

Higher Education Equality Unit

DOING IT DIFFERENTLY !

ADDRESSING RACISM AND DISCRIMINATION AGAINST
MEMBERS OF MINORITY ETHNIC GROUPS IN
HIGHER EDUCATION IN IRELAND

HEEU recommendations for action



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HIGHER EDUCATION EQUALITY UNIT

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Racism is “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”

**UN definition of racial discrimination,
International Convention of Elimination of All Forms of
Racial Discrimination, 1969**

“Any theory which involves the claim that racial or ethnic groups are inherently superior or inferior, thus implying that some would be entitled to dominate or eliminate others, presumed to be inferior, or which bases value judgements on racial differentiation, has no scientific foundation and is contrary to the moral and ethical principles of humanity.”

**UNESCO definition of racism,
Declaration on Race and Racial Prejudice, 1978**

“Education and training have a role of great importance involving efforts at local, national and European levels for combating racism and xenophobia. A fundamental task of educational systems is to promote respect for all people, whatever their cultural origin or religious belief. Moreover, they can make a unique contribution to improving knowledge of European cultural diversity.”

**Resolution of the European Council on the response of
educational systems to the problems of racism and
xenophobia, 23 October 1995**

The European Council “may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.”

Article 13, European Union Treaty of Amsterdam, 1997

One of the objects of a university is “to promote gender balance and equality of opportunity among students and employees of the university.”

Article 12 (k) 1997 Universities Act

In performing its functions a governing authority shall “have regard to the attainment of gender balance and equality of

opportunity among the students and employees of the university and shall, in particular, promote access to the university and to university education by economically or socially disadvantaged people and by people from sections of society significantly under-represented in the students' body and ensure as far as it can that the university contributes to the promotion of the economic, cultural and social development of the State and to respect for the diversity of values, beliefs and traditions in Irish society."

Article 18 (6) (b & c) 1997 Universities Act

A governing authority shall, as soon as practicable, but not later than 12 months after it is established under this Act and at such other times as it thinks fit, require the chief officer to prepare a statement of the policies of the university in respect of –(a) access to the university and to university education by economically or socially disadvantaged people, by people who have a disability and by people from sections of society significantly under-represented in the student body, and (b) equity, including gender equality, in all activities of the university.

Article 36 (1) 1997 Universities Act

The 1998 Employment Equality Act bans discrimination in relation to employment on the grounds of gender, marital status, family status, sexual orientation, religion, age, disability, race or ethnic origin and membership of the travelling community.

The 1999 Equal Status Bill proposes a ban on discrimination in the provision of education, goods, services, accommodation and disposal of property on the grounds of gender, marital status, family status, sexual orientation, religion, age, disability, race or ethnic origin and membership of the travelling community.

"To be truly inclusive society must value and respect difference and this process is greatly facilitated when there is an informed appreciation of the richness that diversity confers on communities. Education has a key role in dispelling the ignorance and prejudice that are so often the cause of intolerance within society."

**Message from President Mary Robinson to the HEEU
conference,
Minority Ethnic Groups in Higher Education, Maynooth,
1996.**

HIGHER EDUCATION EQUALITY UNIT (HEEU)

The Higher Education Equality Unit is a national organisation, established in 1992 to promote equality in higher education in Ireland. It is funded by the Higher Education Authority and hosted by University College Cork.

The HEEU works to reduce inequalities in higher education institutions in Ireland by promoting and encouraging good policy and practice. We have a broad focus, being concerned with a range of inequalities - based on socio-economic/class background, gender, race/ethnicity/nationality, disability, age, sexual orientation, family status and religious or political belief – which might be faced by staff (academic, administrative and ancillary) and students within Irish higher education institutions.

HEEU CONFERENCES

Over the years the HEEU has organised a series of conferences which have addressed specific aspects of the educational equality debate in Ireland, for example on Sexual Harassment, Mature Students, Equal Opportunities policies, Women Staff etc.

The lack of attention to the position of minority ethnic groups in higher education in Ireland prompted the HEEU to organise a conference on this topic in St. Patrick's College, Maynooth in September 1996. The main aim of the conference was to stimulate debate and discussion about the position of minority ethnic groups in Ireland and to examine barriers and difficulties that they might face in participating in higher education. We wanted to put this topic firmly on the agenda of third level institutions and highlight possible strategies that could be employed by colleges to combat racism and discrimination and to facilitate full participation.

HEEU PUBLICATION

In 1997 the HEEU published the proceedings of this conference in a booklet on Minority Ethnic Groups in Higher Education, edited by Orla Egan. This publication, which is available free from the HEEU,

has been distributed widely to Irish colleges and to interested individuals and organisations.

