

SIT Graduate Institute/SIT Study Abroad SIT Digital Collections

Independent Study Project (ISP) Collection

SIT Study Abroad

Spring 2004

Citizenship in the Republic of Ireland: In the Context of the European Union and the Citizenship Referendum

Cora Bruemmer
SIT Study Abroad

Follow this and additional works at: https://digitalcollections.sit.edu/isp_collection



Part of the [Human Geography Commons](#), and the [Public Policy Commons](#)

Recommended Citation

Bruemmer, Cora, "Citizenship in the Republic of Ireland: In the Context of the European Union and the Citizenship Referendum" (2004). *Independent Study Project (ISP) Collection*. 532.
https://digitalcollections.sit.edu/isp_collection/532

This Unpublished Paper is brought to you for free and open access by the SIT Study Abroad at SIT Digital Collections. It has been accepted for inclusion in Independent Study Project (ISP) Collection by an authorized administrator of SIT Digital Collections. For more information, please contact digitalcollections@sit.edu.

Cora Bruemmer
SIT Ireland
Spring 2004
Aeven Kerrisk

Citizenship in the Republic of Ireland:

In the Context of the European Union and the Citizenship Referendum

By

Cora Bruemmer

University of Rochester

Rochester, New York

USA

School for International Training

Ireland: Peace and Conflict Studies

Professor Kevin Howard – Advisor

Aeven Kerrisk – Director

7 May 2004

Table of Contents

Introduction	1
Methodology	2
The People and the Parties	5
The NGOs	8
How Citizenship is Acquired?	10
Theories of Citizenship	10
Traditional Citizenship	11
Multi-Cultural Citizenship	11
Post-National Citizenship	11
Citizenship and Integration: Models of Integration	12
Liberal Neutrality	12
Civic / Communitarian Republicanism	12
Liberal Pluralism	13
Citizenship in Ireland	13
The Good Friday Agreement	13
The European Union and the Good Friday Agreement	14
The European Union as a Device for Post-National Membership	15
The Treaties	15
The Treaty Establishing the European Economic Community	15
The Single European Act	16
The Treaty of European Union	16
The Treaty of Amsterdam	16
The Treaty of Nice	16
The European Union and the Political Parties	17
Enlargement of the European Union	19
The Social Welfare (Miscellaneous Provisions) Bill	21
Deportation	21
Will There Be Restrictions on Labor?	22
The Citizenship Referendum	22
How Do the Political Parties Understand Irish Citizenship?	26
Inclusion vs. Exclusion	29
Fortress Europe: What is it?	29
Opinions on Fortress Europe	29
Conclusions	32

Introduction

In a world of increased globalization, the importance of citizenship may seem less and less important. However, I would assert that political belonging is becoming ever more important and is undergoing radical changes. The European Union (EU) is rapidly changing people's understanding of citizenship. Rather than calling themselves Irish, people may soon be calling themselves European instead. Borders between countries are weakening and movement between them is increasing. Today a citizen of Latvia can live and work in Ireland as long as he or she so chooses. These changes in citizenship may actually have great implications for citizenship policy in the EU member-states.

As an American, it was easy for me to take my citizenship for granted. However, U.S. or EU citizenship can put one at a distinct advantage over members of other countries. Being a citizen of the U.S., I have access to a vast amount of resources that are unavailable in other countries across the globe. And, until recently, I had been under the impression that someone fortunate enough to be born in such a nation-state would be a citizen of that state and have the same rights as everyone else. Those born in the United States are automatically citizens of the U.S. The same is true in Ireland, but that may be about to change. Ireland has proposed a citizenship referendum that would bring its citizenship laws in line with every other member of the European Union. Instead of citizenship by place of birth, the other EU member-states base citizenship on a combination of descent and length of residency of the parent. While the EU is expanding citizenship, it seems that Ireland has reacted by curtailing its application of citizenship.

I hope to explore in this paper how the European Union is affecting citizenship entitlements in its member-states, as well as, why Ireland may be changing its application of

citizenship. I have investigated these topics through the dialogue of the politicians and non-governmental organizations (NGOs) in Ireland. Their debate will continue through June 2004, but this paper describes and questions the current political discussion.

Methodology

Initially, I approached this project by focusing on subjects of interest to me rather than by asking questions or addressing a theme. I was interested in the European Union and more narrowly its enlargement. The timing for the project seemed perfect because Ireland is currently holding the Presidency of the European Union and the ten new member states entered the EU during the course of my project on 1 May 2004. Also, less than a week before the research period for this project started, the Irish government proposed a highly controversial referendum to amend the Republic of Ireland's constitution regarding citizenship. I wanted to study both of these topics; however, I was concerned about the broadness of these two subjects, and I was lacking a theme or angle from which to study them.

In order to find a direction for this project, I began to ask questions. How is the enlargement of the EU affecting policy in Ireland? How is the EU changing the way the Irish understand their political belonging? Is the citizenship referendum linked to the enlargement of the EU? With the help of my advisor, I also began to link my questions about the EU to the conflict in Northern Ireland, my focus of study for the majority of the semester. How has the EU changed the conflict in Northern Ireland? And how has the conflict and the Good Friday Agreement affected Ireland's citizenship? Although my questioning served to broaden my topic rather than narrow it, I decided to press on hoping that my research would develop a more refined question from which to base this project.

I used varied sources for my research that were both primary and secondary.

Enlargement of the EU and the citizenship referendum were quite topical, so I drew most of my information from the daily newspapers. Nearly everyday there would be three to four articles in the newspaper regarding the referendum or the EU, so I had to sift through overwhelming amounts of information. The European Union House also provided me with a wealth of papers and pamphlets about both the structure and enlargement of the EU. The basic pamphlets helped me to get a superficial understanding; however their expanded literature was so filled with EU jargon that it was difficult for me to understand because of my limited exposure to the EU. My advisor supplied me with articles about the theories behind citizenship and books on politics in the Republic. Christian Joppke's "How Immigration is Changing Citizenship: A Comparative View" and Attracta Ingram's "Citizenship and Diversity" were both filled with theory applicable to my project. I read articles from *Post-Nationalist Ireland* by Richard Kearney and "Ireland, Britain, Northern Ireland and the European Dimension" by Brigid Laffan to get a better understanding of how the EU has affected Northern Ireland. These resources were focused on Northern Ireland rather than the Republic, but they did make me aware of the impact that the EU can have on political belonging. Also, for general, political background information I used *Politics in the Republic of Ireland* edited by John Coakley and Michael Gallagher.

I conducted a total of nine interviews, seven with members of various political parties and two with NGOs dealing with immigration. I chose to interview politicians because they are the policy makers that are driving this political debate. I chose to interview NGOs as well, because they are included in the debate. Also, they have much more of a first-hand view of immigration than politicians. The interview process was both frustrating and rewarding. I began by e-mailing candidates from each of the political parties that were running for European

Parliament (EP). I hoped to learn from each of them their view of the enlargement of the European Union. Many of the EP candidates also happened to be representatives in the Dáil (Irish parliament), known as Teachta Dála (TDs); therefore, I also hoped they could give me their view of the current citizenship debate. Unfortunately, their responses were slow. The first week I was only able to conduct one interview. I actually went to Fine Gael's party conference in order to track down politicians for an interview rather than try to make an appointment. The party conference was an exceptionally interesting atmosphere in which to conduct interviews and make observations as well. I was able to immerse myself in an informal political environment and see how political networking is done in Ireland. I also observed Questions Period in the Dáil in order to gain more understanding of the formal side of politics. By the second and third week of research things began to come together. My academic director provided me with some new names to call, and my previous contacts began to respond.

Each of my interviews had a different dynamic. I conducted all of them in person, except one in which I sent a set of questions and the interviewee replied via e-mail. My e-mail interview provided me with lots of well thought out opinions, but it failed to show any unguarded honesty or emotion. In my traditional interviews, some people were more than willing to talk to me, while others seemed as if they had been forced to meet with me, which I had to learn to not take personally. A few people were also very comfortable answering open-ended questions and allowed themselves to be quite candid. Others preferred to answer only yes or no, and when I asked questions that were open-ended, they tended to rephrase them so they could give a one word reply. The most difficult part of interviewing the politicians was learning to ask questions that would give me more than just the party-line. I never found the "magic question" that allowed me to get beyond their shiny political exterior; rather, I think that certain

Cora Bruemmer
SIT Ireland
Spring 2004
Aveven Kerrisk

people may have been more candid because of the atmosphere surrounding the interview and their level of comfort with me. Answers were a bit more frank when the interviewee had a pint in his/her hand at his/her party conference than when the interviewee was sitting in the lobby of Leinster House. For those who seemed uncomfortable, I tried to put them at ease by being pleasant and non-confrontational, rather than take on the role of the hard-nosed reporter.

The People and the Parties

I was able to interview someone from each of the major political parties in the Republic of Ireland except the Progressive Democrats, whose view I garnered from statements to the newspaper and on their website.

Fianna Fáil and Eoin Ryan, TD (email interview received 26 April 2004)

Fianna Fáil is currently in government, and the Party Leader, Bertie Ahern, is the Taoiseach (Prime Minister). The party can be described as “secular conservative” (Coakley and Gallagher, 129). However, it is quite difficult for the Irish political novice to see any ideological difference between Fianna Fáil and the other center or right wing parties, Fine Gael and the Progressive Democrats. Fianna Fáil is the party of Eamon de Valera created out of the Irish Civil War, and many of its members pledge allegiance to the party for this reason alone.

