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Who is Irish Today? Citizenship and Nationality Issues in 21st Century Ireland

Qui est irlandais aujourd'hui ? Questions de citoyenneté et de nationalité dans l'Irlande du XXI^{ème} siècle

Julien Guillaumond

Introduction

- 1 Over the last two decades, international migrations have driven many European States to alter their immigration policies. As globalization compels them to open up their economies to the free flow of capital and labour, EU States are rather more reluctant, in general, to consider immigration positively when it comes to its physical manifestation and its corresponding economic and social consequences. The late financial crisis, along with rising unemployment rates, has put further strains on those European economies, and in a context of tightening financial resources, the debate around immigration issues has tended to rest, ultimately, on who is or who is not part of the national community.
- 2 Citizenship and nationality questions have thus resurfaced with a vengeance as they can be used interchangeably¹ to determine which persons do or do not belong to the State and therefore can or cannot enjoy the contingent benefits of membership.² Citizenship will be considered here as “the legal institution that designates full membership in a state and the associated rights and duties”.³ It refers to “the particular legal bond between an individual and his or her State”⁴ and represents the ultimate level of inclusion into the political community of citizens,⁵ entitling recognized individuals to the protection of the State.
- 3 Each State has a relatively unrestricted right to regulate the composition of its citizenry⁶ and the criteria used to define or grant access to citizenship may vary through time. However, the manner with which the State shapes its citizenship policies has an influence on its immigration policies and, consequently, on its labour market and welfare

programmes,⁷ and ultimately on demographic trends which affect the State in return. How has Ireland, long considered as an emigrant nation without any real experience in dealing with immigration, reacted to a complete and utter reversal of its population trends in less than two decades in a context of huge economic and social changes?

- 4 The purpose of this chapter is to look at the two notions of citizenship and nationality in Ireland⁸ through a two-facet perspective set against the economic and demographic changes of the last two decades. Following the presentation of these changes, a second section will consider the transformation of Irish citizenship laws over the last two decades with a particular interest on the inclusion or not of outsiders into the political community of citizens. The next section will consider how the Irish State sees and perceives its national community to be, and consequently its citizenry, through some questions taken from the latest censuses and their results. In terms of statistics, how does the Irish State conceive its citizenry? Does it match the citizenship policies implemented? It is the author's contention that the Irish State has tried to restrict both strands of citizenship in order to emphasize an unchanging vision of Irishness, the traditional image of an Irish person. In the Irish case, both elements seem to stress the idea of an unchanging Irish citizenship and identity while negating the diversity of Ireland itself.

Economic and demographic changes

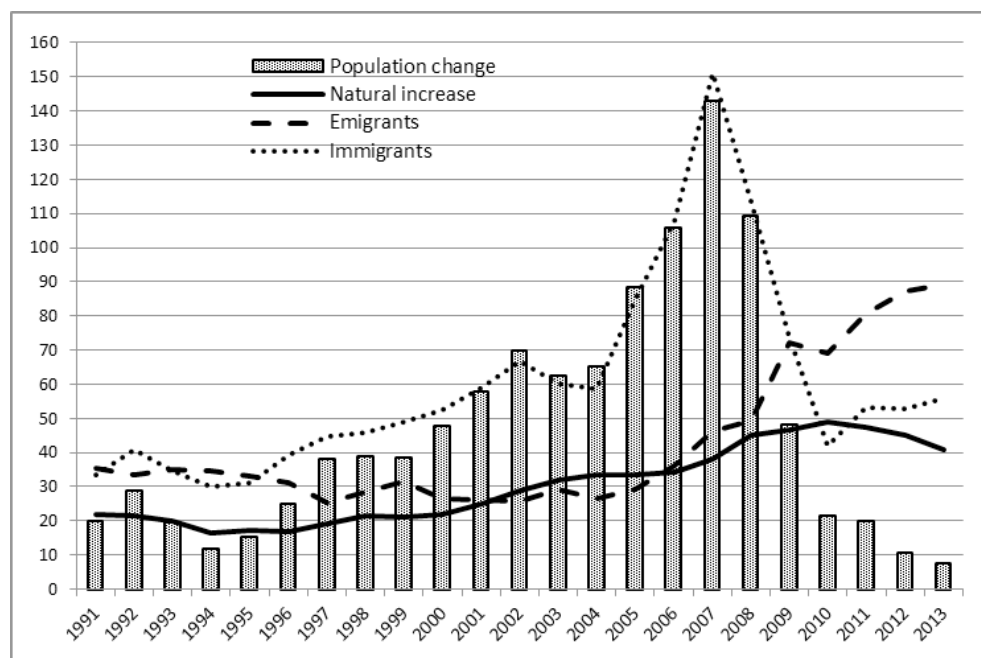
- 5 On 15 May 1997, the *Economist* acknowledged on its front page Ireland's new status as the "Shining light" of Europe. A few years later, in October 2004, the same magazine praised the Irish economic miracle as Ireland had become the model of economic development in Europe. In less than a decade, Ireland had achieved a remarkable upturn as it went from being on the fringe of bankruptcy in the late 1980s to a Celtic Tiger, with high rates of growth in the second half of the 1990s with an annual average rate of 7.5 per cent, surpassing in some years 10 per cent growth and, by the early 2000s, becoming one of the most open economies in the world.⁹ European States looked with true envy at the Irish model, eager to be lectured on the keys to success by Irish economists and politicians alike,¹⁰ wondering how all had come about. Economic success caused much satisfaction as the Republic of Ireland was "*economically more advanced than the UK*"¹¹ and other EU states. Slowly but markedly, it became "*fashionable*" to be Irish. Irish traditional music and culture with musical performances such as *Riverdance* were widely acclaimed, and Dublin was turning into a thriving cosmopolitan city.¹² If the economy in Ireland was one element of national pride, demographic changes were another.
- 6 From the mid-1840s onwards to the mid-20th century, a declining population following the Great Famine was one key feature of Irish demography, natural increase being completely offset by the sheer extent of emigration. With some notable exceptions in the 1960s, and in the 1970s as net migration was positive as many former Irish emigrants returned to their home country, emigration remained a noticeable factor well until the 1990s,¹³ closely associated with the state of the Irish economy (figure 1).

