

The impact of social justice advocacy: a policy maker's reflections

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I feel honoured to have been invited to participate in this important event celebrating two people whose contribution to public policy for so many years has been nothing less than remarkable. Seán Healy and Brigid Reynolds have not only shaped important institutions in the policy domain, including our hosts this afternoon, but they have become an institution themselves. Their passion for justice, finely honed analytical skills, their energy, persistence and resilience during their marathon pursuit of social justice have been combined with an entrepreneurial flair for spotting opportunities to sprint towards a tactical goal. They have never been afraid to sacrifice popularity in the cause of the moral imperative of a fairer society or the compelling logic of rigorous analysis.

I am happy to say that my professional respect for their work has been capped by friendship which leads me to believe that Seán and Brigid are probably better placed than anyone to speak about the impact of social justice advocacy over the long term

I was invited to give personal reflections but I think it is necessary to say something first about the policy process which is the target of advocacy. While the demand for evidence-based policy may suggest that policy making is a rational exercise, this is a bit like describing sausage-making as an exercise in haute cuisine. Policy actors do, indeed, behave rationally, but not all the time and not in the sense of 'following the science', through logical steps to an intended and well-defined outcome. Like most of life, policy-making is a messy business to which the participants, insiders and outsiders alike, bring tacit or explicit ideological positions, the weight of tribe and tradition, a quest for power or influence, but also a strong

desire to solve problems, offer public service and make life better in some more-or-less understood way.

The gatekeepers to and tenants of the public policy space are the politicians elected to public office and the officials who support and advise them. If policy-making is a form of problem-solving then it begins with understanding the nature of the problem. This is not a simple quest to understand the sequence of cause-and-effect that gave rise to a particular state of affairs regarded as problematic. A policy problem exists only if there is a feasible policy response. In the past, the weather was seen as something beyond the scope of public policy but the potential to impact the course of climate change has made it a policy problem.

The primary challenge to politicians may not be to identify the objectively optimal policy response to a perceived problem, but how to calculate the political costs and benefits involved: the opportunity cost of financial resources in the first instance, but also other scarce resources such as legal drafting and parliamentary time, and the political capital required to bring political colleagues, never mind opponents, on board. The political benefits may not be calculated primarily in terms of the impact on the presenting problem but rather the perceived honouring of election commitments, satisfying public opinion, creating a political legacy or a political trap for opponents. In that context, policy advocacy is about influencing the political cost-benefit analysis. It shouldn't be assumed that policymakers don't know what an effective policy would look like: President Lyndon Johnson told leaders of the civil rights movement that he knew very well what type of legislative reform would be effective, they didn't need to persuade him about that. Rather, he said, their task was to make him do the right thing, by creating the necessary political conditions, including the force of public opinion.

For public officials, similar calculations arise, in terms of the feasibility and resource cost of possible policy responses, but there are also calculations about personal or organisational risk in presenting advice which may be rejected or resented. There are implementation risks to be weighed too, which may stay with public agencies long after the political decision

takers have left the building, not to mention the possible impact on organisational positioning in the bureaucratic equivalent of the Hundred Years War.

Policy-making takes place in a context that stretches well beyond the pros and cons of particular issues. It is shaped by history and tradition, reflected in the prevailing civic, political and organisational culture. Policy actors, like everyone else, filter information and proposals through a complex matrix of conscious and unconscious prejudices and predispositions. Some may be of an almost existential character. For example, the circumstances of the creation of the State conditioned the policy outlook over many decades, reinforced by the cumulative impact of habit and practice. The project of ensuring public and institutional stability and containing the threat of subversion framed administrative as well as political sensibilities. . Maura Adshead has argued that this overriding priority helped 'to fix the authoritarian, centralising and conservative aspects of Irish democracy'. The administrative structures adopted at that time, and in particular the Treasury dominance inherited from Whitehall, carried on a certain mindset. Indeed, one historian of the period has referred to the Department of Finance as 'the flagbearers of the retreat from revolution'. This fitted into a woefully weak national system of innovation, defined in the greatest unread report published by the NESC, as the interaction of institutions, resources, skills and market opportunities. Lars Mjoset in that report argued that the recourse to exit rather than voice through emigration over decades reinforced a conservative and patriarchal society with a consequently narrow perspective on policy.

One legacy of that period was an innate understanding of the close links between the economic and the social. The greatest challenge faced by Ireland by the mid 20th century was inextricably both economic and social: to arrest the long-term decline in population by enabling people to find work at home, so reversing demographic decay and social dysfunction.