Eoin Ryan is a sitting TD for Dublin South East (1992 - present) and Fianna Fáil's candidate for European Parliament. He is also the Chairman of the Joint Oireachtas Committee on Transport. Formerly, he was Minister of State at the Department of Local Government (1999 -2002), member of Seanad Éireann (Republic of Ireland's senate) (1989 – 1992).

(www.fiannafail.ie/new/site/person)

Progressive Democrats

The Progressive Democrats are currently in government through a coalition with Fianna Fáil. Their Party Leader, Mary Harney, is the Tánaiste (Deputy Prime Minister). The party developed out of a split with Fianna Fáil over policy about Northern Ireland in the 1980s (Coakley and Gallagher, 141). They are known for social conservatism and economic liberalism.

Fine Gael and John Bruton TD and Senator John Paul Phelan

Fine Gael, like Fianna Fáil, was formed out of the Irish Civil War, but on the opposing side. It is a party that is also on the center-right end of the political spectrum, but has little ideological definition. Most of Fine Gael's supporters are loyal, because of its political history as the party of Michael Collins, other historical figures, or simply because their parents supported Fine Gael.

John Bruton is a sitting TD for Meath and a Frontbench Spokesperson without portfolio. Formerly, Bruton was Taoiseach (1994-1997), Leader of Fine Gael (1990-2001), Minister for Finance (1981- 1982 and 1986-1987), Minister for the Public Service (Jan-March 1987), and Minister for Industry, Trade, Commerce and Tourism (1983-1986). He was one of Ireland's representatives to the Convention on the Future of Europe and Director of Elections for the Nice Treaty. Bruton was also appointed Chair of the EU Crime and Justice Taskforce in July 2002. (www.finegael.ie/fine-gael-reps.cfm).

John Paul Phelan is a Senator elected to Seanad Éireann (Agricultural Panel) in July 2002. Previously, Phelan was a member to Kilkenny County Council (1999) and the youngest Councilor ever elected to this Council (www.finegael.ie/fine-gael-reps).

The Labour Party and Ruairi Quinn TD

The Labour Party is the oldest and largest of the left wing parties. It was formed out of the trade union movement in 1912 and became an official political party in 1922 (Gallagher, 133).

Ruairi Quinn is currently a sitting TD for Dublin South East and the Spokesperson on European Affairs and Relations with the Party of European Socialists (PES). He was formerly Leader of the Labour Party (1997 - 2002), Deputy Leader of the Labour Party (1990 – 1997), Minister for Finance (1994-1997), Minister for Enterprise and Employment (1993-1994), Minister for the Public Service (1986-1987), Minister for Labour (1984-1987), and Minister of State, Department of the Environment (1982-1983). (www.labour.ie/people/biography)

The Green Party and John Gormley TD

The Green Party is a smaller, left-wing party that has had a place in Irish politics since 1989 (Coakley and Gallagher, 148). Their main focus is on environmental issues; however, the Greens also favor socially liberal policies.

John Gormley is a sitting TD for Dublin South East and Leader of the Green Party. Previously, Gormley was Spokesperson on Foreign Affairs, Defence and Health and Children (2002-2004), Lord Mayor of Dublin (1994 – 1995), and a member of Dublin City Council (1991-1997). He was also one of Ireland's delegates to the Convention for a New Europe. (www.johngormley.com)

Socialist Party and Joe Higgins TD

Joe Higgins is the Socialist Party's sole TD. He was originally a member of the Labour Party and aligned himself with the "Militant Tendency" within the party, which opposed coalition. He and the militant members were expelled from the party in 1989 and became

Cora Bruemmer
SIT Ireland
Spring 2004
Aveven Kerrisk

Militant Labour. They then reformed as The Socialist Party in 1997. Previously, Higgins was a member of Dublin County Council. (www.dublin.ie/democracy)

Sinn Féin and Mary Lou McDonald

Sinn Féin is an all-Ireland party in favor of the unification of Northern Ireland and the Republic, and the party is affiliated with the IRA. Most of their political ideology is based around their drive for unification; however, the party is also very left leaning on social issues.

Mary Lou McDonald is Sinn Féin's candidate in Dublin for the 2004 European Parliament elections. She is also the party representative to the National Forum on Europe. She previously worked as a consultant for the Irish Productivity Centre, a researcher for the Institute of European Affairs and a trainer in the trade union sponsored Partnership Unit of the Educational and Training Services Trust (www.sinnfein.ie/euteam/candidate/mcdonald).

The NGOs

Access Ireland

Access Ireland was formed in 1998, when the Irish Refugee Council received special EU funding to tackle the question of refugee integration throughout the EU member states. It is not an advocacy group; they are active in health and social services helping to integrate refugees (Mahoney, 29 April 2004). Access Ireland has set several objectives for itself: "1) to highlight the positive contributions of refugees and the values of multi-culturalism in Irish society, 2) to improve refugees access to health and welfare services, 3) to promote greater understanding of refugee needs and intercultural awareness amongst social and health care providers, 4) to develop training materials to promote intercultural awareness and good anti-discriminatory

practice amongst service providers, and 5) to promote the development of refugee community initiatives” (www.accessireland.ie).

Immigrant Council of Ireland

The Immigrant Council of Ireland (ICI) is a national independent non-governmental agency. It is being established by Social Innovations Ireland (2001), an organization set up by Sr. Stanislaus Kennedy. The ICI’s mission is to work with and for immigrants to promote their rights through “information, advocacy, and awareness” (www.immigrantcouncil.ie).

Through my interviews and questions, I realized that the enlargement of the EU and the citizenship referendum are much more loosely connected than I had originally hypothesized. Rather than study how the EU has directly affected the citizenship referendum, I began to look at how the EU affects citizenship entitlements of its members. There is no direct connection between the enlargement of the EU and the citizenship referendum, but there is an indirect connection. The EU has created the framework for a post-national citizenship. This post-national citizenship combined with new immigration to Ireland has caused the Irish government to reevaluate its policy on citizenship.

Through my research I have attempted to present a well-rounded description of the current political debate on citizenship in the Republic of Ireland. This paper provides at the beginning a brief academic view of the many theories of citizenship and then proceeds to describe citizenship in the Republic of Ireland in the context of the Good Friday Agreement and the EU. It outlines the EU as a possible initiator of post-national citizenship through its many treaties and enlargement while also showing the political discussion surrounding these topics. Finally, this paper illustrates the debate regarding the citizenship referendum and its possible connection to the EU with the creation of a fortress Europe. I have not drawn any strict

conclusions; rather, I have tried to capture, as accurately as possible, the political dialogue about the EU and citizenship while raising questions.

How is Citizenship Acquired?

There are two distinct modes of obtaining citizenship: *jus soli* and *jus sanguinis*. Under the *jus soli* principle, the state grants citizenship based upon territory of birth. Anyone born in the territory of the state is a citizen of the state. States using the *jus sanguinis* principle grant citizenship based upon descent. Anyone who has descended from a citizen of the state is a citizen of the state, regardless of place of birth. Most countries use a mixture of both principles. The U.S. or the U.K. prior to the British Nationality Act of 1981 would be states closest to the *jus soli* end of the spectrum; whereas, Germany would be the state nearest to the *jus sanguinis* end. Before 2000, German nationality was granted only to descendents of German citizens. However, now citizenship may be granted “if one non-national parent has been a permanent legal resident for at least eight years, and has a permanent resident permit”, but dual citizenship is not tolerated (Coulter, 3 April 2004). The way that citizenship is obtained in a state is the determining factor for which model of citizenship a state aspires to.

Theories of Citizenship

Before looking at how citizenship is being discussed in Ireland, it would be helpful to become familiar with the academic debate surrounding citizenship. The dominant view of citizenship post-World War II was based on the sociologist T.H. Marshall’s concept of an ever-expanding rights-based citizenship (Ingram, 16). He saw citizenship as creating rights rather than duties for increasing groups of people despite difference (Joppke, 629). Changing immigration patterns in nation-states have forced governments and theorists alike to reevaluate the applicability of Marshallian citizenship. According to Christian Joppke, Marshall’s concept

is no longer valid because, “The movement of people across states revealed that citizenship is not only a set of rights, but also a mechanism of closure that sharply demarcates the boundaries of states” (629). Citizenship as a once inclusive legal status has transformed into a mechanism of exclusion (Joppke, 630). Joppke explores the works of three theorists in this new, post-Marshallian citizenship world.

Traditional Citizenship

Rogers Brubaker understands today’s states to be “bounded membership associations” (Joppke, 630). The membership of each state is defined differently, according to the nation’s tradition. He argues that the citizenship regimes of states are stable and remain unchanged over time despite immigration, because they hold true to national tradition (Joppke, 630).

Multicultural Citizenship

According to Will Kymlicka, acquiring the equal rights of citizenship alone cannot integrate culturally different people into a nation. Although immigrants must be able to keep their culture intact to maintain liberty, they have also “‘waived’ the right to have their homeland cultures resurrected in the receiving society” (Joppke, 630). They can instead expect ‘poly-ethnic’ rights to keep them from being disadvantaged. Immigrants are no longer subjected to assimilation; rather, their cultural identities are protected and respected (Joppke, 630). Kymlicka understands the importance of nationally bound citizenship, but also sees how citizenship can adapt to promote cultural pluralism (Joppke, 631).