Figure : Components of population change in intercensal periods in Ireland, 1926-1991 (000s)¹⁴

- 7 Experiencing high rates of growth in the 1990s, Ireland saw its population increase at a much faster rate than in the past. The Organization for Economic Co-Operation and Development (OECD) noticed that trend of economic and corresponding population

growth in several of its reports when it stressed the link between “*changes in migration flows and relative changes in economic conditions in Ireland*”,¹⁵ this time though with a rather positive perspective in the context of the Celtic Tiger. Previously known as an *Emigrant Nursery*,¹⁶ Ireland gradually became an immigration country. In that respect, 1996 appears to have been a turning point as it marked the first year of net in-migration, Ireland being the last country in the EU to display such a trend.¹⁷ In 1996, an extra 8,000 people entered the country, more than the number who left it, and from that year on, net migration has made a positive contribution to Ireland’s population growth (figure 2).

Figure : Components of population change in Ireland, 1991-2013 (000s)¹⁸



- 8 The Irish population increased by 18.2 per cent between 1999 and 2008, the highest rate among the EU-27 States,¹⁹ reaching in 2006 its highest level since 1871 at 4.04 million.²⁰ As emigration decreased strongly, immigration increased significantly as rapid economic growth created an unprecedented demand for labour in the construction and finance sectors, but also in information technology and health care.²¹ In 2001 for instance, while some 26,000 people left the country, more than twice that number entered Ireland, a trend that continued in the following years.²²
- 9 However, while the first influx of population in the 1990s was mainly returning Irish, the profile of immigration to Ireland changed in the later part of the decade and the early part of the 2000s with the increase in immigration from non-Irish people. Between 1995 and 2000, approximately a quarter of a million people immigrated to Ireland, about half of whom were returning Irish.²³ The number of returning migrants was gradually offset by the number of immigrants from other countries. While 2002 was a peak year, the share of Irish immigrants fell from about 65 per cent in the late 1980s to 44 per cent from 2000 to 2002. Between 2003 and 2005, their share fell again to 27 per cent, and from 2006 to 2008, it fell to 18 per cent, even though their number remained steady.²⁴
- 10 As the share of returning Irish immigrants fell, non-EU immigrants came to dominate the flows between 2001 and 2004, when they represented more than half of all non-Irish immigrants compared to one third from 1992 to 1995.²⁵ In 2006, the ratio of foreign-born

to Irish-born population in Ireland was deemed high compared with other industrialized countries, especially when considering immigration as a recent phenomenon in Ireland.²⁶ Since the accession of 10 new EU Member States in 2004, EU nationals have not only dominated migratory inflows, they have helped push flows to new heights. Between 2005 and 2008, an average 44 per cent of the immigration flow and 54 per cent of the non-Irish immigration flow were from the 10 EU states that acceded in 2004, together with Romania and Bulgaria, which acceded in 2007.²⁷

Citizenship and nationality issues in Ireland

- 11 When considering citizenship policies, one cannot but agree with Dug Cubie and Fergus Ryan who remind us that:

[L]aws, conventions and judicial pronouncements [...] do not exist in a vacuum. They reflect, as do all laws, the priorities and concerns of the people who make them, and of those whom such lawmakers represent.²⁸

- 12 They are also strongly shaped by past events, particularly in the light of criteria used in determining who can become part of the political community of citizens, and thus be granted its corresponding rights. In Ireland, citizenship and nationality are two closely intertwined notions.²⁹ They even seem to be synonymous in comparison with other European countries³⁰ while they traditionally call for different dimensions as “*citizenship*” refers to a State while “*nationality*” refers to membership of a nation.³¹

- 13 In their non-legal dimensions, both terms are linked to the historical, political, social and ethnic background of the State they seek to determine.³² As Brian Doolan has written, the Irish Constitution has opted for a definition of the nation referring to a “*community of persons not constituting a state but bound by common descent, language, religion and history*”,³³ meaning that the nation spreads beyond the borders of the State. In Ireland, the Constitution refers to the individual member of the State as a citizen but the status is referred to as “*nationality and citizenship*”,³⁴ while the legislation refers almost exclusively to citizens as can be seen in the 1956 *Irish Nationality and Citizenship Act*.³⁵

- 14 Since the foundation of the State, citizenship laws in Ireland have always possessed a dual dimension. They have, for several decades, favoured the use of two principles of citizenship: an unconditional right to citizenship for all people born in Ireland (*jus soli* principle),³⁶ and a right to citizenship for people living abroad from Irish descent (*jus sanguinis* principle).³⁷ That position was reflected in *Bunreacht Na hÉireann*, the 1937 Constitution, which broadly defined citizenship in accordance with the State’s desire of uniting Ireland, but also with the desire of including former generations of Irish stock who were either living on the other part of the island or abroad, having previously left the State. As a consequence, all people born on the island of Ireland and those born of Irish parents had automatic citizenship. The main text of reference, the *Irish Nationality and Citizenship Act* (1956) enshrined the *jus soli* principle³⁸ to all those born on the island of Ireland while former generations could acquire Irish citizenship on demand³⁹ if either parent was an Irish national.