HEEU ADVISORY GROUP

Having raised the issues in papers and discussions at the HEEU conference and subsequent publication, the HEEU sought to further explore how to promote action to combat racism and discrimination against members of minority ethnic groups in higher education. We sought the assistance and advice of a number of individuals and organisations that were active and interested in this issue. The HEEU established an Advisory Group on Minority Ethnic Groups in Higher Education to assist the HEEU in drawing up a series of recommendations in relation to the position of members of minority ethnic groups, such as staff and students, in Irish colleges. The Advisory Group met a number of times in 1998 and 1999. A list of members of the advisory group is contained in Appendix II.

This publication is the outcome of the work of the HEEU Advisory Group on Minority Ethnic Groups in Higher Education. We hope that it offers tangible suggestions for action at both national and college level and that it will stimulate concerted efforts to address racism and discrimination in Irish colleges.

INTRODUCTION

This publication is concerned with members of numerically smaller groups – who experience disadvantage on the basis of colour, nationality, ethnic or national origin, religion, or citizenship status – in relation to other numerically larger groups in Ireland. Among the groups we are concerned with are: Travellers, refugees and asylum seekers, Black-Irish, members of ethnic minorities resident in Ireland and international students, particularly those from the majority world. Racism, harassment and discrimination affect members of all minority ethnic groups but members of various groups will face different issues in terms of access to and participation in higher education in Ireland. For example, for some groups the issue is the basic right to study, while other groups, who technically have the right to study, are prevented, by a variety of factors, from fully exercising that right. Once in college, they may find their experience and background is not fully recognised or validated by the dominant ethos and structures of the institution. The issues faced by different groups are linked to their position and status in Ireland and are also mediated through additional factors, e.g. gender, class, financial status, disability, sexuality etc.

It is not possible in this document to paint a full picture of the issues facing members of minority ethnic groups in higher education in Ireland, but it may be useful to give some examples of the issues with which we are concerned.

Participation rates in higher education by members of the Travelling Community, the largest minority ethnic group in the Republic, are abysmally low: out of a total population of 24,000 Travellers in Ireland, only five participated in third level education in 1998. Difficulties faced by Travellers in terms of accessing appropriate education at primary and second level adversely impact on their participation in higher education. Many Travellers feel that college environments and staff are not open or welcoming to Travellers and that the college curricula do not reflect Traveller culture and experience. This is an issue that is also faced by members of other ethnic minority groups. The few

Travellers who do participate in higher education often feel isolated and vulnerable in college. Also the hidden costs of higher education are prohibitive for most Traveller families experiencing disadvantage.

Participation rates in higher education by refugees and asylum seekers are also low, but for different reasons. Refugees and asylum seekers are facing many kinds of discrimination here. Refugees who have been uprooted from their homes and families because of war and massive human rights abuses are now in a state of legal limbo. There remains a lack of clarity about who has the right to study in Ireland and many colleges still attempt to charge foreign national fees to people who have been granted refugee status. Asylum seekers have no right to study in Ireland. The Irish government has recently granted asylum seekers the right to work after one year in this country. However there are serious problems with the manner in which this measure is to be implemented: work permits will not be granted directly to asylum seekers, but will have to be sought on their behalf by prospective employers. This contrast with other EU countries, including the UK, where asylum seekers have the right to work and study after six months in the country.

While Black-Irish students, and students of other minority ethnic groups resident in Ireland, do not face the same issues in terms of the right of access to college, many experience racial stereotyping, harassment and discrimination. Some Irish-born children (i.e. Irish citizens) of foreign nationals have been prevented from accessing free fees and grants because their parents were not Irish citizens.

The experience of international students varies widely and is often linked to their country of origin, racial/ethnic background, religious affiliation and financial situation. International students are often welcomed and facilitated because of the high fees they pay, but many encounter ignorance, prejudice and discrimination.

Racism and sexism combine to doubly disadvantage women from minority ethnic groups and many experience additional obstacles

to participation in higher education and are often subjected to both racial and sexual harassment.

The link between racism and poverty has been empirically established (e.g. by Robbie McVeigh). This can further disadvantage some members of ethnic minority groups, especially Travellers and asylum seekers, from accessing and participating in higher education.

There is an absence of information on the positions of members of minority ethnic groups as staff in Irish colleges, but there appears to be an under-representation of members of disadvantaged minority ethnic groups as academic, administrative or ancillary staff in the colleges. This has implications for the employment prospects of members of minority ethnic groups. It also means that there is a lack of role models for students from minority ethnic groups in Irish colleges, which accentuates the impression that Irish colleges are not diverse and welcoming places for members of minority ethnic groups.

