embedded a distinct strategy to engage widely with outside institutions which also included the participation of asylum seekers. This success was located in the pursuit of strong networking strategies, while also maintaining a grassroots activist approach, along with the promotion of a robust strategic framework that directly involves its members in decision-making.

In exploring the success of the organisation, the interviewee pointed to the value of strong lobbying and the pursuit of a solid networking framework through local, national and even global networks. While the organisation had, like other organisations shifted its focus to incorporate a more professionalised approach, it had also maintained its core values and retained grassroots activism and strong accountability to those whom they represent. The move towards professionalization had not deflected from the quality of representation they provide, but had in essence, made the work of the organisation more visible.

However, ironically, the findings also indicate that migrant NGOs inclined towards grassroots approaches and involving asylum seekers in decision-making are those that often find themselves on the margins of the decision-making and engagement processes across migrant NGOs, even when they can demonstrate successful outcomes in terms of deliberating processes. De Tona and Moreo (2012) argue that this is closely aligned with the state's co-opting of specific migrant organisations over others whereby only selected organisations become favourite interlocutors at the expense of others who have competing and opposing views. The reality, however, is that often more informal community based grassroots organisations and those specifically engaged in capacity building and empowerment strategies are far more likely to be inclusive of asylum seekers and bolster their participation.

In advocacy 'for' based organisations, which generally see themselves as acting on behalf of asylum seekers, deliberation is at best perceived as taking place through one to one meetings, information gathering in drop-in centres, and through the participation of asylum seekers in research. Asylum seekers are often considered unable to self-represent and migrant NGOs are assumed to best positioned to articulate issues on their behalf. Deliberation is replaced by forms of consultation, which does not include discussion and promoting dialogue but rather is confined to parameters that remain the primary control of organisations. The contradiction here is that migrant NGOs in their attempts to improve outcomes for asylum seekers through advocating on their behalf may in fact, reinforce their marginalisation (Spencer, 2009).

Representation, of this kind, is less likely to involve collective problem solving and decision making, which is evident in self-organising migrant NGOs. Access to

political participation for asylum seekers is thus under-represented in this approach. In contrast, organisations that involve the direct participation of asylum seekers are more likely to be deeply committed to processes where asylum seekers can be included in shaping their own representations. Authorisation by and accountability to asylum seekers are clear features of this approach. Representatives are closely linked to those they represent and representation is strengthened through democratic processes. This, however, is less true of organisations who act of behalf of asylum seekers. Noteworthy here, is what Kadlec and Freidman (2007) refer to as 'design choices'. They argue that when the design of a model of deliberation pays insufficient attention to the implications of non-participation, this can have adverse implications for the quality of deliberation. They state that 'such choices can severely limit who will participate, who will be heard, and which interests will shape the terms of the discussion' (Kadlec and Freidman, 2007: 9).

In this regard, Kadlec and Freidman extension of Young's approach to deliberation is important in raising questions about the quality of representation administered by migrant NGOs. In particular, it raises questions relating to how and if members of an organisation are recruited to participate. They argue that individuals who have more experience and comfort with public forums should not always be viewed as best to represent on behalf of others, as they can potentially have developed habits that, while conducive to engagement with public and political actors, may not be conducive to inclusive and egalitarian deliberation. This is an important aspect of representation and a gap that is highlighted in the findings of the study. In particular, it highlights conditions that currently affect more inclusive representation and the need to develop

a political culture through implementing internal democratic procedures within the practices of more established migrant NGOs.

5.11.5 Leadership and Activism in Promoting Publicity in Deliberative Processes.

Young (2000) argues that part of the success of leadership is connected to radical ideals located in a strong activist ideology. This includes addressing both 'external exclusion' (where some parties are kept outside of the process) and 'internal exclusion' (where parties in the process are excluding by dominant actors). Arguing that many of the struggles of a truly democratic process concern efforts to 'expose such exclusion and press for democratic change', she points to the need to challenge the legitimacy of democratic practices (Young, 2000: 55). What the study reveals is that strong leadership is often hampered by factors relating to disharmony across migrant NGOs, opposing approaches to participation and collective organization, disjointed social activism and most specifically, a disconnection between self-organising migrant NGOs and other migrant NGOs. Within this framework the basic elements of publicity and reasonableness are undermined, limiting opportunities for more robust collective action in challenging state institutions such as RIA and DJE. Within this context, matters relating to political alternatives are undermined and questions are raised relating to how migrant organisations themselves may inhibit political opportunities.

5.11.6 Consultation Vs Deliberation

Young (2000: 56) argues that democratic inclusion requires 'an expanded conception of political inclusion' in order to identify internal exclusions and to promote 'more inclusive possibilities'. When assessing the effectiveness of strategic approaches to

representation within organisations, it is apparent that conceptions of deliberation are varied and its substantive content is often interpreted differently. For example, a number of participants referred to 'consultation' as a meaningful form of deliberation. This raises issues regarding how representation is understood if it does not imply the same meaning in varied contexts. This is problematic because 'consultation' does not have the same inclusive elements as 'deliberation'. In the case of organisation A, B, C, D and E, deliberations were accounted for through 'consultation' with its members. However, this was confined to one-to-one forms of engagement i.e. face-to-face interviews and individual consultations. Where this approach is taken, questions of what gets listened to and what gets on agendas for political discussion remains the privilege of decision-makers within the organisation. This does not constitute deliberation and undermines a more inclusive and participatory process where members have influence over decision-making. It is simply confined to accessing information from members that can feed into identifying need.

Worryingly, some interviewees pointed to deliberation that involved the inclusion of asylum seekers as ineffective. This view was based on the belief that asylum seekers are not in a position to represent their own issues and therefore are in need of representation through the advocacy provided by organisations. However, advocacy alone cannot ensure inclusiveness; it needs to be combined with processes that allow the voices of asylum seekers to be represented. The responses from a number of participants suggest that such structures are weak, if even present at all. Thus, as a strategy of representation, the basic element of political inclusion is not present. This means that asylum seekers have no control over the process or the outcome. The responses from a number of participants suggest that a type of 'external exclusion'

occurs where asylum seekers are "inadvertently left out of the fora for discussion and decision-making" (Young, 2000:54).

Also of concern in the responses of interviewees, was that the fact that no participants from more established organisations pointed to improved deliberation practices and the participation of asylum seekers as a means to combat exclusion and enhance representation. Despite most organisations criticising the power structures that exist in their interactions with state institutions and associated poor communication outcomes, connections were not made to similar structures that can prevail in the actions of their own organisations. Moreover, if migrant organisations accept that deliberative approaches with the state must be pursued, then equally deliberative and communicative processes must be pursued by migrant NGOs in their interactions with each other and with asylum seekers. Without this, communication and collaboration between migrant NGOs will remain embedded in structures that replicate state engagement and remain firmly outside the scope for strong models of political inclusion, reasonableness, and publicity.

5.11.7 Making Connections through Political Inclusion and Publicity

Young (2000) argues that inclusive representation does not always have be expressed in common interests but that in including multiple interests it is possible to move towards joined up thinking. The study suggests that this can be challenging for migrant NGOs especially when competitiveness and fragmentation are evident across migrant NGOs. Some organisations suggested that networking with organisations that focused on similar issues is more effective. As such, they felt that they share common interests, and therefore, can influence change more effectively. However, the study

also reveals that it is important for migrant NGOs to recognise that holding strong communal values does not necessarily mean that all participants will necessarily have the same approaches and that both can exist simultaneously. What the findings reveal is that the success of migrant NGOs in the political arena will depend on the capacity of migrant NGOs to foster greater co-operation and promote the development of better and more inclusive institutional arrangements in order to reflect common goals and objectives, even when their internal approaches and perspectives may be different. As Young notes:

> The epistemic notion of political discussion cannot be served unless participants question one another, test one another's claims and opinions through discussion, and have an account of why they assent….Unless there are other forms of political communication that further understanding, possibilities for deliberation may be restricted to a narrow range of solutions. (Young, 2000: 56)

5.12 Conclusion

In this chapter I documented the responses from participants in the study, highlighting the varied ways in which migrant NGOs represent asylum seekers. I have done this through highlighting the types of representation provided by migrant NGOs, their understandings of representation, and the key issues that migrant NGOs address in their representation of asylum seekers as identified by participants. I have also outlined the models of engagement promoted in the day to day activities of migrant NGOs and identified key issues pertaining to a restrictive funding environment, as identified by participants. I then provided accounts of the way participating

organisations challenge political perspectives and the way participation and deliberation is administered through exploring the perspectives of participants. In the latter part of the chapter I reflect on the research findings and highlight some of the key points emerging from the findings, relating this to issues relating to political equality, inclusion, reasonableness and publicity.

Young's (2000) theory proved an important anchor for assessing my findings and identifying areas that require attention in the actions taken by migrant NGOs in their representation of asylum seekers. However, the findings also suggest limitations to Young's theoretical approach, pointing to other complexities which are not taken into account in theoretical speculation. What the research reveals is that there are flaws in the way representation is administered in the practices of migrant NGOs. These give way to flawed political inclusion, reasonableness and publicity. The study in particular, points to exclusive interactions between migrant NGOs and state institutions but also the lack of inclusive and deliberative processes across migrant NGOs. The findings from the study also suggests that political mobilisation and democratic interventions need to be reclaimed by migrant NGOs, in order to replace a currently uncoordinated, weak and ad hoc approach to political mobilisation. The responses of participants indicate that while there is some consensus that a more inclusive process of decision making and communication is required, most participants acknowledged that greater efforts need to be placed on networking and collaboration in order to secure more robust structures of deliberation and engagement. The study reveals the need for migrant NGOs begin to begin to question where they position themselves in relation to state practices. Tornquist et al. (2009:6) argue that 'the essence of democratic representation is authorisation and accountability based on

political equality, which presuppose transparency and responsiveness'. Such a position draws largely on Young's (2000) approach and encourages more proactive engagement with a politics of resistance and a widening of perspectives inclusive of all involved. In this sense, the study highlights how the effective representation of asylum seekers cannot be expressed solely in terms of satisfactory/unsatisfactory policy terms but other factors are also important. This includes examining how migrant NGOs interact and facilitate political mobilisation and activism.

Findings from the study also indicate how opportunities for more participative and robust structures of representation within the NGO DP Forum are hampered by the failure to embed strong deliberative processes and inclusivity which potentially could lend to a more robust platform for engagement with state institutions. This will not be resolved by simply opening up state practices to scrutiny but will also require subjecting the practices of migrant organisations to the same types of scrutiny. Such critical evaluations will be necessary in order to re-orient the way representation is embedded across migrant NGOs.

In this way, Young's (2000) analysis proves an important framework for understanding and challenging political arrangements relating to the representation of asylum seekers but also in acknowledging the limitations of theory. The research clearly demonstrates that relationships between state institutions and migrant organisations are not equal and unlikely to change until the policy preferences of opposing viewpoints can be somewhat aligned. For this to happen, it is imperative that migrant NGOs work closely with asylum seekers through collective engagement to ensure more meaningful and robust democratic processes can prevail. This can also

assist in potentially shaping existing divisions and break down power imbalances through opening up participatory forums reflecting the needs of asylum seekers. This in turn, will give organisations a more expansive platform for deliberation, which is inclusive of all representative organisations and their members. This however, requires redirecting attention to the promotion of channels, both internally and externally within and between organisations where negotiation for fair arrangements are prioritised.

The study shows that the in the practical experience with deliberation, the control of power is an important factor. Whether migrant NGO action can resolve the malaise of these deficits remains questionable. Power differentials remain deeply embedded in state practices, but also exist across migrant NGOs and between migrant NGOs and asylum seekers. To address this requires cognisance of the difficulties and challenges outlined in Young's (2000) approach and the ways in which deeply embedding values of political equality, inclusion and reasonableness can address this but only under certain conditions.

In my concluding remarks, I want to revert back to points raised by Kadlec and Freidman in relation to the practice contexts of deliberation. This specifically requires looking at how control and design have occurred to begin with and how change can emerge from evaluating this. Their view proposes an 'on-going and flexible process of mutual adjustment between parties in appraising the on-the-ground work of deliberative practitioners' (Kadlec and Friedman, 2007: 3). In particular, they highlight the need to deliberate widely to inform publics and to question deliberative processes that might at first appear legitimate but may reinforce some of the power

structures that Young (2000) points to. Kadlec and Freidman, 2007: 4) however, argue that Young's position needs expansion and recognition that free expression and enquiry 'is still not possible given that those deliberating are entrenched in a hegemonic discourse which itself is a complex product of structural inequality'. Kadlec and Freidman advocate for a strong activist role in both the internal and external activities of organisations as a means of combatting flawed deliberation. They emphasise the power of protest in the face of dominant actors and highlight not the goal of consensus, as Young asserts, but to the contrary propose a space for diverse and conflicting perspectives to combat anti-democratic processes. I will return to these points in my concluding chapter when highlighting some of my recommendations for overcoming barriers to meaningful representation in the practices of migrant NGOs.

Chapter 6 – Representation: The Views of Asylum Seekers

6.1 Introduction

The previous chapter sought to explore the perspectives of personnel from migrant NGOs with regard to their representation of asylum seekers. This chapter seeks to explore the views of asylum seekers. Asylum seekers are included in the research study for two reasons: First, in promoting my argument for the inclusion of asylum seekers in deliberative processes, I feel strongly that their voices should be represented in the study, and second, they are considered information rich participants, which can provide valuable insight into how representation is both experienced and practiced.

In this chapter, I am particularly interested in assessing relationships which exist between asylum seekers, migrant NGOs and state institutions, from the perspectives of asylum seekers. I am interested in gaining insight into the effectiveness of the practices of migrant NGOs in promoting political representation, to what degree participation and deliberation is fostered in the practices of migrant NGOs, and to what extent efforts by migrant NGOs are viewed as effective in politically representing asylum seekers. To this end, the views of asylum seekers are considered important to answering question four of my research questions:

- What types of relationships do asylum seekers have with migrant NGOs and what are their views on how they are politically represented?

An important aspect of the study relates to exploring the perspectives of asylum seekers with a view to understanding how, and if, the forms of representation they experience are informed by principles of political inclusion, reasonableness and publicity.

In analysing the data, I followed similar themes and subthemes to those used in the interviews with migrant NGOs, but in this chapter, I specifically sought to explore the participative component of representation, with a view to assessing inclusive practices and accessibility to decision-making processes for asylum seekers. As such, I wanted to explore to what extent asylum seekers, who are most affected by decision-making, are part of that decision-making. I also wanted to explore if, and on what terms deliberation occurs and if asylum seekers experience reasonableness in their interactions with migrant NGOs and state institutions.

Points raised in the previous chapter indicate how migrant NGOs understand and facilitate representation and the challenges they face in engagement practices, both in engagement strategies, alliance building and in maintaining grassroots activist approaches. This chapter seeks to establish whether the views of asylum seekers replicate some of the concerns of NGOs or whether specific issues of concern emerge which asylum seekers experience as under-represented by migrant NGOs. In this sense the chapter tests and questions some of the statements of NGOs through taking into account the experiences of asylum seekers.

Section 6.2 of the chapter addresses how asylum seekers understand representation. Section 6.3 follows by addressing some of the key issues presenting for asylum and

their experience of the DP system. Section 6.4 explores the types of engagement and representation asylum seekers experience.   Within this section, channels of access to political institutions are examined, along with types of advocacy that participants viewed as significant. Section 6.5 provides a discussion on the findings, reflecting on the principles of political inclusion, reasonableness.   Section 6.6 ends with some concluding remarks and draws some comparative analysis with issues raised by migrant NGOs in the previous chapter.

6.2 How Asylum Seekers Understand Representation

In the focus groups, there was consensus regarding the ineffective way that asylum seekers are represented politically. Participants viewed representation as limited and recognised that they were marginalised within political process. They identified as a group that are oppressed by the constraints of the system of DP and have limited access to rights and freedoms within this system. In this regard, it was considered important to explore how participants understand representation within such a restrictive environment and identify what they consider to be effective in addressing their issues. Exploring understandings of representation was viewed as significant on two levels; first, to in order to yield information on the way representation is experienced and how inclusive it is for asylum seekers, and second, to ascertain if there were differences in the way asylum seekers participants and migrant NGO participants understand representation.