Post-National Citizenship

Citizenship as a method of exclusion is accepted by Yasemin Soysal; however, she argues this is of little consequence to immigrants. Immigrants have gained a type of post-national membership based upon universal human rights and no longer need national citizenship

to gain acceptance and equal rights (Joppke, 630-1). She suggests the weakening of national citizenship and the institutional strengthening of a universal citizenship (Joppke, 631).

Joppke determines that none of these types of citizenship accurately describe individual states. Rather, states may reflect each of the three types of citizenship in different policy making decisions.

Citizenship and Integration: Models of Integration

With increased immigration and diversity within states, some governments have changed their citizenship laws defying 'citizenship traditionalism'. Other states have changed their policy toward cultural integration. In Attracta Ingram's work "Citizenship and Diversity", she lays out four different post-Marshallian models of citizenship and integration by modern states. These are: liberal neutrality, civic republicanism, communitarian republicanism, and liberal pluralism (Ingram, 21).

Liberal Neutrality

States using the liberal neutrality model give equal rights and opportunities to everyone, but allow diversity to express itself in the private sphere (Ingram, 21). The state will not publicly support the maintenance of culture. Ingram believes this model is expressed in both the UK and the U.S. (30).

Civic / Communitarian Republicanism

In the civic republican model, citizens of the state are held together by a "shared constitutional loyalty" (Ingram, 22). This model can be linked to post-national membership model discussed before, because a prime example of civic republicanism is the suggested ordering of Europe. The people of the EU can find a post-national membership in European citizenship, based perhaps on a new constitution, which "sublimate(s) the identities which would

be carried on in each country” (30). Communitarian republicanism model is similar to civic republicanism, except the state allows identity and diversity a greater place in the public sphere (Ingram, 22).

Liberal Pluralism

States that give minorities special rights in the public sphere in order to maintain their own culture ascribe to the liberal pluralism model. They understand that majority cultures dominate nation-building, so they try to compensate those groups that may not be able to maintain their culture on their own (Ingram, 22). This model is essentially the same as Kymlicka’s multicultural citizenship and is expressed in Canada’s attitudes towards citizenship and integration (Ingram, 30).

The above models should provide a good reference point for studying the changing attitudes towards citizenship in the Republic of Ireland.

Citizenship in Ireland

Historically, citizenship in Ireland has been modeled after the British common law model. However, in 1998 citizenship laws were set in the Republic of Ireland’s Constitution with the signing of the Good Friday agreement and a subsequent referendum.

The Good Friday Agreement

The Good Friday Agreement, also known as the Belfast Agreement or the Multi-Party Agreement, was signed in 1998 by both the British and Irish governments as well as the political parties in Northern Ireland. The agreement was a means of resolution for the prolonged conflict in Northern Ireland, and was approved by simultaneous referenda in Northern Ireland and the Republic of Ireland. Outlined in the Good Friday Agreement are three strands of “interlocking and interdependent” institutions for 1) internal Northern Ireland relations 2) North-South

relations and 3) East-West relations (Coakley and Gallagher, 328). The Good Friday Agreement also planned for the disarmament of paramilitary groups, the early release of paramilitary prisoners, withdrawal of security deployments, and reform of police and justice systems.

Most pertinent to this study, is the change made by the agreement to Article 2 of the Republic of Ireland's constitution. Prior to the referendum, Article 2 laid claim to the entire island of Ireland, including Northern Ireland which is part of the United Kingdom. The people of the Republic of Ireland changed Article 2 of the Constitution to say:

“It is the entitlement and birthright of every person born in the island of Ireland... 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” (Mac Eochaidh, 20April 2004).

The state has since interpreted this to mean that every person born on the island is a citizen.

The European Union and the Good Friday Agreement

Interestingly, some academics have suggested that it was membership in the European Union that actually served as a catalyst for the Good Friday Agreement. Throughout history there has been a power dynamic between Ireland and Britain that placed Britain on top. However, in the context of the EU this dynamic changed. According to Brigid Laffan, “...the EU was a powerful symbol of Ireland's place in the European order as an independent small state with a seat at the table” (2).

The European Union has also served as an example of weakening national borders. Following the EU's lead and through the Good Friday Agreement, the borders and political belonging for the Irish and British have become increasingly malleable. There is a common travel zone between Ireland and the UK; citizens of either country no longer need a passport to

travel to the other. Also, residents of Northern Ireland can obtain either British or Irish citizenship.

The European Union as Device for Post-National Membership

Ireland joined the European Economic Community, which has since become the EU, in 1973. Since then, the EU has undergone many enlargements and dramatic structural changes. In the case of Ireland, membership of the enlarged European Union may allow for a more inclusive society. In Ingram's civic republicanism model she suggests that the EU can be a device for post-national membership (30). The EU does not currently have a constitution under which Europeans may ascribe "constitutional loyalty" (though they may in a few years). However, the structural evolution of the EU does seem to coincide with Soysal's idea of the creation of a universal set of rights and weakening national citizenship. In Richard Kearney's *Post-Nationalist Ireland*, he views the EU as a structure "in which European integration and enlargement is marked by a progressive transfer of power down to regions for the 'nation-state' as much as by a transfer of power upwards through economic and monetary, and political union" (77). The successive treaties of EU show this development.

The Treaties

The Treaty Establishing the European Economic Community (Treaty of Rome)

Signed on 25 March 1957, the Treaty of Rome was signed in the aftermath of WWII. It was designed to create an economic tie between the original six countries, Belgium, France, West Germany, Italy, Luxembourg, and the Netherlands, in order to encourage cooperation and reliance between the countries and prevent another war. ("How the European Union Works", 6)

The Single European Act (SEA)

This act amended the Treaty of Rome and laid out the framework for completing the single market. It removed legal and tax barriers that would obstruct trade between the countries. SEA was signed 2 Oct. 1986 and enacted 1 July 1987. (“How the European Union Works”, 6)

The Treaty of European Union (Maastricht Treaty)

Signed 7 Feb. 1992 and enacted 1 Nov. 1993, the Treaty of European Union officially set up the EU based on the principle of “an ever closer union” between member-states. It also established the three pillars on which the EU is based: community institutions, common foreign and security policy, and police and judicial cooperation in criminal matters. Perhaps most noticeable, the Treaty of European Union introduced the euro. (“How the European Union Works”, 6)

The Treaty of Amsterdam

The Treaty of Amsterdam had four aims 1) to make employment and citizens’ rights 2) to remove the remaining barriers to free movement as well as strengthen security within the EU 3) to give Europe a stronger voice in world affairs and 4) to make the EU’s structure more efficient in order to prepare for enlargement. It was signed 2 Oct. 1997 and enacted 1 May 1999. (“How the European Union Works”, 6)

The Treaty of Nice

Signed 26 Feb. 2001 and enacted 1 Feb 2003, the Treaty of Nice was put to referendum twice in Ireland, because it failed the first time around. It amended the previous EU treaties in order to “streamline the EU’s institutional system so it can continue to work effectively after a new wave of member states joins in 2004” (“How the European Union Works”, 6). The treaty

allowed for more policy areas to be decided by qualified majority vote rather than a unanimous vote.

The European Union and the Political Parties

The progression of the treaties shows how Europe has become a continent with fewer and fewer boundaries between its nation-states. People and goods can move freely through the EU. Europe's states have also become increasingly inter-dependent. These changes in the EU have been met by a wide range of opinions from the political parties.

Eoin Ryan, Fianna Fáil: "The EU has an enormous and growing influence on our economic, social, and political life. More than 60% of our legislation comes from Europe. Increasingly, the important decisions affecting our economy and business sector are being taken in Brussels. Many of our socially progressive developments over the last thirty years in, for example, the area of women's rights have arisen directly from our membership of the EU. Our membership has also resulted in major changes to industry: direct state subsidies of business have been severely restricted and many of our traditionally protected sectors have been opened up to competition. The EU has also had a major influence on our environment and our management of it. These are just some of the areas which have been affected by our membership of the EU. Overall, I think the influence of the EU has been very positive and good for our country in everyway. However, I am concerned with the excessive regulation coming out of Europe and the difficulties that may pose for our economy. The Irish economy has benefited from pro-enterprise policies and it's important that excessive regulation from Brussels doesn't become an unacceptable burden on our business sector which creates jobs."

John Paul Phelan, Fine Gael: "I am pro-Europe... I am not in favor of a federal Europe. I don't want to see a 'United States of Europe.'

Ruairi Quinn, Labour Party: “The Irish Labour Party has always been internationalist in its outlook and in its political activities” (“A New Role for the Emerging Europe”, 1). And “...the economic and social experience of European citizens, since the advent of the European project, has been extremely positive” (“A New Role for the Emerging Europe”, 8).

John Gormley, Green Party: “At the Convention for a New Europe, I repeatedly warned that the EU is moving toward increased globalization and increased militarization. They want to make the EU a player at the international level. You can look at each successive treaty and see how the EU is changing and where it is moving. The SEA was really the turning point, but then there were big changes with Maastricht, Amsterdam, and Nice. Both the Amsterdam and Nice treaties were sold to us as preparing us for enlargement. Now those are being put aside and they are telling us we need to ratify a constitution. The states in the United States may have more autonomy in some ways than EU member states.” Later he said, “I do see the EU as a good thing.”

Joe Higgins, Socialist Party: “While I don’t think you’ll ever have a federation of states as in the U.S. because the states would not permit it. Each state has its own national interests. But the agenda of the EU is essentially to create a capitalist market and rival the U.S. It is creating a military wing in order to rival the U.S. as a broker in world terms.”