- 15 Mary Daly has shown that, from the very foundation of the State, the preoccupation of Irish authorities has been to design a notion of citizenship inclusive of all people living on the island of Ireland as well as people living overseas,⁴⁰ while at the same time trying to reach an agreement with the UK to assert the State’s own “*legal independence and its*

historical and political difference”.⁴¹ As Iseult Honohan has written, alongside a conception inclusive of the resident population, the children of emigrants were granted citizenship on a medium term basis, thus mainly echoing the US connection, and immigrants could in principle naturalize relatively easily.⁴² The diaspora dimension has remained central to Irish citizenship laws since then, and was later reasserted when newly elected President of Ireland, Mary Robinson, talked about the 70 million people who claimed Irish descent in her inaugural address in 1990. If the experience of emigration has had a strong influence on the construction of Irish nationality law,⁴³ the simultaneous inexperience of being a large-scale immigration country compared to its European counterparts, and without much real experience in dealing with it and its impacts on the social fabric, has also played a very strong influence.

- 16 Facing its new status as an immigrant nation, debates about immigration policies, formerly quite inexistent, were soon followed by a corresponding restriction of citizenship laws. Such a change has to be set against a context of remarkable stability over the previous decades. Hon. Mrs Justice Catherine McGuinness has thus observed that:

[For] over 60 years from the foundation of the State the regulation of immigration and citizenship under statute law was limited to the *Aliens Act 1935* and the *Irish Nationality and Citizenship Act 1956*. Case law arising from the provisions of these Acts was remarkably rare.⁴⁴

- 17 In terms of legal decisions and law, there seems to have been an acceleration in the last decade, particularly between 1996 and 2004, with a “*virtual explosion of case law*” as Hon. Mrs Justice C. McGuinness observed.⁴⁵
- 18 In that respect, the *Good Friday Agreement* signed in 1998 appears as a turning point.⁴⁶ It led to an Amendment to the Constitution approved by a majority of 94 per cent in a referendum in May declaring that:

It is the entitlement and birthright of every person born on the island of Ireland, which includes its islands and seas, to be part of the Irish nation. That is also the entitlement of all persons otherwise qualified in accordance with law to be citizens of Ireland. Furthermore, the Irish nation cherishes its special affinity with people of Irish ancestry living abroad who share its cultural identity and heritage (*Constitution of Ireland*).

- 19 The amendment had two consequences. First, it made it clear that any person born on the island of Ireland, North or South, had the right of citizenship.⁴⁷ Citizenship by birth had thus become a constitutional right. Secondly, it also reasserted the diaspora dimension of Irish nationality. In the political context of the time, this change aimed at making it easier for the Irish of Northern Ireland to acquire citizenship in the Republic.⁴⁸
- 20 However, with the Republic of Ireland becoming a country of immigration, the new provisions conferred entitlements on children born on the island of Ireland of non-Irish parents.⁴⁹ This was further reinforced by the interpretation of the family clause, the Supreme Court stipulating that non-national parents had the right of residency because their children had been born in Ireland. In the light of Ireland’s new economic situation, the country was seen as a new *Eldorado* for people seeking to make a new life. Moreover, was the country offering not only a good labour market eager for workers,⁵⁰ but also a sound social welfare system and an opportunity to enter the United Kingdom.⁵¹ In the space of a few years however, between 2003 and 2005, Ireland’s citizenship laws were fundamentally changed. From the early 2000s, the law on citizenship was criticized as it was argued that the Constitution offered a form of “*carte blanche*” to stay in the country

for non-national parents who had children in Ireland.⁵² And, as early as 2001, the Irish government considered the possibility of a constitutional amendment to close that “loophole” and remove unconditional *jus soli*.⁵³

- 21 Immigrants were viewed as an issue since they were responsible for social problems. At the same time, a distinction was made between nationals and non-nationals as a strategy for protecting the social and economic fabric of the country. In order to convince voters of the soundness of the government’s proposal, the Minister for Justice, Equality and Law Reform, Michael McDowell accused all opponents of the proposal of being racists.⁵⁴ The only good migrant was the one serving the Irish economy, who stayed as long as the economy needed him/her. There is also no denying that the 2004 citizenship referendum also came at a time when the Irish economy had started to slow down as debates were more focused on a possible extinction of the Celtic Tiger and the existence of economic and social inequalities.
- 22 In June 2004, the Irish electorate voted by a margin of four to one for a change in the definition of Irish citizenship.⁵⁵ As a result, a person born on the island of Ireland no longer had a constitutional right to be an Irish citizen by being solely born in Ireland.⁵⁶ In other words, an Irish-born child’s automatic right to citizenship was cancelled when the parents were not Irish nationals. As a result, *ius soli* citizenship is limited to those who have, at the time of birth, at least one parent who is an Irish citizen or is entitled to be an Irish citizen.⁵⁷ If the abandonment of unconditional *ius soli* can be seen as a significant development in Ireland,⁵⁸ it is not unusual in a comparative perspective,⁵⁹ in line with an increase of immigration in other European states. However, while citizenship by birth has been fundamentally changed (citizenship is no longer unconditional for children born in Ireland, as the country has changed from being a country of emigration to one of immigration), citizenship by descent, initially influenced by emigration, has remained essentially unaltered.⁶⁰
- 23 At the same time, naturalization as another mode of citizenship acquisition,⁶¹ given by means of a certificate granted by the Minister for Justice and Equality, has not been strongly promoted by Irish authorities, whether through a full informative website or through information about the benefits that one would acquire by becoming an Irish citizen.⁶² Moreover, the fee for an application added to a second fee when the application has been successfully received are “*deterrent[s] for certain applicants*”.⁶³ Finally, the process of providing documents for application can be strenuous; and in the end, all applications remain at the discretion of the Minister for Justice and Equality. In that sense, the message seems clear: “Others” need not apply for citizenship.⁶⁴
- 24 This section has tried to show that citizenship policies in Ireland have become more restrictive in less than two decades as the country has become more open to the world. However, one cannot but note that this happened in a very short time and, in some ways, contrary to an Irish past when the country saw its people seek a better life abroad.