At large, the discussions with the asylum seekers participants indicated that representation is perceived negatively. Concerns were raised about how participative representation is, both within the practices of migrant NGOs and in interactions with

state institutions. This was evident across both focus groups. In particular, participants argued they have no voice and are effectively rendered powerless. As noted by female 4:

> Yeah. We don't have that normal life. The system has already changed
>
> us. We have no voice, no power, no rights, no representation.

Representation was understood as non-representative and embedded in structures that do not allow asylum seekers space or scope to speak out or to be listened to. In this regard, the participants indicated the need for both state and migrant NGOs to do more to ensure asylum seekers are represented more effectively.

> They must work together, they must make noise, they must listen to us
>
> (Female 2)

From the onset of discussions, it was clear that participating asylum seekers *do* view representation as meaningful, but *only* when its takes on board their interests. To bring this to fruition, it was acknowledged that more just policy outcomes were necessary. Because of the repressive policy context which they experience in Ireland, the participants highlight the policies and practices of representation as essentially flawed and failing to take on board key concerns of asylum seekers. Most of the participants expressed some concerns about the powerful nature of state institutions, and how this subsequently reduces the ability of migrant NGOs to penetrate the political arena effectively.

They [migrant NGOs] can't do anything against the government – they need to work in a stronger way with us to put pressure on the government. (Female 1)

While some participants saw migrants NGOs as making efforts in a constrained policy arena, others indicated that migrant NGOs could do much more to represent asylum seekers more effectively. They also pointed to issues relating to a general lack of understanding of the importance of asylum seeker involvement in decision-making processes. In particular, they noted the absence of state engagement and poor consultation structures for asylum seekers on issues directly affecting them.

We have very weak representation. There is no one coming to us to listen. There is no consultation. We need migrant NGOs to speak out, to work with us. (Male 2)

Participants also indicated that dominant understandings and practices of representation are predicated on understandings of asylum seekers as inactive and passive and in need of representation rather than incorporating understandings of asylum seekers as active and involved in their own agency. In particular, responses signified how participants believe that they are ignored and silenced in relation to processes of engagement and argue that engagement processes are top-down and regimented.

Why don't NGOs help us to speak for ourselves? (Male 2)

Participants also pointed to a weak approach by migrant NGOs as contributing to the maintaining of the system of DP.

> If they spoke out more, then we might not still have to stay in direct provision. Representation doesn't happen does it? (Male 1)

Participants also indicted how the daily grind of oppression and the huge constraints they face are impacting on conditions of life in DP. In general there was consensus that their representational needs can hardly be met at a policy level, when they are not even met within the DP centres. In this regard participants openly questioned the meaning of representation and whether it could be perceived as valid to discussions on asylum seekers in Ireland, given the limited involvement they have in this crucial area of policy. As pointed out by one participant:

> it's not very clear, okay. It's not very clear the word 'representation'. You're talking about representation from the state, representation from the NGOs, representation from the asylum seeker… But what exactly is 'representation'?..Basically you're asking me if asylum seekers should have a say in the framing of policy. But that doesn't happen.....It doesn't even happen at the place where we live. It doesn't happen. We don't have such a communication taking place with the management, forget about the Department of Justice. It doesn't happen. (Male 1)

Participants expressed some confusion as to how to answer questions about their own understandings of representation, most specifically, given the limited rights they have

and the difficulties they experience in trying to engage with state institutions such as RIA and the DJE. They were also concerned about their lack of involvement in decisions and how this was having a direct impact on their lives. Many participants expressed a sense of powerlessness and that migrant NGOs could do much more to represent their issues in a more robust way. Participants indicated that issues they could openly and collectively discuss in the focus group are never heard in public forums, neither in collective forums with migrant organisations or at a policy level with political institutions. There was consensus in both focus groups that asylum seekers are not being listened to and that their voices are neglected. Heightened frustration was expressed from a number of participants relating to the lengthy stay in DP with no communication from the DJE relating to the state of their applications.

> But because many of us here in the system we're like about ten years, nine years in the system, you know - and five years, you know - and there's nothing, no one to listen…We are in a system where NGO cannot help but they don't even help us to help ourselves, some do but they are small…they have no power. (Female 2)

In essence, participants expressed a sense of 'living in limbo' (Female 4). One speaker expressed frustration with a lack of response from both state institutions such as DJE and representative migrant NGOs:

> For one year I have been asking a lot of questions. Nobody answers. (Male 2)

Another participant echoed this sentiment and pointed more broadly to a flawed policy framework when including the voices of asylum seekers:

> There's no proper consultation as far as that is concerned. What about the bigger picture now? How loud must you shout for you to be heard as far as the policy framework is concerned? (Male 3)

In both of the focus groups, it was evident that this situation was very frustrating for asylum seekers:

> We don't have answers. You understand? Because it's very difficult to engage. We are having a very true discussion here. We say this is a very real discussion that what we are having, okay – we are putting it in front of you…but this does not happen for us outside of this…(Male 1)

From the responses of participants, there was a real sense that wider policy seems both abstract and removed from the everyday experiences and confinements placed on asylum seekers in DP. A number of participants identified this as something that is ignored by state institutions or inadequately addressed by migrant NGOs representing asylum seekers. This was conveyed in both focus groups, with little divergence between the two groups.

While there appeared to be a better understanding of some of the challenges faced by migrant NGOs in the women's group, there was consensus in both groups that

representation was inadequate and lacked meaningful engagement with asylum seekers.

> You know they need to do more, they need to be stronger in representing us. We are not able to do it, the government don't listen so we need them but they need to do more. There are many organisations. They need to work together to help us. (Female 2)

In this sense, views on representation were located in participants expressions of 'under-representation' and a sense that representation is not being discussed in a meaningful way, given the limited scope for representation available to asylum seekers. One participant noted how it is impossible to talk about representation when the DJE does not take asylum issues seriously. Participants, in general, noted this as problematic and saw a direct correlation between the actions of the DJE and the lack of political voice for asylum seekers. The limited focus on human rights was also widely acknowledged as particularly problematic. Participants pointed out that their lack of official status renders them as non-citizens without rights, agency or voice. One participant articulated how he had assumed Ireland was a country where people could speak out and be listened to, but that this perception had now changed given the lack of openness from the DJE and the exclusion he had experienced:

> And that's why I had this difficulty with the Minister, because I didn't know. I thought it was a very independent country; you can talk – unlike in my country…..but it's not going to happen because we are not citizens of Ireland. That's the thing. (Male 1)

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Participants, by and large, identified migrant NGOs as their only support in trying to access political institutions. As such, they rely heavily on the migrant NGOs to represent their needs. Feelings of powerlessness were expressed by a number of participants and frustrations with lack of access to political dialogue.

> Nobody listens to us…the state doesn't care, they won't help us. Basically you're research is saying that you think asylum seekers should have a say in the framing of policy…That doesn't happen. (Male 1)

> And it is not going to happen… for me it's so bleak, you know, so it is very hard for asylum seekers… I think it is not going to happen for asylum, that's the way I see it. (Male 2)

Other responses pointed to weak migrant NGO responses and a sense that the direction of migrant NGOs had moved away from more collective forms of organisation to a more disconnected approach.

> They cannot help me the way I need it. We need them to help make the government listen. Before it was different. They were more with us. Now it's different. They don't make noise to the government. They don't act. (Female 4)

> We need a stronger voice to push things forward. We don't have that anymore. (Female 5)

One participant, who had previously been actively involved with a migrant NGO highlighted how he was not listened to and saw this organisation as ineffective in representing his needs:

> After ten years of trying to engage with NGOs…all the energy's drained. (Male 5)

Overall, the responses from participants indicate representation and political inclusion as weak. From the responses of participants, it is evident that political inclusion is weak and the promotion of involvement in decision-making processes is poor. Participants also pointed to an uneven playing field when it comes to representation and gaining access to political institutions. In this way, representation cannot be understood as meaningful when the core elements (i.e. political inclusion, reasonableness and publicity) to ensure deliberation and participation can take place are absent. Participants also pointed to the limited spaces of power that migrant NGOs hold in representing asylum issues to state institutions. However, they also noted the limited opportunities for asylum seekers to be represented in discussions relating to issues affecting them within migrant NGOs.

This highlights an absence of political equality and inclusion, along with a lack of reasonableness in the accommodation of different perspectives. It also indicates very narrow collaboration mechanisms in interactions with migrant NGOs. While there was some divergence between both focus groups i.e. female participants appeared to express some understanding relating to the limitations of migrant NGOs in what they

are able to do in a restrictive policy arena. There was also recognition of the funding constraints and lack of available resources across the sector. However, participants in the male focus group highlighted the efforts of migrant NGOs as unsatisfactory and under-representative and argued that migrant NGOs need to do much more to promote collaborative structures of engagement. Across both focus groups there was consensus that representation was not inclusive or effective in bringing about policy change.

6.2.1 Collective Organisation and Agency

With reference to access to political inclusion, participants highlighted how they have very limited access to channels for change and there was a strong sense that they are denied agency in attempting to actively engage on issues. When asked about collective engagement and migrant NGOs one participant stated:

> No, they don't work collectively. They work… But they don't work strongly …They also work in different ways – Like ADI [Anti-Deportation Ireland] – they represent us, they listen to us but they are not an NGO – they are different to NGO – they speak out – why don't NGO speak like this. (Male 6)

ADI was noted as an activist group that is inclusive of asylum seekers and a space where asylum seekers have a strong input in decision-making processes. Participants viewed this group as their only local space to be heard. However, this group was not linked with NGOs. On the issue of participation and collaboration participants from both focus groups identified concerns:

There are many many issues you know. But we are not part of it. I mean, the NGOs, they are there, we are hear – they are separate from us. They don't come to us to talk. We are not part of that discussion. They try to help but they don't come to us. (Male 3)

We are caught in a system where NGO cannot help but they don't even help us to help ourselves, some do but they are small…they have no power. (Female 2)

Overall, these responses indicate a weak platform for change, an unsatisfactory platform for participation and a sense that migrant NGOs are powerless in affecting change in the policy arena. In summary, the participant's responses indicate 1) lack of adequate structures of representation 2) an unsatisfactory policy approach 3) lack of collective organisation 4) poor deliberation and participative structures. This limited sort of actions and structures of engagement and their consequences, raises serious questions for structural processes that can give way to political equality, inclusion, reasonableness and publicity. It implicates state actors, but it also highlights a wider and complex system where power differentials prevail at a number of levels. In particular, it highlights the power of some actors, namely state institutions, over migrant NGOs (also recognised in the responses of migrant NGO representatives), but it also highlights the power of migrant NGOs over asylum seekers. The responses highlight a failure of migrant NGOs to understand solidarity as inclusive of asylum seekers, and consequently, this damages the possibilities for stronger engagement in challenging state institutions. In particular, the responses from participants indicate an appetite for shared responsibility between asylum seekers and migrant NGOs in lobbying for change.

6.3 Specific Asylum Seeker Issues Raised in the Focus Groups

While broad issues were identified relating to representation, asylum seeker -specific issues were also highlighted. These included factors directly affecting asylum seekers and the impact of DP on the daily lives of asylum seekers. These are addressed below under the headings of 1) the denial of rights, 2) stigma and discrimination, 3) the effects of DP on children 4) DP and mental health 5) fear of speaking out and 6) poor complaints procedures. These issues cut across both focus groups.

6.3.1 The Denial of Rights

The restriction on rights was viewed as cutting across all aspects of asylum seeker lives i.e. social, political, civil and cultural rights. When questioned about this one participant stated:

> This is our dilemma – we have no rights, no rights to choose, no rights
>
> to participate. (Female 2)

The denial of the right to work was viewed as particularly problematic and featured prominently across both focus groups. Participants expressed frustration at being denied to the right to work and argued that effectively, this also removed the right to participate. The lack of access to their rights was identified as rendering asylum seekers powerless and isolated, along with preventing positive integration. Participants highlighted that the restrictive policy framework contributes to further marginalisation and exclusion and effectively keeps asylum seekers firmly outside the policy arena. As noted by one participant:

The top guys make the decision, we have no rights, we cannot change

this – we cannot work or get education. We are left out. (Female 2)

The right to work has subsequently been brought into law since Jan 2018 as

noted in Chapter 1 of the thesis.

6.2 Stigma and Discrimination

One of the key issues noted, which fed into how participants see representation, related

not only to political representation, but to how asylum seekers are represented within

the media and how they are perceived negatively within Irish society. Here, it was

noted that migrant NGOs could do more in terms of dispelling some of the myths

about asylum seekers. Participants argued that negative attitudes towards asylum

seekers and the portrayal of asylum seekers as 'bogus' were informing wider public

perceptions of asylum seekers. As noted:

we have been poisoned in front of the… how do you call it? the citizens

of the state. They say - asylum seekers they took everything. They just

simply eat, drink, sleep. Everything they have is free.

(Male 2)

Being portrayed in this way was viewed as unsettling given that asylum seekers don't

have the right to work, are restricted in their basic freedoms and have limited channels

for integrating into Irish society. Asylum seekers also view the denial of the right to

work as a contributory factor to being portrayed negatively, despite having a strong desire to enter the labour market. For example:

> We do not have the right to work, but people see us as taking their jobs. We want to work, we want to pay taxes, we want to contribute in this society. (Male 1)

6.3.3 Asylum Seeking Children and their Representation

The issue of how DP impacts on the lives of children cut across both focus groups and was noted as highly significant. Participants pointed to how children's rights and issues presenting for children are neglected and one that needs to be given priority. They argued that children living in DP are being denied their rights on all levels and that this is not being adequately reflected in policy or practice. Participants argued that children are particularly vulnerable, isolated and segregated by the system of DP.

> There is another angle as well, which I feel it's been neglected by whoever, whether it's NGOs or the government. In this system that we are in, there are kids or children that grow with the system and they grow with each other. Yeah, there's no coping mechanisms that are there for the kids. Maybe for the adults you can draw strength from somewhere. Some way you can, you know. But for the kids it's just like they're left like that….there's no psychological help there for the kids as well to help them to be able to cope with this. (Male 3)

In raising this issue, this participant pointed to a need to address the representational rights of children, accompanied by adequate services. All of the women participants in the focus group were mothers and became emotive when addressing the deficit in children's rights and how poorly these rights are represented at a political level. One participant stated:

> Imagine the children, they're eight years. One is eight years now. They're living on one room with their mum….Like, they get nothing. They get no benefits. They get €9 every week. That is all. I mean, what do we do with that? It's heart-breaking. And there's no word you can use to console a child. There is no word you want to tell the child. You keep it from the child……These things do not get represented, they do not….(Female 3)

Both male and female participants signalled that living within the system of DP takes from the quality of life a child can have and sets them apart from other children. They also noted how they are alienated from outside school activities that are available to other children. One participant noted:

> And the children. And you watch them. Once the children are living in the hostel, their life is different than the one living outside because so many things they don't know. Children in the hostel don't know so many things. When they will come out [of living in DP] out in the public - you will see their life, by the way they behave, you will see because all their life they are there. They are born there and they live

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there. They grow up there. Imagine that. So the only thing that we need

is that people have to hear we're in pain. They have to hear our voice.

(Female 5)

These discussions repeatedly acknowledged, most specifically, the hardships and oppressions of DP and demonstrated the basic level of rights which are being denied, even beyond discussions on the lack of approaches to representation in political discussions. This raises important questions relating to political equality and inclusion, and degrees of reasonableness and publicity. It also highlights how problematic these issues become, even when the most basic rights are being denied within the DP system. Participants specifically highlighted how lack of representation on these basic issues was a real concern and identified this as a particular area where migrant NGOs need to be more active and effective. While participants recognised that research had been conducted, they pointed specifically to the lack of activism around these issues, and noted this as a key priority in determining the way both children's issues and asylum issues more widely are represented. Both focus groups pointed to the need for migrant NGOs to assist children in finding their voice, to promote the integration of children, and to empower and secure their rights. Child development and the protection of children were considered two areas warranting more active forms of representation.