Mary Lou McDonald, Sinn Féin: “The EU is a partnership between states in which all should be equals. I entirely reject the federalist perspective of the EU. Sinn Féin is an internationalist party, but we do not favor the diminution of the sovereignty of states... I think that Ireland should work together with other EU states on things that make sense cross-border, like the environment and free trade... I believe that so much of what happens in the EU is removed from the Irish public. We should introduce mechanisms in the Oireachtas to debate about and check

what is going on in the EU. We should give NGOs and community and grassroots organizations the opportunity to participate and have input on EU policy and its implementation. Right now, the ‘democratic deficit’ is a designed feature of the EU. It is not there by some accident.”

These statements show that there are mixed feelings regarding the role of the European Union. Each party likes to say that they are ‘internationalist’, but some are much more critical of the direction of the EU. Whether or not the EU continues on its current path will greatly determine how citizenship is viewed in Europe and Ireland.

Enlargement of the European Union

On 1 May 2004 the European Union welcomed ten new countries into the union making for a total of twenty-five member states. The new member-states are nearly all Eastern European and less wealthy than the older fifteen. The EU has been preparing for the new countries accession for years in the hopes of smoothly integrating them into the Union. The question that these new countries raise for this study is: Can citizenship in the EU or post-national membership apply as evenly to the new member-states? All of the parties welcomed the new members of the EU. However, some questioned the equality of treatment the new members would be receiving.

Eoin Ryan, Fianna Fáil: “Enlargement is an historic development for the EU, most especially for the accession countries. For Ireland, it presents real challenges and opportunities. The new countries will compete with us for Foreign Direct Investment. On the other hand, the new countries will significantly enlarge the single market and will provide significant trade opportunities for us. Over 400 Irish businesses have already set up in the accession countries and that will grow. Overall, there is a huge opportunity for Irish business in these new markets.

We are a role model for these new countries and I would be very anxious that we would form alliances with them to promote the reform of the EU and advancement of the Lisbon Agenda.”

John Paul Phelan, Fine Gael: “I am pro-Europe and very excited about the accession of the new members. We have greatly benefited from membership in the EU and will continue to do so. We cannot turn our backs on other countries. We can’t get in the helicopter and pull up the ladder.”

John Gromley, Green Party: “Besides the structural and decision making changes, my concerns for enlargement are for the new members. They are getting a raw deal. They will be providing us with cheap labor among other things. Labor costs in these countries are so low and corporation taxes are so low that there will be relocation of industries. This isn’t just rhetoric; these are the facts of life.”

Joe Higgins, Socialist Party: “Well, the EU is driven by big business and in reality they wish to have cheap labor available to them. Already many of the new countries have private big businesses, Siemens, Nestle, etc. set up in those countries. They are looking to replace their own workers with the cheaper labor of Eastern Europe.”

Mary Lou McDonald, Sinn Féin: “Sinn Féin’s campaign against the Nice Treaty was not about enlargement; it was about the other structural and decision making changes. Sinn Féin would have liked to have seen the accession states receive more equal treatment, but instead there were restrictions placed on movement, benefits, etc. Though we were against the Nice Treaty, we greatly welcome the new members of the EU, as long as they want to join as well.”

Despite the great welcome from all of the politicians, there is policy in Ireland that suggests that the state may not be opening their doors to everyone in the EU. If members of the

European Union do not have a set of universal rights, then the possibility of creating post-national membership is questionable.

Social Welfare (Miscellaneous Provisions) Bill

The Minister for Social and Family Affairs announced on 24 Feb. 2004 that the government would place restrictions on social welfare for citizens of the ten EU accession states (Holland, 25 Feb. 2004). As an amendment to the Social Welfare Bill, citizens of the new EU states will not be eligible to receive social welfare for their first two years of residence in Ireland (Kennedy, 28 April 2004). All fifteen of the other EU member states had already placed restrictions on such social welfare benefits. The Irish government was worried that Ireland's welfare system could be exploited because they were the only EU state that had not put in place some sort of protectionist policy.

Deportation

Also, prior to enlargement, citizens of the accession states who were in the Republic illegally were being deported despite the fact that they would be able to return to Ireland in just one month. Almost one-fourth of the non-nationals that were deported within the twelve months prior to accession were from the new EU states (Lally, 10 April 2004). Some TDs urged the government to grant amnesty to these new members, like the UK had done (O'Regan, 27 February 2004). Some people criticized the deportations because they were a waste of money, while others said it was not a proper way to prepare to welcome the new members. Does the deportation policy show that Ireland doesn't really want migrants from the new EU countries? Or does it simply show that the new members had to wait until 1 May 2004 to receive welcome?

Will There Be Restrictions on Labor?

Despite Ireland's deportations and restrictions on social welfare, the Irish government has not put any restrictions on labor for the accession country migrants. The Minister for Social and Family Affairs has said that there are no plans to put any restrictions on labor despite the fact that other EU members have done so (Brennock, 3 March 2004). Prior to enlargement, the accession states were actually receiving preference over other non-nationals in the labor market. The work-permit fee was waived for employers who wanted to hire citizens of the accession countries (Kennedy, 28 April 2004). But some people have their doubts. John Gormley of the Green Party said, "When the government wanted to get the Nice Treaty passed they tried to sell it as 'don't be selfish, don't block these other people from coming in'. But now the first part of rowing back on this has happened with the Social Welfare Bill. I would predict that if too many Poles or Latvians start coming into the country, then they will put a moratorium on labor."

Are the new EU members really receiving equal rights? And even if they are, will people in these new states be able to trust in a post-national membership when the status of their rights is determined by a nation-state to which they don't belong?

The Citizenship Referendum

Attracta Ingram suggests that Ireland is a "composite of the liberal neutrality and civic republican models" (27). This is because Ireland, like the UK from which it has modeled much of its public policy, keeps diversity in the private sphere. With the signing of the Good Friday Agreement, Ireland has detached its citizenship from an ethnic identity (Ingram, 26). However, Ingram's diagnosis of Irish citizenship may soon need to be reevaluated. In the context of the European Union's push for post-national citizenship, regardless of whether or not it is actually

successful, the Irish Government is trying to assert its own power over citizenship. Currently, citizenship in Ireland is being heavily debated.

On Wed. 7 April 2004, the Irish government announced it would be holding a referendum to amend the constitution regarding citizenship. The referendum will be held in tandem with the European Parliament and local elections. The proposed amendment reads as follows:

“1. Notwithstanding any other provision of the Constitution, a person born in the island of Ireland which includes its islands and seas, and who does not have at the time of his or her birth, at least one parent who is an Irish citizen or entitled to be an Irish citizen is not entitled to Irish citizenship or nationality, unless otherwise provided for by law.

2. This section shall not apply to persons born before the date of the enactment of this section.”

While the government’s impetus regarding the referendum cannot be defined except for through their own statements, the other political parties suggested different reasons for the referendum being brought to the fore. Officially, the government expressed concern that non-national, non-EU women were coming to Ireland and birthing children solely to obtain both Irish citizenship and EU citizenship for their children (McNally, 21 April 2004). Although there was a Supreme Court decision in 2003 that denied non-national parents of citizens the right to stay in Ireland, the government believes that women are coming specifically to Ireland because no other state in the EU grants citizenship on a purely jus soli basis. Ironically, this so-called ‘loop-hole’ in citizenship policy actually stems from the new Article 2 of the Irish constitution passed by the Good Friday Agreement. Those in government, Fianna Fáil and the PD’s, had this to say about the referendum:

Eoin Ryan: “The citizenship referendum brings us into line with practice in all other EU countries. Its aim is to close off a loophole whereby people who have no connection with this

country have been coming here to have children for the sole purpose of gaining citizenship of Ireland and therefore of the EU. It is not racist: by having this referendum, the government is protecting the integrity of our citizenship which is its bounden duty.”

Mary Harney: “We are entitled to bring our constitution and our laws into line with European Union countries on citizenship, so that we do not create unintended incentives that are unfair to us or to other EU member-states... Our constitutional provisions are being used in a way we did not intend” (Brennock, 20 April 2004).

This change to the constitution flies in the face of citizenship traditionalism, because the referendum would move Ireland away from its traditional *jus soli* principle for citizenship. It also seems that it would push Ireland from the liberal neutrality model of citizenship. Some people would no longer be receiving equal rights and opportunities, because they have a lesser connection to the island of Ireland.

The motivation for this referendum has been questioned by much of the opposition. Those in the other parties seem to think that the referendum has little to do with a need to change the government’s attitude toward citizenship. Instead most believe that it is a ploy used by the government to garner more votes in the upcoming election. They believe that the effect of the referendum on the local and European elections is an intended outcome rather than an unintended outcome.

John Paul Phelan, *Fine Gael*: “I see the referendum being brought about for purely political reasons. People will come to the polls to vote for the referendum and then they will vote for Fianna Fáil. If there was no referendum, then Fianna Fáil would suffer due to low voter turnout.”

John Bruton, Fine Gael: “The citizenship referendum has been brought about for political reasons. As far as I know it does not come from pressure from any of the EU countries.

Ruauri Quinn, Labour Party: “The citizenship referendum is an opportunistic, racist ploy.”

John Gormley, Green Party: “It’s all simply political. If you look at the numbers there is no problem with ‘citizenship tourism’. Though there is a problem with the health system and may be a problem with immigration. I am the political rival of Michael McDowell. I don’t know him personally, but I do know him very well politically. This is a cynical, opportunistic ploy to get votes. He is feeding on everything that is wrong with human nature: fearing the stranger rather than welcoming him.”