The HEEU feels that it is essential that action be taken immediately by the higher education sector to address the inequalities outlined above. However, developments in higher education do not occur in a vacuum. There is an obvious need to address racism and discrimination against minority ethnic groups in primary and secondary education and throughout society as a whole. An essential first step is the introduction of anti-racist legislation to prevent discrimination. We therefore call on the government to pass and implement the pending Equal Status legislation and to ratify the UN Convention on the Elimination of All Forms of Racial Discrimination.

DOING IT DIFFERENTLY

RECOMMENDATIONS

Research

We have very little information about the current position of members of minority ethnic groups in higher education in Ireland. As a first step we need to document the current situation and identify rates of participation and problems faced by minority ethnic groups in higher education in Ireland. Where possible the process of conducting this research should involve members of minority ethnic groups.

1. *The HEA / Department of Education and Science should provide funding to conduct research on the following:*
 - 1.1 *the rate of participation in, and experience of, higher education, as staff and students, of members of minority ethnic groups in Ireland;*
 - 1.2 *the educational needs of members of minority ethnic groups resident in Ireland;*
 - 1.3 *barriers to their access to higher education;*
 - 1.4 *strategies to ensure that the culture, traditions, identity and history of diverse groups are acknowledged and facilitated in college curricula, pedagogy and environments.*

HEEU work

2. The HEA should provide funding for the HEEU to carry out, or commission, the following work:
 - 2.1 *Gather information on any college policies and procedures designed to prevent discrimination and to increase access and participation of members of minority ethnic groups as staff and students in Irish colleges.*
 - 2.2 *Draw up guidelines on anti-racism policies for higher education institutes.*
 - 2.3 *Design and produce resource materials which will assist the colleges in combating racism and discrimination.*

- 2.4 *Provide training of staff in colleges (academic, administrative, admissions, student services, accommodation offices, catering staff, students' unions etc.) on anti-racism and cultural diversity.*
- 2.5 *Develop, in collaboration with the colleges, a programme of action to raise awareness generally in colleges and to promote cultural / ethnic diversity.*
- 2.6 *Research and produce a handbook for ethnic minorities on how to cope with racism, cultural differences, accommodation etc. and including information on where to meet other minorities, embassy addresses, mosques, synagogues, Hindu, Buddhist and Sikh temples, entertainment, restaurants, night clubs etc.*
- 2.7 *Produce a booklet on non-racist language.*

National level

3. *The HEA / Department of Education and Science should encourage colleges to include anti-racism provisions in all college equality policies and procedures.*
4. *The HEA / Department of Education and Science should develop and implement mechanisms for continuous monitoring of the participation of members of minority ethnic groups as students and staff in Irish colleges.*
5. *The HEA should develop guidelines on admission procedures and policies and on policies on fees and access to grants for non- nationals, particularly non-EU nationals. The HEA should circulate this information to colleges and to prospective students.*
6. *Asylum seekers should be granted the right to study after six months in Ireland.*
7. *Convention refugees, those with humanitarian/temporary leave to remain and asylum seekers (after six months in Ireland without a determination of their application) should have the*

same entitlements, in relation to fees and grants, as Irish students.

- 8. The HEA / Department of Education and Science should provide information and guidelines for colleges in relation to the rights of refugees and asylum seekers in relation to grants and fees.*
- 9. State-funded English language classes should be provided, through the VECs, for all refugees, asylum seekers and members of ethnic minorities who need them.*
- 10. The HEA / Department of Education and Science should develop and resource the development of guidelines and national expertise in relation to the recognition of foreign degrees and qualifications. This should be communicated to colleges and prospective students.*
- 11. The HEA should fund access courses for members of minority ethnic groups. Current HEA funded access courses should be expanded to specifically include members of minority ethnic groups, including Travellers, Refugees, Asylum seekers, etc.*
- 12. The HEA / Department of Education and Science should provide funding and support for the development and provision of courses on ethnic and racial studies and for the development and provision of modules on racism and cultural diversity as core elements in the training of service providers (teachers, social workers, doctors etc.) in the colleges.*
- 13. Training on anti-racism and cultural diversity should be set as a priority in all training initiatives, including the Training for Trainers programme.*
- 14. The HEA should actively encourage Irish higher education institutions to ensure a multi-cultural and pluralist environment in their colleges, in terms of policies, structures, decision-making and representation, staffing, services and curricula.*

College action

Few, if any, Irish colleges have policies which address issues of ethnic discrimination and racism or which are designed to promote access and participation by members of minority ethnic groups in higher education.