6.3.4 DP and Mental Health

Another issue that participants identified as an area in which asylum seekers are under-represented, is in the area of mental health. Collectively, they identified numerous stress related factors such as the restrictive nature of DP, the social isolation it brings,

the loss of contact with community, the lack of social and psychological support and the lack of personal autonomy. The uncertainties relating to asylum decisions were also identified as particular stressors. The focus group participants pointed out how these factors combine to lead to high levels of dependency, difficulties in family relationships, and significant mental health problems. Negative feelings become internalised and leave asylum seekers feeling less worthy than others. Many of the participants argued that this is why they require especially strong attempts on the part of migrant NGOs to reach out to the asylum seekers but how they also need to create effective strategies for representing mental health issues politically.

> We need migrant NGOs to take a stand on these issues, to stand with
> us. (Male 1)

Many participants feel ill-equipped to politically organize themselves on these issues due to their circumstances and the oppressive effects of DP. Responses highlighted various ways the system of DP affects people and dulls their motivation to act.

> It is draining all our motivation because at the end of the day you
> become a lame duck, and you can't do anything with a lame duck.
> (Male 1)
> There is mental disorder here in the hostel. You see their [asylum
> seekers] lives… I don't know…. how can I say this? They have totally
> changed them, you know. They don't have that normal life. The system
> has already changed them. (Female 1)

Overall the impact of living in DP was viewed as demotivating. The lack of freedom and the removal of the right to work and education were also viewed as contributing to boredom and disillusionment among participants. Participants went as far as to suggest it equated to 'imprisonment'. One female participant noted that when you are given a prison sentence you know how long your sentence is but when you are confined to DP you have no way of knowing how long this will last.

The length of time that people spend in DP was also noted as a contributory factor to poor mental health and lack of self-motivation. In the focus group, this discussion provoked some hostility towards migrant NGOs, with participants highlighting the lack of representation of asylum seekers as problematic. One participant stated that he had 'given up on trying to engage with migrant NGOs' (Male 5). This participant partly located this sentiment in his disillusionment with migrant NGOs as active agents, but highlighted how the system of DP had affected his mental health and motivation.

> The mind has become a hell, like. It's so negative. I don't want to meet people after ten years. I've lived in a system where I've been highly institutionalised. (Male 5)

6.3.5 Fear of Speaking Out

One of the key concerns expressed by participants in discussions related to bringing about policy change was their lack of ability to speak out on issues. Participants noted a number of reasons for this, but most specifically noted the fear that speaking out may impact on decisions that are taken on their asylum applications. This places asylum

seekers in a constant state of fear and uncertainty. Speaking out is difficult for many and for some that had done so, there have been perceived consequences: one participant noting that he felt his papers were delayed due to speaking out. Overall, the participants generally agreed that speaking out was risky.

> You know, in 2008, the Minister for Integration at a meeting we had a group session with him. I just asked him some questions, and the Minister later refused to meet me when he saw me at another function– he saw to it that I'm not anywhere near him. So this is one of the things that we are generally careful about when we talk to people. Listen, we are scared …and I have a feeling that my case was delayed because of that. I have this huge feeling, because he's a Minister and I asked some very embarrassing questions……I have a feeling that when we talk to people, especially people in power, we are really scared about our case. You understand? (Male 1)

Those who are awaiting an asylum appeal decision are particularly vulnerable in this regard. Additionally, with few material resources at their disposal and limited access to state institutions along with scarce opportunities for collaboration, the scope for having their voices heard is limited. This is compounded by the associated fear of speaking out and vulnerability.

The focus group responses suggest that because of the social positioning of asylum seekers, opportunities for meaningful representation in the form proposed by Young (2000) is limited. Within such restrictive circumstances, effective deliberation cannot

be guaranteed when even the most basis element of trust is being questioned. To this end, inclusion cannot be meaningful and equal.

6.3.6 Poor Complaints Procedures

Dealing with complaints from asylum seekers was also identified as an area where asylum seekers were particularly vulnerable. Addressing complaints through the RIA was viewed as ineffective and lacking transparency. The focus group participants highlight how the complaints procedure does not protect the asylum seeker. To the contrary, it was viewed as a means of oppressing them. One participant recalled a visit from the RIA to the DP centre and noted how fearful asylum seekers were to speak to them. He noted:

> When they come…there were two people from Reception and Integration Agency but there was hardly anyone willing to meet them. (Male 1)

Concerns about operations of the RIA have been highlighted by NGOs such as the FLAC (2009) and the Irish Refugee Council (2012). In the FLAC (2009) report *One Size Does Not Fit All*, they noted a lack of transparency in the complaints procedure for asylum seekers, along with the fear asylum seekers to speak out in case this may jeopardise their asylum claim. The report reveals how there are no fair procedures for making complaints in DP centres, nor are there any fair ways of reviewing the decisions made by officials in the RIA. FLAC pointed to the need to develop a new system where external bodies could review claims to avoid rendering asylum seekers vulnerable in the system.

The views of the participants in the focus group signal that this sense of fear remains evident in the way asylum seekers interact with the RIA. The following section explores this in more detail and examines the way participants view different types of engagement and how this relates to political representation or lack thereof.

6.4 Types of Representation and Engagement

Within the focus groups there was a clear consensus on the lack of political will to address asylum issues. Engaging state institutions is viewed as difficult on a number of levels. Participants point to the lack of coordination between state institutions such as the DJE and migrant organisations. In particular, they highlighted the need for better standards of good practice, the need to include asylum seekers in decision-making processes and the need for state institutions to learn from the experiences of asylum seekers. Participants overwhelmingly pointed to the lack of power that asylum seekers have and do not see migrant NGOs as having enough influence to bring about change. There was a clear sense that doors are closed on these issues and even when engagement takes place it can be tokenistic and ineffective and lacks meaning.

6.4.1 RIA

Difficulties were expressed regarding how the RIA operates. Because of the RIA's centrality in determining their life experiences, this places asylum seekers in vulnerable positions. The powerlessness of asylum seekers to change these structures was evident in the responses from both focus groups. Difficulties were expressed in relation to engagement with all key actors and agencies:

So to get engaged with NGOs, with asylum policy, or with RIA, it is very, very, very difficult.

(Male 2)

In particular it was noted how policy is constructed through a top down approach which does not take into account the perspectives of asylum seekers.

No, like, the top ones, they are the ones that make the decision. The matter will come out the same no matter what you do. Like, they've made up their minds…they've already decided what they're going to do and that is final…And the Minister or the Government will do anything to prevent people from knowing what is happening. Like, when people come there and hear people's stories – like journalists – and publish it out, the Minister will come out and defend and tell them it's not true.

(Female 3)

Participants also shared concerns about the lack of adherence to a human rights agenda and argued that the government makes it explicit that they do not wish to encourage people to seek asylum in Ireland. As noted:

The government do not want to support us, they do not make us feel welcome. We have no rights, this is the issue when it comes to government. They are the ones with power not us!

(Male 1)

On the issue of granting and refusing asylum applications one male participant particularly noted the senseless way in which asylum seekers awaiting a decision are treated:

> And that's why you can come and pick us up and throw us out at any time. You understand?
>
> (Male 1)

A more general lack of transparency in the asylum system was also noted as problematic. For example, one participant went as far as to suggest that inspections of the DP centres are not conducted in a fair manner and that management take measures to improve conditions prior to inspections but revert back to bad practice after inspections have been carried out.

> Like, when a Minister is coming and a member of the justice or RIA is coming to the hostel, they [the management] make nice food. Even if you go there in the afternoon to eat, you see nice food. Definitely you ask questions – 'What is going on here? Is it that a member of the justice coming? So when those people come [RIA]… so what the management do, they clean up everywhere and they take them to the best rooms in the hostel - maybe two or three rooms that are clean – and tell them: 'Oh, look at the way they are living here,' – which is a lie. I mean, that is not true.
>
> (Female 3)

Participants also noted that during these visits asylum seekers are given the opportunity to talk to members of RIA and air concerns they may have with the

system. Such discussions were seen as pointless as there is never any follow up on complaints. As noted by one male participant.

Yeah, RIA – Reception and Integration Agency – it does send its people once in a year or once in two years, but when we talk to them they listen, but then what happens afterwards? Nothing. You understand? That's why with time we say, okay, these things don't work for us and it's pointless to participate in things, in such programmes and such sessions.

(Male 1)

Overall, there was a clear consensus that the state was not doing enough to accommodate asylum seekers and that asylum seekers felt treated in an unjust way both by the wider state and the Reception and Integration Agency. The responses indicate asylum seekers feel both isolated and vulnerable within the system with little rights or recognition in state practices.

6.4.2 Engagement and Migrant NGOs

The focus groups provided a range of views regarding the way migrant NGOs represent asylum seekers and how representation and engagement with migrant NGOs should take place. As well as highlighting issues where there is broad consensus among participants, as mentioned previously, the focus groups also illustrated the differences in perspectives between men and women on some important aspects of migrant NGO representation and engagement. The narratives from the focus groups showed that women tended to be more sympathetic to the challenges faced by migrant NGOs while men viewed the role of NGOs in more negative terms.

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Some participants felt that demonstrations and campaigns by NGOs that involved asylum seekers were particularly useful in highlighting issues and engaging the state but argued that this has not been consistent and that at time of focus groups that nothing was being done to represent asylum seekers in terms of activism. As noted:

> They do demonstrations, that, I suppose, they can do. But because many of us here are in the system we're like about ten years, nine years in the system, you know - and there's nothing happened…And then even maybe let's say like five years ago they were like more outspoken, but now they're relaxed. (Female 2)

In both of the focus groups there was a sense that the role of NGOs had changed from an approach that had previously involved more contact with asylum seekers to an approach that seemed more removed from directly engaging asylum seekers. In essence there was consensus that the position of NGOs had weakened, and consequently they could not adequately represent asylum seekers. While this was evident in both discussions, it is important to note that this coincided with an acknowledgement of the oppressive nature of DP and its institutionalizing nature, within which restrictions were also viewed as de-motivating people from participating and feeling included. These two factors combined left participants feeling both unsupported and demotivated in their own activism.

However, some participants did express some positive aspects of their interactions with migrant NGOs. Importantly, they noted that the organisations that they felt most

engaged with tended to be 'self-organizing' or 'capacity building' organisations. Within these organisations, they noted an emphasis on more participatory values that they viewed as absent in other migrant NGOs. In particular, they pointed to the direct involvement of asylum seekers within these organisations and a stronger likelihood of social activism. Participants also noted how these organisations provide a space where asylum seekers can be heard.

However, similar, to the findings from the interviews with migrant NGOs, there was a sense form participants that self-organising migrant NGOs are often excluded from broader circle of migrant NGOs. This was mostly identified as being related to their migrant-led ethos and inclusive decision-making forums. The perceived distinction between migrant-led NGOs and other migrant NGOs was emphasised strongly in the men's focus group. Within the men's group the important of asylum seeker-led activism was emphasised as providing a place where asylum seekers can go and feel empowered through active involvement in the organization. However, it was also noted how migrant–led organisations are perceived as different within the broader remit of migrant NGOs. When questioned on the distinction between the two one participant commented:

> They are completely different than the others…..and I think there are issues ……we have a barrier - members of the self-representing organisation - none of them Irish. All of them, you know made up of migrants …. Then the other migrant NGOs those involved with the state, there is no representation from our communities within these

organisations - So these are different. There needs to be more

connecting between the two. (Male 4)

Participants in both groups pointed to migrant-led organisations as more secure places for asylum seekers to speak out and be heard. More specifically, they pointed to migrant–led organisations and capacity building organisations as fostering inclusion and providing key spaces for interaction, discussion, social activism and integration. Capacity-building organisations were also viewed as providing participants with a place to go, to interact and feel part of the community. This was considered significant in providing a space for interaction outside of the DP centre. Both migrant-led organisations and capacity building organisations were also viewed as important spaces where asylum seekers can go and voice concerns on issues directly affecting them through communicating with other asylum seekers and staff members of the organization. These spaces were also viewed as social spaces where people can interact and connect through shared interests. In this sense, they were viewed as providing important spaces away from the oppressive nature of the DP system. These spaces were identified as autonomous spaces with potential outlets for collective organization and agency. There was consensus in both focus groups that these kinds of organisations offer asylum seekers opportunities to influence the type of representation the organisation provides. The problem raised by participants, however, was that these types of organisations are closing due to funding.

One of the organizations, which participants in the focus group placed value on, had also been one of the organisations who participated in the interviews for the research study, but had subsequently closed down. A number of the participants in both groups

had stated how this had been a huge loss to asylum seekers, both in terms of their integration into the local community and a space where they felt valued. As one participant stated:

> … you know, I could go and do some internet there. You understand? Or I can go and have a cup of tea and can have a chat with somebody there. You understand?..Or just go and talk with people who care….But that space is not there. Now that space has been taken from us. (Male 1)

Both men and women in the focus groups pointed to such organisations as spaces that can give meaning to an asylum seeker's existence, providing a less restrictive environment than the DP centres.

Overall, the co-operation and engagement of migrant NGOs with asylum seekers was viewed by participants both positively and negatively – on the one hand asylum seeker participants view migrant organisations as a source of support and somewhere to go with issues they may experience. On the other hand, they also view migrant organisations as weak in their advocacy and in speaking out on issues affecting asylum seekers. Participants acknowledged the lack of power migrant NGOs have in challenging state institutions and how migrant NGOs have to operate in a poor funding environment. However, it was also acknowledged that migrant NGOs could do much more, particularly in their role as activists.

Focusing on the injustice of the asylum application system and the system of DP, participants argue that, contrary to their expectations of support, the shift taking place across migrant NGOs has actually resulted in a distancing of migrant NGOs from asylum seekers. This is demonstrated in a series of changes participants had witnessed since 2009. Participants noted how migrant NGOs are moving away from direct contact approaches, direct involvement with the DP centres, and community development approaches. As noted by one participant:

> NGOs have actually moved more and more away and so organised their advocacy work in a way that takes away from what the asylum seeker want. (Female 4)

Participants viewed this move by migrant NGOs has not increased advocacy opportunities for NGOs, or enabled them to exercise a more robust level of influence over the policy arena, but has actually resulted in asylum seekers feeling more alienated from political processes. Participants however, recognize that NGOs are often in a compromised position and are not often well placed to tackle the power of state institutions. As noted by one participant:

> Yeah. What I would say is that actually we have many organisations, NGOs, and they are a bit trying their best to help asylum seekers. The problem is that they don't really have the power… They are weak. They don't really have the strength against the Government, you know. So you go to them; they fill out forms for you; they try their best but what they can to help you. It is very difficult for things to change…..They

don't know the way to help that person as in what that person wants, you know…..It used to be before but I don't know now. But they only try their best. They cannot go beyond their lengths, you know. They kind of work within their means. (Female 2)

One of the male participants noted that it was not just about power relations but also pointed to a shift that had taken place in the way migrant NGOs operate.

You see what is happening. Before migrant organisations provided a place for us to meet, to interact, to share to discuss. Now they have become more like a business. There has been a change. They get funding and they changed. Before many volunteers worked in organisations, they gave us hope, somewhere to go, somewhere where we feel we belong. Now that is gone. The way they operate has changed. (Male 3)

Different responses were also expressed on the commitment of migrant NGOs and their strength and capacity to bring about change and engage the state on issues. One of the female participants noted.

Once you go there you complain. They see. They know the truth. They know we are in pain, you know. They know already we are in pain, and they feel the pain, but the only thing I know is that I think the Government they are stronger than them…at the end of the day is comes down to nothing. (Female 3)

In these responses there was a sense that migrant NGOs had done more in the past in representing asylum seekers, in particular it was felt that migrant NGOs had worked more closely with asylum seekers, through integrating activities and community development approaches. Referring to inclusive activities, one participant argued:

they've done things in the past lots and lots of times. (Female 1)

Another participant agreed but argued that more recently this has changed and that migrant NGOs no longer prioritise this kind of approach nor have the strong capacity they had before:

Yes they have done, but these days they just don't. They just relax. They don't have strength. (Female 3)

At this point in the focus group there was some discussion about how committed NGOs are and how they should challenge state institutions. Female 1 argued that NGOs do have strength. Female 3 responded to this by saying:

Then keep on. Then keep on. You don't have to relax. No, you keep on trying. You keep on trying. You don't give up. (Female 3)

The depth of feeling with which these views were expressed indicated both the frustration and disillusionment felt by participants at the efforts of migrant NGOs. In light of such concerns respondents argued that much more attention needs to be given

to securing more meaningful representation that involves the direct participation and engagement of asylum seekers.