Statistics or the determination of the contours of Irish citizenry

- 25 With substantial immigration flows, Ireland has become a very diverse society. In one of its latest publications, the Central Statistics Office (CSO) prided itself in that “*remarkable diversity*”, boasting 199 different nations being represented in Ireland.⁶⁵ When considering

the notions of citizenship and nationality, the Census and the manner with which the State sees its citizenry, and the diversity of its citizens, is worth studying. Census authorities, in the United Kingdom as in the Republic of Ireland, generally argue that Census questions help the State target more effectively its social and economic policies,⁶⁶ and better allocate its resources. However, such questions, to borrow from Kertzer and Arel's description, also aim to "create a legible people".⁶⁷ In that sense, they offer some elements to frame the contours of Otherness, make a distinction in the Irish case between residents and non-residents, and thus define who has or has not the right to avail of the benefits of community membership.

- 26 In the reference text of citizenship legislation in Ireland, the *Nationality and Citizenship Act, 1956*, a distinction operates between "aliens", meaning "a person who is not an Irish citizen", and "Irish citizen", meaning "a citizen of Ireland", a national of the national territory while "Ireland" here refers to "the national territory as defined in Article 2 of the Constitution".⁶⁸
- 27 That distinction is to be found in the Irish Census, not in the same terms (the opposition is between "nationals" and "non-nationals" among Ireland's "resident population") although they seem to cover the same meaning in their respective uses, all the more so as they have been given true precedence since the 2004 Citizenship Referendum.⁶⁹
- 28 Since 2002, the Irish Census of Population has included a question asking respondents to self-record their nationality. Though the data collected has to be considered with caution,⁷⁰ the findings emphasized the growth of the "non-national" population. In 2002, 5.8 per cent of the total population resident in Ireland had non-Irish nationality. That share increased to 10.1 per cent in 2006, and was 12 per cent in 2011 (table 1). Over the whole period, between 2002 and 2011, the number of non-nationals has increased by 320,096, representing 143 per cent in 9 years, those two figures being highlighted in the CSO publication.⁷¹ What remains unclear when one reads this publication is whether such figures are only presented there for statistical reasons or to stress the new status of Ireland as a country with a far more diverse population than in the past with a huge number of foreign people.

Table : Persons usually resident and present in Ireland by nationality, 2002, 2006 and 2011 (and their respective share in the total population)⁷²

	2002		2006		2011	
		(%)		(%)		(%)
Irish	3,584,975	92.9	3,706,683	88.8	3,927,143	86.8
UK	103,476	2.7	112,548	2.7	112,259	2.5
EU15 (minus Irish and UK)	29,960	0.8	42,693	1.0	48,280	1.1
EU15 to EU25 states	--	--	120,534	2.9	226,225	5.0
Total EU	133,436	3.5	275,775	6.6	386,764	8.5
Other European	23,105	0.6	24,425	0.6	16,307	0.4
United States	11,384	0.3	12,475	0.3	11,015	0.2

Africa	20,981	0.5	35,326	0.8	41,642	0.9
Asia	21,779	0.6	46,952	1.1	65,579	1.4
Other nationalities	11,236	0.3	22,422	0.5	22,210	0.5
Multi/no nationality	3,187	0.1	3,676	0.1	2,327	0.1
Not stated	48,412	1.3	44,279	1.1	52,294	1.2
Total non-Irish	224,261	5.8	419,733	10.1	544,357	12.0
Total	3,858,495	100	4,172,013	100	4,525,281	100

- 29 The second element to be considered, according to the CSO, is the point on incoming migrants. There again, the State makes a distinction between Irish and non-Irish people, or returning Irish and incoming non-Irish. In 2011, 892,370 residents in Ireland had lived outside of Ireland for one year or more. Out of those, nearly two thirds (60.1 per cent) were Irish nationals, while 39.4 per cent were non-Irish nationals. The publication concluded on the following two figures: 199,206 being the number of non-Irish nationals in Ireland in 2011 who had arrived in Ireland since 2004, 112,766, the number of Irish nationals in Ireland in 2011 who had arrived since 2004.⁷³
- 30 Since 2006, the Census in Ireland has also included a question on ethnic and cultural background. The format for the ethnicity question is influenced by the British Census where it was first introduced in 1991 (and was followed by a question on religion in 2001), the CSO's engagement with European statistics agencies, and debates in Ireland over whether Irish Travellers were an ethnic group.⁷⁴ The decision to include the question was made because of an increasingly ethnically diverse population, an increased awareness of equality legislation and anti-discrimination measures, and pressure from Irish Traveller representatives.⁷⁵ Results from the 2011 census revealed that 94.3 per cent of the population in Ireland identified as white, a slight decline from 2006 where they had been 94.8 per cent (table 2). The other two main ethnic categories saw an increase in their numbers, while the last two categories, "Other background" and "not stated" declined (from 1.1 per cent to 0.9 per cent and 1.7 to 1.6 per cent).