Joe Higgins, Socialist Party: “In reality it is a dirty trick for European and local elections. McDowell has never said who these non-nationals who are having babies actually are. Are they American, Australian, or what?”

Mary Lou McDonald, Sinn Féin: “The citizenship referendum has been brought on primarily by two factors: 1) the government has failed to facilitate any previous dialogue on immigration and 2) we are experiencing housing and health systems failures. I believe that the referendum is pure cynicism on the part of the government.”

Access Ireland: “I really see the timing of the referendum and everything as political.”

Immigrant Council of Ireland: “McDowell said that they (the masters of the maternity hospitals) were pleading with him to make a constitutional amendment to deal with this problem. The masters have since said that all they wanted were more resources...”

It is apparent from the opposition parties’ and NGOs’ quotes on the referendum that they believe any change in citizenship will have been brought about for political reasons, rather than any fundamental shift in the way citizenship is viewed in Ireland. However, the government

states that they see a need to change citizenship in light of the new immigration to Ireland.

Immigration seems to have created a situation as Joppke has explained where citizenship cannot be viewed as T.H. Marshall had wished. Whether or not policy on citizenship in Ireland needs to be changed is what is being debated.

How Do the Parties Understand Irish Citizenship?

Despite the opposition parties' collective stance against the timing of the referendum, each had their own view of how the state should manage citizenship. One of the parties supports the referendum while others do not and some are unclear on their position.

John Bruton, Fine Gael: "It is the right of the Oireachtas to legislate on citizenship. We should welcome asylum seekers and refugees, but it is part of our sovereignty to determine citizenship. It is not just the job of the government to make law where there is a problem, but it must also see ahead to where a problem may arise."

John Paul Phelan, Fine Gael: "I support the referendum because, though the actual numbers are low of those being born to non-nationals, there is the potential for it being abused. I support the government's ability to legislate on citizenship."

Fine Gael opposes the timing of the referendum, but if the referendum is held on 11 June 2004 they support a 'yes' vote.

Ruairi Quinn, Labour: "Embracing the melting pot approach is the way forward, though the U.S. has moved away from it."

The Labour party opposes the referendum, and has called for a 'no' vote on the basis of its content.

John Gormley, Green Party: "The Green Party is willing to sit down and talk about citizenship. We supported the Supreme Court decision, because it really got at the heart of the problem. It's

not about kids. The kids will go wherever the parents go. We are happy to sit down and talk. It may not even need a constitutional amendment. Maybe we can legislate on it. We are not saying that Ireland should have an open door policy on immigration or that anyone can come here. We would be happy with whatever the majority would decide after full discussion and debate.”

The Green Party has called for a ‘no’ vote because of the timing of the referendum. They have not clearly stated how they would like citizenship to be granted.

Joe Higgins, Socialist Party: “We are against the referendum. We would like citizenship to stay how it is. We are not in favor of all this anti-immigration legislation.”

The Socialist Party has called for a ‘no’ vote.

Mary Lou McDonald, Sinn Féin: “Sinn Féin is opposed to all aspects of the citizenship referendum. Not only how and when it is being brought about, but also its content. Ireland has race problems like any other country but I would not typify us as a racist people. I do not accept that. We’re just going through a period of transition. Ireland has always been a country of emigration but now we are suddenly receiving immigrants. There are two reasons why the citizenship referendum is dangerous: 1) it should not be at the whim of a legislator to give or take citizenship when it is something that we hold so dearly. 2) if you start dismantling the GFA, then where do you stop? We don’t need to fall in line with other EU countries citizenship laws because we have a different history. We have a history of colonization, imperialization, and emigration. People have settled here, some welcome and some not-so-welcome, but they have all become citizens. We have a history where if you are born on Irish soil, then you are a citizen. There may be many people of color coming to Ireland, but a child born in Ireland to a Nigerian mother is just as Irish as I am. We are a nation, not a race. When I am out campaigning I have to

say that there are systems failures, and it is not the fault of immigrants. We are an amalgamation of people and immigration is here to stay.”

Access Ireland: “We don’t have an official stance on the referendum, but we would have an implicit one. Hopefully NGOs will be coming together to work against this referendum. I hope that it doesn’t pass. Citizenship was actually best before the Supreme Court ruling when parents were allowed to stay with their children who were citizens. But we do need to develop better immigration policy.”

Immigrant Council of Ireland: “The ICI believes that the Supreme Court ruling on the parents of citizens is preferable to the new citizenship amendment. We understand that you can’t allow anyone to become a citizen and for the parents to say, because it is not sustainable. We see the need for sustainable immigration policy. They should have thought about how they were impacting citizenship when they were signing the Good Friday Agreement. You can’t give someone a right to citizenship and then just take it away. Now it has become a race issue. The Taoiseach has said that when they signed the Good Friday Agreement he didn’t foresee all these Nigerians and Romanians coming into the country. He was effectively saying that we will give citizenship to migrants who are white, but not these new people. We also think that the Oireachtas can perhaps legislate on the issue rather than having to amend the constitution. Right now there is not enough time for discussion about all the implications for this amendment.”

The opposition parties and the NGOs have raised all kinds of questions about citizenship. Is it acceptable for governments to legislate on citizenship? Can citizenship policy control immigration? Can certain citizenship policies incite racism? Should citizenship be based on tradition? There are obviously extremely varied emotions and ideas about what citizenship in Ireland should be.

Inclusion vs. Exclusion

The main question that came to my mind during the course of my research was: Why is Ireland becoming at once more inclusive with the enlargement of the European Union and more exclusive with the proposal of the citizenship referendum? Whether or not the citizenship referendum is actually excluding people and enlargement of the European Union including people is more questionable than I had originally thought. However, one possible explanation did present itself during the course of my research in the concept of a “Fortress Europe.” It seems as if the European Union is creating a Europe in which internal borders are increasingly porous, but Ireland is creating an obstacle to people outside of the European Union through the citizenship referendum.

Fortress Europe: What Is It?

Fortress Europe has in recent years become a pejorative term used by critics of the European Union. The idea of the fortress is used to describe the increased militarization and restrictive immigration policy of the European Union. Many see Europe’s internal borders becoming increasingly flimsy and permeable, while its external borders are fortified by more and more barriers to immigrants from African, Asian, and South American countries.

Opinions on Fortress Europe

When asked about the possibility of a fortress Europe, some of the politicians answered the question with contempt in their voice and others overwhelmingly agreed with the idea. The term “fortress Europe” does bring with it a negative connotation, so it expected that those in favor of the European Union would be put off by this line of questioning. Interestingly, the main stream parties both right and left denied the existence of or showed little concern about the

creation of a Europe with increased barriers for those outside the EU. Only the NGOs, Sinn Fein, and the Socialist Party expressed fear of the creation of a fortress Europe.

Eoin Ryan, Fianna Fáil: “I have no concerns about a fortress Europe. I believe the EU is actively considering the whole issue of immigration and will be dependent on immigrant labor in the future. Furthermore, I believe our own immigration system here is in need of reform and my hope would be that we can put in place a system that can be a bench mark for the rest of Europe.”

John Bruton, Fine Gael: “Fortress Europe is an American idea that has no validity. Ireland is no better and no worse at welcoming new people.”

John Paul Phelan, Fine Gael: “I do not see the EU moving towards a fortress Europe. Ireland has a history of emigration and received great kindness from the U.S. in terms of receiving emigrants. So we should welcome people from other countries who want to make a better life for themselves.”

Ruairi Quinn, Labour: “I have no concerns about a fortress Europe. We have to decide where Europe ends. The Treaty of Rome said that the goal was “an ever closer union” between member states. But this could be and was interpreted in a variety of ways. It was the beginning of a journey, an experiment. They would have never gotten everyone to agree if there was a clear destination in mind. But now we need to determine that destination. We have to have a clearly marked Eastern frontier. In my mind this includes Bulgaria, Romania, and possibly Moldova, the former Yugoslavia when they are sorted out, and Turkey. It would not include Georgia, though they have shown interest. Then after Europe has been set, we must work to have good relations with our neighbors, good economic cooperation.”

John Gormley, Green Party: “I am not concerned about a fortress Europe. It could be said that we are re-creating a fortress Ireland or a fortress Britain. Are people talking about a fortress U.S.? I do want to see real immigration policy because we really don’t have any now. And there should be Europe-wide policy. The real problem I see with the EU is not immigration; it is globalization and militarization.”

Joe Higgins, Socialist Party: “Well, that is clearly their intention (the creation of a fortress Europe). European economic policy is contributing to the impoverishment of people in the 3rd world. But the real solution isn’t migration. People should live by choice their own choice in their own homes. And that would happen if we had a fair democratic system. But we need major structural changes to bring that about.”

Mary Lou McDonald, Sinn Féin: “The EU is unquestionably on a path towards a fortress Europe. I understand there have to be regulations on immigration, but these should be regulations moving towards human rights. We should not be putting up the shudders. The EU is really adopting an isolationist ideology. Three months ago there was a big deal made about the huge amount of money being put into the deportation fund. At the same time, Amnesty International issued a statement about the sizable number of deaths after repatriation. People that are coming to Ireland have nothing to lose. The way that the government is dealing with immigration shows a huge misunderstanding of the motives of immigration.”

Access Ireland: “This fortress Ireland ideology has really been to the fore of creating very conservative, exclusionary immigration policy for Europe.”

Immigrant Council of Ireland: “Ireland is becoming more and more exclusionary and not looking at integration. The current work permit system is very narrow. Europe in general is tightening up. For example, in the current work permit situation accession states are prioritized.