> You see, you're talking about talking to or consultation with the NGO or the Government in terms of the policy framework, and why I find that is difficult is the lack of consultation at grassroots level, at our level and the people that are around us on issues, on common issues, on day-to-day issues that are happening at this end. (Male 3)

Some respondents went as far as to suggest NGOs are insincere in their efforts and are more concerned with chasing funding to keep their own jobs rather than communicating meaningfully with those they represent. Some participants, particularly the male participants, indicated that asylum seekers are feeling used by organisations for their own benefits: For example,

> Sometimes we have this feeling all these organisations are using us for their existence. You understand what I'm saying? So they're doing things for you but beyond that it's uncertain… And when we engage with them after a while, we realise: but aren't they doing this for our own purpose, for our own objective? (Male 1)

Others went further to suggest that demands for asylum seeker representation and visibility are even being met with hostility from the NGO sector. One participant noted that he had stopped attending one of his local migrant organisations as he did not feel welcome there:

… we stopped going because sometimes we feel alienated (Male 5)

These comments suggest that participants do not feel adequately supported by migrant NGOs and view some processes as exclusive. Some of the reasons for this were related to changes that have taken place in the sector as previously noted, but they were also located in a feeling of despondence at the decreasing capacity for migrant NGOs to be politically active. Engagement with asylum seekers in the hostels was noted as particularly important to asylum seekers but this has changed significantly with very few NGOs engaging directly with the centres anymore. Participants argue that this is a crucial space in which asylum seekers can feel supported and acts as a link between the centre and local community. It could also ensure asylum seekers felt less isolated. As stated by one participant:

Before they used to come to the hostel like two times in a week, but these days they don't come anymore, you know. They used to meet people, talk to people, you know. These days they just don't come… (Female 3)

This was also considered a valuable way for asylum seekers to organise with migrant NGOs in speaking out about the injustice faced by asylum seekers. This was viewed as a space for communication that had previously been valued by asylum seekers. This space was also considered significant in providing important channels for asylum seekers to organise collectively with NGOs. As one participant commented:

They need to meet people and voice out. Go to hostel, meet the people.

People will organise. And we have so many people that we can do this.

At least then the government will hear our voice, you know, and they

will do something at least. (Female 3)

The loss of core community development activities was noted as particularly disadvantageous to asylum seekers with many making reference to the loss of core activities that had previously existed. For example, one participant explained:

An important point. It [the organisation] had been having a lot of

activities. But those people, the kind of management or leader team

they have drove it down. It's gone…(Male 4)

Also highlighted in the views of asylum seekers, was the fractured nature of the migrant sector in representing the needs of asylum seekers. Most participants signalled that what was needed was for migrant NGOs to come together to challenge political institutions. Creating a strong bond across the sector that unites all migrant organisations was viewed as important. As stated by one participant:

Most of this organisation, all they need is a very strong bond for them

to be able to stand up and challenge Minister for Justice… Together

they could be a very powerful force. (Female 1)

Participants were keen to express this view and felt that this was an area that could

enhance representation. One of the female participants stated:

Yeah, if they collaborate in a…it's a very strong bond. They can be able to do it…if the organisation is very strong, they can stand up against this man [the Minister for Justice] and tell him one-on-one. (Female 3)

However, despite criticisms of the migrant sector, participants did recognize the way competitive funding environments have created divisions between organisations and even caused dis-unity, resulting in poor networking strategies. As noted by one of the male participants:

There is no unity because everybody… well I think there is some sort of a competition between these organisations. Everybody wants to be in the forefront, like. You understand?..It's highly competitive. (Male 1)

In both the women's and the men's focus group it was evident that participants understood that funding constraints and power are two barriers to more effective representation for asylum seekers and effects the way migrant NGOs engage. However, the perspectives of participants in both focus groups also yielded information that indicates a high level of dissatisfaction in the way migrant NGOs organize and represent issues. This, in turn, affects potential spaces for deliberation. Where previously, participants had experienced some level of engagement from migrant NGOs, the responses also indicate how this has shifted, leaving participants feeling marginalised from political processes. The responses of participants also

highlight levels of fragmentation and the need for more unity across migrant organisations. The value of strong networking was recognised by participants as necessary in bringing about a more robust platform for policy change.

The responses also indicate how participants view the competition for scarce resources as having a negative impact on the way representation takes place and how, this in turn, disables channels for strong alliance building. These articulations are comparable with some of the findings from the interviews with migrant NGO representatives. In both instances, the lack of strong alliances can be identified as alienating asylum seekers further from political participation.

Taking these points on board, this raises questions relating to the principles of political inclusion and reasonableness in the policies and practices of migrant NGOs. It also raises further questions about whether a model like Young's is a fitting framework to analyse participative structures when fundamental principles of unity and solidarity across migrant NGOs are not present. This, combined with the stark realization that asylum seekers have so little control over their basic everyday circumstances, would indicate that the principles for inclusive political exclusion are not only flawed, but are being reinforced by wider political processes and lack of cohesion across migrant NGOs.

6.4.3 Self-organising Migrant NGOs and Asylum Seeker Engagement / Activism
Self-organising migrant NGOs were viewed by participants as organisations that directly involve asylum seekers through participation in meetings and placing asylum seeker needs as a priority in the work of the organization. The approach of self-

organising NGOs was viewed as different from that of other migrant NGOs. In particular, participants drew a distinction between more mainstream organisations, who they viewed as primarily employing Irish indigenous in their staff and self-organising migrant NGOs who were more likely to employ migrants in their staff. They also viewed migrant-led organisations as providing more scope for migrants to have a direct input in the strategic planning of the organization. Within these organisations the particular value of women's and men's groups were highlighted as significant in the empowerment of participants. Capacity building organisations were also viewed as providing similar spaces for participation. However, participants in both focus groups expressed concern on the closing of one such organisation in a particular local area.

> These organisations stood for a lot of what we want. At least, we had a
>
> place to go, you know, make it the kind of relationship that… they try
>
> to make that we are active and happy. (Male 2)

On the issue of taking more action to enhance representation, participants pointed to the need for a much more inclusive framework for asylum seekers. They also suggested that state institutions and migrant NGOs would serve asylum seekers better through providing platforms which could be driven by asylum seekers. Their reasoning for this was located in a belief that asylum seekers themselves are the ones best suited to know what the issues are that most affect them.

What I would say about us, you know, facilitate us to do something….This is what I say. And instead of giving money to those people [NGOs], so let us organise ourselves. (Male 2)

The desire to self-organise and develop their own activism was expressed by participants in the men's focus group, where practical suggestions were made relating to ways this might happen. These included providing legitimate platforms and forums for asylum seekers to voice their concerns and needs, a forum led by asylum seekers and a more transparent and anonymous complaints procedure within DP centres. However, participants also acknowledged that this could not be done without the assistance of migrant NGOs. In working closely together, participants pointed out that strong links could be made across the migrant NGOs which could also be much more inclusive of asylum seekers. If this was carefully co-ordinated it was suggested that together a transformative approach to representation could emerge.

We must act together to make a strong space that the policy makers will see and make change. (Male 5)

In sum, the overall issue of representation provoked heightened discussion in the focus groups. The responses signalled that asylum seekers have a deep mistrust of state processes and a shared concern and frustration about the weak representative capacity of migrant NGOs. The perspectives expressed by participants highlight, contrary to asylum seeker expectations of protection, the reality is that gross under-representation exacerbates their exclusion and integration into Irish society.

6.5 Reflecting on the Findings through the Lens of Political Inclusion, Reasonableness and Publicity

Overall, the focus groups revealed important gaps to effective representation for asylum seekers. The findings show that the way asylum seekers experience representation is in an ad hoc and fractured way where the quality of representation can vary significantly. The focus groups also reveal important data highlighting poor levels of political inclusion, publicity and reasonableness in the efforts of state institutions such as RIA but also in the overall representation provided in the policies and practices of migrant NGOs. Similar, to the interviews with migrant NGOs, it highlights a contentious political arena for engagement but also reveals important information on how deep rooted oppression, which in turn limits the capacity of asylum seekers to be autonomous in their own agency. The findings also reveal how varied approaches and differing approaches to representation, dependent on the specific orientation of migrant NGOs i.e. whether they are self-organising or not.

The following sections of the chapter reflect some of the key issues emerging in the data, and assess the quality of representation against the tenets of Young's (2000) approach. In particular, it assesses the data with reference to state engagement processes and political equality, inclusion and participation in the interactions of migrant NGOs, political inclusion and the participation of asylum seekers and inclusion, levels of deliberation and participation, and degrees of reasonableness in decision-making.

6.5.1 State Engagement Processes and Political Equality

Young argues that 'political claims asserted from the specificity of social group position' and which attend to structural inequalities, often serves as a resource rather an obstacle to democratic communication (Young, 2000: 82). A central issue emerging from the focus groups, however, relates to the powerlessness asylum seekers experience over the impact of increasingly hard-line and restrictive asylum policies and practices.

The responses from participants indicates how the nature of the DP system deliberately restricts asylum seekers from access to political inclusion at state institutional level through placing a disproportionate amount of energy into restricting integration into communities and curtailing the freedom and autonomy of asylum seekers. This combined with prolonged periods of stay in DP, emerges as a significant deterrent from effective participation. Issues relating to mental health, the impact of the system of DP on children, and lack of rights to political participation are all having specific consequences on the capacity of asylum seekers to engage with state institutions. The nature of DP also inhibits self-motivation through its restrictions and can potentially prevent asylum seekers from becoming politically involved.

The way the state frames the asylum issue is of particular concern to asylum seekers. In particular, participants highlight how the policy and practice of state institutions, most particularly the RIA and the DJE has a demoralising impact on asylum seekers, which participants highlight as contributing to pejorative and negative public perceptions. This, in essence places asylum seekers in a weak position to challenge state institutions and limits avenues for addressing their concerns. Within this

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framework, political equality (the rights of those affected by decisions to be involved in decisions) and the notion of inclusion (the right to be included on an equal footing) remain completely absent. The responses indicate that the oppressive and distressing treatment experienced in the day to day lives of asylum seekers leaves very little scope for Young's approach to be considered, let alone facilitated. However, where Young's theoretical framework is important is in highlighting the way asylum seekers experience oppression and the way structured power differentials prevail to further marginalise groups such as asylum seekers. It highlights how representation is structurally biased to favour those with power and greater resources. Within this context, any attempts at deliberation will undoubtedly fail as they will most likely reproduce undemocratic relations that are neither inclusive nor meaningful enough to be deliberative (Kadlec and Friedman, 2007; Young. 2003).

The responses indicate how representation is structured to disenfranchise asylum seekers, leaving political institutions such as RIA and DJE significant influence over the political processes and decision making. The responses also suggest that deliberation is severely limited and asylum seekers are confined to deep structural inequalities, where rational dialogue serves to perpetuate undemocratic political arrangements. Within this context, deliberative settings remain exclusionary and problematic. While Young's model of deliberative democracy seems an unrealistic way of assessing deliberation in such restrictive settings, her earlier work on the five faces of oppression provides a foundation for assessing the levels of oppression experienced by asylum seekers and conveys the unacceptable constraints that are imposed i.e. through social, political, material and cultural oppression (Young, 1990).

Given these circumstances, it means asylum seekers rely heavily on migrant NGOs to represent their issues. The focus groups highlight, however, how asylum seekers do not simply want migrant NGOs to advocate on their behalf – they indicate that asylum seekers want to be integrated into this approach as active agents. The participants' comments yield information to support this view and indicate that they favour conditions where migrant NGOs can help asylum seekers to help themselves.

6.5.2 Inclusion and Participation in Interactions with Migrant NGOs

Young argues that explicit inclusion of excluded social groups in democratic discussion and decision-making 'increases the likelihood of promoting justice because all interests are taken into account' (Young, 2000: 83). It also increases the likelihood of enhancing social knowledge relating to exclusion amongst all participants. Young argues, that political representation, even in small local communities and local setting can influence political decision-makers. She points out that even in relatively small political settings, such as within the actions of non-state actors, 'political equality can be best served by institutions of formal representation', through norms of accountability, which can also increase publicity and subsequently allow organisations to grow (Young, 2000: 125).

Much of the views expressed in the focus groups signal that while participants accept that migrant NGOs face challenges in representing asylum seekers issues, participants also believe that migrant NGOs could do more to work collectively with asylum seekers. Despite the presence of migrant organisations, participants expressed sentiments of despondency, isolation, denial of voice and a lack of opportunity for active political participation. What the responses also convey is that not only is

political equality absent in interactions with state institutions but there is limited scope for inclusive decision-making in interactions with migrant NGOs.

Responses from participants indicate that asylum seekers feel NGOs do not speak out enough and as such, subsequently do not adequately represent their issues. The responses from participants also suggest that links between organisations and asylum seekers remain poor and that migrant NGOs are failing to reach out to asylum seekers. These responses were rooted in a belief that a shift has taken place in the way migrant NGOs operate, which has pushed the activities of migrant NGOs away from the direct participation of asylum seekers. The responses from participants suggested there has been a move away from grassroots community orientated approaches to more state-sponsored approaches. Yet, participative and grassroots approaches remain the models of representation that participants viewed as most effective. As such, the focus groups indicate that even if deliberative settings were to emerge, it could not accomplish anything substantive related to achieving political inclusion and reasonableness, given the fragmentation that exists across migrant NGOs and the structure of political mobilisation that currently exists.

The responses from participants suggest the unlikelihood of a commitment to a meaningful democratic process, given the deep disconnections that emerge in both the findings of the interviews with migrant NGOs and in the focus groups with asylum seekers. If a model of deliberation was able to be considered, it would first have to address these divisions in order to redress entrenched unequal structures that currently give way to reproducing political inequalities both at a political level and across migrant NGOs.

Some responses indicate that participants see the move towards more corporate approaches within organisations, or what participants referred to as a 'business' type model has, in essence, further alienated asylum seekers. Previous approaches that had focused on community-based models were viewed as much more beneficial to opening up opportunities for participation. Participants also identified that having less contact with migrant NGOs was highly problematic for their political representation. In particular, they signal that changes that have occurred in the way migrant NGOs operate has impacted on the facilitation of visits to the DP centres, the space for dialogue, and the ability for asylum seekers to have meaningful discussions on core issues that are impacting on their daily lives. These are all factors that were identified as supportive to asylum seekers and were seen as having weakened over time. Furthermore, for participants, the loss of a strong capacity building organisation in their local community was viewed as having impacted significantly. This was also viewed as having fractured the connection between asylum seekers and migrant organisations and severed the potential for asylum seeker involvement in decision-making processes.

However, despite the negative perceptions of migrant NGOs held by participants, a number of participants also expressed understanding regarding the challenges faced by NGOs in trying to represent asylum seekers. Participants in the women's focus group identified how migrant NGOs do make attempts to represent asylum seekers but felt they lack strength in engaging political leaders and state institutions. Women participants more generally understood the situation for migrant NGOs as being one of lack of resources and power. Additionally, they recognised their functionality as a

mediating institution between asylum seekers and the state, despite expressing sentiments that they must do more. The men's focus group, in contrast, focused more on the tensions between migrant NGOs and asylum seekers, and saw migrant NGOs as a weak institutional apparatus in representing their needs. In particular, they argued for more autonomy for asylum seekers in their interactions with migrant NGOs, the need for more unity across NGOs and for more robust democratic procedures in how asylum seekers are represented.

Responses from participants highlight that representation as currently conceived and practiced by migrant NGOs means migrant NGOs more generally tend to focus on advocate 'for' rather than 'with' asylum seekers. This leaves asylum seekers feeling powerless and under-represented.

6.5.3 Political Inclusion and the Participation of Asylum Seekers

Questions of what gets on the agenda of discussions and how seriously positions put forward are taken are 'crucial for inclusive democratic processes' (Young, 2000: 67). Young argues that some exclusions occur because some participants do not sufficiently understand the experiences of others, because they have not shared their experiences. In this instance, Young argues that too often the experiences of dominant members of the polity are prioritised over others. Within this framework the perspectives of others are misunderstood, devalued or reconstructed to fit the dominant paradigm. She argues that other modes of expression, including participant narratives, serve 'important functions in democratic communication' and foster understandings among members of a polity of the different experiences of participants which frequently go unheard (Young, 2000: 71). This is specifically true when reflecting the perspectives of socially excluded groups. This raises important questions relating

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to how a person's story can speak to a polity and influence better understanding of exclusion.