Table : Persons usually resident in the Republic of Ireland by ethnic or cultural background, 2006 and 2011⁷⁶

		2006		2011	
		(000s)	(%)	(000s)	(%)
White					
	Irish	3,645.2	87.4	3,822	84.5
	Irish Traveller	22,4	0.5	29,5	0.7
	Any other White background	289	6.9	413	9.1

Black or black Irish					
	African	40,5	1	58,7	1.3
	Any other Black background	3,8	0.1	6,4	0.1
Asian or Asian Irish					
	Chinese	16,5	0.4	17,8	0.4
	Any other Asian background	35,8	0.9	66,9	1.5
Other including mixed background		46,4	1.1	40,7	0.9
Not stated		72,3	1.7	70,3	1.6
Total		4,172	100	4,525.3	100

- 31 While such a question offers a State representation of the Irish population, it also manifests the Irish State's attempt at showing that Irish identity has not changed despite recent migratory trends. The impression is that Irish identity is stable and that diversity has not significantly increased. With the race/ethnicity question, the State defines race. In that sense, the "*ethnic and cultural*" question follows the trend which uses "*ethnicity*" to describe "*race*", leading to some confusion between the concepts. Though some consultation took place prior to the 2006 census for the use of an ethnicity question – within the State and within non-government and inter-government agencies – there was little or no consultation with groups representing racial groups nor with organizations representing immigrants.⁷⁷
- 32 The census erases the distinction between nationalities, thus bringing people of Eastern European origins closer to an Irish conception of citizenry and excluding other "non-white" people. In the census, one is either white, or black/black Irish, or Asian. Benedict Anderson wrote that the "*fiction of the census is that everyone is in it, and that everyone has one – and only one – extremely clear place*".⁷⁸ This is a case of "forced choice", as every respondent has to tick one race category imposed by the State. In that sense, the State has a strong hand in determining the racial status of its population.
- 33 The 'white' category seems to reinforce the traditional image of Ireland, putting people from all origins into the same white group as the different categories are *de facto* mutually exclusive. Figures say over 94 per cent of the Irish population is white thus providing a majority representation of the Irish population and emphasizing the mono-cultural conception of Irish identity. Such a position, therefore, augments the white category, bringing it closer to the traditional image of Ireland as a mono-cultural country. People of English, Polish or Russian origin are very likely to be found in the "other White" subgroup, thus leading to a homogenization of the Irish population⁷⁹ and a false impression of immutability.⁸⁰ Moreover, the use of other categories such as "Black African", bringing together people from various countries of the African continent that would not normally be together in terms of ethnicity⁸¹ is misleading, thus reinforcing the seemingly mono-cultural identity of the country and makes people less visible when they

come from a minority ethnic group. It eventually indicates that no new identity can be acknowledged. The ethnicity question implies that ethnicity is something one has, something inherited.⁸² One is either Irish or of Irish descent, or one is in the Other category. That position is further strengthened by the 'background' element, which further implies that what matters is the place where one or one's ancestors were born, therefore leaving no space for other generation immigrants for instance to assert another identity. From the study of these Census questions, one can see that the Irish State has tried to restrict the notion of Irishness to a particular element of its population, thus offering a near close denial of the diversity it proclaimed in its official statistics.

Conclusion

34 Studying citizenship and nationality laws for any given State allows one to question the degree of openness of a given society, of this State's position to the 'Other', and correspondingly, whether State and society are secure in their own national identities. In the case of Ireland, this chapter on citizenship laws and on the latest surveys on the Irish population has pointed to a restriction of citizenship, both in its legal perspective and its representative dimension, particularly for those who are not of Irish stock, thus painting the picture of an unchanging Irishness. One cannot but wonder whether such a position *vis-à-vis* outsiders, very much in contradiction with Ireland's being the land of the thousand welcomes (*céad míle fáilte*), cannot be explained by the fact of an "*ethnic majority experiencing a crisis of identity*",⁸³ going hand in hand with a late recognition of diversity and an understanding of the majority as implicitly white. In that respect, the years to come will represent a test to find out to what extent, like some European States such as the United Kingdom, the Republic of Ireland adopts citizenship tests offering a State's conception of its national identity, and follows the trend of adopting more formally or not the "deserving citizenship concept" in its policies.

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NOTES

1. According to the EUDO@ Observatory on Citizenship, the distinction between the two terms remains difficult to define: "There is much terminological confusion in the study of citizenship statuses and laws. While public international law uses the term nationality to refer to the legal bond between an individual and a sovereign state, several domestic laws use the term citizenship or its equivalent." EUDO Observatory on Citizenship, <http://eudo-citizenship.eu/>, last accessed 13 March 2014.

