IRISH CONGRESS OF TRADE UNION

SUBMISION TO THE

TASKFORCE ON ACTIVE CITIZENSHIP

Introduction:
Congress welcomes the establishment of the Taskforce and appreciates the opportunity to make a submission to it. Congress also endorses the report of the Democracy Commission and commends its findings to the Taskforce for review and consideration in association with other evidence received.

The Trade union Movement in Ireland:
The Congress of Trade unions is the largest civil society organisation in Ireland. It has 800,000 members affiliated through 59 individual trade unions. It is an All Island body. Congress is affiliated to the European Trade union Confederation (ETUC) which in turn has an affiliated membership of 60 million.

A Brief Historical Note:
One of the lesser known facts of the Easter Rising is that the Proclamation was printed in Liberty Hall, headquarters of the Irish Transport and General Workers’ Union (ITGWU) by a member of the union named Christopher Brady. In fact, Liberty Hall was the effective HQ of the volunteers for the week leading up to the Rising. The Citizen Army, formed during the 1913 Lockout to protect strikers, was the key military unit which occupied the GPO under the leadership of James Connolly. Connolly was Vice-President of the Irish Republic and, in the absence in America of Jim Larkin, effective head of ITGWU.

James Larkin founded ITGWU in 1909. And, using sympathetic strike action, succeeded in achieving good wage improvements for the unskilled workers of Dublin. This worked well until 1913 when a strike against the Dublin Tramway company brought Larkin into direct conflict with William Martin Murphy who also owned the Independent Newspaper. Murphy united the Dublin Chamber of Commerce against Larkin resulting in an effective lockout of members of all trade unions in the city. The lockout started in August 1913 and by January 1914 the workers were starved back to work and the original strike more or less collapsed. However, the employers’ primary objective of breaking the trade union movement and defeating “Larkinism” did not succeed. By 14 June 1914 the ITUC was back to business as usual with delegates at its Annual Conference representing an affiliated membership of 80,000 workers. Today the membership is 800,000.

This short historical note is intended to illustrate the role of the Trade union movement in the foundation of the state and, by extension, its importance in Irish society.

For any reader who may be interested these events are recorded in detail in two recently published books:

“Lockout: Dublin 1913” by Padraig Yates and

“James Connolly” by Donal Nevin.
Trade unions Building Social Capital:
Trade unions tend to be organised in branches either on a geographic, industrial sector or professional basis. By law each union must have a constitution governing the conduct of its business. The organisation of trade unions is regulated by a series of acts the main one being the Trade Union Act of 1870. Likewise the principal business of unions is regulated by an extensive range of legislation relating to employment conditions and industrial relations.

Trade unions operate on a very democratic basis. Members can participate at various levels of activity within a structure which starts with workplace committees, branches, regional conferences and national conferences. As a general rule the constitutions and rules of procedure are based on the parliamentary rules and procedures recorded by Lord Citrine. Thus people who become involved get a good grounding in how to conduct democratic business. Most unions, and Congress when requested, provide training for the levels of engagement starting at Shop Steward level. Our LIFT project, for example, provides leadership development training for women at senior levels within the movement.

The net effect of this is a large cohort of people knowledgeable in the machinery of democracy and public debate. Consider what this means. At the highest level each of the 59 unions holds an annual or biennial conference with on average about 200 delegates. This means that there are at least 10,000 - 12,000 people who have an expert knowledge of the machinery of democracy. Indeed, because there is a churn factor where people come in and out of active involvement there is in fact a store of social capital many multiples of this figure. The same people will be found in credit unions and other social organisations so the skills learned within the Trade union movement have a significant impact for the whole of society.

In Northern Ireland Congress provides leadership training for Protestant workers to deal with what is effectively a crisis of confidence in this community. This work is supported financially by the Government.

Trade unions and Politics:
About 15 per cent of Trade unions affiliated to ICTU are affiliated to the Labour Party. Congress, as the umbrella body, is not politically affiliated and there is a well accepted convention that Congress works with the Government of the day to advocate for the best possible employment and social conditions and to maintain stability within the labour market.