The focus groups highlight strongly the need for asylum seekers to feel included and to be given a chance to be share their stories and experiences. The responses of participants are also explicit in identifying the need for asylum seekers to have opportunities for meaningful engagement with migrant NGOs and state institutions, despite enduring long periods of uncertainty within the asylum system. Strong expressions were articulated about the need for migrant NGOs to 'reach out' to asylum seekers. Equally important is the need for asylum seekers to feel integrated into the work of migrant NGOs and to feel part of a community where they can 'give back' to Irish society. The responses indicate that when asylum seekers are given an opportunity to do this, they experience a sense of belonging, integration and inclusion. The role of self-organising and capacity building organisations is noted as specifically important, in this regard. This is obtained through manifesting empowerment and autonomy for asylum seekers.

A further range of concerns were expressed relating to the lack of leadership across the migrant sector where participants feel NGOs are not prepared to robustly challenge political processes. In particular, the findings highlight the need to question the goals of political inclusion as they are understood by migrant NGOs. Respondents highlight the need to find ways to engage in more inclusive democratic politics, which places asylum seekers at the centre of this process. In particular, the focus groups reveal how asylum seekers are often excluded from dialogue, debates and discussion through political exclusion and lack of participation. Consequently, participants point to the

need for a better understanding of representation, one which values the perspectives of asylum seekers, demands better engagement with political equality, and puts giving voice to perspectives of asylum seekers at the centre of inclusive processes.

However, securing representation – in a form that is inclusive of the state, migrant NGOs and asylum seekers also requires that inclusive participative forums are embedded within migrant NGOs in the first instance. The evidence in both the interviews with migrant NGO representatives and the responses of participants in the focus groups indicate that at present this is not sufficiently exercised in the practices of migrant NGOs. Both the interviews and focus groups reveal significant gaps and highlight how engagement processes fall short in prioritising collective problem solving and this subsequently, allows for the perpetuating of significant injustices for asylum seekers.

Asylum seeker empowerment was viewed as something that could be achieved through facilitating asylum seekers to participate in their own activism together in unity with migrant NGOs. Community-based approaches and programmes were viewed by participants as providing important spaces for meetings and discussions but are also viewed as spaces of social interaction where asylum seekers can develop networks. While one-to-one consultations are considered important in assisting asylum seekers with their applications, collective organisation and unifying activities between migrant NGOs and asylum seekers is considered a key factor to actively engaging asylum seekers and promoting their participation, which in turn can potentially have important inputs into effecting policy change.

The responses from participants also suggest that creating safe spaces for asylum seekers to speak out is important to providing voice and is viewed as significant in how asylum seekers connect with migrant NGOs. Group meetings are viewed as a way of providing support networks that facilitate activism and community integration. It was noted how a move away from these types of structures in organisations is removing an important service and support to asylum seekers, which was otherwise viewed as very beneficial to participation.

The comments from participants indicate the need to evaluate processes of representation within the practices of migrant NGOs to ensure they are sufficiently democratic. This also needs to take into account the degree to which processes are accountable to asylum seekers and to what extent they press to serve their interests.

6.5.4 Reasonableness, Inclusion and Influence over Decision-making

Young's (2000) approach offers some insights into how to reach consensus even when there are deep disagreements between parties. Young's account acknowledges that even when there is an inclusive political sphere, there will always be disagreement. It is only when there is inclusive debate that promotes a deep sense of 'reasonableness', that conflicts of interests can be challenged (Young, 2000). What is important in Young's approach, is promoting a model of democracy that espouses unity through communicative action that helps contribute to the maintenance of plurality, with the recognition 'that dissent and contestation are key components of political practice' (Drexler and Hams Garcia, 2004: 57). This kind of communication comes through ensuring processes of inclusion, openness, and recognition that are orientated towards understanding and hearing diverse perspectives with the goal of reaching agreement.

In this context, meaningful representation cannot be mediated through processes that can accommodate all parties in decision-making processes.

While this perspective is significant when trying to understand state/migrant NGO relations, it is also significant to understanding conflicting relationships and opposing perspectives across migrant NGOs. This is important as it feeds into the relationships between asylum seekers and migrant NGOs. From the responses of participants, there is recognition of the divisions that exist across migrant NGOs and how the principles of reasonableness are varied depending on the orientation of the organisation. For instance, the participants in the focus groups identified self-organising and capacity building organisations as much more open to developing spaces for participation and direct involvement in organisations.

Participants also acknowledged the disconnection between self-organising migrant NGOs (where asylum seeker involvement is facilitated) and other more mainstream migrant NGOs (where asylum seeker involvement is not actively promoted). Some of the responses suggest migrant NGOs as failing to be truly democratic and losing important connections with asylum seekers because of this. In this regard, a pattern emerges between issues raised in the previous chapter in the interviews with migrant NGOs and the responses of asylum seekers in this chapter. This raises questions about how representation is facilitated and structured, how communication and negotiation is orchestrated and highlights how divisions place obstacles to more meaningful political representation. In essence, the deliberative processes that asylum seekers desire is often neglected in the actions of migrant NGOs, particularly because disharmony prevails. Equally, the responses highlight the need for more established

politically oriented NGOs to work to a framework that combines community development and grassroots activist approaches with legal and more politically and services.

From the responses of participants and issues raised in the previous chapter, it is clear that there is a need for both approaches in order to hear the voices of asylum seekers in processes of engagement. The responses from participants demonstrate a strong sense of loss at the closure of their local capacity building community organisation, which they viewed as a place where they felt supported, integrated and most importantly, a space in which they could participate. The shift away from this approach in other organsations was viewed as alienating asylum seekers even further, a factor that was also identified in the previous chapter by migrant NGOs themselves.

Young's theory addresses tensions between parties through attending to the importance of 'contestation' within inclusive representation. She argues that even when different parties have opposing approaches and perspectives, these can be resolved through political action privileging communication which is directed towards both parties understanding each other point of view but moving towards a common goal. This form of reasonableness can serve to expand dialogue enabling the entry of excluded perspectives into the public arena. From the responses of participants in the focus groups, this type of interaction is not currently taking place and participants have identified this as a weakness in how they are represented.

The responses from participants offer an insight into the asylum system as it is perceived by asylum seekers, but it also yields some powerful insights into how

dynamics of migrant NGO engagement present significant obstacles to the promotion of participation. Poor mechanisms of communication in the interactions of migrant NGOs were also identified as problematic. Most keenly observed in the responses of participants was the need to reconfigure engagement processes to allow the involvement and participation of asylum seekers. The responses from participants highlight that asylum seekers are important actors with agency and knowledge of the system and therefore, they must be consulted if political processes are to be inclusive and participative.

The value of migrant-led organisations was highlighted as particularly significant to participants and therefore should not be underestimated in engagement processes. The responses from participants indicate that migrant-led NGOs provide important participatory mechanisms that are deeply valued by participants and therefore their input cannot be separated from collective political processes of inclusion across migrant NGOs. In particular, participants note how they provide an important space for engaging asylum seekers and provide significant tools to assist asylum seekers to become active in their own agency. Participant responses particularly highlighted the need for practical cooperation between asylum seekers and migrant NGOs, and this was viewed as having an important role in providing quality to representative strategies, that could subsequently, serve to improve the participative capacity of asylum seekers.

6.6 Conclusion

The intention of this chapter was to explore the perspectives of asylum-seeking participants in the focus groups, with particular reference to exploring their views on

political representation and how they view migrant NGOs in effectively representing their issues. The chapter also sought to acknowledge the important role that asylum seekers play in political processes. Notwithstanding these objectives, the focus groups were also conducted as a way of giving voice to asylum seekers in the research process. This was considered an important part of my own normative thinking underpinning the research. Within this chapter, I addressed the perspectives of asylum seekers through examining how they understand representation, the types of representation they experience and the key issues they see as important to address in their political representation. I followed this by presenting my findings of the focus groups.

Overall, the findings yield important information relating to the dissatisfaction of participants with the way they are treated by state institutions. However, they also highlight how poorly participants view the representation they experience from migrant NGOs. The findings point to frustrations and anger that asylum seeker participant's experience, with reference to the limitations that are placed upon their rights and freedoms and access to political participation. It also elucidates compelling insights into the multiple injustices associated with the DP regime, while also alerting us to the wider consequences of weak political representation.

Overall, it can be concluded from the findings that engagement in its current form does not allow for harmonious relationships between migrant NGOs. This in turn impacts on the quality of representation that asylum seekers experience. Moreover, current forms of engagement do not provide real opportunities for asylum seekers to become actively involved and exercise influence over decision-making processes. There was

consensus across both focus groups that representation is ineffective and that links to bring asylum seekers and migrant NGOs closer together need to be established. Effective and comprehensive access to decision-making processes and closer links with DP centres was viewed by participants as key in enhancing collaboration in this regard.

The focus group findings alert us to the need for migrant NGOs to place more value on participatory frameworks and the need to find better networking pathways across migrant NGOs in order to create unity rather than divisions between migrant-led and other migrant NGOs. This will also create a more robust platform to challenge political institutions that can connect to asylum seekers issues and concerns.

Young's (2000) approach proves important in highlighting ways to cultivate inclusion, responsiveness and access to decision making. Her deliberative model calls for a communally orientated process which creates a space for citizens to come together to discuss collective problems, goals, ideas and actions (Young, 2000; Healy, 2011). The findings emerging from the focus groups suggest that participants view the creation of spaces where asylum seekers can come together, interact, and exercise influence as a vital part of ensuring their political equality and inclusion. In this regard, issues relating to access, voice and autonomy are highly significant.

However, both the interviews with migrant NGOs and the focus groups highlight the limitations of Young's approach, particularly as other factors impact on asylum seekers. These include being disempowered by state practices of exclusion that impact on their rights and freedoms, exclusion through the system of DP, poor integration

opportunities and poor access to the political decision-making and opportunities. At most basic level access to participation is denied, i.e. within the system of DP through regimented systems of control. If participation is to be addressed, then it follows that the system of DP needs addressing. The evidence presented in the responses of participants indicates that DP is the single biggest obstacle to asylum seekers participation and inclusion. The way in which the system oppresses can be paralleled with forms of oppression identified by Young (1990) in her 'five faces of oppression' (discussed in the theoretical component of the thesis). In particular, the data from the focus groups highlight how asylum seekers are exposed to marginalisation, social and cultural exclusion (cultural imperialism), and powerlessness. Until these structural factors are addressed, there is little scope for inclusion, political equality and participation within engagement processes.

For Young's model of deliberation to work perfectly, this would mean that asylum seekers would have to be included on an equal footing in discussions, dialogue, negotiations and engagement, where political inclusion and reasonableness are made explicit. This would also mean at the very basic level that migrant NGOs would have to extend the capacity for dialogue and engagement beyond what currently exists. This would require migrant NGO to re-examine how they facilitate engagement. Of particular interest in the current context, is not only the ways they engage with asylum seekers but examining how their advocacy fails to do justice for asylum seekers. In the interests of ensuring that processes are transparent, accountable, and responsive, migrant NGOs need to appraise how they support asylum seekers, how they promote their inclusion and how they prioritise participation. The responses from participants indicate a desire for agency and autonomy among participants. This will require

migrant NGOs to work collectively to reinstate democratic ideals that address the democratic deficit that currently prevail, both within their own organisations and across organisations.

Capacity building and self-organising strategies, which are already embedded in the practices of some migrant organisations, should not be under-estimated when aiming to achieve democratic legitimacy. Both the responses form migrant NGO representatives and the responses from participants in the focus groups signal capacity building and self-organising strategies as significant to enhancing the participation of asylum seekers as autonomous subjects in their own agency. Participation, thus, requires solidarity and alliance building between asylum seekers and migrant NGOs. To this end, working together in a supportive environment can lend to building relationships of trust and consequently, create more robust structures for challenging state institutions.

Equally, the way the state institutions exert a powerful influence over asylum seekers needs to be vigorously challenged. The focus groups reveal the system of DP as a significant barrier to participation and integration for asylum seekers. The focus groups also reveal that despite being silenced by the state, asylum seekers demonstrate a desire to be active in their own agency and therefore cannot be assumed to be mere passive actors.

The issues raised in the focus group are important in demonstrating the importance of asylum seeker perspectives in shaping progressive change. They are highly significant in highlighting the necessary requirements for transforming and opening up more open

and inclusive forums for dialogue. The focus group findings also demonstrate that asylum seekers play a vital role in removing the predominant understanding that NGOs are the parties to advocate on their behalf. It shows that asylum seekers are eager to be involved and willing to collaborate alongside migrant organisations. It also yields important information regarding the better use of expertise and knowledge, which can be addressed through the narratives of asylum seekers in the quest for social justice.

However, worryingly given the deep structural inequalities that exist in the way asylum seekers are represented, it is also important to question whether, even when gestures from organisations may pass for deliberation, they can suffice in guaranteeing deliberation and participation for asylum seekers. This is something all parties need to be aware of in any attempts to enhance political representation. The focus groups reveal that the system of DP presents with concerning and more immediate pressing issues that produce deep injustices for asylum seekers. This may mean migrant NGOs will need to reorganise their activities and promote activities and relationships that attend to undermining structural inequality. This will require organisations to think through their own positions of power and privilege.

As Young (2011) points out: one of the first tasks for organisations representing marginalised groups is to expose the injustice of the more powerful party, through making special efforts to publicise harms and injustice. This requires 'making demands on state institutions to develop policies that limit the ability of powerful and privileged actors to do what they want without much regard for its cumulative effect on others and to promote the well-being of less powerful and privileged actors'

(Young, 2011:151) . In this regard, it is important to communicate with those they represent and to promote a shared responsibility for justice through a critical review of powerful agents through concerted public pressure (Young.2011).

Chapter 7 – Concluding Remarks: Deliberation and Participative Processes?

7.1 Introduction:

This research study has involved an investigation into issues regarding the depth and scope of political representation for asylum seekers within the Irish policy making context and the quality of decision-making and participation in their representation. To restate my questions, I have sought to examine how migrant NGOs politically represent asylum seekers in Ireland, the kinds of relationships between migrant NGOs, and the practices and policies that migrant NGOs engage with to promote deliberative and participative mechanisms of inclusion. In doing so, I have explored political participation and inclusion through an examination of the tenets of Iris Marion Young's approach to deliberative democracy and its usefulness in examining asylum seeker political representation. In particular, I have drawn of four key features of her approach 1) Political Equality 2) Political Inclusion 3) Public Reasonableness and 4) Publicity; and examined their relevance in understanding asylum seeker representation in Ireland.

My research study has proved a useful mechanism for posing questions of migrant NGOs and extracting information on the quality of representation they provide. The findings have highlighted democratic deficits in representational practices between state institutions and migrant NGOs but also highlight deficits in unifying and networking practices across migrant NGOs. Deficits in political representation are located in constrained political relationships, but also in weak commitments to participatory frameworks that are inclusive of asylum seekers in the practices of

migrant NGOs. While representation within migrant NGOs is framed around supporting and assisting asylum seekers, the research reveals that embedding participatory mechanisms and involving asylum seekers in decision-making processes is inconsistent, and is at best, fragmented and ad hoc. In exploring my research questions through a deliberative and participative lens, I expose specific tensions in approaches to political equality, inclusion and reasonableness and highlight specific factors affecting inclusive practices.

Through engaging participatory and grassroots approaches, specifically drawing on deliberative theorists such as Young (2000) and Kadlec and Freidman (2007), I highlight the importance of empowerment strategies, the role of social activism and the importance of capacity building as a specific mechanism to enhancing political representation. In particular, my concluding remarks highlight capacity building and collaboration as important factors that must be included in any meaningful discussion on the political representation of asylum seekers.