The work permit fee was waived for businesses that hired EU accession members. They are basically saying, ‘we will fulfill all of our labor needs through the EU countries’.”

Conclusions

The debates surrounding both the EU and citizenship are extremely contentious, and the political parties have a wide range of views on the topics. I have shown that the EU has served to broaden citizenship in Ireland through its influence in the Good Friday Agreement, its various structural changes, and enlargement. More and more people are moving throughout Europe to live and work or study. Whether or not the EU can actually provide a post-national citizenship is questionable, though. Policy in Ireland has shown that new EU members will not be receiving the same rights as earlier members, but this could change over time. Members of the accession states still have much more access to Europe now than they did prior to 1 May 2004.

This expanding Europe has been met in Ireland by proposed restrictions on citizenship. No matter how vast Europe becomes, it is the individual member-states that grant citizenship and not the European Union. It appears that Ireland is asserting its sovereignty in renegotiating its citizenship. Ironically, Ireland is doing so under the pretext of trying to harmonize itself with the rest of the EU member-states. Perhaps, Ireland’s citizenship proposal will actually strengthen post-national citizenship in Europe, but it seems that it is refusing such citizenship to everyone that is already outside of the current union. Most of the mainstream political parties deny the idea that a fortress Europe is being created, but perhaps they should look again. Citizenship in Ireland is being affected by membership in the European Union.

Appendix

1a. Mary Lou McDonald, Sinn Féin European Parliament Candidate Interview 22 April 2004

Q: What do you think the role of the EU should be in Ireland?

A: The EU is a partnership between states in which all should be equals. I entirely reject the federalist perspective of the EU. Sinn Féin is an internationalist party, but we do not favor the diminution of the sovereignty of states.

Q: How much influence do you think the EU currently has on the Republic of Ireland's Government? Do you think this influence is positive or negative?

A: They say that 70% of all legislation in Ireland begins at the EU level, so it does have a very big effect on the government. I think that Ireland should work together with other EU states on things that make sense cross-border, like the environment and free trade... I believe that so much of what happens in the EU is removed from the Irish public. We should introduce mechanisms in the Oireachtas to debate about and check what is going on in the EU. We should give NGOs and community and grassroots organizations the opportunity to participate and have input on EU policy and its implementation. Right now, the 'democratic deficit' is a designed feature of the EU. It is not there by some accident. A truly democratic process in the EU would probably move that number from 70% to something lower.

Q: What are your hopes for the enlargement of the EU? What are your concerns?

A: Sinn Féin's campaign against the Nice Treaty was not about enlargement; it was about the other structural and decision making changes. Sinn Féin would have liked to have seen the accession states receive more equal treatment, but instead there were restrictions placed on movement, benefits, etc. Though we were against the Nice Treaty, we greatly welcome the new members of the EU, as long as they want to join as well.

Q: What factors have brought about the Citizenship referendum? New immigration? Pressure from the EU countries? Racism? Political ploy?

A: The citizenship referendum has been brought on primarily by two factors. 1) The government has failed to facilitate any previous dialogue on immigration. 2) We are experiencing housing and health systems failures. I believe that the referendum is pure cynicism on the part of the government. In terms of policy making, all policy systems have been completely by-passed. The all party constitutional committee has given recommendations for dialogue and this has been ignored. The Minister for Justice, Michael McDowell, develops policy based on a strong right-wing ideology and doesn't listen to anyone who raises concern. As for pressure from the EU, I would speculate, because I'm not privy to these conversations, that there could be some other EU governments that see Ireland's citizenship law as a weak link in the armor of Fortress Europe.

Q: How do you think the citizenship referendum would impact the GFA?

A: There are two reasons why the citizenship referendum is dangerous: 1) it should not be at the whim of a legislator to give or take citizenship when it is something that we hold so dearly and 2) if you start dismantling the GFA, then where do you stop? The DUP would argue that if the government in Dublin, one of the sovereign governments, can alter the GFA, then they too can make changes. Sinn Féin says no. It is something we all signed up to that cannot be changed. It is a very dangerous situation.

Q: Why should or shouldn't the citizenship of Ireland be brought in line with those of other EU countries as the Tánaiste says?

A: We shouldn't fall in line with other EU countries citizenship laws because we have a different history. We have a history of colonization, imperialization, and emigration. People have settled here, some welcome and some not-so-welcome, but they have all become citizens. We have a history where if you are born on Irish soil, then you are a citizen. There may be many people of color coming to Ireland, but a child born in Ireland to a Nigerian mother is just as Irish as I am. We are a nation, not a race. When I am out campaigning I have to say that there are systems failures, and it is not the fault of immigrants. We are an amalgamation of people and immigration is here to stay.

Q: Do you have any concerns about the creation of a "fortress Europe"?

A: The EU is unquestionably on a path towards a fortress Europe. I understand there have to be regulations on immigration, but these should be regulations moving towards human rights. We should not be putting up the shudders. The EU is really adopting an isolationist ideology. Three months ago there was a big deal made about the huge amount of money being put into the deportation fund. At the same time, Amnesty International issued a statement about the sizable number of deaths after repatriation. People that are coming to Ireland have nothing to lose. The way that the government is dealing with immigration shows a huge misunderstanding of the motives of immigration. We, as the Irish, have a history, as recently as the 1940s and '50s, that was bleak, not so far from what's going on in other countries. So I hoped we had seen from our own history the difficulties of immigrants and returned the kindness given us by other countries notably the U.S. Maybe we haven't learned.

**1b. Senator John Paul Phelan, Fine Gael
24 April 2004**

Q: What do you think the role of the EU should be in Ireland?

A: I am not in favor of a federal Europe. I don't want to see a 'United States of Europe.'

Q: How much influence do you think the EU currently has on the Republic of Ireland's Government? Do you think this influence is positive or negative?

A: The problem with the EU and the Irish government is that what is passed in the EU isn't seen in Ireland for another 5-8 years. The media only picks up on the here and now. Then the government is able to use the EU as a cop-out. We have representatives in the EU and we should try to change what is going on there.

Q: What are your hopes for the enlargement of the EU? What are your concerns?

A: I am pro-Europe and very excited about the accession of the new members. We have greatly benefited from membership in the EU and will continue to do so. We cannot turn our backs on other countries. We can't get in the helicopter and pull up the ladder.

Q: What factors have brought about the Citizenship referendum? New immigration? Pressure from the EU countries? Racism? Political ploy?

A: I support the government's ability to legislate on citizenship. But I see the referendum being brought about for purely political reasons. People will come to the polls to vote for the referendum and then they will vote for Fianna Fáil. If there was now referendum, then Fianna Fáil would suffer due to low voter turnout. I do not see this as being brought about by any pressure from other EU countries. It was completely internal in origin.

Q: How do you think the citizenship referendum would impact the GFA?

A: I do worry about the impact the referendum will have on the GFA. I see that the DUP is already trying to re-negotiate it and this will give them an excuse. But the government should just admit that they have changed the GFA slightly and then try to work that out in future negotiations in the North. I'm not sure how to square things away. I do see that the DUP seems to be moderating, and I think that negotiations with them will go better.

Q: Why should or shouldn't the citizenship of Ireland be brought in line with those of other EU countries as the Tánaiste says?

A: I support the referendum because, though the actual numbers are low of those being born to non-nationals, there is the potential for it being abused.

Q: Do you have any concerns about the creation of a "fortress Europe"?

Cora Bruemmer
SIT Ireland
Spring 2004
Aveen Kerrisk

A: I do not see the EU moving towards a fortress Europe. Ireland has a history of emigration and received great kindness from the U.S. in terms of receiving emigrants. So we should welcome people from other countries who want to make a better life for themselves.

Q: Weren't Irish Americans allowed citizenship based upon where they were born?

A: America has a totally different history. It is a country built on immigration. Everyone there is an immigrant besides the Native Americans. I see it as the ability of the Oireachtas to legislate on citizenship. There is a loophole in the system, and I have seen it abused.

Cora Bruemmer
SIT Ireland
Spring 2004
Aveven Kerrisk

**1c. John Bruton TD, Fine Gael
Interview 24 April 2004**

Q: What factors have brought about the Citizenship referendum? New immigration? Pressure from the EU countries? Racism? Political ploy?

A: The citizenship referendum has been brought about for political reasons. As far as I know it does not come from pressure from any of the EU countries.

Q: Why should or shouldn't the citizenship of Ireland be brought in line with those of other EU countries as the Tanaiste says?

A: It is the right of the Oireachtas to legislate on citizenship. We should welcome asylum seekers and refugees, but it is part of our sovereignty to determine citizenship. It is not just the job of the government to make law where there is a problem, but it must also see ahead to where a problem may arise.

Q: Do you have any concerns about the creation of a "fortress Europe"?

A: Fortress Europe is an American idea that has no validity. Ireland is no better and no worse at welcoming new people.

**1d. John Gormley TD, Leader of the Green Party
Interview 26 April 2004**

Q: What do you think the role of the EU should be in Ireland?

A: At the Convention for a New Europe I repeatedly warned that the EU is moving toward increased globalization and increased militarization. They want to make the EU a player at the international level. You can look at each successive treaty and see how the EU is changing and where it is moving. The SEA was really the turning point, but then there were big changes with Maastricht, Amsterdam, and Nice. Both the Amsterdam and Nice treaties were sold to us as preparing us for enlargement. Now those are being put aside and they are telling us we need to ratify a constitution. The states in the United States may have more autonomy in some ways than EU member states.

