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Theorising the Constitution of Subjects and the State
through Governmental Citizenship:
Immigration Regulation and the 2004 Irish
Citizenship Referendum

Siobhán Ní Chatháin

Supervisor:
Dr. Amanda Haynes
University of Limerick

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Abstract

Theorising the Constitution of Subjects and the State through Governmental Citizenship: Immigration Regulation and the 2004 Irish Citizenship Referendum **Siobhán Ní Chatháin**

This is an empirical investigation of the processes whereby the boundaries and meaning of citizenship are re-constituted through state-driven practices of regulating migrants and migrants' responses to such practices. The focal point of this study is an instance of constitutional and legislative citizenship reform which occurred in the Republic of Ireland in 2004, resulting in the alteration of *jus soli* citizenship. This thesis explicates the forms of power-knowledge, the discursive and enumerative practices, through which migrant mothers were constituted as risky, irresponsible subjects.

The politics of the referendum produced judicial decisions, deportations, legislative change, and the suspension and re-establishment of an administrative residency programme pertaining to immigrant parents. I conceptualise this series of legislative and administrative developments in terms of 'technologies of citizenship' and 'anti-citizenship technologies' which have cumulatively expanded the capacity of the State to biopolitically and ethopolitically regulate the non-EEA resident immigrant population. I argue that the technical and programmatic aspects of immigration governance through which migrants are channelled into various governmental categories, are constitutive of subject-positions and structuring of immigrants' agency. Practices such as detention and deportation, direct provision and expedited asylum determination procedures operate as anti-citizenship technologies intended to discipline and deter immigrants. Conditional and temporary residency statuses act as technologies of citizenship, provisionally including immigrants on the basis that they adhere to prescribed criteria. I investigate the subject-effects these technologies on migrant mothers through the prism of eighteen participants' experiential narratives. The analysis examines how citizenship/immigration technologies act upon migrants' bodies and mobilities, presuppose particular raced and gendered forms of subjectivity, and endeavour to cultivate forms of subjectivity compatible with the needs of neoliberal governance. However, participants' narrations of their negotiations of governmental processes and procedures reveal their capacity for political agency, albeit constrained. Moreover, in narrating their local, everyday practices of forming families, participating in communities, engaging in education and employment, the migrant mothers who participated in this study expound alternative articulations of legitimacy and belonging.

This thesis theorises the constitutive relationship between the state and migrant subjects in re-shaping the boundaries and meaning of citizenship in the context of transnational migration.

Declaration

I, Siobhán Ní Chatháin, declare that this thesis, submitted for assessment in respect of the award of Doctor of Philosophy, is the product of my own work.

Signed: _____

Date: February 4th 2011.

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Glossary of Terms and Acronyms

AkiDwA	Akina Dada wa Africa, a migrant-led Irish NGO
An Garda Síochana	the Irish policing organisation
CSO	Central Statistics Office
Dáil Eireann	the lower, principal chamber of the Irish parliament
DFA	Department of Foreign Affairs
DJLR / DJELR	Department of Justice and Law Reform, formerly the Department of Justice, Equality and Law Reform
Doras Luimní	an Irish NGO
DP	Direct Provision
DSP / DSFA	Department of Social Protection, formerly Department of Social and Family Affairs
DTEI / DETE	Department of Enterprise, Trade and Innovation, formerly the Department of Enterprise Trade and Employment
ECRE	European Council on Refugees and Exiles
EEA	European Economic Area
ESRI	Economic and Social Research Institute
EU	European Union
FÁS	Foras Áiseanna Saothair (National Training and Employment Authority)
FLAC	Free Legal Advice Centres
Garda / Gardaí	member(s) of the police force
GNIB	Garda National Immigration Bureau
HRC	Habitual Residency Condition

IBCLTR	Irish Born Child Leave to Remain
IBEC	Irish Business and Employers Confederation
ICCL	Irish Council for Civil Liberties, an Irish NGO
ICI	Immigrant Council of Ireland, an Irish NGO
ICP	Immigration Control Platform, an anti-immigration organisation
ICTU	Irish Congress of Trade Unions
IRC	Irish Refugee Council, an Irish NGO
IDA	Industrial Development Agency
INIS	Irish Naturalisation and Immigration Service
IRC	Irish Refugee Council, an Irish NGO
<i>Jus sanguinis</i>	principle whereby citizenship acquisition is primarily determined by the citizenship/nationality of ones' parents (also <i>ius sanguinis</i> , literally 'right of blood')
<i>Jus soli</i>	principle of citizenship acquisition based on birth in the territory of the relevant state (also <i>ius soli</i> , literally 'right of soil')
MCRI	Migrant Rights Centre Ireland, an Irish NGO
Nasc	an Irish NGO
NCCRI	National Consultative Committee on Racism and Interculturalism
NESC	National Economic and Social Council
NGO	Non-governmental Organisation (civil society organisation)
Oireachtas Éireann	the Irish parliament
ORAC	Office of the Refugee Applications Commissioner
PPSN	Personal Public Service Number
PRT	Protection Review Tribunal
RAT	Refugee Appeals Tribunal
QNHS	Quarterly National Household Survey

RIA	Reception and Integration Agency
RTÉ	Radio Telefís Éireann, the Irish public service broadcaster
Seanad Éireann	the upper chamber of the Irish parliament
Tánaiste	title of the deputy prime minister of the Republic of Ireland
Taoiseach	title of the prime minister of the Republic of Ireland
TCN	Third Country National
TD	Teachta Dála, a member of Dáil Éireann
ULREC	University of Limerick Research Ethics Committee

Chapter 1: Investigating Citizenship Reform

Introduction

The focal point of this thesis is an instance of constitutional and legislative citizenship reform which occurred in the Republic of Ireland in 2004, altering the criteria for citizenship acquisition for children of non-citizen parents. The referendum was accompanied by judicial decisions, deportations, legislative change and the suspension and re-establishment of an administrative residency programme pertaining to immigrant parents. I locate these practices in the context of a series of legislative and administrative developments which have cumulatively expanded the remit and authority of the State, to regulate the non-EEA ('third country') resident population. This thesis investigates this episode of citizenship reform and the various attendant legislative-administrative technologies with a view to elaborating the significance of and the role of non-EEA migrants in reconfiguring Irish citizenship. Empirically, this thesis is based on the narratives of a number of women who are immigrants from non-EEA countries, living in Ireland and whose child/ren were born in Ireland around the time of the 2004 citizenship reform. As such, these women were targets of the problematisation of alleged 'citizenship tourism' which was the official motivation and justification for citizenship reform. I argue that the relationship between these individuals and the State can be best understood using a Foucaudian framework of analysis, particularly the theoretical tools developed in the governmentality literature. One of the key aims of this thesis is to develop an empirically grounded understanding of the operation of citizenship as a means of dividing and governing the population (Hindess 2000a, 2000b). In doing so, I seek to develop a greater appreciation of the interrelationships between governmental and sovereign modes of power in the contemporary era of globalisation.

Drawing on Inda (2006), I conceptualise these legislative and administrative practices deployed by the State in respect of non-EEA immigrants, as citizenship and anti-

citizenship technologies. I argue that the composite of technologies directed at this cohort of migrants, are propelled by notions of national security and sovereignty. My analysis establishes the existence of a moral panic in which key political actors generated and disseminated a stigmatising narrative about migrant mothers' childbearing in order to legitimise the constitutional and legislative reform of citizenship acquisition. Discourses of risk and responsibility and techniques of enumeration were deployed to construct migrant mothers as unethical subjects. These neoliberal discourses and techniques were articulated with an ethno-racial form of nationalism in an identificatory project that contributed to extending the State's capacity to control and regulate the composition of the population.

Next, I discuss the significance of this undertaking. In order to situate the study, I examine some of the key discourses of citizenship scholarship and practice. I then summarise the theoretical orientation of the argument. Subsequently, I provide an overview of the context of Irish citizenship reform. The last section of this chapter explains the layout of the thesis.

Discourses of Citizenship

There is no notion more central in politics than citizenship, and none more variable in history, or contested in theory (Shklar 1991, p.45).

An abundance of literature on the subject of citizenship has been produced in the last two decades, since academics in the fields of political philosophy, sociology, cultural studies, legal studies and migration scholarship and a number of other disciplines, as well as political actors and new social movements, began to take renewed interest in the topic (Kymlicka and Norman 1994; Turner 1994). The notion of citizenship has become an "indispensable component of modern social theory as a perspective on social rights, welfare issues, political membership and social identity" (Turner 1993, p. ix). However, citizenship is many things to many people, and the profusion of theorisation has made the topic less, rather than more, intelligible because there is no overall shared frame of reference for citizenship studies (Bosniak 2000). There has been a lack of dialogue

between the various theorisations of citizenship, which seem to “talk past one another” rather than speaking to each other (Joppke 2007, p.37). This theoretical perplexity reflects the complexity of citizenship in practice. The meaning of citizenship varies across space and time; it means different things in different contexts (Shklar 1991).

Beyond the difficulties associated with conceptualizing citizenship, even the briefest empirical examination of citizenship in practice reveals a staggering array of different policies and arrangements that further complicate any understanding of what precisely citizenship means (Croucher 2004, p.45).

Some contributors have attempted to provide an overview of recent developments in the theoretical field, and to make the field more navigable by tracing commonalities and divergences¹. Bosniak (2000, p.455) proposes a schema to help organise this chaotic field of study, distinguishing four discourses of ‘citizenship talk’:

one is concerned with citizenship as legal status; another, with citizenship as rights; a third, with citizenship as political activity; and the last, with citizenship as a form of collective identity and sentiment.

These strands of citizenship surface in varying degrees of emphasis and in varying relation to each other in contested conceptualisations of citizenship. The first two aspects – status and rights – primarily relate to liberal conceptualisations of citizenship (Nash 2009). Until recently they have tended to be the hegemonic discourses of citizenship, but this has been complicated and challenged by the ascent of various globalisation forces which have brought into question the primacy of the nation state as the ‘container’ of citizenship.

The proliferation of discourses of citizenship, and the contradictory diagnoses of current formations citizenship (Baubock and Guiraudon 2009; Bhabha, J. 1999; Bosniak 2000; Kostakopoulou 2008; Sassen 2009; Soysal 1994; Turner 2001), makes it necessary to be precise about analytical boundaries in the study of citizenship. The notion of ‘citizenship regimes’ is useful in this regard because it allows a focus on a particular manifestation of citizenship, in its multi-dimensional institutional and discursive form.

¹ See, for example, Kymlicka and Norman (1994).

Citizenship Regimes

The application of the concept of ‘citizenship regime’ to denote the unit of analysis allows us to overcome the chronic uncertainty of meaning associated with the concept of citizenship (Bosniak 2000). The concept of citizenship regimes encompasses “the institutional arrangements, rules, and understandings that guide and shape concurrent policy decisions and expenditures of states, problem definitions by states and citizens, and claims making by citizens” (Jenson 2007, p.55). The concept of ‘citizenship regime’ allows for a degree of theoretical flexibility tied to an empirically grounded referentiality. As such, various citizenship regimes may overlap and an individual may be at once encompassed by more than one citizenship regime.² Building on Jenson’s definition above, I consider that it can and should accommodate the issue of the *constitution of ‘citizen’* in the regime in question. This definition and the means by which the constituency of the regime are delimited are central aspects of a given citizenship regime. Such a conceptualisation facilitates the commensurate analysis of both the *substance* and *subjects* comprising a citizenship regime.³

Jenson (2007) asserts that the task of analysing a given citizenship regime is to identify the ‘space for citizenship’ – that is the dimensions of citizenship defined according to delimitations of state responsibilities, definitions of membership, and gradations of members’ rights and duties. This understanding of citizenship regimes is sensitive to the role of discourse and representational practices. Encoded within citizenship regimes are paradigmatic representations of identities, “of the national as well as the model citizen, the second class citizen, and the noncitizen” and representations of appropriate social relations among and within these categories (Dobrowolsky and Jenson 2004, p.156). Thus, a given citizenship regime is constitutive of a particular set of interlinked subject positions. The concept of citizenship regime is useful because it does not conceive of citizenship regimes as fixed, but rather as subject to context-contingent redefinition and

² Examples of this include individuals with dual nationality, and citizens of EU member states who are both citizens of a given national state and (resultantly) EU citizens.

³ My use of these terms follows Bosniak (2000).

transformation (Jenson 2007). Changes in citizenship regimes are propelled by shifting definitions of membership and/or terms of belonging.

In this study, reform of the mode of citizenship acquisition within a national citizenship regime is the focus of analysis. The form a national citizenship regime takes varies according to national political culture, institutional legacies and historical processes of state-formation (Foweraker and Landman 1997; Jenson and Phillips 2001). My analysis attends to these contextual issues. The episode of citizenship reform under investigation involved a public debate over eligibility for national membership which took place against a background of rapidly increasing immigration, that was leading to greater ethnic diversity among the population. At the time, the Irish economy was enjoying a period of unprecedented (but ultimately short-lived) expansion due to market liberalisation, high levels of foreign direct investment, and the political embrace of a blend of neoliberalism and corporatism (Allen 2000; Boucher and Collins 2003; Taylor 2002).

The Context of Irish Citizenship Reform

The starting point of this study is the 2004 referendum (the Twenty-seventh Amendment of the Constitution of Ireland) which asked the Irish citizenry to amend the constitutional provision for citizenship acquisition by birth. The provision in question was five years old, having been adopted into the constitution with the ratification of the 1998 Good Friday Agreement.⁴ Prior to this, citizenship acquisition was legislated for by the Nationality and Citizenship Act 1956 which provided that *jus soli* citizenship was the primary mode of Irish citizenship acquisition and thus anyone born on the island of Ireland (the Republic of Ireland and Northern Ireland) was entitled to Irish citizenship.

The extension of birthright citizenship extraterritorially to Northern Ireland in 1956 was commensurate with the irredentist territorial claim by the government of the Republic to

⁴ The Good Friday Agreement (also known as the Belfast Agreement or the Stormont Agreement) was the outcome of the Northern Irish peace process brokered between the British and Irish governments and the major political parties in Northern Ireland, signed in Belfast in April 1998, establishing the Northern Ireland Assembly with devolved legislative powers.

jurisdiction over the whole island of Ireland enshrined in Articles 2 and 3 of the 1937 Constitution⁵ (Ó Caoindealbháin 2006). However, the latter part of the twentieth century saw a political re-imagining of Irish territoriality.⁶ The political discourse that supported and facilitated the Northern Ireland peace process endeavoured to foster notions of belonging which prioritised territorial residence over cultural, religious or political affiliations (Hayward 2004). Under the terms of the 1998 Good Friday Agreement a referendum was held to amend the Constitution to recognise the “diversity of...identities and traditions” of those inhabiting the territory of the Island of Ireland, and assert that “a united Ireland” would be brought about only by peaceful, democratic means (Article 3). The amended Article 2 reads: “It is the entitlement and birthright of every person born in the island of Ireland, which includes its islands and seas, to be part of the Irish nation”.

In 2004, after a decade in which the economy expanded rapidly and rates of in-migration rose considerably, changing the demographic composition of the State, a referendum was proposed to further amend Article 2. The following clause was inserted into Article 2, qualifying *jus soli* citizenship eligibility on the basis of parentage:

Notwithstanding any other provision of this Constitution, a person born in the island of Ireland...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.

Following this amendment, the 2004 Nationality and Citizenship Act, came into force on January 1st 2005. This Act established a residency requirement in respect of children born on the island of Ireland whose parents were not Irish citizens. This research investigates the circumstances under which this constitutional change was brought about and its implications. In order to do so the changing national imaginary must be probed.

⁵ Prior to their amendment as a result of the 19th Constitutional referendum in 1999 these Articles laid claim to the entire island as the “national territory”.

⁶ See Hayward (2004) on the changing conceptualisations of territory in Irish official nationalism.

Changing National Imaginary

Immigration and citizenship are sites through which national communities are institutionally imagined and materially constructed (Vukov 2003). Through laws, policies, administrative practices and practical technologies, the state endeavours to exert some influence over the shape of the boundaries of the national community. This is made possible through discursively influencing the shape of the imagined community.

Migration had long been central to the Irish national imaginary (Gray 2006), and the definition of Irish citizenship is very closely bound up with changing imaginings of the Irish nation, but migration only became explicitly articulated with discourses of *citizenship* in Ireland in the run up to the 2004 referendum.

The depiction of late twentieth century demographic change in Ireland as characterised by the shift from emigration to immigration has become clichéd through repetition. This net emigration to immigration transition is widely considered to represent an acute transformation in the nature of Irish society (Gray 2006). Ireland had high levels of out-migration for most of its modern history, while up to the 1990s rates of inward migration were low. Immigration rose rapidly in the boom years straddling the millennium. Between 1987 and 2005 there was a fourfold increase in gross inward migration (NESC 2006b). By 2006 approximately 10% of the population were ‘non-Irish nationals’ (Central Statistics Office 2007). Inward migration was predominantly comprised of EU member-state citizens,⁷ a “high but decreasing proportion” of returning Irish emigrants (Gray 2006, p.357) and “modest” numbers of non-EU citizens (NESC 2006b, p.106).

Bryan Fanning (2010, p.410) depicts contemporary Ireland as “radically open to migration in both directions”, that is both outward and inward mobilities. Fanning’s analysis addresses the institutional narrative of Irish developmental modernisation. He argues that this openness in regard to migration can be accounted for by examining

⁷ In recent years the majority of EU immigrants to Ireland have come from the accession states (Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia), followed by UK citizens, and the smallest proportion are from the other ‘old’ EU states (Gray 2006, p.357).

shifting developmental mentalités, as evinced in the canon of Irish ‘developmental texts’ which have structured policy making. As a result of the competitive corporatist direction that Irish developmentalism has taken,⁸ Fanning asserts that the ‘rules of belonging’ in Irish society have come to be based primarily on human capital attributes conducive to national economic development. An increasing emphasis on choice, individual autonomy, adaptability, flexibility and risk-taking is commensurate with a declining emphasis on ethno-cultural modes of belonging (Fanning 2010).

Fanning is not alone in highlighting the importance of neo-liberal rationalities in shaping the instrumental approach to immigration in Ireland (Allen 2007; Garner 2007a; Gray 2006). The Irish State has been described as a ‘competition state’ because the logic of competitiveness has become the dominant rationality for policy development which is dominated by an emphasis on market liberalisation and international competitiveness (Kirby 2009). This has led to a prioritisation of low taxation above redistribution and public service provision. One of the features of competition states is that welfare supports and entitlements become more conditional and linked to participation in the labour market. In recent times, welfare provision in Ireland has been increasingly leaning towards labour activation, whereby a combination of supports and sanctions are instituted to encourage and compel labour market participation (Murphy 2007). The competition state thesis acknowledges the continuing but changing significance of the state, recognising the increased role for state intervention and regulation in the name of competitiveness, promoting entrepreneurialism and marketisation (Cerny 1997). However, while contemporary developmental texts advocate ongoing (managed) migration to sustain economic growth (NESC 2006a), only certain forms of immigration and certain types of immigrants are perceived and valued as ‘developmental’; only some embodiments of the “geographically mobile *homo economicus*” are valorised (Mac Laughlin 2000 cited in Fanning 2010, p.405).

⁸ Fanning (2010) traces a trajectory from a post-independence nation-building project emphasising cultural and religious reproduction and complimented by protectionist, isolationist economic policies, to a national project of developmental modernisation emphasising economic and human capital reproduction, which gradually began to take an institutional hold in the 1950s.

I concur with Fanning that the economic nationalism evident in the Irish competition state is a crucial factor shaping the legislative and administrative apparatuses pertaining to the government of immigration in recent years. However, I argue that the manner in which neoliberal rationalities pervade the discourses and practices of citizenship and immigration governance in Ireland has been under-theorised and requires further elaboration. I assert that neoliberal rationalities and techniques have been articulated with racialised and gendered ‘rules of belonging’. The articulation of immigration regulation with questions of gender, sexuality and reproduction in the construction of national membership is not unique from a historical perspective (Garrett 2000; Ryan 2002), nor from an international perspective (Inda 2002; Vukov 2003; Yuval-Davis 1999). This thesis asserts that an analysis of the 2004 citizenship reform cannot be limited to cultural nationalism or state racism (Lentin 2007; Lentin and McVeigh 2006), nor can it be understood without reference to the neoliberal influences on discourses and practices of citizenship, membership and belonging. In this instance of citizenship reform, raced and gendered notions of national identity were articulated with neoliberal-inflected moral-economic rationalities giving rise to a context-specific ethopolitics. This research rectifies the under-theorisation of neoliberalism as governmentality (Larner 2000) in the Irish context, furthers our understanding of the local manifestations and articulations of neoliberalism, and contributes to the theorisation of neoliberal citizenship (Hindess 2002; McNevin 2006; Sparke 2009).

Theoretical Tools: Governmentality

Theoretically, my research adopts a Foucauldian governmentality approach, which is apt given the focal concern with the constitutive relations between subjects and the state (Lemke 2002). I utilise governmentality as a framework through which to conceptualise citizenship as playing a significant role in the governmentalisation of states; as a form of governmentality in terms of technologies and strategies, and as a site of subject-making. From a governmentality perspective “[c]itizens are not born; they are made” (Cruikshank 1999, p.3). This ‘making’ of citizens proceeds through forms of action and relations of power that seek to guide the actions of others. In my analysis, I examine the forms of

knowledge and practical strategies by which individuals are ‘made up’ as subjects in relation to the discourses and institutions of citizenship.

I argue that the reconfiguration of the ‘space of citizenship’ within a particular regime is associated with particular political projects. I seek to understand the mentalities of rule which guide these projects and their power effects. Governmentality is a tool for understanding the means by which political power is established and the manner of its operation. As such, governmentality analyses are applied and empirical, they focus on actual practices and infer from these the rationalities that underlie and inform them. In order to examine how political power is established and operates through citizenship, I adopt the following analytic questions posed by Rabinow and Rose (2006, p.197):

1. What are the relevant truth discourses, and who are the “authorities considered competent to speak that truth”?
2. What are the “[s]trategies for intervention upon collective existence” (in this case addressed at the population territorialised upon the nation)?
3. What modes of subjectification are involved, whereby “individuals are brought to work on themselves, under certain forms of authority, in relation to truth discourses, by means of practices of the self”?

This analysis of the governmentalities involved in a particular case of national citizenship reform contributes to understanding how citizenship operates as a mechanism for biopolitically regulating populations on a global scale. In this thesis, I develop an enhanced understanding of citizenship by looking at the ways in which migrants are objectified by and become subject(s) through their positioning in relation to and their negotiations of a specific set of governmental technologies.

My methodology is in keeping with Foucault’s (1982, p.780) approach whereby he studied relations of power through their “antagonism of strategies”, rather than from the point of view of their internal rationalities. For instance, he advocated that societal meanings of sanity can be studied by investigating what is happening in the field of insanity, and legality can be explored by addressing the field of illegality. In this vein, I

seek to investigate what is meant by citizenship by looking at those who are not citizens and the processes by which they are incorporated into or excluded from the body of the citizenry.

I locate the national citizenship regime of the Republic of Ireland as nested within an international system of governance (Hindess 2000a), and as overlapped by other citizenship regimes, for example that of the European Union. Thus, I consider the national citizenship regime to be permeable in terms of political rationalities. But political rationalities take on varying forms and are articulated in different ways in different milieu, which is why it is necessary to empirically study context-specific cases. In delineating the changing, momentarily solidifying definitions of membership and terms of belonging that shape the Irish citizenship regime, I endeavour to gain an enhanced understanding of the political projects which inform them and the technological means by which they are operationalised. I investigate the implementation of such technologies and examine their effects in order to elaborate a more nuanced and empirically substantiated conception of governmental citizenship. This contributes to current theoretical debates on the role of the national state in mediating transnational migration, and conceptualisations of the changing nature of citizenship in the current phase of globalisation. This thesis also contributes to expanding the methodological repertoire of governmentality work by developing empirical and analytical framework through which to tackle the linkages and intermediaries between states and subjects and explore the overlaps and intersections between governmentality and sovereignty.

Governmental Citizenship

This is a situated, empirical study which examines the various strategies, technologies, programmes and techniques of biopolitical governmentality through which the State regulates the population, and the forms of subjectivity to which they give rise. I consider it important to complement the analysis of the technological aspects of governance with an analysis of the significant role of self-governance and subjectivity in the exercise of power. By prioritising the narratives of the target-subjects of governance I highlight the

subject-effects of strategies of governance. I wish to de-privilege state-centred ‘national narratives’ by putting forward migrant women’s narratives of citizenship and belonging. I argue that the technical and programmatic aspects of immigration governance through which migrants are channelled into various governmental categories, are constitutive of subject-positions and the structuring of migrants’ agency. This thesis investigates the subject-effects these ‘technologies of citizenship’ and ‘anti-citizenship technologies’ pertaining to migrant mothers in the aftermath of the 2004 citizenship reform. I assert that these technologies presuppose particular raced and gendered forms of subjectivity and endeavour to cultivate forms of subjectivity more compatible with the needs of neoliberal governance. However, by examining participants’ experiential narratives of their negotiations of governmental processes and procedures of authorisation and illegalisation, their successes and failures in moving between immigration/residency statuses, I draw attention to the constrained agency of migrant subjects. In narrating their local, everyday practices of forming families, participating in communities, engaging in education and employment, the migrant mothers who partook in this study expound alternative articulations of legitimacy and belonging. Thus, this study of citizenship governmentalities provides an insight into the constitutive roles of the state and migrant subjects in re-shaping the boundaries and meaning of citizenship, while recognising the uneven distribution of power in this relationship.

Layout of Thesis

The next chapter lays the conceptual groundwork for the use of a governmentality approach to understand citizenship as a means of bio-politically governing populations. I explain the aptness and utility of adopting a governmentality inspired approach to investigating citizenship. I emphasise the role of citizenship in the processes of governmentalisation through which subjects and states have been constituted as we know them today. In outlining the role of citizenship in consolidating the modern state system with national populations and rendering these populations governable, I set the scene for my governmentality informed analysis of contemporary citizenship. This chapter address the development of the state and territoriality, tracing the inter-play between nationalism

and capitalism and arguing that relations of privilege are reproduced through the regulation of citizenship. Locating my theoretical approach in the context of the expanding literature on citizenship and engaging with current debates on citizenship and sovereignty, I critique normative approaches to citizenship and establish my position in relation to the debates on postnationalism and re-nationalisation.

Chapter three traces the epistemological and methodological journey of this research. I explore a range of intertwined issues and interests that comprise the relations of knowledge production through which this text is produced, emphasising that knowledge is always imbricated in relations of power. I argue for the need to critically consider the contingent conditions for ‘experience’ and experiencing subjects, and the necessity of historicising experience and the identities that it (experience) produces and which produce it. The research design, the data collection and the data analysis procedures are detailed in this chapter.

In chapter four I provide an analysis of the recent legislative and administrative developments through which the regulative capacities of the Irish State to control migratory flows and population composition have been cumulatively increased. I characterise these developments as entailing an amalgam of citizenship technologies and anti-citizenship technologies (Inda 2006). The latter are designed to delimit and deter undesirable immigration, while the former permit access on a temporary, conditional basis. I argue that the composite of these technologies contributes to shaping the biopolitical composition of the population, and is integral to the re-orientation of the content and meaning of citizenship.

The inter-related ethopolitics and biopolitics of the citizenship referendum are explored in chapter five. The analytical approach taken in this chapter is to integrate the micro-level study of migrants’ experiential narratives with an examination of macro-level processes of migration regulation and the governance of citizenship. I argue that, in the dominant politically-driven discourses of the referendum, general features of asylum and immigration problematisations were distilled into a much more specific gendered and

racialised ethopolitical problematisation. I specify the power/knowledge practices of enumeration and categorisation which underpinned the politically driven moral panic centring on migrant women and their 'Irish Born Children'. Migrant mothers were constituted as unethical subjects, through discourses of risk and irresponsibility.

This is followed by an analysis of the subject-effects of such ethopolitical constructions and attendant governmental technologies. Chapter six examines the technologies of citizenship and anti-citizenship technologies which structure the possible fields of action of the participants' in this research (Foucault 1982). I consider how such technologies impinge on participants' embodied experiences, on their subjectivation, and their processes of identity formation in varying ways. Participants' experiential narratives articulate forms of subjectivity and agency very different from those assumed or encouraged by dominant discourses and governmental practices. Explicating these discrepancies, I argue that immigration regulations informed by neoliberal rationalities often end up impeding and undermining these women's efforts to engage in employment and education, even as citizenship technologies seek to cultivate in them 'productive' subjectivities. The final chapter summarises the overall conclusions of this research and discusses its significance.

Chapter 2: Theorising Governmental Citizenship

Introduction

My purpose in this chapter is to chart a course for understanding the discursive and institutional operation and effects of governmental citizenship. I present my approach to conceptualising citizenship, which draws on post-Foucauldian governmentality scholarship, particularly the work of Nikolas Rose (1996a; 1999a; 2000) and Jonathan Xavier Inda (2006). I utilise the governmentality framework to re-conceptualise citizenship in the following ways:

1. As playing a significant role in the (historical and ongoing) governmentalisation of states.
2. As a form of governmentality (in terms of technologies, strategies etc.), citizenship is a key instrument enabling the bio-political governance of populations (Hindess 2000a).
3. As a site of subject-making (Ong 2004).

Governmentality builds upon the Foucauldian conception of power and combines an analysis of the state with an analysis of the subject. Through his governmentality studies, Foucault (1994, 2009) endeavoured to show how the emergence of the modern sovereign state and the formation of the modern autonomous individual were related and mutually constitutive (Hindess 1993; Lemke 2001). In this chapter I trace a general outline of the process by which the modern liberal state was governmentalised, from the eighteenth through to the twentieth century. I delineate the simultaneous development of the liberal conceptualisation of modern citizenship as a national form. I establish the governmentalisation of states and the nationalisation of citizenship as contemporaneous and complementary processes. I assert that discursive and material practices of citizenship-building were also, integrally, means of nation-building (Turner 2002). In

summary, citizenship was a key device in the consolidation of the modern state system, the conceptualisation of national populations and the simultaneous process of rendering individuals and populations governable.

This is the backdrop against which more recent developments in citizenship must be analysed. A multitude of disparate but related phenomena have contributed to creating the present conditions of citizenship. This chapter addresses some of these phenomena, including the demise of social citizenship; the development of an array of sub-citizenship statuses through which rights traditionally associated with citizens are conferred upon and withheld from segmented categories of migrants; the emergence of sub- and supra-national forms and styles of citizenship; the undermining of the previously self-evident link between national state and citizen (White and Hunt 2000); and the playing out of contradictory and contested processes of de-nationalising and re-nationalising citizenship. I engage with, and situate my perspective in relation to, major debates on these issues in current citizenship scholarship. I consider these particular issues because I see them as constituting significant characteristics of the broader context within which the citizenship reform of the 2004 Irish Citizenship Referendum occurred. I critique some of the established approaches to theorising citizenship. But before elaborating this argument it is necessary to explain Foucault's conceptualisation of governmentality.

Governmentality

The term governmentality was coined by Michel Foucault to describe his exploration of the problematics of government and political rationalities. Foucault's conception of governmentality makes visible, through the perspective of the history of the present, the ways in which a particular rationality of power – government – has been made thinkable and practicable (Burchell et al. 1991). Governmentality is essentially a tool for analysing “the links between the domain of politics, the exercise of authority and norms of conduct” (Barry et al. 1993, p.265). I describe governmentality as a framework for the present study because it is an analytical perspective or style of analysis as opposed to a theory *per se*: “it asks particular questions of the phenomena that it seeks to understand,

questions amenable to precise answers through empirical enquiry” (Rose, *et al.* 2006, p.85).

Foucault developed the concept of governmentality through his genealogical reconstructions of the emergence of certain modes of thought; he sought to demonstrate the operation of power in the emergence of these rationalities. The genealogical approach, based on a view of history as a non-evolutionary “fragmented field of disconnected discourses”, seeks to “detotalize history and society as unified wholes governed by a centre, essence, or telos” (Best 1994, p.30). As will become clear below, this approach is antithetical to global or totalising theories and conceptions of power as a product or possession of a class subject. It is concerned to open out the questions of government, power, the dynamics of agency and structure, and the nature and conditions of social reproduction and social change, in their complexity and nuance.

Foucault’s investigations have been elaborated and extended by scholars such as Mitchell Dean, Peter Miller and Nikolas Rose (Barry *et al.* 1996; Burchell *et al.* 1991; Dean 1999; Rose, 1996a; 1999b; Rose, and Miller 1992). These theorists draw from and develop Foucault’s later work from the late 1970s until his death in 1984. Of particular interest to governmentality scholars are Foucault’s (2008, 2009) lectures at the Collège de France in which he revised and developed previous themes, re-aligning his focus and analysis more closely with Marxism than he had in his earlier work (Lemke 2002). Foucault became increasingly interested in questions of political economy and the new rationalities of governance which emerged in Europe between the 16th and 20th centuries. He traced the historical emergence of complex processes of governmentalisation, which involved the development of new technologies of power targeted at individuals and populations, articulating new forms of political rationality.

Foucault’s Conceptualisation of Power

An explanation of governmentality must be contextualised within the broader Foucauldian conceptualisation of power as productive and constitutive. Foucault argued

that in order to understand power, we should look to particular manifestations in specific contexts, while recognising that local manifestations exist within frameworks of powerful controlling tendencies. Thus, he prioritised an examination of the micro-physics of power as evinced in actual practices in the everyday. However, this interest in the microphysics of power does not preclude an examination of the macro-physics of power. Foucault's governmentality investigations addressed the relationship between discursive formations and the material domains of institutions, political events, economic practices and processes, to uncover the underlying mentalities which informed them.

As I demonstrate below, the governmentality approach enables an examination of citizenship that is not state-centric, nor limited to the state's relationship with its own national citizens. Foucault conceived of government in a broad sense, encompassing a range of practices including, but not exclusive to, those of political structures. He explicitly sought to de-centre power by metaphorically cutting off the head of the king (Foucault 1979b). By this he meant to subvert the focus on sovereign power. Traditional analyses of the state and political economy tend to assume that power radiates outwards from a central point. Foucault criticised such theories as adhering to outdated assumptions of centralised sovereignty and unified juridical-political power:

The analysis, made in terms of power, must not assume that the sovereignty of the state, the form of the law, or the over-all unity of a domination are given at the outset; rather, these are only the terminal forms power takes (Foucault 1979b, p.92).

Governmentality provides an alternative to state-focused forms of political theorisation. Rather than allowing the *state* to frame his analysis, Foucault focused on the operation of *political power*. Accordingly, governmentality requires the researcher to "move outside the institution and replace it with the overall point of view of the technology of power" (Foucault 2009, p.117).

In Foucault's theorisation, power ought not be seen solely in terms of repression and domination. For him true power is positive or productive in the sense that it is constitutive of reality. Foucault referred to negative or repressive forms of power (force, constraint or violence) as 'domination', but argued that modern power operates primarily

in the positive mode. Modern power consists of “a range of mechanisms working to generate, incite, reinforce, control, monitor, optimize and organize” (Rabinow and Rose 2006, p.196). Foucault was keen to emphasise the power doesn’t radiate from a single central point; rather power is comprised in a multiplicity of relations which are the site of interminable struggle. He used the term ‘capillary’ to describe the diffusion and dispersal of power throughout society. Consequently, since power is more accurately described as a network of relations in which every member of society participates, it is mistaken to conflate power with the state. Foucault conceived of government as a decentred process, not a monopoly practise of the state: he rejected the exclusive identification of government with the state (O’Mally *et al.* 1997).

Foucault’s primary interest lay in the exercise of power through the shaping of behaviour or the structuring of the terms of action (Foucault 1988). Governmentality allowed Foucault to explain the relative systematicity of the operation of power due to underlying rationalities which enabled the formation of shared problem-spaces within which “different practical systems of government interconnect and link up with each other with a certain degree of consistency” (Burchell 1993, p.275).

Power/Knowledge

The notion of governmentality enabled Foucault to further develop his original “working hypothesis” that power techniques and forms of knowledge reciprocally constitute each other (Lemke 2001, p.190). Productive power is intimately connected with, indeed inseparable from, knowledge. Power works its way through discourses, which are bodies of ideas and language. Discourses reference particular regimes of truth⁹. Power and knowledge are inextricably interwoven within these regimes. Discourse is the currency

⁹ Foucault (1980, p.131) deployed the phrase ‘régime of truth’ in referring to the amalgamation of beliefs and values that are broadly endorsed throughout a particular society, which he conceived as encompassing the types of discourse which it [the society] accepts and makes function as true; the mechanisms and instances which enable one to distinguish true and false statements, the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saying what counts as true.

For further discussion of Foucault’s engagement with the notion of truth, see section entitled ‘Everything is Dangerous’ in chapter three of this thesis.

through which the relations of power and knowledge are established and perpetuated (Foucault 1980). Foucault (1972) described discourses as systematically forming the objects of which they speak. While discourses purport to describe or explain social realities, such phenomena are discursively brought into being.

It is important to note that despite their relation to the material world of institutions and economic practices, discourses should not be seen as monolithic or unilateral. Multiple discourses exist simultaneously, some of which overlap and reinforce one another, while others contradict and conflict with each other. This fluency and intersection is articulated by Cameron (1990, p.22) when she states that “every discourse incorporates elements of what it opposes and aims to replace”. But despite this inconsistency and contradiction, discourses *are* discourses because they have some degree of coherence and systematicity. By subjecting discourses to critical examination, however, it is possible to see that the knowledge provided by them is partial and situated, due to their location within particular relations of power.

The Constitution of the Subject

In Foucauldian thought the discursive production of reality necessarily includes the constitution of the subject. While humanist assumptions treated the subject as if coherent, stable and pre-discursive, Foucault objected to this idea of the subject “since subjectivity itself was constituted by discourse” (Joseph 1998, p.175). We social beings are produced (on an ongoing basis) through knowledge arising from the relations of power in which we are situated; we craft our identities within and through the discourses available to us (Nairn and Higgins 2007). Our knowledge of the world and modes of being-in-the-world are discursive in that discourses simultaneously inform what we do and are reproduced through our actions. Thus, as subjects we are created through the positive, productive relations of power/knowledge. Subjects always operate through discourses, as there is no non-discursive social space, no place that subjects can inhabit which lies beyond discourse.

In the sections that follow, I explicate how Foucault built upon his theorisation of power, combining his conceptualisations of the processes by which human beings are made as subjects, with his investigations into the actual operations of state power, within the conceptual framework of governmentality.

The Subject and the State

Governmentality can be seen as the conceptual bridge between parallel projects within Foucault's earlier works – his investigations into the *genealogy of the subject*, on which he focused in his three-volume *History of Sexuality* project (1979b [orig. 1976], 1987 [orig. 1984], 1990 [orig. 1984]), and his explorations into the *genealogy of the state* which informed his studies of institutions in *Discipline and Punish* (1979a).

The 'missing link' between these two research interests is the problem of government. It is a *link* because Foucault uses it exactly to analyse the connections between what he called technologies of the self and technologies of domination, the constitution of the subject and the formation of the state (Lemke 2002, p.50).

Thus, in the concept of governmentality, Foucault addresses the mutual *constitution of the subject* and *formation of the state*, thereby connecting the micro and macro strands of his analysis (Dean 1994). At the core of the concept of governmentality is the notion of government as the "conduct of conduct" (Gordon 1991, p.48).¹⁰ Governmental power primarily operates by influencing and shaping, setting in place the possibilities of action or choice, "guiding the possibility of conduct and putting in order the possible outcome" (Foucault 1982, p.789). In this conceptualisation, Foucault revived the broader meanings that were historically associated with the term 'governance', in contrast to the narrower connotations of political structures that it evokes in contemporary parlance. In this general sense, government refers to the strategies and techniques for acting indirectly upon the conduct of self and the conduct of others, across a range of sites, and under the auspices of a range of authorities (Rose and Miller 1992). Mitchell Dean (1999, p.209) provides a succinct but comprehensive definition of 'government' as denoting:

¹⁰ See Foucault (1982) on the centrality of 'conduct' to this conceptualisation of government.

Any more or less calculated and rational activity, undertaken by a multiplicity of authorities and agencies, employing a variety of techniques and forms of knowledge, that seeks to shape our conduct by working through our desires, aspirations, interests and beliefs, for definite but shifting ends and with a diverse set of relatively unpredictable consequences, effects and outcomes.

Governmentality, then, encompasses the amalgam of mentalities, strategies and techniques by which we *are governed* and through which we *govern ourselves* (Barry et al. 1993, p.265). Government is undertaken through the multifarious strategies, programmes and techniques that are primarily designed to inculcate governance of the self by the self (Dean 1994). It follows that an analysis of processes of subject formation is integral to empirical governmentality studies.

The Governmentalisation of the State

Foucault deployed the term governmentality as a framework and descriptor for his genealogical studies which traced the emergence of governmental power. Foucault's genealogy of governmentality examines the emergence of political rationalities or mentalities of rule, whereby rule becomes a matter of the calculated management of the affairs of all members of a population in order to achieve certain objectives (Rose, 1996b, p.134). He traced the historic ascendance of government "over a long period and throughout the West" leading steadily to "the pre-eminence over all other forms (sovereignty, discipline etc.) of this type of power" (Foucault 1991, p.102). This entailed a gradual process of governmentalisation of the state, to the extent that Foucault (1991, p.103) asserts,

it is possible to suppose that if the state is what it is today, this is so precisely thanks to this governmentality, which is at once internal and external to the state...thus the state can only be understood in its survival and its limits on the basis of the general tactics of governmentality.

Modern government is a heterogeneous field of thought and action, encompassing, but not confined to, or by, the state (Inda 2005). The state itself is just one element, "albeit a rather important one, in a multiple network of actors, organizations, and entities involved

in exercising authority over the conduct of individuals and populations” (Inda 2005, p.1-2). Foucault did not deny that government produces centres, but emphasised that the centres of government are multiple (Rose, and Miller 1992). Foucault stressed the dispersion and multiplicity of the institutions involved in the exercise of state power. Thus, the term ‘state’ here refers to the amalgam of “liberal, representative, electoral, administrative, legislative and juridical institutions and practices articulated within the confines of a liberal constitutional framework” (Cruikshank 1999, p.4). The institutions or practices of the state do not always act consistently or coherently with each other. The state is emergent and adaptable, ambiguously bounded and internally fragmented (Hannah 2000). Foucault (2009) described the state as a site in and through which manifold governmentalities were played out.

Sovereign, disciplinary and governmental modes of power can be analytically distinguished, but in practice they co-exist and may interact whether by supporting or contradicting each other (Foucault 2009). Sovereignty relies on the rule of law and the coercive capacity of political, administrative and judicial institutions (Huysmans 2006), yet it depends in its implementation on a complex moral economy whose scope “far exceeds the extravagant displays of the sovereign” (Rabinow and Rose 2006, p.202). Discipline administers “the location and movement of individuals through the imposition of grids” which shape what individual bodies can do, where they have to be etc, at specified times (Huysmans 2006, p.39). Governmental power contrasts sharply with sovereign power¹¹ in that it inverts the relation to life – it is primarily concerned with the promotion of life and focuses mainly on population rather than individuals. However, while Foucault (2009) saw government as gradually coming to the fore, he envisioned it in a triangular configuration with the two other forms of power. Thus, at any one time all three co-exist with varying degrees of emphasis.

¹¹ Sovereignty is premised on the right to take life. But pre-modern sovereign power was sporadic and discontinuous in its exercise (Rabinow and Rose 2000). Thus, it often took spectacular, ritualised forms, such as the executions detailed in the opening pages of Foucault’s *Discipline and Punish* (1979a), a book in which he sought to differentiate between sovereign and disciplinary forms of power.

The symbiotic emergence of specific forms of knowledge with regard to population and economy were the conditions of consolidation of governmental power (see Foucault 1991, p.100-1). From the eighteenth century onwards, 'security' increasingly became the dominant component of modern governmental rationality (Gordon 1991). The triangle of sovereignty-discipline-government "has as its primary target the population and as its essential mechanism the apparatuses of security" (Foucault 1991, p.102). Eighteenth century political economists connected population and prosperity, seeing these as the primary goal of government, the apparatuses of security as the means to optimise the wealth of the population, and individual liberty as the precondition and correlate of the attainment of this goal. Crucially for the development of modern citizenship, this understanding was mapped onto a national society and national state.

The following section outlines the process through which the concept and institution of citizenship came to be located within the context of national states; the process whereby citizenship was nationalised.

The History and Development of Links between Citizenship and the State

I now locate the process of the nationalisation of citizenship in the historical context of the development of the modern liberal state. Modern states are based on a congruence of territory and sovereignty, as mutually recognised by other members of the international system of states.

By the seventeenth century the term 'nation' was being used to refer to inhabitants of a country, as an alternative to categories such as *the people* or *the citizenry*, and it became common practice to use the terms 'nation' and 'state' interchangeably (Connor 1994). Through the nationalisation of citizenship, citizenship and nationality have become almost synonymous¹² (Fieschi and Varouxakis 2001). A foundational assumption within

¹² Historically, citizenship and nationality did not necessarily correspond with each other: citizenship of a state was not necessarily automatically granted to all nationals. The status of citizenship was initially

the liberal understanding of citizenship has been that the boundaries of the citizenry conform to the boundaries of the state; that territorial political sovereignty and the unity of the people coincide (Chwaszcza 2009). For example, prominent liberal theorist John Stuart Mill advocated that as a necessary condition of free institutions “the boundaries of governments should coincide in the main with those of nationalities” (Mill 1960 cited in Hall 2001, p.172). Chwaszcza (2009, p.454) refers to this supposition as the ‘co-extensionality thesis’ as it “takes for granted that the state and the set of normatively relevant legal subjects are co-extensive with the individuals who constitute the people”.