2. Siofra O'Leary's comment in this respect is worth noting when she refers to the "exclusionary aspect" of both nationality and citizenship. S. O'Leary, "Irish Nationality Law", in Bruno Nascimbene (ed.), *Nationality Laws in the European Union* (Milan, Butterworths et Giuffrè Editore, 1996), pp. 423-464, p. 424.

3. G. Bertocchi and C. Strozzi, "The Evolution of Citizenship: Economic and Institutional Determinants", IZA Discussion Paper no. 2510 (2006), p. 2.

4. E. Vasileva, "Population and Social Conditions", *Eurostat Statistics in focus*, 34 (2011), p. 7, http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-SF-11-034/EN/KS-SF-11-034-EN.PDF accessed March 2013.

5. P. Cole, "Introduction: 'Border crossings' – The dimensions of membership", in G. Calder, P. Cole and J. Seglow (eds), *Citizenship Acquisition and National Belonging: Migration, Membership and the Liberal Democratic State* (New York, Palgrave Macmillan, 2010), pp. 1-23, p. 1.

6. B. Ó Caoindealbháin, "Citizenship and Borders: Irish Nationality Law and Northern Ireland", Institute for British-Irish Studies, Working Paper 68 (2006), p. 1.

7. G. Bertocchi and C. Strozzi, *op. cit.*, p. 2.

8. Ireland refers to the Republic of Ireland or *Éire* in the Irish language. In the following pages, the two terms will be used interchangeably.

9. K. Yester, "Globalization's Last Hurrah?", *Foreign Policy Review* (1 January 2002).

10. P. Sweeney, *The Celtic Tiger: Ireland's Economic Miracle Explained* (Dublin, Oak Tree Press, 1998); F. Barry (ed.), *Understanding Ireland's Economic Growth* (Basingstoke and London, MacMillan Press Ltd, 1999).

11. C. Coulter, "The end of Irish history? An introduction to the book", in C. Coulter and S. Coleman (eds), *The End of Irish History? Critical Reflections on the Celtic Tiger*, (Manchester & New York, Manchester University Press, 2003), pp. 1-33, p. 2.

12. *Ibid.*

13. In the late 1980s for instance, emigration was still a solution for many Irish men and women: 70,000 left in 1989, a number equal approximately to 2 per cent of the country's population. See T. Fahey, "Population", in S. O'Sullivan (ed.), *Contemporary Ireland: a Sociological Map* (Dublin, University College Dublin Press, 2007), pp. 13-29, p. 27.
14. By net migration is meant the difference between emigration and immigration. Positive migration, then, is the case where $i > e$. Where i = immigration and e = emigration. Figures are based on various data compiled by the Central Statistics Office.
15. Organization for Economic Co-Operation and Development, *Trends in International Migration. Continuous Reporting System on Migration* (Paris, OECD, 1997), p. 116; OECD, *Trends in International Migration. Continuous Reporting System on Migration* (Paris, OECD, 1999), p. 155.
16. J. Mac Laughlin, *Ireland: The Emigrant Nursery and the World Economy* (Cork, Cork University Press, 1994).
17. M. Ruhs and E. Quinn, "Ireland: from Rapid Immigration to Recession", in *Migration Information Source, Country Profiles* (2009), <http://www.migrationinformation.org/Feature/display.cfm?ID=740> accessed February 2013.
18. Figures based on Central Statistics Office (CSO) reports.
19. CSO, *Measuring Ireland's Progress* (Dublin, Stationery Office, 2008).
20. National Economic and Social Council, *Managing Migration in Ireland: A Social and Economic Analysis* (Dublin, NESDO, 2006), p. 12.
21. M. Ruhs and E. Quinn, "Ireland: from Rapid Immigration to Recession", *op. cit.*
22. Please note that the situation has been reversed lately as net migration plummeted in 2008, and in 2010, the levels of migration were at their lowest since 1994. See M. Gilmartin, "The Changing landscape of Irish migration, 2000-2012", NISRA working paper series, no. 69 (2012), p. 2.
23. P. Mac Éinrí, "Immigration policy in Ireland", in F. Farrel and P. Watt (eds), *Responding to Racism in Ireland* (Dublin, Veritas, 2001), pp. 46-87, p. 53.
24. M. Ruhs and E. Quinn, *op. cit.*
25. *Ibid.*
26. NESC, *Managing Migration in Ireland*, *op. cit.*, p. 21.
27. M. Ruhs and E. Quinn, *op. cit.*
28. D. Cubie and F. Ryan, *Immigration, Refugee and Citizenship Law in Ireland. Cases and Materials* (Dublin, Thomson Round Hall, 2004), p. ix.
29. They remain all the more difficult to define as Ireland has allowed non-nationals to enjoy some traditional citizenship rights in the context of European legislation, most notably the right to vote in some local elections. S. O'Leary, *op. cit.*, p. 425. See also B. Ó Caoindealbháin, *op. cit.*
30. S. O'Leary, *op. cit.*, p. 425; C. Symmons, « Le droit de la nationalité en Irlande », in P. Weil and R. Hansen (eds), *Citoyenneté et nationalité en Europe* (Paris, La Découverte, 1999), p. 307.
31. Legally, the two terms relate to different facets of the relationship between the individual and the State: nationality relates to the external (international) dimension, citizenship to the internal (domestic) dimension. See J. Handoll, "Ireland", EUDO Observatory on Citizenship, *Citizenship or Nationality*, <http://eudo-citizenship.eu/>, last accessed March 2014.
32. S. O'Leary, *op. cit.*, p. 423.
33. B. Doolan, *Constitutional Law and Constitutional Rights in Ireland* (Dublin, Gill & Macmillan, 1984), p. 7.
34. J. Handoll, *op. cit.*