This does not mean that Congress does not have a political perspective. Like the mainstream of European trade unions Congress is Social Democratic in outlook. In essence we see our mission as being to achieve the greatest possible degree of social justice by acting within the market system to achieve a fair distribution of wealth between capital and labour. In reality the Trade union movement is the only actor in the market whose raison d’être is social justice.
The objectives of the Irish trade union movement as formally set out in the Constitution of ICTU are as follows:

a) To uphold the democratic character and structure of the Trade Union Movement, to maintain the right of freedom of association and the right of workers to organise and negotiate and all such rights as are necessary to the performance of trade union functions and in particular, the right to strike.

b) To ensure full equality in all aspects of employment opportunity and to oppose discrimination on any such grounds as race, colour, nationality or ethnic or national origins, politics, religion, sex, age, disability, marital status, family status, sexual orientation, membership of the Traveller Community.

c) To strive for full equality in civil society in Ireland and to oppose discrimination on any such grounds as race, colour, nationality or ethnic or national origins, politics, religion, sex, age, disability, marital status, family status, sexual orientation, membership of the Traveller Community.

d) To support the democratic system of government and promote the social and economic policies and programme of the workers of Ireland as expressed from time to time by the Irish Trade Union Movement.

e) To encourage and assist the application of the principle of co-operation in the economic activities of the nation.

f) To seek the full utilisation of the resources of Ireland for the benefit of the people of Ireland and to work for such fundamental changes in the social and economic system as will secure for the workers of Ireland adequate and effective participation in the control of the industries and services in which they are employed.

g) To promote fraternal and co-operative relations with trade unions and trade union federations and congresses in other countries for the purpose of furthering the common interests of workers in all countries; and further to cooperate with other types of democratic organisations in supporting progressive endeavours intended to safeguard and strengthen justice, peace and freedom throughout the world.

h) These objects shall be construed as applying, where appropriate, to retired workers.

Because its programme is Social Democratic in orientation, and because it can be an effective agent of redistribution in the market, the trade union movement comes in for sustained attack from the business press which is predominantly neo-liberal in outlook. Its viewpoint would be to see trade unions as an unwarranted interference with free markets. Nevertheless, the standing of the trade union movement has actually improved
significantly since the late Eighties according to opinion surveys conducted for the RTE “Primetime” programme by Amarach Consulting. (Appendix 1).

Trade Unions and Social Partnership:
In the recent past the social partners have concluded the seventh in a series of social contract agreements dating back to 1987. The value of social partnership is highly contested, especially by neo-liberal commentators, but it has stood the test of time. Ireland has become a rich country since its inception.

Social partnership is a refinement of the European concept of “Social Dialogue”. The latter is generally defined to embrace both sides of industry. Social partnership goes further in including farming organisations and community & voluntary organisations.

Social partnership is the main vehicle through which the trade union movement pursues its social policy agenda. The pay settlement is the cement at the core of these agreements. The extent to which this core bargain is leveraged to produce a consensus on a wider range of social policy is not unique in Europe but it is arguably the most refined version of the model.

Participation in Trade Unions:
Contrary to the impression created in the business press the numbers of people joining trade unions is increasing at the rate of about 7000 – 10,000 a year. ICUT affiliation now stands at just 800,000. Nevertheless the rate of membership increase is not in line with the growth of the labour market overall such that density of union organisation is declining slowly. It currently stands at 38 per cent of the workforce. There are a number of factors behind this trend in membership, viz;

- Employer hostility (multinationals based in the US have a particular ideological opposition to unions and Ireland has a high dependence on this sector which includes over 600 firms);

- Static employment levels and restructuring in manufacturing which has been the main area of private sector unionisation;

- The shift in the economy from manufacturing to services. Typically services involve smaller number of employees. There are now 800,000 people working in companies employing less than 50 people. These are very difficult to organise and very labour intensive for trade unions;

- Lack of resources and inadequate systems for recruitment within trade unions.

We know from research carried out by John Geary in UCD that there is no hostility towards unions amongst workers and that the main factors affecting membership are being asked to join and employer attitudes towards staff being in a union. The first of these is within the control of the trade union movement itself and it has a serious job of work to do.
The question of active participation by those who are union members is a separate question. There is anecdotal evidence of declining activism but membership surveys would not tend to support this. Also, for example, over 160,000 members participated in the public protests against the actions of Irish Ferries in late 2005. Still the probability is that there is some decline in membership involvement in day to day union business like branch meetings. Work/Life Balance issues probably has a lot to do with this in practice.

