

# Ireland votes to curtail citizenship rights

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The Irish Fianna Fail government of Bertie Ahern, currently holding the presidency of the European Union, has won a referendum vote to remove Irish citizenship from the children of immigrants.

In a poll held the same day as European and local government elections, a large majority of Irish voters supported the government's proposal to alter the Irish constitution and one of its founding principles. Since 1921, Irish citizenship has reflected republican traditions, treating all children born in the Southern Irish state equally at birth, regardless of their parents' citizenship status. This principle has been upheld repeatedly over the years, last being supported in 1998 by an overwhelming majority, and confirmed by legislation in 2001.

Around the world, 42 constitutions, including those of the US and Canada, are based on this "jus solis" legal principle, that a person is granted citizenship by place of birth. Numerous commentators have noted that Fianna Fail's founder Eamonn de Valera, born in the US to Spanish parents, avoided execution in 1916 after the Easter Rising in Dublin precisely because of his US citizenship.

Henceforth, "jus solis" will be reversed in Ireland. Only children with at least one Irish parent will be eligible for citizenship.

The referendum, called and campaigned for by the ruling Fianna Fail and Progressive Democrat coalition, and supported by the Fine Gael opposition, constitutes a grave attack on democratic rights. By creating a class of non-citizens, the government's blatant intention is to scapegoat non-nationals for the social consequences of the Irish government's own policy of enriching a tiny, and often criminal, Irish elite at the expense of working people's living standards.

The attack follows years of escalating pressure on asylum seekers, refugees, and all non-nationals, mirroring, and in some case going beyond, measures

introduced in Britain and the European Union.

More than 1,300 have been deported since 2000, while a two-tier immigration system has been introduced that is designed to target immigrants from particular countries such as Romania and Nigeria. In 2002, 4,500 people were refused entry. Asylum seekers allowed into the country are frequently held in Dublin's Mountjoy prison, under the terms of the 1999 Illegal Immigrants (Trafficking) Bill.

Earlier this year, the government passed the draconian Immigration Act 2004, which requires non-nationals to register their whereabouts with a registration officer. Any moves must be reported within 48 hours. Homeless non-nationals are required to register every 24 hours. If a non-national is living in someone else's house, then that person must register for them. Failure to do so can lead to arrest and a year's imprisonment or a 3,000-euro fine.

According to the Irish Council for Civil Liberties, the act violates international law and is inspired by the UK's 1914 Aliens Act, which was designed to prevent German spies from infiltrating the British state.

The current referendum follows a 2003 Supreme Court decision that authorised the government to deport up to 11,000 families of non-nationals, but with Irish-born children. Only a few families have so far been deported, and the government is facing numerous legal challenges. Hence, the drive to replace the basis of citizenship. The referendum was called this March.

According to the Irish Refugee Council, the government has used a series of pretexts and scare stories to push through the vote. Firstly, it claimed that pregnant mothers were moving to Ireland in the hope of winning citizenship for their children, creating an image of thousands of people besieging overstretched Irish hospitals. Yet, of 60,000 babies born last year, fewer than 1 percent were to non-nationals who had arrived at a hospital late in pregnancy. The government

claimed that Dublin's maternity hospitals had pleaded with them to alter the rules—a claim rejected by the hospitals.

In fact, the Irish birth rate has fallen, in line with the rest of Europe, to such an extent that the current population will barely replace itself. What has changed is that the number of maternity beds available has been cut over successive years, to the point where even a tiny increase in requirements throws the system into crisis.

Next, the government claimed that the “integrity of Irish citizenship” was under threat. Yet, precisely because of the millions of Irish people forced over the decades and centuries to flee poverty and oppression in Ireland, Irish citizenship has been relatively freely available to those claiming some association with the island. Nor was the “integrity” of citizenship deemed to be under threat during previous “passports for sale” scandals.

The government next claimed that its current arrangements put its citizenship laws at odds with the EU's own “Fortress Europe” policy. Though the new measures are certainly in the spirit of EU policy, no EU law requires Ireland to alter its constitution on this matter. Nor is there any evidence of pressure from the EU. In fact, in 1993, the EU Heads of State specifically declared that citizenship laws remained the sole responsibility of national governments.

But, following a case of one person moving to Belfast, then to Southern Ireland, the government's minister for justice, Michael McDowell, claimed that “hordes of impoverished women and babies will start moving between EU states.”

The government's campaign was opposed by a wide range of social and political organisations including the Irish trade unions, Sinn Fein, the Irish Labour Party, the Greens and human rights groups. Nevertheless, 79 percent of voters approved the government's policy—indicating the impact of the strenuous and persistent efforts of the ruling elites to whip up nationalism and xenophobia.

But Fianna Fail and Irish Taoiseach Bertie Ahern can draw little comfort from their referendum victory. On that same day, the same voters delivered Fianna Fail one of its worst-ever election defeats.

Echoing widespread alienation from the entire political establishment across Europe, Fianna Fail lost

up to 80 local council seats—particularly in working class areas—with its share of the vote dropping by 20 percent in Dublin. Overall, its vote fell 9 percent to 32 percent, compared with the 2002 general election.

Though Fine Gael and the Irish Labour Party largely held on to their share of the vote, the main beneficiary was Sinn Fein, which tripled its representations from 23 seats to more than 60. The same pattern emerged in the European poll. Fianna Fail lost two seats, while Sinn Fein won European seats in both Northern and Southern Ireland. The other two seats in the North were won by the Democratic Unionist Party and the Ulster Unionist Party, with the latter narrowly retaining a seat.

As with the rest of Europe, Fianna Fail's election debacle reflects broad anger at the social policies pursued, particularly since the 2002 general election, which the party fought on the basis that it would not introduce further welfare cuts. No sooner was it elected than the tax was increased on credit card debt and charges were imposed for Accident and Emergency attendance and refuse removal. Social welfare and community employment schemes were slashed, while basic utility costs soared.

The contradiction between the election results, which delivered a crushing blow to Fianna Fail, and the referendum, which overwhelmingly supported Fianna Fail's witch-hunting proposals, shows widespread political confusion. Growing numbers of the working population are rightly sceptical of Fianna Fail and an entire ruling layer for whom corruption has become the norm. But this does not automatically translate into a rejection of the insular outlook that all trends within Irish bourgeois nationalism—from Fine Gael and Fianna Fail to Sinn Fein and its left associates—have sought to inculcate in the working class. This can only come about through a political reckoning with all these tendencies and the reorientation of the working class on an internationalist perspective.



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