35. S. O'Leary, *op. cit.*, p. 425.
36. Catherine Piola has stressed the uniqueness of the Irish State among European States for granting citizenship unconditionally in Europe for over 80 years. C. Piola, "The Reform of Irish Citizenship", *Nordic Irish Studies* 5 (2006), pp. 41-58, p. 46.
37. Such a conception of citizenship largely differs from Britain for whom the territorial expanse of the Empire has led to several transformations of British nationality laws in the 20th century.
38. S. Loyal, *Understanding Immigration in Ireland. State, Capital and Labour in a Global Age* (Manchester and New York, Manchester University Press, 2011), p. 143.
39. C. Symmons, *op. cit.*, p. 309.
40. That dimension has remained at the core of the Irish State's priorities. One example in the 1940s could be Taoiseach John A. Costello's mention that "[the] Irish at home are only one section of a great race which has spread itself throughout the world, particularly in the great countries of North America and the Pacific". *Dáil Debates*, cxiii, 393, 24 November 1948. In the 1950s, the wish to extend Irish citizenship as widely as possible corresponded to a desire to encourage emigrants and their descendants to come back to Ireland. It was also a way to fight the psychological trauma caused by the continued depopulation of the island. On these points, see Mary E. Daly, "Irish Nationality and Citizenship since 1922", *Irish Historical Studies* 32:127 (2001), pp. 377-407.
41. S. O'Leary, *op. cit.*, p. 426.
42. I. Honohan, "Citizenship Attribution in a New Country of Immigration: Ireland", *Journal of Ethnic and Migration Studies* 36:5 (2010), pp. 811-827.
43. S. O'Leary, *op. cit.*, p. 449.
44. D. Cubie and F. Ryan, *op. cit.*, p. xi.
45. *Ibid.*
46. For a full assessment of Irish nationality and citizenship laws, see C. Piola, *op. cit.*; M. E. Daly, *op. cit.*; S. O'Leary, *op. cit.*; J. Handoll, *op. cit.*; U. Crowley, M. Gilmartin and R. Kitchin, "Vote yes for common sense citizenship": Immigration and the paradoxes at the heart of Ireland's 'Céad Míle Fáilte'", NIRSA Working Paper 30 (2006).
47. J. Handoll, *op. cit.*, p. 8.
48. C. Piola, *op. cit.*, p. 43.
49. J. Handoll, *op. cit.*, p. 8.
50. Ireland had been one of the few first countries, together with Sweden and the UK, to open up its labour market to citizens from the ten new EU countries in 2004.
51. C. Piola, *op. cit.*, p. 44.
52. J. Handoll, *op. cit.*, p. 8.
53. B. Ryan, "The Celtic Cubs: the Controversy over Birthright Citizenship in Ireland", Kent Academic Repository (2004), <http://kar.kent.ac.uk/1677>, p. 15. For a full discussion on the 2004 Citizenship referendum, see also J. King, "Porous nation: from Ireland's 'haemorrhage' to 'immigrant inundation'", in R. Lentin (ed.), *The Expanding Nation: Towards a Multi-Ethnic Ireland* (Dublin, Dept. of Sociology, Trinity College, 1998), pp. 49-54; B. Ní Chiosáin, "Passports for the New Irish? The 2004 Citizenship Referendum", *Études Irlandaises* 32:2 (2007), pp. 31-47; C. Smyth and D. O'Connell, "The Irish Citizenship Referendum 2004: A Solution in search of a problem?", in Shah, P. & Menski, W.F. (eds), *Migration, Diasporas and Legal Systems* (London and New York, Routledge Cavendish, 2006), pp. 127-143.
54. S. Brandi, "Unveiling the Ideological Construction of the 2004 Irish Citizenship Referendum: a Critical Discourse Analytical Approach", *Translocations* 2:1 (2007), pp. 26-47, pp. 35-36.
55. For the results, see <http://electionsireland.org/results/referendum/refresult.cfm?ref=2004R> consulted March 2016.