In the classic model of liberal citizenship the horizontal comradeship of national membership is the foundation of equal treatment among members: “Citizenship invests individuals with equal rights and obligations on the grounds of shared nationhood” (Soysal 1994, p.142). Yet there is an inherent tension between the supposedly universalistic nature of modern citizenship, and the cultural specificity of *national* membership (Castles and Davidson 2000). Although the attempt to make the boundaries of national identity, political sovereignty and territory coincide is the central political project of nationalism, the boundaries of nations are rarely, if ever, entirely congruent with the boundaries of polities. The notion of a more-or-less seamless overlap between nation and state was painfully forged through concerted efforts on the part of states, designed to mould individuals into citizens and match state boundaries with nationalities¹³ (Soysal 1994, p.16). Furthermore, the emphasis on internal homogeneity and unity elides the differences *within* a given nation. Liberal theorising viewed the body of citizenry as homogenous in their abstraction from socio-cultural specificity (Castles and Davidson 2000, p.24). Difference was relegated to the private sphere; attributes such as gender, class, religion and ethnicity were considered non-public aspects of an individual’s identity. Citizenship was seen as unifying and universalising, as a leveller that subsumed internal difference to the common denominator of national identity.

granted only to those nationals who were considered to possess sufficient reason and property (Fieschi and Varouxakis 2001).

¹³ The pursuit of unity through homogeneity has been sought through violent means such as mass population transfer, forced integration, pogroms, ethnic cleansing and genocide (Hall 2001), as well as through such means as mass education.

Social Citizenship

In the nineteenth and twentieth centuries, the development of the concept of ‘the social’ and social citizenship was correlative with the increasing governmentalisation of liberal democratic states (Dean 2010). The concept of social citizenship emerged as a way of addressing the issues of inequality ignored in earlier formulations of liberal citizenship. T.H. Marshall (1950), who drew upon the liberal intellectual tradition, endeavoured to remedy one of the weaknesses of the liberal conception of citizenship, by focusing on the problem of social inequality (Turner 1994). At the heart of Marshall’s account of citizenship lies the contradiction between the formal political equality of the franchise and the persistence of extensive social and economic inequality, ultimately rooted in the character of the capitalist market place and the existence of private property. Marshall (1950) saw social citizenship as the means to resolve these contradictions, through the expansion of formal equality and the promotion of a basic level of substantive equality through welfare state provision. His study of English citizenship depicted it as developing through progressive phases of rights expansion – from civic to political to social rights – with these rights gradually extending to previously excluded or marginalised groups. In this evolutionary model, progressively more and more members of civil society acquire citizenship rights. Marshall saw the progressive development of citizenship as socially integrative and as contributing to a sense of shared identity and national unity (Kymlicka and Norman 1994).

Social citizenship furthered the governmentalisation of the state. Through this form of citizenship the individualising and totalising aspects of state power were brought together, enabling the operation of governmental power simultaneously at the level of a population and at the level of the individual members of that population (Foucault 1982). Furthermore, as I demonstrate below, the development of social citizenship also contributed to the nationalisation of citizenship.

Social citizenship is based on the premise that the pursuit of prosperity “is the necessary condition of the state’s own security” (Gordon 1991, p.19). This implies that governmental power entails a circuitous interdependence of *political security* and *social*

security (Gordon 1991). As such, the objective of the modern art of government came to centre on the development of “those elements of individual lives in such a way that their development also fosters the strength of the state” (Foucault 1981 cited in Gordon 1991, p.10). The problematic of politics became the most appropriate and effective means by which to govern ‘the social’ (Gordon 1991). Thus, ‘the social’ can be seen as a field of problematisation; a zone of governmental action and technical intervention (Inda 2006, p.9). Gordon (1991, p.34) describes ‘the social’ as designating a field of action that operates “always within and upon the discrepancies between economy and society”. The government of the social - welfarism - emerged as a distinct political rationality in the twentieth century within different national contexts in Europe and North America (Rose, 1996a). Welfarism entails the view that the state has a key role in safeguarding the welfare and security of the population by insuring against and alleviating the risks associated with the market, as well as risks of illness, crime and so forth (Inda 2006). This is achieved through technologies of risk-sharing amongst the citizenry and through state provision of goods and services to the national population.

The projects of social citizenship conceived of the terrain of governance as a national community of citizens (Larner 2000). “The social, overarching all its stratifications and variations, was imagined as a single space, territorialized across a nation” (Rose, 1996a, p.333). Government of the social thus required and promoted a sense of social solidarity. The definition and supply of appropriate public goods via institutional citizenship is closely related to issues of identity and patterns of social and political identification. The governmental projects that constitute the social (such as mass education, public housing, public broadcasting, etc.) may thus be seen as “identification projects” (Rose, 1996a, p.334). Such projects are premised on, and contribute to, the identification of citizens with the national community of which they are a member.

It is clear from the brief historical sketch drawn in this chapter so far, that in the context of the modern liberal state, processes of citizenship-building were also, necessarily, processes of nation-building (Turner 2002). Bryan Turner (2002, p.50) captures this

interplay of the discursive/material process whereby citizenship and nation-state co-constituted each other:

The creation of the institutions of citizenship in legal, political and social terms was also the construction of a national framework of membership within the administrative structures of the state... The production of an institutional framework of national citizenship created new national identities and replaced regional and sub-national cultures.

Thus, the processes of the governmentalisation of states and the nationalisation of citizenship were intrinsically interrelated. This genealogy has implications for the practices and conceptualisations of contemporary citizenship.

In this section I have drawn attention to the manner in which social government is contingent upon and complements the configuration of a national community as the imagined territory of government. I now argue that, in the main, commonsense understandings and academic theorisations of citizenship alike have tended to take for granted and have failed to problematise the nationalisation of citizenship, resulting in a myopic and misleadingly benign view of citizenship.

Internalist Conceptualisations of Citizenship

The influence of liberal conceptions of citizenship and the phenomenon of nationalisation has resulted in the commonly held understanding of citizenship as a status of equal membership within a bounded political community (Baubock and Guiraudon 2009, p.439). Such ‘internalist’ accounts assume formal membership in the community as given (Bosniak 2006; Hindess 2000a). An internalist account of citizenship focuses primarily on the citizen in relation to the particular state of which he or she is a member, and conceptualises citizenship “as a complex package of rights and responsibilities accruing to individuals by virtue of their membership of an appropriate polity” (Hindess 2000a, p.1487). The majority of the scholarship produced in the citizenship revival mentioned in chapter one, operates within an internalist framework (Bosniak 2006).

While the internalist framework enables an examination of the quality or *substance* of the citizenship, facilitating the interrogation of degrees of inclusion and citizenship rights, it can reproduce the inherent exclusiveness of national membership (Bosniak 2006). As a result of the acceptance of the state as the unit of reflection and identification, such analyses of citizenship may reify state boundaries and may thus produce a limited conceptualisation of transnational and global processes.

Recent citizenship scholarship has, however, begun to turn its attention to the implications of boundary transgressing phenomena for citizenship. Scholars have endeavoured to explicate the changing dynamics of the relationships between citizenship, political community and the modern state, in the context of the current era of globalisation (Bauböck and Guiraudon 2009). They have examined the implications of globalisation processes including transnational networks, flows, and identities, regional international integration, and the dispersion of political and policy issues to both sub- and supra-state levels, for the meaning and practice of contemporary citizenship. These phenomena are generally seen as progressively fracturing the symmetries “forged largely in the past two centuries between national states, national territory, and national citizenship rights” (Brodie 2004, p.323). They have undermined the notion of relative autonomy on the part of the national state and destabilised the notion of distinct, relatively autonomous national cultures (Castles and Davidson 2000).

Migration and Citizenship

One of the key features of contemporary globalisation that is seen to significantly affect citizenship is large-scale international migration. The notion of international migration is closely related to the unfolding of the state system and the development of the institution of citizenship:

The concept and category of international migrant is a product of the nation-state system and its ideologies of national membership (Soysal 1994, p.14).

Yet large-scale migration complicates the two-dimensional picture of citizenship as a (vertical) relationship between individuals and the state, and a (horizontal) relationship between members of a polity, rendering the emerging configuration unstable and asymmetric (Baubock and Guiraudon 2009, p.443; Chwaszcza 2009, p.454). A plethora of concepts such as post-national citizenship, expansive citizenship, denationalised citizenship, as well as transnational citizenship, cosmopolitan citizenship and global citizenship, are deployed as (often vaguely-defined) descriptives, “intended to capture various cross-border identities, relationships and allegiances that have been developing during the current period of intensive globalisation” (Bosniak 2000, p.449).

In the following section I outline the post-national debate. Post-national scholars seek to draw attention to the inadequacy of nation-centric conceptions of citizenship (Bosniak 2000). This discussion of the post-national debate allows me to tease out the shifting dynamics of the various aspects of citizenship identified earlier: status, rights, identity and participation.

The Post-national Debate

Some contemporary theorists of citizenship have developed the Marshallian theme of citizenship in terms of progressive expansionism. They argue that as states now extend citizenship rights to resident migrants who do not possess citizenship status, classic liberal understandings of citizenship (as a status exclusively conferring a set of distinctive rights) are no longer relevant. Ranier Baubock (2005) refers to the trend of extending previously citizenship status-dependant rights to resident non-citizens as ‘expansive citizenship’. The notion of a decoupling of citizen status from previously citizen-only rights is the crux of the ‘post-national’ debate.

The leading proponent of this perspective, Yasemin Soysal (1994), argues that rights which once belonged solely to those with citizenship status, are now being extended to immigrants, such that non-citizen long-term residents in Western Europe now enjoy most of the rights of citizenship through a form of ‘universal personhood’. In liberal

democratic states, citizenship rights traditionally associated with national membership are now provided for by non-state actors and may be enjoyed by non-citizens, such that citizenship status is no longer necessary to guarantee them. One may achieve a degree of recognised membership of the polity without being a citizen of that polity. Soysal's thesis is based on the examination the rights of well-established migrants in several European countries.

Denizenship and Participation-based Rights

The empirical basis for the postnational argument is the phenomenon of 'denizenship' (Hammar 1994). Denizenship describes the status of certain groups of long-term resident immigrants who benefit from citizenship-style rights without formal citizenship-status. This is effectively a form of quasi-citizenship that enables access to many of the social rights enjoyed by status-citizens and some of the political rights (usually to the extent of enfranchisement in local politics). The rights of denizens are based on notions of territorial embeddedness and social and political participation within a particular nation-state (Harrison and Munn 2007). In a number of cases immigrants have managed to establish cases for the recognition of their *de facto* citizenship in their countries of residence (Bhabha 1998).

The postnational view that citizenship has been devalued in terms of the real advantages it confers on citizens relative to non-citizens is based on the argument that civil liberties are widely regarded as universal human rights. The rights and claims of individuals, whether citizen or foreigner, are seen to be grounded in a transnational community, international codes, conventions and legal frameworks. This supports the contention that "the individual transcends the citizen"; universal personhood supersedes national membership (Soysal 1994, p.142). Additionally, access to public services is based on residence or employment rather than solely on citizenship (Baubock 2005), to the extent that citizens who fail to meet residence criteria may be disqualified from availing of

social welfare supports¹⁴. Thus, given the fairly secure residence and broad economic and social rights associated with denizenship, the material interests at stake in the acquisition of citizen-status are seen as relatively minor. This, according to Soysal (1994), is due to the extrication of the identity and rights aspects of citizenship. She asserted that rights become increasingly universal, legally uniform, and abstract, and are defined at the global level. Identities, in contrast, still express particularity, and are conceived of as being territorially bounded.

Yet, despite discourses of post-nationalism and international human rights, national states continue to frame the exercise of citizenship (Kofman 2005, p.464). The responsibility of providing and implementing individual rights remains the privileged (sovereign) remit of national states. Even the very transnational normative system that legitimises universal personhood as the basis of membership designates the nation-state as the primary unit for dispensing rights and privileges. Therefore, residency in a state is a primary eligibility criterion in securing various rights. For example, political asylum is premised on the existence of states (see Dillon 1998). Thus, contrary to the view that human rights now supersede citizenship rights, it can be seen that “citizenship rights and rights as such are inescapably mutually implicated and constituted” (Somers 2008, p.xiv). This echoes Hannah Arendt’s (1951) description of citizenship as ‘the right to have rights’.

The concept of inalienable individual rights, central to European political philosophy, was shown to inhere not in human personage, after all, but in the *citizen*, as rights were only meaningful as they were recognized and guaranteed by the nation-state (Ngai 2004, p.10).

As Macklin (2007, p.340) contends, “the ideal of universal human rights predicated on personhood rather than citizenship remains an article of faith”. The civil rights discourse of equality and fairness before the law remains the privilege of those who *belong* in terms of ‘cultural citizenship’, a concept I elaborate below. Moreover, where the discourse of universal human rights comes into conflict with discourses of ‘national interest’ or ‘national security’, recent experiences in various jurisdictions have shown that the result

¹⁴ For example, since 2004 Irish citizens must satisfy a two-year habitual residency requirement in order to be eligible to apply for a range of social welfare schemes.

is often the rolling back of civil liberties and infringements on civil rights, such as those justified in the name of combating terrorism (Sparke 2006).

While the renewal of attention to the participatory aspects of citizenship (Beasley and Bacchi 2000) is welcome, I believe that the analysis of citizenship participation and practices is often circumscribed by the conceptual exclusion of migrants who do not fit into the category of denizen. This framework only has the capacity to address the status, rights and practices of established longer-term immigrants. Schuster and Solomos (2002) express concern with a research focus on established immigrants legally resident within states, rather than on marginal and vulnerable migrants, undocumented migrants and asylum seekers. This conceptualisation of citizenship allows little or no consideration of shorter term migrants, let alone potential, attempted or failed migrants, individuals with ambiguous relationships to territory who “have been left outside the solidarity and communities found at the heart of many of the normative models of citizenship” (Kofman 1995, p.123). I argue that it is erroneous to assume that due to their temporary or relatively brief residency the discourses and practices of citizenship are irrelevant and inconsequential to such migrants. Moreover, I disagree that this group of migrants are extraneous to the conceptualisation of citizenship. I argue that it is necessary to attend to ‘non-citizens’¹⁵ and potential citizens for an adequate conceptualisation of the meaning and practice of citizenship. I concur with Bosniak’s (2002) assertion of the necessity and theoretical profitability of conceptually including migrants (not just denizens) in theorisations of citizenship by addressing ‘the citizenship of aliens’ and understanding citizenship through the ‘prism of alienage’.

In sum, the postnational thesis asserts that that the availability of citizen-style rights to non-citizen immigrants, demonstrates the weakening of *national* citizenship, and heralds a new *post-national* era of citizenship primarily distinguished by the de-coupling of citizenship rights from citizen status. In the following section I present an argument that

¹⁵ This widely used term is often a misnomer given that the prevalence of the condition of statelessness is so low (though not insignificant). Most often it refers to individuals who do hold citizenship but not of the state in which they reside.

inverts this analysis. Contrary to the argument that citizenship is being progressively de-nationalised, is the position that citizenship is in many countries being re-nationalised.

Re-nationalisation

If, as argued by proponents of the post-national thesis, rights formerly available only to citizens are now increasingly available to migrants, and universal individual human rights now supersede citizenship rights, why do we continue to bear witness to struggles over access to national citizenship and increased efforts to guard the boundaries of citizenship?

I consider the post-national thesis to be overly optimistic in terms of its diagnosis as to the current and future trajectory of citizenship. I disagree with the analysis that the significance of national identity in relation to accessing or actualising rights is declining. On the contrary, in many cases states are *reasserting* their role as protector of national identity and social cohesion in reaction to the economic and political insecurity induced by contemporary forms of globalisation (Kofman 2005). Luibhéid (2004) describes this as a process of ‘renationalisation’, whereby national states attempt to redraw and reinforce boundaries that have become destabilised in the context of globalisation and the rapid growth of in-migration. States have become increasingly preoccupied in recent years with national identity, a trend that has accelerated since September 2000 (Kofman 2005; Huysmans and Buonfino 2008). I argue that Soysal (1994) fails to apprehend the extent to which re-nationalisation processes have a corrosive effect on the rights of those who are denizens, as well as on citizens who do not conform to national identity. Neither denizenship rights nor citizenship status have resolved problem of racialisation, whereby prevalent cultural understandings of citizenship and immigration portray migrants as threatening outsiders. I return to the issue of racialisation later, but for the present I concentrate on the interplay between identity and rights.

Soysal’s argument takes legislative entitlements at face value – it is empirically grounded in legislation and policy but does not account for the potential variability in relation to

how these are implemented or experienced.¹⁶ However, the re-nationalisation argument emphasises the increasing importance of cultural identity for the actualisation of citizenship rights (Rudrappa 2004). “Citizenship is defined not only by law but by culturally specific understandings and practices necessary for the requisite common recognition of membership” (Irving 2007, p.69). In other words, processes of identification mediate the potential actualisation of rights. Cultural distinctions undermine or support existing legally defined rights depending on the relative distance/proximity of subjects in relation to cultural understandings of national identity. To paraphrase Irving (2007, p.77), the ability to rely upon the law as it is written is the promise fulfilled in *privileged* citizenship (I elaborate the notion of privilege in the following section). The cultural conflation of status and identity operates to privilege and enable rights where there is a seeming convergence of citizenship status and national identity, however defined. The converse is true where there is perceived to be a discrepancy between identity and citizenship status. I develop this argument further in the discussion of the notion of cultural citizenship below.

As I have observed, the notion of national identity is closely associated with social cohesion, which is perceived as a prerequisite for political stability, economic growth and security. Thus, perceived threats to national identity have been depicted as threats to cohesion and security.¹⁷ The concern with national identity is evident in various manifestations in particular national contexts. Yet there is a remarkable degree of convergence in terms of the slippage between discourses of threatened national culture/identity and discourses of economic endangerment. The discourses rallied against immigration as a national threat are circuitously fed by and feed into cultural nationalism, cultivating and reinforcing a sense of belonging and entitlement among members. As such, discourses and practices of re-nationalisation push for cultural and economic security on the basis of the disentanglement, exclusion and moral denigration of Others. Thus, I consider anti-immigration mobilisations, in their various manifestations, as types

¹⁶ Contrast this to Irving’s (2007) description of laws as ‘constative expressions’: they describe possibilities but they cannot perform acts or extend rights.

¹⁷ Here ‘security’ encompasses the sense of security as protection against various forms of criminality, as well as the notion of security as the securing of prosperity. See chapter two for discussion of security.

of identification projects (Rose, 1996a). Significantly, the securing of the EU against ‘third country’ immigration has strengthened concurrently with the decline of social citizenship across member states. While security remains the locus of modern governmental rationality, I assert that there has been a subtle but decisive shift in register, from *securing for* to *securing against*.

To what extent is the re-nationalisation phenomenon significant in a comparative international context? Among European states, Denmark is identified as the country which has taken this process the farthest, with a migrant integration policy that requires “conformity to an unchanging and homogenous cultural norm” (Kofman 2005, p.462). France, regularly represented as a model of civic republicanism, has in recent years deployed its renowned secularism as an instrument of ethno-sectarian exclusion in institutionalising prohibitions on religious symbolism in ways that are specifically targeted at Muslims. The recent changes to institutional citizenship in Ireland are reminiscent of the reform of British citizenship embodied in the 1981 Nationality Act (see Tyler 2010). These examples would seem to substantiate the arguments for a re-nationalisation trend. Across European member-states there are seemingly contradictory trends of de- and re- nationalisation (Joppke 2003). I explain these apparent contradictions by shifting the register from a language of rights to a language of privilege, and situating my analysis of the Irish citizenship regime within a global view of citizenship as a system of privilege.

In addition to, and following on from, the critique of methodological nationalism outlined above, several other features of mainstream citizenship scholarship come to be seen as problematic when approaching the study of citizenship from a governmentality point of view. Normative accounts of citizenship are incommensurate with a governmentality framework of analysis. I contrast these with the emergent governmentality-informed literature on citizenship, particularly that of Inda (2006) and Hindess (2000a, 2000b, 2002), complemented by the more subjectivity-orientated work of Ahiwa Ong (1996, 2003).

The Two Faces of Liberal Citizenship

In their discussion of global liberal governance, Dillon and Reid (2001, p.45) describe the liberal conceptualisation of the problematic of government as comprising two faces: on the one side juridical, representative and accountable power, and on the other biopolitical power or governance. I see this reflected in citizenship: it necessarily incorporates both of these aspects. Citizenship promises freedom (from state authoritarianism) and speaks the language of freedom (democracy, enfranchisement, rights). In this regard, citizenship may be described as a quintessential form of liberal ‘governing through freedom’. However, by considering the effects of citizenship on those excluded from or marginalised by discursive and institutional citizenship, it is possible to see that citizenship also governs through ‘unfreedom’ (Hindess 2001; 2002).

The latter of the ‘two faces’ of citizenship has been largely neglected until quite recently. Prior to this, academic analyses of citizenship have emphasised the rights aspects of citizenship due to the legacy of T.H. Marshall’s profound influence (Isin and Turner 2007). There has been a tendency for citizenship scholarship to be overly sympathetic, even in thrall to, “liberalism’s own account of itself as a representative and accountable form of power based upon general commitment to universally acclaimed values” (Dillon and Reid 2001, p.45). As a result of the focus on rights, the predominant view of citizenship is that it is fundamentally benign, something that should be encouraged, expanded and strengthened. Even analysts attuned to the experiences of those excluded from citizenship or marginalised by institutional practices of citizenship, often advocate citizenship as a normative ideal.¹⁸ Aspirational discourses romanticise citizenship as a desirable condition embodying the fulfilment of democratic ideals (Bosniak 2006).

Rejecting variously sympathetic, nostalgic, and optimistic accounts of citizenship, I adopt a sceptical approach to citizenship. With Bosniak (2006, p.1), I highlight the ethical ambiguity inherent within citizenship:

¹⁸ For example, Ruth Lister and Iris Marion Young are exemplary of insightful critics of the exclusionary operations of citizenship, who retain citizenship as a “normative benchmark” (Bosniak 2006, p.3).

The idea of citizenship is commonly invoked to convey a state of democratic belonging or inclusion, yet this inclusion is usually premised on a conception of community that is bounded and exclusive. Citizenship as an ideal is understood to embody a commitment against subordination, but citizenship can also represent an axis of subordination itself.

I consider this core ethical ambiguity to be fundamentally rooted the governmental genealogy of citizenship.

To adopt a sceptical stance in relation to citizenship is to resist undue emphasis on emancipatory rhetoric and redress the neglect of the question as to what makes citizenship “possible for some and a far-fetched dream for most” (Nyamnjoh 2007, p.79). As feminists such as Carole Pateman (1989) have pointed out, the promise of national citizenship has only been partially and selectively realised. Within and across national contexts the distribution of the privileges of citizenship is persistently stratified according to gender, ethnicity, race, sexuality, physical ability and geography (Nyers 2007). The lived realities of citizenship for national minorities contrast sharply with the notion of universal citizenship and the rhetoric of rights, participation, and shared national belonging (Tyler 2010). On a global scale, the overwhelming majority of those who are citizens do *not* benefit from the privileges associated with citizenship of prosperous Western states (Altamirano-Jiménez 2004; Brodie 2004; Hindess 2000a). As Hindess (2000a) cautions, the focus on the benefits of citizenship leads to a misleadingly favourable impression of its *global impact*. Indeed, the institutions and practices of citizenship are deeply embedded within divisive practices (Nyers 2007), and contribute to the inequitable global distribution of resources, wealth, employment, technology, services and basic living standards¹⁹. Citizenship has played an instrumental role in “histories of exclusions, inequalities, hierarchies, securitizations” (Nyers 2007, p.2).

¹⁹ Map citizenship on an atlas with indicators of such as education, health care, average income per head of population (indicators of basic rights fundamentally associated with citizenship in advanced industrial countries), and it becomes evident that the tangible benefits of citizenship (as a system for distributing resources and rights) accrue to a very small proportion of the worlds population, the majority of whom are clustered in Western states.

In the present discussion of citizenship I have deliberately used the term ‘privilege’ (substituting it for ‘rights’, ‘benefits’ and ‘entitlement’), in an effort to challenge and subvert the internalist premise of normative discourses of universal citizenship. I argue that citizenship may be viewed as a crucial instrument in the global system of privilege, the flip-side of which is exploitation and disenfranchisement (Nyamnjoh 2007).

A further criticism of normative accounts of citizenship is their implied or overt teleology. Evolutionary narratives of modern citizenship are commonplace²⁰ and often uncritically accepted (Hindess 2000a). Contrary to the future-oriented projections of normative theorisations, however, I advocate an analysis of modern citizenship which locates it within the *history* of its present, attends to the genealogy of its development, and is sensitive to its global impact. This genealogy addresses national citizenship regimes as *nested within an international system of governance* which has ongoing significance. The key point here is that an investigation of the governmentality of modern citizenship requires a broader perspective, temporally and geographically, whereby citizenship is seen in terms of the overall government of the whole population encompassed by the modern state system (Hindess 2000a).

The division of humanity into distinct national populations, many of them with their own national territories and states, operates as a dispersed regime of governance of the larger human population (Hindess 2000a, p.1494).

This division of the global population into subpopulations constituted as national citizenries who are the responsibility of “discrete, politically independent and competing states”, has had the effect of rendering the global population governable (Hindess 2000a, p.1488). Following the decolonisation process, the populations of newly independent states came under the remit of the international state system, thus finding themselves both governed by their own states, as well as by the overarching system of states within which their own states were now incorporated (Hindess 2003). As noted, the model of citizenship that emerged in the nineteenth and twentieth centuries was related to the consolidation of national models of economic development (Brodie 2004, p.329; Ikeda 2004). However, within the international state system “some members are clearly far

²⁰ The most obvious examples of this are Marshall (1950) account and Soysal (1994).

more equal than others” (Hindess 2003, p.25). For example, Satoshi Ikeda (2004) demonstrates how (a neoliberalised version of) national citizenship was deployed as a model and benchmark for development in the global South by aid programmes emanating from Western states, and via Structural Adjustment Programmes implemented by the World Bank and the International Monetary Fund. Yet these very programmes simultaneously undermined the sovereignty of target states and the substance (in terms of the re-distribution of material wealth and political power) of the national citizenship regimes therein (Ikeda 2004). Thus, citizenship as a modernisation project has been – and continues to be – a tool in the governmentalisation of ‘developing world’ states (Hindess 2002; Ikeda 2004).

In sum, while citizenship has been utilised as a mechanism for the distribution of rights to a significant proportion of the populations of prosperous Western states, such privileges have been attained largely at the expense of the global South. Furthermore, discrimination by states in favour of their national citizens, to the detriment of non-citizens within, and the citizens of other states without, is not an anomalous side-effect of citizenship; it is an intrinsic aspect of citizenship, and a structural requirement of the modern state system (Hindess 2000a). The outcome of this sceptical approach is that the liberal conceptualisation of citizenship as a legal status of equal membership within a bounded political community (Baubock and Guiraudon 2009) is replaced with an understanding of citizenship as a technology of government that constitutes membership in a political community through processes requiring both self-mastery and attention to relations with others (White and Hunt 2000, p.93).

Up to this point I have primarily considered the role of citizenship in addressing and constituting populations as collective national bodies of citizenry. I now turn my attention to the operation of governmental citizenship as individualising and subjectifying.

Citizenship and Subjectification

In the preceding sections I observed that traditional citizenship scholarship has, in the main, tended to address the legal political aspects of citizenship (status and rights), to the neglect of issues of affect and subjectivity. Insufficient attention has been paid to the everyday processes whereby individual human beings are made into subjects of particular national states. Immigrants are particularly neglected in this regard (Ong 2004). I argued that employing a governmentality framework facilitates the simultaneous analysis of the constitution of the state and the constitution of the subject. Thus, the present study considers citizenship in terms of the reciprocal processes of state formation and subject formation (Lemke 2002; Dean 1994). Turning attention to the latter, the governmentality approach enables us to ask *how*

...through the operation of what practices of government and by reference to what kind of political reasoning, have we been led to recognize our self-identity as members of those somewhat indefinite entities we call community, society, nation or state? (Burchell 1991, p.120)

Thus, I now interrogate the manner and means by which citizenship acts as a “contact point” for technologies of domination and technologies of the self (Foucault 1993, p.203).

As outlined earlier, the object of governmentality is the ensemble of a population (Gordon 1991), and the governmentalised state relates to individuals as members of populations, in terms of cultivating, optimising and utilising their capacities (Dean 2010). I have argued that citizenship is a key discursive and technical means by which to achieve this congruence between the activities of individuals and these goals of the state. I asserted that citizenship is a form of governmental biopolitics in that it facilitates the regulation of the population by the state. As noted, governmental power entails simultaneous processes of individualisation and totalisation, and citizenship clearly demonstrates this dual process (White and Hunt 2000). To elaborate this point, citizenship is a *totalising* biopolitical technology, in that it addresses the population as a whole, defining and administering it as a body. It totalises by representing individual

subjects as members (or outsiders) of an imagined political community through the historical and ongoing (though contested) processes whereby citizenship is (discursively and institutionally) nationalised. I have described how citizenship has been deployed as a means of creating and delimiting national populations, by giving “unifying expression to what are in reality multifaceted and differential experiences of groups in society” (Corrigan and Sayer 1985 cited in Ong 2004, p.157). I now consider how the exercise of governmental authority routes itself through the agency of individuals, acting upon them to cultivate certain dispositions and behaviours. In tandem with its operation as a totalising biopolitical technology, citizenship is individualising in that it represents people within various categories of identity, such as for example, taxpayers, consumers, welfare recipients, workers, voters, and so on (Dean 1994; Ong 2004). So, while it addresses a national population, citizenship is conducted also, and necessarily, through processes of individuation, whereby individuals are addressed in specific and differentiated ways as citizens (Ong 2004). Thus, as Ahiwa Ong states, citizenship may be seen as *a site of subject-making*. I concur with Ong’s (2004, p.156) depiction of citizenship as “a cultural process of ‘subject-ification’, in the Foucauldian sense of self-making and being-made”. Following from this, discursive and institutional practices of citizenship may be understood as cultivating appropriate behaviour, attitudes and identities in individuals. The notion of *cultural citizenship* allows us to move beyond the conceptualisation of citizenship monopolised by the state. Instead, citizenship is treated more broadly as a site of contestation over the criteria for belonging and the appropriate manner of belonging within a national population (Ong 2004). Significantly, this broader and more diffuse understanding of the nature and operation of citizenship facilitates the theoretical and empirical inclusion of those who are not national citizens – denizens, refugees, illegal immigrants, migrant workers, asylum seekers, and other others – in analyses of citizenship.

Melanie White and Alan Hunt (2000) elaborate and augment Foucault’s work on the care of the self, in a way that contributes to our understanding of the role of citizenship in processes of subjectification. They assert that, at the level of subjectivity:

Citizenship consists in a variety of practices of self-formation that are located within the tensions and choices inherent in a regulated freedom (White and Hunt 2000, p.111).

White and Hunt (2000) consider this specific form of regulated freedom, and the practice of this form of freedom as a practice of citizenship, as the medium through which the government of the self and government of others interactively unfold. Their contribution illuminates the actual processes through which technologies of domination and technologies of the self, inform and constitute each other (Foucault 1993) in the governmental power relations of contemporary citizenship.

In the following section I elaborate on the co-articulation of cultural notions of citizenship as national belonging with neo-liberal moral-economic rationalities.

Neo-liberal ‘Post-Social Citizenship’

There has been a gradual reconfiguration of the territory of government in Anglophone societies in recent decades (Rose, 1996a). “The idea of the social-welfare state, dominant for much of the twentieth century, has generally yielded to that of the post-social state”²¹ (Inda 2006, p. 176). This reconfiguration of government is characterised by shifting of responsibilities – from an emphasis on the obligation upon the political apparatus to safeguard the well-being of the population through maintaining a sphere of collective security, to a focus on the obligation of individuals to manage their own security and that of their families (Inda 2006). The social insurance practices of the welfare state, entailing an ensemble of state mechanisms that sought to insure individuals against the insecurities of social life, has largely given way to the privatised and individualised government of risk (Inda 2006).

²¹ “The post-social domain is best conceived as a reconfigured zone of governmental thought and action. It designates the broad ensemble of mentalities, agencies, and technologies that make up the prototypical ways of conceptualising and administering the targets of government in contemporary liberal democracies” (Inda 2006, p.17). The securing of life is envisioned through the “instrumentalisation of a desire for self-reliance – through the production of prudent, self-managing, ethical political subjects” (Inda 2006, p.17). See O’Malley (1999) on the transition from social to post-social subjectivities.

Post-social forms of government work primarily through the positive fostering of appropriate values and aptitudes – the promotion of self-managing capacities among individual subjects. Through the normative individuality of contemporary national citizenship, neoliberal governmental practices are reworking a new, more market-mediated citizenship regime based on an understanding of individuals as economic-rational actors (Lemke 2001). The result is the emergence of ‘post-social forms of citizenship’ in which citizenship becomes increasingly contingent upon the entrepreneurial self-activation of the population (Dean 2010). Citizenship is now identified with the values of independence and self-reliance; everyone is expected to work (where work is conceived primarily as paid employment) and to be financially autonomous and self-supporting (Fraser and Gordon 1994).

However, such forms of governing through freedom are combined with governing through unfreedom, as they involve regular recourse to such despotic measures to manage “those subjects deemed immune to the exigencies of prudentialism”:

So while the state might have been downscaled when it comes to the social protection of the population, it has significantly expanded with regards to its repressive apparatuses (Inda 2006, p.29).

Sparke (2006) draws attention to the role of neoliberal thinking in driving and informing technological governmentality, noting how increasingly market-mediated methods of securitisation are fused with long-standing nationalistic traditions. He refers to this form of biopolitical governance as “securitized nationalism”, which involves “the imagining, surveilling and policing of the nation-state in especially exclusionary but economically discerning ways” (Sparke 2006, p.153). While discussions of citizenship and belonging are rhetorically sanitised of race, the ghosts of racialised national identities lurk under the surface. The gendered and raced subtexts of neoliberalised national citizenship become clearer when we look at the moral aspects of these discourses.

Ethopolitics and Subject Construction

I now elaborate on the post-social politics of responsabilisation through the concept of ‘ethopolitics’ (Rose, 1999a). Here the term ethos refers to “the sentiments, moral nature or guiding beliefs of persons, groups or institutions”²² (Rose, 1999a, p.477). Rose (1999a) sees these as the medium through which the self-government of the autonomous individual may be linked to the imperatives of good government. He argues that ethopolitics seeks to influence conduct by “acting upon the forces thought to shape the values, beliefs, moralities that themselves are thought to determine the everyday mundane choices that human beings make as to how they lead their lives” (Rose, 1999a, p.477-8). Foucault (1985 cited in White and Hunt 2000, p.98) described the practices of making oneself into an ethical subject as a key element in the practice of a virtuous life.

The ethical practice of the cultivating the self draws attention to the various ways that freedom is manifested through the regulated and accountable choices of citizens (White and Hunt 2000, p.97).

As such, ethopolitics seeks to impact upon the ways in which individuals give meaning to their lives, and thus inform their actions. In short, ethopolitics “is about pressing upon individuals the need to be prudent and to conduct themselves ethically” (Inda 2006, p.30).

The moral/ethical vocabularies of ethopolitics establish new ‘dividing practices’ between subjects (Rose, 1996b), with significant implications for the ways in which subjects understand and relate to themselves and others.

Autonomy, freedom, choice, authenticity, enterprise, lifestyle – this *new ethical vocabulary* should...be understood in terms of new rationalities of government and new technologies of the conduct of conduct (Rose, 1996b, p.145 emphasis added).

This moral subtext reinforces the process whereby individuals themselves are expected to take an active interest and investment in their own government. Neo-liberal programmes of rule presuppose the activity of subjects, and seek to act upon that activity to establish a

²² Inda (2006) notes that the conception of ethics deployed here is the Foucauldian sense outlined in *The History of Sexuality, vol. 2: The Use of Pleasure* (1987), wherein an ethical being is one who takes care of his or her self.

consonance between the self-promoting endeavours of those who are to be the subjects of rule, and the objectives of those who exercise rule.

Two broad governmental strategies are encompassed in the concept of ethopolitics (Rose, 2000). The first are those general technologies that seek to activate the self-regulating capacities of the general population. These work through the delineation of certain mores, standards and practices which individuals can adopt in their active self-crafting, and through which they may negotiate the insecurities of social life. These technologies call upon individuals to self-govern by voluntarily practicing continuous self-monitoring, self-care and self-improvement²³ (Inda 2006).

The antithesis of the prudent, responsible citizen is the anti-prudential, irresponsible subject who is unwilling or unfit to exercise competent self-government (Inda 2006). The second set of governmental strategies pertaining to ethopolitics entails more targeted technologies focused on those individuals who are deemed to have failed to self-conduct ethically and responsibly. These technologies are addressed at those members of the population who have failed to comport themselves ethically in terms of the expectations entailed in the more general technologies (Inda 2006). The goal of these targeted technologies is often to rehabilitate such individuals as responsible, self-managing subjects (Inda 2006). Cruikshank (1999) termed the latter mechanisms '*technologies of citizenship*'. Contemporary workfare programmes in the US provides an illustrative example of such mechanisms, designed as they are to accentuate the demoralising and stigmatising effects of welfare receipt. In their aims and design, these programmes are oriented to the reconstitution of the welfare subject, based on a particular imagining of such subjects in gendered socio-economic and ethno-racial terms - as young black unmarried mothers - and in moral terms as lazy and unmotivated (Cruikshank 1999).

²³ Inda (2006) demonstrates how these general interpellative technologies operate in the domains of health care and crime control. In the domain of health care, responsible individuals are expected to take rational risk-avoidance and risk-alleviating/ameliorating steps with regard to morbidity and old-age. In the domain of crime prevention, prudent subjects are those who take steps to avoid placing themselves at risk of crime, and by pro-actively securing their home, property and their person.

In other cases, where the ethical rehabilitation of subjects is deemed improbable, impossible or unduly economically burdensome, mechanisms are deployed whereby such individuals and/or sectors of society are regulated through strategies of containment or incapacitation (Inda 2006, p.31). Inda conceptualises these as ‘*anti-citizenship technologies*’. Their focus is less on activating the self-governing capacities of subjects than on containing or physically excluding unruly bodies. Such technologies are associated with the domains of crime and illegality.

Conclusion

This chapter establishes a framework for conceptualising citizenship that is informed by post-Foucauldian governmentality scholarship. I make the case for viewing citizenship as a tool of governmentality and locate it within a genealogy of governmentalisation processes. The boundaries of inclusion and exclusion which cultural and institutional citizenship define are, I believe, fundamental to the operation of governmental citizenship. I posit a perspective whereby national citizenship regimes are seen as nested within an international system of governance. Within this broader framework, I described the perceptible shift from liberal social citizenship to neoliberal post-social citizenship. In conclusion, this chapter argues that Inda’s (2006) conceptualisation of technologies of citizenship and anti-citizenship technologies provides a useful way of interrogating the rapidly evolving ethopolitical dividing practices of contemporary immigration/citizenship governmentality.

The following chapter lays out the methodological and epistemological basis of this research.

Chapter 3: Epistemology and Methodology

Introduction

This chapter explicates the methodologies that guided this research. Methodology and epistemology matter, because the ways in which we go about producing knowledge inevitably shape the knowledge produced, whether we acknowledge this or not (Wiegman 1995). Throughout the chapter, I draw on feminist scholarship in engaging with ethical and power dynamics. I unpack the issues and interests that comprise the relations of knowledge production relevant to the production of this text, considering the ethics of knowing and being known, as well as issues of representation, authorship, positionality, and legitimation. This discussion brings to the fore the relations between language, reality and truth, while acknowledging that underlying assumptions are not always apparent even to the vigilant critical gaze. Following a theoretical discussion of methodological, epistemological and ethical issues, I detail my methods – the techniques, procedures, and practices of the research (Bloom 1998) – and address the practicalities of sampling, data collection and data analysis procedures.

Epistemology: Power and Knowledge Production

The shape and content of the discussion in the paragraphs that follow are significantly indebted to Marguerite Waller (2005). I read her contribution on ‘Epistemologies of Engagement’ as a sincere invitation to participate in an open-ended dialogue, motivated by the desire to deconstruct the privileging exclusionary and universalistic logic of Western science. Referring specifically to the U.S. (although her observations are, I believe, very much pertinent to the Western academy more generally), Waller claims that academic research

...operates within a regime that privileges the assertion of expertise over the facilitation of exchange...with interlocutors competing for and

defending meticulously constructed positions that imply epistemological superiority (Waller 2005, p.155).

Waller invites academic feminists to rigorously re-examine their own positionality and role in relation to the reinscription of a hierarchisation of knowledge whereby Western scientific epistemologies are continually reproduced as the hegemonic evaluator of all other knowledges and ways of knowing. She makes her case powerfully, but adamantly provisionally:

I do not offer it as any sort of end point, but as a culturally specific response to concerns about academic legitimacy and credibility...That is, I offer it as an enabler of, not a substitute for, engagement – as a way of opening up dialogue where, very often, one voice feels its job is simply to theorize and criticize the other (Waller 2005, p.159).

Rather than perpetuating academic practices of defensive confrontation, Waller subscribes to an approach that is relational, dialogic, open-ended, dynamic and processual. Similarly, Haraway (1991) advocates that knowledge producers recognise the limits of their knowledge, potential for knowing, and modes of knowledge production in contributing their “partial views and halting voices” (Haraway 1991, p.196).²⁴ It is in this mode that I seek to add my voice to conversations about the politics and processes of knowledge production.

Research Ventriloquism

In the course of this thesis my epistemological position has been informed and reformed through my dialogic reading of and reflection upon the writings of others. One of my initial aims in undertaking this research was to look at the personal meanings and understandings of migrant mothers’ in relation to their experiences of the 2004 Citizenship Referendum, and to bring into the public domain the often unheard voices of ordinary migrant women. In my original research proposal I highlighted the need to accord primacy to the subjective knowledge and understandings of migrant women who were the symbolic focus of political mobilisations to rally support for a constitutional amendment and the associated subsequent introduction of legislation which set out

²⁴ I elaborate further on my relationship to this philosophy in the section on ‘fractal narratives’ below.

altered criteria for citizenship acquisition in the Republic of Ireland. I argued that migrant women have been rendered highly visible but are inaudible or voiceless.

In light of postmodern feminism the desire to speak ‘for’ others is now considered suspect (Richardson 1997). We cannot ‘give voice’, and the desire to do so is a misplaced and problematic aspiration (Riessman 1993).²⁵ The themes of voice and visibility, of speaking and silencing, resonate with Spivak’s (2006 [1988]) conceptualisation of subalterity as a condition of enforced silence and her reflective revisions of her stance on issues of speaking for and about silenced Others – the subaltern – are instructive.²⁶ While her earlier work stressed the necessity of overtly foregrounding authorial positionalities and interests, upon subsequent reflection Spivak came to see discussions whereby researchers merely explicate their own positionality as a subject, as “gestures [which] can never suffice” (Spivak 1988 cited in Roof and Wiegman 1995, p.6). Higginbotham (1992) too expresses her frustration with white academic feminism. She points out that, while tipping their hats to deconstructions of homogenising conceptualisations of ‘women’ and women’s (generalised) oppression under conditions of patriarchy instigated by black and Third World feminists,

white feminist scholars...continue to analyze their own experience in ever more sophisticated forms (Higginbotham 1992, p.251-2).

The disquiet with such gestures that Spivak, Higginbotham and others articulate is partly due to the regular accompaniment of authorial positional expositions, by naïve and questionable declarations of allegiance to/with the subaltern (Roof and Wiegman 1995). Such assertions tend to elide, or only superficially acknowledge the inevitable relations of power that pervade processes of knowledge production. Roof and Wiegman (1995, p.12) make an important point:

²⁵ Gayatri Chakravorty Spivak (2006 [1988], p.28) observed that “the ventriloquism of speaking for the subaltern is the left intellectual’s stock-in-trade”.

²⁶ Spivak (2006 [1988], p.28) defines a subaltern as “a person without lines of social mobility”. Homi Bhabha (1996, p.210) usefully elaborates the concept of subaltern as referring to those “minority groups whose presence was crucial to the self-definition of the majority group”. Importantly, in his definition of the subaltern, Bhabha emphasises the subversive potentiality of the subaltern. Likewise, bell hooks (1990) insists that margins, while a site of deprivation and oppression, are a site of resistance.

While appeal to our own subject position can generate rhetorical authority, it cannot in itself address another important issue: that the very structure of authority that allows us to identify and empathize inserts us back into the structure of inequality the identification would dismantle.

Because knowledge is always implicated in relations of power, noble and altruistic claims are never just what they present or believe themselves to be (Kapoor 2004). As such, ‘giving voice’, is speaking for, is appropriation (Haraway 1997). As a white, middle-class, Irish researcher, my attempt to resolve discomfiting power disparities through emphasising shared characteristics (womanhood, motherhood), and adopting the role of academic advocate, is effectively a denial of the significance of these power-full differences.

Insufficient examination of power-infused relations and differences will, I believe, inevitably lead to their re-inscription. To challenge the inevitability and completeness of such re-inscription requires an examination of those ‘structures of authority’, with a view to undermining them. In the following section, I examine the epistemological foundations upon which such claims to know and represent are based.

Science Fictions of Disembodied, Dislocated Epistemologies

The foundational structure of the relations of knowledge production in the Western academy is based on the hallowed status of scientific epistemology²⁷ (Haraway 1992). My argument here is that this epistemological rationality (scientism) has contributed to the creation of, and the ongoing reproduction of, the global circuits of privilege-distribution (including material economies of resources, rights and opportunities, which are inextricably interconnected with less empirically tangible moral economies) that I described in chapter two. Furthermore, the scientific epistemologies of Western academia significantly impede our capacity to understand and challenge these systems of privilege and inequity.

²⁷ Foucault (1980, p.131) characterised the ‘political economy’ of truth in Western societies as “centred on the form of scientific discourse and the institutions that produce it”.

