

“Birthright Granted and Revoked: The Effects of Irish Citizenship Policy on Migrant Characteristics”

Hisham Foad, Ph.D.

Department of Economics

San Diego State University

Prepared for the 2022 ASSA Conference

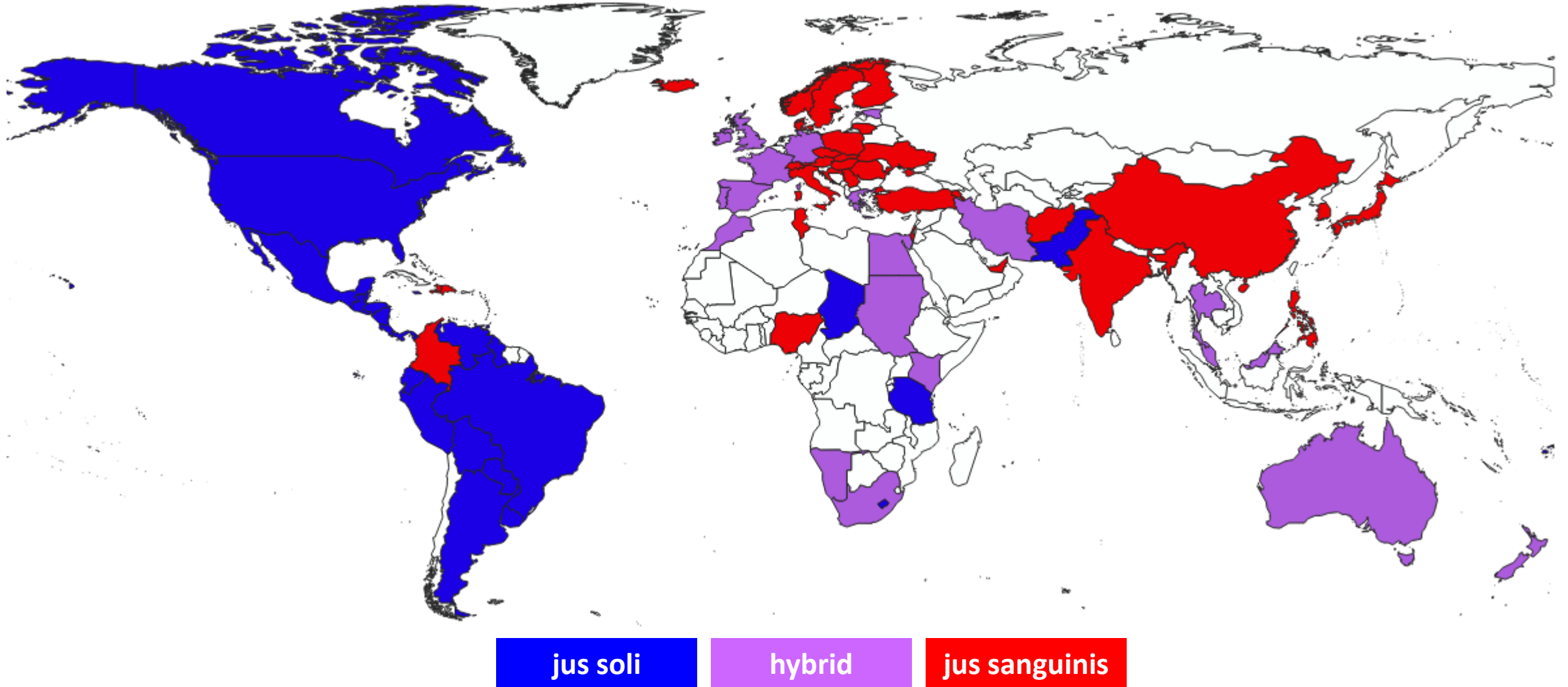
Birthright Citizenship?

“ALL PERSONS BORN OR NATURALIZED IN THE UNITED STATES, AND SUBJECT TO THE JURISDICTION THEREOF, ARE CITIZENS OF THE UNITED STATES AND OF THE STATE WHEREIN THEY RESIDE.”

- 14th Amendment to the U.S. Constitution.

- What are the pros and cons of birthright (jus soli) citizenship?
- If this were to be revoked, what effects would this have on migrant characteristics?

Birthright Citizenship Laws around the World



Why would birthright citizenship matter?