To begin, the research asked questions of Irish state institutions in relation to practical and policy responses to asylum seekers and the willingness of state institutions to engage with alternative or critical voices from within migrant NGOs. In doing so, I drew attention to a punitive and exclusionary policy making environment, which constructs asylum seekers through an economic lens rather than placing a focus on asylum seekers as an excluded social group with inherent rights and entitlements to protection. I highlight how this has subsequently set the context for an impoverished approach to the recognition and representation of asylum seekers in the political sphere. Within this framework, limited attention has been paid to the role of migrant

NGOs as significant representative voices and sites of advocacy and agency for asylum seekers. Furthermore, the study highlights how state institutions such as the RIA and the DJE ignore, marginalize, and actively re-direct the advocacy of migrant NGOs through embedding compromised engagement structures and a competitive funding environment. This, in turn, limits the potential for robust mechanisms of deliberation.

Acknowledging the very limited space for migrant NGOs to engage in deliberations, the study points to a further reducing of this space as migrant NGOs are pressured to compete against each other for scarce resources and adopt more bureaucratic forms of organization, acceding to top down versions of political equality, inclusion, public reasonableness and publicity. The findings highlights that through a failure of migrant NGOs to resist forms of state control, the practices of migrant NGOs subsequently serve to inadvertently reproduce rather than undermine relations of dominance.

The theoretical component of the thesis, which provided a framework for evaluating the inclusivity and collaborative aspects of representation, thus proved an important avenue for assessing the quality of deliberative mechanisms of representation and to what degree migrant NGOs conform to bottom up commitments to political equality, inclusion, reasonableness and publicity. Importantly, the perspectives of Young (2000) and Kadlec and Freidman (2007) indicate that even when political values and the institutional context for deliberation is constrained in policy settings, civil society organisations continue to play an important role in remedying some of these injustices through active engagement, deep collaboration, solidarity with those they represent, and embedding processes of deliberation across community and local settings. As

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such, they highlight the important space that NGOs occupy, despite being faced with opposition from state institutions. This was considered an important avenue for questioning the political representation of asylum seekers and the quality of inclusivity that is offered in the practices of migrant NGOs.

The findings from the research study highlight a deficit in democratic processes, most specifically in the failure to embed deeply democratic and strong collaborative processes in how organisations engage with asylum seekers. The findings reveal significant weaknesses in approaches to asylum seeker involvement in decision-making, particularly in the practices of migrant NGOs who claim to focus on legal and political mobilsation and those with a focus on service provision. These organisations also were less likely to place a strong focus on capacity building as a specific strategy in their representation of asylum seekers. In particular, the study notes the way limiting capacity and agency are directly linked to reduced spaces for political representation within and between these organisations. This in turn, points to frameworks of representation that tend to be rooted in weak structures of political equality, reasonableness and inclusion. On the other hand, self-organising and capacity building organisations demonstrated much more participative and engaging structures that had a particular emphasis on inclusion, involvement in decision-making and a strong emphasis on empowerment and capacity as strategies promoting better representation for asylum seekers. This approach signaled better outcomes for asylum seekers.

Specific issues highlighted in the findings point to fragmentation and ad hoc approaches to collaborative decision-making, while also highlighting mistrust, poor

networking strategies, weak participation, asylum-seeker exclusion from decision-making processes and fractured approaches to strategic alliances. While the interviews with representatives from migrant NGOs highlight a degree of mistrust that migrant NGOs hold of state institutions such as RIA and the DJE, the responses from representatives of migrant NGOs signal how relationships across migrant NGOs are also problematic. This is directly affected by competition between migrant NGOs but also by the divergence in approaches between migrant NGOs, namely migrant-led organisations and others. This proved interesting from a policy/political perspective, as it raised questions about the nature of membership and partnership both within and between organisations. It also raised important and challenging questions as to how migrant NGOs might better organize and communicate to enhance the political representation of asylum seekers.

Importantly, the findings from the one-to-one interviews reveal what Young (2000) refers to as forms of 'external exclusion' where 'groups that ought to be included are proposedly or inadvertently left out of fora for discussion and decision-making' (Young, 2000: 54). This was particularly evident in responses of some migrant NGOs relating to their exclusion from the DP NGO Forum. This reveals a real gap in processes of both inclusion and reasonableness within the practices of more dominant migrant NGOs. If representation is to be effective, this will require addressing ways to press for institutional change, which confronts exclusion and divisions across migrant NGOs.

With reference to the focus groups, the findings reveal a particular value in capacity building and providing spaces that can improve the empowerment of asylum seekers

which is not prioritized by all migrant NGOs in the study. Noteworthy, was the levels of oppression inherent in the system of DP where participants' accounts of the scale and degree of oppression were particularly evident. The way oppression is practiced in and through the administering of DP raises significant concerns, not only relating to the wider policy implications of representation, but also the everyday contexts of representation. In particular, the responses from participants indicated many levels of injustice and oppression associated with their everyday living. Levels of mental health problems, lack of freedoms, exclusion, discrimination, and lack of autonomy all play a significant role in increasing oppression and marginalization. As such, the study brings important questions to bear relating not only to the processes through which representation happens, but also raises issues relating to the positioning of asylum seekers. The focus groups highlight everyday circumstances which require representing, but also raises questions as to whether asylum seekers have access to the material, psychological, and physical resources necessary to participate in forms of deliberative democracy, given the levels of oppression they experience.

The accounts of asylum seeker participants describe a system that is actively exclusionary, raising important questions relating to the implications of exclusion on their right to political equality and decision-making. Furthermore, the responses from focus group participants demonstrate variable levels of mistrust in migrant NGOs, with many questioning the capacity of NGOs to challenge state institutions in the absence of a strong activist approach to representing asylum seekers. This raises important questions relating to how the kinds of deliberation imagined by Young (2000) might ever be initiated or sustained given the significant structural power differentials at play. This is something that Iris Marion Young (2000) grapples with

when questioning processes of deliberation. In remedying this injustice, she argues that a deliberative model must not rule out or devalue the value of protest and that without it, democratic processes will remain insipid and weak.   Importantly, the responses from participants in the focus group highlight an absence of strong forms of protest from with the migrant NGO sector.

The analysis reveals that enabling participation requires attending specifically to the barriers that asylum seekers experience and addressing how this constrains their access to participation. This requires a strong community development approach, which the focus group participants noted as having diminished in the practices of migrant NGOs in more recent years. Addressing this deficit will require a more robust approach by migrant NGOs that embeds capacity building as a core objective of organisations. This will mean strengthening skills, abilities, and leadership in ensuring the practices of migrant NGOs involve capacity building strategies in their interactions with those they claim to represent. A community development approach responds to this through shaping participation methods as a core value and ethos of organisations. This could be achieved through raised awareness among migrant NGOs of their responsibility to asylum seekers in circumstances of deep rooted oppressions.   Increasing asylum seeker access to engage in policy focused advocacy through making access to deliberation, even in the face of profound structural inequalities, must thus be prioritised. These challenges to democratic and meaningful participation mean that migrant NGOs must first grapple with the way power relations operate to undermine meaningful inclusive and deliberative forums.   As highlighted by Kadlec and Freidman (2007: 2), this will require attending to how deliberation and participation is controlled so as 'to ensure it serves democratic purposes and is not contaminated by

pre-existing power relations'. This means engaging in flexible processes of mutual adjustment through 'concrete problem-solving and deliberative activism that amplifies its impacts' and 'gives voice to addressing tangible problems' within the communities that migrant NGOs represent (Kadlec and Freidman, 2007: 22)

7.2 Summary of Chapters and their Relevance to the Research

The first chapter of the thesis set out the framework for exploring the role of deliberative processes of engagement in the representation of excluded groups and the potential of deliberative and inclusive processes in successfully giving voice to groups such as asylum seekers. It also set the context for exploring the role of migrant NGOs in facilitating deliberation, not only with state institutions but also with those they represent. In particular, it highlighted the value of participative and collaborative decision making, and its significance in promoting the participation and inclusion of asylum seekers in political processes of representation. The chapter set the context for the research study through posing questions relating to the legitimacy of democratic institutions, whilst acknowledging the potential role of non-state actors to advance the political representation of asylum seekers.

Given the value of deliberative theory in elucidating and highlighting inclusiveness, responsiveness, and the promotion of political equality, Chapter Two was considered an important base for discussing socio-political decision-making and highlighting democratic values that are significant in the representation of excluded groups. Iris Marion Young's (2000) deliberative model of representation was highlighted as significant to promoting grassroots and collective approaches to the representation of

asylum seekers. In providing a theoretical framework that allows excluded groups channels of access to political decision-making, this framework was acknowledged as key to assessing models of deliberation employed by migrant NGOs in their representation of asylum seekers.

My analysis of relevant literature suggested that securing deliberative democratic legitimacy must be underpinned by mechanisms to ensure inclusion and equality in decision-making. In this context, Chapter Two was viewed as providing a foundation for examining and posing questions relating to the mechanisms used by migrant NGOs in their representation of asylum seekers. I argued that Young's model, if robustly applied, could move political legitimacy beyond tokenism and bring the voice of asylum seekers into the political sphere. However, it was also important to acknowledge that participatory approaches are not by any means the only factor to inclusive deliberative processes but must also include recognition of the power imbalances that prevail including exploitation, economic and cultural marginalisation and the availability or absence of comprehensive networks of support. Young's earlier work was important in bringing attention to these factors and highlighting the different levels and forms of oppression that exist for excluded groups. Her account of the five faces of oppression was considered important in highlighting the marginalized position of asylum seekers and the multiple layers of oppression they experience, along with their limited access to rights and opportunities. It also proved important in pointing to the significant power differentials and barriers they face. With this in mind, my theoretical discussion also drew on the perspectives of Kadlec and Freidman (2007) as a way of further examining deliberation in the context of social activism, capacity and empowerment. This was useful in building on Young's approach through

highlighting issues they refer to as *design* and *control* and *change* in practice settings, particularly with reference to the way in which parties are recruited to the process of deliberation.

Building on the theoretical discussion outlined in Chapter Two, Chapter Three provided an overview of the administration of asylum policy in Ireland. In particular, it critically examined efforts made by state institutions to promote deliberative processes of engagement, the type of engagement pursued, and whether these efforts involved meaningful engagement in the development and implementation of policy. Specifically the chapter examined the effectiveness of partnership processes such as Social Partnership, the establishment of the NCCRI, the development of the NAPR and the effectiveness of the Direct Provision NGO Forum. As such, the chapter served as a bridging chapter, providing a policy context between the theoretical review on representation and the empirical research in Chapters Five and Six.

The chapter concluded by raising questions, elucidating the pragmatism employed by migrant NGOs in their promotion of democratic legitimacy. In particular, it highlighted the seemingly unquestioning acceptance of the underlying premise of state political processes of control, which subsequently impacts on the quality and types of representation provided to asylum seekers. Through presenting both the approaches of state and non-state actors, I exposed a tension that exists in democratic legitimacy which compelled an investigation into how and through what lens migrant NGOs understand representation, do representation and the value they place on participation and deliberation in their own practices.

Chapter Four provided an overview of the methodology. In this chapter, I documented the methodological approach to the study, the planning of the research and explained my use of particular methods of data collection. Also included also was a discussion of the research design and the use of qualitative methods of data collection, the ethical considerations of the research, the parameters of the research and methods used in analysing the data collected.. This chapter provided important information on the process of selecting the sample for the one-to-one interviews and the focus groups. Conducting interviews with representatives of migrant NGOs and undertaking focus groups with asylum seekers allowed the potential for a comparative aspect to the study in relation to how migrant NGOs perceive political representation and how asylum seekers experience political representation. The chapter also highlighted the ethical strategy of the study.

Chapter Five presented the findings from the one-to-one interviews with nine migrant NGO representatives. In particular, the study explored the strategies and types of representation used by migrant NGOs to enhance political equality and investigated the degree to which asylum seekers are actively involved in decision-making processes. Most specifically, it questioned to what extent engagement is rooted in values of political equality and inclusion and to what degree accountability and reasonableness are present in the representational practices of migrant NGOs.

The chapter presented the difficulties migrant NGOs face in attempting to engage the interest and commitment of political leaders. The chapter also provided an account of the different kinds of work and practices being undertaken by migrant NGOs, attempting to assess if their approach to representation is carried out in a fair and

balanced way. Acknowledgement is made of good practice across participating migrant NGOs but attention also given to the ways migrant NGOs imbue limited constructions of asylum seeker representation.

Chapter Six outlined the findings from the focus groups highlighting a significant degree of anger and frustrations among participants. In particular, the chapter highlighted the deep concerns of participants relating to the limitations of engagement. The findings indicated a contentious environment for deliberation given the restrictions that are placed on the rights and freedoms of asylum seekers. The focus groups also highlight that given the hostile political environment in which asylum seekers have to operate, there is a deep reliance on migrant NGOs to actively represent their issues. While the findings provide compelling insights into the multiple discontents with the system of DP, and alert us to the wider consequences of poor representation, they also illustrate that asylum seekers are active and engaged with issues directly affecting them, when given the opportunity to do so.

7.3 Key Issues in the Research Findings

Most notably, the limited control and say asylum seekers have highlights the deep power differentials which prevail and raises questions relating to the challenges this poses for political equality, inclusion, reasonableness and publicity. Such issues highlight important factors relating to inclusion, but also raise concerns with publicity and participation when it is so problematic for asylum seekers to access the public sphere. The violation of rights and the material conditions imposed by the restrictive system of DP are so profound that they severely restrict asylum seekers capacity to participate in a meaningful way, despite their desire to do so. These practical barriers

will need to be addressed if the practices of migrant NGOs are to be truly transformative.

The findings of the focus groups highlight potential avenues for more meaningful and inclusive engagement through the promotion of enhanced communication mechanisms between asylum seekers and migrant NGOs and more specifically through migrant NGOs 'reaching out' to asylum seekers. Improved interaction with DP centres and providing spaces within migrant NGOs where asylum seekers can actively engage were identified as central to opening up spaces for dialogue and participation.

Also identified was the need for migrant NGOs to be much more proactive in establishing channels for activism and advocacy 'with' rather than merely 'for' asylum seekers. The responses of the focus group participants highlight a need for migrant NGOs 'to work with us' and point to important questions relating to how migrant NGOs might achieve inclusiveness and political equality. In particular, the participants suggest how this might be advanced through strong channels of communication, capacity building and strong values of empowerment.

Promoting awareness of the responsibilities of migrant NGOs in strengthening capacity as a pre-condition for more equitable and open interactions and support, particularly in the context of developing and introducing empowerment strategies will help fulfil these responsibilities. The findings show that capacity building processes are paramount in facilitating asylum seeker action, autonomy and participation. They highlight a range of advantages to capacity building, including being able to better

reach asylum seekers, increased competence and agency through empowerment strategies, and increased ability to participate in decision-making. Therefore, understanding the value and benefits of capacity building to inclusion is essential to improving and developing effective strategies of representation.

Along with highlighting the exclusion of asylum seekers from participation and deliberation in the practices of a number of migrant NGOs, a lack of coordination and collaboration across migrant NGOs was also noted. Overall, the findings point to a poor framework for deliberation and communication and a disconnection between migrant-led NGOs and other NGOs. Furthermore, there was no central focus for networking apart from the Direct Provision Forum (currently in abeyance), which was noted as *ad hoc* and not inclusive of all organisations representing asylum seekers. Since the study was conducted a number of developments have occurred resulting in the setting up of the *Working Group to Report to Government Working Group on the Protection Process on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers* set up in 2014, resulting in the publishing of the associated report in 2015. Such developments, however, have remained exclusive of the active participation of asylum seekers, lending insight into the continued distancing of asylum seekers from processes of participation and political equality. I will return to this issue below in my discussion relating to what has occurred in participation processes since conducting the research study.

The findings of the research study also highlight the need for coalition building and networking across the spectrum of human rights, indicating the need for this to be part

of a broader framework of representation. Strategic lobbying and creating pressure will be dependent on dramatically improving the opportunities for asylum seeker participation and developing non-polarising tendencies in the interactions of migrant-led NGOs and other migrant NGOs. This will improve on the potential to provide 'an enormous range of possibilities for the advancement of meaningful democratic practices' (Kadlec and Freidman: 2007: 23), while also improving capacities for collaboration on common issues. Kadlec and Freidman argue that capitalising on even a small number of these opportunities can have unanticipated positive results that can impact on structures of governance and democratic deficits. Such transformative potential will depend, however, on the interconnectedness between those in leadership positions across migrant NGOs.