15. Colleges should work, in collaboration with the HEEU, on the development of policies and actions designed to address discrimination against members of minority ethnic groups in higher education.

16. Colleges should utilise the expertise of their international offices and encourage interaction and exchange of ideas between international offices and equality offices in developing anti-racism policies, resources and supports for ethnic minority students. This could include organising cross-cultural activities and encounters, using the rich diversity of international students on campus as a resource for raising awareness generally in the institution.

17. Colleges should develop positive actions to encourage participation by minority ethnic groups, as staff and students, in higher education.

18. Colleges should evaluate how well the staffing and structuring of services, such as housing, counselling, career guidance, health etc., respond to the needs of minority ethnic students. Following such an evaluation, the college should plan how to develop these services appropriately.

19. Colleges should consider the allocation of reserved places and financial support for members of minority ethnic groups (similar perhaps to the system for mature students).

20. Alternative entry system (e.g. exam) should be developed for assessing ability and eligibility of applicants who do not have documentary evidence of prior educational qualifications.

21. *Access courses should be developed and funded to assist students in gaining skills and confidence necessary to successfully access and participate in college courses.*
22. *Mentoring and support systems should be developed for members of minority ethnic groups in Irish colleges.*

Colleges provide training for future policy makers and service providers. They can play an important role in providing training and raising awareness of racism and cultural diversity.

23. *Colleges should provide courses on anti-racism and cultural diversity as part of their staff development programmes.*
24. *Colleges should ensure that modules on anti-racism and cultural diversity are incorporated as core elements in the training of service providers, e.g. teachers, social workers, doctors, etc.*
25. *Colleges should develop guidelines to ensure ethical research practices in relation to research conducted on minority ethnic groups.*
26. *Colleges should commit themselves to developing a college-wide ethos, which reflects and supports the diversity of its members, both staff and students.*

The HEA / Department of Education and Science should engage in discussions with the HEEU Advisory Group on Minority Ethnic Groups in Higher Education in Ireland on how best to progress the recommendations outlined in this document.

APPENDIX I

Some useful definitions:

The 1996 Irish Refugee Act defines a **refugee** as “a person who, owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country or who, not having a nationality and being outside the country of his or her former habitual residence, is unable or, owing to such fear, is unwilling to return to it.”

Convention Refugee: A convention refugee is a person who has been recognised as a refugee in accordance with the 1951 UN Convention Relating to the Status of Refugees (Geneva Convention).

Asylum Seeker: An asylum seeker is a person who applies to be recognised as a refugee in accordance with the 1951 UN Convention Relating to the Status of Refugees (Geneva Convention).

Programme Refugee: A programme refugee is a person to whom leave to enter and remain in the State for temporary protection or resettlement as part of a group of persons has been given by the Government, whether or not such person is a refugee in accordance with the 1951 UN Convention Relating to the Status of Refugees (Geneva Convention). (Examples of programme refugees in Ireland include Bosnian refugees, Kosovan refugees and Vietnamese refugees.)

Temporary or Humanitarian Leave to Remain: Some asylum seekers are not deemed to be Convention refugees but are given Humanitarian or Temporary Leave to remain in the country where they are seeking asylum. This is granted, entirely at the discretion of the Minister for Justice, when a person does not qualify as a refugee under the 1951 UN Convention, but the Department of Justice, Equality and Law Reform decides there are strong humanitarian reasons why he or she should not return to his or her country of origin.

APPENDIX II

THE HEEU IS GRATEFUL TO THE FOLLOWING PEOPLE WHO HAVE PARTICIPATED IN THE HEEU ADVISORY GROUP ON MINORITY ETHNIC GROUPS IN HIGHER EDUCATION:

Lekan Ojo-Okiji Abasi / Khalid Ibrahim, Association of Refugees and Asylum Seekers in Ireland (ARASI)

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Treasa Galvin, African Cultural Project

Davy Joyce, Irish Travellers Movement

Mairín Kenny, Bray National School for Travellers

Ronit Lentin, Mphil in Ethnic and Racial Studies, Trinity College Dublin.

Deepa Mann-Kler, Northern Ireland Council for Ethnic Minorities

Phil Mullen

Drazen Nozinic / Nadette Foley, Irish Refugee Council

John O Connell / Martin Collins, Pavee Point

Marian Tannam, Harmony

The work of the Advisory Group was co-ordinated by Orla Egan, Director, HEEU and Eamon Tuffy, Chairperson, HEEU Management Board.