The outward pivot of Irish development policy in response was both a political and administrative project with clear economic and social objectives. This is where the reflections become a bit more personal. I joined the civil service in the early 1970s, when upping our game to secure the benefits of membership of the EEC was seen as a

professional as well as a national challenge. Becoming more European in outlook meant turning away from a fairly slavish following of British models of policy and administration, or at least the ones we could afford, to a greater focus on the experience of other small European countries. Policymakers and officials instinctively focused on the middle ground between the Social Democratic and Christian Democratic traditions where growing the size of the national cake was seen to permit a middle – of – the - road approach to redistribution. Indeed, one could say that this strategic direction shaped Irish policy for the past sixty years, in the form of a civil doctrine that sees Ireland's economic prosperity as dependent on full integration into the international system of trade; successful participation in trade as requiring the attraction and renewal of high levels of overseas investment bringing technological expertise; the conditions required to attract and renew foreign investment as the foundation of Irish fiscal strategy at least as regards the structure of the tax system; and social policy as supporting that economic strategy by forming human capital to complement international financial capital, while redistributing income through a highly progressive tax and welfare system, allied to incomes policy to smooth the stark inequalities that result from having a high productivity/high income international sector embedded in a low productivity/low income indigenous economy.

As a social policy analyst in the NESC in the late 1970s I contributed to the process of teasing out social policy options for a growing economy and population committed to greater internationalisation. NESC reports of the day, including some of my own, were often the first official treatment in Ireland of questions which had been central to social policy and political debate elsewhere, such as the place of universality and selectivity in policy design.

My subsequent service in the Department of Health, back in the NESC as director, and later in the Department of the Taoiseach, saw the complexity of policy questions increase, but arguably with little shift in the frame of reference within which these questions were approached by politicians and officials alike. For much of the time, social justice was seen as a relatively unproblematic byproduct of economic development: more jobs, higher incomes, more sustainable family structures and more investment in public services. In this context, the challenge was to design and deliver programmes as efficiently and effectively as possible. Redistribution was approached as an instrument to provide resources for greater

equality of opportunity by widening access to education and retraining for those displaced by economic and technological change. The framing problem was seen as underdevelopment rather than inequality. Social policy advocates tended to focus on pushing for faster implementation of established European norms regarding equality and worker protection. Gender equality was also a key driver of the approach to taxation and social welfare policy, but many other targets were clear anomalies which reflected the administrative solutions of an earlier time, such as the reform of social assistance and the gradual deinstitutionalisation of care.

Maybe it is a measure of the success of our economic development strategy that there is greater cleavage today around the direction of economic policy, based on ideological differences which have been more characteristic of other European countries for many decades. It is more difficult to observe shifting ideological currents within the system of public administration, not least because in the public service ideological positions are often understood as merely technical devices to promote efficiency and mitigate risk. In any event, it has always been difficult in Ireland to disentangle the drivers of the political system from the weight of opinion in the administrative system. For example, there is a shared tendency across the political and administrative systems to see the tax and transfer system as the most feasible framework for resolving economic and social challenges. However, protecting incomes may be a poor enough response when the challenge is to deliver public services, such as housing and health, that correspond to basic social and human needs.

It would be a serious omission not to acknowledge that the broad context for policy-making included wide acceptance of an ethic of fairness, beyond the requirements for formal equality before the law. Perhaps historical experience of religious discrimination and the prejudices of colonial administrators heightened sensitivity to this. Perhaps being a small country with relatively intimate social relations contributed too. But the religious context of what was effectively a public morality of fairness is evident. The Golden Rule of the Judaeo-Christian tradition was taken up in a new way in the Church of Vatican II, energised for greater engagement with the modern world through elaboration of the Gospel implications for justice and peace and the rise of liberation theology. Social visionaries in the Church at home were encouraged and strengthened by the experience of missionaries and returned

missionaries whose ministry had often been marked by a more overt struggle for justice. Notwithstanding the constraints arising from structures and ideology, this ethical framework provided a measure of common ground and a shared vocabulary for politicians, officials and activists alike, at least until relatively recently. If today the debate about fairness has a more secular tone, the ethical foundations of a Rawlsian understanding of justice carry the clear DNA of the Sermon on the Mount.

This background provided the context for a policy-making process which is more art than science. Like most creative processes, policy makers highlight the finished product rather than the messy process of its creation. After all, governments are elected on the basis that they will implement their policies and deliver their stated goals, but in reality they spend much of their time dealing with issues over which they have little control and responding to events for which precedent offers little assistance. For good or bad, the consequences of their decisions may be uncertain, perhaps for a generation or more. Yet the legitimacy of political leadership and trust in public administration rest on public acceptance not only that they know what they're doing but that they are truly in charge.

What they are doing has been called 'collective puzzlement on society's behalf', that is figuring out what is happening in any given area, why it might be so, and what measures if any might make it better in at least some dimension. In this puzzlement officials provide the political system with an instrument of social learning, embodying experience of the past and brokering flows of information and analysis which seek to inform decision-making. Officials and politicians alike have to determine what is relevant, what counts as evidence, who should be recognised as having expertise, what instruments for implementation might be available and what political and institutional capacity there is to break away from the weight of inertia, more politely called the path dependency which characterises so much public policy.