- If people know that their children can become citizens, they are more likely to be permanent migrants
 - Permanent migrants are more likely to assimilate into the local culture
- This may also prompt “birth tourism”
 - Greater strain on social welfare
 - Concerns about national identity

A survey of the literature

- Several studies have looked at Germany, which moved from a strict jus sanguinis policy to a hybrid jus soli model in 2000
 - Sajons (2016) finds that migrants whose children are German citizens are less likely to leave and repatriate
 - Avitabile, Clots-Figueras, and Masella (2013) find that when immigrant children are citizens, their parents are more likely to learn German and become more active members of their community
 - Avitabile, Clots-Figueras, and Masella (2014) find that the adoption of birthright citizenship led to reductions in immigrant fertility rates and improved socio-economic outcomes for the children of immigrants
 - Felfe, Rainer, and Saurer (2020) find that with birthright citizenship, immigrant parents are more likely to send their children to preschool, primary school, and adjust their secondary school choices to increase access to higher education
 - Sajons (2019) After Germany made birthright citizenship more accessible, mothers of children who have citizenship were more likely to reduce their formal working hours, while father's working hours remained unchanged
 - Dahl et al (2020) found that this policy led to lower self-esteem and life satisfaction among girls born to migrant parents under birthright citizenship. Attribute this to parents constraining their daughter's choices when faced with the threat of greater integration.
- Another country that switched its laws was the Dominican Republic, which limited birthright citizenship to prevent Haitians born in the Dominican Republic from claiming citizenship
 - Amuedo-Dorantes, Grateraux-Hernandez, and Pozo (2017) found that this led to reduction of Haitian descended youth school enrollment in the Dominican Rep.

The case of Ireland

- Prior to 1999, only individuals who had at least one parent with Irish nationality were eligible for citizenship (regardless of birthplace)
- From 1999 to 2004, anyone born in Ireland was eligible to become an Irish citizen
- In March 2004, a referendum was placed on the ballot to revert to the old system in which only those with at least one parent who is a citizen or permanent resident
 - The referendum passed in June 2004 by a vote of 79% to 21%.
 - Those who became citizens under the 1999-2004 law remained so.

“...our land is under no circumstances to be a land of new starts and fresh chances but rather that genetic connection to the pure Irish race is a necessary prerequisite of Irishness.”

- Neville Cox, Associate Professor of Law at Trinity College Dublin in a letter to the editor at the Irish Times (2004)

I'm so embarrassed by all these pregnant black women – they're everywhere!

- Lucinda, asylum-seeker from Ghana and mother of an Irish-born child. Quoted in Tormey (2007)

Empirical strategy

- Changing law defines three cohorts:
 - Those who migrated before 1999 (control group 1)
 - Those who migrated between 1999 and 2005 (treatment group)
 - Those who migrated after 2005 (control group 2)
- Thus, we can observe the effects of implementing birthright citizenship by comparing control group 1 to the treatment group.
- We can observe the effects of taking away birthright citizenship by comparing the treatment group to control group 2.
- Dimensions to examine: education, fertility, assimilation.

Data

- Irish census for 1991, 1996, 2002, 2006, and 2011
 - Demographic variables: age, gender, marital status, number of children,
 - Nativity variables: Birthplace, year of immigration, citizenship
 - Education variables: Educational attainment, English language ability
 - Workplace variables: Employment status, labor force participation, occupation
 - Other variables: Home ownership, religion
- 698,620 head of household observations
 - 93,467 immigrants
 - 67,350 immigrants who migrated before 1999 (before group)
 - 10,939 who migrated between 1999 and 2004 (treatment group)
 - 10,601 who migrated after 2004 (after group)

Distribution of Immigrant Groups

Group	All	Before 1999	1999-2004	After 2004
United Kingdom	52.5%	61.0%	36.9%	24.6%
Western Europe (ex UK)	13.2%	11.1%	18.6%	18.7%
Eastern Europe	11.9%	6.7%	17.8%	32.1%
Other	8.1%	8.9%	8.0%	4.5%
Sub Saharan Africa	5.5%	4.8%	8.4%	6.8%
East Asia	3.6%	3.3%	3.8%	3.9%
South Asia	2.6%	2.0%	3.4%	5.1%
Middle East	1.7%	1.4%	2.1%	2.3%
Latin America	1.0%	0.8%	1.0%	2.0%

Effects on Fertility

- A common concern used to promote the 2004 resolution to end birthright citizenship was that Ireland's jus soli policy was incentivizing "birth tourism"
 - Since children born in Ireland would automatically be granted citizenship, their parent(s) could jump the immigration/asylum process by being the guardians of Irish citizens (reducing their likelihood of deportation)
 - If this is the case, then we should observe higher fertility rates for those migrants who arrived during the treatment period than those that arrived in the pre and post periods.
 - Need to control for all the other factors that could influence fertility.