Science, as popularly understood in the Western world (across the domains of commonsense, political economy, and the academy) rests on the assumption that the scientist (be they a zoologist, economist, meteorologist or sociologist) may observe and know, through the application of sufficiently effective and objective methods of observation and investigation. The resultant knowledge generated about the objects observed by the scientific knower can and should be uncontaminated by traces of the presence of the knower and his or her instruments/methods of knowing. The underlying epistemological premise is that it is possible for the scientist to know objectively and that there is an independently existing object (e.g. an eco-system, society or culture) that may be known objectively. Following from this, scientific knowers generate accurate (i.e. ‘truthful’), foundationally legitimated representations of the (real) objects of their investigations. This epistemology has very significant and extensive effects because it can operate to legitimate relationships of domination and appropriation (Sargisson 2000). Haraway (1992) demonstrates that scientific discourses which seek to understand reality, explain it, speak for and about it, often underpin the perpetration of symbolic, material, and bodily violences against humans and other living beings.

Foundational scientific epistemologies, whereby science is authorised to speak of and for ‘nature’, while certainly not uncontested, are widely accepted as convincing and trustworthy:

This is the structure of depoliticizing expert discourse, so critical to the mythic political structures of the ‘modern’ world and to the mythic political despair of much ‘postmodernism’, so undermined by fears of the breakdown of representation (Haraway 1992, p.308).

As indicated by Haraway, the investment in foundational scientific epistemological rationality is such that challenges to it are often perceived – and more importantly *felt* – as ontologically threatening; they are seen to destabilise the very grounds upon which we can know and exist in any semblance of the way we currently do. Fredric Jameson (1984) elaborates this sense of anxiety in his discussion of a sequence of autobiographical narrative in which the protagonist describes an intense childhood moment of ontological destabilisation. In this scene, a girl named Renee describes affect-sensations which for her constituted “a disturbing sense of unreality”, by metaphorically contrasting the

dazzling “illimitable vastness” of ‘unreality’ with the comforting, security of home – which here signifies ‘reality’, that which is known and knowable (Sechehaye 1951, cited in Jameson 1984, p.72-3). Jameson reproduces Renee’s narrative in order to illustrate the cultural trope wherein the notion of ‘loss of reality’ is thought of and felt in negative terms, as disorientating, anxiety-inducing and alienating. This account is evocative of the trepidation, often antipathy, associated with academic epistemologies that refuse the ‘security’ of a singular, scientifically accessible reality: social scientists “cannot easily put aside or ‘relativize’ the question of the truth of an account” (Mishler 1986, p.160).

Ultimately, however, Jameson’s purpose is to demonstrate that this need not be the case; that challenges to the notion of a unilateral reality (or more accurately, to the ways in which we perceive, understand, or experience reality) need not hold “the morbid content we associate with terms like schizophrenia” (Jameson 1984, p.74). Likewise, Waller (2005) insists that fruitful possibilities for new epistemologies arise from the not readily nor fully knowable/quantifiable messiness and chaos that is so (cognitively and affectively) feared, and which modern sciences so stridently endeavour to defend against, repress or ignore. I explore these epistemological possibilities in the section on fractal narratives below.

Key to notions of scientific neutrality and objectivity is the invisibility of the knower. Scientific truths are produced according to discipline-specific standards and conventions and are presented in jargon-heavy language. These processes and conventions deny the authorship of the scientist in the production of knowledge; the scientist’s role is merely revelatory, apparently exposing the existence of something that existed prior to and independently of the knower’s gaze.

We write and talk in a voice void of any hint that there is a personal self behind the words we utter: ‘the author’, ‘the subject’, ‘the researcher’, or, miraculously, we somehow multiply our individuality and write about what ‘we’ found. All of these linguistic conventions are, paradoxically, rhetorical devices designed to persuade the reader that we, as individuals, have no signature to assign to our work (Eisner 1988, p.18).

The adoption of technical language and conventions is assumed to eliminate unnecessary interference by the knowledge seeker/knowledge producer; it is presented as aiding transparency in the process of discovery, allowing for the findings to be replicated in similar conditions or according to similar conventions. Such knowledge production processes derive legitimacy from the rigidity of the procedures involved. This epistemological approach entails the separation of knower and known based on the separation of the knower from the process of knowing. Rather than admitting to their gendered, classed, cultural locatedness, scientific knowers obscure them-selves as embodied, socially and spatially located beings. Feminists have stridently criticised this ‘view from nowhere’ whereby the knower “sees comprehensively and without the encumbrances of feelings, motives, interests, or a personal biography” (Eisner 1988, p.18). Haraway (1997) employs the extended visual metaphor of ‘knowing as seeing’ to illustrate this phenomenon and its consequences. She describes scientific objectivism as entailing

a leap out of the marked body and into a conquering gaze from nowhere. This is the gaze that mythically inscribes all the marked bodies, that makes the unmarked category claim the power to see and be seen, to represent while escaping representation. This gaze signifies the unmarked positions of Man and White (Haraway 1997, p.581).

Bodies in liberal theory are at once owned and disowned. A clear illustration of this may be found in the writings of liberal political philosopher John Locke, for whom the body “is the original site of human property, albeit a second-hand gift from a disembodied God” (Sargisson 2000, p.153). The sovereign individual of liberal theory is possessed of self ownership: “The Self is the individual’s property. Ownership of self is sanctioned in law, and this gives us rights against others” (Sargisson 2000, p.152). The foundational category of the Self, therefore, is premised upon the notion of ownership, sanctioned in law, as affording rights. This notion, in turn, informs how social, political and legal relationships may be understood; “This speaks to the oppositional construction of relations of Self to Other” (Sargisson 2000, p.153). The underlying rationality of ownership and property inform, at a foundational level, the structures of Western academic epistemologies:

Concepts such as intellectual property, originality, and productivity betray the still fundamentally unquestioned equation of knowing with owning, controlling, and exploiting (Waller 2005, p.155-6).

As Sargisson (2000) emphasises, it isn't that the body has previously had no role in political thought; bodies are there but they are, at best under-theorised and implicit, and at worst despised and disavowed.

Embodied, Located Knowledge Production

Feminist epistemology asserts that the cognitive status and circumstances of knowers are crucial conditions of possibility for knowledge, and that social relations of power and privilege are fundamental to the process of legitimating or discrediting certain forms of knowledge (Code, 1998). In her seminal essay 'The Evidence of Experience', Joan W. Scott (1991) describes how feminists have sought to counter knowledge produced on the basis of the disembodied, un-located scientific epistemologies. Feminist historians brought forward a multiplicity of subjects and stories which had previously been ignored or deemed unworthy, thereby providing "evidence for a world of alternative values and practices whose existence gives the lie to hegemonic constructions of social worlds" (Scott 1991, p.273). Such feminist histories rest their claims to legitimacy on the 'authority of experience'. Experience has helped to legitimate critiques of false claims to objectivity (Scott 1991, p.786). Feminist empiricism²⁸ acknowledges that women's experiences matter, that women are the authorities on their own experiences, that attention to women's experiences and perceptions is conducive to producing superior – that is, more complete and comprehensive – knowledge (Jaggar 2008). However, this epistemological strategy is both highly successful and highly limiting (Scott 1991). The risky outcome of the empiricist epistemologies adopted by various groups (including, for example, racialised minorities) is to universalise the relevant identity category, as well as fulfilling the intended purpose of grounding claims for the legitimacy of the knowledge of those who identify with these categories. This can be a useful political strategy. For feminists, through the equation of the personal and the political

²⁸ Empiricism is the epistemological view that all knowledge is based on experience, specifically sensory experience (Jaggar 2008).

...the lived experience of women is seen as leading directly to resistance to oppression, to feminism. Indeed, the possibility of politics is said to rest on, to follow from, a preexisting women's experience (Scott 1991, p.787).

The negative fallout of this political/epistemological strategy is that the category of 'women's experience' effectively "conflates the attributed, the imposed, and the lived, and then sanctifies the resulting *mélange*" (Riley 1988 cited in Scott 1991, p.276). Referential notions of evidence – that is, understandings of experience as evidence of the real – implicitly take as self-evident and self-explanatory the identities of those whose experience is being documented, thereby naturalising their 'difference' (Scott 1991). From this perspective writing is merely "reproduction, transmission - the communication of knowledge gained through (visual, visceral) experience" (Scott 2008, p.272). The relation between knowledge and experience is invoked as transparent and therefore directly accessible by the knower. In other words, there is a presumption of a pre-discursive reality available to direct sensory apprehension. As such, the appeal to experience here connotes both reality and the subjective apprehension of reality (Scott 1991). Experience becomes the foundational ground of knowledge production.

The empiricist approach elides the constructed nature of both experience and subjectivity due to its failure to interrogate categories. By uncritically deploying categories (such as, for example, man, woman, white, black, Irish, Asian, citizen, migrant, non-national, and so on), we reproduce, reinscribe and naturalise them, intentionally or not, by treating them as given characteristics of individuals (Scott 1991). Thus, we preclude an analysis of the workings of underlying systems of categorisation, genealogies of the categories, and examination of processes of categorisation, leaving these broader systems (the submerged part of the iceberg) intact. The technical inner workings and logics of systems of stratification and categorisation, and the broader context in which they exist, go unexamined and unchallenged.

This critique of empiricism may lead us to wonder what is the outlook for feminist politics without experience? However, the contention here is not that the concept of experience be made redundant, but that experience be divested of its foundational status.

Thus, experience becomes the object of enquiry – it becomes that which we seek to explain and that about which knowledge is produced – rather than being reified as the authoritative evidence that grounds (and delimits) what is known (Scott 1991). Scott (1991, p.779) advocates critical scrutiny of all taken-for-granted explanatory categories, including that of experience:

what we need to attend to is the historical processes that, through discourse, position subjects and produce their experience. It is not individuals who experience, but subjects who are constituted through experience

Rather than conceiving of experiences as simply something people have, we need to critically consider the conditions for experience and experiencing subjects: how conceptions of selves (of subjects and identities) are produced (Scott 1991). Scott (2008, p.275) seeks to explicate the power relations within the notion of experience, and the knowledge arising from experience by asking:

- How (in what ways) do we or can we understand the ways in which processes of subject production give rise to particular lived experiences?
- What are the relationships between discourse, cognition and reality?
- What is the relevance of the position or situated-ness of subjects with regard to the knowledge they produce? (Who is the author? How is s/he defined in relation to others? What are the political effects of her/his-story?)

I concur with Scott's assertion that thinking about experience in this way historicises it, as well as historicising the identities that it produces/produce it. Ultimately, as Scott (1991, p.797) concludes, "[w]hat counts as experience is neither self-evident nor straightforward; it is always contested, and always therefore political".

In summary, one of the key poststructural-inspired insights for feminist epistemologies, is that experience is not simply an individual's subjective encounter with objective reality; "experience is always constructed and contested" in circumstances of power-laden social relations (Jaggar 2008, p.271). The notion of gendered experience remains integral to feminism, but it must be theorised and deployed in more complex ways, based on sophisticated accounts of the relationships between experience and knowledge. Relatedly,

the issue of the authorial positioning of the researcher is not an essentialist argument about who can or should speak, but a matter of defining the cultural contours that enable, condition and limit speech (Wiegman 1995).

‘Everything is Dangerous’

I now discuss Foucault’s critical engagement with the ethics of knowledge production and the nature of truth. Foucault resisted using identity as a political category, but the conception of embodied subjectivity that he employed is fruitful for feminism-after-empiricism (McLaren 2002). Foucault is sometimes depicted as espousing the relativism often associated with postmodernism (McWhorter 1999). However, those who accuse Foucault of relativism tend to do so from the modernist Western perspective outlined above, wherein relativism is depicted as a vice to be avoided at all costs, because it is seen to entail the sacrifice of all notions of truth, falsity and rationality (Macleod 2006). While Foucault was “reluctant to delineate a clear-cut political agenda”, this does not mean that his work is not strongly political (Macleod 2006, p.377). He did not wish to prescriptively change people’s consciousness, but hoped that his work might help facilitate the critical examination of regimes of truth production. With regard to accusations of defeatist cynicism or de-politicising scepticism, the best response may be found in Foucault’s own words:

My point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad. If everything is dangerous, then we always have something to do. So my position leads not to apathy but to a hyper- and pessimistic activism (Foucault 1982 cited in McLaren 2002, p.43).

In articulating the notion of ever-present danger, Foucault distinguished his approach from those that aim for consensual solutions. He was reluctant to unreservedly or uncritically endorse the seemingly benign political strategy/goal of consensus, because it “blurs the contingency of its own truth, and participates in the defeat of otherness” (Dumm 1994, p.323). Foucault understood the notion of consensus as a “partial representation of the multiple and contingent relations between politics and ethics that

arbitrate the arrangements of power in a given regime of truth”²⁹ (Dumm 1994, p.323). This perspective supports the open-endedness of knowledge production and the undesirability of finalising resolutions urged by Waller (2005), on which I elaborate in the following section.

The accusation of relativism levelled against Foucault, is a criticism that is regularly directed at social constructionist theories in general. Approaches that emphasise the constructed character of social phenomena have been seen as implying that all meanings and interpretations are “simply constructions”, with the implication that “one interpretation is as good as any other” (Bacchi 1999, p.54). However, to view social constructs as simply “in people’s heads” is to ignore the significance of relative positioning within power hierarchies. It implies an understanding of subjects as “autonomous individuals shaping their own reality” which “unsatisfactorily recognizes the constraints upon the shaping process” (Bacchi 1999, p.54). But relativism is by no means the necessary outcome of approaches that emphasise the constructed nature of social reality. Such interpretations of Foucault’s work are misrepresentations, given his attention to power and subjectivity. Hannah (2000, p.32-33) argues that Foucault recognised “the (at least transient) solidity of the products of social construction”. Furthermore, he acknowledged that while all knowledge is produced through relations of power, this does not imply that not all knowledge has ethical parity with all other knowledge – this may be demonstrated through a consideration of his attitude to ‘truth’. For Foucault (1979b), truth is not simply *told*, it is *produced*. What is told may be recognised (or not) as *truth* in and through certain social rituals of telling and verification (Code 2008). Foucault (1991) was concerned to examine how subjects govern themselves and others through the production of truth. In Foucauldian usage the term ‘truth production’ does not refer to the “production of true utterances”, rather it denotes “the establishment of domains in which the practice of true and false can be made at once ordered and pertinent” (Foucault 1991, p.79). As White and Hunt (2000, p.100) point out, Foucault’s genealogical approach does not deny the existence of truth(s); it endeavours to

²⁹ See note 9 above regarding Foucault’s usage of the term ‘regime of truth’.

expose, critique and challenge those forms of truth discourse and processes of truth production that lead to domination.

In a discussion which took place in Berkley the year before his death, Foucault reiterated and clarified his position, stating that while everything is dangerous “everything is not equally dangerous”, thus further advocating continual critical and distrustful vigilance with respect to political/social institutions and structures (Foucault 1983, cited in McLaren 2002, p.43). Significantly, the scepticism that Foucault advised is not a hopeless scepticism. He went on to say:

And if you are suspicious, it is because, of course, you have a certain hope....And we don't have to renounce our hope because we are suspicious, or renounce our suspicion because we have hope (Foucault 1983 cited in McLaren 2002 p.43).

Indeed, a degree of scepticism and disloyalty towards our own theoretical and political assumptions is necessary to dislodge lingering notions of political non-complicity (Wiegman 1995). Thus, the loss of certainty entailed in relinquishing and renouncing claims to the objectivity and superior legitimacy of our epistemologies does not preclude political engagement. While it is impossible to extricate ourselves from the relations of power within which we produce knowledge, unless we turn the critical gaze upon ourselves as knowledge producers, our practices and representations, the knowledge we produce has little hope of challenging inequitable power relations.

Given the criticisms of positional expositions outlined earlier, I argue, following Waller (2005) and Haraway (1997), that a more appropriate strategy is to emphasise our location in the context of collective, relational positionalities. This entails the recognition of our inevitable complicity with-in stratifying, privileging social, political-economic arrangements. This is not a de-politicising or nihilistically relativistic move; it simply recognises the limits of our capacity to know.

Fractal Narratives

In chapter two, I positioned my understandings of citizenship against problematic evolutionary narratives of modern citizenship. However, scepticism towards narratives does not mean that it is possible or desirable to do without them. Narrative itself, in the broadest sense, may be one of the few defensible foundational concepts. Gossman (2008 [1989], p.23) argues that narrative appears to be an “essential characteristic of historiography, despite the persistent – and probably necessary – suspicion of it among historians”. He asserts that in any historical account, description and explanation are *subordinate* to a basic narrative scheme (whatever form that scheme may take), rather than “equivalents of or alternatives to narrative” (Gossman 2008 [1989], p.24). That is to say, narration is not merely one more form of representation amongst others; it is fundamental to the ways in which social beings comprehend the world.

Following Waller’s example of making interim, dialogue-opening proposals, I provisionally adopt this view of narrative as foundational. In doing so, however, I emphasise the importance of keeping an open mind regarding the forms narrative may take and attending to the cultural specificity of certain narrative forms. For example, Riessman (1993, p.17) highlights the emphasis on chronological sequencing of narratives in some definitions, underpinned by “Western assumptions about time marching forward”, as a result of which “Western, white, middle-class interviewers seem to expect temporally sequenced plots” and have trouble hearing ones that otherwise structured (Riessman 1993, p.17). An alternative approach which de-privileges linear, teleological narratives is the notion of *fractal narratives* based on epistemologies of engagement (Waller 2005). This approach involves an orientation to relational, dialogical knowledge-production on the basis of responsible, embodied, located ways of knowing. Stringent accountability requirements apply here: locatedness is the foundation of responsible knowledge (Haraway 1997; Waller 2005). This also entails a reconceptualisation of knowledge, not as a complete product, but as a ‘situated conversation’ in which partiality becomes a condition of being heard (Haraway 1997). I concur that our credibility as knowledge-able is grounded in the recognition of the partiality of our own perspectives,

the limitations of our capacity to know, and the resultant incompleteness of our knowledge.

Such recognitions require that knowledge production becomes an open-ended process (Waller 2005). Epistemologies of engagement resist the politics of closure and finality (Haraway 1997, p.291). As such they are orientated to opening out questions and perpetually querying and revising forms of knowledge, ways of knowing, assumptions and their integral power relations. Such approaches are also resolutely open to the contributions and insights of other forms of knowledge and ways of knowing. I concur with Waller's conviction that it is not only desirable but *necessary* to engage "with discourses and cultural productions that are grounded in systems that construct subjectivities, bodies, agency, gender/sexuality, etc. differently" (Waller 2005, p.155). Somers (1995) points out the etymological link between the words 'narrate' and 'relate': to narrate is to bring into relation. Thus, difference is seen as a social process rather than a static sign (Pratt and Hanson 1994). But difference is irreducible, which is to say that it must be taken seriously rather than incorporated, homogenised, appropriated (Waller 2005). Epistemologies of engagement require exchange which does not entail appropriation. Waller (2005, p.159) cites in more detail several paradigmatic examples of writings by feminist authors including Gayatri Spivak and Eve Sedgwick, which present fractal narratives:

They have foregrounded and investigated the complex patterning, the unpredictable but scalable turbulence and flow, of phenomena obscured by conventional ethnic, racial, cultural, generational sexual, historical, and geographical compartmentalizations. Exposing the epistemic poverty and violence of the master's tools, they give us spectacular examples of the 'random orderliness' that emerges when those tools' limits are acknowledged.

Such narratives have the capacity to "both stabilize and destabilize structures" (Somers 1995, p.242). Systems of race, ethnicity, nationality and citizenship are unstable configurations that transform each other in their continual recombination, playing out their tensions in continuous motion. They can only effectively be tackled with flexible, politically charged, power-sensitive conceptual tools.

I believe that the epistemological approach that Waller (2005) suggests is very much compatible with my theoretical and political concerns in this study. As I have noted, governmentality is not a totalising discourse but a “toolbox” for analysis and conceptualisation (Foucault 1994 cited in Walters 2011, p.138). Governmentality compels the researcher to “move outside the institution and replace it with the overall point of view of the technology of power” (Foucault 2007, p.117). Thus, the main analytical focus is upon specific, practical dispositions of power. The conceptual tools developed by Foucault can aid and equip us in understanding some of the contingencies of the systems of power that we inhabit, and which inhabit us.

Methodology: Data Production and Analysis

I now discuss the methodological design of this research, first detailing the sampling process and describing the characteristics of the participants. I then explicate the data production procedures and reflect on some ethical considerations. Following this I explain the means by which the narrative data was analysed and the manner in which it is presented in this thesis.

Sampling Process

The sampling strategy was theoretically driven – not with a view to testing theory but with the intention of generating theory (Grbich 2007). This sampling strategy was led by the research question rather than being framed by the categorisations of a specific immigration status, as the sample included participants with varying residency/immigration statuses. I was concerned to investigate the effects of the 2004 citizenship reform on those who are most directly affected by it, that is, mothers of ‘Irish born children’³⁰ from non-EEA countries. The sample did not include migrant women

³⁰ I place this term in inverted commas because in the period preceding the 2004 referendum this term was deployed to refer to infant citizens born to immigrant parents. The phrase bespeaks a refusal to acknowledge the actuality of such children’s citizenship, implying that their citizenship is less authentic than that of children whose parents were not immigrants. As such, the term (which was institutionalised in the Irish Born Child Leave to Remain Scheme) highlights the tensions between prevalent the cultural conceptions of citizenship and the legal definition (prior to reform) which the referendum sought to resolve.

from EEA countries because the problematisation of migrant mothers' childbearing was addressed at non-EEA immigrants.³¹

It would be virtually impossible to achieve a representative sample of the population of non-EEA migrant mother's resident in Ireland, particularly if one wishes to include individuals who have no formally recognised residency permission. This was a self-selecting, convenience sample, but I found that snowballing was the only viable way of accessing this hidden and shifting population (Bryman 2008).

I used a two-pronged approach to the recruitment of participants: advertising and snowballing. I advertised for volunteers to participate in the research through the use of posters and flyers³² which I distributed to local immigrant-run shops, small businesses, and local immigrant community churches and migrant support services in three urban areas in the West of Ireland. The advertising strategy yielded poor results – a small number of people made contact with me having seen the posters, none of whom fitted the sampling criteria, unfortunately. People responded positively to the flyers when handed them in person and I believe the flyers were useful to the snowballing process (I asked contacts and participants to give them to friends and acquaintances who may fit the research criteria). The colourful flyers provided an abbreviated version of the information contained in the more formal information letters (see Appendix A). I sent electronic copies of the flyers and versions of the information letter by email, to almost every immigrant-led group in the country that was listed in the Immigrant Council of Ireland (ICI 2006) 'Directory of Migrant Organisations'.

See Nyers (2006a) on the notion of 'accidental' citizenship which has been associated with *jus soli* modes of citizenship attribution.

³¹ The sampling criteria are elaborated below.

³² The posters and flyers provided a brief outline of the nature of the research, my contact details, and an invitation to migrant women to participate. The flyer is reproduced in Appendix A. The A3 poster contained the same imagery and text as the front of the flyer, but not the text included on the reverse side of the flyer.

I commenced the snowballing process through contacts in local NGOs (including Doras Luimní³³, TRASNET³⁴ and Ennis IRC³⁵) who agreed to assist me.³⁶ Once initiated, I asked participants to put me in touch with friends or acquaintances who fit the sampling criteria and might be interested in becoming involved in the research. I found that direct personal contact was necessary for successful recruitment of participants, and the snowballing strategy was fruitful. Once I had made contact and received a positive response from one individual, they were, in many cases, willing to put me in contact with friends.

A drawback of snowball sampling is that snowballing partners effectively act as gatekeepers. I consider that the involvement of gatekeepers gives rise to some of the problems that have been identified with the use of translators³⁷ (Marshall 1992). The mediation of any third parties in the research process inevitably creates the potential for misunderstandings. For instance, I arranged meetings with several prospective participants who I had been put in touch with by contacts but who turned out not to meet the sampling criteria. This illustrates the extent to which snowballing is unavoidably a trial and error process, which can be time consuming and frustrating.³⁸

³³ Doras Luimní is an NGO based in Limerick, which works in a support, advocacy and rights-promotion role. One of its primary goals is to help build the capacities of the local migrant community/ies to self-represent. Like many of its counterpart migrant NGOs, Doras Luimní engages in campaigning, research and contributes to public debates and policy development regarding issues affecting refugees, asylum seekers and migrants.

³⁴ Trasnet (Tralee Refugee and Asylum Seeker Support Network) provide a drop-in centre and various support facilities and services for refugees, asylum seekers, undocumented migrants and those with various forms of leave to remain.

³⁵ This organisation provided advice, referral and support for asylum seekers and refugees on legal, welfare, accommodation and employment issues, as well as advising and supporting other organisations and groups working with refugees.

³⁶ Around the time of the fieldwork for this thesis I was employed as a research assistant for another research project (Ní Shé *et al.* 2007) which investigated the service-provision needs of immigrants in the region. In this role, I made contact with members of migrant communities and established relationships with local NGOs and service providers.

³⁷ By this I mean that gatekeepers effectively ‘interpret’ and ‘translate’ the research objectives (for example) into their own words in providing information to prospective participants

³⁸ See section entitled ‘Ethical Issues’ below for more on the pros and cons of snowball sampling.

Sampling Criteria

The main criteria for inclusion in the sample were that participants are migrant women who gave birth to children in Ireland between January and December 2004 (i.e. in the six months before and after the referendum). I wished to examine the experiences of migrant women who were pregnant and had young babies during that time period, given the evidence that such women were targeted for harassment at that time (NCCRI 2004). Eligible participants had resided in Ireland since at least 2004 and were still residing in Ireland at the time of the fieldwork.

The eligibility criteria required that participants were both willing and able to articulate their experiences and interpretations of the referendum. It was prerequisite that participants had conversational fluency in spoken English, in order to avoid the obstacles to informed consent which language barriers can present³⁹ (Marshall. 1992). I did not wish to avail of interpreters in the data production process in order to maintain the confidentiality of the research interview and the anonymity of participants, in addition to avoiding issues of translation quality (Larkin et al. 2007). I evaluated prospective participants' communicative abilities in the conversations that took place prior to the interviews, in which I explained the research to them and obtained general information in order to establish their fit with the sampling criteria.⁴⁰ In most cases, communicative competence was clearly not an issue. However, I established that a couple of women who sought to participate were ineligible on the basis of my subjective evaluations of their fluency and comprehension in preliminary conversations, due to significant difficulties in understanding them and making myself understood.

³⁹ I was not concerned with literacy in the English language, which was an issue for a small number of participants, as I explained the content of the informed consent document verbally.

⁴⁰ In this conversation I verbally explained the contents of the Information Letter and the Consent Form (see Appendix A) in order to ensure that consent was fully informed and voluntary. This was also an opportunity to develop rapport with participants and to put them at ease by making them aware of what the research interview involved and explaining the measures in place to protect their confidentiality and anonymity.

The Participants

The data upon which this thesis is based was generated from qualitative interviews conducted with eighteen participants: Ranu, Sami, Han, Al, Monifa, Pamela, Abeni, Paula, Jeanne, Joy, Esohe, Svetlana, Irina, Lucy, Akua, Jane, Zina, Ukaria.⁴¹ The participants were aged from 22 to 41 years when the interviews were conducted. Fifteen originally came from African countries (five Central/West African countries and one Southern African country). One participant, Ranu, is originally from Southern Asia, while the remaining two participants, Svetlana and Irina, are from a non-EEA Eastern European country. At the time of the fieldwork the majority of participants lived in rented accommodation in suburban areas and in West of Ireland, while one lived in a rural village, another in a city centre location, and two were living in a direct provision accommodation facility.

The sample suggests some degree of the diversity among non-EEA immigrants in Ireland with regard to legal status, nationality/region of origin, and race/ethnicity. The list of potential variability could be quite extensive; however, there was no attempt to pursue generalisability to the population of non-EEA resident immigrants who happen to be mothers of Irish born children. Indeed, such a 'population' cannot be said to exist as any kind of coherent entity, in that individuals do not recognise themselves as 'members' of such a grouping. This collection of traits (migration status, gender, motherhood) was constituted and given a certain set of meanings by discourses and practices of immigration regulation and citizenship reform, and it is these discourses and practices that this research interrogates. As such, the sample cannot be 'representative', nor is this considered desirable or achievable due to the feminist, qualitative orientation of the research (Lincoln and Guba 1985). As outlined above, the sampling strategy is designed to generate theory rather than to facilitate empirical generalisation (Silverman 2005).

⁴¹ Participants are referred to be pseudonyms throughout. A table of participants' profiles is included in Appendix B.

Fieldwork

Data collection was carried out through topic-orientated ‘episodic’ interviews with a strong narrative character (Flick 2009; Wagner and Wodak 2006) which were designed to generate stories exploring the participants’ experiences and interpretations with regard to immigration regulation, citizenship reform, and identity and belonging in Irish society, in the socio-political context of the 2004 citizenship referendum.

The interviews took place between winter 2006 and summer 2007. Collection and analysis of data proceeded in tandem. Interviews took place at times and locations agreed with individual participants, prioritising their privacy and convenience. In most cases I meet participants at their place of residence, which in the case of two of the participants was direct provision accommodation. I met with these participants in unoccupied communal rooms. Three of the interviews were conducted at the offices of an NGO through which I had contacted those participants.

The interviews loosely followed Flick’s (1997) guidelines on interview format. I began by providing information about myself and the research. After explaining the nature of the research and establishing informed consent, I enquired about relevant biographic information, such as length of residency in Ireland, number of children and ages, marital status, connection with migrant organisations or social networks, legal status etc. On the basis of this information I adapted the interview questions, prompts and probes in accordance with specific circumstances of each individual and the emergent analysis.

In order to access forms of knowledge that are linked to material circumstances (time, space, persons, events, situations), as well as knowledge that is more abstract and conceptual, the interviews combined invitations to recount concrete experiences and events relevant to the issue under study, along with more general questions exploring participants’ subjective understandings of citizenship. I endeavoured to keep the questions open-ended and the interview format unstructured, in order to allow the participants to discuss issues or situations they deemed significant and to present their

experiences and views in their own way (Flick 1997). I encouraged participants to illustrate their statements with ‘stories’ and anecdotes (Wodak et al. 2009).

Ethical Issues

One of the dividends of a snowball sampling strategy is that it allows the researcher to avail of already established relations of trust. Prospective participants could take the word of their personal contacts (my snowballing partners) that I was trustworthy, and/or they could assess this for themselves on meeting me in person. Trust is paramount in the context of social research in general, but particularly so in cases of social tensions or where there may be stigma associated with the topics or identities under investigation. In the present research the ethical stakes were high, in that participants’ legal situations may be tenuous and information revealed in the research encounter could be potentially damaging to participants’ residency/regularisation applications or could put them at risk of deportation.⁴² Of course, the utilisation of pre-existing trust relationships, and the establishment of new trust relationships in order to ease access and facilitate the process of conducting fieldwork, can render participants more vulnerable due to the potential for exploitation (Finch 1993). This makes it incumbent upon the researcher to be all the more vigilant with regard to the ethical conduct of research.

Confidentiality and anonymity are paramount ethical responsibilities of the researcher. The steps taken to protect participants’ identities were made clear in the Information Letter and Consent Document (see Appendix A). In order to ensure confidentiality, participants’ names were replaced with pseudonyms. I asked participants to choose their own pseudonyms, and where participants declined to do so I chose pseudonyms that were typical of their regions of origin. I consulted participants regarding other potentially identifying information they may have wished me to alter or omit.⁴³

⁴² Concerns regarding legal status and security of residency are raised by Al and Pamela in particular. See chapter six.

⁴³ Any non-essential, potentially identifying information was altered or removed. Participants were offered the opportunity to check the written transcripts if they so wished.

The research design and data production procedures involved in this research were reviewed and approved by the University of Limerick Research Ethics Committee (ULREC).

Collective interests

In addition to the individual interests of participants, broader collective interests are also at stake in the production of knowledge regarding vulnerable, marginal populations. Janet Finch (1993) asserts that researchers who produce knowledge about women have a special responsibility to anticipate whether their work could be interpreted and used in unintended ways, due to women's generally subordinate position in society. It incumbent upon the researcher to ensure that information "given so readily in interviews" due to trust relationships between women participants and women researchers based on gender specific identifications (Finch 1993, p.176), will not be used in ways that potentially undermine the interests of the broader referents of the research, in this case migrant women and mothers. Finch (1993) found that her commitments as a feminist raised moral questions for her work as a sociologist given the nature of some of the data produced in the course of her research. Likewise, dilemmas that arose with regard to the interpretation and presentation of data produced in the course of this thesis, required sustained contextualisation of the data and attention to the structural positions in which the participants were situated, in addition to interrogation of the ontological status of narrated 'experience' as data, resulting in a more incisive and nuanced analysis (Finch 1993).

Interviewing

Experienced qualitative researchers acknowledge that as there is always an element of unpredictability in the research encounter, not every contingency can be accounted for (Kavanaugh and Ayres 1998). For example, Paula's interview, like several of the other interviews, was conducted at her home while there were three young children present. There was a lot of background noise and numerous interruptions which required that I repeatedly pause the recording in order to accommodate the participant. Unfortunately, at

one point I didn't turn back on the recorder properly and about half of the interview was not recorded. As with all of the interviews, I took notes from memory immediately after the interview was completed and completed an interview documentation sheet. While only the transcribed recordings of the interviews are employed as primary data, additional notes and documentation allowed me to check the internal generalisability of some of my findings.

During a couple of interviews participants became upset when sensitive issues came up in conversation. When this occurred in Monifa's interview, I suggested taking a break but she wished to proceed with the remainder of the interview. Lucy became very upset and broke down not long after her interview had started. I turned off the recorder when this happened and when she recovered we continued our conversation, but she requested that the recorder remain off. In this case the cessation of the interview proper was the appropriate course of action in order to respect the participants wishes (Kavanaugh and Ayres 1998). These instances indicate the necessity of flexibility with the interview format and the importance of renegotiating consent on an on-going basis (Kavanaugh and Ayres 1998).

A number of sensitive and unexpected issues were raised during the fieldwork. In the course of her narrative, Pamela disclosed physical violence and sexual exploitation in her relationship with her partner.⁴⁴ We talked about the matters raised after the interview and I gave her contact details for local organisations which could provide her with support and assistance. Perhaps in part because of her composed and sanguine demeanour, it was not until I listened to, transcribed and read Pamela's words that I began to grasp the oppressiveness of her situation. Similarly, I listened to Monifa recount her deliberations over terminating a pregnancy in sympathy, but when I later devoted my complete attention to her words in solitude, I was moved to tears.

I am under no illusions that I was of any significant assistance to Pamela in changing her circumstances. However, I was glad that some of the participants were able to gain a

⁴⁴ Pamela's narrative is presented in chapter six.

reciprocal benefit from participating by availing of the opportunity to ask me to explain aspects of immigration law and policy and, in some cases, to request help in completing documentation pertaining to their immigration status. I furnished them with the required information insofar as possible and provided contact information for relevant organisations. I cannot say that any more than the most minimal of practical benefits accrued to these participants as a result of participation in this research. I am satisfied, however, that neither were there significant detrimental effects as a result of participation. I was nervous about intruding in these women's lives and endeavoured to minimise the extent of this intrusion by keeping the time commitment to a minimum, although this did not turn out to be a major issue except in a couple of cases.

Academic research is time-limited, but with qualitative studies the relationships involved don't always end with the conclusion of the study, particularly with more collaborative or participatory forms of research (Booth 1998). I remain in contact with a number of the participants to varying extents. Unfortunately, during the time that elapsed since the completion of the fieldwork phase of the research I lost contact with several participants, which is unsurprising considering the tenuous situations of many participants, particularly those with residency permissions of limited duration.⁴⁵ Such practical difficulties militated against the possibility of conducting a comprehensive process of member checking or participant validation (Lincoln and Guba 1985), which may be considered a limitation of this research. Although I considered it to be desirable, I was apprehensive about engaging in such a process due to some of the associated drawbacks (Holloway 1997). An issue which concerned me was the challenge of conveying in a meaningful way the abstracted and theorised interpretations that were unlikely to have any apparent relevance to participants' individual experiences. In the event, those participants with whom I raised the issue of formally reviewing my interpretations declined to do so.

⁴⁵ In addition, I found that participants tended to change address relatively frequently. This is reflective of the fact that migrants tend to reside primarily in rental accommodation and in Ireland long-term security of tenure is weak.

(Re)presenting the Data

Decisions about the selection and re-presentation of narrative data are integral to the process of interpretation (Riessman 1993). In presenting the narratives, I selected quotes which are particularly illustrative of relevant topics, narrative structures and discursive strategies. Narrative analysis identifies stories as the units of analysis and encourages the re-presentation of these stories alongside the analysis and interpretation of the researcher. Narrative sequences were identified by ‘discourse markers’ within the text (from explicit markers such as “I’ll tell you a funny story...” to more locally indicative words or phrases, e.g. “so”, “then”). This allows the reader to engage in the process of analysis, to assess for themselves the quality of the researchers’ interpretations, and to make their own interpretations of the narrative segments presented (Grbich 2007). The format in which I present the narratives is designed to preserve the narrative flow insofar as possible (Wagner and Wodak 2006, p.394). I indicate where particular narratives are typical and where they are dissimilar across the group of participants.

My analysis reshapes what was told to me “turning it into a hybrid story” (Riessman 1993, p.13). However, as Riessman (1993) points out, while the agency of the participant-teller is central to the composition of narratives, the final decisions about form, ordering and style of presentation rest with the researcher-writer.

With regard to the visual presentation of the narratives, I use similar transcription conventions to Blommaert (2001a, 2001b) and De Cilla et al. (1999), in order to more closely reflect spoken pronunciation and intonation. The transcribed text follows the following conventions:

- / intonationally marked phrase or sentence end
- rapid succession of turns or self-correction
- * stress on the following syllable
- ... pause
- xxx inaudible

Analytical Framework

Ethnographically oriented linguistic-anthropological sociolinguistic work, such as that of Hymes (1996), Briggs (1996), Gal (1989) and Gumperz (1982), has promoted the integrated study of material and historical conditions of linguistic performance, opening up fruitful avenues for improving our understanding of the dynamic interrelations of local populations and histories with larger political economic structures and processes – colonisation, capitalist expansion, state and class formation, nationalism, and transnational economic and political migration (Gal 1989, p.349). Despite increased attention to power hierarchies, power semiotics and power effects, it has been pointed out that further work is required to incorporate political-economic and historical theoretical perspectives with linguistic analysis and discourse analysis (Blommaert and Bulcaen 2000; Gal 1989; Irvine 1989).

Critical Discourse Analysis (CDA) aims to critically investigate linguistically mediated power relations based on the principle that social processes are fundamentally interlinked with language (Reisigl and Wodak 2009). CDA is characterised by a preference for theoretical and methodological eclecticism (Wodak 2001). Empirical investigation is considered to be a prerequisite and an ongoing basis for further analysis and theorising (Wodak 2001). The specific methodological and theoretical tools employed in a specific CDA study are identified on the basis of their relevance and utility in regard to the issue under investigation and the context of the research.

Discourse and language are often crucial factors in mediating and gaining access to valuable social roles and material and non-material resources (goods, services and values) (Irvine 1989). However, institutionalised processes of resource allocation/access – such as legally/administratively mediated access to refugee, residency and citizenship statuses – are shaped by a range of culturally-mediated institutional and socio-political imperatives. Because of the significance of language as a formative agent in all social, cultural and political processes (Verschuereen 2001), linguistic-discursive forms are key means of generating and articulating power and inequality (Blommaert 2001a). The crucial focus of critical discourse analysis is to interrogate the reciprocal connections

between discourse and social, economic and political structures. The central aim of analysis, thus, is to explain society through “the privileged window of discourse” by viewing discourse as a social object, the linguistic characteristics of which are conditioned by social, political, cultural and historical circumstances (Blommaert 2001a, p.28). Blommaert (2001a) asserts that analysis should deeply and thoroughly situate discourse in social structure and social processes. Thus, what is required is a thorough and extensive investigation of conditions beyond the local micro-situatedness of texts (Blommaert 2001a).

In analysing the transcribed talk elicited through qualitative interviews, my strategy was informed by the Wodak et al. (2009)⁴⁶ who advocate examining narrative data in terms of the three interrelated dimensions. The first dimension is the content or topic of the narrative; the second is narrative strategies; and the third is the linguistic means or forms of realisation by which those strategies are achieved (Clary-Lemon 2010; De Cillia *et al.* 1999; Wodak *et al.* 2009). Drawing on this approach, I asked the following questions:

- What kind or kinds of ‘self’ do the participants put forward in their stories?
- What kinds of subjective identities and identifications are claimed or deployed by participants in their narratives?
- What discursive strategies are utilised by the participants in order to establish these identities?
- What do the contents, structure and strategies of these narratives tell us about citizenship and immigration legislation as understood, experienced and practiced by these migrant mothers?

In my reading of the narrative sequences, I paid attention to time and place, how the narrator positions themselves, the identity claims made or implied, metaphorical imagery, and turning points. I was concerned with how these stories are told and what they said about the positioning and subjective relation of the speaker within prevalent political, cultural and economic conditions.

⁴⁶ Wodak et al. (2009) conducted a large-scale research project in the late 1990’s entailing a multi-method investigation into the discursive production of national identity in Austria. The research team utilised a Critical Discourse Analysis (CDA) approach, developing their own ‘discourse-historical’ method.

I combined this concern for narrated subjectivities and identities, with the analytical techniques expounded by Blommaert (2001a, 2001b, 2009; Maryns and Blommaert 2002), which attend to context. Context, as Maryns and Blommaert (2002) argue, should encompass what is pre-inscribed in interactions.⁴⁷ Developing on the sociolinguistic concern with linguistic inequality, particularly the work of Hymes (1996) and Briggs (1996), Blommaert combines this approach with an ethnographic perspective in his analysis of asylum seekers narratives. Similarly, my approach to analysis and theorisation – paraphrasing Gal (1989, p.349) – endeavours to integrate the (micro) study of face-to-face discourse strategies of migrants, with an analysis of culturally-mediated, historically situated, macropolitical-economic processes of migration regulation and the governance of citizenship.

In this study theorisation was informed by the data. As I listened to the tapes, transcribed them, read and re-read the transcripts, I developed and adapted the theoretical framework for understanding the data. I found that combining a governmentality theoretical framework with the CDA-informed approach outlined above, enabled the development of coherent, credible and compelling analyses (Morse 1994). The theoretical arguments advanced here may not be the only ones that could be developed from the data, but I argue that they are the “best fit”⁴⁸ (Morse 1994, p.33) for explaining the links between subjective and contextual, the micro and the macro.

Narrations of daily life can contribute to nuanced understandings of the ways in which government works by shaping and influencing “the conduct of conduct” (Gordon 1991, p.48). As I immersed myself in the data, I became particularly interested in the ways that certain conduct and values – including political-democratic, ethno-racial, and market norms – are suggested, defined in relation to and directed towards this group of immigrants. I grew equally interested in manner in which the participants interpret and subjectively engage with such determinations, interpellations, requirements and

⁴⁷ Contexts are here understood as conditions for discourse production.

⁴⁸ Rather than ‘perfect relation’ between data and interpretation sought by analytic induction (see DeVault 2007, p.171-3).

expectations (Ong 2003, p.15). In my examination of these narratives I seek to explicate the intricately interconnected relations of power comprising both forms of domination and forms of 'freedom'. As Foucault (1982, p.781) observed, to be (a) 'subject' means both to be subjected by others through relations of control and dependence, and to be tied to ones own identity "by a conscience or self-knowledge". In tracing the interrelations between these two modes of being subject, I build a picture as to how particular governmental technologies, as well as more diffuse discursive contexts, contribute to subject-making. I am also concerned to investigate the role of micro-level subjective identities and local practices in legitimating, reproducing, challenging and transforming broader discourses and institutions of cultural citizenship (Clary-Lemon 2010). I combine this focus with an exploration of the prevailing structural conditions (immigration regulation) which I elaborate through an analysis of relevant legislation and policy, government and NGO statistics and reports pertaining to immigration regulation, politicians' statements and media reports (this analysis is presented in chapter four).

In summary, my approach integrates the micro-level study of migrants' experiential narratives, with an analysis of macro-level processes of migration regulation and the governance of citizenship (Gal 1989, p.349). The narratives presented for analysis are not taken as simply or transparently reflecting authentic experiences or events. Language is understood here as denotational or indexical of social structure, and at the same time central to practices that contribute to producing social reality (Gal 1989). The study of language provides an insight into the workings of power and relations of differentiation, inequity and domination (Gal 1989). Both experience and subjectivity are constructed; it is this process of constituting particular experiences and particular forms of subjectivity that I wish to explore here in order to investigate the consequence of citizenship technologies and governmentalities of citizenship, not just in terms of their implementation and intended effects, but in terms of their practical application and their actual effects. Experience, as articulated here through narrative, is not "the authoritative evidence that grounds what is known", it is that which we seek to explain (Scott 1991, p.780). Thus in this analysis I examine "the historical processes that, through discourse, position subjects and produce their experience" (Scott 1991, p.779).

Conclusion

This chapter presents the argument that academic knowledge, like all forms of knowledge, is constructed, historically-specific and incomplete. The knowledge claims of social science and political theory significantly contribute to producing and legitimating existing and historical political-economic ‘realities’.

This research is feminist and interdisciplinary – a methodology which is always risky but often rewarding (Rose 1994). This text is not an exercise in “legitimating what is already known” (Foucault 1985, cited in Dean 1994, p.200), but a contribution to the plurality of situated, empirically attuned (but not naively empiricist), contextualised narrativisations of the continually unfolding dramas of gender, race, migration, nation, citizenship.