And that is the arena which social policy advocates must enter. Like the officials and politicians with whom they engage, they too must decide on strategy and tactics with very imperfect knowledge of the terrain. My experience is that impact on policymakers is greatest by those who pay as much attention to the policy process they seek to influence as

to the subject matter of their concern. In particular, they recognise that the policy process is not a succession of once-off decisions or campaigns. For most significant policy questions, it is a continuing process and so policy advocacy is largely about establishing and developing relationships with relevant actors, both those currently in key positions and those likely to become senior players in the future

That in turn requires knowledge of how the system works, the personalities involved, their styles of working and so on. In the political system, some ministers are focused on the broad sweep of policy, while others are just as concerned with practical questions of implementation and impact. Some have or rapidly acquire deep knowledge of the details of their brief while others are more focused on where it fits in the overall political landscape . Some place great emphasis on their openness and responsiveness to lobby groups while others are more protective of the political prerogative of initiative and decision. Officials also vary significantly in style and approach: some welcome challenges to received views and contrasting evidence while others respond better to proposals which can be seen as representing continuity rather than rupture. Knowing the dynamics of the policy makers' world, and understanding the pressures and risks which they face are essential to the advocate's mission.

What can be said with some confidence, however, is that both politicians and officials, like most mortals, savour recognition and credit, and those who are willing to let them have it start with a significant tactical advantage. By contrast, if those seeking to influence policy are perceived as unwilling or unable to welcome progress short of total victory, they weaken their potential to influence the policy makers' cost benefit analysis.

In addition to a capacity to give credit for progress made, policy advocates engaged for the long-term need to develop other resources for influence, such as:

- a reputation for accuracy and reliability in the material they prepare and promote;
- a willingness to respect the confidentiality of the off-line communication with politicians and officials who are exploring policy options;

- a capacity to forge alliances with others and to support those who are best placed to influence policy makers and mobilise public opinion by sharing material with them;
- an ability to add emotive force to policy positions with examples of the real life circumstances of individuals and families
- a capacity to use different methods and different types of language that are appropriate to different stages of the policy-making process.

In truth, time is a critical ingredient in policy-making and policy advocates, especially those aiming for large social change, should bear in mind the advice of Pope Francis that time is greater than space, as he put it “giving priority to time means being concerned about initiating processes rather than possessing spaces. What we need is to give priority to actions which generate new processes in society and engage other persons and groups who can develop them to the point where they bear fruit in significant historical events ...without anxiety, but with clear convictions and tenacity.”

Successful policy advocacy entails engaging appropriately with the different phases of policy development. Advocates will pay attention to established academic and other public policy institutions such as the CSO to encourage them to recognise, describe and measure problems so as to plant the seeds of a policy response. Respected media commentators and key figures in civic society likewise shape the understanding out of which policies develop. Political parties must establish narratives to inform and shape their policy programmes. which may become part of formal programmes for government. . Governments at the beginning of their term must create frameworks within which to implement electoral commitments. Then specific proposals need to be crafted and translated into legislative measures and institutional actions, all potential targets for influence. Sometimes, the state of public opinion and political and administrative understanding may not be ready for what is being proposed. In the spirit of time over space, establishing frameworks which will deepen understanding and underpin action over the medium to long-term can be effective. For example, strategies that were adopted in the past to combat poverty, to deal with rural underdevelopment, to address geographical concentrations of disadvantage, to promote

early learning for children, all focused administrative effort and political attention and developed the capacity to do what earlier might have been impossible.

Similarly, securing official adoption of appropriate targets can have a major effect on the shape of policy over time. Standards of adequacy in income support or for the provision of services by reference to population ratios provide an imperative to continue to address the issues of concern.

The pursuit of social justice has its own justification but the policy impact of advocates for social justice will be enhanced by linking it to other goals and other actors. For example, investment in education to promote greater equality also produces greater economic capacity. Investing in high quality childcare and early learning increases human capital and impacts on the cost of life-cycle supports. New approaches to income protection may reduce disincentives to work by removing penal implicit tax rates. Persuasive arguments that engage the widest possible constituency of support also broaden the range of policymakers who can see benefits for their particular area of responsibility and so increase the prospects of success.

The pursuit of social justice, no less than happiness and holiness, is a never – ending quest. Those who take it on need resourcefulness and resilience, as well as formidable powers of analysis and creativity. It's not a matter of having 'a cunning plan': they need to combine long-term strategising with the opportunism to seize the moment when events provide the potential for a breakthrough.

Perhaps it is in modelling these qualities and in the integrity of lives devoted to a moral purpose that Seán Healy and Brigid Reynolds have offered most to the cause of social justice. Beyond remarkable achievements, such as the adoption by Government of a standard of adequacy for income support and creating a space for serious consideration of

basic income strategies in the teeth of deeply engrained resistance, it is their example that will provide inspiration and instruction for those coming after them, as well as the admiration and gratitude of those of us who have been witnesses to their work