Effects on Fertility

- Regression model:

$$Children_{it} = \alpha + \beta Treatment_{it} + \delta t + \gamma_1 age_{it} + \gamma_2 married_{it} + \gamma_3 hs_{it} + \gamma_4 college_{it} + \gamma_5 catholic_{it} + u_{it}$$

$Children_{it}$: Number of children born to household head i in year t

$Treatment_{it}$: Dummy variable equal to 1 if the observation migrated in the treatment period

δt : A time trend to account for general changes in fertility over time

$age_{it}, married_{it}, hs_{it}, col_{it}, catholic_{it}$: Control variables for the household head's age and dummy variables for being married, graduating high school, graduating college, and being Catholic

Evidence of birth tourism would be given by a significantly positive value for β

Effects on Fertility

	Full Sample	Immigrants Only	Pre and Treatment Only	Treatment and Post Only
<i>Treatment</i>	-0.467*** (0.012)	-0.287*** (0.012)	-0.334*** (0.013)	-0.141*** (0.016)
<i>Time Trend</i>	-0.016*** (0.000)	-0.006*** (0.001)	-0.003*** (0.001)	-0.004* (0.002)
<i>Age</i>	-0.016*** (0.000)	-0.009*** (0.000)	-0.011*** (0.000)	0.002** (0.001)
<i>Married</i>	1.192*** (0.003)	0.992*** (0.008)	1.004*** (0.009)	0.915*** (0.013)
<i>HS</i>	-0.204*** (0.004)	-0.219*** (0.010)	-0.210*** (0.011)	-0.201*** (0.019)
<i>College</i>	-0.175*** (0.004)	-0.129*** (0.009)	-0.141*** (0.010)	-0.067*** (0.014)
<i>Catholic</i>	0.131*** (0.004)	0.183*** (0.008)	0.203*** (0.009)	0.058*** (0.013)
<i>Observations</i>	662,518	86,526	72,119	24,989
<i>R²</i>	0.230	0.173	0.176	0.189

Effects on Fertility

- Evidence that those who immigrated during the treatment period actually had LOWER fertility rates
 - Holds when looking at immigrants only
 - Holds when using only the pre-treatment group as a control
 - Holds when using only the post-treatment group as a control
- Why would granting birthright citizenship actually lower fertility rates?
 - Longer term migration?
 - Greater assimilation and investment in human capital?
 - More economic opportunities raise opportunity cost of children?

Other estimates

- Also consider the impact of the treatment on education and employment

	Pre	Post
High School	0.077***	0.060***
College	0.101***	0.067***
Employed	0.009*	0.073***

- Migrants arriving during the birthright citizenship era were both better educated and more likely to be employed than those arriving before or after this period
- Fertility rates tend to be lower for better higher skill migrants

How did migrants who arrived before 1999 respond?