56. H. Becker and C. Cosgrave, *Naturalization Procedures for Immigrants Ireland*. EUDO Citizenship Observatory, Italy (2013), p. 1, <http://eudo-citizenship.eu> accessed March 2014.
57. J. Handoll, *op. cit.*, p. 11.
58. B. Ryan, *op. cit.*, p. 20.
59. Handoll, for instance, has argued that the 2004 attempt aimed at removing a constitutional problem created by previous constitutional reforms (J. Handoll, *op. cit.*, p. 22). That element has to be put in some context. Dug Cubie and Fergus Ryan are not off the mark when they argue that a situation of net immigration “*caught the [Irish] State on the hop. A government more used to outward than inward migration clearly struggled to cope with what could hardly have been predicted 20 years ago*” (D. Cubie and F. Ryan, *op. cit.*, p. viii).
60. C. Piola, *op. cit.*, p. 54. In that respect, Iseult Honohan’s comment is worth noting when she argues that “[p]erhaps, the most striking feature of Irish citizenship laws has been the lengthy dominance, late constitutionalisation, and subsequent retreat of pure *ius soli*” (I. Honohan, *op. cit.*, p. 5).
61. Conferral of nationality as a special honour is another way to acquire Irish citizenship.
62. H. Becker and C. Cosgrave, *op. cit.*, p. 2.
63. *Ibid.*, p. 3.
64. J. Guillaumond, “Is a new definition of Irish identity emerging in the Republic of Ireland in the 21st century?”, in A. Milne and R. Verdugo (eds), *European Identities* (Charlotte / NC, Information Age Publishers, to be published).
65. This report looks at diversity in the form of non-Irish nationals living in Ireland, along with foreign languages spoken and ability to speak English. Central Statistics Office, *Census 2011 - Profile 6 - Migration and Diversity* (Dublin, Stationery Office, 2012), p. 8.
66. The 2011 Irish Census is presented as such: “*The census will give a comprehensive picture of the social and living conditions of our people in 2011. Only a census can provide such complete detail. The census is not, however, an end in itself! Rather the results are essential tools for effective policy, planning and decision making purposes.*” See Census 2011 website, <http://www.census.ie/The-Census-and-You/Your-Questions.90.1.aspx> accessed January 2014.
67. D. Kertzer and D. Arel (eds), *Census and Identity. The Politics of Race, Ethnicity, and Language in National Censuses* (Cambridge, Cambridge University Press, 2002).
68. In Ireland, the links on dual citizenship with Britain had been severed earlier in the mid-1930s. Comparing with Britain, one could say that there was at the time a more inclusive British subjecthood as defined by the British Nationality Act 1948 which said that though each Commonwealth state could have its own immigration laws, each also had to recognise nationals of other member states as “British subjects” and not as aliens.
69. S. Brandi, *op. cit.*, p. 35.
70. C. Piola, “La Politique d’immigration en Irlande”, in C. Maignant, *Le Tigre celtique en question* (Caen, Presses Universitaires de Caen, 2007), pp. 147-172, p. 148.
71. CSO, *Census 2011, Profile 6, Migration and Diversity*, 2012.
72. CSO, *Statistical Yearbook of Ireland* (Dublin, Stationery Office, various years).
73. CSO, *Census 2011, op. cit.*, p. 26.
74. R. C. King-O’Riain, “Counting on the ‘Celtic Tiger’. Adding Ethnic Census Categories in the Republic of Ireland”, *Ethnicities* 7:4 (2007), pp. 516-542.
75. M. Cadogan, “Fixity and Whiteness in the Ethnicity Question of Irish Census 2006”, *Translocations* 3:1 (2008), pp. 50-68, p. 52.
76. Figures from *Statistical Yearbook of Ireland, op. cit.*, 2011 and 2013.

77. R. C. King O'Riain, "Re-Racialising the Irish State through the Census, Citizenship and Language", *Race and State* (Cambridge Scholars Press, 2006), p. 282, <http://eprints.nuim.ie/506/> accessed December 2013.

78. B. Anderson, *Imagined Communities. Reflections on the Origin and Spread of Nationalism* (London, Verso, 2006), p. 166.

79. M. Cadogan, *op. cit.*, p. 58.

80. G. O'Keeffe-Vigneron, "Les Irlandais en Angleterre et les Polonais en Irlande : chemins convergents ou parcours divergents ? ", in L. Germain *et al.* (eds), *Identités et cultures minoritaires dans l'aire anglophone, Entre « visibilité » et « invisibilité »* (Paris, L'Harmattan, 2010), pp. 169-185.

81. M. Cadogan, *op. cit.*, p. 60.

82. *Ibid.*, p. 55.

83. S. Fenton and R. Mann, "Introducing the majority to ethnicity: Do they like what they see", in G. Calder, P. Cole and J. Seglow (eds), *Citizenship Acquisition and National Belonging. Migration, Membership and the Liberal Democratic State* (London, Palgrave Macmillan, 2010), pp. 141-155, p. 142.

ABSTRACTS

Over the last two decades, many European States have altered their immigration policies in a context of intense economic, social and demographic changes. As a consequence, immigration issues have turned into more political issues, forcefully questioning the notion of belonging to the "community of citizens". Long considered as an emigrant nation without any real experience in dealing with immigration issues, how has Ireland dealt with an outstanding reversal of its population trends in less than two decades in a context of huge economic and social changes? The purpose of this chapter is to look at the two notions of citizenship and nationality in the Republic of Ireland through a two-facet perspective set against the economic and demographic changes of the last two decades. In the Irish case, both elements seem to stress the idea of an unchanging Irish citizenship and identity while negating the diversity of Ireland itself.

Au cours des deux dernières décennies, de nombreux États européens ont modifié leurs politiques d'immigration pour faire face à des transformations économiques, sociales et démographiques importantes. Par conséquent, les questions d'immigration sont devenues davantage politiques, interrogeant avec force la conception même d'appartenance à la « communauté des citoyens ». Dans ces conditions, comment l'Irlande, longtemps perçue comme une nation d'émigrants, relativement peu au fait des problématiques liées à l'immigration, a-t-elle réagi face à l'inversion notable de ses grandes caractéristiques démographiques en moins de vingt ans dans un contexte de profondes transformations économiques et sociales ? Ce chapitre se propose d'étudier les deux notions de citoyenneté et de nationalité en République d'Irlande à travers une double focale comportant en arrière-plan les changements économiques et sociaux des deux dernières décennies. Dans le cas irlandais, les deux éléments semblent souligner l'idée d'une citoyenneté et d'une nationalité irlandaises immuables, niant *de facto* la diversité de l'Irlande actuelle.

INDEX

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