The findings show that one of the key barriers impacting on better collaboration is located in problematic understandings and conceptions of representation across migrant NGOs. The findings highlight an absence of discussion about the principles that are informing representation within and across organisations and an absence of strategizing around political mobilization in a number of participating organisations. Overall, the findings signal two types of approaches to representation which impact on levels of inclusiveness, participation and collaborative deliberation. These distinct approaches are identified as those who understand political representation as advocating 'with' asylum seekers and those who understand political representation as advocating 'for' asylum seekers. Depending on the approach taken, there are different outcomes for asylum seekers and their inclusion in political processes. Those likely to advocate 'for' asylum seekers are generally, though not exclusively, likely to have more contact with political institutions such as RIA and the DJE.

However, they are also less likely to include asylum seekers in political processes. Those who tend to advocate 'with' asylum seekers are much more inclined to embed empowering and collaborative strategies in their practices but noted they had less influence in more collaborative forums such as the DP NGO Forum, with some organisations even entirely excluded from this process.

Those who advocate for asylum seekers tend to see asylum seekers as passive actors who had less direct involvement in the everyday activities of the organization, while those who advocate for asylum seekers viewed asylum seekers as much more active in their own agency. Discussions around board membership and volunteering staff were particularly revealing in this regard, and raised some concerning questions relating to the commitments to political equality and inclusion. The findings also raised questions relating to consultation processes and how inclusive these are of asylum seekers. Initiatives to involve asylum seekers on boards and in staffing varied across organisations, with organisations with a capacity building ethos and those that are migrant-led viewing the participation of asylum seekers as core to the actions of the organization while other migrant NGOs tended to view this as unnecessary.

Overall, the findings suggest that political inclusion and democratic interventions will require mechanisms that bring together migrant NGOs in order to address a currently uncoordinated, weak and fractured approach to political mobilisation. The responses from participants indicated an appetite for a more inclusive process of decision making, though it was acknowledged that much more robust deliberative communication is required. While much good work is undertaken by NGOs, there was recognition that much greater efforts need to be placed on networking and

collaboration in order to secure more robust structures of deliberation and engagement both across NGOs and with asylum seekers. In this regard, the findings indicate a deficit in political equality and inclusion among a number of the participating organisations and highlights how principles of reasonableness and publicity are not sufficiently adhered to in the collaborating strategies of participating migrant NGOs or in their deliberations with asylum seekers.

7.3.1 Questioning the Scope for Inclusion in Practices of Deliberation

Both the interviews with migrant NGOs and the focus groups with asylum seekers yield important information on the scope for deliberation. However, while highlighting some of the key barriers to effective deliberation, the findings also reveal a number of concerns relating to the feasibility of a model such as Young's. Young's (2000) model is premised on a type political action that privileges communication and mutual understanding. The findings show that in the practice of deliberation, other factors give way to diminished spaces for democratic practice. In particular, it highlights different positions between migrant NGOs and state institutions but also between migrant NGOs and migrant-led NGOs. Young's position is based on assumed shared premises and conceptual frameworks oriented towards understanding (Drexler and Hames Garcia, 2004). The findings show that the approaches and strategic positioning of migrant NGOs are often conflicting and oppositional and that activities directed towards the public and political sphere are based on different approaches to representation. This makes political transformation problematic. Furthermore, Drexler and Garcia (2004) argue that even when the activities of civil society organisations are directed towards dissent, contestation and transformative acts, they are only effective to the extent that they open up access to the political sphere

for excluded groups. The findings indicate that transformation from the margins remains limited in the representation of asylum seekers making Young's model difficult to achieve.

A significant gap in Young's approach is addressed in Kadlec and Friedman's model of deliberation through identifying key components of social inclusion. These relate to issues of accessibility, relationships of trust and a focus on how participants are recruited to the process. Promoting solidarity is, thus, a key objective. The findings of the focus groups indicate a real need to attend to the subjective experiences of asylum seekers and a focus on how to create meaningful ways to bring asylum seekers and migrant NGOs closer together. Promoting autonomy, agency and collaborative ways of moving forward will be significant in ensuring these objectives can be met. These objectives must be based on facilitating and enabling equality and partnerships of mutual understanding.

While achieving Young's model may prove unrealistic in the context of asylum seekers political representation in Ireland, what it *can* provide is a model that all parties can work towards. Young (2000) acknowledges that there will be challenges to her model and that structural conditions may not change. However, she also argues that 'social structures exist in the actions and interactions of persons; they exist not as states, but as process' (2000: 95). In this way, the interactive and institutional relations in which structural conditions operate will be influenced by the interactions and conditions that prevail, which will either change processes or reinforce rules and norms of exclusion. When applied to the types of relationships which exist between migrant NGOs and state institutions and migrant NGOs and asylum seekers, it is

possible to see from the findings that there are potential avenues for better communicative relationships but there are also obvious constraints which the research findings have noted.

The findings indicate that engagement between migrant NGOs and state institutions has been dominated, not by a communicative and participative approach, but rather through compromised channels of communication and increasing compliance. The findings suggest that within this framework, migrant NGOs perceive themselves as in a weak position to challenge state institutions. The role of migrant NGOs, thus, becomes more about trying to expose the injustices of the asylum system and trying to press for institutional change rather than a collaborative engagement to try to secure more inclusive dialogue. The study reveals limitations to the kind of institutional change they press for i.e. reformist rather than radical change. The findings reveal how migrant NGOs strive to engage state institutions such as RIA and the DJE through emphasising the economic costings of the asylum system. Within this framework human protection and human rights are secondary and it locates asylum seekers firmly outside of political discussions. This, in turn, affects the type and quality of representation available to asylum seekers and undermines campaigns undertaken by migrant NGOs to strengthen representation. What I argue here, is that the strategic silence that is sometimes adopted by migrant NGOs, in order to keep communication open (through emphasizing economic costing), is giving way to a co-opting into state practices which narrows the potential for strong activist approaches, deliberation, and ultimately, participation.

Overall, the study reveals a number of concerns relating to how adequately migrant NGOs prioritize political equality and inclusion. If their accountability to those they represent is to be keenly observed, short comings in deliberative political representation must be addressed. While the research highlights much good will amongst the participating migrant NGOs, the findings strongly suggest that in the absence of strong inclusive strategies, NGOs will remain marginalised from the policy arena and this, in turn, will give way to the continuation of undemocratic approaches.

Most notable, the organisations that asylum seekers in the focus group identified as having the most value to them were those with an emphasis on empowerment and agency i.e. self-organising and capacity building organisations. Importantly, the research findings reveal how capacity building organisations, despite not always having a strong political orientation, can nonetheless provide an important sites for participation, integration, and connecting asylum seekers with access to the political sphere. They do this through strong capacity building initiatives, providing connecting spaces for asylum seekers engagement and particularly through men's and women's meeting groups. As such, they play a significant role in developing asylum seeker developing autonomy. Self-organising migrant NGOs play a significant role in engaging asylum seekers through direct participation strategies, and as such, facilitate political inclusion, reasonableness and publicity at a deep level. In doing so, they demonstrate strong accountability to asylum seekers. In this way, they provide relationships that bolster active participation in decision-making and collectively press for policies that can best serve the interests of their members through collective organization.

Overall, there was recognition in both the interviews with migrant NGOs and the focus groups that as a platform for deliberation and participation, migrant NGOs are not sufficiently representing and facilitating access to political representation. The findings highlight a significant gap in participative structures and the representation of asylum seekers by members of their own communities. Moreover, the findings illustrate the need for calls for a widening of democratic legitimacy and the development of more participative structures through deep consultation, collaboration and strong participation.

7.4 Iris Marion Young's Approach to Political Representation and Deliberation: Its contribution to understanding how representation is constructed within migrant NGOs

While the research indicates that Iris Marion Young's (2000) model is difficult to embed in a practice context, it does however prove useful in devising a more progressive way of advancing deliberation across migrant NGOs and between migrant NGOs and asylum seekers. This in turn, would allow for a more robust platform for challenging state institutions. This however, is contingent on a number of factors as highlighted in the research. Most specifically, it depends on who is recruited to the decision-making process and under what circumstances. Where Young's theory is particularly useful is in advancing approaches that bring unity between opposing groups – in this case among migrant NGOs themselves.

Noteworthy in the research findings, is the success that one migrant-led NGO had in penetrating the political arena while also retaining a grass-roots activist approach. Within this organization, strong values of political equality, inclusion, reasonableness

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and publicity had been endorsed. This was particularly evident in collective decision-making, representation on boards, staffing within the organization, collective organization and involving asylum seekers in both the internal and external activities of the organization. In doing so, they have developed important consolidation, even when politically excluded by other migrant NGOs. The comments from this NGO representative indicated that even when they had been excluded from processes by some organisations, the promotion of strong networks with NGOs outside of the migrant sector and engaging in research with academics had broadened the profile of the agency and increased their visibility. The participation of asylum seekers within this organisation highlighted how asylum seekers can play a vital role in political processes when given the opportunity to engage. As Young (2000) points out, the stories of marginalised groups provide important narratives for changing perspectives across the political landscape through the acquisition of expert knowledge that subsequently provides a more diverse platform for engagement, which in turn, can enhance more meaningful policy perspectives. This aspect of the democratic process is typically ignored in the models of representation in many of the participating organisations.

Young's model is important in demonstrating how deliberation can provide an inclusive channel for addressing complex challenges. Young's theory, however, is limited in that it is essentially an account that assumes social justice can be achieved through political deliberation and bringing various parties together, regardless of their social positioning. However, while it recognises parties may have different social positions, interests and agendas and how power differentials may prevail, it fails to take into account some of the complexities of the practice context of deliberation

which can present other important challenges. The study has revealed that the control of power in state practices, poor coordination across migrant NGOs, exclusive networking strategies, existing social and economic structures for asylum seekers, poor participation mechanisms for asylum seekers, and the failure of state institutions to administer policies that commit to social justice, all cumulate to create very difficult circumstances for deliberative democracy and even discredit avenues for deliberation. The findings of the study suggest that the rules governing deliberative legitimacy are biased in favour of those with power. As long as this persists, transformation will be problematic. However, where Young's theory is important, is in yielding insight into missed opportunities located in the divisions between migrant NGOs. Young's ideals of political equality, reasonableness, and publicity do not rest on common approaches across all parties. It rests on promoting the centrality of consensus through broad unifying frameworks that takes into account the perspectives of all parties. This also means drawing on all resources. The findings indicate that while migrant NGOs have different approaches, their goal of achieving justice for asylum seekers remains the same. Morea (2012), in her evaluation of the practices of migrant-led and other migrant NGOs, argued that there is real scope for migrant-led and other migrant NGOs to work collectively to create a robust platform for representation. She assets that often migrant-led NGOs with strong political activist approaches receive limited state funding whereas more mainstream migrant NGOs who may be more compromised politically are more likely to acquire state funding. Through aligning with each other Morea argues that political action can be achieved through migrant-led NGOs becoming the political voice for asylum seekers while more mainstream migrant NGOs press for communication with state institutions. In this way, through collaborative actions and embedding political equality, reasonableness and publicity

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within and across their practices, migrant NGOs collectively can move further and further in the direction of re-evaluating contestation and resistance through unity and what Young refers to as communication aimed at persuasion in their interactions with state institutions. Agreement can then be met through strategic means necessary for a more robust deliberative forum for political negotiation.

7.4.1 Future Research Directions

The theory urges an exploration of how and under what conditions inclusive deliberation can be met. What it also does, is to urge an exploration of how it might be possible to create a stronger and more unified approach among all representative parties. This would then deepen deliberative mechanisms that can pressure for change. Without exploring these approaches, it is likely that tensions will deepen, leading to further injustices and rights violations. What the study highlights is that Young's model has the potential to be effective but only when combined with capacity building activities, involving asylum seekers in decision-making, and creating strong networking strategies across migrant NGOs.

Young's model also highlights the need for political action in the presence of oppression, domination, and exclusionary political spheres. Adopting Young's approach, within the practice of migrant NGOs could evoke a type of political action that would emphasise capacity, support, and empowerment, that the research reveals is so much required by asylum seekers. This type of intervention could serve to disrupt constricting political agenda that disempowers asylum seekers and 'reorient the importance of contestatory action, as enabling and enacting creativity, spontaneity, and resistance' (Drexler, 2007: 1)

Young's model provides an important tool for assessing the level and quality of inclusion informing policies and practices. This model could be used to enhance the visibility of asylum seekers and make them more politically relevant. The political task here is to transcend thinking in order to engage inclusive democratic practice. Kadlec and Freidman's (2007) observations are important in this regard. In particular, they highlight the role of activism and the necessity to embed it in an explicit way within organisations. In providing a more nuanced analysis of power than Young (2000), they point to the role of activism in the internal activities of organisations. Through engaging strong activist models of representation, they urge us to think about power in a more interactive way. As such, they highlight the need to involve confrontational mechanisms when necessary. This involves the integration of a multi-pronged coordinated approach that addresses the interplay of factors that promote deliberation and participation. It requires democratic-orientated pathways, a reactivation of grassroots activism and the need for migrant NGOs to maximize their strategic capabilities (Dorrity, 2018). In this way, Kadlec and Freidman (2007) call into question the mechanisms by which recruitment can take place to ensure parties are not confined to the biased norms that may be entrenched even when processes are seen to be deliberative. This proves an important aspect of representation which migrant NGOs could benefit from in terms of their political action strategies and disrupting existing political powers. The findings suggest that what is required are new forms of political reflection, deep collaboration, along with new institutional arrangements from within the migrant NGO sector. This will require a focus on strategies that can strengthen interaction between asylum seekers and migrant organisations and asylum seekers and state institutions. Representation can then be

seen as a means through which asylum seekers are provided with a basis to participate and be included as full participants in political processes. Representation, in this way, could then be embedded in a participative framework and become a way to maximize the principles of political equality, inclusion, reasonableness and publicity.

There is no doubt that political leadership will play a crucial role in achieving democratically structured representative institutions. This means that NGO's will need to take an active role to increase their legitimacy in the eyes of policy holders and strengthen the input from those they represent as a means of developing their expertise so they can contribute in a much more active way (Spencer, 2006).

7.5 Strengths and Weaknesses of the Research

On reflecting on the research, some points are worth considering. Due to the difficulty accessing asylum seekers, all of the participants in the focus group came from one DP centre. This means that the focus groups were not truly representative of the larger population of asylum seekers. While interviewing refugees with status might have given a broader range of perspectives, my own normative thinking compelled me to have representation from participants who were at the time residing within the DP. The reason for this was twofold: first, I wanted to gain an understanding of key issues from the perspective of an asylum seeker and second, I wanted to ensure representation of the voices of asylum seekers in my research, given that at that my core rationale for undertaking the research related to the lack of participation of asylum seekers. In this way I wanted to use the narratives of asylum seekers as a legitimate way of communicating injustice.

Other limitations relate to the lack of representation from representatives from state institutions. While this may have yielded important information which is not reflected in the research, it was also not my priority focus in the research study. Additionally, the restrictive environment relating to the nature of state dominance is well documented (Dorrity, 2018; Lentin, 2015; Irish Human Rights Commission 2014; Thornton, 2014Titley, 2014; Conlon and Gill, 2013; Irish Refugee Council, 2013; Lentin and Morea, 2012; Akidwa, 2012; FLAC, 2010; Healy, 2007; Fanning 2002). My intention, however, in this research study was to look specifically at the role of migrant NGOs in representing asylum seekers.

7.6 Important Developments since Undertaking the Research

Since undertaking the research, some further developments are worth noting. In 2014 a number of protests took place across a number of DP centres in Ireland. These came about at the same time that the then Minister for Justice, Francis Fitzgerald, announced plans to reform the DP system, Asylum seekers carried out these protests independently without the collaboration of any migrant organisations. They voice three clear demands; that all asylum centres be closed; secondly, the right to work; and thirdly, an end to all deportations (Lentin, 2015). The protests received widespread public attention and as a result, a working group was set up to address concerns. The working group, however, was made up of representatives from migrant NGOs with only one representative from the asylum seeking community. It too announced its intention to reform rather than abolish the system of DP. The Working Group on the Protection Process produced a report entitled *Working Group to Report to Government Working Group on the Protection Process on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers* in June 2015. It outlines

over 170 recommendations. To date Nasc, the Irish Immigrant Support Centre, (2018) estimates approximately 20 recommendations have been implemented in full.