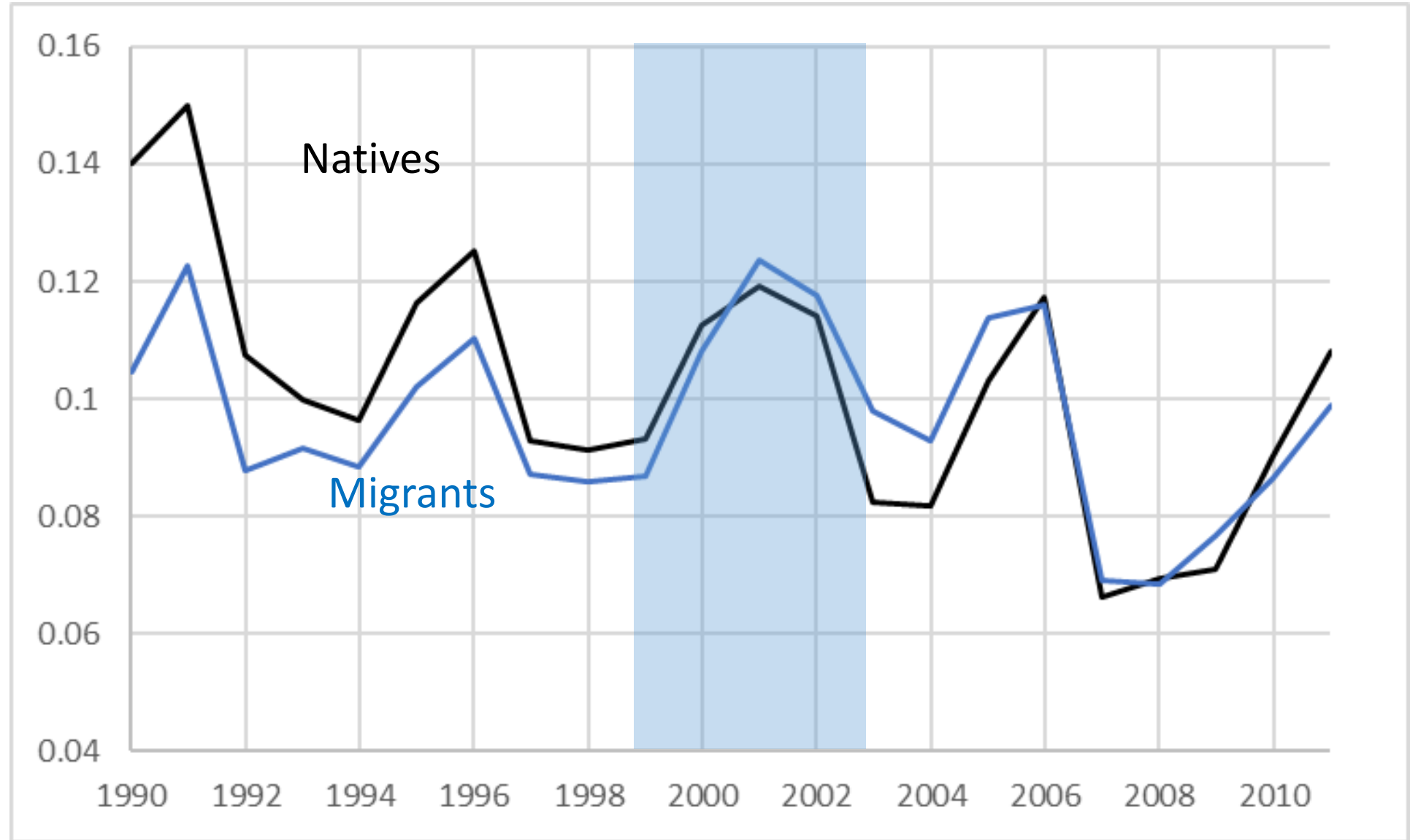
- The preceding analysis compares migrants who arrived during the treatment period to those arriving before and after.
- We may also observe migrants already in the country before 1999 responding to birthright citizenship
- In particular, did migrants increase their fertility rate when their children would now be Irish citizens?

Estimating changes to migrant fertility

- I construct fertility rates for each year between 1990 and 2011 for both natives and migrants
- First count the number of children born in a particular year for each group
- Next count the number of women in the sample between the ages of 21-35 for each group.
- My fertility rate is the ratio of these two variables for natives and migrants.