The narratives of participants are presented in chapters five and chapter six, where I explore the subject-effects of governmentalities. The next chapter explicates the relevant aspects of Irish immigration governance (within the international context of contemporary immigration regulation), identifying the specific technologies which produce and regulate various categories of immigrants. Following Inda (2006), these technologies are conceptualised in terms of technologies of citizenship and anti-citizenship technologies.

Chapter 4: Governmental Context of Irish Immigration Regulation

Introduction

I now elaborate on the technical and programmatic aspects of the Irish State's immigration regulation regime. In this chapter I provide a synopsis of recent legislative and administrative developments which have served to cumulatively increase the State's capacity to regulate the resident non-EEA population. This explication of the legal and administrative aspects of immigration governance contextualises the primary data presented in the two subsequent chapters.

In recent years immigration regulation has become a central focus of the Irish State's biopolitics (Harrington 2005). The last two decades have seen the rapid growth of the State's immigration regulation apparatus. This apparatus manages the biopolitical composition of the population through practices directed at immigrants, which dictate who can enter and under what conditions, the terms and conditions of residency and the criteria for becoming a citizen. In the same period during which the mobility of European Union (EU) and EEA citizens⁴⁹ came to be seen as politically, economically and socially desirable (although not completely unproblematic) and has been liberalised (Fanning 2009; Mitchell 2006), non-EEA migration into Ireland came to be viewed as distinctly problematic and necessitating strict regulation.⁵⁰ In tandem with the easing of access and lifting of barriers for desirable, authorised immigrants, an arsenal of measures has been introduced by the Irish State to inhibit, limit, deter and monitor the entry of undesirable 'third country' immigrants. As such, the ethopolitics⁵¹ of immigration governmentalities centres on differentiating between

⁴⁹ The European Economic Area includes the EU member states as well as Norway, Iceland, Liechtenstein and Switzerland, whose citizens have broadly similar rights to those of EU citizens within the member states. Hereafter, I use the term EEA as the rights and entitlements of EEA citizens living in Ireland are broadly similar to those of EU citizens.

⁵⁰ Although, see Haynes et al. (2010) regarding the treatment of Eastern European migrants.

⁵¹ See section entitled 'Ethopolitics and Subject Construction' in chapter two for an explanation of the concept of 'ethopolitics'.

desirable and undesirable migrants, categorising and regulating immigration accordingly.

Regulatory Technologies

The ethopolitical sorting of immigrants entails the application of different regulatory technologies. In this chapter I explore the amalgam of citizenship technologies and anti-citizenship technologies employed by the Irish State.⁵² The anti-citizenship technologies to which I refer, include ‘safe (third) country’ concepts, carrier sanctions, detention, deportation, assisted repatriation programmes, accelerated (‘manifestly unfounded’) asylum procedures, the direct provision system, and the Habitual Residency Condition. On the other hand, I conceptualise work permit programmes and other residency statuses which permit access on a temporary and conditional basis (for example, the ‘Irish Born Child Leave to Remain’ programme), as technologies of citizenship. I argue that these sets of practices contribute to shaping the biopolitical composition of the population and, furthermore, are integrally linked to the substantive content of the prevailing citizenship regime. In specifying the various strategies, programmes and techniques that comprise the field of immigration regulation in Ireland – in other words the composite of citizenship and anti-citizenship technologies – I am particularly concerned to attend to the forms of subjectivity that these practices presuppose and endeavour to produce.

States exercise control over their borders by using restrictive and strategic admission policies and by defining (and continually redefining) the terms of entry, residency and membership for ‘outsiders’. Immigration regulation operates as a means of biopolitically controlling the composition of the population and simultaneously stratifying the population according to the legitimate claims they can make on the state (Fanning and Mutwarasibo 2007a, p.452). In the sections that follow, I juxtapose the long-term trend towards the liberalisation of EEA citizens’ mobility with the increasingly restrictive regulation of the majority of non-EEA nationals’ mobilities. From the perspective of the Irish State, internal EEA mobility – that is the movement of EEA member state citizens across member states’ international borders – came to

⁵² These concepts of citizenship technologies and anti-citizenship technologies are explained in the section entitled ‘Ethopolitics and Subject Construction’, in chapter two.

be seen as desirable⁵³ (Fanning 2009). On the other hand, this chapter demonstrates that immigration unsolicited non-EEA immigration is seen as highly problematic and requiring stringent controls (Menz 2009b). Those non-EEA immigrants, who are considered desirable on the basis of their economic utility, are admitted through specially designed programmes, while all unauthorised immigrants have been criminalised. The primary focus of this chapter is the Irish States regulation of immigrants from outside the EEA and I am particularly concerned with the regulation of unsolicited and unauthorised non-EEA immigrants because the majority of the participants in this study came to Ireland as (unsolicited) asylum seekers⁵⁴. I argue that this cohort is subjected to a heterogeneous governmentality comprised of a mixture of citizenship and anti-citizenship technologies (Inda 2006). I consider how the use of the law as a governmental technology is being increasingly refined as a means of distinguishing between desirable and undesirable immigrants. I highlight the retraction of social protections for immigrants, the raising of eligibility criteria for authorised routes of economic migration and the increasing conditionality of non-EEA migrants' entitlements. I argue that these tactics are part of states' strategic endeavours to enhance national economic competitiveness through concomitant processes of liberalising and restricting migratory mobilities.

Authorised Economic Migration

The most significant division between migrants within European states demarcates two broad groups: citizens of member states of the European Economic Area including the European Union, and 'Third Country Nationals'.⁵⁵ EEA citizens have the same rights of mobility across a member states' international borders as do citizens of that member state. They also have virtual parity of social rights in regard to accessing employment, public services and welfare supports. On the other hand, 'third

⁵³ However, the narrative concerning the presence of Polish in Ireland, the previously desirable accession state immigrant as being white, catholic, hard working, has changed in recent years (Haynes *et al.* 2010)

⁵⁴ The term 'unsolicited' refers to arrival without prior notice where there is a requirement for an entry visa. Such immigrants may subsequently become 'authorised' by entering the asylum process and in doing so come within the remit of immigration governmentalities. The term 'documented' refers to those who have been granted residency status, and 'undocumented' refers to those without a formally recognised immigration/residency status (such immigrants are generally defined by the State as 'illegal').

⁵⁵ The term Third Country National (TCN) is an umbrella category referring to any person who is not a citizen of an EU member state or another EEA country.

country nationals' have no residency rights in Ireland unless specifically granted permission (this is why I make the distinction between authorised/unauthorised), and the movement of people emanating from outside of the EEA is highly restricted and heavily regulated. Through the primacy of the distinction between EEA citizens and third country nationals, EEA citizens are effectively categorised as not being immigrants (Bigo 2002). In the paragraphs that follow, I sketch an overview of the main relevant status categories and attendant entitlements and obligations, pertaining to non-EEA migrants residing in Ireland. Through recent legislative and administrative developments, Ireland has followed the restrictive trajectory of immigration regulation that has become the norm across the EU in creating a complex system of civic stratifications with differential access to civil, economic and social rights for non-EEA citizen residents (Kofman 2002).

The formal channels of migration through which non-EEA migrants are regulated are highly bureaucratised and are administered by various state departments and agencies, through multiple programmes with sundry rules, eligibility criteria, conditions and entitlements. The categories and conditions of immigration and residency outlined here are subject to ongoing change. They are adjusted according to the vagaries of bureaucratic standardisation, responses to legal, social and economic developments and the influence of various interest groups including employers, trade unions, NGOs concerned with human rights and migrant advocacy organisations (Menz 2009a; Ní Shé *et al.* 2007).⁵⁶ They are also responsive to globalisation processes such as patterns of international migration, global neoliberal capitalism, and the international regulatory environment.

In the last decade access to the Irish labour market by non-EEA immigrants has become increasingly restricted to professionals and highly skilled workers in certain strategic sectors of the economy. The main grounds upon which permission to enter and remain in the Irish State are defined and regulated are either 'economic' forms of migration such as employment or education, or 'political forms' of migration including asylum or humanitarian leave to remain. I argue that the distinction between

⁵⁶ See Ní Shé *et al.* (2007, p.12-15) on the institutional actors who contribute to or seek to influence Irish immigration governmentalities. See Menz (2009, p.328-9) on the role of Irish employers associations in shaping labour migration policy.

political and economic immigration plays a significant role in the ethopolitics of immigration. Certain forms of economic and political immigration have been constituted as legitimate, but such designations change over time and are influenced by the prevailing economic and political circumstances. Desirable immigrants, from the perspective of the State, are authorised immigrants who come through a limited number of prescribed channels of economic migration which are defined and administered by the State. Immigrants who arrive outside of the formal state-prescribed avenues of access are considered undesirable.

A key criterion of the various channels of authorised immigration is that individuals will not have recourse to State funds. The Immigration Act 2004 specifies that an immigration officer may refuse to grant permission to enter or remain in the state on the basis that the migrant/“non-national” in question “is not in a position to support himself or herself and any accompanying dependents”. Thus, I argue that a fundamental criterion for immigrants’ desirability is the ability to be economically self-sustaining and autonomous – to refrain from dependence on the state – while at the same time contributing to the national economy. In other words, immigrants are “desirable in principle so long as they are perceived as useful human resources, while barriers are erected against the unsolicited entry of ‘undesirables’” (Menz 2009a, p.316). Desirability is, therefore, closely linked to the values of independence and productivity.

The Irish State stipulates the sectors in which non- EEA workers can be employed and the time-frame of their employment through its various programmes for regulating economic migration. The main routes by which non- EEA immigrants gain authorised entry to the Irish labour market are through obtaining either a ‘work permit’ or a high-skill ‘visa’ or ‘green card’⁵⁷. Work permits are relevant to lower skilled and remunerated areas of the labour market than the ‘Green Card’ programmes. However, in recent years the work permit programme has itself been re-orientated towards more

⁵⁷ The present ‘Green Card’ visa schemes were established by the Employment Permits Acts 2003 & 2006, replacing the Working Visa/Authorisation Schemes which were discontinued as of December 31st 2006.

highly skilled areas of employment⁵⁸. The number of work permits issued peaked in 2003 (when 47,551 were issued) and has since fallen annually, to a low of 7,962 in 2009 (DETI 2010a). EU enlargement in May 2004 was the turning point: prior to 2004 citizens of the Accession States constituted the majority of work permit holders (Crowley *et al.* 2008; NESC 2006b). Significantly, Ireland was one of only three existing EU countries to allow immediate, unrestricted labour market access to immigrants from the ten new EU countries on their accession in May 2004. The issuance of work permits is now subject to a ‘labour market needs test’ which stipulates that the position in question must be advertised over an eight week period prior to the opening of the competition to third country nationals in a process that explicitly priorities EEA citizens (see DETI 2010a). Thus, the opening up of access to the Irish labour market to immigrants from the accession states is correlated with reduced access for immigrants from outside the EEA (Garner 2007b; 2009).

As a result of its administration of the Green Card scheme, the Department of Enterprise, Trade and Innovation has become more centrally involved in migration management and has been responsive to employer concerns over sectoral labour shortages and corporate interest in flexible and less restricted access to migrant labour (Krings *et al.* 2008; Menz 2009a). The current Green Card programme is designed to provide workers for “occupations where high level strategic skills shortages exist” in the fields of information technology, health, science, engineering and financial professions (DETI 2010). This scheme facilitates enhanced entitlements and opportunities for long term residence.⁵⁹ These developments in labour migration regulations are intended to make Ireland a competitively attractive destination for professionals and businesses. I argue that they are part of a pattern of selective liberalisation and restriction of the access, facilitating access by EEA citizens and much smaller numbers of desirable skilled immigrants from outside the EEA. As such, Irish immigration governmentalities fit with contemporary European patterns of strategic differential inclusion and exclusion (Boswell 2003).

⁵⁸ Work permits are no longer allocated in respect of a range of job categories in the fields of clerical and administrative work, domestic and childcare work, retail services and semi-skilled and unskilled manufacturing and labouring.

⁵⁹ For instance, the green card scheme allows for immediate family reunification rights for green card holders’ spouses and dependants, and after the initial two year period it is promoted as offering a “pathway to long-term residence” (DETI 2010).

While accession state citizens' access to the labour market was unrestricted after May 2004, the access of this cohort to social entitlements in Ireland was restricted by the Habitual Residency Condition (HRC) introduced in May 2004. From that date, claimants had to meet a two year residency criteria in order to qualify for most forms of social support.⁶⁰ This time-limited prohibition on welfare entitlements was intended to prevent 'welfare tourism'⁶¹ (Fanning and Mutwarasibo 2007b). Thus, the Habitual Residency Condition was conceived as an administrative technique for deterring undesirable mobilities, concomitant with the strategic liberalisation of immigration governmentalities pertaining to desirable migrant workers. Furthermore, this regulation endeavours to act upon immigrant subjectivities by retracting access to social services thus incentivising the maintenance of employment and promoting individual prudence, self-reliance, responsibility and enterprise (O'Malley 1999). However, it was later recognised by the Irish State that because EU law required all member states to recognise the entitlements of resident member state citizens, the Habitual Residency Condition could only be applied to non-EU citizens (Fanning 2009).⁶²

While work permits are the main legal route for non-EEA immigrants seeking to work in Ireland, the most significant non-employment channel for non-EEA immigration is the student visa system (NESC 2006b). The Irish State's perception and treatment of student migration as a form of economic migration is made explicit in the introductory paragraph of a government document setting out a proposed new regime of regulating this sector, which is described as "a very important sector of the economy" (INIS 2009a, p.2). Similar to employment migration schemes outlined above, the imperative behind developments in the governance of student immigration is the promotion of the competitive economic interests of the state (Fagan 2007).

⁶⁰ As a result of the Social Welfare (Miscellaneous Provisions) Act (2004), applicants for child benefit or public (non-contributory) pensions, and social supports based on unemployment, disability and caring responsibilities must prove that they have been 'habitually resident' in Ireland (or another part of the Common Travel Area which consists of the UK, Northern Ireland, the Channel Islands and the Isle of Man) for at least two years as a condition of eligibility.

⁶¹ The notion of 'welfare tourism' refers to the fear that the liberalisation of mobility within the EEA and the extension of social rights to EEA member states' citizens would result in large numbers of immigrants from within the EEA coming to Ireland to avail of social welfare entitlements.

⁶² It should be noted that notwithstanding such regulations, the HRC is, in practice, still being applied to individual EEA citizens in relation to certain forms of welfare. This again highlights the discrepancies that arise between formal entitlements and their administration. See Haynes et al. (2010). Anecdotal evidence indicates that the farther West one moves from central administration in Dublin, the more restrictively the interpretations of such regulations.

Student visas are a restricted route of entry which are effectively only available to those who can afford to meet the expensive eligibility requirements which stipulate that course fees must be paid in advance of the visa application, and applicants must provide evidence that they have access to sufficient funds to be financially self-supporting for the duration of their studies (INIS 2010d). They must also demonstrate that they have private medical insurance as part of the eligibility requirements (INIS 2010a). Students from outside the EU, charged to participate in Irish university courses, are levied at least three times higher than the rates EU students are liable for (Linehan and Hogan 2008)⁶³. Additionally, non-EEA immigrants holding student visas are entitled to engage in employment only on a ‘casual’ part-time basis, and have “no recourse to public funds” (INIS 2010c). The acquisition of a student visa as a route of immigration is thus foreclosed to those who cannot afford these costly conditions.

In summary, the key point that I make in this section is that the consolidation of external European borders is a condition for the opening up of internal national borders: “freedom of mobility for EU nationals is predicated on visa regimes that impede the mobility of non-EU nationals” (Garner 2007b, p.65). I observed that formal routes of immigration for non-EEA workers increasingly target professionals and those with sought-after skills in strategic areas of the economy. At the same time there has been a progressive contraction of opportunities for non-EEA immigrants “at the lower end of the skills economy” (Garner 2007b, p.66) as employment immigration regulations obligate the preferential recruitment of EEA citizens by employers. The selective and highly administered avenues of access outlined here entail procedures and requirements that effectively foreclose the possibility of authorised economic migration, except to the select few who have the necessary resources to gain access (Garner 2007b). Improvements in the provision of entitlements for certain categories of desirable economic immigrants are designed to

⁶³ It is relevant to note that due to the ‘non-EU’ fee structure, restricted access or non-entitlement to education grants or social welfare, and other structural factors pertaining to their status as immigrants operate as significant impediments to accessing higher education for non-EU citizens resident in Ireland (e.g. refugees and their children) (see Fagan 2007). This point was also made by participants in this research including Abeni and Monifa. Furthermore, the right of all children living in Ireland to access ‘free’ primary and secondary education have been rescinded in recent years. For example, immigrants with student visas who bring their children with them to Ireland are now required to pay for their children’s education (INIS 2010).

enhance national economic competitiveness. The flipside of this is the invention and implementation of more restrictive practices in respect of unsolicited migration flows, which are characterised as constituting an economic drain and thus a threat to the security and privilege of the national citizenry (Menz 2009a).

So far I have shown that Irish labour migration policy is explicitly designed to construct a national labour force adaptive to current economic conditions. I assert that other aspects of migration policy are shaped by ‘competition state’ rationalities,⁶⁴ as I elaborate in the discussion of familial migration which follows and the subsequent section on ‘Irish Born Child Leave to Remain’.

Familial Forms of Migration

I now briefly address family migration because, after the routes of economic migration outlined above, this is currently believed to be the main formal avenue of access for non-EEA immigrants (although there is a dearth of data on the numbers of immigrants with family-based immigration status). Rights to family reunification depend on the legal status of the family member already legally resident in Ireland, and are available only to citizens of other EU / EEA member states, authorised migrant workers and refugees⁶⁵ (Cosgrave 2006). While the family reunification rights of highly skilled non-EEA immigrants have been enhanced in recent years, in order to improve Ireland’s competitive attractiveness for sought-after workers (NESC 2006b), no such rights are available to asylum seekers, students or those with leave to remain⁶⁶. Work permit holders have no automatic right to family reunification and difficulties in having applications successfully processed have been documented, particularly for permit workers on low incomes (Lowry 2006). Empirical research has

⁶⁴ See chapter one for an explanation of the ‘competition state’ thesis.

⁶⁵ Curiously, refugees have greater rights to family reunification rights than Irish citizens, and those with refugee status may lose their entitlement to family reunification if they acquire Irish citizenship by naturalisation. Those who have been granted refugee status by the Irish State have rights of family reunification for spouses, unmarried dependent children, or parents if the refugee is a child themselves.

⁶⁶ Migrants legally resident in Ireland but without formal entitlement to family reunification may make applications for family members to join them, which are determined on a case-by-case basis at the absolute discretion of the Minister for Justice (Cosgrave 2006). As I elaborate below, those applying for IBC/05 scheme were required to sign a statutory declaration acknowledging the granting of leave to remain did not confer “any entitlement or legitimate expectation” of family reunification (Quinn et al. 2008), and it has been stated by the Minister that it is general policy not to approve applications for family members.

found a lack of clarity, consistency and accountability in decisions on family reunification applications (Coakley and Healy 2007; Cosgrave 2006), and that the processing of such applications involves bureaucracy, administrative delays, anomalies and inequitable treatment (NESC 2006b). For example, decisions are influenced by whether the applicants nationality/visa required status (whether they are from a visa required country) which Cosgrave (2006) describes as leading to discriminatory practices.⁶⁷ Associated with the discretionary and administrative nature of family reunification procedures, is a lack of transparency with regard to the criteria for the assessment of applications. However, based on the evidence provided by vague refusal notifications (see Cosgrave 2006), it seems clear that the capacity to financially support family members is a key criterion for eligibility.

The patterns identified in this cursory synopsis are redolent of the Irish State's overall approach to immigration governance. For example, enhanced family reunification entitlements in respect of certain categories of desirable immigrants are strategically used as a means of advancing the States national economic agenda. Nonetheless, the State refuses to assume responsibility for the welfare of immigrants and their families, making economic self-reliance a precondition for eligibility. At the same time, the State affirms its sovereignty by maintaining an overall strategy of discretion and opacity. Post-social practices of government prevail in the regulation of authorised programmes of migration, whereby access to the State is made contingent upon economic self-reliance and individualised responsibility for ones own security (O'Malley 1999).

I now address the more exclusionary aspects of the relationship between the privileging liberalisation of transnational mobility rights for some and their restriction for others. In the following sections, I delineate the developing battery of illiberal anti-citizenship technologies that target undesirable immigration. Unsolicited immigrants, including asylum seekers and immigrants designated as 'illegal', are subjected to various forms of direct control and discipline. The governmentalisation of the asylum system has developed along an increasingly restrictive trajectory that

⁶⁷ Further anomalies arise due to the variations in forms of permission (and attendant rights, entitlements and conditions) provided to those who have been granted reunification (Cosgrave 2006).

focuses on deterrence, as is evident in the implementation of accelerated procedures and the direct provision system.

The Asylum System

The approach of the Irish State to refugees and asylum seekers has been characterised by technologies of containment and control since the mid-twentieth century (Fanning 2002). Prior to the 1990s, refugees entered Ireland primarily through numerically limited, pre-arranged settlements of ‘programme refugees’, with very few independently arriving asylum seekers (Fanning 2002). In contrast to the pre-agreed, state-controlled admissions of refugees, asylum seekers present themselves to the authorities of the state on arrival, without advance notification or authorisation, and request that the state recognise them as a refugee. Luibhéid (2004, p.336) argues that in arriving without advance permission, asylum seekers trouble a key foundation of the nation-state system: “the principle, upheld by national law, that control of one’s borders is key to maintaining nation-state sovereignty”. While the international context requires the state to admit asylum seekers and consider their claims, the practical procedures for the regulation and administration of asylum applicants are developed largely within national contexts. The key legislation in the Irish context is the Refugee Act 1996 which provides that “a person who arrives at the frontiers of the State seeking asylum in the State or seeking the protection of the State against persecution or requesting not to be returned or removed to a particular country or otherwise indicating an unwillingness to leave the State for fear of persecution” will be allowed to make an application for recognition as a refugee. This guarantee is however, undermined by practices of “pre-emptive exclusion” (Luibhéid 2004, p.337). The issue of asylum has been consistently depicted and administered in terms of ‘crises’, with a focus on pro-active techniques of exclusion designed to discourage and deter potential asylum applicants from entering the state (Fanning 2002). The anti-citizenship technologies directed at asylum seekers who gain entry confine them to the social, economic and spatial margins. These technologies include policies of denying asylum seekers access to the labour market and to social welfare, which have been explicitly articulated by politicians and policy makers as deterrence measures (see, for example, RIA 2010).

The numbers of new asylum applications made annually in Ireland increased sharply throughout the 1990s and peaked in 2002, since when there has been a substantial decline⁶⁸ (NESC 2006b). As the numbers of individuals seeking asylum grew in the mid to late 1990s, the issue of asylum was increasingly problematised as a threat to the social services infrastructure and Irish society generally (Lentin and McVeigh 2006). The legitimacy of individual asylum seekers' claims (and thus the legitimacy of asylum seekers as a group) has been brought into question by prominent legislators. For example, the Minister for Justice, publicly used the term "cock and bull stories" to describe asylum seekers' claims, and described the majority of cases as "manifestly bogus, far-fetched nonsense" (RTE 2005). Furthermore, official State documentation distinguishes between "genuine refugees" and "unfounded and abusive" asylum applicants (DJELR 2003), thereby institutionalising discourses of il/legitimacy within state policy.

In the following sections, I argue that asylum-seekers are discursively constructed as 'anti-citizens' through the association of asylum-seeking with illegitimacy, illegality and criminality (Fanning 2002), thereby justifying the implementation of 'anti-citizenship' technologies – strategies of containment and control – that keep them at the periphery and ease their expulsion (Inda 2006).

Asylum Determination Procedures

The 1996 Refugee Act implemented the Geneva Convention into Irish law for the first time⁶⁹. That Act has since undergone a patchwork of amendments (Barrington 2009). Applications for refugee status have been administered by an independent body, the Office of the Refugee Applications Commissioner (ORAC) since its establishment in

⁶⁸ By 2008 the rate of new applications had fallen to about a third of 2002 numbers (Barrington 2009). A similar pattern occurred in the UK where the annual rate of new asylum applications also peaked in 2002 and declined thereafter (Bosworth and Guild 2008).

⁶⁹ Prior to 1996, explicit Irish legislation covering principles and procedures relating to refugees and asylum seekers did not exist. The UN Convention relating to the status of Refugees (1951) and its Protocol (1967) offered an operational framework for procedures but these were not on a statutory footing. Under the 1951 UN Convention relating to the Status of Refugees a refugee is defined as a person who "owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it."

2000⁷⁰, while appeals are processed by the Refugee Appeals Tribunal. Asylum seekers can be granted refugee status on first instance or on appeal. Concerns have been raised regarding the quality of decision-making both at first instance and on appeal (Barrington 2009; Mullally 2001). Those unsuccessful in having their asylum claim recognised may be deported unless they are successful in applying for subsidiary protection or ‘leave to remain’ (which I discuss below).

Empirical studies have found that the Irish State is restrictive in its implementation of international protection in comparison with other European countries. For example, the rate of recognitions at first instance in the Irish asylum determination system is far below the EU average. In 2005 the EU average rate of recognition of protection at first instance was 15.5%, while in Ireland it was 8.7% (Barrington 2009, p.13). The following year the EU average rate was 22.3%, while the Irish rate was 9.3% (Barrington 2009, p.13). In addition to an overall low recognition rate there are significant disparities between the Irish and EU protection recognition rates for applicants from some of the main countries of origin of people seeking asylum in Ireland. Nigeria has consistently been the country from which the largest proportion of asylum claimants in Ireland originate⁷¹, but the rate of granting refugee status to Nigerian applicants has been consistently low. For example, in 2005 and 2006 the rate of recognition by the Irish State of asylum applications by Nigerian citizens was 0.7% and 0.9% respectively. In the same years the average recognition rates in other EU countries were 2.6% and 2.7%⁷² (Barrington 2009, p.14). These patterns are, I argue,

⁷⁰ The ORAC investigates applications and makes recommendations to the Minister for Justice as to whether refugee status should be granted. The Immigration, Residence and Protection Bill 2010 proposes to abolish the ORAC and reintegrate its functions within the Department of Justice, to be administered by the Irish Naturalisation and Immigration Service (INIS). The Bill also proposes to abolish the RAT and replace it with a new Tribunal called the Protection Review Tribunal (“PRT”) which will consider appeals both on refugee status and eligibility for subsidiary protection.

⁷¹ Annual statistics are available on the ORAC website (www.orac.ie).

⁷² The INIS (2005) have endeavoured to counter claims that Ireland’s recognition rate for refugee status is less generous than other countries by compiling a briefing paper presenting data that seeks to present the Irish asylum system in a more favourable light and to counteract assertion of discrimination against Nigerian asylum applicants. However, the source of the data on which these contentions are made is unclear and contracts other official data. For example, the INIS (2005) document states that the proportion of asylum applications by Nigerian nationals was 41% in 2005, while the ORAC annual report for that year states that Nigerian applicants comprised 29.6% of the overall number of applicants. Barrington (2009) uses ORAC and Eurostat data as the basis of his comparative analysis and includes both decisions to grant refugee status under the Geneva Convention, as well as the granting of all other kinds of protection such as subsidiary protection. The exclusion of other forms of protection (which are used to a much lesser degree in Ireland than other countries) in the INIS data makes Ireland appear to have a more moderate refusal rate in the comparative context.

indicative of contemporary ethno-racial constructs informing the implementation of immigration governmentalities. Such constructs operate through an emphasis on seemingly race-neutral national-origin classifications which are “mediated more by cultural stereotypes than by biological processes” (Pratt, and Valverde 2002, p.138). The use of national categories as a basis for differential treatment is institutionalised in the technologies of accelerated procedures and safe country concepts that I outline in the following section.

Accelerated Procedures and ‘Safe Country’ Concepts

Varying forms of ‘accelerated procedures’ have been adopted by all EU member states (Oakley 2007). In Ireland, the use of accelerated procedures to determine asylum applications is based on the ‘manifestly unfounded’ principle. The extensive grounds on which asylum applications may be determined to be ‘manifestly unfounded’ are set out in section 12(4) of the 1996 Refugee Act⁷³. The designation of applications as ‘manifestly unfounded’ is heavily reliant on assessments of the credibility of the individual asylum applicant (IRC 2002), and it is an outcome of the general ‘culture of disbelief’ (ECRE 2005) which, I argue, influences both case-by-case decision-making processes and informs the overall governmentalisation of asylum procedures. Next, I briefly address the concepts of ‘safe country of origin’ and ‘safe third country’ which are among the grounds for the application of accelerated procedures.

Romania, Bulgaria, Croatia and South Africa have been officially designated as safe countries of origin by the Minister for Justice (Quinn 2005). This designation provides the basis to exclude applicants from these countries from the regular determination procedures (Mullally 2001, p.46). Applicants from designated ‘safe countries’ must refute the presumption that their application for asylum is ‘manifestly unfounded’. This significantly reduces the likelihood of an asylum applicant from the above listed countries being recognised as a refugee. For example, Romanian asylum applicants have encountered significant disadvantages in the Irish system of asylum

⁷³ Asylum applications may be declared to be ‘manifestly unfounded’ at any stage during the determination process. The twelve grounds are listed in the Refugee Act are among the most extensive in a cross-EU comparison (Oakley 2007). See Mullally (2001) for a detailed discussion of the substantive criteria for the determination of ‘manifestly unfounded’ claims.

determination with 0.0% granted refugee status in 2005 and 2006, compared to an EU average recognition rate of protection applications of 4% in 2005 and 3% in 2006 (Barrington 2009, p.14).

Since 2003 accelerated procedures have also been applied to applications and appeals by Nigerian nationals (Quinn 2005). Many legal practitioners believe that there is an unofficial presumption of ‘safe country of origin’ with regard to applications from Nigeria (Mullally 2001, p.86). This is emphatically denied in the INIS (2005, p.5) document which asserts that Nigerian asylum applicants are prioritised on the basis that “Nigeria has for a number of years been the highest source country for asylum applicants...and also has a very low recognition rate overall”. The mention here of the low recognition rates in respect of Nigerian asylum applicants lends credence to arguments that the nationality of the applicant is a key factor in how an application is viewed.⁷⁴

The use of accelerated procedures is motivated by the goals of administrative expediency⁷⁵ and the prevention of abuse (INIS 2005). However, critics have associated the use of such measures with a decline in the quality of decision-making. For example, Mullally’s (2001) examination of the use of accelerated procedures in asylum claims determined as ‘manifestly unfounded’, found that in conclusions made by officials as to the safety of applicants’ countries of origin were frequently made on the basis of selective and incomplete information, in some cases referencing insufficient, outdated, or unreliable sources. The implementation of accelerated procedures has been described as a technique to screen out applicants as opposed to identifying applicants in need of protection (ECRE 2005). Given the use of accelerated procedures in respect of a nationality group (Nigerians) on the basis that they comprise the largest cohort of applicants, rather than on the basis of the safety of the country of origin, I argue that accelerated processing of applications should be understood as an anti-citizenship technology which endeavours to deter prospective asylum seekers.

⁷⁴ I elaborate on the negative stereotypes associated with asylum applicants and the particular discursive focus on Nigerian asylum seekers in chapter five.

⁷⁵ The safe country of origin concept is described as a “case management tool” which enables efficient administration of the asylum caseload (INIS 2005, p.5).

Safe third country mechanisms similarly act to reduce the numbers making asylum claims in Ireland and deter prospective asylum seekers. These mechanisms facilitate the removal of asylum applicants from the territory and the re-allocation of responsibility for determining their claim to another state. The 1997 Dublin Convention, succeeded by the 2003 Dublin II Regulation, is part of the progressive streamlining of EU law on asylum, designed to tackle perceived abuse and create a mechanism for allocating responsibility for asylum applicants among member states. The main outcomes of the convention are that asylum seekers are required to make their asylum application in the first EU state in which they arrive, and may be returned to this state if they pass through the border of another EU State or make an asylum application in another EU state (IRC 2002). Variations in legal procedures, rights and entitlements between EU member states allegedly created a situation where asylum seekers made multiple asylum applications in several EU states at one time or repeated applications in various states in succession. The 'safe third country' mechanisms were considered to deter asylum seekers from exerting choice or preference regarding in which EU member state they made an asylum application. It was argued that this measure was necessary to prevent applicants from taking advantage of differences in reception conditions or social security assistance between EU countries – what has been labelled 'asylum shopping' (IRC 2002). Because there are no direct flights into Ireland from the countries from which the majority of those seeking asylum in Ireland originate, inevitably significant numbers of asylum applicants are found to be in contravention of the Dublin Convention stipulation that asylum seekers apply for asylum in the first EU member state which they enter.

The use of safe third country mechanisms is part of a trend of fluctuating border control processes. In this case, the border moves outward, beyond the territory of the Irish State. Carrier sanctions are another example of this externalisation of border control functions. In providing for the sanctioning of individuals and private transport companies which facilitate the illegal entry of immigrants to Ireland (Fanning 2002), the Illegal Immigrants Act 2003 is indicative of techniques of increased responsabilisation of non-state actors to play their part in regulating and surveilling actual and potential immigrants (for more on carrier sanctions Walters 2006). While some European countries waive or refund carrier sanctions in respect of persons seeking to make an application for asylum, the Irish government has refused to

consider such exemptions on the basis that this would “encourage the making of false claims at a higher rate” (Hathaway 2005, p.385). Thus, carrier sanctions are part of the criminalisation of unwanted migration. Carrier sanctions and ‘first port of entry’ rules are designed to pre-emptively exclude potential asylum seekers. These practices are part of the spread of ‘remote control’ whereby transnational and private actors outside the Irish State apparatus are enlisted to forestall migration and augment the State’s powers to selectively discriminate between desirable and undesirable mobilities (Labov and Guiraudon 2000). Accelerated procedures for asylum determination, as they are exercised in EU member states, generally operate to speedily deny (as opposed to speedily grant) an individual refugee status (Oakley 2007). This package of external and internal controls of which asylum seekers are the object, are designed to deter potential asylum-seeking migrants from coming to Ireland to make their claim, and to intercept them before they have an opportunity to activate human rights claims on entering the territory (Walters 2006). As such, I classify these mechanisms as anti-citizenship technologies.

Culture of Disbelief

As I mentioned above, the use of accelerated procedures is related to the notion of widespread illegitimate and abusive claims-making. This has led commentators (e.g. Mullally 2001) to argue that a ‘culture of disbelief’ permeates the institutional processes pertaining to asylum. In other European contexts independent observers have argued that communication between asylum applicants and administrators and officials takes place in an atmosphere of suspicion, with doubt, scepticism and disbelief as the institutional premise (Blommaert 2009). Discursive practices are used as criteria for ‘truth’, ‘trustworthiness’, ‘coherence’ and ‘consistency’ (Blommaert 2001b, p.414). In the Irish context, Mullally’s (2001, p.90) analysis of Refugee Appeals Tribunal cases shows that a “culture of disbelief or incredulity permeates the decision making process”. Irish asylum procedures prioritise the prevention of ‘abuse’, stressing the ‘credibility’ of applicants (IRC 2002). Encounters between asylum seekers and the state are highly asymmetric and are characterised by fundamental disparities in “access to the discursive resources that shape who can talk, in what ways, and with what effects” (Briggs 1996 cited in Blommaert 2001b, p.444). The overwhelming majority of decisions on asylum applications are based on the

narrative and textual detail of asylum applicants' cases, and frequently cited grounds for rejection are inconsistencies, contradictions, failures to be precise on certain topics, lack of coherence or 'implausibility' in regard to the applicants story (Maryns and Blommaert 2001, p.63; Mullally 2001). Furthermore, Mullally (2001, p.92) found that assessments of the credibility of applicants frequently reflected the particular views and cultural biases of assessors.

The ability of asylum seekers to narrate their experiences and contribute to alternative discourses is highly constrained. As I elaborate below, the ability of asylum seekers to complain about their treatment by the asylum and direct provision authorities is constrained by inadequate complaints procedures and threats and or fears of punitive measures (FLAC 2009). In addition, asylum seekers in Ireland are prohibited from relating their stories in the media without official permission⁷⁶ (Ging and Malcom 2004). This leads me to assert that discursive and linguistic practices play a crucial role in the technical and administrative governmentalities of immigration regulation.

Direct Provision

The governmental technologies through which the Irish State has managed asylum generally, and regulated individual asylum applicants have developed in an increasingly restrictive trajectory. The central mechanism of containment and control is the direct provision (DP) system which was introduced as a pilot scheme in 1999 and became official policy and was implemented nationally in 2000. One of the key motivations behind the establishment of the direct provision system was to deter prospective asylum seekers and reduce the overall numbers. Prior to the introduction of this scheme, asylum seekers were eligible for welfare supports on the same means-tested basis as citizens (FLAC 2003). Asylum seekers were also free to live where they chose and could avail of assistance from local health boards in procuring private rented accommodation (Cullen 2000). By the end of the 1990s there was a high level of political concern regarding the resource implications of these entitlements and the uneven spatial distribution of the economic and social burden of asylum seekers who were heavily concentrated in the Dublin area. Political discourses propagated the

⁷⁶ Section 19 of the Refugee Act prohibits the identification of an asylum seeker in any publication or broadcast unless the consent of the asylum seeker and the Minister for Justice is obtained in advance.

notion that employment and welfare entitlements acted as a “pull factor for non genuine asylum seekers” (FLAC 2003, p.8). These concerns led to the establishment of a system of direct provision which was regarded by politicians and administrators as “the only system that could have fulfilled Ireland’s humanitarian and international obligations and, at the same time, not have created an economic pull factor for economic migrants using the asylum system to enter the State” (Dowling cited in Ní Shé et al. 2007, p.100).

The direct provision scheme is administered by the Reception and Integration Agency (RIA) established in 2001 as a departmental division of the Department of Justice (FLAC 2009). Between April 2000 and December 2008 the Reception and Integration Agency accommodated 46,008 asylum seekers (RIA 2010). The running of these hostel-style accommodation centres is outsourced to private companies (see FLAC 2009). The direct provision system is a “totalised institutional space” (Luibhéid 2004, p.337) under which the majority of asylum applicants are obliged to be completely dependent on the state for their basic subsistence needs of food and accommodation.⁷⁷ Asylum seekers are prohibited from engaging in paid employment and from participating in third level education. The Department of Justice deemed that the authorisation of labour market participation would inappropriately treat asylum applicants as economic migrants and would act as a ‘pull factor’ encouraging “further abuses of the asylum system” (McDonagh cited in Cullen 2000, p.21). Since 2000, asylum applicants are also excluded from the social welfare system, and are instead granted a meagre weekly ‘comfort allowance’ of €19.10 per week per adult, and €9.60 per week per child, which amounts to less than €3 per day (FLAC 2003). Direct provision residents are accommodated in centres dispersed throughout the country for the duration of the determination of their claim, which can take a number of years.⁷⁸ During this time their daily lives are highly regimented and their movements restricted. They generally have no choice over what part of the country or what type

⁷⁷ While asylum applicants are not legally obliged to reside in RIA direct provision facilities, a recent RIA report states that “as a general rule” two thirds of new asylum applicants avail of RIA provided accommodation (RIA 2010). Because those who opt to live outside the DP system are not entitled to work or to receive social welfare supports while their application is being processed, it is effectively obligatory for those without substantial economic means or private sources of support.

⁷⁸ Although there are fewer newly arriving asylum applicants, and there have been improvements in dealing with administrative backlogs, Reception and Integration Agency statistics for 2009 showed that 32% of residents had been living in direct provision accommodation three or more years (FLAC 2010).

of accommodation they are allocated to, and may be required to share (often cramped) sleeping quarters with family members or other residents (FLAC 2009). Direct provision residents may be moved to another accommodation centre at any time. They are not permitted to be absent without permission from their designated accommodation centre for more than three consecutive nights (FLAC 2003). While they await the determination of their application, asylum seekers may not leave the State without permission from the Minister for Justice. Asylum applicants whose claims are being processed under accelerated procedures are subjected to even greater levels of surveillance and mobility restriction. They may be housed in dedicated accommodation centres for prioritised cases and obliged to report daily to immigration officers (Quinn 2005).

The adequacy of the direct provision system in catering for the basic needs of those it accommodates has been widely criticised (AkiDwA 2010; Breen 2008; FLAC 2003, 2009). As I elaborate in chapter five, restricted mobility and lack of autonomy and control over one's daily life had profoundly negative effects on how participants' experienced the direct provision system.

Despite the abatement of the perceived 'crisis' conditions that precipitated the establishment of direct provision, concerns of expediency and deterrence remain paramount. This is evidenced by a recent internal RIA report which examined and rejected a number of alternative options to the direct provision system on the basis of cost and the assumption that any improvements in the living conditions of asylum seekers would effectively act as pull factors. The report concluded that direct provision was the "best choice" because it was evaluated as being "less costly, it is less likely to act as an incentive to new asylum seekers (asylum shopping) and it allows the State to manage the challenge of asylum seekers in a way that reduces pressure on local services" (RIA 2010, p.65).

Legalisation/Illegalisation

As my discussion of the regulatory programmes of economic migration and asylum governance suggests, the governmentalities pertaining to immigration and citizenship are continually evolving in response to political-economic circumstances. I now

examine the process of illegalisation through which some immigrants come to be defined as ‘illegal’, following which I address processes of legalisation, focusing particularly on one program of ‘regularisation’ which provided ‘leave to remain’ to immigrant parents of Irish citizen children.

While state discourses of immigration create sharp delineations between authorised and unauthorised forms of immigration, ‘legal’ and ‘illegal’ immigrants, these boundaries are often more ambiguous in practice, with many immigrants inhabiting “gray areas of incertitude” (Menjivar 2006, p.1002). In general, the notion of illegality refers to the absence of an official administrative-legal endorsement of one’s entry or stay in a state of which one is not a citizen. In the context of the Irish system of immigration governance there are a number of common ways by which individuals come to be defined as ‘illegal’, ‘irregular’ or ‘undocumented’. The most commonly understood form of ‘illegality’ is that of illegal entry – entering a State without passing through border controls⁷⁹ or on the basis of false documents such as passports and visas. However, in Ireland the majority of immigrants who are classified as ‘undocumented’ entered the state legally but later became ‘illegal’ due to, for example, staying beyond the permitted duration of their residency, evading deportation notices, expiration of their work permit, or failing to register with an immigration officer (Lowry 2006). The regulatory context, whereby legislative and administrative restrictions on the extent and scope of labour immigration delimit entry and residency, plays a central role in the constitution of illegality (Pillinger 2008). Thus, the condition-category of ‘being illegal’ is an effect of the law as opposed to an anomaly or contravention of the law, because immigration control technologies produce all of those categories of immigrants that they propose to regulate, include and eradicate (De Genova 2002). In other words, while the state depicts undocumented immigration as a problem requiring governmental solutions, the phenomenon is itself the outcome of governmental practices and procedures which produce the ‘illegal immigrant’ as a legal and political subject (De Genova 2002; Ngai 2004). The designation of ‘illegal’ is integral to the ethopolitics of legitimacy

⁷⁹ Other than citizens of EEA countries, all individuals are legally subject to immigration controls whether or not they are citizens of ‘visa-required’ countries. Under the Immigration Act 2004 all “non-EEA nationals are required to seek leave to enter the State by reporting to an Immigration Officer at an Irish port of entry”. Entry may be permitted by the immigration officer for a maximum of ninety days, after which further permission must be sought from the Minister for Justice through the Garda National Immigration Bureau. In 2004 4,844 people were refused ‘permission to land’ (Kelly 2005, p.16).

that informs the discourses and practices of immigration governance. I investigate the role of discourses of ‘illegality’ in the ethopolitics of the 2004 Irish citizenship referendum in chapter five.

Criminalisation, Detention and Deportation

A flurry of legislative activity in the last 15 years has greatly increased the Irish States capacity to detain and deport unwanted immigrants. New statutory detention powers authorise the detention of certain categories of third country nationals for immigration related reasons (Kelly 2005). The categories of those who may be detained include people refused permission to land, asylum applicants, and people due to be deported. In 2003-2004, more than 2,798 people were detained in Irish prisons for immigration related reasons.⁸⁰ In tandem with enhanced powers of detaining immigrants, the Irish State’s powers of deportation have also been increased leading to a spate of highly publicised deportations of “failed asylum seekers”, including the de facto deportation of Irish citizen children with their parents, as well as cases of parents being deported without their children who remained in Ireland (see Lentin and McVeigh 2006, p.48-51). Between 2001 and 2008, 3,071 people were deported from Ireland and an additional 3,751 were repatriated through assisted returns programmes (Quinn 2009, p.13).

The linking of the Irish State’s right to deport with the ‘common good’⁸¹ is illustrative of the conception of deportation as an “instrument to defend and promote the welfare of a nationally-defined population” (Walters 2002, p.279). Asylum procedures and related mechanisms of regulating undesirable mobilities, including deportation, safe third country agreements and assisted repatriation, operate according to a “logic of dividing and allocating populations to the territorial authorities deemed properly responsible for them” (Walters 2002, p.283). Deportation is integrally linked with the operation of modern citizenship as a dispersed regime of governance of the global population (Hindess 2000a) because it entails the (compulsory) allocation of subjects to their proper sovereigns, or to appropriate ‘surrogate sovereigns’ (Walters 2002).

⁸⁰ Note that this figure does not represent the total number of immigration detainees as detention can also take place at ports of entry or Garda Síochána premises. Two thirds of those detained in prisons in 2004 were held for periods longer than 51 days (Kelly 2005).

⁸¹ See the discussion of the Lobe and Osyande majority judicial decision in chapter five.

Therefore, these technologies, although directed at immigrants, are within the remit of the conceptualisation of citizenship I outlined in chapter two, whereby “the assignment of populations to states should itself be seen as an important governmental practice, and one on which the development of government within states clearly depends” (Hindess 2000b, p.119).