Of more concern is that participation in the workplace seems to be less than in the past. To some extent the centralised pay bargaining associated with social partnership may be an influence, although the trend is also evident in other countries. In some employments employer hostility is a major factor. One knows, because there is evidence to support it, that the life expectancy of a trade union representative in Ryanair, for example, would be akin to that of a pilot in the first world war!

In this respect the question of participation in trade unions is different than for any other component of civil society. Part of the problem is that the legislative framework is too weak. Ireland remains the only country in Europe where there is no legal right to collective bargaining. This right is enshrined in the EU Charter of Fundamental rights but the Government negotiated a protocol which would have rendered it inoperative in an Irish context even if the EU Constitution is ever passed. Why is this the case in a country that has put so much effort into developing a model of social partnership? The answer lies in our dependence on US FDI and the power of the American Chamber of Commerce. We submit that any serious commitment to building social capital is not consistent with maintaining such a hostile legal environment against the largest component of civil society. We hope that the Taskforce will have the courage to confront this reality in its report.

A Broader Context for the Work of the Taskforce:
Ireland does not exist in a vacuum. We are the most open economy in Europe and the most globalised in the world. Being part of a single currency zone and being in a much more open relationship with other countries and currency areas than the rest of the Eurozone presents interesting challenges.

There is some evidence that Irish people have an open and flexible outlook. Part of the success of the IDA in attracting FDI has to do with our willingness to adapt and having a “can do” mentality. Ireland has one of the highest populations of newspaper readers in the world. The opinion poll published by the “Irish Times” in early September revealed a 50 plus generation more concerned by the threat to international peace posed by George Bush than by the state of the health service.

But even if Irish people are, relatively speaking, outward looking they are facing extraordinary changes. The influence of globalisation is, as mentioned earlier, more acute in Ireland because of the open nature of our economy. At one level Ireland has benefited from globalisation as the state of our economy attests. At another level people are insecure because of the migration of jobs to less developed countries. Outsourcing of
manufacturing to China and services to India means that not just low level jobs are at risk but white collar jobs too. Constant exhortation to embrace change and the assertion that “there is no longer such a thing as a job for life” contribute to this sense of insecurity. So too does the collapse of occupational pension schemes of the Defined Benefit variety.

Since 1 May, 2004 Ireland has seen a huge surge in immigration. This is a profound change for society which is commented on in more detail in the next section. Most developed countries are trying to grapple with a common set of issues, viz:

- Increased immigration flows;
- Growing inequality;
- The unique influence of the United States in the world today.

Ireland, for so many years a country of emigration and a quite backwater, is perhaps more challenged in terms of its social fabric in trying to get to grips with this reality. So much of our culture – songs, play and books – is about poverty and emigration. Even the material of contemporary entertainers like the “Sawdoctors” is based on this theme. The All Ireland anthem of the Mayo football team this year is about leaving Mayo!

As Professor Tom Garvin points out in the current issue of “Studies” magazine our sense of citizenship is based on a nationalism rooted in cultural, linguistic and religious values which are rapidly diminishing in validity. It would be surprising if the speed and extent of the changes taking place in Ireland did not cause some reflections on identity. In a sense we have to reconstruct our understanding of what constitutes citizenship.

The American academic and former Government advisor, Philip Bobbitt, has written extensively about the changes taking place in the world today. In “The Shield of Achilles” written before the Twin Towers disaster but published in 2002 he puts forward the thesis that the state has evolved over the centuries in a series of steps from the Princely State to the Kingly State to the State-Nation to the current Nation-State, the latter being based on the Wilsonian concept which emerged after the first world war. His key point is that the Nation-State is now evolving into a further political construct which he describes as “the Market-State”. The essential difference between the present and the future is that the Nation-State seeks to look after the welfare of its citizens whereas the Market State will seek to create equality of opportunity. Bobbitt argues that the citizens will be more engaged in the Market State but their input will have less impact than it does today. This, of course, may be total nonsense, but if the thesis is even partially true it has profound implications for the future. It means that the sense of growing selfishness and individualism in society which is causing concern will continue unless there is a political movement in an alternative direction. It is something the Taskforce might wish to reflect on.
The Impact of Immigration on Society:
Since the formal accession of the 10 new EU member states of Eastern Europe on 1 May 2004 over 450,000 people have immigrated from those countries to the UK and 100,000 (which is proportionally far more) to Ireland. Non Irish nationals now constitute in excess of 9 per cent of the workforce. Ireland, Sweden and the UK were the only countries to fully open their labour markets. The potency of immigration as a political issue manifested itself in Sweden in mid September where it was a factor in the defeat of the Social Democratic Government in the general election.