Also in 2014, the Movement of Asylum Seekers in Ireland (MASI) was established. It was set up by asylum seekers and activists as a direct result of narrow framework of the Working Group and its lack of asylum seeker representation. MASI is a way to take back our power and demand freedom, justice and dignity for all asylum seekers. In October 2014 MASI petitioned the DJE, politicians, and members of the Working Group demanding the inclusion and representation of asylum seekers (MASI, 2014). Their demands were not acted upon.

The above events far from indicating change, demonstrate a further co-opting of migrant NGOs into state processes, without resistance from across the sector. This was an opportunity where migrant NGOs could have taken a stand and aligned with protesting asylum seekers and collectively lobbied the state for change. What happened was a deliberate move by state institutions to exclude asylum seekers with little opposition from migrant NGOs. Similar, to what has been highlighted in my own research study, this has effectively, reinforced the non-participation of asylum seekers and confines participatory publics to parties which exclude asylum seekers. In this way, the most basic element of inclusion is absent. Within the research study my findings highlight how accountable and participatory publics are not prioritised. The subsequent actions of the Working Group, highlight, that little has changed since undertaking the research.

7.6 Conclusion

Overall, the research indicates that there are tensions, contradictions and challenges among migrant NGOs in their representation of asylum seekers. While migrant organisations continue to play a role in promoting discussions that feed into the policy arena, progressive policy change has been minimal. The research findings indicate that in promoting asylum seeker representation a number of factors come into play, which highlight the complexities in the interactions between migrant NGOs and state institutions but also between migrant NGOs and those they represent. The research demonstrates that deliberative processes are undermined by power relations that render asylum seekers extremely vulnerable. Confronting these issues is challenging and will require a robust framework that combines reasoned discussion, the voices of asylum seekers and politically mobilised and unified migrant NGOs. Re-evaluating the benefits of contestation must feature strongly in any approach to remedy the non-participation of asylum seekers.

The research study, however, raises important questions relating to how representation is currently conceptualised and legitimated within the practices of migrant NGOs. The research indicates that fostering co-operation, developing networking capacities and finding common ground needs to be prioritised in order to ensure more robust structures of agency, deliberation and participation for asylum seekers. How representation operates within organisations will depend on the type of organised politics and strategies being pursued, and the ability of organisations to enable asylum seekers to participate in this process and the ability of migrant NGOs to break down divisions through collaboration. This will be crucial to adopting an approach that allows asylum seekers to participate, engage, and become part of their own agency.

Currently consultation is ad hoc, devoid of collective engagement and exclusionary. This is located in a type of thinking that views asylum seekers as victims rather that engaged actors in their own agency.

The study highlights how processes of deliberation, generally, remain embedded in limited negotiating spaces for asylum seekers, where the collaborative element of representation remains absent. The findings highlight that underpinning any approach to representation must be an acknowledgement of the links between all actors. This must also be rooted in an understanding of the many complex factors that affect a person's life and how this can be remedied in some way through capacity building, support, and access to participation. The lack of emphasis on collaboration is made problematic through the perceived role of migrant NGOs as advocators and reducing the conceptualising of asylum seekers to passive agents in processes of political representation.

While the focus groups indicated asylum seekers as vulnerable, it nonetheless showed how participants welcomed opportunities to become active in their own agency. This can only happen if representative organisations are seen to be working 'with' rather than 'for' asylum seekers. Networking capacity, leadership skills, strategic planning, staffing, resourcing and interactions with asylum seekers all need to be prioritised, along with more opportunities for grassroots and broader networks and activism that are inclusive of asylum seekers. However, other factors also need to be taken into account. The system of DP, as it currently stands is characterised by deeply entrenched restrictions, oppressions and exclusions. Addressing these injustices must be based on emphasising principles of equal respect, discrimination and

marginalisation. If this is not being addressed, at the most basic level, asylum seekers will remain at a disadvantage and unable to participate on equal terms in deliberate and participative forums.

The responses from migrant NGO representatives in the study research indicate that the draconian measures imposed in both state policy and practice presents a challenging environment for migrant NGOs when trying to navigate the political landscape and influence asylum policy formation in Ireland. However, subsequent events which involved the setting up of the Working Group in 2014, following the asylum seeker protests, showed some willingness from the state to engage. Heightened media attention and a lot of public support may have influenced this, but the state did engage nonetheless.

Apart from the RIA's engagement with the NGO Forum on Direct Provision, the establishment of the Working Group was the first attempt by the state to directly work collaboratively with migrant NGOs and other representative bodies. However, this came about, not by migrant NGO activism, but as a direct result of the protests undertaken by asylum seekers without the involvement of migrant NGOs. This move to engage, by RIA and the DJE, was an opportunity for migrant NGOs to insist on the representation of asylum seekers in such an important engagement process. However, this did not happen. The absence of asylum seekers is indicative of the maintaining of a narrow form of political representation, which neither promotes political inclusion or political equality. Whether this is indicative of a broader trend across the NGO sector is questionable. As Rahman notes:

the NGO sector as a whole has shifted away from its initial focus on promoting political mobilization and accountable government, to the apolitical delivery of basic services. The result of this 'depoliticization' of NGOs is an accelerated erosion of democratic institutions. …….NGOs and civil society actors need to pay more attention to mobilization efforts that can promote both the short-term empowerment of the poor and the long-term consolidation of democratic institutions.

(Rahman, 2006. 451)

Within this context, while Young's model may be unrealistic to achieve in current practices in the political of representation of asylum seekers, it provides important insights for promoting more participative outcomes, along with exposing the impact of embedded power relations. The findings highlight that there are potential opportunities for enhancing the representative capacity of migrant NGOs, if principles of political inclusion, reasonableness and publicity are embraced in a meaningful way. This in turn, can transform institutional relations and give way to robust collaboration, which could potentially assist in challenging the mind-set of actors in political institutions.

The research study has also pointed to both structural and practice concerns in the internal practices of migrant NGOs. In particular, it exposes what passes for deliberation as inadequate and highlights a system which simply reproduces anti-democratic tendencies, which fails to include those most in need of representation. My questioning of deliberative processes proves significant when exploring the dynamics of inclusion that shape engagement. As such, it highlights important

principles which migrant NGOs should draw from in their representation of asylum seekers. Attending to the presence of political equality, levels of inclusion and publicity and public reasonableness will bolster networking and alliance building and promote more robust structures for engagement. To this end, the research provides an important analytical framework for evaluating the policy and practices of migrant NGOs. It offers a perspective that gives consideration to the ways inclusive political participation can dislodge existing exclusions, while also ensuring accountability and reasonableness in political discussions. It may not provide the resolution to tensions but what it does, is provide an important framework for challenging them.

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Appendix 1

DESCRIPTION OF STUDY: Information for potential participants

Research Project: The Representation of Asylum Seekers in Irish Social Politics

Purpose of the Study:

As part of my PhD study, I am undertaking a piece of research relating to the political representation of asylum seekers in Irish society. The representative structures in place for Ireland's asylum seekers has gained little attention in the political sphere. This highlights political deficiencies in addressing issues directly affecting asylum seekers. The aim of the research study is to examine the role of migrant NGO's in their representation of asylum seekers in Ireland and explore how they address and represent important issues relating to asylum seeker political representation. The research acknowledges that while migrant NGO's make efforts to safeguard the rights of asylum seekers, there remains a gap between these efforts and the will of political institutions to promote a more inclusive policy framework. The aim of the research is to explore how migrant NGOs understand and practice representation, the types of representation they pursue. Within this context, it places a particular focus on how deliberation and participation is promoted and to what extent political equality and inclusion inform in policies and practices of migrant NGOs.

What will the study involve?

The study seeks to understand the representation of asylum seekers in two ways: firstly through an exploration of the construction of representation within migrant NGOs and secondly through an examination of the ways NGOs engage outside of their organisations - with other organisations, with state institutions and with asylum seekers. The study will thus explore the effectiveness of structures of engagement in representing the interests of asylum seekers. The research will look specifically at decision making processes and consultation, policy initiatives and campaigns, systems and values within organisations, networking with external bodies, the ethos of the

organisation, and exploring how agencies organise around change. The different and overlapping interests, opinions, and perspectives of organisations will be examined with a view to assessing important principles of representation drawn from the theoretical component of the research study.

The research will draw on the work of a number of theorists who have written extensively in the literature on issues relating to group representation. The theories will be used as a framework on which to analyse perspectives on representation in the Irish context from the perspective of migrant NGOs and the perspectives of asylum seekers. Within this, the research will explore the opportunities for more collective decision making and the fostering of partnerships with other interest groups, agencies, and authorities (Young, 1996, p 121) as a means of promoting opportunities for the representation of asylum seekers within the policy arena.

The Interviews for the research:
The research will include a policy analysis and a number of qualitative interviews with representative organisations. The research will also include focus groups with asylum seekers exploring their experiences of representation. A number of organisations ranging from established migrant organisations to locally and regionally based organisations will be included. The data collected will be analysed based on the findings of the research. Interviews will be recorded on a small digital device where interviews will be stored for analysis.

Obviously, there is no pressure on interviewees to be involved in the research, although any help or assistance you can provide in being interviewed and/or identifying other suitable potential interviewees would be very much appreciated. If you would like to volunteer, have any queries regarding this study, or would like to talk about my research in further detail, please contact me – see contact details below. The study ensures anonymity and will not disclose the names of participating organisations throughout the research study.

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Appendix II

INFORMED CONSENT FORM
(Interviews with Migrant NGOs)

The Political Representation of Asylum Seekers in Ireland

Before signing this sheet, you will have been provided with a description of the above research project. That information sheet will have outlined the procedure of interviewing that will take place and how the information gathered in the interview may be used. Giving your consent by signing this form will confirm that you have read the information sheet but will not, in any way, mean that you are bound to participate. You may decline or withdraw at any time. Should you agree to be interviewed, your interview will be available only to the researcher conducting the study. Your participation in the research will be kept confidential. To ensure anonymity, your name will not be used in the study. All other personally identifying details will be, as far as possible, removed from the data. Should you at any point in the following six months after undertaking the interview decide the information you have volunteered should not be used in the research, I will at this point remove the data you have provided and it will not be used in the final draft of the research. At this point you are free to request the removal of some or all of the information you have provided. Should this be the case, I undertake to delete these sections and not to use them in the study.

The proposed submission date for the research is October 2016.

I………………………………………agree to participate in this research study (The Political Representation of Asylum Seekers in Ireland)

The purpose and nature of the study has been explained to me in writing.

I am participating voluntarily.

I give permission for my interview with Claire Dorrity to be recorded (Optional)

I understand that I can withdraw from the study, without repercussions, at any time, whether before it starts or while I am participating.

I understand that I can withdraw permission to use the data at any point, in which case the material will be deleted.

I understand that anonymity will be ensured in the write-up of the research.

I understand that extracts from the interview may be quoted in the study and subsequent conference papers and publications should I give my permission below:

> (Please tick one of the following:)
>
> I agree to quotation/publication of extracts from my interview
>
> I do not agree to quotation/publication of extracts from my interview

I understand that extracts from my recorded interview may be used as part of academic conferences or other presentations

Signed……………………………….   Date……………….

Contact Details of Researcher undertaking Interview:
Claire Dorrity,
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Appendix III

**Broad Framework of Research Questions
for Interviews with Participating Migrant NGOs**

Types and models of representation

1. Brief history of the organisation.

2. How long has the organisation been in existence?

3. What are the key principles guiding the work of the organisation?

4. Does the organisation have specific policies and procedures on representation?

5. What models of representation are used by the organisation?

6. What are the most prominent needs that need to be met for asylum seekers?

7. What channels are open to the organisation to influence policy?

Understandings of Representation

8. How is representation understood within the organisation?

9. What values guide representation in the organisation?

10. Is representation understood differently by organisations?

Strategies used to promote Engagement

11. Under what conditions does representation take place?

12. How is engagement with state institutions promoted?

13. How effective is engagement with state institutions?

14. What relationships have the organisations developed with other migrant NGOs?

15. How effective is networking?

16. With whom do you network and why?

17. How does consultation take place with other organisations?

18. Are alliances with other organisations worthwhile – which are considered most beneficial to the organisation?

19. Are you a member of the direct provision forum and if so what is your level of involvement?

Kinds of participative structures within organisations

20. What relationships has the organisation developed with asylum seekers?

21. Have these relationships promoted deliberation/participation?

22. Are there particular issues that the organisation focuses on in the representation of asylum seekers?

23. How does consultation take place with asylum seekers?

24. Is there active involvement of asylum seekers in the organisation?

25. Within the organisation is their representation from the asylum seeking community on boards?

26. Is there ethnic diversity in your staffing of the organisation?

Political Mobilisation and Political Activism

27. How does political mobilisation take place?

28. On what issues have the organisation had successful outcomes for asylum seekers?

29. What methods of representation work most successfully in promoting political representation?

30. What methods don't work and why?

31. Are campaigns successful in representing asylum issues?

32. Has the work of the organisation changed over time to meet different needs or has it remained the same?

Other Questions

33. What are the gaps in representing asylum seekers?

34. How is the organisation funded?

35. Do you receive state funding? If so does this compromise the way you work in any way?

Appendix IV

Focus Groups
Information for Participants

The focus groups will generally include six to eight people. Those participating will either be currently in the Direct Provision System and are awaiting a decision on their asylum or asylum appeal application or those who have come through the asylum process in Ireland and been granted Leave to Remain or Refugee Status.

The focus group will take approximately 40 – 50 minutes and will focus on how asylum seekers experience political representation from their engagement with migrant organisations and state institutions. The focus group will be guided by some questions from the researcher but is not made up of a set of questions that participants have to adhere to. Rather it is more of a discussion and exploration about the various ways you experience representation or factors that you consider may act as as barriers to meaningful representation.

The participants will remain anonymous and can choose to have the information they have given removed from the research at any time in the six months following the focus groups.

Appendix V

INFORMED CONSENT FORM

Focus Groups

The Under-representation of Asylum Seekers in Irish Social Politics

Before signing this sheet, you will have been provided with a description of the above research project. That information sheet will have outlined the procedure of undertaking a focus group and how the information gathered in the focus group may be used. Giving your consent by signing this form will confirm that you have read the information sheet but does not in any way, mean that you are bound to participate. You may decline or withdraw at any time. Should you agree to participate in the focus group, your input will be available only to the researcher conducting the study. Your participation in the research will be kept confidential. To ensure anonymity, your name will not be used in the study. All other personally identifying details will be, as far as possible, removed from the data. Data drawn from the interview may be used in the final draft of the research study submission. If you decide at anytime, in the six months following the focus groups, that you would like to withdraw any or all of the information you have provided, I will at this point delete the information and it will not be used in the final submission of the research. The proposed submission date for the research is Dec 2016.

I……………………………………agree to participate in this research study (The Political Representation of Asylum Seekers in Irish Society)

The purpose and nature of the study has been explained to me in writing.

I am participating voluntarily.

I give permission for the focus group with Claire Dorrity to be recorded (Optional)

I understand that I can withdraw from the study, without repercussions, at any time, whether before it starts or while I am participating.

I understand that I can withdraw permission to use the data at any point, in which case the material will be deleted.

I understand that anonymity will be ensured in the write-up of the research.

I understand that extracts from the interview may be quoted in the study and subsequent conference papers and publications should I give my permission below:

      (Please tick one of the following:)
      I agree to quotation/publication of extracts from the focus group
      I do not agree to quotation/publication of extracts from my interview

I understand that extracts from the recorded focus group may be used as part of academic conferences and presentations on my research.

Signed…………………………………….   Date……………….

Contact Details of Researcher undertaking Interview:
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Telephone: 021 4903754
Mobile: 087 2956702
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Appendix VI

Broad themes for Focus Group

5. How Asylum Seekers Experience Representation

6. Participation and Decision-Making Processes

7. Key Issues

8. Interactions with Migrant NGOs and State Institutions