Deportation is also intended to operate at the symbolic and subjective levels. According to the logic of deterrence, deportation operates not only to expel existing unwanted immigrants, but also as a preventative measure designed to assert an image of strong national immigration controls which the state authorities consider will preemptively interdict future unauthorised immigration and channel migrants through authorised routes. Furthermore, the threat of potential deportation as a consequence of irregularisation operates to discipline the population of existing resident immigrants to act on themselves to ensure compliance with the law. I argue that deportation is designed to more generally act on immigrants’ conduct by encouraging them to diligently adhere to the terms and conditions of authorised residency programmes and statuses. As such, deportation can be seen along with welfare/immigration measures such as the Habitual Residency Condition and the direct provision system, as part of the composite of citizenship and anti-citizenship technologies which entail particular governmental processes of subjectification.

According to the contemporary political discourses which regard unwanted immigration through the prism of crime, non-citizens are anti-citizens in that they are always and already identified as a source of potential risk, their movements become intelligible objects of policing, and their bodies become legitimate objects of confinement (Bosworth and Guild 2008). The anti-citizenship technologies I have outlined here entail an amalgam of social, spatial and structural mechanisms of exclusion designed to incapacitate these risky subjects (Gilbert 2009).

The processes of illegalisation, incapacitation and deterrence outlined here are integrally linked with the decline of ‘the social’ and the rise of neoliberal rationalities and strategies of governance (Gilbert 2009). Migration as a security problem is a problem of crime and welfare whereby asylum seekers and unauthorised/illegalised immigrants are constructed as “potential system abusers,” (Pratt, and Valverde 2002,

p.146). The notion of ‘system abuse’ impels continual modification and reform of the immigration, asylum, welfare and citizenship ‘systems’. I now consider the (imputed) forms of agency that anti-citizenship technologies are designed to act upon. I noted that concepts of ‘welfare tourism’ and ‘asylum shopping’ have been deployed to legitimate restrictive immigration technologies including the Habitual Residency Condition and ‘safe third country’ mechanisms. Such concepts construct unsolicited asylum seekers and unauthorised immigrants as “opportunistic, rational-choice decision-makers” (Pratt, and Valverde 2002, p.146) who choose to migrate of their own accord, and as such are clandestine economic migrants. In the case of asylum seekers, these discursive constructions obfuscate and delegitimize their motivations for seeking asylum, subordinating their stories to politically-driven, media disseminated narratives which depict them as ‘bogus asylum seekers’ endeavouring to deceitfully gain access to the Irish labour market and/or social welfare system. The conceptualisation of unsolicited and unauthorised migration as a rational, opportunistic choice leads to the presumption that such mobilities can and should be deterred by rapidly expanding preventative infrastructures, which in turn entrenches the political and institutional interests in “criminological frameworks of meaning” (Bosworth and Guild 2008, p.711). Ironically, technologies of citizenship valorise immigrant entrepreneurialism. For example, I demonstrate in the following section that ‘leave to remain’ applicants are required to adopt the subjectivity of self-sufficient, rational economic actors.

Temporary and Conditional Statuses

In the preceding sections I have shown that through modification and reform of Irish immigration regulation, new mechanisms for deterring and excluding undesirable immigrants have emerged. I now examine what I consider to be a related phenomenon – the development of technologies of citizenship, through the establishment of routes of access and residence, involving assemblages of status, rights, eligibility criteria and conditions. Based on the example of the status of Irish Born Child Leave to Remain, I demonstrate that technologies of citizenship are equally as significant a component of immigration/citizenship governance as the anti-citizenship technologies and semio-techniques outlined above.

‘Irish Born Child Leave to Remain’

Notwithstanding the expansion of punitive and deterrence-orientated anti-citizenship technologies, in general the majority of immigrants are dealt with administratively (Bosworth and Guild 2008). The granting of temporary residency statuses is an increasingly common legal response which has been adopted by states in various forms, in reaction to varying circumstances and pertaining to various specified population groups (Watters and Fassin 2001). Such schemes accommodate selected foreign-born groups through temporary residence status, allowing them provisional access to the labour market without any assurance of asylum, permanent residence or citizenship.

As I noted earlier, asylum applicants who are unsuccessful in their claim to be recognised as refugees may apply for subsidiary protection or leave to remain. The category of ‘subsidiary protection’ was introduced in Ireland in 2006. This is a form of protection which may be granted to individuals who do not qualify as refugees, but where a substantial case can be made that returning to their country of origin would place them at a real risk of suffering serious harm (Barrington 2009). The category of ‘leave to remain’ residency is little used in the Irish context, relative to other European countries and it has generally been granted on an *ad hoc*, discretionary basis (IRC 2002)⁸². Other than on the basis of parentage of an Irish citizen child there are very few cases of granting ‘leave to remain’⁸³ (Woods and Humphries 2001). ‘Irish Born Child Leave to Remain’ is an administrative programme that emerged to process the applications of immigrant parents whose children were Irish citizens due to *jus soli* citizenship. The administrative history of this programme is closely bound up with changing patterns of migration and evolving state policy in relation to the treatment of different categories of immigrants. As can be seen in the brief discussion in this section of the case law which formed the legal framework for the administration of migrant parents by the Irish State, the action of one agency of the state (immigration control) in implementing some aspect of state law or policy can lead to the intervention of another (here the juridicial system) which then plays a role

⁸² See Pratt (1999, p.218) who makes the point that discretion significantly enables social and cultural concerns to influence political/administrative decision-making.

⁸³ For example, in 2001 only 19 people are reported to have received such leave (Woods and Humphries 2001).

in shaping and delimiting the possible courses of action of other arms of the state. Given the low recognition of asylum applications, the late introduction of ‘subsidiary protection’, and Irish Born Child Leave to Remain has been one of the most significant means of regularisation for non-EU immigrants in Ireland in recent years.

The category of Irish Born Child Leave to Remain evolved from the 1990 *Fajjonu* Supreme Court ruling which prevented the Minister for Justice from denying the parents of an Irish citizen the right to reside in Ireland. The ruling was based on the greater importance accorded to the child’s right to family life than the Minister’s right to deport (Lentin and McVeigh 2006). This case involved a couple, the husband a Nigerian citizen and the wife a Moroccan citizen, who had been resident in Ireland since 1981 without formal residency status. The first of their three children was born in 1983, and all three children were Irish citizens. The *Fajjonu* case established that migrant parents of Irish citizen children had a legitimate claim to remain in Ireland as a consequence of the citizen child’s right to the ‘company, care and parentage’ of their non-Irish-citizen parents (Mullally 2007). However, according to this decision these rights were not absolute, although it was stressed that they could be over-ridden only in circumstances in which the common good and the protection of the State were served by the deportation of family members of Irish citizens (Corrigan 2006).

As levels of immigration increased in the late 1990s and early 2000s, the numbers of immigrant parents applying for residency on the basis of their children’s Irish citizenship increased. A large proportion of applicants had originally come to Ireland seeking asylum⁸⁴ (Coakley and Healy 2007). For asylum seekers whose children were Irish citizens, Irish Born Child Leave to Remain was seen as a more likely to be successful given the low rate of recognition of asylum applications and the slow pace of the asylum determination bureaucracy. Many asylum seekers were advised by statutory agencies, lawyers and NGOs to withdraw their asylum applications after giving birth to children in Ireland (Coakley and Healy 2007; Tormey 2007). According to Fanning and Mutwarasibo (2007b, p.445), a policy decision was made by the Department of Justice to begin to refuse to grant leave to remain to asylum

⁸⁴ 60% of applicants for the IBC/05 scheme (see below) had previously applied for refugee status in Ireland. Of the other 40% of applicants, 15% were workers, 6% were students and a further 19% were classified as ‘other’ (Corrigan 2006).

seeker families “in the knowledge that this would trigger a further test case in the Supreme Court”. By the end of 2003, approximately 700 deportation notices were issued to immigrant parents of Irish citizens (Coakley and Healy 2007). The test case, which was to effectively overturn the *Fujujonu* ruling, was the *Lobe and Osyande* case in 2003 involving a Czech Roma family and a Nigerian family, against whom deportation orders had been issued by the Minister for Justice. In this ruling, the Supreme Court overturned the privileging of the child citizen’s rights in favour of the State’s right to deport, and the maintenance of the ‘integrity of the asylum process’ (Lentin and McVeigh 2006). Following the *Lobe and Osyande* case, migrant parents of Irish children no longer had the absolute right to residency in Ireland and the granting of Irish Born Child Leave to Remain was officially suspended (Corrigan 2006). The case law outlined here was very much linked to the processes of constitutional and legislative reform centring on the 2004 citizenship referendum which I examine in more detail in chapter five.

After a two year period of uncertainty for immigrant families with Irish citizen children⁸⁵, Irish Born Child Leave to Remain was re-established in January 2005, as an administrative scheme with a new set of guidelines and procedures (see Corrigan 2006). The re-establishment of the scheme (as ‘IBC/05’) followed the introduction of the 2004 Nationality and Citizenship Act and this form of residency was available only to the families of children born in Ireland prior to the January 1st 2005.⁸⁶ Through the IBC/05 scheme immigrants who were parents of Irish citizen children could apply for leave to remain. Claimants who were granted IBC/05 Leave to Remain attained a two-year period of residency, after which it was necessary to reapply for renewal of the status.⁸⁷ Non-legislative administrative regulations govern

⁸⁵ At the time that the government declared the cessation of the scheme in February 2003, there were a total of 11,493 existing applications which had not been processed. While a portion of these applicants (996 people) had an alternative legal basis for remaining in the state, the majority (10,497 people) faced the possibility of deportation and remained in a situation of uncertainty until the reintegration of the scheme in 2005 (Coakley and Healey 2007, p.23).

⁸⁶ After this date the children of immigrant parents no longer had an unqualified entitlement to Irish citizenship. See chapter five.

⁸⁷ The original scheme was time limited and applications could be made between January 15th 2005 and March 31st 2006. Permission to remain in the state was originally granted for a two year period to those who qualified under the original IBC05 scheme. This was followed by an IBC Renewals Scheme 2007 (again time limited up to April 2nd 2007) which administered the claims for continued residency for a further three year period. Applications for renewal of IBC-based residency were assessed in accordance with six conditions, three of which pertain to employment (the other conditions pertain to continuous

the criteria for eligibility and the granting of Irish Born Child Leave to Remain. The key features of this status are that it is time-limited, conditional, discretionary and entails compulsory review/renewal procedures. I argue that the State exercises governmental power through the conditions and renewal processes attached to this programme.⁸⁸

The extension of protective status, temporary leave to remain and regularisation programmes may be seen as piece-meal pragmatic moves on the part of the State to mollify and contain dissent (by migrant groups and human rights advocates) without conceding much substantive ground in terms of the State's sovereign prerogative to determine the terms of entry and residence of migrants. Fassin (2001) argues that the granting of leave to remain or protected status may be seen as representing concessions by states in terms of recognising that their moral obligations extend beyond restrictive readings of political asylum obligations. However, such apparently liberalising developments must be viewed in the context of the greater acceptability of rejecting large numbers of asylum applications, often on technical/administrative grounds. The patchwork strategy of creating and foreclosing statuses and paths of access allows for the retention of the state's discretionary powers (Mountz *et al.* 2002; Pratt, 2005). I argue that the Irish State's flexible exercise of sovereignty in response to changing conditions facilitates the augmentation of its capacity to regulate immigrants and to exert control over the composition of the national population.

System Abuse and Governmentalisation

The judicial, legislative and administrative developments which I detail in this chapter and in chapter five, reveal a “concern with the governmental mechanism itself” on the part of the Irish State, a concern which Walters (2002, p.280) identifies as prevalent in contemporary Western liberal democracies. In the contemporary governmentalisation of immigration/citizenship regulation the paramount concern, as articulated by key actors such as politicians, judges, policy makers and administrators, is the maintenance of the integrity of the asylum, immigration, and citizenship systems. For

residency, taking “an active role in the upbringing of the Irish Born Child” and “obeying the laws of the state”). See Appendix D.

⁸⁸ This argument is substantiated in the section entitled ‘Technologies of Citizenship’ in chapter six.

example, an official statement of the Irish State's refusal to reconsider the blanket policy of denying asylum seekers the right to take up paid employment on a limited basis was worded as follows:

Any change to this policy would undermine the asylum process and wider immigration system [...] These systems would be undermined by giving immigrants who secure entry to the State, on the basis of unfounded asylum claims, the same access to employment as immigrants who follow the lawful route to employment (Irish government response to Council of Europe cited in FLAC 2009, p.120).

This statement is typical of the Irish States' immigration ethopolitics whereby the legitimacy of asylum seekers is always in question. As a result, deterrence oriented policy-making revolves around disincentivising 'illegitimate' asylum-seeking by reducing asylum seekers' rights and entitlements to the most minimal level permissible under international agreements. Technologies such as detention, deportation and direct provision, which act directly on the bodies of some immigrants, are depicted as central to the maintenance of the 'integrity' of the asylum and immigration systems. As such they operate as semio-techniques of deterrence, sending out the message "that 'our' immigration systems are not a soft touch" (Walters 2002, p.286).⁸⁹ They are intended to operate at the symbolic level, disciplining other potential and actual immigrants, sending prospective immigrants a sign to instruct them in the calculation of their own interests (Dean 1991).

Conclusion

This chapter presents a conceptualisation of the panoply of administrative-legal categories of immigration regulation, including work authorisations, leave to remain, asylum-seeking and illegality, as governmental technologies – mechanisms of knowing and governing the self and others. I argue that the citizenship technologies deployed in regard to non-EEA immigrants are comprised of an amalgam of techniques, which grant contingent and conditional freedoms that increasingly responsabilise immigrants for their own welfare. On the other hand, anti-citizenship

⁸⁹ Foucault (1979a, p.93-103) coined the term 'semio-technique' in describing disciplinary techniques which operate on the symbolic level – for example where the awareness of the existence of a punishment for a particular transgression is sufficient to induce the majority of potential transgressors to adapt their behaviour in the desired fashion.

technologies discipline non-EEA immigrants by reminding them of the state's power to monitor them, control their movements and expel them. These technologies of immigration regulation entail processes of subjectification through which migrants are differentiated, categorised, constructed as certain sorts of subjects, are attributed certain identities, and are compelled and constrained in exhibiting certain attributes and behaviours.

I argue that such technologies are integral to the modern regime of citizenship. Through anti-citizenship technologies, which illegalise and exclude unwanted immigrants, the sovereign system of states and its allocation of citizens to their appropriate sovereigns, is reproduced (Walters 2002; Hindess 2000a). Through technologies of citizenship, immigrants are inducted into the values of citizenship. The various status-packages of rights, duties and conditions are indicative of the changing substance of contemporary citizenship. The argument I make in this chapter is that exclusionary/inclusionary technologies do not simply operate to mediate access or to prohibit certain mobilities and facilitate others. In the process of identifying who will be denied and who will be granted access, and differentiating the latter by channelling them into various status programmes with their attendant eligibility criteria, entitlements, conditions and time frames, immigration regulation mechanisms are constitutive of certain forms of identity. I argue that discourses of 'welfare tourism' and 'asylum shopping', and the governmental technologies designed to combat these perceived phenomena, are part and parcel of a broader "consumerist neoliberal revisioning of citizenship and security" (Sparke 2006, p.175). This revisioning of citizenship is played out through, shapes and is shaped by, a complex of citizenship technologies and anti-citizenship technologies. I consider that the ethopolitical processes of illegalisation and dis-entitlement are as integral to constituting biopolitical citizenship as the processes and practices of documentation and regularisation

The technologies and programmes of immigration regulation outlined here are the structural context within and through which the biopolitical management of the population takes place. An empirical account of how these technologies govern immigrants is necessary in order to assess the manner in which, and the extent to which, immigration and citizenship governmentalities produce immigrants as

governmental subjects. In the following chapter, I examine the instance of citizenship reform which occurred in Ireland 2004. I explicate some of the ways in which the immigration and citizenship governmentalities outlined in this chapter “act upon the possibilities of action” and the subjectivities of immigrants (Foucault 1982, p.790). I then trace the participants’ paths through these regulatory structures of immigration programmes and procedures in chapter six.

Chapter 5: Irish Citizenship Reform – The 2004 Referendum

Introduction

This chapter is concerned with the ethopolitical and biopolitical elements of the citizenship referendum. I argue that a particular combination of ethopolitics and biopolitics was deployed to constitute and control the national population through mechanisms of stratification and differentiation. Through close analysis of the discourses which informed the 2004 citizenship referendum, I explore the interrelations between the biopolitical technologies entailed in legal-administrative procedures of population and the more diffuse operation of ethopolitical governmentalities through moral discourses.

I argued in chapter two that citizenship is a form of biopolitical governmentality in that various technologies, programmes and strategies constitute and define the body of the citizenry by acting on individuals to regulate who may or may not be a member, and by operating to inculcate citizen-appropriate attitudes, dispositions and behaviours in the population. Biopolitics entails the division of populations into sub-groups according to the criteria of whether they contribute to or impede the general welfare and life of the population as a whole (Dean 2010). However, in liberalism practices of making distinctions among “kinds of people” are considered problematic and must be legitimated (Valverde 1996, p.367). My argument is that in the case of the 2004 referendum, the ethopolitical construction of migrant mothers as unethical subjects, through contentious practices of enumeration and categorisation, operated to legitimate and facilitate increased biopolitical regulation of this group of migrants by the Irish State. The biological processes of the population, its rates of birth, death and fertility, are the first objects of biopolitical knowledge and the targets that biopolitics seek to control (Foucault 1979b). I explicate the manner in which the problematisation of ‘citizenship abuse’ that informed the referendum features all of the key demographic/biological processes – reproduction and birth rates, risk of morbidity and death, patterns of migration and changes in the ethno-racial

composition of the population – over which biopolitics seeks to exert control. My analysis of this case also demonstrates that ethopolitics, here revolving around moral discourses of legitimacy and risk, supplemented and facilitated the State’s biopolitical regulation of population through immigration/citizenship governmentalities.

The label of ‘moral panic’ has been applied to the citizenship referendum by several observers (Lentin 2003; Crowley, Gilmartin et al. 2006; White and Gilmartin 2008). I concur that the concepts of moral panic and moral regulation is relevant to analysing the ethopolitics of the 2004 citizenship reform. According to Hier (2002), a moral panic represents a volatile local manifestation of ongoing governmental projects of moral regulation. As such, moral panics are short-lived, heightened episodes of moral regulation⁹⁰ entailing immediate forms of regulatory intervention, primarily focused on curtailing the agency of the specified target group (Hier 2002). This perspective allows us to see how the panic narrative of citizenship abuse operated as a political technology, narrowing the field of regulatory intervention and designating a tangible object for immediate intervention. I develop on this insight by also considering the incompleteness, fissures and contestations that characterise this ethopolitics.

In my analysis of participants’ narratives, I attend to the conditions that enable, condition and limit speech (Wiegman 1995). I argue that in the ethopolitical context of the citizenship referendum, migrant mothers were severely disadvantaged in terms of being able to speak ‘the truth’. In some cases participants were compelled to tell their individual stories in various contexts from asylum interviews to everyday interactions, yet these accounts were constantly set against a powerful ethopolitical meta-narrative⁹¹ in which migrant mothers were cast as unethical subjects, against whom the Irish State was legitimately entitled to protect itself in the interests of its (ethnic) citizenry. In other cases where participants were precluded from telling their whole story, their visibility and legibility as unethical subjects was held to ‘speak for itself’.

⁹⁰ Projects of moral regulation involve practices “whereby some social agents problematise some aspect of the conduct, values or culture of others on moral grounds and seek to impose moral regulations on them” (Hunt 1999, p.ix).

⁹¹ By this I mean a set of interlinking dominant discourses that act as a discursive frame or context through which to locate and make sense of smaller-scale, local narratives.

I asked the participants to tell me about their experience and understanding of the referendum in their own words. In the narratives produced in the research encounter, participants index the ethopolitical practices of categorisation and enumeration through which migrant mothers were discursively constituted as unethical subjects. There was a convergence in their understandings of the Constitutional amendment and subsequent legislation altering the criteria for citizenship eligibility for children born in Ireland, as a form of immigration control and as a means to deter or prevent unwanted migration. As such, I conceptualise the 2004 citizenship referendum as an anti-citizenship technology. Like the illiberal anti-citizenship technologies I addressed in the previous chapter, including direct provision, detainment and deportation, the referendum can be understood as a mechanism for excluding and/or regulating unethical subjects.

Citizenship Abuse

The primary official justification for the 2004 referendum centred on the notion that pregnant migrant women were engaging in practices of ‘citizenship tourism’ (Breen, M. *et al.* 2006). The notion of ‘citizenship abuse’ or ‘citizenship tourism’ was explicitly represented as a problem of immigration control and the referendum was justified by the incumbent Minister for Justice, and other prominent legislators including the incumbent Taoiseach (prime minister) and Tánaiste (deputy prime minister), as a means of preserving the integrity of the asylum and immigration systems (McDowell 2004; Tormey 2007). In official literature promoting the government’s stance on the referendum it was asserted that:

People with no other claim to be present in the European Union and no substantial connection to Ireland are arranging their affairs so as to ensure the birth of a child in Ireland in order that it will acquire status and rights, with an eye to increasing the chances of the parents securing for themselves...some claim to be able to remain within Ireland or the wider EU territory or some rights within that territory (DJELR 2004, p.5).

This argument was supported with reference to statistics depicting increases in births to women who were not Irish citizens in Irish maternity hospitals: “Maternity hospitals in particular in Dublin are experiencing a high incidence of unannounced arrival in their facilities of non-national women in late pregnancy” (DJELR 2004,

p.5). As I elaborate below, the testimony of medical administrators and hospital admission data were cited as providing evidence of this phenomenon.

The proposed Constitutional amendment revoked the *jus soli* entitlement to Irish citizenship of all individuals born on the island of Ireland. This had been the primary legislative means of citizenship acquisition since the foundation of the State and had been incorporated into the Constitution via the 1998 Good Friday Agreement.⁹² The amendment read:

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

As a result of the referendum which took place on June 11th 2004, this amendment was accepted by 79.17% of voters, while 20.83% voted against it⁹³ (RTE 2004). As explained in chapter one, legislation (in the form of the 2004 Nationality and Citizenship Act) was subsequently adopted which instituted qualifications on the acquisition of *jus soli* citizenship on basis of the nationality and immigration status of parents. Consequently, the children of certain types of migrants including asylum seekers, undocumented immigrants and students, were defined as ineligible for Irish citizenship.

I argue that the 2004 reform was made possible through a consolidation and specification of ethopolitical tenets of cultural citizenship, in respect of which the principle of unqualified *jus soli* was ultimately evaluated as incompatible or untenable.

In the following section, I introduce the ethopolitical discourses that shaped and legitimated the 2004 citizenship reform through an examination of one particular

⁹² See section entitled ‘The Context of Irish Citizenship Reform’ in chapter one regarding the incorporation of *jus soli* into the constitution following the Good Friday Agreement.

⁹³ The voter turnout was 59.95% of registered voters (RTE 2004).

narrative extract which compellingly demonstrates the manner in which citizenship and immigration governmentalities are bound up with each other. This extract enables an examination of two interlinked discursive tropes that were prevalent at the time of the referendum and were influential in informing understandings of immigration patterns and more specifically, particular groups or types of migrants. The tropes I specify here – illegality/system abuse and instrumental/irresponsible maternity – more or less correspond with some of the excellent existing analyses (e.g. Luibhéid 2004; Tormey 2007) of the referendum. My contribution is to utilise a governmentality analytical framework to elaborate the means by which this ethopolitics was operationalised – by examining the authorities established as competent to speak the truth and the strategies for intervention (Rabinow and Rose 2006, p.197) – and to combine this with a complimentary analysis of the modes of subjectification entailed and an evaluation of the apparent subject-effects.

Ethopolitics and Pretextual Conditions

In Ukaria’s narrative, discourses of illegality/system abuse and instrumental, irresponsible maternity overlap and reinforce each other with significant practical consequences for the narrator. This narrative also allows us see how the bureaucratic practices of asylum processes are linked with the broader ethopolitical climate.

Ukaria is an asylum seeker who came to Ireland alone, albeit with the assistance of a trafficker, in the late stages of pregnancy. In the extract below she recounts her first encounter with Irish State officials at the Department of Justice on the day of her arrival in Ireland. This extract exemplifies the concept of ‘pretextual gaps’ elaborated by Maryns and Blommaert (2002). Pretextual conditions are those circumstances that are in place prior to any particular discursive encounter. The term ‘pretextuality’ refers to the range of socially preconditioned meaning assessments, textuality resources and entextualisation potential that are brought to any given communicative interaction. Pretextual gaps are disparities in those pretextual conditions, which result in discrepancies between what can be produced and what can be recognised by the participants in the interaction. In other words, pretextual gaps denote the “conditions on sayability, differential distribution of access to these conditions, and social evaluations attached to such differences” (Maryns and Blommaert 2002, p.11). The

pretextual conditions of the asylum procedure heavily circumscribe what can be said and what is recognised – in other words sayability and interpretability – in interactions between State officials and asylum seekers. I argue that the pretextual conditions shaping the interaction which Ukaria recounts here are the prevalent ethopolitics which located pregnant immigrants, especially asylum-seeking women, within meta-narratives of citizenship abuse and instrumental reproduction. Through the frame of this meta-narrative, migrant women like Ukaria were understood as unethical subjects.

Ukaria: so when I got to [Department of] Justice I was crying and they comforted me and all that / they gave me water and they told me I would be fine and in five minutes they called me asked me where I was coming from? / I told them I was coming from [country of origin] / who helped me here? / I said well it was somebody – I didn't know the person – somebody in [country of origin] told me that they could help me down here / so I thought I would be with the person but it was - the person was white but I don't think he was Irish but I don't know anything but it was a white person that helped me with another passport / then we got here he just told me I have to go – you have to go / I was saying but you can't leave me here / he said no that was what deal we had with the agent I met in [country of origin] / I said but they didn't discuss that with me and they have money and all that [...] / so I told them my story – how I got here – they asked me all that / they said it was ok they would be able to take me to a hostel / I told them – they asked me did I come with a plane I said yes – they told me I was stupid for coming!

Siobhán: for coming to Ireland?

Ukaria: for entering the plane and I'm you know pregnant – heavily pregnant – it could be dangerous and all that / but I said you know it wasn't my fault that I didn't – it was my first time of travelling – I didn't know anything about travelling / they said how come did they get me on board? / I said I don't know I was just behind the man and he was – he gave me passport to flash – he would be the one talking to them / it was my first time travelling so I really don't know the explain...

In this passage Ukaria recalls a very significant encounter with immigration officials. It is significant because it is her first contact with Irish State representatives and it is through this initial interview that legal mechanisms would be set in motion which would determine whether she would be allowed to stay in Ireland and under what conditions and circumstances. It is also significant in that Ukaria is for the first time explicitly confronted with a particular moral evaluation of her self and her actions,

which influences her relations with others and with her self in shaping her subjectivity as a migrant woman in Ireland.

It is worth noting what the narrative segment presented above does and does not contain. The content of this extract focuses on the means of Ukaria's journey rather than the motives for it; this is not the story of *why* Ukaria left her country of origin and sought asylum in Ireland, it is the story of *how* she got there. This content-focus is directed by the interviewers whose questions and statements frame her story. In response to questioning ("where I was coming from?" "who helped me here?"), Ukaria gives an account of her transit to and arrival in Ireland ("so I told them my story how I got here"). The control of content exercised by the officials through their questioning is symptomatic of inherent disparities in the distribution of speaking rights in the interaction (Hymes 1996; Maryns and Blommaert 2002). The narrow determination of content disembeds Ukaria's transit story from her longer migration story and facilitates discursive re-entextualisations, which I discuss below, that are disadvantageous in terms of her subsequently unsuccessful asylum application. I argue that in the context of the prevailing ethopolitical climate, key features of Ukaria's migration story – her pregnancy, the involvement of a trafficker, the use of false documentation, make it readily legible through discourses of illegality and instrumental reproduction.

According to Irish immigration law, due to her lack of appropriate documentation Ukaria is categorised as an 'illegal immigrant', a categorisation which has implications for the determination of asylum applications.⁹⁴ Ukaria is automatically constituted as an illegal immigrant on the basis of the means of her entry which was made possible by a trafficker and the use of a false passport. In addition, Ukaria comes from a country from which there are no direct flights to Ireland and as a result her application for asylum inevitably contravenes the Dublin Convention (see section entitled Accelerated Procedures and 'Safe Country' Concepts in chapter four). As I noted in chapter four, asylum applications made by nationals of certain designated states, including Ukaria's country of origin, are 'fast-tracked'. Due to her nationality, Ukaria's application was never likely to be successful. Thus, discourses and practices

⁹⁴ The Illegal Immigrants (Trafficking) Act (2000) defines an 'illegal immigrant' as "a non-national who enters or seeks to enter or has entered the state unlawfully".

of il/legalisation (see section entitled Legalisation/Illegalisation in chapter four) form part of the legislative and administrative pretextual conditions that shape the interactions between immigration officials and asylum-seeking migrants such as Ukaria.

I argue that in the context of the prevalent ethopolitics the officials' negative evaluation of Ukaria as "stupid" can be understood as an evaluation of her as irresponsible and possibly negligent in regard of her foetus (having undertaking long-distance air travel in the third trimester of her pregnancy). It is my contention that this assessment is directly informed by the narrow content-focus of the interview which facilitates the re-entextualisation of Ukaria's journey-story within discourses of illegality and within medical/ethical discourses of maternal (ir)responsibility.

Moral discourses positing the individuation and manageability of bodies and lives are particularly pertinent to pregnancy (Lupton 1999). In recent decades medical discourses on pregnancy and risk have become normalised, to the extent that pregnant women may be seen as "encircled by, and constituted through, a surfeit of expert and lay knowledges" (Inda 2006, p.36). Through such knowledge, pregnant women are responsabilised to exercise judicious self-care in order to ensure the well-being of their fetuses (Inda 2006). Pregnancy is increasingly portrayed as requiring careful planning and detailed risk prevention in order to maximise the likelihood of a successful outcome for mother and child (Ruhl 1999). Conversely, a pregnant woman is seen as endangering herself and her foetus by engaging in risky behaviour or failing to heed expert advice (Lupton 1999; Talbot *et al.* 1997). Thus, pregnant bodies are subject to high levels of expert surveillance and pregnant women are expected to engage in continuous self-surveillance and conscientious risk management (Lupton 1999). Through this form of regulation, which proceeds primarily through the internalisation of discursive norms (Foucault 1979b; Legg 2005), pregnant women are enlisted to the biopolitical ends of minimising individual risk in order to maximise the health and wellbeing of the national population.

The ethopolitics of the citizenship referendum saw the confluence of discourses of risk and (ir)responsibility concerning reproduction and discourses of immigrant deviance through illegality and resource/system exploitation (see section on 'System

Abuse and Governmentalisation in chapter four). I now elucidate the broader ethopolitical context of the 2004 referendum, within which Ukaria's narrative must be placed in order to fully understand the extent of the narrative inequalities it depicts and the pretextual conditions which bear upon it. I demonstrate how the convergence of these discourses took the form of a moral panic with intertwined ethopolitical and biopolitical elements.

Constructing Unethical Subjects

I now elaborate on the means by which migrant mothers were discursively constituted as unethical subjects, through practices of categorisation and enumeration. I do so by presenting the referendum through the lens of participants' narrated experiences and interpretations. I link their narratives to the public discourses of politicians and the media (Wodak *et al.* 2009). This analysis makes clear the potency of the politically-driven, mass-media disseminated discourses of instrumental reproduction, illegality/illegitimacy and system abuse in setting the ethopolitical agenda. Discourses concerning sexuality and reproduction, health, and contagion were combined with enumeration technologies to render the problem legible (Tormey 2007).

Mediated Discourses and Categorisations

The media played a key role both as an interpreter of events and in disseminating the views of politicians and experts. Most of the participants in this study, including Al, Irina, Sami, Joy, Jeanne, Han, Zina, Abeni and Paula described the media, including newspapers and radio, but particularly television news, as their main source of information on developments that affected immigration. Other sources of information referenced by participants included immigration officials, local NGOs, solicitors, Citizens' Advice Bureau and rumour. All of the participants who mentioned media coverage of the citizenship referendum drew on or referred to discourses through which migrant mothers were constructed as unethical subjects. While some participants, including Esohe and Han, noted positive representations or discourses that challenged the dominant negative frames, they felt that these were far less prominent at the time of the referendum. Most of the participants uncritically

reproduced at least some aspects of the problematising discourses at some point in their narratives.

In the extract below, Al attempts to narrate the effects of these media discourses in shaping the way immigration and immigrants are popularly understood, i.e. as unethical subjects.

Al: I think that over the years because of negative media publicity or negative em negative media you know talk and all that – people are becoming a little bit em – em... I – I don't know / like so much talk about you know...there's so much talk about people being exploited and that migrant women are exploiting the society – exploiting the asylum system / so there is this em silent but very vocal – it's silent but very vocal em kind of sense about – about migrants now / you know like 'what does she want? she's trying to exploit our society' you know and things like that / that would be my take on that

Here Al draws attention to the role of language in shaping perceptions of immigration as a 'problem', in this case the word 'exploit'. Media analysis studies have demonstrated a pervasive and cumulative emphasis on illegitimacy in Irish media representations of immigration and asylum-seeking (Haynes et al. 2004; Haynes et al. 2006). In public discourse, immigration in general is continually depicted in terms of 'crisis', and as a phenomenon that causes or compounds all kinds of social and economic problems across the fields of employment, crime, education, health services, social welfare, and so on (Lentin 2007). Immigrants are overwhelmingly depicted negatively – as threatening local and national socio-economic and cultural integrity and prosperity – through a range of discourses pertaining to social deviance and physical and moral contamination (Haynes et al. 2004; Haynes et al. 2006).

Han, a West African refugee, was very well informed with regard to the context of immigration and citizenship regulation in Ireland having studied the issue closely and through her work with a local NGO. Pondering changes in the management of immigration and asylum in recent years, she mused that perhaps the increasing restrictiveness was due to "the influx [of immigrants] – because we use that word 'influx' – that is what we read from the news". Here Han highlights the role of the media in problematising immigration, as well as the role of the media in shaping the language through which immigration is constituted as problematic. She picks out the word 'influx' one of the key terms used to describe immigration and simultaneously

constitutes it as a problem of numbers or quantity. Such terminology illustrates the tendency to dramatise and sensationalise the scale of immigration, and is part of the process of visibilisation, which I elaborate below.

The importance of language in shaping understandings of legitimate and illegitimate membership is clearly evident in the categorisation of a particular group of citizens – the children of non-EEA migrants – as ‘Irish Born Children’. Although this term appears simply neutral and technical, it implies, and is constitutive of, the ethnicisation of Irish citizenship (Lentin 2007). As explained in chapter four, the term ‘Irish Born Children’ was used in the administration of immigrant residency permissions, but came to be incorporated into the language of the mass media, academia and the general public. The phrase implies, and is constitutive of, a distinction between Irish citizens who are ethnically Irish and those who are not. The use of this term was integral to the increasing problematisation of the *jus soli* principle of citizenship acquisition as a constituting a ‘loophole’.

Enumeration

Official statistics play a crucial governmental role in constructing issues, informing and shaping policy and public discourse concerned with such issues (Barbesino 1998). The citizenship referendum was characterised by the use of official statistics and expert knowledge to constitute a particular population group as problematic.

Like categorisation, enumeration plays a key role in governmentality because it is crucial to the process of making governmental problems intelligible, calculable and practicable (Rose 1996b). Practices of enumeration serve to constitute the very domains of governable ‘reality’ they claim to represent. As such, they are integral to the processes of problematisation that shape what is to be governed. Moreover, the quantification of problems contributes to rendering them amenable to practical intervention by specific technologies of government (Cruikshank 1999). I argue that practices of categorisation and enumeration were fundamental to the constitution of the problem of ‘citizenship abuse’, and the identification of non-EEA immigrants’ reproductive and migratory behaviour as a site of political intervention. More

specifically, I argue that these are ethopolitical practices in that they are deployed in ways that construct migrant mothers as unethical subjects.

Numbers played a key role in endorsing the pro-referendum arguments. Similarly to Han, several other participants, including Sami, Jane, Akua and Zina, referred to discourses of immigration as a phenomenon that was perceived as numerically or quantitatively problematic, and threatening in terms of its very size. Significantly, they related these discourses specifically to the problematisation of pregnant migrant women. As such, they narrated the referendum as a means of deploying citizenship legislation as a technology of immigration control. Sami's extract below exemplifies this problematisation of immigration.

Sami is a West African mother of two Irish citizens who has spousal residency based on her husband's citizenship of another EU member state. Her narration of the motivations for referendum is a response to my question "why do you think they wanted to change the law?"

Sami: I think mostly because – I think the problem was that people was coming too much here / especially women who was coming pregnant – ju-just to be having their baby you know? / having their citizenship and then maybe go back to where they are coming from you know / I think that's where the problem was coming from / Mmm... you know people are talking around you know / people are talking around / and em... I remember it was evening in [the local area] by [the local secondary school] / and there we was living in [an estate] and that estate we have meeting every time / and then that day – when they change the law that day I thinks we went to the pub with those – everybody of that – eh – that everybody of that estate / we went to the pub and then we was jus' talking about it you know – about the change of the law and everything you know / and em... I say it's fine for everybody 'cause most of the country you became citizen when you are eighteen years / whether you are born in the country or not you know you have to stay eighteen years / maybe they find out that maybe something was wrong that[s] why they – they change the law you know / I don't – I don't really know you know / I think it's because maybe because like they thought that people was coming too much here / and maybe they found that maybe they would have...em all – most of the immigrant they would be Irish than Irish people their-self you see / maybe that why they decide maybe to – to change the law / and people was complain as well that 'those immigrants come here they don't want to work they want to live on the social' you know / and they have their own reason / I don't know which reason yeah

In this extract, the problem-space in which the referendum occurred is articulated in terms of the quantification of immigration as a problem. In reiterating the phrase “too much” Sami defines the problem as one of size or scale. Specifically, she depicts immigration as a biopolitical problem in terms of managing the composition of the Irish population. In the statement “most of the immigrant they would be Irish than the Irish their self”, I read the first use of the word ‘Irish’ as referring to the Irish citizens who are not ethnically Irish and I read the second use (“Irish people their self”) as referring to the Irish as an ethno-racial group. Here Sami evokes discourses of the dilution of Irishness through the ‘loophole’ by which migrants’ children could become part of the nation.

Sami’s statement “I think that’s where the problem was coming from” indicates the completeness of the problematisation of instrumental reproduction. In saying “maybe they find out something was wrong...” she appears to accept the existence of a legal “loophole” in regard to citizenship and/or the facticity of the phenomenon of “citizenship abuse”.

In the next extract, Zina similarly describes the dominant citizenship referendum discourses which focused on pregnant migrant women as an immigration problem to be remedied through constitutional and legislative change to remove supposed incentives. This description is preceded by a discussion of her awareness of the referendum but her ignorance as to what it was really about until after the vote had taken place. Zina presents her understanding of the motivations for the legal reconfiguration of citizenship through the prism of her interactions with others at that time. She summarises the substance of numerous conversations in which she participated with various people, including fellow immigrants and Irish voters, on the topic of the referendum. Based on this anecdotal evidence she asserts that a significant minority of Irish voters were ambivalent or ignorant. Like Han, she depicts confusion, ignorance and reticence as prevalent among the voting public. However, there is clear consistency in Sami, Al and Zina’s identification of immigration control discourses specifically identifying pregnant migrant women as a problematic cohort.

Zina: I don’t think the people I interacted – I discuss it with – they didn’t have much clue what the ‘yes’ and ‘no’ was for / [...] I cant remember vividly but I knew then that a lot of people were saying

they just voted ‘yes’ and they didn’t know what the ‘yes’ was for and some said they voted ‘no’ and they didn’t have a clue the result of what the ‘no’ was for / [...] for the other people I discuss with on my own and find that they knew what they were voting for they were complaining about the immigrants coming in / they *just don’t want immigrants to come in to keep trooping in / and they felt that the automatic citizenship were giving to the children were making people to come in / and a lot of people were like am... ‘why is it that its *most pregnant women that’s coming in?’ / so it would have been the citizenship for their children that’s making them come in so / those that know what they are voting for they understood and they didn’t want people / cos people were scary – they didn’t like – they were *scared – they didn’t want *immigrants coming in and...

In this extract, Zina again explicitly articulates the citizenship referendum in terms of discourses and practices of immigration control targeted primarily at pregnant women. Zina expresses the notion of immigration as a quantitative problem through the phrase “trooping in”. Like the terms used by Sami and Han, this is a reference to the notion of immigration being of a scale that requires be reduced and brought under control. The eligibility criteria for citizenship are described in terms of an enticement or pull factor for immigrants, the removal of which would therefore discipline potential immigrants by encouraging them to reconsider migrating to Ireland. The way in which Zina states the kinds of question posed by her interlocutors (“why is it that it’s most pregnant women that’s coming in?”) suggests that the problematisation of migrant women’s maternity became tacit knowledge informing the everyday understandings of the general public. The focus on pregnant women in this rhetorical querying also evokes the significance of ‘visibility’ the role that the legibility of bodies played, which I elaborate below.

Two observations about the role of numbers in governmentality are pertinent here. Acts of social quantification are *politicised* because “political judgements are implicit in the choice of what to measure, how to measure it...and how to present and interpret the results” (Alonso and Starr 1987, cited in Rose, 1999b, p.198). But at the same time, by virtue of their apparent objectivity and facticity, practices of enumeration can have the effect of *depoliticising* areas of political judgement “by purporting to act as automatic technical mechanisms for making judgements, prioritising problems and allocating scarce resources” (Rose, 1999b, p.198). This opens the door for experts to play a greater role in political debate, decoding and interpreting ‘the facts’ for the lay

public. Analyses of political discourse demonstrates such processes of technicisation whereby the proposed constitutional amendment was represented as a simple, minor, but urgent technical fixing of a legal ‘loophole’ “which did not warrant much thinking and consultation” (Brandi 2007, p.33). Key sources of knowledge on the issue of maternity and residency/citizenship were authoritative spokespersons for the health services, notably the masters of maternity hospitals, who were regularly cited by politicians in referring to the problem constituted by pregnant non-national women.⁹⁵ Additional and supplementary sources included nurses and hospital staff, Gardaí and immigration staff. An example is the contribution of the Commissioner of the Office of Refugee Applications who asserted that “between 45 and 50% of female asylum-seekers are visibly pregnant at the time of application” (Quinlan 2002 cited in Kennedy and Murphy-Lawless 2003, p.41). Significantly, the estimates of ‘visible’ pregnancy among female asylum applicants varied widely in different reports. For example, ‘justice officials’ were cited as the source of a statement that “some 80 per cent of women of childbearing age who sought asylum in the previous 12 months were visibly pregnant when they lodged their applications” (Haughey 2003). These fluctuations in numerical data that purported to evince and quantify the facticity of the problem make plain the malleability of numbers and the importance of relations of power in the constitution of what counts as valid and authoritative knowledge.

Given the contentious and controversial nature of the data used to support the problematisation of migrant maternity and the vagueness in its usage by key political figures, I argue that the manner in which they were interpreted and disseminated at a popular level, through political statements, government documents and the mass media, was more significant than the data. Incomplete statistical information was invoked as “speaking general truths” about the nature of immigration and individual immigrants motives (Inda 2006, p.96). The public interpretation and dissemination of information was crucial. Despite controversy over the interpretation of the maternity hospital masters’ contribution to the debate, and the contentious and incomplete data, the political discourse of ‘citizenship abuse’ was generally taken as “speaking the truth about” the existence and problematic nature of the phenomenon and the necessity of legislative intervention (Inda 2006, 86). The narrative of citizenship

⁹⁵ The use of such expertise was not uncontroversial – the hospital masters and the Minister for Justice clashed over representations of the masters’ claims.

abuse drew legitimacy from established narratives of system abuse by immigrants with regard to the labour market and public services.

I now elaborate on the discursive construction of migrant women's reproductive and migratory behaviour as risky, whereby the implicit moral content of these quantitative data is made explicit.

Risk and Irresponsibility

In the context of the referendum, anxieties about exploitation by immigrants were articulated in very specific ways. In the period preceding the referendum, the child-bearing practices of migrant mothers were depicted by key political figures as a risky endeavour which endangered the foetus (Tormey 2007). These depictions were widely disseminated through the media, often unproblematically, although they did not go unchallenged. The trope of instrumental reproduction was central to the panic narrative of the referendum. The term 'citizenship tourism' was used by the Minister for Justice in his initial presentation of the proposed constitutional amendment to the Dáil and gained widespread currency during the subsequent public debate. The categorisation of migrant women's reproductive behaviour in terms of 'citizenship tourism' is a disparaging representation depicting migrant women as exercising consumer choice in selecting their child's nationality and, in so doing, treating residency rights and citizenship akin to "consumption goods dispensed to the state" (Rose, 2001, p.10). This resonates with neoliberal problematisations of welfare reliance as leading to the ethical degeneration of welfare dependants through the loss of a sense of self-responsibility and the loss of the capacity for self-reliance (Rose 2001, p.10). Furthermore, migrant mothers and their offspring were depicted as illegitimately making claims on the State, thereby depleting the resources available to citizens, and to a lesser extent, legitimate migrants. As Steve Garner (2007a, p.448) put it, migrant mothers and their unborn or infant children were depicted as "queue-jumping competitors for resources". Thus, maternal 'risk-taking' by immigrant women was depicted as involving manipulation of the residency and citizenship laws for self-serving economic motivations. Such constructions of migrants behaviour are reminiscent of the similarly consumerist notions of 'asylum shopping' discussed in chapter four. For example, quotes attributed to one maternity hospital master, Dr

Declan Keane of Holles Street National Maternity Hospital, made associations between “non-national” mothers giving birth in Irish hospitals, human trafficking, changing “residency laws” and expectations of access to services such as “free education” (Dundon 2003). Through ‘expert’-informed, politically legitimated processes of knowledge production and legitimation, migrant mothers were constituted as subjects who “imprudently depend on the social body for their well being” (Inda 2006, p.65) to the detriment of deserving citizens who are legitimately entitled to such services.