Q: How much influence do you think the EU currently has on the Republic of Ireland's Government? Do you think this influence is positive or negative?

A: The Greens will never mention 'sovereignty' in all of our literature. Some may argue against the EU on the basis of nation-states, but the Greens aren't into that. I do see the EU as a good thing.

Q: What are your hopes for the enlargement of the EU? What are your concerns?

A: Besides the structural and decision making changes, my concerns for enlargement are for the new members. They are getting a raw deal. They will be providing us with cheap labor among other things. Labor costs in these countries are so low and corporation taxes are so low that there will be relocation of industries. This isn't just rhetoric; these are the facts of life.

Q: Do you see any ways in which anticipation of enlargement have affected policy making in the Republic of Ireland? Do you see any links between enlargement of the EU and the Social Welfare (Miscellaneous Provisions) Bill? Citizenship referendum?

A: When the government wanted to get the Nice Treaty passed they tried to sell it as "don't be selfish, don't block these other people from coming in." But now the first part of rowing back on this has happened with the Social Welfare Bill. I would predict that if too many Poles or Latvians start coming into the country, then they will put a moratorium on labor.

Q: What factors have brought about the Citizenship referendum? New immigration? Pressure from the EU countries? Racism? Political ploy?

A: It's all simply political. If you look at the numbers there is no problem with 'citizenship tourism.' Though there is a problem with the health system and may be a problem with immigration. I am the political rival of Michael McDowell. I don't know him personally, but I do know him very well politically. We are elected by the same constituency. This is a cynical, opportunistic ploy to get votes. He is feeding on everything that is wrong with human nature: fearing the stranger rather than welcoming him.

Q: How do you think the citizenship referendum would impact the GFA?

A: The citizenship referendum will affect the GFA on a psychological level, because we have been told over and over that the GFA can't be changed. But now when it's inconvenient for one of the signatories it can be changed on a whim. Now the message has been sent that the GFA can be changed without any consultation with the political parties in the North and maybe a little with Britain.

Q: Why should or shouldn't the citizenship of Ireland be brought in line with those of other EU countries as the Tánaiste says?

A: The Green Party is willing to sit down and talk about citizenship. We supported the Supreme Court decision, because it really got at the heart of the problem. It's not about kids. The kids will go wherever the parents go. We are happy to sit down and talk. It may not even need a constitutional amendment. Maybe we can legislate on it.

The Greens are not saying that Ireland should have an open door policy on immigration or that anyone can come here. We would be happy with whatever the majority would decide after full discussion and debate.

Q: Do you have any concerns about the creation of a "fortress Europe"?

A: I am not concerned about a fortress Europe. It could be said that we are creating a fortress Ireland or a fortress Britain. Are people talking about a fortress U.S.? I do want to see real immigration policy because we really don't have any now. And there should be Europe-wide policy.

The real problem I see with the EU is not immigration; it is globalization and militarization.

**1e. Eoin Ryan TD, Fianna Fáil European Parliament Candidate
Interview via e-mail, received 26 April 2004**

Q: How much influence do you think the EU currently has on the Republic of Ireland's Government? Do you think this influence is positive or negative?

A: The EU has an enormous and growing influence on our economic, social, and political life. More than 60% of our legislation comes from Europe. Increasingly, the important decisions affecting our economy and business sector are being taken in Brussels. Many of our socially progressive developments over the last thirty years in, for example, the area of women's rights have arisen directly from our membership of the EU. Our membership has also resulted in major changes to industry: direct state subsidies of business have been severely restricted and many of our traditionally protected sectors have been opened up to competition. The EU has also had a major influence on our environment and our management of it. These are just some of the areas which have been affected by our membership of the EU.

Overall, I think the influence of the EU has been very positive and good for our country in everyway. However, I am concerned with the excessive regulation coming out of Europe and the difficulties that may pose for our economy. The Irish economy has benefited from pro-enterprise policies and it's important that excessive regulation from Brussels doesn't become an unacceptable burden on our business sector which creates jobs.

Q: What are your hopes for the enlargement of the EU? What are your concerns?

A: Enlargement is an historic development for the EU, most especially for the accession countries. For Ireland, it presents real challenges and opportunities. The new countries will compete with us for Foreign Direct Investment. On the other hand, the new countries will significantly enlarge the single market and will provide significant trade opportunities for us. Over 400 Irish businesses have already set up in the accession countries and that will grow. Overall, there is a huge opportunity for Irish business in these new markets. We are a role model for these new countries and I would be very anxious that we would form alliances with them to promote the reform of the EU and advancement of the Lisbon Agenda.

Q: Do you see any ways in which anticipation of enlargement have affected policy making in the Republic of Ireland? Do you see any links between enlargement of the EU and the Social Welfare (Miscellaneous Provisions) Bill? Citizenship referendum?

A: We have tightened up our social welfare legislation to ensure that only those who have been here for two years can avail of our social welfare provisions. The aim is to ensure we don't have people coming to this country simply to avail of our generous social welfare system. The citizenship referendum has nothing to do with enlargement.

Q: What factors have brought about the Citizenship referendum? New immigration? Pressure from the EU countries? Racism? Political ploy?

A: The citizenship referendum brings us into line with practice in all other EU countries. Its aim is to close off a loophole whereby people who have no connection with this country have been

Cora Bruemmer
SIT Ireland
Spring 2004
Aeven Kerrisk

coming here to have children for the sole purpose of gaining citizenship of Ireland and therefore of the EU. It is not racist: by having this referendum, the government is protecting the integrity of our citizenship which is its bounden duty.

Q: How do you think the citizenship referendum would impact the GFA?

A: The referendum has no implications for the Good Friday Agreement.

Q: Do you have any concerns about the creation of a “fortress Europe”?

A: I have no concerns about a fortress Europe. I believe the EU is actively considering the whole issue of immigration and will be dependent on immigrant labour in the future. Furthermore, I believe our own immigration system here is in need of reform and my hope would be that we can put in place a system that can be a bench mark for the rest of Europe.

**1f. Ruairi Quinn TD, former Leader of the Labour Party
Interview 26 April 2004**

Q: Do you see any ways in which anticipation of enlargement have affected policy making in the Republic of Ireland? Do you see any links between enlargement of the EU and the Social Welfare (Miscellaneous Provisions) Bill? Citizenship referendum?

A: The current legislation, the Social Welfare Bill and the Citizenship Referendum, have not been a result of the enlargement of the EU.

Q: What factors have brought about the Citizenship referendum? New immigration? Pressure from the EU countries? Racism? Political ploy?

A: The citizenship referendum is an opportunistic, racist ploy. There is a problem with immigration, but this is not how it should be dealt with. Instead they should move from a work permit to a green card system; a system in which the work permits are given to the worker rather than the employer. Current standards, as had been shown by the Dutch, totally neglected the human, family part of the migrant worker.

Embracing the melting pot approach is the way forward, though the U.S. has moved away from it.

There has been no pressure from EU member states to change our citizenship laws.

Q: How do you think the citizenship referendum would impact the GFA?

A: There will be an affect on the GFA in that Ian Paisley will say that an opening for change has been provided.

Q: How would you respond to those who are saying it wasn't the intent of the GFA to give citizenship to people who are not closely connected to the island?

A: My correspondence with the Taoiseach that was printed in the newspaper was extremely clear from Mr. Ahern that he had no intent on changing the jus soli provision.

Q: Do you have any concerns about the creation of a "fortress Europe"?

A: I have no concerns about a fortress Europe. We have to decide where Europe ends. The Treaty of Rome said that the goal was "an ever closer union" between member states. But this could be and was interpreted in a variety of ways. It was the beginning of a journey, an experiment. They would have never gotten everyone to agree if there was a clear destination in mind. But now we need to determine that destination. We have to have a clearly marked Eastern frontier. In my mind this includes Bulgaria, Romania, and possibly Moldova, the former Yugoslavia when they are sorted out, and Turkey. It would not include Georgia, though they have shown interest. Then after Europe has been set, we must work to have good relations with our neighbors, good economic cooperation.

**1g. Gillian Kennedy, Education and Training Officer Immigrant Council of Ireland
Interview 28 April 2004**

Q: How has Ireland's membership in the EU affected their policy on Immigration? Have there been any important EU directives? Has EU membership done anything besides increase the number of migrant workers?

A: The European Union has of course created freedom of movement within European countries. However, this didn't really mean anything for Ireland until recently because our economy had been so bad that no one wanted to come here.

Q: Do you see links between enlargement and the Social Welfare Bill?

A: I think they are separate issues. The Social Welfare Bill enshrines the freedom for new EU members to work, but does not give them the right to receive welfare in the first two years. There will be the Habitual Residence Test or HRT, as they're calling it, meaning that all EU nationals must be in Ireland for two years or have some sort of connection with Ireland by family or some other means. This would not have been brought up if it wasn't for enlargement, but people from the accession countries have been coming to Ireland for a while.

Q: What is your organization's stance on the referendum?

A: The ICI believes that the Supreme Court ruling on the parents of citizens is preferable to the new citizenship amendment. We understand that you can't allow anyone to become a citizen and for the parents to say, because it is not sustainable. We see the need for sustainable immigration policy. They should have thought about how they were impacting citizenship when they were signing the GFA. You can't give someone a right to citizenship and then just take it away. Now it has become a race issue. The Taoiseach has said that when they signed the GFA he didn't foresee all these Nigerians and Romanians coming into the country. He was effectively saying that we will give citizenship to migrants who are white, but not these new people. We also think that the Oireachtas can perhaps legislate on the issue rather than having to amend the constitution. Right now there is not enough time for discussion about all the implications for this amendment.