It is a matter of public record that exploitation of non-Irish nationals has caused severe problems in the labour market. The new social partnership agreement “Towards 2016” contains a range of legislative proposals to deal with these problems. But the labour market is only one aspect of immigration. Population increase and integration also impact upon society.

Forecasts by CSO put the population at 5.5 million by 2026. This will most heavily impact on the east coast and will require a determined effort to upgrade physical and social infrastructure. Given the existing deficits in health, care of the elderly and childcare this will not be easy to achieve. Part of the problem of social disengagement, to the extent that it exists, arises from the fact that to buy a house people often have to live long distances from their work. Long commuting time puts pressure on childcare and an accumulated situation of time poverty which prevents people from participating. Population growth, if not planned for, is likely to exacerbate these pressures. This raises the whole question of what is sustainable development in the years ahead and the consequences for citizenship engagement if circumstances make it more difficult for people to participate in the political and social life of the country.

This concerns too our attitude to economic growth. The legacy of our high unemployment years has left us with a mantra that maximising growth is good in all circumstances. The population increase which is a consequence of this mentality will continue to overheat the housing market – with a current inflation rate of 14.2 per cent – and with a continuous loop in which Irish people invest in houses to rent to immigrants who come here to build houses!

Whatever it is this does not look like a formula for sustainability. Would we not be better to try to optimise rather than maximise economic growth in a manner which addresses all of the foregoing issues in a more sustainable way? Should not the objective and purpose of our migration policy be that of sustainable development of our economy and society?

The approach to integration is very important. Diversity and multi-culturalism must be considered in the context of the need to preserve social cohesion. There is a danger that the doctrine of multiculturalism, if taken to extremes, could produce a group politics to trump the politics of social solidarity. If that happens it opens the way to increasing inequality and falling social mobility such that it becomes impossible to articulate any
sense of social contract or common purpose once group rights overwhelm the belief in collective effort and collective responsibility.

But this does not necessarily mean assimilation. There is no need to abandon all ties to a country of origin or to fall in with every aspect of the Irish way of life. It is though important that newcomers acknowledge that Ireland is not a random collection of individuals; they are joining a society, which, although hard to describe, is real enough. It is not enough to point out, as many multiculturalists do, that there is no simple moral consensus anymore. Perhaps this is true but then it seems that the political challenge is to create and sustain a minimum degree of moral consensus and solidarity in an otherwise pluralistic society. Diversity in itself is neither good nor bad, it is fairness that matters placed within a human rights framework.

Indeed we do not all have to like each other, or agree with each other or live like each other for the glue that holds society together to work. As the philosopher David Miller has written:

"Liberal states do not require their citizens to believe liberal principles, since they tolerate communists, anarchists, fascists and so forth. What they require is that citizens should conform to liberal principles in practice and accept as legitimate policies that are pursued in the name of such principles, while they are left free to advocate alternative arrangements. The same must apply to immigrant groups, who can legitimately be required to abandon practices that liberalism condemns, such as the oppression of women, intolerance of other faiths and so on."

So the point is that a liberal state has the right to outlaw things that challenge its core values – such as the emergence of separate legal – political enclaves that would be implied, for example, in the acceptance of Shari law for Muslims in areas of high Muslim settlement if they existed here.

This, of course, is an extreme example. But how would we handle say demands for faith schools and faith based ethics in hospitals beyond the delicate balance between Catholic and Protestant that currently exists? Our experience of immigration, and the fact that so many of the people who come here are culturally and ethnically so compatible means that we have not yet had to confront some of these complexities.