Discourses of risk necessarily imply the probability of threat or danger (Ruhl 1999). Migrant women who travelled to Ireland while in the advanced stages of their pregnancy, and/or arrived late or unbooked at maternity hospitals were understood as contravening their responsibility as expectant mothers to engage in risk minimising modes of existence or to exercise the required levels of self care? The focus of the debate was squarely on the conduct of the pregnant migrant women. Prominent medical administrators explicitly linked statistical increases in perinatal mortality rates to ‘non-national’ mothers migratory and reproductive behaviour (see Dundon 2003). The dangers of contagion emerged as another dimension of risk. Migrant mothers were depicted as placing additional strain on the maternity infrastructure due to their “unusual conditions” (Cusack 2004), including “a high rate of infectious diseases” such as malaria, tuberculosis, sickle cell disease, hepatitis, syphilis and HIV (Cusack 2004; O’Doherty 2000). In addition, maternity hospital staff were described as being at risk of violence on the part of immigrant patients.

However, the problematisation of migrant mothers did not simply deploy the language of deviance and danger; migrant women were simultaneously constituted as threatening and as objects of concern. In parliamentary debates politicians cited the maternity hospital masters as expressing concern regarding “the particular risks presented both to the individual and the staff by women presenting very late in pregnancy to access obstetric care” (Sheahan 2004). Other reports described the masters as being “[p]rimarily concerned about the medical dangers faced by heavily pregnant women travelling long distances”, and “the pressures these often complicated births are putting on hospitals” (Ruhl 1999). Those promoting citizenship reform highlighted the riskiness of the migrant mothers’ behaviour to themselves and

others, including these women's own fetuses, Irish women (legitimately) accessing maternity care, and hospital staff, with the implication that they were causing problems for citizens and deserving immigrants.

The discourses that I specify here, problematising migrant women's reproductive and migratory behaviour, articulate a medicalised and individualised conceptualisation of risk. The construction of the pregnant immigrant subject through discourses of risk and irresponsibility, simultaneously cast her as an agent in the care of herself and her foetus, and as an agent in the endangerment of herself and her foetus. The constitution of immigrant mothers as unethical subjects through discourses of instrumental reproduction is indicative of the classic Foucauldian relationship of power. The objects of power here are "thoroughly recognised and maintained to the very end" as persons who act, as agents (Foucault 1982, p.789). It is the agency of these individuals which was considered destabilising of State border sovereignty and of the integrity of Irish citizenship, and threatening to the security and welfare of the nation.

Their risky behaviour marked migrant child-bearers as individuals who had "failed to conduct themselves ethically and manage their own well-being" (Inda 2006, p.24). Migrant mothers were "abjected by virtue of their lack of competence or capacity for ethical self-management" (Inda 2006, p.30; see also Rose 2000, 1999). I argue that the posing of migrant mothers as a risk to Irish society legitimised the extension of illiberal measures through which to regulate them. Ruhl (1999) argues that the dominant mode of regulating reproduction today is through liberal governance, with isolated instances of illiberal regulation. This statement may hold true for many western liberal democracies, but cannot generally be applied to Ireland. The recent history of juridical, legislative and constitutional developments pertaining to the rights of pregnant women to abortion, information and travel are evidence of the ongoing struggle for a more liberal regime and the endeavour to regulate the behaviour of pregnant women for the good of their fetuses. The constitutional and legislative interventions proposed to rectify the citizenship 'loophole' were represented as protecting and promoting the interests of the Irish State and its citizenry, but also those of vulnerable potential migrants (and their fetuses) who would be tempted to engage in risky behaviour by the continued existence of *jus soli* citizenship. As I outlined in chapters two and four, such failed individuals or subpopulations are dealt

with through an ensemble of more specific technologies than “the host of general technologies that aim to animate the self-governing capacities of the population at large” (Inda 2006, p.30). The specific ensembles of technologies targeting failed subjects are comprised of two types: ‘technologies of citizenship’ and ‘anti-citizenship technologies’. As I have shown, the former endeavour to (re)constitute individuals as ethical subjects by activating their autonomous capabilities and inserting them into circuits of responsible self-management (Inda 2006). Where the ethical reconstitution of problematic individuals and groups is deemed unlikely, they may be regulated through ‘anti-citizenship’ strategies of containment and exclusion (Inda 2006). In the context of the Irish citizenship referendum, migrant mothers, I argue, were dealt with through an amalgam of both, although unevenly and arbitrarily applied.

Gatekeeping

I argued earlier that Ukaria was understood by the immigration officials she encountered, through discourses of illegality, illegitimacy and instrumental reproduction. I now examine a second narrative segment in which Ukaria describes her initial experience of the maternity services in Ireland shortly after her arrival. The encounter featured here, involving a nurse, is as revelatory of this process of discursive positioning as her initial encounter with the immigration services.

Ukaria: I didn't like my experience in the first hospital [...] there was a nurse that came over to my bed and she said where am I from? I said I was from [country of origin] / you know I was still really scared you know / she said ‘do you like it here?’ I said ‘well I'm just new here I really don't know but it seems good at least better than my country’ / and she was smiling and telling me and she said ‘well you shouldn't have come to Ireland there are other countries you could have gone to’ / and I felt somehow – she was smiling and telling me but I felt – I don't know – I felt she attacked me like ‘why did you come to our home?’ you know / I felt bad

This is the second episode in a very short space of time following her arrival in Ireland in which Ukaria's actions are negatively assessed by a stranger. Following the incident with the nurse, Ukaria recalled: “that time they told me I had to pay for my treatment”. She related how she had been instructed to sign a form during her stay in the hospital, and was later told that she would be liable for her hospital expenses

despite her entitlement to free maternity care. The situation was later resolved with the intervention of a sympathetic doctor. The story however affirms the narrative/communicative disparities between asylum seekers and state employees, as well as the potential material consequence of these disparities. Service professionals such as administrators, medical staff, social workers and educators, are in a position to “translate dominant discourses into micropractices” (Ong 2003, p.17). Other empirical studies (in the US context) have demonstrated that institutional gatekeepers often deploy prevalent ethno-racial conceptualisations as the basis for assessing, discriminating amongst, and penalising service users (Ong 2003).

It is interesting that the nurse draws on discourses of inappropriate migratory behaviour while the immigration officers in the earlier extract reference discourses of in/appropriate maternity behaviour. The immigration officers became spokespersons for a medical discourse of appropriate care of the self during pregnancy, while in the encounter narrated above, the nurse became a spokesperson for discourses of immigration regulation. This reflects the manner in which maternity hospital masters, hospital staff, immigration officers and Gardaí were cited as authorities on matters ranging from the health risks of air travel in the late stages of pregnancy, to the residency ambitions of expectant mothers by politicians and the media (Tormey 2007). It illustrates the extent to which the racialised bodies of pregnant women are encircled within tight meshes of observation and calculation (Inda 2006). These discourses, combined with enumeration technologies and ‘expert’ testimony, filtered through political and media representations, creating a frame through which gendered, racialised bodies could be understood through an ethopolitics of legitimacy.

The nurse’s reference to “our home” depicts the significance of the domestic in constructing an ‘us’. This domestic scene is disrupted by the intrusion of outsiders, whom Ukaria is taken to represent. In the following section I argue that ethno-racial indicators are crucial to the distinction between ‘us’ and ‘them’.

Visibility and Racialisation

In addition to the claims mentioned earlier regarding the substantial numbers of ‘visibly’ pregnant asylum-seeking women, statements on the *visibility* of the

'problem' were made by other key commentators, most significantly the Minister for Justice (see McDowell 2004). This political rhetoric legitimated the allocation of individuals to particular categorisations based on phenotypical difference by the wider public. Such statements as made by the Minister for Justice and other political and media figures articulated a racialised association between pregnancy and illegitimacy by associating the problem of 'citizenship tourism' primarily with African, especially Nigerian, asylum seekers. The statistics gathered on admissions to the major maternity hospitals were used as evidence of this phenomenon. The problem of 'risky' late-arrivals was attributed to "non-EU immigrants", a category which tended to be conflated with the category "asylum seeker/refugee" (O'Doherty 2000; Sheahan 2004). Although this data did not document the residency status of the women presenting at maternity hospitals, and information-gathering on the nationality of 'non-national' patients was neither consistent nor comprehensive, some reports specified a number of African and Eastern European nationalities, with Nigerians singled out as the predominant nationality among late-arriving, heavily pregnant, asylum-seekers. For example, a maternity hospital master, Dr Declan Keane, claimed that "up to half of the non-EU nationals giving birth at the hospital [Holles Street national maternity hospital] are attempting to avail of the citizenship laws" (Sheahan 2004). Thus, the problematisation of migrant mothers' reproduction was racialised through overlaps, elisions and confluations in the nominalisation and enumeration of the 'problem group'. An effect of these intertwined processes was that black women who were either visibly pregnant or had infant children came to be viewed through the lens of negative discourses of immigration and citizenship abuse. This manifested in a rise in the number of racist incidents reported to NGOs at the time of the referendum (NCCRI 2004). A feature of these incidents was the targeting of black women for physical and verbal harassment which referenced instrumental reproduction.

Some of the participants in this research referred to this trend as representing their own experiences. Esohe and Zina described a peak in the level of overt racism concurrent with the referendum. Zina said that "racial comments you still get them", but encounters in which discourses of instrumental reproductivity were evidenced through the particular mention of childbearing, were temporally associated with the referendum: "I have not experienced anything [like that] for a long time now / no I don't get comments about coming here to make babies [anymore]". Similarly, Esohe

described the period prior to the citizenship referendum as a time of high levels of explicitly racist harassment: “during 2004 – before the Irish-born thing / you know it was maybe like two years before then and during the Irish-born thing / ok it only get good now – maybe since last year or the year before / but during those em... three years before the Irish-born thing it was – it was bad / and during that year it was horrible”. Among the participants in this research, experiences of explicit racism featured prominently in the narratives of the black African women, but did not feature in the narratives of the two white participants.

Discourses of citizenship abuse and their prevalent association with African asylum seekers, played into existing emphases on phenotypical attributes as indicators of belonging and precipitators of exclusion. In Ireland, people identified as black are much more likely to experience discrimination than those identified as white (McGinnity et al. 2006). Among migrants, black Africans are subject to the highest levels of racism and discrimination (McGinnity et al. 2006). The ethnicisation of Irishness entailed in the reconfiguration of citizenship acquisition in terms of *jus sanguinis* was accompanied by, and contributed to, an increasing racialisation of Irishness as ‘white’ (Lentin and McVeigh 2006). I argue that the process of racialisation was integral to the process of illegitimisation that resulted in the legislative de-eligibilisation of children of migrant parents for *jus soli* citizenship.

The moral panic surrounding the referendum heightened the ‘visibility’ of immigration, and in so doing, extended the surveillance of migrants’ bodies. The African participants in this research narrated their positioning by prevalent discourses circulating in legal, political and media spheres, which manifested at a local level in everyday interactions. Several of these participants recounted very similar stories in which they were subjected to verbal abuse in public settings. In these extracts the participants discuss how verbal and non-verbal signals, communicated to them by strangers in public spaces affected their sense of self and their relation to themselves and others. In examining these narrative segments I am concerned with the more diffuse and informal ways in which the government of self and others proceeds within the broader structural context of immigration/citizenship governmentalities.

Through confluences of categories of nationality, legal-administrative status and (ascribed) ethno-racial identities, black Africans were regularly represented as Nigerian asylum seekers in public discourse. Pamela articulates this in describing how, as an African migrant she is commonly perceived to be a Nigerian asylum seeker. Pamela's narrative describes the instantaneous stigmatising and delegitimising effects of this categorisation because it is fundamentally understood in terms of narratives of exploitation and irresponsibility.

Pamela: but you see when they see me walking there they say 'oh she's getting social from the government' you see they don't know / yeah I think if the government took individual cases instead of looking at everyone / I think if they looked at someone who just arrived and gave birth and if you looked at someone who has lived in Ireland for a certain period and gave birth / I mean if they took that into consideration not just grouping everyone and assuming everyone is Nigerian / it's just when you walk – 'are you from Nigeria?' / you say 'no I'm not from Nigeria I'm from [country of origin]' / because it's just an assumption once you're black – you are an asylum seeker – you're Nigerian – that's it / *everywhere you go / on the street – *everywhere you walk / 'are you from Nigeria?' / before they even ask you where are you from 'are you from Nigeria?' you see / *every time – *every time when you walk like / every time when you go to the XXX / you will get those nice ones who can't even say hello they will say 'are you from Nigeria?' and then you say 'no' / because everyone expects – it's just kind of an assumption that everyone's Nigerian – everyone's asylum seeker / they don't think that people can work and maybe earn money – earn a living – pay the rent / it's more like you came in to get money from the government you know like that / I think that's the thing that really damaged all the back people or whatever our reputation was – people seeking asylum and people getting whatever / I don't know who told them they were getting social money? / that's the thing also it's – it kind of contradict itself because those who are working will tell you Irish people sometimes they say people are taking their jobs – and the next thing you go on social welfare you are taking their money / so you really don't know / most of it is racial you know / so what can you do about racism? / it's there – it's not gonna die

Pamela's story demonstrates that in the context of racialised ethopolitics based on visible attributes, one's actual nationality or legal status is irrelevant. Pamela is read through the dominant prevailing discourses that associate black phenotype with Nigerian nationality, asylum-seeker status and unethical practices. Such practices included failing to be economically self-sustaining and exploiting the Irish social welfare system. The prevalence of negative constructions of black African migrants as

illegitimate and threatening has implications for the participants who are racialised as such in various spheres of their social and economic lives – from accessing employment to accessing accommodation. The white participants in this research did not relate equivalent experiences. This is not to say that white immigrants do not experience discrimination or hostility. However, it has been demonstrated that in Ireland, white immigrants are at a lower risk of experiencing discrimination in general, and that they experience discrimination in different forms and different spheres compared to black immigrants

The most common form of racism encountered by black African immigrants in Ireland, relative to other migrants, is racial harassment on the street and on public transport (McGinnity et al. 2006). This is reflected in the narrations of the black African participants in this study. These participants recounted numerous instances in which they were targeted for overtly racial verbal harassment in public spaces. These incidents are indicative of the prevalent ethopolitics constituting migrant mothers as unethical subjects, and locating them in terms of panic narratives of citizenship abuse and instrumental reproduction.

As can be seen in the narrative segment below, the discursive constitution of migrant motherhood as problematic through discourses of illegitimacy, instrumental reproduction and exploitation of the citizenship and public services, had substantive effects for pregnant black immigrant women and non-white mothers generally. Pregnancy among female asylum seekers came to be understood as evidence in itself of the phenomenon of ‘citizenship tourism’ (Tormey 2007). In the extract below Zina recounts how she and other migrant women she knew were the targets of hostile reactions from strangers as pregnant women and mothers of young babies. Zina recalled that in conversation with “mainly Irish” acquaintances she was regularly impelled to explain herself and her conduct: “And whatever story you tell the next question would be ‘why is it that you came in when you were pregnant?’” She perceived such questions as hostile, whereby people would enquire, in the form of rhetorical questioning, as to her motives for migrating. This is similar to the question she had earlier imputed to her Irish interlocutors, who in discussing the referendum, had queried the legitimacy of pregnant immigrants, asking “why is it that it’s *most pregnant women that’s coming in?” Now Zina narrates situations in which this form

of questioning is turned specifically on herself. As such, she is directly and explicitly interpellated through the discourses of instrumental reproduction as a problem of immigration/citizenship governmentality. She is impelled to speak as a member and as a representative of the problem group constituted through prevalent discourses of illegitimacy.

Zina: some I would have described them as hostile because they would ask but they don't want any answer – you know kind of rhetorical question / they don't care for your answer they just throw the questions to you and off they go / and some other was kind of curiosity – they wanted to know – they want to have an insight to you know what really brought you in / why did you come? / And some were like – I could remember some few ladies that even though *ok its accepted to them that you came in and have your baby here – they want to know – d'you know – they want to know deep inside of you why did you decide to leave your country and come in here / even if it is having your child and having paper d'you know they want to know / 'did it make a big change for you? and if it does would you like to go back? and why not?' d'you know.

The phrase used by Zina to describe the nature of her interlocutors' interest in her personal story – “they want to know deep inside of you” – is evocative of the individualising pastoral power described by Foucault and which is fundamental to his conceptualisation of governmentality. He describes it as a form of power which “cannot be exercised without knowing the inside of people's minds, without exploring their souls, without making them reveal their innermost secrets” (Foucault 1982, p.783). Pastoral power “implies a knowledge of the conscience and an ability to direct it” (Foucault 1982, p.783), thus it plays a constitutive role in shaping subjectivity through knowledge of the self and the government of the self. Here Zina is impelled to tell her story, to explain her motivations, to account for herself. That such questioning is a regular feature of her interactions, not just with representatives of the State, but with acquaintances in informal social settings, is indicative of the dispersed reach of this form of power. Foucault (1982) asserts that the exercise of pastoral power is linked with a production of truth. For Zina, these truths are located within an ethopolitical economy of truth comprised of the prevalent discourses of immigration, asylum, reproduction, citizenship and national belonging.

Zina was an asylum seeker living in direct provision accommodation at the time of the referendum. When I asked her if other residents had similar experiences to hers, she responded as follows:

Zina: I wouldn't speak for people now but I know – I know it was – it was this same experience / we felt – we felt being looked at – *despised like you know? / there is this thing that when we walking on the street you know people are looking at us 'oh this ones coming making babies in the name of getting papers' you know / we are conscious of the *talk and we discuss it each time we come back to the hostel – how people *reacted to us *comments they made / when you go to town some people – especially these elderly women they can be so hostile sometimes they would just like make comments 'why you people pushing buggies all about?' you know 'All you come here to do is babies, babies, babies'

Surveillance refers to acts that affect immigrants' management of their behaviour, visibility and mobility (Hiemstra 2010). This can include explicit or formal state technologies such as the process of residency renewal or status conditions, as outlined in the previous chapter. Earlier I noted the key role of medical personnel and immigration officers in the problematisation of migrant mothers' instrumental reproduction. I now draw attention to the role of ordinary citizens as surveillers, spokespersons and gatekeepers of the nation. Moreover, I argue that interactions through which migrants are implicitly and explicitly assessed and regarded, entail processes of interpellation. Interpellation hinges on points of identification within these discourses which "tap into individuals' experiential domain to enable actors to see themselves represented in and through narrative" (Hier 2002, p.320). The key narrative through which these participants were interpellated was, I argue, the panic narrative of the referendum. For example, the phrase "all you come here to do is have babies, babies, babies" emphasises the extent to which black women had come to be depicted as instrumentally hyper-reproductive through the referendum discourses.

In the extract below Zina depicts herself as a member of a group she refers to using the pronouns 'we' and 'us'. This group, I argue, is the primary discursive object of the referendum's moral panic – black immigrant mothers. She describes how pregnant women and mothers were clearly distinguished from other asylum seekers, and also how white women who were also asylum seekers seemed to have different experiences from black women.

Zina: we were really the big target because I still have seen the ladies that came without pregnancy or without having babies and they were – they – they felt different from us d’you know / because people – once they are talking with people and you don’t have *child – you don’t have any child or you are here [while] your children are back home – you don’t get comments / they thought they were genuine asylum seekers or genuine people that came here to look for their life [...] I knew – I knew some other white ladies who stayed with the same direct [provision] accommodation / I don’t think they had the same experience / I don’t *think so – I wouldn’t *know but I don’t think so because I felt this discrimination *especially when it’s *black d’you know / they just thought ‘you are coming here to make babies’ / but when it’s other white people from South Africa and other Eastern European country – because I’ve had saw a lot of them with babies as well and their husbands / lot of them they felt the same but I don’t know

As black women, these asylum-seeking mothers could only avoid being viewed as the embodiment of deviant reproductivity by distancing themselves from being seen as mothers. In contrast, the white women who participated in this study spoke of the ease of their integration and acceptance into Irish society, to the extent that one of these women was regularly presumed to be Irish (see chapter six).

Similarly to Zina, Jane contrasted her experiences with those of white women with children in buggies, asserting that she attracted a greater level of attention in public spaces. In the following description, the white mothers seem to be able to blend in and merge with the crowd:

Jane: I wouldn’t – I can’t really pinpoint when but it’s a common occurrence you know / to the point that you feel so ashamed going out to do shopping with the children you know / when you are pushing – we have a double buggy – and you’re pushing and you wonder why the stares are so much because buggies are common things out here...you find that you have somebody in front of you – maybe it’s a white person – has a buggy / no matter how old the child is – some have doubles some even three and it’s normal / maybe it’s the skin I don’t know – but once you’re doing it – the stares / and you find yourself – you don’t want your children to draw attention you know / you become so conscious that if possible you don’t even want to do shopping just because you don’t even want to take them out until there’s someone to mind them and then you go off and do your shopping

This illustrates how local configurations of migrant illegitimacy affect not only the external structure of migrants’ worlds, but can also extend to illegal migrants’

subjectivities by profoundly shaping their subjective experiences of space, embodiment, sociality and the self (Willen 2007). This is again clearly evident in Esohe's extract:

Esohe: what I felt when I was pregnant – I feel on the street like walking on the street I feel people – you know I just walked there – in my head I keep thinking that I'm one of – you know maybe they think I'm one of those who like they said – am I really that that they portrayed people like me to be like? / you just think about it at all with you – you never know like / it's something that is there it has been put out there you know / whether people are going to use it against you – you really don't know / you never know you know

In her orienting words in this extract “what I felt when I was pregnant”, Esohe locates the feelings she subsequently describes within the time-frame and the embodied condition of her pregnancy. She specifically locates these feelings as occurring within a particular spatial realm – the street, which stands for public space – in which she becomes anonymously visible as a black pregnant woman. As such, Esohe articulates a spatially specific form of embodied consciousness (Hiemstra 2010). Through her awareness of the racial discourses constituting pregnant immigrant women as instrumentally using their fertility to abuse and exploit the citizenship laws, Esohe is co-opted as a surveiller of her self (Willen 2007); she becomes complicit in the surveillance of “people like me”. The prevalent racialised discourses of instrumental and hyper- reproduction have insidiously seeped into her perception of her self and her relation to her self, to the extent that she becomes acutely self-conscious of her embodiment as a pregnant black immigrant woman, and scrutinises herself with the question: “am I really that?” This question illustrates the reach of particular discursive constructions of immigrants into one's “inward parts” (Willen 2007, p.10). In Esohe's narration, her pregnancy suddenly makes her visible and legible to others through the lens of the prevailing discourses of illegitimacy associated with her racialised maternal body.

In the narrative extracts presented above, participants describe their embodied experience of feeling that they are negatively assessed in public spaces. They are clearly familiar with the symbolic code of illegitimacy, “replete with racial, ethnic and national signals”, through which their bodies are read (Willen 2007, p.23). The visual scrutiny and embodied objectification to which most of the non-white participants

were subjected affected their relation to their selves, to the extent that they became self-surveillers, monitoring and adapting their visibility and their behaviour accordingly. The particular racialised and gendered configurations of unethical subjecthood thus profoundly affected these women's subjectivities.

Conclusion

This chapter focused on a specific set of interlinked discourses which gained wide circulation at the time of the citizenship referendum and subsided in its aftermath. I argue that in the dominant, politically-driven discourses of the referendum, general features of asylum and immigration problematisation were distilled into a much more specific gendered and racialised ethopolitical problematisation. Non-white pregnant immigrants, in particular, were constructed as “insecurities that threaten the well-being of the social body” (Inda 2006, p.95). The risky and irresponsible behaviour imputed to this group was claimed to necessitate their disqualification from reproducing the Irish nation and to justify their exclusion. The legislation introduced following the referendum withdrew migrants' unqualified right to reproduce citizens on the basis of *jus soli*. This right must now be acquired through a qualifying term of legitimate, formal residency, and is denied to certain categories of migrants including asylum seekers, students and illegal immigrants.

At the beginning of this chapter I presented Ukaria's narrative featuring an encounter between herself, a pregnant African asylum seeker, and immigration officials. I emphasised the material consequences of discursive and communicative resource inequalities in the context of an ethopolitics which racialises certain bodies and delegitimises certain types of stories. Thus, we can understand Ukaria's encounter in terms of context-specific configurations of biopolitics and ethopolitics.

This analysis demonstrates the manner in which technologies of governmental citizenship and immigration regulation are intertwined and mutually constitutive. The use of citizenship reform as a mechanism of immigration control (re)defined eligibility for citizenship status acquisition through a biopolitics of racialised ethno-national membership. This thesis shows that this contributed to the (re)orientation of

the substantive content of citizenship according to a neoliberalised ethopolitics of responsible, prudential self-management.

As elaborated in chapter four, Inda's (2006) conceptualisation of technologies of citizenship and anti-citizenship informs my analysis of the governance of migrant parents in the context of the citizenship referendum. Such technologies are deployed in respect of individuals considered to have failed to conduct themselves ethically and manage their own well-being (Inda 2006). In the following chapter I further evaluate the effects and the effectiveness of the technologies deployed to (re)constitute them as ethical subjects or to regulate them through 'anti-citizenship' strategies of containment and exclusion (Inda 2006).

Chapter 6: Beyond Governmental Citizenship? The Political

Introduction

In the preceding chapters I established that non-EEA migrants in Ireland are subjected to a heterogeneous governmentality comprised of a mixture of citizenship and anti-citizenship technologies (Inda 2006). I characterised practices of detention and deportation, direct provision and expedited asylum determination procedures as anti-citizenship technologies designed to discipline and deter migrants (Mountz *et al.* 2002; Ong 1990). In addition, I characterised the technical and programmatic aspects of immigration governance, through which migrants are channelled into various governmental categories, as citizenship technologies constitutive of subject positions which construct and constrain migrants' agency. As Foucault (1982, p.790) put it: "[t]o govern, in this sense, is to structure the possible field of action of others". In this chapter, through a detailed analysis of participants' experiential narratives, I elaborate on the forms of subjectivity that these practices presuppose and/or endeavour to produce in transnational migrants and evaluate the extent to which these governmental effort at subjectification are successful. I argue that these governmentalities are uneven and incomplete, yet have substantial subject-effects on members of the targeted population. My analysis is as concerned with the participants' exercise of agency as with the manner in which that agency is constrained.

This chapter explores the manner in which, and the extent to which, immigration/citizenship governmentalities subjectively impact upon the participants, by looking at their storied accounts of how they experienced and negotiated the composite citizenship and anti-citizenship technologies of Irish immigration regulation. The discussion is organised according to the major analytic concepts of technologies of citizenship and anti-citizenship, and the relationship between formal and informal citizenship. I present selected narrative extracts, which enable a new and deeper understanding of the manner in which these phenomena operate. I

contextualise these narrative sequences with participants' biographical information and I situate their experiential narrations in relation to the sample group, and in relation the pertinent findings of existing research from the Irish and international contexts.

The first part of this chapter looks at the subject-effects of the most constraining forms of immigration governmentalities by presenting participants' narratives articulating the status-locations of asylum seeker or undocumented migrant, allowing me to assess the significance of anti-citizenship technologies in shaping their ongoing subject formation. I then consider the ways in which other participants achieved status mobility, particularly through the Irish Born Child Leave to Remain programme, enabling me to evaluate the influence of citizenship technologies with regard to these migrant mothers' subjectivities. Finally, I consider the dynamic between formal and cultural aspects of citizenship by addressing the inter-relationships between the dimensions identified in chapter one: status and rights, participation, identity and affect (Bosniak 2000).

My primary goal in this chapter is to develop a nuanced understanding of participants' capacity for agency. Attending to the configurations of time, space and physicality (Fortier 2006) in participants' experiential narrations, I highlight the various ways that citizenship and anti-citizenship technologies impinge on participants' subjectivities and their processes of identity formation. In tracing the course of participants' status mobility we can examine the exercise of (constrained) agency by these migrant mothers. I argue that the migrant women of this study conceive of and enact their agency in accordance with different geographic/spatial scales and along different time-frames than those assumed by dominant discourses and governmental practices. Overall, my analysis highlights the substantial role of Irish State governmentalities in "guiding the possibility of conduct and putting in order the possible outcome" (Foucault 1982, p.790). However, it also points to the inconsistencies, contradictions and limitations of citizenship and anti-citizenship technologies in their implementation and their effects.

Anti-citizenship Technologies

In this section, I examine participants' narrated experiences of the asylum process, particularly those pertaining to the direct provision system. The majority of the participants in this research⁹⁶ had experience of the Irish asylum system. Of the fourteen participants in this study who had made applications for asylum, just two – Han and Esohe – had been successful in being recognised as refugees. At the time of data collection, two other participants, Al and Ukaria were still living in direct provision accommodation, although their asylum applications had been refused.⁹⁷ As the participants' narratives indicate, a key feature of the experience of being an asylum seeker is that one's movements are highly regulated. The very significant degree of restriction on physical mobility and other forms of autonomy led many participants to describe their experiences in the direct provision system using carceral metaphors. The asylum procedures and direct provision systems were described as punitive, immobilising and incapacitating by most of those participants who experienced them.⁹⁸

Esohe

Esohe, a refugee from Central Africa, was a highly qualified and well-paid professional in her country of origin. This background contrasts starkly with her experience as an asylum seeker living in direct provision where she found that she was “treated as if you're not a human being”. Esohe found the topic of direct provision difficult to talk about and was reluctant to directly describe her personal experience of living in this system, saying: “there are kind of experiences – sometimes I find things I cannot explain you know...the direct provision thing...”. In the extract below, Esohe describes the experience of living in direct provision by recounting a story she read about a riot in a hostel. This journalistic account allows her to broach the subject, after which she provides an explanation based on her experiential knowledge of the system.

⁹⁶ Fourteen of the participants in this research, Han, Esohe, Al, Ukaria, Ranu, Monifa, Abeni, Paula, Jeanne, Joy, Lucy, Akua, Jane and Zina, had made applications for asylum.

⁹⁷ Ukaria remained in direct provision pending an appeal of the refusal of her application for asylum, while Al awaited the outcome of an appeal against the rejection of her Irish Born Child Leave to Remain application.

⁹⁸ I later discuss the manner in which Jeanne's account of direct provision notably diverges from those of the other participants.

Esohe: there is something I read somewhere you know in one of the hostels there was a problem / and em they said there was a riot because the microwaves are not working [in] one of the hostels / I don't know which one it was then / and em people were like protesting that why would they riot because of just microwaves? / and I was like I wish some people would know that some peoples lives revolve around the microwave in the hostel, you understand? / it's just a microwave to some people / it might be in their house and they don't even bother to even put it on or turn it off or even use it / but in the hostel the microwave is everything to a pregnant woman who needs to wake up at night and maybe have a cup of tea / it is the only way [for] a woman who has a baby to heat up to food for the kid / it's the only way the woman who is pregnant and wants to something different from what is set in the hostel can prepare anything she wants to eat / the microwave is more than just a microwave for some people / at times it's just the only control some people have, like, over their own lives, over what they eat, over how they live, over what time they eat / everything is regimented – like you have to go and eat at a particular time and leave at a partic– you know like leave the dining room at a particular time and go back at a particular time / and you know that is the only form of control some people have / it's more than just a luxury you know / if you don't – it's not something you can experience you know.

Esohe's narrative communicates a sense of dehumanisation closely linked with a lack of autonomy in relation to basic decisions and routines of everyday life. Basic needs are provided for within the system and residents are given little or no choice about the ways in which their living arrangements and daily lives are organised: “everything is regimented”. On a day-to-day level their movements in space are highly controlled through the requirement that activities take place at prescribed times and in prescribed locations: (“you can continually be changed every time you know that you don't get to choose who you're with / you don't – you [don't] get to say ‘I don't want to move now I want to stay here, I'm getting used to these people, I'm getting used to this place’ / there's nothing like that, you know”). Residents do not have a say in decisions that affect their lives, from where they live and who they live with, to when and what they eat: “you have to go and eat at a particular time and leave at a partic– you know like, leave the dining room at a particular time and go back at a particular time”. There are few opportunities to exercise any form of choice or self-determination while in this system (FLAC 2003). Concerns and conflicts over food-related issues in direct provision have been found to be widespread and reflect residents' sense of powerlessness and loss of autonomy (Manandhar et al. 2006).

Esohe explains that the riot story is incomprehensible to those who have not experienced living in these institutionalised and regimented circumstances and to whom the catalyst for the escalation of tensions (broken microwaves) may seem trivial. However, she identifies with the residents and understands the symbolism of the microwaves as representing their last vestige of autonomy and independence because they are the sole remaining means of exerting a degree of control over such an intimate and embodied aspect of their daily lives as when and where they eat.

Esohe described the general conditions of living within this system in terms of the deprivation of freedom: “your freedom is taken away from you – everything is taken away from you”. She described the direct provision system as particularly detrimental to family life. She said of mothers, “the first thing they are taking away from you is control over their lives, over their families, over their children”. The application of a rationalised, regimented system to large numbers of individuals and families with varying needs and wants, places parents in a particularly difficult position. Esohe recounts her own stories of family strife arising from food-related issues: “you can’t tell your child ‘you just ate, you can’t eat at this time you have to wait’ ”. Economic deprivation compounds the residents’ situation of constraint due to the inability of residents to augment their diets with privately sourced provisions. The paltry cash allowance⁹⁹ granted to asylum seekers is insufficient to facilitate any significant degree of autonomy, with the result that direct provision residents languish in “abject poverty” (Esohe).

Esohe went on to describe the level of control exercised by the authorities as such that residents are constrained even in what they can say about the system under which they are living.

Esohe: the – the department is bent on their word you know like / you don’t have a choice, you don’t have a voice, you don’t have any reason to complain / that is it / that *is their approach – their housekeeping, you understand? / that is just their approach / it is not permitted to have complaints about you even if it is a lie / you are moved / nobody asks your – like nobody hears from you / there is no chance for you to explain or to say or to respond, there is nothing / once there is a complaint against a person the person is moved you know / so how do you?

⁹⁹ See section entitled ‘Direct Provision’ in chapter four.

Here Esohe expresses the widespread perception amongst asylum seekers that complaints or public statements may result in punitive measures and may be taken into consideration in the determination of their asylum applications, possibly jeopardising their cases (FLAC 2009)

Overall, Esohe articulates living in direct provision as a profoundly traumatising experience that has extensive and enduring consequences for people's subjectivities: "definitely if you go to the hostel you never come out the same / you don't ever come out the same / it's a – it's a different world like". Esohe said that she had seen people "being turned into a shadow of themselves, or being turned into something else you know that they are not", as a result of their experience of living in the direct provision system. She stated that she knew children who had been adversely affected by direct provision to the extent that they required ongoing counselling to come to terms with their experiences. Esohe concluded that the regimented direct provision system is not designed for living in any normal sense "there is no living in there / you don't live the life / maybe it wasn't designed for that purpose".

The design of direct provision entails the social and spatial segregation of asylum applicants from the rest of society. Direct provision institutionalises residents, forcing them to be completely dependent on the Irish State. As such, it represents an inversion of technologies of citizenship which aim to foster independence, activate individuals and rehabilitate their capacity for self-provision. As I elaborate below, the status location of being an asylum seeker is defined by the denial of the very rights (to engage in employment, education or training), that become obligations for those subjected to citizenship technologies.

Al

Al came to Ireland with her (then youngest) child to apply for asylum, leaving her husband and oldest child in West Africa. After arriving in Ireland she gave birth to a third child (prior to the implementation of the 2004 Irish Nationality and Citizenship Act) who is an Irish citizen. Al's asylum application was rejected. She then applied for Irish Born Child Leave to Remain on the basis of her youngest child's Irish citizenship, but her application was refused on the basis that she did not meet the

continuous residency eligibility criteria because she had travelled to her country of origin for a short period to visit her mother who was ill. Parents of Irish citizen children, who were deemed not to have been continuously resident in Ireland since the birth of their Irish child, were generally found not to have met the criteria for granting residency under the IBC/05 scheme (Corrigan 2006). At the time of the fieldwork, Al was in the process of appealing the rejection of her leave to remain application. She and her two younger children had been living in direct provision accommodation for seven years.

Al depicts the decision to reject her Irish Born Child Leave to Remain application as effectively a punitive outcome of her compliance with the regulations. She mounts a strident critique of immigration regulation practices as compelling people to defy them on the basis of their arbitrary nature and their uncompassionate implementation. Al argues that the illogicality of the system is that it is disadvantageous to comply with regulations.

Al: but I'll tell you something else / I think that sometimes you know that the laws and the policies or the ways that the government going about things is also creating – it's also making people you know devise a means of beating them / I'll tell you what em a few days ago I heard about the news that there was a scandal / a couple of people where not living in Ireland and they were – they had papers in Ireland and they were living in em in other parts of the world and receiving benefits and all that / when I moved to Ireland in 2001 my mother was ill / my mother had cancer and all of that / but to me I didn't think that it was right to take the social welfare money / I didn't want to take it / no all I wanted – ok I didn't want to take it because I thought by doing that it was defrauding the government / and when I came back to apply for my residency much of what happened was that 'listen you don't have proof that you were here' / and I said 'well listen I was away from x number of time to x number of time' / and I just was 'aw listen I was away, I was away ok' / and now I'm being punished as if I had collected the social welfare cheques / if I had had a few people were-would say to me 'listen she was staying with me' / I wouldn't have a problem / but you see what I mean? / because you're punished and so people will want to beat the system because of like 'oh if I say the truth I'll be punished' / but I decided to tell them the truth and did what I wanted / I mean you've very little choice in that situation / if-if you're whole life in Ireland is jeopardised by stopping the social welfare for that few weeks you know what you feel would be the right thing to do if that jeopardises your whole life in Ireland / is there really a choice there you know? / like the whole way that it's

kind of portrayed in the media that these people are exploiting the system and you know this is criminal activity and everything... yea because sometimes we give people the reason to do that / because for example I was away and I don't – I didn't want to take the social welfare because I felt that taking social welfare was not right because I was defrauding the system if I did that / and I said 'listen I was away – I *wasn't taking social welfare' / so the people who have left who are taking social welfare, are taking it because if they didn't take it – you know the system doesn't work for the people that just tell them the truth / it doesn't work / they're checking if they're not there but when they come back at least if they say that they were there – but where you tell them: 'listen I wasn't there, I didn't want to defraud the economy, I wasn't there, that's why I'm not taking it' / they penalise you / so-so if somebody else learns from my own experience and says that 'oh she said the truth, now she is being penalised' then tell me what would happen to the next person?

Siobhán: that's why you're so long, it's taken so long for your residency application then...?

Al: yea that's why / yea that's why / yea, that's why / but I don't regret it / I don't regret – I don't regret saying up-front 'listen – ' / because I believe that – I-I have a holistic way of thinking / you see because you know I believe that – I believe that by taking up the position I took and *positively influencing my kids – because they know that 'listen – you take a position for the *truth and for what is right even if it hurts you' / because I know at the end of the day it will work out for me you know / and so I think that you know sometimes you *thrust people into doing these kind of things by very subtly having this kind of thing in place.

While Al is aggrieved by the additional years in direct provision, she believes that she is vindicated by her honesty. In her narration, Al refuses the role of passive victim, positioning herself instead as a resilient moral agent who has managed to remain true to her values against the odds, in spite of a “vindictive”, inhumane and excessively punitive system. Al evaluates her actions in taking “a position for the *truth”, as ultimately the appropriate course for a mother seeking to provide her children with a model for ethical behaviour, despite the costs to herself and her family in the present. At the same time, her analysis provides a contextualisation of the actions of other immigrants who may take the perhaps more ‘logical’ but less ethical course of lying to the authorities or failing to inform them of such changes in circumstances. As such, she challenges the construction of individual migrants accused of defrauding the welfare/immigration systems in terms of moral degeneracy. Al mitigates the

‘dangerous agency’ seemingly exhibited by migrants accused of fraud by presenting their actions as understandable, even logical responses to their circumstances. Just as Esohe deciphers the incomprehensibility of a riot over microwaves, Al renders Ireland’s ‘welfare fraud scandal’ legible in new terms by turning the focus to the structuring context. Both stories are made intelligible through re-contextualising narrations, which provide insights grounded in lived personal experience.

Mobility restrictions are a central problematic structuring Al’s experiences in Ireland and her family life. Her oldest child and her husband remain in her country of origin. Following a discussion of the difficulties of living in direct provision and the problems this gave rise to in parenting her two children who lived with her in Ireland (“being in this situation where I find myself you know you find it very difficult / you are limited by your resources you know and sometimes you are not able to provide adequately for your kids”), Al went on to discuss the broader implications of her legal status for her family life. Due to her status, her family is separated and she discussed how she was unable to effectively parent her daughter who remains in her country of origin.

Al: and one of the things I was so – procedures when you know you’re not – it’s not categorically stated that you can’t go home / but it’s like you’re restricted in your travel / and again that to my mind is – is – is very depressing / because new referendum says that you not allowed to invite family members home to visit you in Ireland and so if you’re not allowed to have family in this home in Ireland then how are you – but then you can’t see them either

Having been refused Irish Born Child Leave to Remain as a result of visiting her ill mother, Al has learned the hard way that the dictates of Irish immigration regulation deem travel out of Ireland as having a de-legitimizing effect on residency/regularisation claims. Al keeps in regular contact with her family, although she describes the maintenance of transnational family relationships (through long distance telephone communication) as an emotional and economic strain. She hopes to eventually be reunited with her husband and oldest child by obtaining Irish Born Child Leave to Remain (on appeal) and applying for visas for her family to join her in Ireland. Al’s narrative elucidates the impossibility of “home” for migrants immobilised by anti-citizenship technologies. In order to realise the possibility of a

“home” in Ireland in the future, Al must sacrifice the possibility of a (transnational) “home” in the present.

Al and Esohe’s descriptions of direct provision as a constraining, immobilising period of liminality, were broadly representative of the asylum experiences of other participants in this study. Al, like Esohe, described the routines imposed by the institution as oppressive and depressing. Al used the carceral metaphor – referring to herself as a “psychological prisoner” – to communicate the deprivation of freedom, the physical, social and economic immobilisation, imposed by the asylum system. In conveying the effects of direct provision institutionalisation, she used the term “psychological” twenty times in the course of the interview, including seven uses of the term “psychological(ly) scar(red)” to refer to the impact on her children. Similarly to Eshoe, Al’s narrative depicted the disciplinary force of a disembodied institution as felt and experienced through its impact on bodily movements and bodily processes with food and eating again a central motif. The bodies of direct provision residents are the targets of governance and disciplining strategies.

However, while direct provision was described in highly negative terms by the majority of participants in this research, it should be noted that there were some exceptions. Notably, Jeanne’s account of her time in the direct provision hostel, where she lived for a relatively short period, contrasts sharply with the accounts presented above. Jeanne described her experience of direct provision as having had long term positive implications because of the enduring friendships she formed in the hostel: “and we are – we are still blessed putting us in the hostel for a while / at least knowing people from there – we make friends that we meet outside now you know”. Jeanne recalled that in the absence of her family of origin or a partner, she benefited from the presence of the other women residents who were a significant source of support after her daughter’s birth. The regime in the hostel in which Jeanne lived was far less stringent than that which Esohe portrayed. The manager (“a very good hearted human being”) procured African food for the residents and allowed them to prepare some of their meals: “twice in the week we cook African food – twice – two times in the week we cook / maybe we volunteer and we cook [for] our self African food and everybody would be happy / the only place they do that – in [that hostel] it’s the only

place they do that”. Jeanne regarded this hostel, which had since been closed,¹⁰⁰ as unique in granting such liberties to direct provision residents. In this case, participation in food preparation enabled inter-dependence among residents and the provision of African food was seen by residents as demonstrating the manager’s recognition of their humanity and their cultural and personal needs. Unfortunately, as Jeanne acknowledged, her experience of direct provision is atypical among the participants in this research and direct provision residents more generally (Comhlamh 2001; FLAC 2003; 2009).

In the following section, I explore the narratives of a participant who, like Al, was frustrated in her efforts at status mobility, although Pamela’s case represents a different pathway. As I noted in chapter four, while some migrants enter via unauthorised and clandestine routes, many others who enter through formal authorised routes may become undocumented at a later point. This was the case for two of the participants in this research, Pamela and Svetlana, who became ‘undocumented’ subsequent to the expiry of their work permits. Pamela’s narration of her experiences of becoming undocumented and her efforts at regularisation demonstrate the multiple interlocking immobilities arising from her legal position as an unauthorised immigrant and her social location as a mother lacking access to the means to independently support her children. As such, Pamela’s story indicates significant parallels between the subject-effects arising from the anti-citizenship technologies of illegality and direct provision.

Pamela

Pamela is a mother of two children who was endeavouring to acquire Irish Born Child Leave to Remain, but had no formally recognised immigration status at the time of the fieldwork. She had originally come to Ireland with her older child from her Southern African country of origin on a holiday visa. After her arrival, Pamela found

¹⁰⁰ It is unclear for what reasons this particular direct provision center was closed, although as numbers of asylum applications have steadily fallen in the last decade, accommodation centers have been shut down as part of a cost-reducing rationalisation process (see RIA 2010).

employment and her employer obtained a work permit on her behalf.¹⁰¹ When her permit came up for renewal her employer informed her that he could not renew the permit and that she would have to return to her country of origin in order to reapply. She was unwilling to do so as she was aware of other people who had been so advised but were unsuccessful in acquiring new permits to re-enter the country: “I’d be kind of afraid to try because of many people have been sent back / you go back and you never come back”.