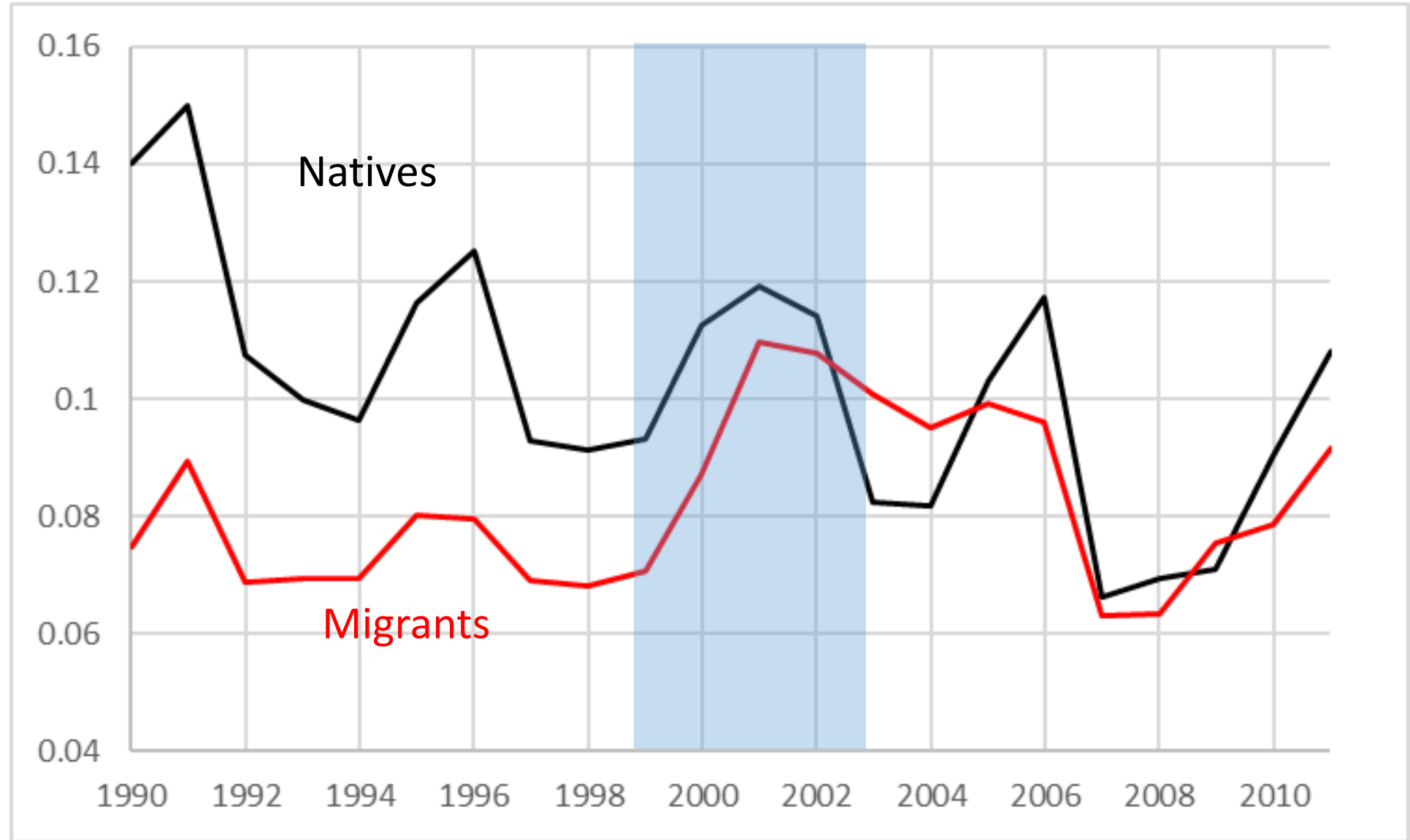
Fertility rates between natives and migrants

All Migrants (arriving before 1999)



Fertility rates between natives and migrants

Non-UK Migrants (arriving before 1999)



Fertility rates between natives and migrants

- I estimate a DiD model:

$$Fert_{it} = \beta_0 + \beta_1 Migrant_i + \beta_2 Treat_t + \beta_3 Migrant_i * Treatment_t$$

	All migrants	Non-UK migrants
Intercept	0.103*** (0.005)	0.103*** (0.004)
Migrant	-0.008 (0.007)	-0.025*** (0.006)
Treatment	-0.002 (0.009)	-0.002 (0.009)
Interaction	0.012 (0.013)	0.020* (0.012)

Conclusions

- Immigrants arriving under the birthright citizenship regime tended to have lower fertility rates than their counterparts who arrived both before birthright citizenship was granted and after it was revoked.
- A possible explanation is that these migrants were better educated and more likely to be employed, thus having a higher opportunity cost of having children
- Some evidence that non-UK migrants who migrated prior to 1999 did increase their fertility in response to this policy.
 - Even with this increase, however, this group still had a lower fertility rate than natives.
- Extension: Use data from the 2022 census to see how migrant children born during the birthright citizenship regime did compared to those born before