This difficulty in managing migration highlights the importance of standards. Standards can act as automatic stabilisers within the economy. Properly enforced they can reduce the incentive to competitiveness based on the availability of large numbers of workers – cowed, undemanding and easily exploited. Standards can force business to choose instead competitiveness based on high skills, high productivity and high levels of participation. Standards can force society to choose to invest in Life Long Learning and public services necessary to support this activity. And if we choose this model it also
implies that we will invest in integration. This is crucial. We must not allow a situation to develop where newcomers, by virtue of their circumstances, become engaged in competition for housing and public services with people who are already deprived and struggling. The tension this causes is sometimes dismissed as racism rather than as reflections of genuine problems in dealing with sudden social change.

If we take time to analyse the forces behind immigration we would have to acknowledge that it is both vital to our society and, in today’s world circumstances, inevitable. But we also have to accept that its costs and benefits are very unevenly spread, and that we don’t do enough to ensure that the people who are most affected by it, either as immigrants or as hosts, can manage the change being forced upon them. Upon our ability to engage with this reality will rest our future as a society.

Civic Republicanism:

The economic progress that Ireland has achieved in the last twenty years has not been matched by a commensurate level of social progress. National wellbeing is not what it could be. The key conclusion of the NESC strategy report that Ireland has reached a stage of development where economic and social development are now interdependent represents a seminal point in Ireland’s progress. Ireland needs a policy which will guide it towards a state of greater national wellbeing that so many citizens desire.

But we are not our own masters in all respects. Globalisation is creating enormous pressures and fears. Integration of markets carries with it the possibility of integration of labour supply at the lowest common dominator of cost. Growing wealth and growing inequality co-exist in the new world order. Huge migration flows are challenging all developed countries.

Civic republicanism has emerged as a leading alternative to liberalism in dealing with political challenges presented by the diversity and increasing interdependence of contemporary societies. It recognises that realising freedom requires strong political structures supported by active, public spirited citizens.

1Iseult Honohan defines it this way:

“Civic republicanism addresses the problem of freedom among human beings who are necessarily interdependent. As a response it proposes that freedom, political and personal, may be realised through membership of a political community in which those who are mutually vulnerable and share a common fate may jointly be able to exercise some collective direction over their lives. This response, older than liberalism, has been expressed and developed by a variety of thinkers through the history of Western politics, and constitutes a more or less continuous and coherent republican tradition. In this approach, freedom is related to participation in self-government and concern for the common good”.

1 Civic Republicanism” – Iseult Honohan – Routledge 2002
Defining what is meant by citizenship, identifying the common good and constructing a polity of social solidarity, individual freedom and economic efficiency can best be achieved in our current circumstances by embracing civic republicanism as a concept. What we have been doing through social partnership is fully consistent with this idea. The important thing is to go beyond seeing social partnership as simply an enabler of economic growth and economic growth as an end in itself.

The Role of the Media:
Notwithstanding the hostility of the business press Congress believes that a free, diverse and vibrant media lie at the heart of a healthy democratic society. By disseminating information on the actions of Government into the public domain, the media not only report on matters of public interest but act as watchdog over Government.

Concerns have been expressed in Ireland in recent years that diversity of opinion has been undermined by the concentration of media ownership. Within the radio sector, the Government has moved to protect diversity by imposing a cap on ownership and control so that no one company can own and control more than 17.9 per cent of the sector.

By way of contrast, around 80% of Irish newspapers sold in Ireland are sold by companies which are fully or partially owned by Independent News and Media. The Commission on the Newspaper Industry report in 1996 cautioned that ‘any further reduction of titles or increase in concentration of ownership in the indigenous industry could severely curtail the diversity requisite to maintain a vigorous democracy’ (1996:34). Since then Independent News and Media has acquired additional regional papers, the Belfast Telegraph group and a controlling share of the Sunday Tribune. Congress believes that the concentration of media ownership in Ireland is a cause of grave concern.

The media in Ireland have been constrained in their ability to act as watchdog by outdated libel laws and amendments to the Freedom of Information Act. Irish defamation laws are currently under review in a draft Bill proposed by the Minister for Justice, Equality and Law Reform Michael McDowell, which proposes the establishment of a statutory but independently appointed press council and ombudsman.