The manner in which the work permit system was administered, whereby permits were held by employers rather than employees, contributed to significant numbers of permit workers becoming undocumented and encountering difficulties in acquiring new work permits (Allen 2007). Pamela’s experience illustrates the manner in which, in Ireland, as elsewhere, illegality is the *product* of legal and administrative practices and procedures (Goldring et al. 2007). This was implicitly recognised by the Irish State which, following sustained criticism and campaigning by migrant advocacy organisations, established a ‘regularisation’ programme in 2009. This administrative scheme was targeted at workers who had formerly held work permits and had subsequently “become undocumented through no fault of their own” (DETI 2010b; INIS 2009e). Like the IBC/05 scheme, this regularisation programme is a limited, once-off solution for a specifically defined cohort of immigrants. As such it can be seen as part of the reactive pattern of piecemeal administrative-legislative immigration regulation by the Irish State, which has resulted in a complex, patchwork regulatory infrastructure. These instances also demonstrate that immigrant legalities and illegalities that are constituted and regimented by the law are “sociohistorically particular configurations”, the boundaries of which are subject to change over time (De Genova 2002, p.424). The recognition of this by immigrants and migrant advocacy organisations is the basis for strategic, pragmatic engagements with the law and the regulatory system, in the endeavour to regularise individuals and groups.

After her work permit expired, Pamela found part-time work with another employer who was concerned only with her work experience and references and did not enquire

¹⁰¹ At the time when Pamela became ‘undocumented’ work permits could only be applied for and held by employers on behalf of their employees. This practice has since been changed due to the high levels of ‘irregularisation’ due to employer negligence (Allen 2007).

about her residency status. Pamela held that since she had been previously employed in Ireland, her new employer assumed she was entitled to work. However, she described how she now lives in fear of being discovered.

I would be afraid if they found out...and I'd be in trouble / and I'm afraid what to do – stop working? I don't know / at Citizen Advice that old man said 'what can you do? keep working – how are you going to support yourself if they can't give you any social welfare?' / and I've been paying tax / but I was afraid / this now means I'm working illegally

For Pamela, working illegally while she endeavoured to regularise her situation was a risky strategy. On the one hand, working without authorisation could be taken as evidence of her illegality (from an anti-citizenship technology perspective) and would thus be detrimental to her efforts at legalisation. But on the other hand, not working could be taken by the State (from the perspective of technologies of citizenship) as evidence of her dependency. This indicates the incommensurability of technologies of citizenship and anti-citizenship technologies: they are based on fundamentally different notions of valued and undesirable agency. Therefore, Pamela is in a predicament whereby, as an 'illegal immigrant', whatever course of action she takes, her conduct may be construed negatively: "Irish people sometimes say people are taking their jobs / and the next thing [if] you go on social welfare you are taking their money". In this ethopolitical context, any agency on the part of the illegal immigrant could be seen as a dangerous one.

Some time after Pamela took up this employment she gave birth to her second child. The child's father is an Irish citizen and as such the child is legally entitled to Irish citizenship. However, Pamela's efforts to have her son's Irish citizenship recognised through the issuance of a passport had not yet been successful. Neither had her attempts to have her own residency situation regularised through the acquisition of Irish Born Child Leave to Remain on the basis of her son's citizenship borne fruit. These endeavours led her through a maze of bureaucracy and administrative dead-ends: "everyone is referring you to different people... / I ask everyone and no one can tell you really this is what you should do". Pamela had sought assistance and advice from solicitors, migrant advocacy organisations, the Citizens Advice Agency, and immigration and social welfare officials. Due to her lack of formal residency status, Pamela was in a situation where her rights and entitlements were ambiguous. She had

been successful in actualising rights in some instances but not in others. For instance, she had received maternity benefit but had been refused child benefit in respect of her Irish citizen child. Pamela's circumstances are shaped by the opaque and confused nature of decision making and service provision for immigrants.

When I asked Pamela about the effects of her legal situation on her day-to-day activities she described how it impacted on every aspect of her life. Lacking the appropriate documents restricted and constrained her possibilities for action in areas of her life from transport, to employment and education, her living arrangements and her relationship with her baby's father.

Pamela: oh a huge impact / do you know it's like you're waiting for a bus and it's the wrong bus station / you don't know whether you're coming or going / you don't know what is going to happen/ like as it is I wish I could get even a *car / like I'm struggling with the rain and walking up and down with the baby / but I can't / it's just you know when you – it's like someone who's just been tied up and you're not free / it feels like that / you know yourself 'cos you can't get a job / I wish I could study / I wish I could go to school / and oh yea... because I wish like to go maybe to get a course and get a better job or even if its beauty therapy / something that I can do for myself / and oh it's so hard... you see courses being advertised – God I feel like screaming / because you *can't / and I went to FAS and FAS they wanted my stamp 4 / the stamp 4 I think it's whatever they give you when you get your status XXX / because *everywhere you go they tell you 'do you have stamp 4?' / I went to FAS just to find out – I was just finding out / they say to me you need to give us your green card or whatever stamp 4 / I said I don't have it – they said 'no you can't do the course it's mainly for people who've been given status' / [...] / but I can't do that / I can't get nothing / it's just like it's *hard / mmmm but what can you do?

In the extract above, Pamela articulates her increasing frustration at the numerous barriers that result from her lack of required documentation. In this case, lack of documentation is an obstacle to acquiring a 'stamp 4' Garda National Immigration Bureau (GNIB) card, which would facilitate her access to services and her mobility in the labour market, as well as her social and spatial mobility. The metaphor of waiting for a bus to describe the experience of 'being illegal', evokes the sense of disorientation and immobilisation – a state of limbo whereby “you don't know whether you're coming or going”. Pamela also compares her irregular legal/residency situation to being “tied up” and later she used the metaphor of being a prisoner

(“because as it is now I’m like in a prison”). Pamela’s evocative use of metaphors, articulates the multiple ways in which marginal migrants’ physical, social and economic mobility may be inhibited by a lack of formal status.

Pamela’s day-to-day physical mobility is impeded by her inability to drive because, although she had passed her driving test, she could not acquire a driving licence as she was again required to present a ‘stamp 4’. Due to her domestic circumstances and her lack of transportation she is spatially confined to her home and her neighbourhood. Pamela’s international mobility is also impeded by her uncertain legal situation. She is unable to travel outside Ireland because she lacks the formal documentation to facilitate her return. As a result, Pamela felt she could not leave the Irish State to reapply for her work permit, as instructed by her employer, as she feared would not be allowed to re-enter. Neither could she return to her country of origin following the death of her brother.

Pamela’s irregular status renders her economically immobile in that she is stuck in her current employment because she does not have the requisite documentation to allow her to seek alternate employment. Neither is she able to access training or education to up-skill and improve her economic situation due to her lack of a ‘stamp 4’ authorisation. Pamela’s inability to procure a driving licence or to access education or welfare exemplifies the increasing centrality of documentary identification to accessing public services and resources in Ireland. Despite her low income, Pamela was deemed ineligible for social welfare income supplements or supports such as a medical card or child benefit because of her lack of a formally recognised residency status. She even encountered difficulties in opening a bank account when she was asked by the bank to produce a “green card”. Such economic limitations compound her high level of economic dependence on her controlling and abusive partner, the father of her younger child. Pamela is stuck in her current situation due to her lack of alternative sources of income.

Of her strained relationship with her partner, Pamela stated: “me personally I wouldn’t want him to be in my life / but for now I have no choice / I have to stick

with him”.¹⁰² In the narrative extract below she elaborates on this situation of dependence and immobility which pervade the most intimate aspects of her life.

Pamela: and I'm only after going back [to work] last month because I had a – a caesarean / I couldn't go back cos it's lifting – you have to be lifting patients and all so I couldn't go back when [the baby] was real young because I still – the pain / I didn't want to end up hurting myself / because there's only two of us at night with 26 patients between two – one nurse and one carer / and as a carer you're doing all the work / the nurse will say she is doing medication / you have to Hoover, you have to clean, you have to do the trays / it's a lot of work – laundry... mhmm / physical a lot and you get tired / so with the caesarean I couldn't go back for two, three months / I didn't want to risk hurting my back again mhmm / so what I'm surviving on is him giving me whatever he gives me so it means whatever he want[s] I have to do it even if I don't – [laughing] / it's not easy – it's so difficult / because I be afraid 'what if he gets upset and decides to leave?' / you see the kind of life that I'm living? / it's like I don't know what's gonna happen / if he decides [to withdraw support] – ok I can file for maintenance – but how much? / how much are they gonna give you? / because they say it's not even much - because he can tell them he doesn't have it / they give you fifty euro a week – how will you pay your rent? / I have to get on well with him even if I don't want to / I have no other choice [laughing] / d'you know when you don't have a choice? / you have to just stick with whatever you have even if you don't want it / mhmm that's the life / if he says to laugh you have to laugh or cry you have to cry / you see – even if you didn't want to sleep with him you have to end up doing that / because you have no money to survive yourself / if he tells you can't do this you can't do it / because he will tell you – 'if you keep on doing whatever or if you didn't cook or you didn't do that I will stop coming, I won't give you the money' / so it's more like... he be more controlling / and I know he's older but he would be like *that... more controlling / even when I was after having a baby he want sex and I had a caesarean – things like that / but you have to XXX because you can't afford XXX / it's not easy / it's not easy at all / but at least if you got whatever leave to remain even if they gave you – like even if they gave you something for a year or six months at least that time you can be getting whatever benefits or whatever you can be *working / and once you're working legally you can get the money for childminding [or] whatever and get your baby being minded and go and work / but if you not getting any payment this job is only – I have to go back to that job and I don't have transport – he has to bring me there / so whatever he says I have to say 'yes' / but if I had my *own documents I could get a job at the [local shopping centre] I could get a job anywhere *nearer you see / 'cos most places they

¹⁰² See chapter three for a discussion regarding the ethical implications of Pamela's disclosures of physical, emotional, economic and sexual abuse.

want to see the document but now I have to *stick with that job because she didn't *ask me / and if she ask me I have to leave you see / it's not easy / and if he decide not to come here no more and not give us money where are we going to go? / on the street homeless I'm telling you / that's the thing that really worries me what if he decides 'ok I'm not gonna pay the rent'? / or if he got sick or something happened to him? / it would mean I have to be homeless / because I won't have any funds or nothing...to support myself and that's it / it's not easy really / like if - at least if they gave you something to go working / it's not that you want the benefits or whatever – cancel the benefits / let them give you the *right and say 'ok go and work and support yourself' / that's fine because working is not a problem / you work and you can earn money and pay your rent / that's the only thing that maybe they should do

In this narrative we can see the manner in which the social, legal and economic aspects of illegality converge to severely constrain Pamela's possible fields of action as a migrant woman and mother. I wish to highlight the significance of gender and race in structuring Pamela's experiences, and their spatialised, embodied effects. Pamela's occupation in the 'gray sector' of the care industry is typical of the employment opportunities available to migrant women. Pamela works nights and is delegated the menial and physical tasks. In the extract above, she explains that she is now working again following the birth of her second child but that her return to work was delayed for some months due to having had a caesarean section. At the time of the interview she was working just two evenings a week because of the physically demanding nature of her work and the high risk of sustaining a back injury.

As a result of her tenuous position in the labour market, Pamela and her two children were almost completely dependent on her partner to provide for their basic needs of food, accommodation and transport. Even her ability to sustain her two-nights-per-week job, her only source of a meagre independent income, was contingent on his cooperation. Without her partner's help in minding the baby and providing her with transport to and from work, Pamela would not be able to continue working.

It is evident from the manner in which Pamela describes the relationship between herself and her partner that he exerts a high level of control over her actions ("whatever he want[s] I have to do it"). This control is maintained by a combination of social and economic dependence, threats and fear, and physical violence. Her

economic dependence on this man is an outcome of her lack of documentation, her gendered corporeality as a postpartum mother recovering from a caesarean section, and her social status as a mother who has primary responsibility for caring for her children.

Pamela's story shows how immigration governmentalities can mark the bodies of migrant women by contributing to the exacerbation and perpetuation of domestic abuse situations. Moreover, immigration technologies can be wielded as a tool of abuse through the threat of reporting illegal residence/employment (Rudrappa 2004). Migrant women are often particularly hesitant to seek formal intervention as it may jeopardise their own legal status where residency is dependant on their spouse (Menjívar and Salcido 2002). Where the migrants experiencing domestic violence are undocumented, reporting abuse means they run the risk of drawing the attention of the authorities to their own 'illegality' (Menjívar and Salcido 2002).¹⁰³ Where reporting does occur, socio-cultural precepts and ethnocentrism can impact on the effectiveness of the intervention (Maryns and Blommaert 2002), as was Pamela's experience in the episode narrated below.

The disparity between her partners' legal and socio-cultural position as an Irish citizen and an Irish ethnic, and Pamela's uncertain position as an undocumented African woman working 'illegally', perpetuates and reinforces the dynamic of dependence and control between them. When Pamela tried to challenge her partner's controlling behaviour by calling the Gardaí, she was again frustrated by the seeming indifference or inability to assist her on the part of the authorities. In the following extract she describes her treatment by the Gardaí when she called them to her home following a physical assault by her partner.

Pamela: they didn't do anything / that's one thing that I say to them 'there's no justice for me' / because at the end he was – they just take him and speak to him in the kitchen and they stay just talk to me here / no – never said that they follow up or did anything / he say to me that they rang him and they say they were gonna come and see me / but I never said why did they ring – they should have rang me because I was the victim / because he is the one who came – come into my place and start causing trouble / 'cos I can't go out –

¹⁰³ For an itemisation of the significant implications of specific immigration/residency status' with regard to migrant women's access to services, see O'Connor (2010).

I can't visit no one – no one can come here / I can't do nothing really / because I did I said that – I say – I say it he keeps here, he's violent / even my son heard him say 'I'm going to haunt you forever I'm going to haunt you – you're going to be with me till I die' / things like that – being nasty and he be holding my arm / my arm was so hurt for two months / all this – trying to hit me and all / he say to me [that] the guards rang him and they said that they would be coming to see me / but they never come to see me / but you see I don't know / once they see your colour that's the end of it / when they see you they rather talk to him / maybe they understand him better / I don't know / maybe whatever you speak to them they won't listen to you / I don't know / I can't really say / It's very difficult / every day life is just difficult

Despite her explicit reporting of his physical violence, controlling behaviour and threats, witnessed by her older son, it seems that Pamela's partner was more successful than her in presenting his narrative to the Gardaí. I argue that the pretextual conditions (Maryns and Blommaert 2002) that impinge on Pamela's encounter with the Gardaí are shaped by a form of cultural citizenship which prioritises ethno-racial identity. Because Pamela does not share an ethno-racial identity with the Gardaí, this undermines her attempts communicate her experiences and to be heard. The apparent preference on the part of the Gardaí for communicating with Pamela's partner in their follow-up, indicates an implicit attitude that they would be better able to "understand" a fellow Irish ethnic, than a black African migrant woman. As such, the communicative disparities (Gumperz 1982) in evidence here are racialised. The greater attention seemingly paid to the aggressor's account allows him to minimise or undermine the complainants' account of what occurred.

It is striking how closely the language and imagery that feature in Pamela's narration of the condition of being undocumented correspond with that used by other participants to describe their experiences in the asylum process. The metaphors of immobility and captivity which Al and Esohe use to describe the experience of living in direct provision, parallel those deployed by Pamela in describing the spatial and socio-economic immobility arising from her 'illegality'. Esohe, Al and Pamela's narrations all portray immigration governmentalities as having immense disciplinary power; reaching into the lives and onto the bodies of immigrants, confining them while generating a profound and perpetual sense of insecurity. These features are redolent of Mountz et al's (2002) depiction of Salvadorian asylum applicants' in the

United States 'lives in limbo'. Limbo is a "state of restraint or confinement" and "an intermediate or transitional place or state" (Mountz et al. 2002, p.335). Pamela articulates this all-encompassing, imposed indeterminacy: "and time passes you / you haven't done nothing with your life / you're planning to do things – there's a lot of things like you wanted to achieve before you get [to] a certain age / and you're kind of really stuck / you can't move". The majority of participants in this research, who experienced direct provision or periods of irregularity, narrated lives of limbo in the institutional space of asylum or in the equally constrained spaces of illegality. By circumscribing their spatial and social mobilities, anti-citizenship technologies severely constrain immigrant's capacity for agency. The power of these anti-citizenship technologies (illegality and direct provision) is experienced by subjects in a very corporeal way.

In the following section, I present the narratives of participants who had successfully managed to move from asylum or 'illegality' to regularisation, through the Irish Born Child Leave to Remain programme. In doing so, they made the transition from being subjected to anti-citizenship technologies to technologies of citizenship.

Technologies of Citizenship

I now consider the agency enabling and agency constraining implications of immigration governmentalities by examining the subject-effects of a particular form of authorised residency, Irish Born Child Leave to Remain. In chapter four, I described the status of Irish Born Child Leave to Remain as a 'technology of citizenship' due to the time-limited, conditional and discretionary/administrative nature of the IBC/05 programme. Ten of the participants in this study who had previously applied for asylum were subsequently granted the temporary status 'Irish Born Child Leave to Remain', having given birth to a child in Ireland prior to January 1st 2005. The acquisition of Irish Born Child Leave to Remain by former asylum applicants was thus the most typical pathway to status mobility among the migrant mothers who participated in this research. Two additional former asylum seekers, Al and Ukaria, applied for this form of leave to remain as an alternative route to residency in Ireland after their asylum applications were rejected, but had not been successful in acquiring Irish Born Child Leave to Remain at the time of the fieldwork.

As outlined above, Pamela, who was undocumented, was endeavouring to obtain this status as a route to regularisation at the time of data collection, but so far without success. Another participant, Svetlana, had acquired Irish Born Child Leave to Remain, as a means of regularising her residency situation, after a period of being ‘undocumented’ following the expiry of her work permit.

The participants who had successfully made the transition between the asylum/direct provision system and the Irish Born Child Leave to Remain programme, were Ranu, Monifa, Abeni, Paula, Jeanne, Joy, Lucy, Akua, Jane and Zina. This transition was, for most of these participants, preceded by a period of uncertainty and waiting, after which the granting of Irish Born Child Leave to Remain was experienced as a huge relief and a form of liberation. The acquisition of Irish Born Child Leave to Remain opened the door to social citizenship with rights to employment, greater access to training and education, and social welfare¹⁰⁴. For these reasons Irish Born Child Leave to Remain was highly valued by participants. Their reactions were similar to those of the participants in Coakley and Healey’s (2007) study, who prized the right to work, as well as the right to access education and social welfare supports. As asylum seekers or undocumented migrants, the threat of rejection and deportation constantly hovers in the background, but the granting of Irish Born Child Leave to Remain provided the assurance of authorised residence in the Irish State for at least two years, with the possibility of status renewal and longer-term residency in the future. Zina exemplifies the viewpoint of other participants making this transition when she describes it as “exciting / exciting – very exciting / freedom / I felt gosh d’you know I’m free / I can sit down and plan for my life”.

However, as noted in chapter four, the scheme also places significant conditions and constraints on immigrant parents. The IBC/05 application form (see Appendix D)

¹⁰⁴ It should be noted, however, that many people with Irish Born Child Leave to Remain encountered restricted access to social welfare due to the Habitual Residency Condition (see chapter four). Since 2004 all applicants for social welfare supports must be able to demonstrate two years habitual residency in Ireland in order to qualify for social welfare entitlements. Time spent living in Ireland during which one was an asylum seeker, a student, or was undocumented, does not count towards the period of ‘reckonable residency’. However, those already availing of social supports at the time when the Habitual Residency condition came into force, were permitted to continue to avail of them. Therefore, participants in this research with a ‘stamp 4’ status (such as Irish Born Child Leave to Remain, refugee status or spousal residency) who had established a sufficient period of reckonable residency prior to May 2004 or were already availing of social welfare supports at that time, were not affected by the HRC.

requires applicants to indicate their acceptance of five conditions for the renewal of their permission to remain. The conditions include commitments to

- maintain continuous residence in the State and active participation in the upbringing of the ‘Irish Born Child/Children’
- obey the laws of the State
- make every effort to become or to remain economically viable in the State by engaging in employment, business or a profession, training and/or language courses
- and to accept that the granting/renewal of residency does not confer any entitlement or legitimate expectation of family reunification.

I argue that the conditionality and temporality of the IBC/05 programme is consistent with the neoliberalising trajectory of social policy developments in Ireland whereby welfare supports and entitlements become increasingly conditional in order to incentivise labour market participation (Murphy 2006). The temporary and conditional residency entitlements entailed in Irish Born Child Leave to Remain may be seen as a ‘carrot and stick’ activation mechanism similar to those described by Murphy (2006). Along with the Habitual Residency Condition, I locate Irish Born Child Leave to Remain as one of a series of measures designed to reduce or preclude migrants’ access to social supports and to compel them to take up paid employment.

I consider the criteria attached to Irish Born Child Leave to Remain as structuring of immigrants’ subjectivities. The conditionality and temporality of such short-term residency statuses, are effectively prescriptions for appropriate forms of self-government (Ong 2003). The subjects of the IBC/05 programme are “obliged to be free” in prescribed ways (White and Hunt 2000, p.112). Applicants are compelled by the conditions attached to their status eligibility and renewal criteria to take on the attributes of idealised neoliberal subjects – to work, to be economically self-sufficient, to refrain from making demands on the State. The ideal citizen-subject of neoliberalism is “constructed through appeals to the enterprise, responsibility and independence of individuals” (Pratt and Valverde 2002, p.139). However, as I elaborated in chapter five, certain categories of migrants are constituted as unethical subjects who have failed to adhere to these norms. The disparaging description of

migrant mothers as potential ‘citizenship tourists’ who sought to illegitimately consume the goods of citizenship implies that these instrumental hyper-reproducers have a propensity for dependency given their imputed desire to avail of undeserved rights and entitlements. The IBC/05 programme, I argue, is designed to re-constitute such migrants as governable and productive subjects. Applicants are required to compose themselves as ‘active subjects’, that is, as “autonomous individuals, responsible for their own fate, invested with personal agency and thus with a purely personal responsibility for their status and actions” (O'Malley 1999, p.95). As such, the programme is effectively a technology of citizenship designed to cultivate subjects compatible with neoliberal governmentalities.

By virtue of the nature of Irish Born Child Leave to Remain, all those subject to these conditions are parents. As the narrative extracts below show, their parenting roles combined with difficulties in accessing the labour market mean that many of the participants in this study found these conditions very hard to meet. The requirement to engage in employment, education or training renders the ‘freedoms’ entailed in Irish Born Child Leave to Remain onerous. Ironically, for former asylum applicants this obligation to be independent comes after an often lengthy period of obligatory dependence on the State. Moreover, this period of forced unemployment makes finding employment all the harder due to deskilling and gaps in ones’ work history (FLAC 2009). Migrant parents making the transition from asylum procedures to the IBC/05 programme are thus subject to a stark transition in the technologies through which they are governed, most notably a repositioning from compulsory labour market exclusion to required labour market participation.

I now explore the subject-effects of this technology of citizenship through a detailed analysis of Jeanne’s experiential narrative.

Jeanne

Jeanne is a West African woman who came to Ireland as an asylum seeker shortly before the 2004 referendum. Upon her arrival she was accommodated in a direct provision hostel, but following her daughter’s birth she was able to move into private rented accommodation. Jeanne’s initial application for asylum was refused and her

appeal of that decision was unsuccessful. Following the advice of a local NGO she applied for Irish Born Child Leave to Remain on the basis of her daughter's Irish citizenship. Jeanne endured a long wait, due to the suspension of the scheme, until being finally granted Irish Born Child Leave to Remain two years after her daughter's birth. For Jeanne this period of waiting "wasn't easy mentally" because during this time she wasn't allowed to participate in employment or education and there was no certainty as to the future of migrant parents of Irish citizen children like herself.

Although she was not entitled to engage in formal, credentialised education prior to being granted Irish Born Child Leave to Remain, Jeanne had attended informal English language classes (provided by a local NGO from which she had obtained advice on her residency options). While she came from an educated family and spoke several languages, Jeanne had not had access to formal education in her country of origin and had not had the opportunity to learn English before coming to Ireland. Because of this background, Jeanne placed a very high value on education and saw it as a priority in her strategy to improve her own circumstances and those of her immediate and extended family. Upon being granted Irish Born Child Leave to Remain, Jeanne's first action was to sign up for an adult education course. She also highly valued the ability to participate in paid employment. At the time of data collection, Jeanne was in full-time education but was hoping to also find "a part-time job to do after school". She spoke of how she was "supposed to be working", a reference to the requirements attached her Irish Born Child Leave to Remain status. The new entitlements bestowed by this status are described by Jeanne in positive terms ("I have opportunity to go to school / I have opportunity to go around and look for a job"). Yet, while Jeanne uses the language of freedom to describe her current status ("because the documents you know, [with] the document you can do – you can do everything / you will be free") her narrative below makes clear that she does not act as a neoliberal subject.

Responding to my question about what difference obtaining Irish Born Child Leave to Remain has made to her life, Jeanne initially focuses on the advantages of attaining this status in terms of her immediate personal situation. Jeanne contrasts her improved situation to those who were unsuccessful in attaining this form of authorised residency status; parents whose situation she is familiar with from her experience of waiting two

years to attain Irish Born Child Leave to Remain. She describes this experience in similar terms to the depictions of asylum and illegality/irregularity articulated by other participants, as a state of limbo. The phrase Jeanne uses to describe this condition – “you are nowhere, you are nothing” – evokes the impression of diminished personhood that featured in Esohe’s narration of life in direct provision. In the extract below, Jeanne’s narrative gradually opens out to provide a contextualising account in which she situates her own migration story in relation to her family of origin and prevalent emigration patterns from West Africa to Western Europe.

Jeanne: the right to education I’m very happy for that you know / that is very good because like those that they refuse like maybe Irish Born [Irish Born Child Leave to Remain] still, it’s gonna be difficult for them, mentally mostly / I’m telling you out of experience because if you don’t – you living in a place you are not doing anything, you don’t have any document to move, you don’t have anything / mentally it affects you because you feel you are nowhere, you are nothing you know, you understand? / but when – by the time you have documents – like me when I had documents I have opportunity to go to school / I have opportunity to go around and look for a job – even though I not got one, I know one day I will get one you know? / and when I’m educated I know I will get a good job that I can take care of myself and my girl very well you know that kind of a thing? / so documents is very important very, very – every human being – I think everybody, everybody have right to have a document to move / you know that kind of a thing? / you can travel, visit your family / [...] / we have a better future for the child / at least it’s truly Irish child – yes, she’s from Ireland, you know / at least coming to Ireland it’s a very big opportunity for me, a blessing for me / not only for me and for my family, I’m telling you, and for my family, for very, a lot of people / I will send a €100 to my mum, at least she will - it will be something for them / I’m from very large family we are eleven in number / and my dad is dead because of problems in my country you know / fighting and war and something that doesn’t make sense like you know / so my mum is alone, and my all my brothers, my family they are educated / they are very, very educated, they go to school, universities and everything / and yeah I don’t have money but I still squeeze out something to send from here / even if I send €200 home it’s a very big thing for them / at least it will help like especially now when they are going to resume going back to school / I have to try and send something to them / so I really need a job like because I would send €100 to my mum / you see would it would make a very big difference to her you understand?

Siobhán: so are you one of their main supports?

Jeanne: Yeah, yeah / and in Africa there is a lot of problems / our government is making things difficult / we are not supposed to be very poor but – we are not supposed to be – like in [country of origin] we not supposed to be poor people, not supposed to be going out of [country] going to look for a better life outside / but the government is so corrupt – there's no, there's no control, that the police are corrupt, everybody's corrupt / you know that kind of a thing? / so it's difficult / the money's not going round for the poor people / the poor they get poorer, suffering / so a lot of people – if you have opportunity to go out of [country] to come abroad, to come and get a job / and document is the most important thing / without the document you cannot survive / nobody's coming here to come and play you know / nobody's coming here to come and to come just sit down and look / everybody's coming here for a better life you understand? / if you have a problem and you have opportunity you go for a better life you know / that's why people are running out of Africa going to abroad to work / and they know the difference is huge / so if you are working, if you are here working – and without the document you can't work – so if you are here working you can support your family / your family at least will be fine – everybody, your family will be ok /

Siobhán: so papers for you, like residency represents...

Jeanne: it's like life / it's like life, big life / like now I have residency if I have money to buy ticket – all my family want to see [daughter] everybody want to see her / even though I'm not working I still supporting them with the little I have and squeezing that and still support them / at least if I have money I would go for Christmas, at least once go at Christmas, stay with my family / I'm here all year / I'm very, very lonely / because here you don't have friends – you have friends but all friends, you know, all friends are not friends, you know / you have friends – chat, chat, chat – but when you have a problem, you don't have anybody to tell / you know that kind of a thing? / so sometimes you really lonely, you miss your family, you want to see them / the kind of way you can't go home for four, five, six, seven, eight years, ten years to see your family – tell me that person is going to be mentally ok / you know that kind of a thing? / it's not easy

In this narrative, Jeanne's emigration is depicted as a transnational family strategy, as a response to political corruption, poverty and conflict that has resulted in the death of her father. In the move from 'I' to 'we' (De Fina 2000), Jeanne links her personal migration narrative with the overlapping and interlinked narratives of African emigration stories. She locates her family strategy in the context of the political-economic situation in her country of origin, and the African continent, which has resulted in large-scale emigration to Europe. Jeanne's story is embedded in a family

story, which is embedded in a national story, and a broader narrative of south to north migration flows and a history of colonial and corporate exploitation. This macro-narrative has been characterised by Saskia Sassen (2002) as global ‘circuits of survival’, based on migratory patterns from third world countries of the global south to developed economies.

Jeanne’s narrative presents the political and economic factors which have impelled her migration – violence, political corruption and poverty – as overlapping and entangled. This challenges the discourse that political and economic forms of migration are distinct and discrete, as assumed by asylum authorities and immigration regulation (see chapter four) which endeavour to sort according to these criteria, seeking to identify authentic refugees while weeding out and deterring economic migrants from illegitimately attempting to gain access by purporting to be refugees. Later in the conversation, Jeanne went on to explain the circumstances in her country of origin that gave rise to her migration in further detail, elaborating on the manner in which inter-related capital-driven resource exploitation and political corruption give rise to human rights violations and environmental degradation with devastating impact on the local agricultural economy. Through this narrative contextualisation, Jeanne problematises inequitable national governance structures and global economic disparities (“the difference is huge”) that produce migration. This may be seen as a narrative strategy that challenges the discursive individuation of migrants as spontaneous, self-promoting agents by pointing to structural factors. In the statement “nobody’s coming here to come and play”, Jeanne asserts the genuineness of the motivations of African migrants’ like herself, reiterating the desire of African immigrants to secure work. As such, she rebuts depictions of immigrants as motivated by the pursuit of welfare. She also asserts the illegitimacy of curtailing or restricting people’s fundamental right to move by the withholding of necessary documents.

Jeanne’s migratory strategy is not just designed for survival but also for the socio-economic advancement of her siblings, herself and her daughter. Her remittances support her siblings’ education. She herself has eventually gained access to educational opportunities that were previously unavailable to her, although these benefits come at a personal cost of loneliness and isolation due to her long-term separation from her family. Overall, however, Irish Born Child Leave to Remain

opened up possibilities that were not previously available to Jeanne and she describes the acquisition of her current status in positive terms.¹⁰⁵ Jeanne repeatedly refers to her present status in terms of having “documents” and her wait to be granted Irish Born Child Leave to Remain as a “stay without the documents”. For Jeanne, her mobility and the documentation that authorises it are vital to her family-orientated migration strategy (“without the document you cannot survive”) and her current status is thus portrayed as a lifeline (“it’s like life / it’s like life, big life”). For Jeanne – as with the other participants who have been granted or hope to be granted Irish Born Child Leave to Remain – the specificities of this form of documentation are, to a certain extent, less important than the fact that it entails the possibility of continued residency combined with improved prospects of socio-economic and physical mobilities.¹⁰⁶ Thus, documentation, here in the form of Irish Born Child Leave to Remain status, is a facilitator of mobilities which are vital to transnational familial strategies.

Jeanne aspires to naturalised Irish citizenship, seeing it as the key means to optimise her mobility potential: “if I have Irish citizenship you know like it makes it complete you know / I mean I can move more / I can do anything I want to do / I can walk and I can talk and I can [be] human now – I can be a human you know”. Note the corporeal imagery used to denote physical mobility (“I can walk”) and communicative capacity (“I can talk”), both of which Jeanne associates with the acquisition of citizenship; here speech and mobility are the attributes of the (naturalised) citizen. In his discussion of abject migrants’ political agency, Nyers (2006b, p.52) observes that the formulation “a speaking-being is a human-being is a political-being” is highly exclusionary given “the problematic status of ‘human’ in Western political thought”. Jeanne recognises that speech and mobility are the prerogatives of those who have been legitimised by the granting of citizenship status. The implicit awareness that the speech and mobility of the (not-naturalised) migrant may be construed as illegitimate and even dangerous (Nyers 2010) underlies Jeanne’s narration.

The last part of this chapter elaborates the themes of identity and belonging and how these are mediated both by the formal and cultural dimensions of citizenship. In the

¹⁰⁵ For example, the granting of Irish Born Child Leave to Remain effectively lifts the international travel restrictions that are imposed on asylum seekers (see Al’s narrative above). It is significant for Jeanne that she is now permitted to visit her family despite the fact that she cannot afford to do so.

¹⁰⁶ Jeanne uses the phrase “document to move” three times in the course of the interview.

narratives presented below, participants address the interplay of citizenship/immigration status with ethno-cultural identity and how these relate to performative or participatory modes of establishing particular forms of identity or modes of membership.

The Dynamics of Formal and Cultural Citizenship

All of the participants in this research saw their migration to Ireland as long-term if not permanent, and the majority hoped to secure naturalised citizenship at some time in the future.¹⁰⁷ Abeni and Irina's narratives describe their deliberations about applying for citizenship by naturalisation. This enables me to tease out the themes of identity and belonging, and how these are mediated by prevalent ethno-racial constructions of Irishness. In discussing the identity-related and cultural dimensions of citizenship, participants referenced attributes ethnicity, skin colour, language, accent and generation. They also articulate forms of belonging based on non-ethnic criteria including economic participation, community participation, local relationships and cultural learning. This points to the possibilities of performative and affective modes of belonging and hybrid identities, although participants were only too aware that these must surmount the obstacle of persistent ethno-racial constructions of (authentic) Irishness. Indeed, the narratives presented here suggest that formal status and rights are subordinate to the prevailing ethopolitics which shape cultural citizenship.

Several participants, including Paula, Al, Sami, Abeni and Ranu, narrate various experiences and interpretations of labour market discrimination/disadvantage.¹⁰⁸ Abeni is particularly vocal on this topic, which she describes in terms of the hierarchical prioritisation of ethnic Irish and European migrants, to the detriment of racialised African migrants. Deploying a narrative strategy of juxtaposing a collage of stories, Abeni articulates the complexity of identity and belonging, but ultimately

¹⁰⁷ The exception is Han who desires to return to her country of origin at some point in the future when it is safe to do so. Also, as I note below, while Irina's migration is permanent, she expresses ambivalence about naturalisation for practical reasons.

¹⁰⁸ Among the participants of this study, differential treatment was variously interpreted as resulting from individual racism, institutional racism, xenophobia and ignorance regarding immigration/residency statuses and entitlements.

concludes that ethno-racial identity overdetermines affective and performative modes of belonging.

Abeni

Abeni, a West African woman who has lived in Ireland for over a decade, came to Ireland with her husband and their eldest child. They initially applied for asylum but subsequently obtained Irish Born Child Leave to Remain following the birth of their two younger children, who are Irish citizens. Abeni was in the process of applying for naturalisation at the time of the fieldwork. She and her husband had applied for naturalisation as Irish citizens three years previously, but had so far been unsuccessful. Their initial application had been rejected on the basis that they were not qualified to apply (it was unclear upon what specific grounds this determination was based) – an assessment which Abeni contested: “I know it’s not really that we not qualify / it’s just that they using to delay you know”. Abeni interpreted this eligibility disqualification and subsequent bureaucratic delay and misinformation as evidence of discrimination against non-white immigrants, which she perceived to be prevalent in Irish society and political culture.

As with Jeanne, the right to take up paid employment is more valued by Abeni than the specific legal status which provides this entitlement. Her primary concerns centre on the exclusionary and disadvantaging nature of cultural conceptions of identity and belonging. Throughout her narrative, Abeni continually asserts her desire to participate in paid employment as the “only thing that will make me happy in Ireland”. Based on her own experiences in Ireland, as well as the experiences of her husband, friends and acquaintances, Abeni considers discrimination towards black African immigrants to be widespread not only in the labour market but also in other spheres including education and politics. As well as recounting stories of her personal experiences as evidence of this, Abeni narrates instances involving colleagues, family members and friends. These protagonists had all encountered various employment and education related disadvantages which Abeni linked to their ethno-racial identities as black Africans. Abeni’s assertions of labour market discrimination resonate with

the perceptions of the other African participants and the findings of other research (McGinnity et al. 2006).¹⁰⁹

At the time of data collection, Abeni was working part-time, although her contract was coming to an end. Her narrative expresses her frustration at not having secured full-time employment commensurate with her qualifications (“a good job to be proud of”).

Abeni: because I have right to work/ even I'm not even sure if they said bring any identification to show that you are—you have a legal right to work, I don't think Irish passport is kind of document they would like to see like / my stamp 4 [GNIB] card – and I have a letter [from the] department that says you are allowed to work / I have that letter since 1999 / so that letter and that eh my stamp 4 is *enough / even if you see direct passport it doesn't really matter to them anyway, to the employer / what's important to them is if they want to give you job they will give you the job

Abeni pointed out that she had third level qualifications from her country of origin, in addition to which she had obtained an Irish university degree (at considerable expense), had accumulated significant voluntary and paid work experience, and had the requisite documentation to prove her entitlement to work. Given that she is not lacking in (recognised) qualifications and experience, she concludes that racism/ethnocentrism are the most significant factors shaping her labour market experiences and opportunities. Consequently, Abeni stresses that the acquisition of Irish citizenship will not bring her any advantages in the labour market relative to her current status, Irish Born Child Leave to Remain: “I don't believe that because my name still remain and I still remain myself”. Later, reiterating this point she stated: “I have my brown skin / I have my [country of origin] accent / I don't think that would go from my mouth forever”. As noted above, Abeni's perception that being a black African is disadvantageous in the Irish labour market bears out the findings of empirical research. Her reference to the significance of accent as an indicator of ethno-racial difference, and a precipitator of differential treatment, resonates with similar remarks made by Pamela and Jeanne. Similarly with the participants in Creese

¹⁰⁹ It should be noted that McGinnity et al's (2006) study indicated a similarly high level of discrimination against white African immigrants in Ireland, although the number of white African respondents (38) was very low relative to the overall sample size (1,089).

and Kambere's (2003) Canadian research, all of these women have fluent English but feel that their African accents put them at a disadvantage in employment.

In the comments quoted above, Abeni presents her black African ethno-racial identity as legible in her name, visible on her skin and audible in her accent, and as immutably at odds with imagined Irishness and cultural conceptions of citizenship. She asserts that the sole benefit of naturalisation would be to facilitate international travel: "it can only give you *help – help you when you are crossing the border / they won't bother you / that is the only thing you can attach to it you know". Abeni states that she will continue to be seen as a foreigner regardless of whether she attains Irish citizenship: "you won't be carry[ing] a passport on your head / 'oh I have Irish citizenship, I'm *Irish' / *no". This comment echoes Hansen's (1999, p.434) remark that "racists, as it were, do not check passports".¹¹⁰ Abeni goes on to describe citizenship as "formality and identification", thereby presenting citizenship status as an artificial or technical form of identity, without substantive inherent value. She illustrates this point with a hypothetical story in which she finds and claims a lost passport as her own.

Abeni: I still keep on telling you it [citizenship] doesn't situate who you are / if-if like if I came to Ireland first time and I saw you I don't know you are Irish or you are from / if you don't speak I just look at you and I thought she is a British or she's from another country that there are wh- that the colour is the same / so it is difficult for me to tell if she's from so-so where / or because I saw your passport but if you not have your passport you see... / and have your passport is not even enough a good identification / anybody can have anywhere passport / if I see it on the road and I pick it and I keep it to myself and I say '*oh it's my, it's my, it's my' / does that really make it to be my? / so...just to have something when you are in one's country just to have something that would keep you going – carry you along – that is it

This anecdote implies that the possibility of theft or falsification of a passport – the artefact which is the primary authenticating evidence of citizenship status – undermines the value of the status it represents and of the identity it purportedly symbolises. Thus, Abeni articulates an understanding of citizenship as a *claim* to an identity rather than an identity of any substance *per se*. Abeni disputes the saliency of

¹¹⁰ Hansen (1999) makes the point that in Britain, where most ethnic minorities have British citizenship status, the prevalence of racial violence is not significantly less than that in Germany, where long term immigrants are generally excluded from formal citizenship. However, he acknowledges the importance of citizenship in facilitating access to institutional means to counter and limit racism.

citizenship status, in a milieu wherein ethno-racial identity is integral to prevalent cultural perceptions of citizenship identity.

Significantly, while ethno-racial identifications feature in the extracts below in which Abeni focuses on her children's identities, she places far greater emphasis on the performative and affective aspects of their identity-construction. Persistently dismissing the significance of formal citizenship, Abeni describes Irish citizenship status as largely irrelevant to her teenage daughter who migrated with the family to Ireland at the age of twelve and remains a citizen of her country of origin. Abeni asserts that her daughter's sense of Irishness is lived and practiced at an everyday, local level through her activities and relationships.

Abeni: let me tell you / that girl – that my girl she doesn't even understand what is– / *now – now she doesn't even know what is Irish citizen / she believe she's Irish anyway / there is nothing you can tell her that would change her mind because all her life is school / and all school is her colleagues you know

This leads Abeni to describe formal citizenship as having minimal, if any, connection to lived identity.

Abeni: you see that boy [pointing to son] / he's *brown / but if he speak for you, you will notice that with him you will think he's Irish that's speaking because his accent is pure [local town] / it's not even [county] – it's *[town] accent – *pure one / XXX / but I don't know what will happen to him, because the Irish stay within Irish / even if he has multiple of Irish citizenship, he was born here, he naturalisation – *everything / they–they– it still remain the same that he is brown

Abeni highlights the performative aspects of her children's identities, pointing to their participation in community games, schools debating and athletics. Yet in depicting her son's skin colour as ultimately incompatible with an authentic Irish identity, Abeni equates Irishness with whiteness. There seems to be some divergence in how Abeni talks about her son and her daughter which may be explained by the fact that in the first case she is talking about her child's self-perception and in the second case about others' perception of her child. Overall, Abeni is optimistic about her children's prospects in Ireland, but indicates a degree of anxiety over the likelihood that they will have to contend with racism and ethnic nepotism (“the Irish stay within Irish”). In narrating her children's Irish identities, Abeni highlights their affective, local,

everyday practices and performances. Nonetheless, she depicts their Irishness as always threatened by ethno-racial constructions of membership and belonging lurking in the background.

I now look at the identity narrations of another participant, Sami, in order to further elaborate the discussion of performative versus immutable ethno-racial identities.

Sami

Sami's articulation of her daughter's Irish identity has much in common with Abeni's discussion of her children's local identifications and performative modes of belonging. Sami is also from West Africa. Her two children were born in Ireland and are Irish citizens. Sami has spousal residency based on her husband's EU citizenship. As evidence of her daughter's Irishness,¹¹¹ Sami asserts that the child's first language is English, her second language is her father's native language and she also has "some words in Irish". At one point during our conversation Sami called her daughter in to demonstrate some Irish phrases she had learned in school – to literally perform her Irish identity. Sami says of her daughter that having been born and raised in Ireland, "she knows just about *here". The child has never been to her mother's Western African country of origin and has only once visited her father's Western European country of origin.

Sami: she doesn't know anything about those countries / she knows that she was born here / she was grow up here / she go to school here / and she's – she's *Irish / it's not because of the colour / she knows that she's Irish you know / and I'm trying to make her to integrate you know / that's why I'm bringing her to the dance / I want her to dance Irish dance as well / all those things I want her to do that you know / yea to be part of the – you know of the *country you know

Interestingly, while Sami's daughter was born and raised in Ireland, her Irish citizenship was automatic, she has fluent English with a local accent, Sami articulates a need for her to "integrate" in order to "be part of", to belong to, Irish society. Sami here describes belonging primarily in terms of cultural integration. Her daughter is able to perform Irishness by learning and reproducing Irish culture. The child's

¹¹¹ Sami's discussion of identity solely concerns her older child, a school-aged girl; her younger child is a toddler.

integration is represented not as something that is automatic, but as something that must be worked for, the result of effort and investments. This leads me to argue that migrant mothers do not just engage in identity work on their own behalf, but also on behalf of their children. As such, I conceptualise identity work as part of the motherwork in which migrant mothers (of co-resident children) engage.

Participants engaged in this kind of motherwork in varying ways. Some such as Han, felt strongly that their children should learn aspects of their culture of origin, particularly language, in order to develop hybrid identities. Others believed it to be more important to focus on promoting and developing their children's Irishness in order to maximise their integration. These perspectives were projected onto the children's bodies as "sites of affect and performance" (Fortier 2006, p.321). Identity is not simply ascribed or marked onto their bodies, because bodies are not inert, they are sites of agency (Grosz 1994). This speaks to the potentiality of new forms of identification and new modes of articulating identity.

Continuing with the theme of ethno-racial mediations of belonging, I now analyse the narrative of one of the white European women who participated in this research. Irina's experiences stand in sharp relief relative to the African participants' experiences of racialisation as described above and in chapter five. Irina's narrative reinforces and elaborates the link between whiteness and Irishness.

Irina

Irina moved to Ireland when she was nineteen years old to take up employment on a work permit. Her current status is spousal residency due to her marriage to an Irish citizen. Irina and her husband have a child who was born in Ireland in 2005. Her child has dual citizenship due to her parentage – she is both an Irish citizen and a citizen of Irina's country of origin. Having lived in Ireland for over five years, Irina sees Ireland as 'home' and narrates a sense of belonging: "I do consider myself as a part of the society". On being asked if she felt her child would encounter any difficulties in being accepted as Irish, Irina responded in the negative, describing how she herself is assumed to be Irish by most people she meets.