Q: What factors do you believe brought up the citizenship referendum?

A: Births to non-national women have increased. The Minister for Health, Michael McDowell, met with the masters of the maternity hospitals in Dublin. McDowell said that they were pleading with him to make a constitutional amendment to deal with this problem. The masters have since said that all they wanted were more resources.

Q: Do you think current policy is moving toward a 'fortress Ireland', 'fortress Europe', or neither?

A: Ireland is becoming more and more exclusionary and not looking at integration. The current work permit system is very narrow. Europe in general is tightening up. For example, in the

Cora Bruemmer
SIT Ireland
Spring 2004
Aeven Kerrisk

current work permit situation accession states are prioritized. The work permit fee was waived for businesses that hired EU accession members. They are basically saying, 'we will fulfill all of our labor needs through the EU countries'.

Cora Bruemmer
SIT Ireland
Spring 2004
Aveven Kerrisk

**1h. Ann Mahoney, Director of Access Ireland
Interview 29 April 2004**

To Start: Access Ireland is not an advocacy group. We are active in health and social services helping to integrate refugees.

Q: How has Ireland's membership in the EU affected their policy on Immigration? Have there been any important EU directives? Has EU membership done anything besides increase the number of migrant workers?

A: This 'Fortress Ireland' ideology has really been to the fore of creating very conservative, exclusionary immigration policy for Europe.

Q: What is your organizations stance on the referendum?

A: We don't have an official stance, but we would have an implicit one. Hopefully NGOs will be coming together to work against this referendum. I hope that it doesn't pass. Citizenship was actually best before the Supreme Court ruling when parents were allowed to stay with their children who were citizens. But we do need to develop better immigration policy.

Q: What factors do you believe brought up the citizenship referendum?

A: There was a rise in the numbers of refugees and asylum seekers in the late '90s going along with the Celtic Tiger. At that time the government had a sort of laissez fair attitude about immigration. But by '99 and '00 the Dispersal and Direct Provision policy came into effect which eliminated asylum seekers choice of where and how they could live. They also instituted high penalties for anyone brining asylum seekers into the country. They created more strict immigration measures.

But I really see the timing of the referendum and everything as political
Really there is opposition to it from all sides. From the NGOs, the Irish Council of Civil Liberties, the political parties in the North, and the opposition parties here.

**ii. Joe Higgins TD, Socialist Party
Interview 4 May 2004**

Q: How much influence do you think the EU currently has on the Republic of Ireland's Government? Do you think this influence is positive or negative?

A: While I don't think you'll ever have a federation of states as in the U.S. because the states would not permit it. Each state has its own national interests. But the agenda of the EU is essentially to create a capitalist market and rival the U.S. It is creating a military wing in order to rival the U.S. as a broker in world terms. Many members of the members of the EU resent the way the U.S. tries to control the Middle East.

Q: What are your hopes for the enlargement of the EU? What are your concerns?

A: Well, the EU is driven by big business and in reality they wish to have cheap labor available to them. Already many of the new countries have private big businesses, Siemens, Nestle, etc. set up in those countries. They are looking to replace their own workers with the cheaper labor of Eastern Europe.

Q: In what direction would you like the EU to move?

A: It's not a question of the EU being reformed into a kinder, gentler institution. They've instituted legislation to keep civil servants working longer. All this propaganda that the EU is all about advancement we (the Socialist Party) do not take to be true. Big companies yield the power.

Q: Do you see any ways in which anticipation of enlargement have affected policy making in the Republic of Ireland? Do you see any links between enlargement of the EU and the Social Welfare (Miscellaneous Provisions) Bill? Citizenship referendum?

A: The citizenship referendum wouldn't really have been linked to enlargement. It's not a factor because the citizens of the new countries already have EU citizenship, and it is proposed that people are coming to Ireland in search of EU citizenship.

Q: What factors have brought about the Citizenship referendum? New immigration? Pressure from the EU countries? Racism? Political ploy?

A: In reality it is a dirty trick for European and local elections. McDowell has never said who these non-nationals who are having babies actually are. Are they American, Australian, or what?

Q: How would you like to see citizenship granted in Ireland?

A: We are against the referendum. We would like it to stay how it is. We are not in favor of all this anti-immigration legislation.

Q: How do you think the citizenship referendum would impact the GFA?

Cora Bruemmer
SIT Ireland
Spring 2004
Aveven Kerrisk

A: The GFA is really in paralysis. The Socialist Party is organized both North and South and we don't really support the agreement, but that's a whole other thing.

Q: Do you have any concerns about the creation of a “fortress Europe”?

A: Well, that is clearly their intention. European economic policy is contributing to the impoverishment of people in the 3rd world. But the real solution isn't migration. People should live by choice their own choice in their own homes. And that would happen if we had a fair democratic system. But we need major structural changes to bring that about.

Works Cited

- “Access Ireland Home Page.” Access Ireland. <http://www.accessireland.ie>
- Beesley, Arthur. “Government to Block Welfare for New EU Immigrants.” *The Irish Times*. 25 February 2004.
- Brennock, Mark. “Tanaiste Staunchly Defends Citizenship Poll Plan.” *The Irish Times*. 20 April 2004.
- Brennock, Mark. “Two-year Limit Placed on Welfare for New EU Migrants.” *The Irish Times*. 3 March 2004.
- Bruton, John. Fine Gael TD, former Taoiseach. Personal Interview. 24 April 2004.
- Coakley, John and Michael Gallagher, eds. *Politics in the Republic of Ireland*. PSAI Press. London: 1999.
- Coulter, Carol. “History Influences the Real Meaning of Citizen.” *The Irish Times*. 3 April 2004.
- “Democracy in the City: Joe Higgin’s Profile.” Democracy in the City. <http://www.dublin.ie/democracy>
- “Fianna Fail People – TDs.” Fianna Fail. <http://www.fiannafail.ie/new/site/person>
- “Fine Gael: Index TDs and Senators.” Fine Gael. <http://www.finegaele.ie/fine-gael-reps.cfm>
- Gillespie, Paul. “Cultural and Social Integration in a Changing Europe.” *The Irish Times*. 31 January 2004.
- Gormley, John. Green Party Leader. Personal Interview. 26 April 2004.
- Higgins, Joe. Socialist Party TD. Personal Interview. 4 May 2004.
- Holland, Kitty. “Restrictions ‘Disappointing But Inevitable’.” *The Irish Times*. 25 February 2004.
- “How the European Union Works.” European Commission. Office for Official Publications of the European Communities. Luxembourg: 2003.
- “Immigrant Council of Ireland Home Page.” Immigrant Council of Ireland. <http://www.immigrantcouncil.ie>

Cora Bruemmer
SIT Ireland
Spring 2004
Aeveen Kerrisk

Ingram, Attracta. "Citizenship and Diversity." *Mosaic or Melting Pot – Living With Diversity*. Royal Irish Academy. Dublin: 2003.

"John Gormley's Home Page." John Gormley. <http://www.johngormley.com>

Joppke, Christian. "How Immigration is Changing Citizenship: A Comparative View." *Ethnic and Racial Studies* vol. 22 no. 4. Taylor & Francis. Online: 1999.

Kearney, Richard. *Post-Nationalist Ireland*. Routledge. London: 1997.

Kennedy, Gillian. Education and Training Officer at the Immigrant Council of Ireland. Personal Interview. 28 April 2004.

Laffan, Brigid. "Ireland, Britain, Northern Ireland and the European Dimension." Institute for British-Irish Studies. UCD: 2003.

Lally, Conor. "One Quarter of Deportees Came From EU Accession States." *The Irish Times*. 10 April 2004.

Mac Eochaidh, Colm. "Citizenship Referendum is Unnecessary." *The Irish Times*. 20 April 2004.

Mahoney, Ann. Director of Access Ireland. Personal Interview. 29 April 2004.

McCaffrey, Una. "Ahern Rejects SDLP Concern at Vote." *The Irish Times*. 20 April 2004

McDonald, Mary Lou. Sinn Féin candidate for European Parliament. Personal Interview. 22 April 2004.

McNally, Frank. "Harney Defends Date of Poll On Citizens." *The Irish Times*. 21 April 2004.

Newman, Christine. "EU Workers Have Common Rights." *The Irish Times*. 25 February 2004.

O'Regan, Michael. "Amnesty Urged for Illegals from New EU States." *The Irish Times*. 27 February 2004.

O'Regan, Michael. "Harney Defends Decision to Hold Citizenship Vote." *The Irish Times*. 8 April 2004.

Phelan, John Paul. Fine Gael Senator. Personal Interview. 24 April 2004.

Quinn, Ruairi. "A New Role for the Emerging Europe." Humbert Summer School. Castlebar: 2001.

Cora Bruemmer
SIT Ireland
Spring 2004
Aveven Kerrisk

Quinn, Ruairi. Labour Party TD, former Party Leader. Personal Interview. 26 April 2004.

Ryan, Eoin. Fianna Fáil TD, European Parliament Candidate. E-mail Interview. 26 April 2004.

“Sinn Fein: European Elections Headquarters.” Sinn Fein.
<http://sinnfein.ie/euteam/candidate/mcdonald>

“The Labour Party: People.” Labour Party. <http://www.labour.ie/people/biography>

“Who’s Who in the European Union.” European Commission. Office for Official Publications of the European Communities. Luxembourg: 2001.