Congress believes that it is crucial that any future press council should be independent, a tool neither of the industry nor the Government but of the public’s right to and need for a free and responsible press and should have statutory protection. Congress does not believe in a state appointed regulatory body but supports the establishment of an independent press ombudsman and a press council recognised in law. The press council should be established by the press industry but should have an independent chair and should take the majority of its members from civil society. One of its preliminary tasks should be to draft a code of editorial ethics. Congress believes that the council should be recognised in law and its deliberations legally privileged. This will strengthen freedom of expression by making it possible to cite compliance with the Press Council’s standards as proof of “reasonable publication” in libel actions. It will also provide quicker and more
effective redress for people who feel they have been misrepresented. Congress supports the detailed recommendations of the Democracy Commission relating to media.

**Conclusions and Recommendations:**

Congress submits that it would be wide of the mark for the Taskforce to focus its energy exclusively on the extent to which volunteering is alive and well in Ireland today. Important though volunteering may be as an expression of a person’s interest in the wider society it is understandable that life work balance, commuting and childcare will act to restrict a person’s involvement in these activities. Rather than tackle symptoms we should tackle the causes of time poverty and other factors affecting active citizen engagement in society.

We respectfully submit that there is a danger of missing the point if the focus of the Taskforce is on volunteering per se.

Ireland has moved from a position of having a GDP per capita of 60 per cent of the EU average to being above the average in the space of about 15 years. Our demographic profile and our dependency ratio are favourable relative to other developed countries. We have a unique window of opportunity for the next 7 to 10 years to put our country on a trajectory that will make our Republic a just society and a very good place to live. There are many challenges too of course – relating to sustainable development, the environment, immigration, population increase and economic and social infrastructure. There are challenges arising from Ireland’s exposure to globalisation being, as we are, an exceptionally open economy.

The period ahead is one of opportunity and of choice. At its heart this choice is political in nature but not just in the normal party political sense. It is much deeper than that. Ideally it requires a consensus on, and an empathy with, what is in the common good.

Therefore, it is most important to look at how we can ensure that we have an engaged citizenry in the political life of the country. As Joseph Stiglitz puts it in his latest book “Making Globalisation Work”: “This book reflects my faith in democratic processes; my belief that an informed citizenry is more likely to provide some checks against the abuses of the special corporate and financial interests that have so damaged the globalisation process......an engaged and educated citizenry can understand how to make globalisation work, or at least work better, and can demand that their political leaders shape globalisation accordingly.” In this regard Congress commends to the Taskforce the recommendations of the Democracy Commission and especially those relating to:

- Political facilitation of young voters and those from marginalised groups;
- The establishment of an Electoral Commission;
- Enhancement of local democracy by devolving power and revenue raising powers to local Government.
The Democracy Commission also identified concentration of media ownership as a serious impediment to democracy in Ireland. The concerns expressed by the Commission on the newspaper industry in 1996 have been realised and action is needed to maintain the diversity of editorial viewpoint necessary for a vigorous democracy. The political risks for any Government addressing this issue are serious but for the Taskforce to ignore it would be to ignore the elephant in the room.

The historical role of trade unions in Ireland has been outlined to make the case that they are a major asset in social capital terms. Yet they exist in an environment of hostility that affects no other component of civil society. For example, Ireland is the only country in Europe (and the US) which does not have a legal entitlement to collective bargaining. So, when business talks about corporate social responsibility we would regard it as hypocrisy so long as the company involved refused to allow their staff to be represented by a trade union for collective bargaining purposes.

In this regard it is worth noting that the Charter of Fundamental Rights which forms part of the EU Constitutional Treaty provides for a right to collective bargaining but Ireland secured a protocol to the Treaty to render this inoperable. This was done despite 20 years of social partnership and clearly at the behest of groups like the American Chamber of Commerce. This does not square with any reasonable definition of the common good. Because of its proven capacity to build social capital and because it is the only actor in the market system capable of achieving a fairer distribution of wealth, we would urge the Taskforce to recommend to Government that it should legislate for a trade union right to collective bargaining in line with all the other countries of the EU.

Finally, we would urge the Taskforce to embrace and promote the concept of civil republicanism as a platform for active citizenship. Congress has a vision of what type of country we want Ireland to be. It is rooted in the Nordic social democratic tradition which exemplifies the best combination of participation, equality, competitiveness, productivity and public service provision in the world. The great political challenge of our age is to balance economic efficiency, sustainable development, individual freedom and social justice. The Nordic model is the way to go. It will take some time to get there but creating the conditions for an engaged citizenry is an important first step.

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2 Government can, of course, influence wealth redistribution through fiscal policy.