Irina: no I wouldn't [have concerns about child] / I kind of – no I wouldn't because I fitted in so well you know / and not every person if I'm talking to them now that person who doesn't know my situation not most of them would not believe that I'm not actually Irish

Siobhán: You're presumed to be Irish?

Irina: yes I'm assumed automatically with the accent most of the people don't believe me they think I'm actually joking with them you know / but if the person starts *really listening to me they can hear that there is something *different about the language / but from the first glance none of them do believe me you know so / and plus again I don't feel that my child would have a problem you know / I hope not

In this extract Irina identifies her accent as the main reason she is assumed to be 'Irish'. Irina's social circle is composed almost entirely of Irish people: "I'm surrounded by Irish people / even in my workplace I was the only non-national of forty people". Thus, she has little opportunity to speak her native language: "it's mostly English that is talking around me". As a result, Irina speaks fluent Hiberno-English with a strong local accent. While she feels there is a trace of "something different" in the way she speaks, this can only be detected through careful listening. However, the phrase "from the first glance" is revealing. The preceding statements refer to aural indicators of identity – language, fluency and accent – but the word 'glance' is indicative that visible indicators, particularly skin colour, play a significant role in identifications.

In their everyday lives, both of the white European (but not EEA) participants, Irina and Svetlana, managed to 'pass' as Irish and avoid being targets of anti-immigrant sentiment. This contrasts starkly with the racialisation of the African participants described above and in chapter five. White migrants are more easily able to 'blend in' in the Irish landscape, rather than be seen as incongruent bodies in the space of the Irish nation (Tormey 2007). Their whiteness seems to facilitate the assumption of their legitimacy and belonging, in contrast to the illegitimacy and outsider status associated with the black body.

As noted above, in her day to day life Irina 'fits in' to such an extent that she is assumed to be Irish by acquaintances. She considers herself a member of Irish society

rather than an immigrant: “I don’t feel like a foreigner anymore”. However this sense of belonging is unsettled by the annual process of renewing her residency. In the extract below, Irina discusses how she and her husband are required to present themselves at a Garda station once a year in order to update her residency status. Immigrants from outside the EEA are not automatically entitled to residence in the State on the basis of marriage to an Irish citizen – such an entitlement may only be secured by providing “evidence of a valid and genuine marriage” (INIS 2010b). This involves providing “detailed information regarding your relationship history and the context in which your marriage took place” (INIS 2010b). The onus is on applicants to convince the immigration authorities of the legitimacy of their marriage, despite the fact that ‘marriages of convenience’ are not prohibited by Irish law (Smyth 2010).

Irina: it is a little bit uncomfortable you know because every time you have to go the immigration office and to prove to them that you’re actually married even though you – we have a child and a house and different factors / but you still have to drag your spouse with you and you have to take the day off work / and he’s trying to explain to his employer that I have to go to the immigration office to prove that I’m still married / that – that makes it uncomfortable / it’s not *hard but its just – it doesn’t feel right you know / I do agree it’s the law but that kind of that makes it a lot – a little bit awkward / [...] / It just makes it – you don’t feel right you know / you just kind of... / I know that there is added factors that they can look at especially because we have a baby already and we have our own house / you know there are factors which should be involved as well rather than me trying to drag my husband with me all the time / and whatever about me but it’s for himself trying to explain to his employer / that he doesn’t feel right telling him all about it that he has to go to the Garda station and prove them that he’s been married / not every person understands that you know / that makes it awkward / it’s not the hassle wise – that’s no problem – you go in and you XXX for an hour or so and you go away / it’s not but it’s just the feeling that it gives you that you’re kind of trying to break the law or something because you have to bring a witness with you / you know that kind of puts you down a little bit

Irina expresses ambivalence about obtaining Irish citizenship by naturalisation. She deliberates that the most significant practical advantage of naturalisation would be that she and her husband would no longer have to submit their marriage to the scrutiny in order to annually renew her GNIB (Garda National Immigration Bureau) stamp (see chapter four). But she points out that there would also be disadvantages to naturalisation. While Abeni intends to retain her citizenship of her country of origin

(thereby acquiring dual citizenship on naturalisation to Irish citizenship), this is not a possibility for Irina. In her case, naturalisation would entail rescinding her nationality of birth because, while her country of origin recognises dual citizenship by parentage (*jus sanguinis*) as in the case of her child, it prohibits dual nationality by naturalisation. On the one hand, Irish citizenship would be beneficial in facilitating her mobility within the EEA, but on the other it would be restrictive with regard to travelling to her country of origin: “that means every time I want to go and visit my parents I would need a visa to go back to my home country”. This indicates the limits of citizenship status as an enabler of mobility. However, the constraints on Irina’s mobility were insignificant compared to those described earlier by Al and Esohe as subjects of the asylum system, or Pamela as an illegal immigrant. To some extent citizenship status may be a less pressing issue for Irina due to the relative security of her spousal residency status. I would further argue that naturalisation is less urgent for her because she already benefits from the privileges of cultural citizenship due to her whiteness, augmented by her accent.

The narratives presented in this section indicate a degree of fluidity in identity negotiations and subject constructions. For example, Abeni and Sami emphasised their children’s ability to construct Irish identities through local practices and relationships. However, skin colour marked the limits of the flexibility of Irishness, conceived as a racialised ethno-national identity.

Conclusion

The argument I make is that exclusionary/inclusionary technologies of citizenship and immigration do not simply operate to mediate access, they presuppose, and are constitutive of, certain forms of subjectivity. I argue that such technologies are part and parcel of a broader “consumerist neoliberal revisioning of citizenship and security” (Sparke 2006, p.175). This revisioning of citizenship is played out through a complex ethopolitics of ‘citizenship technologies’ and ‘anti-citizenship technologies’. This chapter explored the subject-effects of this composite of technologies of citizenship and anti-citizenship as encountered and negotiated by the participants of this study, by analysing migrant mothers’ narrations of self-making and being-made in relation to nation-state and transnational processes (Ong 2004). My analysis

addresses the interplay of the microphysics and macrophysics of power through a focus on space, time and bodies (Fortier 2006).

The participants' narrations illustrate the immobilising aspects of immigration governmentalities, as well as the possibilities for transcending these constraints through their efforts at status mobility – with varying degrees of success. As such, this study endorses the findings of empirical research in other contexts which affirms the enduring and evolving power of the nation-state in shaping immigrants' experiences (Menjívar 2006; Mountz *et al.* 2002). However, this thesis also takes account of the agency of immigrant subjects, albeit constrained, in negotiating the regulatory systems which circumscribe their “possible fields of action” (Foucault 1982, p.790).

As I elaborated in chapter five, migrant mothers have been constructed through dominant power/knowledge practices as risky, unethical subjects due to their purported irresponsibility and propensity for welfare dependence. In the narratives presented in this chapter, participants put forward alternative discourses of motherhood and migration through which they seek to establish valid and valued identities. Their migratory family strategies are long-term, future-orientated, and are characterised by personal sacrifice and geographic separation of families in the present. Participants identified education and employment as central components in their family migration strategies and in the construction of desirable, legitimate identities. However, for many of the participants, socio-economic mobility is hampered by immigration governmentalities – both technologies of citizenship and anti-citizenship – and a configuration of cultural citizenship based on ethno-racial constructions of identity and belonging. Drawing on Nyers (2006b, 2010), I argued that the capacity for political agency plays a vital role in the unequal dynamic between those actors who have a stake in reconfiguring citizenship. In elucidating some of the tensions in the interrelation between informal and formal citizenship, Sassen (2009) cites the mobilisation of motherhood as a source of political agency in particular contexts.¹¹² Contrastingly, I have shown that this instance of citizenship reform in Ireland centred on the problematisation and subsequent rejection of

¹¹² Sassen's (2009) argument refers to examples of women in Argentina and El Salvador whose relatives were 'disappeared', taking political action and making claims on the state as mothers, an identity which is not normally recognised as 'political'.

parenthood as a legitimate source of deservingness in respect of citizenship transmission and residency rights-claims. Thus, I highlight the uneven distribution of or capacity for political agency on the part of migrant subjects and the state.

Chapter 7: The State and the Subjects of Governmental Citizenship

Introduction

This thesis empirically investigates the manner in which citizenship divides and governs the population through immigration regulation (Hindess 2000a, 2000b, 2003). My analysis is premised on the understanding that citizenship, on the global scale, operates as a system for biopolitically managing populations through their allocation to specific nation states (Hindess 2000a). I adopted Inda's (2006) conceptualisation of technologies of citizenship and anti-citizenship technologies, as a framework for analysing the complex of governmental techniques of population management. These technologies entail processes of subjectification through which migrants are differentiated, categorised, constructed as certain sorts of subjects, attributed identities, and are compelled and constrained to exhibit particular attributes and behaviours. I further argue that such technologies are integral to the modern regime of citizenship. In this concluding chapter, I outline the significance of this thesis in theorising governmental citizenship and in empirically elaborating how it operates, its scope and its effects. I explain how the understandings developed in this case study of Irish citizenship reform contribute to advancing the theorisation of governmental citizenship.

The following section reflects on my contribution to theorising Irish immigration regulation and citizenship reform through the application of Inda's (2006) concepts in explicating the Irish State's practices of immigration regulation and citizenship reform.

Irish Immigration Regulation and Citizenship Reform

Much of the research concerned with immigration in the Irish context, particularly with regard to asylum, is reactive, in that it addresses pressing issues of service provision, legal or policy developments, with the result that theoretical considerations

are often under-explored (Mac Éinrí and White 2008). This study makes a significant contribution to situating Ireland in relation to the theoretical debates concerning citizenship and migration regulation

This thesis establishes that, from the perspective of Irish State authorities, immigration and immigrants are risks to be managed in order to minimise negative outcomes and maximise the benefits to the State. By mapping out the regulatory context pertaining to non-EEA immigration in chapter four, I established that the Irish State enacts its sovereignty through managing migratory flows and selectively admitting those immigrants deemed desirable. I showed that desirability is determined according to the strategic economic agenda of the ‘competition state’, and I argued that eligibility criteria for admission via formal programmes and permissions require candidates to demonstrate that they approximate the attributes of idealised neoliberal subjects. This set the context for my analysis of the technologies designed to regulate unsolicited and unauthorised forms of immigration, and categories of migrants perceived as undesirable.

As detailed in chapter two, technologies of citizenship and anti-citizenship technologies are distinguished by their operationalisation of productive or coercive modes of regulation, and by their differing suppositions regarding their target subjects. In chapter four, I identified as governmental technologies of citizenship, those programmes and practices of immigration regulation (such as employment or education visas and regularisation schemes such as Irish Born Child Leave to Remain), because they seek to act upon the conduct of immigrants by conditionally including them. Conversely, anti-citizenship technologies are those immigration regulation processes which seek to deter, contain or exclude immigrants. Thus, I categorised the following as anti-citizenship technologies: the Irish asylum determination process; the direct provision system and other restrictive welfare policies such as the HRC; practices of illegalisation; detention and deportation, and other repatriation mechanisms; and the 2004 referendum. The significant parallels identified in chapter six, regarding the subject-effects arising from illegality and direct provision, endorses their classification as anti-citizenship technologies.

In chapters four and five, I demonstrated that these technologies are legitimised on the basis of an ethopolitical construction of undesirable immigrants as unethical subjects (Inda 2006). Chapter five illustrated the manner in which the 2004 referendum brought together discourses of risk and irresponsibility concerning migrant mother's reproduction, with discourses of immigrant deviance concerning illegality and system-abuse. I detailed the use of official statistics and expert knowledge to constitute this particular population group as problematic and justify their exclusion. The racialised nature of these discourses became apparent in the analysis of these practices of enumeration and categorisation, and was reflected in participants' experiential narratives. The importance of language in shaping understandings of legitimate and illegitimate membership is clearly evident in this chapter. I made the argument that in the ethopolitical context of the referendum, any agency on the part of the migrant mothers was likely to be perceived as problematic (Nyers 2010).

In chapter six, my analysis highlighted the manner in which anti-citizenship technologies circumscribed migrant women's spatial and social mobilities. A central tenet of my argument, however, is that citizenship and anti-citizenship technologies do not simply prohibit certain mobilities and facilitate others, they have significant subjective impacts and are constitutive of certain forms of identity. For example, the narratives presented in chapters five and six, showed the manner in which anti-citizenship technologies impacted on these women on a number of levels: shaping participants' relations with others, bearing upon participants in a very corporeal way, as well as affecting their subjectivities, giving rise to self-surveillance.

In addressing the subject-effects of technologies of citizenship, I focused primarily on the IBC/05 regularisation programme. I argued that the criteria attached to Irish Born Child Leave to Remain endeavour to reshape applicants' subjectivities: the conditionality and temporality of such short-term residency statuses, are effectively prescriptions for appropriate forms of self-government (Ong 2003). Thus, while acknowledging the significance of regularisation in terms of its bestowing significant rights and entitlements and enabling a degree of security, I cautioned that such freedoms come at a price. Moreover, the very nature of the conditionality pertaining to this status undermines the programmes governmental goals due to the forms of (failed or inadequate) subjectivity they seek to act upon. In their narrations,

participants highlighted the incongruity of obligations to work given the prevailing socio-economic conditions of labour market discrimination, the lack of recognition of existing qualifications, and unaffordable childcare. Thus, the underlying governmental logic or rationality that conceptualises migrant mothers as unethical subjects who can be dealt with as failed neoliberal subjects ('citizenship tourists'), is inappropriate. Furthermore, the assumption that they can and should be rehabilitated according to the idealised model of the autonomous, responsabilised, productive neoliberal subject, is fundamentally flawed.

Rather than conceiving the 2004 referendum in terms of exceptionalism, I assert that it and the various attendant technologies of citizenship and anti-citizenship, may be seen as part of a *series*, and as consistent with the neoliberalising trajectory of social policy developments in Ireland (Murphy 2006). I conceive of these technologies in terms of identification projects (Rose, 1996a), characterised by a concern to *secure against* rather than *secure for*.

The Liberal and Illiberal Faces of Citizenship

This research theorises the coercive, illiberal technologies of direct dominance as operating alongside and in conjunction with the forms of consent, persuasion and technologies of the self entailed in liberal governmentalities, "thus interrogating how these processes function conjointly" (Mitchell 2006, p.390). Conceptualising techniques of detention, deportation and direct provision as 'anti-citizenship technologies' which are integrally linked to the liberties, entitlements and mobilities of citizenship, and play a key role in securing the conditions of citizenships' liberties, is a move that draws attention to the under-explored side of citizenship – the integral role of illiberal practices in sustaining liberal freedoms and privileges (Valverde 1996). In addition, the elaboration of anti-citizenship technologies demonstrates the continuance, indeed the intensification of sovereign modes of power. In the implementation of anti-citizenship technologies such as detention and deportation, governmental power fades into the background; there is no governmental effort to reform, discipline or normalise those subjected to the coercive, bodily practices of forced immobilisation or compulsory mobility (Pratt, 2005).

I argue that given the arbitrary and uneven application of technologies of citizenship and anti-citizenship, determinations as to who will be subjected to which type of technology is less a reflection of any inherent or even assumed capacities of individual subjects, than of the vagaries of state sovereignty. Through anti-citizenship technologies, which illegalise and exclude unwanted immigrants, the sovereign system of states and its allocation of citizens to their appropriate sovereigns, is reproduced (Walters 2002; Hindess 2000a). Through technologies of citizenship, immigrants are inducted into state-defined values of citizenship, which, as I have shown, may be made explicit through residency status eligibility criteria and conditionality. Therefore, I assert that programmes or discretionary decisions recognising or conferring on migrants the right to be present or remain present in the territory of the state, are as much expressions of state sovereignty as the more obviously sovereign acts of voluntary or forced expulsion or non-admission.

The amalgam of these liberal and illiberal technologies operates to regulate the population by classifying and filtering, by selectively facilitating and denying access, and by dictating the terms of access and continued residence. In addition, they inform, and are informed by, cultural conceptions of identity and belonging. As such, they contribute to shaping historically specific configurations of national identity (Pratt, 2005).

Formal and Cultural Citizenship

This research contributes to the literature on transnational family and migration strategies (Ryan et al. 2009), it elaborates the complex ways in which national policies impact on the capacities of migrants to enact their family strategies. It highlights the need to contextualise transnational practices and family strategies within migration structures and institutions (Ryan et al. 2009).

I argue that formal and cultural citizenship are mutually conditioning and that technologies of citizenship and anti-citizenship play a vital role in reproducing and structuring both aspects of citizenship. However, the overlap between formal and cultural citizenship is not complete. In fact, as Sassen (2009) argues, citizenship is always incomplete, always in the process of making and being made. This

incompleteness is a site of potentiality for more inclusive, as well as more exclusive, configurations. Proponents of post-nationalism and de-nationalisation argue that the rights accorded to migrants in the current era of globalisation and transnational migration indicate the declining role of the nation-state. I argue that such assertions have failed to adequately consider the situation of more marginal immigrants who have only short-term residency permissions, or none at all. My examination of the rights of marginal immigrants highlights the conditionality of those rights. In the case of Irish Born Child Leave to Remain, the ‘right’ to labour market participation may be viewed and experienced as libratory relative to the labour market exclusion or marginalisation/exploitation experienced by asylum seekers and ‘illegal’ immigrants. However, by making this right a criterion for status renewal, it becomes obligatory and onerous. As such, I assert that these immigrants, and others in similarly conditional and temporary regularisation programmes, are more accurately described as ‘duties-bearing subjects’ rather than ‘rights-bearing subjects’ like citizens and denizens (Smith, 2009). This understanding of rights qualifies the celebration of their expansion with recognition of the need to evaluate the nature and *quality* of immigrants’ rights in order to advance our understanding of the *substance* of contemporary citizenship.

As noted earlier, motherhood may be mobilised as a source of political agency in particular contexts (Sassen 2009). In chapter four, I explained that as a result of the 1990 Fajujonu decision, parenthood was recognised as a basis for making the claim for continued residency in Ireland (until the 2003 Lobe and Osyande decision). The Fajujonu case may be seen as typical of the process whereby undocumented immigrants can make a claim for regularisation on the basis of their long-term residence. Somewhat similarly, pregnant asylum seekers living in direct provision accommodation were, for a number of years, able to avail of the (administrative) entitlement to move to private rented housing and access some of the same social welfare supports available to citizens. In such cases, improved circumstances (which can be considered here as semi-formal rights) were accessible specifically on the basis of maternity/parenthood. I conceptualise these examples as instances of agency on the part of migrant parents which opened up the space of citizenship by ‘taking rights’ (Nyers 2006b) on the basis of presence/participation, familial relationships and/or deservedness (Sassen 2009). Such attributes and attachments were also identified as a

basis for claims of belonging and entitlement by the participants in this research (see discussion in chapter six).

However, as I noted in chapter four, the residency rights granted to the parents in the Fajujonu case were granted in fulfilment of their child's citizenship rights, rather than recognition of their own *de facto* citizenship.¹¹³ While the Fajujonu ruling required the State to expand the rights of immigrant parents of Irish citizens, subsequent judicial decisions enabled the State to roll these back. In doing so, the State rescinded migrants' residency rights as well as the citizen rights of their children. Moreover, as the present study demonstrates, the practices, relationships and other features or sources of deservedness, belonging and entitlement are not fixed, but are a source of problematisation and contestation. The ethopolitics of Irish citizenship reform centred on the problematisation and subsequent *rejection* of maternity as a legitimate source of deservingness in respect of citizenship transmission and residency rights-claims. The maternal agency of migrant women was thus (re)constructed as an “unsavoury” or “dangerous” form of agency (Nyers 2010, p.414). Therefore, I argue that the Irish case of citizenship reform can be considered to be part of the “contemporary counter-tendencies to the envisaged long-march toward the expansion of rights baring subjects in liberal democratic political spaces” of post-national discourses (Smith, 2009, p.276-7). While it is important to recognise the political agency of immigrants in generating new forms of belonging and making citizenship-style claims, it is equally necessary to appreciate the political agency of those actors mobilising against the extension of rights or the expansion of the terms of belonging to include immigrants (Smith, 2009).

The Political Agency of Migrant Subjects and of the State

I highlight the significance of the actors and agencies of the State – law makers, immigration officers, Gardaí, welfare administrators and other public servants and service providers, in inventing, interpreting and implementing citizenship and anti-citizenship technologies. In doing so, they operate in the context of the prevailing

¹¹³ The right of continued residence was provided in recognition of the child's citizen-right to the care and company of their parents, which gave rise to derivative residency rights on the part of the parents.

ethopolitics, which informs who can speak (Nyers 2006b, 2010) and on what terms they will be heard and understood (Blommaert 2001b; Maryns and Blommaert 2002).

The *Osyande and Lobe* case demonstrates that making use of the courts as an alternative site of political engagement (Jacobson and Ruffer 2003) is an option that is not only available to individuals contesting the State's sovereign delimitation of rights (as in *Fajujonu*), but is also available to the State in endeavouring to counteract and reduce the rights-claims and entitlements built up by migrants. My analysis points to the innovative capacity of the State in responding the new rights-claims by migrants, by extending rights, but also revoking rights, reforming the basis on which rights may be extended, and making rights conditional. Just as Pratt (2005) found in the Canadian case, I argue that the patchwork strategy of creating and foreclosing statuses and paths of access pursued by the Irish State serves to augment its sovereignty. Moreover, I argue that through highly managed processes of regularisation, the perceived threats posed by migrants with ambiguous legal statuses, are rendered governable (Katz 2005; Richardson, 2005). I concur with Makaremi's (2009) assertion that concessions of rights to immigrants through administrative programmes, provides states with opportunities to organise new mechanisms of control. The process of regularisation facilitates the imposition of conditions that allows the State to dictate the terms under which immigrants can remain. Bringing such groups within the law "blunts the power of opposition" (Katz, 2005, p.627). Unfortunately, these insights paint a much bleaker view of citizenship than the optimistic accounts of proponents of post-nationalism and de-nationalisation.

Neoliberalism and Citizenship

One of the ways in which neoliberalism has significant implications for citizenship is through the relationship between government and knowledge, whereby governing activities are recast as non-political and non-ideological problematics requiring and amenable to technical solutions (Ong 2006). My analysis draws attention to the utilisation of expertise and practices of enumeration in rendering technical the problem-definition of a 'citizenship loophole' and the proposed legislative solution. The technicisation of political problems is also suggestive of the shrinking space of 'the political' in the formal state apparatus (Sassen 2009). In this manner,

neoliberalism contributes to the reconfiguration of relationships between the governing and the governed and between power and knowledge (Ong 2006). The deployment of discourses of risk and security operates to legitimate national exclusions and neutralise moral or racial overtones, in a context where the application of coercive powers must be cautiously justified and administered (Pratt, 2005).

These conditions also work to encourage, if not obligate, conformity with the market in line with national strategies of economic competitiveness (Larner and Craig 2005), through technologies of citizenship which emphasise the responsibility of the individual immigrant to assimilate effectively into the labour market and the host society (Mitchell 2006). My findings support Bryan Fanning's (2009) identification of a prevailing narrow definition of integration in terms of labour market participation, whereby integration is the privatised responsibility of individual migrants.

The findings of this research thus contribute to enhancing our understandings of the "multiple neoliberalisms" which develop in different ways in different places, articulating with other political projects and taking on multiple material forms (Larner 2003, p.510). I situate the Irish State's national responses to immigration governance within the context of globalising processes. It is necessary to address the inter-relationships and interactions between national processes and international or global processes, as these are not discrete phenomena. As Sassen (2000, p.375) points out, "most global processes materialize in national territories and do so largely through national institutional arrangements". Equally, nation-states also have a crucial role in reconfiguring globalising processes (Sassen 2000). In an Irish context, I establish the impact of non-EEA immigration on the sovereignty of the national State, and the State's adaptive responses in occasionally making concessions and at other times reasserting sovereignty.

As discussed in chapter two, the main line of continuity between the era of social citizenship and the post-social or neoliberal era of citizenship is the ongoing centrality of security as the dominant component of governmental rationality. However, there has been a generalised pull away from or roll back of the kinds of identification projects associated with social citizenship (Rose, 1996a), which were designed to secure the prosperity of the national population (while simultaneously constructing

the very national population which they addressed), in favour of privatisation and the individualised pursuit of prosperity through market choices. Based on my analysis of Irish citizenship reform, I argue that the identification projects that characterise the post-social era consist of

- those designed to activate and responsabilise citizenship (and non-citizenship), and
- those designed to re-nationalise the national population and the national economy.

Ironically, while security is the axis around which neoliberalised rationalities of governmental citizenship revolve, I assert that security is now often pursued through *insecurity*. By this I mean that *securing against* (as opposed to *securing for*) is necessarily premised on the presence of a perceived threat. In the 2004 citizenship reform those marked as ‘Other’ by race and gender were constituted as threatening to the national order and the systems that sustain the privileges of this order – citizenship and immigration regulation.

In the empirical case under analysis, I identified contradictions of governmentality pertaining to the underlying notions of migrant mothers’ subjectivity, the upshot of which was the treatment of immigrants as if they are, and should be, certain types of subjects. My analysis shows that race, gender and motherhood are central to these determinations. For example, I demonstrated that in the context of Irish citizenship reform, anti-citizenship technologies treated pregnant African women and mothers *as if* they were instrumental reproducers who put their foetuses at risk in order to avail themselves of the secondary benefits of *jus soli* citizenship. In Chapter 5, I explicated the means by which this conception gained authority and political traction through its (contested) basis in (controversial) expertise and enumeration practices. The manner of its dissemination by political figures and the media presented citizenship reform as a commonsense and technical solution which was necessary to maintain the system-integrity of the sovereign prerogatives of citizenship and immigration regulation. Following the successful reform of *jus soli* citizenship acquisition, the Irish Born Child Leave to Remain was reinstated on a limited basis. However, this citizenship technology endeavoured to reconstitute applicants (conceived as failed/unethical

subject) as ideal neoliberal subjects, and in so doing ignored the inappropriateness of treating migrant mothers as independent, rational economic actors.

Contribution to the Governmentality Toolbox

Governmentality studies can fail to sufficiently distinguish between the governmental and the political (Hindess 1997). Foucault's understanding of politics brought social relations of contestation to the fore, conceptualising politics as a matter of struggle, contingent upon the deployment of resources, tactics, and strategies (O'Malley et al. 1997). However, O'Malley et al. (1997) observe that the Foucauldian conceptualisation of politics tended to narrow in the subsequent generation of governmentality research. They argue that where the theoretical object of analysis is restricted to a focus on "mentalities of rule", and the methodological focus to "texts of government", the resultant account of rule is "so consistent, coherent and integrated...it becomes difficult to prise apart a space for any political intervention" (O'Malley et al. 1997, p.513). As Mitchell (2006, p.401) points out, an exclusive focus on policy and programmes lends little insight into the particular *responses* to these technologies nor into the more general "recoding of social life and personhood under conditions of neoliberal governmentality".

This research moves beyond an exclusive focus on policy and the technical practices of governance by authorities, by combining a top-down analysis of governmental technologies with a bottom-up analysis of the subject-effects of these technologies and processes of citizen subject formation (Mitchell 2006). By attending to what O'Malley *et al.* (1997, p.504) describe as the "messy actualities" of implementation, and by recognising the inconsistencies, contradictions and limitations of governmentality, the methodological approach taken in this thesis generates a critical understanding of contemporary relations of rule. Based on the empirical evidence provided by migrant women's narratives, this study establishes that the technologies designed to cultivate the self-governing capacities of immigrants are not as consistent or coherent in practice as they may appear on paper.

Foucault considered his concepts in terms of "instruments, utensils, weapons", and expressed the desire that his work be treated as "a kind of toolbox in which others

could dig around to find a tool that they can use however they wish in their own area” (Foucault 1994 cited in Walters 2011, p.138). This thesis makes a significant contribution to the theoretical and methodological toolbox of governmentality research.

Recommendations for Further Research

In my analysis I highlighted the disparities between official statements and formal policies and the implementation of policies. I noted the use of discretion as a governmental technology in the context of immigration regulation. I believe that there is a need for sustained examination of *implementation* practices of various State agents and agencies with regard to the policies and programmes pertaining to immigrants, particularly immigration and protection practices, but also labour market, education and welfare policies. Just as imperative, is the need for sustained scrutiny of the role of private agencies and actors and their relationships with the State in regard to the distribution and implementation of immigration policies (for example private companies contracted to provide direct provision accommodation). There is scope for further study directed towards enhanced understanding of the space of negotiation and contestation between the state and the immigrant subject. I consider as particularly interesting the expanding role of NGOs and other non-state agencies in advocating, lobbying, mediating, campaigning, advising, information-gathering/disseminating, knowledge-producing, and providing expertise, thereby contributing to the shaping of immigrant subjectivities and governmental responses.

Conclusion

The achievement of this thesis is to coherently integrate the micro-level study of migrants’ experiential narratives, with an analysis of macro-level processes of migration regulation and the governance of citizenship (Gal 1989, p.349). In doing so, it provides a new and deeper understanding of the dynamic, constitutive relations between the state and migrant subjects in re-shaping the boundaries and meaning of citizenship.

Due to the constitutive role of political terminology and concepts, engagement in conceptualising citizenship is an intrinsically political activity. There is much at stake in the way we use the term ‘citizenship’ because the language of politics is “an institutionalized structure of meanings that channels political thought and action in certain directions” (Connolly 1993 cited in Bosniak 2000, p.451-2, n.13). Thus, by insisting on the pertinence of migrants to citizenship (and visa versa) this thesis may be seen as engaging in “an act of political advocacy” (Bosniak 2000, p.490).

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Appendices

Appendix A: Sampling Documentation

Information Letter



University of Limerick
OLLSCOIL LUIMNIGH

PARTICIPANT INFORMATION LETTER

Researcher: Siobhán Ní Chatháin, Department of Sociology, University of Limerick

Contact Details: Phone _____ E-mail _____

Please read this letter in order to understand the nature of the study that you are being asked to participate in and what is involved in participation in this research.

What is study about?

My name is Siobhán Ní Chatháin. I am a research student at the University of Limerick. I am currently carrying out a research study into the experiences of migrant women who gave birth to children in Ireland in 2004, the year in which the citizenship referendum was held. This referendum asked Irish citizens to vote on a proposed change to the Irish Constitution. Up to this point the Constitution stated that all children born in Ireland had the right to become Irish citizens. The government wanted to change this so that this right was removed and the government could decide on who had the right to become an Irish citizen through laws and policies. This study aims to look back at this period and highlight the experiences of migrant women with children who were born in Ireland, the people most directly affected by the referendum and the subsequent amendment to the Constitution.

What is involved in being a participant for this study?

This study relies on volunteers who are willing to be interviewed about their experiences as migrant mothers in Ireland. I wish to speak to women who were not or are not Irish citizens, who gave birth to children in Ireland during 2004, and who are still living in the country.

The interviews will be one-to-one discussions and they will be held in a private place convenient to you, at a time that suits you. They will last for about 60 to 90 minutes, and they will be no longer than 2 hours. The interviews involve the discussion of certain topics such as your experiences as a migrant woman in Ireland and the effects that the referendum had on your life. They will be tape-recorded and I will later type up the interviews as written transcripts.

I may also ask you to participate in a second 'follow-up' interview at a later date in order to expand on our discussion during the first interview.

The aim of the research is to gain a greater understanding of the experiences of migrant women and to develop a greater awareness of the issues that affect them. It is hoped that participating in this study will benefit you by giving you an opportunity to reflect on and voice your experiences as a migrant mother in Ireland.

In order for a meaningful conversation about the issues involved in this research, and for participants to be able to give their informed consent to participate, participants must be competent in the English language.

While I would very much appreciate your participation, you are under no obligation whatsoever to become involved in this project. If you choose to participate you are free to end your participation at any time.

What happens with the information?

This research is being conducted as part of my PhD research. The findings of this research will form the basis of my thesis and will be used in academic publications. No personal information will be included in any reports arising from the research.

I will be working under the supervision of Dr. Amanda Haynes, Department of Sociology, University of Limerick. My supervisor and myself are the only people who will have access to the tapes and transcripts of these interviews. I may have another person transcribe the tapes but you will be notified if this occurs and that person will also be bound by this agreement.

Your participation in this research will be completely confidential. Your name will be replaced with a false name in the typed transcripts and in any reports based on the research, in order to protect your identity. Other non-essential information that may identify you will also be changed or removed. If you so wish you may check the written transcripts to ensure that any information that might indicate your identity has been altered or removed.

What if I have more questions or do not understand something?

Please feel free to contact me at any time to discuss this research and your participation.

If you have concerns about this study and wish to contact someone independent, you may contact

*The Chairman of the University of Limerick Research Ethics Committee
c/o Vice President Academic and Registrar's Office
University of Limerick
Limerick
Tel: (061) 202022*

Consent Document



University of Limerick
OLLSCOIL LUIMNIGH

Informed Consent for Participation

Researcher: Siobhán Ní Chatháin, Department of Sociology, University of Limerick

Contact Details: Phone _____ E-mail _____

- I agree to take part in this research study on the experiences of migrant mothers during the Irish citizenship referendum.
- I have been provided with a written description of the research project and I consent to participate in this study with awareness of the nature and purpose of the procedures involved. I understand that I am under no obligation to agree to participate in any aspect of this study. I am aware of my rights as a research participant as outlined in the participant information letter.
- I am entitled to refuse to answer any question. I may withdraw from the study at any time during the course of the research.
- I understand that my identity will be concealed through changing my name in any report or presentation arising from the study. I am aware that I may request to check the written transcripts to ensure that non-essential information, which might indicate my identity, has been altered or removed. Should I give my permission to allow a person other than the researcher to transcribe the tapes of my interview(s), they will be required to sign a non-disclosure agreement.
- I will be offered the opportunity to be updated on the analysis and interpretation of the research findings, so that I may contribute feedback if I wish.

I _____, having taken time to read and consider this consent form and the attached information letter, agree to and understand the terms of participation in this study. Date: _____

I _____, give permission for a person other than the researcher, Siobhán Ní Chatháin, to transcribe the tapes of my interview(s). Date: _____

Researcher signature: _____ Date: _____

Recruitment Poster

Are you
a migrant
woman?

Have you lived
in Ireland for
at least 3 years?

Do you have
children who
were born in Ireland?

If so, this research is relevant to you!



What?

The Citizenship Referendum took place in July 2004, when Irish citizens were asked to vote on whether or not to change the Constitution. The Constitution stated that all children born on the island of Ireland were entitled to become Irish citizens. The majority of Irish voters voted to change the Constitution. The Referendum resulted in changes being made to the way in which children born in Ireland could become Irish citizens. As a result of the Referendum, from January 1st 2005 children born in Ireland to parents who were not Irish citizens were no longer entitled to Irish citizenship.

Who?

I am a research student at the University of Limerick and I am studying the role of citizenship in the lives of migrants in Ireland. I am particularly interested in the effects of the 2004 Citizenship Referendum for migrant women who have children born in Ireland. This group were the focus of political and media attention in the debates leading up to the Referendum. I think it is important to find out what effects the Referendum had on the lives of these women and their families.

Why?

Migration is a daily topic of discussion in Ireland, in the media, in politics, in workplaces, family living rooms, and on the streets. Often the discussion focuses on the effects of immigration on the Irish economy or on Irish society. I am interested in looking at this topic from another perspective: What are the effects of Irish society and politics on migrants in Ireland? In particular, I am focusing on the effects of Irish citizenship law on migrant mothers in Ireland.

How?

I am carrying out interviews with migrant mothers of Irish-born children. I am inviting you to take part in an interview with me. I wish to speak to women from non-EU developing world countries, who have lived in Ireland since at least 2004 and have children who were born in Ireland. The interview will take approximately 1 to 2 hours and will be more like a conversation rather than a formal interview. The interview can be arranged at a time and place that is convenient for you. In the interview we will discuss the topic of citizenship, your experiences during and since the 2004 Referendum, and the effects of the changes in citizenship law. Interviews are completely confidential. Your name will be replaced with a false name so you cannot be identified, and information that might identify you can be left out or changed. You don't have to answer any questions you are not happy with. You don't need to do any preparation or know a lot about Irish law. The only requirement is that you are able to have a conversation in English. There are no right or wrong answers: I am interested in your experiences and your views on these issues.

What next?

The interview would be recorded but I am the only person who would have access to the recordings. I will then type up the interviews and they would form the basis of a written report. Again, your real name or identity would not be revealed in any report or publication. If you are interested I can give you a copy of the report once it is finished. I hope that taking part in this research would benefit you by giving you an opportunity to share your experiences and perspectives as a migrant woman and mother in Ireland. Your participation would be very valuable to this research and very much appreciated.

Find out more or to get involved contact me:

Siobhán Ní Chatháin

Department of Sociology, University of Limerick

Phone: 085 7441093 • E-mail: siobhan.nichathain@ul.ie



UNIVERSITY of LIMERICK
OLLSCOIL LUIMNIGH

Appendix B: Participant Profiles

Table of Participant Profiles

Name Region of origin	Biographical notes
Ranu South Asia	Ranu is a separated mother of two children, the eldest of whom was born and remained in her country of origin with her family. Ranu's marriage broke down after she left her country of origin to support the family by working abroad. After working for a time (under extremely exploitative conditions) in a middle eastern country, she became pregnant with her younger child and came to Ireland as an asylum seeker. Ranu subsequently obtained Irish Born Child Leave to Remain and is now employed as a carer.
Sami West Africa	Sami met and married her husband while working in another EU country. They moved to Ireland five years ago due to her husband's employment. Their two children were born in Ireland. Her husband subsequently sustained a debilitating injury which prevented him from working. Sami has part-time employment as a sales assistant. Sami has spousal residency based on her husband's status as an EU citizen. Her children were both born in Ireland and are Irish citizens.
Al West Africa	Al lives in direct provision accommodation with two of her three children. Her asylum application was refused and she is in the process of appealing the rejection of her Irish Born Child Leave to Remain application. Her oldest child remains in her country of origin with her husband. Her second child came to Ireland with her and the youngest was born in Ireland and is an Irish citizen. Al has a third level education and was self-employed in her country of origin.
Ukaria West Africa	Ukaria is an asylum seeker who has been living in direct provision accommodation Ireland for two years. She has one child who was born in Ireland shortly after January 1 st 2005 and is not an Irish citizen.
Han West Africa	Han is a separated mother of two. She came to Ireland as an asylum seeker with her eldest child. They were granted political asylum and have refugee status. Han subsequently had a second child who was born in Ireland and is an Irish citizen. Han has lived in Ireland for seven years and is employed part-time in the community sector.

Monifa West Africa	Monifa has lived in Ireland for nearly ten years. Both she and her husband have Irish Born Child Leave to Remain residency. They live with their seven children, five of whom were born in Ireland and are Irish citizens. Monifa works full time as mother and homemaker while studying for a third level degree.
Pamela Southern Africa	Pamela has lived in Ireland for five years. She has two children, the youngest of whom was born in Ireland and is an Irish citizen as his father is Irish. Pamela came to Ireland with her older child on a holiday visa and subsequently acquired a work permit. Although she is currently undocumented, she hopes to regularise her legal situation through the acquisition of Irish Born Child Leave to Remain. She is employed part-time in the caring services.
Abeni West Africa	Abeni has lived in Ireland for nine years. She came to Ireland with her husband and eldest child. Her two younger children were born in Ireland and are Irish citizens. She has Irish Born Child Leave to Remain and is in the process of applying for naturalised citizenship. Abeni has obtained third level qualifications both in her country of origin and in Ireland. She is employed part-time in the community sector.
Paula West Africa	Paula has lived in Ireland for five years. She is single and has three children. Her oldest child lives with her family in her country of origin. Her two younger children live with her in Ireland and are Irish citizens. She is employed as a sales assistant.
Jeanne West Africa	Jeanne a single mother of one child. Her daughter is an Irish citizen who was born in Ireland while Jeanne was an asylum applicant. Two years after her daughter's birth Jeanne obtained Irish Born Child Leave to Remain following the rejection of her asylum application.
Joy West Africa	Joy has two young children, one of whom is an Irish citizen. Joy gave birth to her second child while she was an asylum applicant living in direct provision. Subsequently she and her husband obtained Irish Born Child Leave to Remain.
Esohe Central Africa	Esohe and her husband have lived in Ireland for five years. They came to Ireland as asylum seekers and were granted refugee status. They have a young child who was born in Ireland. Esohe is a highly educated professional who has part time employment in the civil service.

Svetlana
Eastern Europe

Svetlana is a single mother of one child. She spent periods of time living in Ireland as a child and returned as a young adult on a student visa. She later obtained a work permit but when this expired she became undocumented for a time. Her legal situation was regularised when she successfully applied for Irish Born Child Leave to Remain.

Irina
Eastern Europe

Irina came to Ireland on a work permit and subsequently met and married her husband who is Irish. She now has a child who is an Irish citizen. Irina has spousal residency. Irina had been in paid employment until recently, and described herself as 'between jobs' at the time of the fieldwork.

Lucy
West Africa

Lucy is single and has one child who is an Irish citizen. She came to Ireland as an asylum seeker and acquired Irish Born Child Leave to Remain three years after her child was born here. Lucy is currently in education to improve her literacy.

Akua
West Africa

Akua is a married mother of two children, one of whom is an Irish citizen. She applied for asylum when she came to Ireland but was refused. Akua and her husband later acquired Irish Born Child Leave to Remain. Akua's husband is unemployed. She is employed in two part-time jobs as well as participating in a full time course.

Jane
West Africa

Jane has one child who is an Irish citizen. She came to Ireland as an asylum seeker with her husband but now has Irish Born Child Leave to Remain. Jane is raising her child on her own following the breakdown of her marriage. She is participating in a full-time training course.

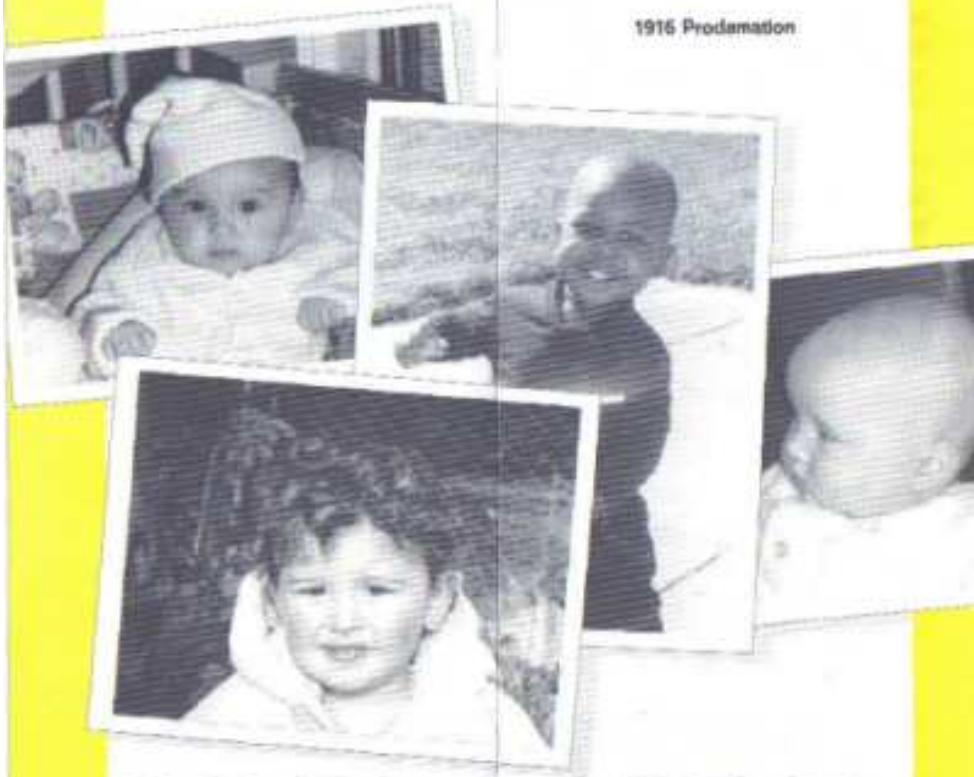
Zina
West Africa

Zina is a married mother of three children. Two of her children are citizens of her country of origin and the youngest is an Irish citizen. Zina, who has Irish Born Child Leave to Remain, is employed part-time as well as taking part in a full-time educational course.

Appendix C: Anti-referendum campaign poster

**“CHERISH ALL THE
CHILDREN OF THE
NATION EQUALLY”**

1916 Proclamation



VOTE NO
to McDowell's Referendum

All Children Are Equal

At present, all children born in Ireland have equal rights, but the government wants to change that. If Michael McDowell's referendum is passed, some children born here will be less equal than others because of their parents' origins. Racial discrimination will be put into the constitution.

'Citizenship Tourism'?

McDowell claims pregnant women come here to abuse our citizenship laws—but he has no figures. Being the parent of an Irish citizen doesn't give someone a legal right to live here. Many other countries have similar citizenship laws to ours, including the USA, Canada and New Zealand.

Maternity Hospitals Crisis?

McDowell claimed the Masters of the maternity hospitals pleaded with him to bring in this change. They say that this is not true. Years of government cutbacks and closures are the real cause of the crisis in the health service. The government want to create a smokescreen to hide its failures. This is why they are pushing through a referendum to attack the rights of Irish children.

- **If you believe we should cherish all the children of the nation equally**
- **If you think everyone born here is entitled to the same basic human rights**
- **If you want an Ireland free from racism and discrimination**

VOTE NO

Campaign Against the Racist Referendum

c/o 12A Brunswick Place, Dublin 2. 087 7974622 or 087 6662060
againsttheracistreferendum@eircom.net
Account Number 10589963 Sort Code 90-13-78
Bank of Ireland, Westland Row, Dublin 2

**Appendix D: Irish Born Child Leave to Remain Application
Form (IBC/05) and Information Leaflet**

