FOREIGN IMMIGRANTS' INTEGRATION IN SPAIN

ABSTRACT

The rapid growth of Spain's foreign population is linked to a booming economy associated with the housing market expansion, to the consolidation of Spain as the second-most popular tourist destination in the world, and to the more tolerant governmental immigration policy aiming to provide flexible labour for the building industry, hotels, restaurants, domestic services. Yet it is difficult to evaluate immigrants' integration policies in Spain as a whole, given its diversity and dispersion. This article provides a description of immigrants integration in Spain, through a brief literature review.

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Foreign immigration from impoverished countries to Spain became a significant phenomenon in the mid-1980s (for several years, most foreign residents in Spain were Western European nationals). During that time the first *Foreigners Law*, (*LO 7/1985)*, was passed (followed by a regularization process), just before Spain joined the European Community. However, during the last two decades, a notable evolution in migration flows has occurred, leading to a completely new situation. Today Spain hosts approximately 4 million foreign residents (with a total population of approximately 44 million residents). Among the European Union (EU), Spain is the country that attracts most foreign immigrants per year, and its percentage of foreign residents is similar to North Western European standards, especially in certain regions. This rapid growth of foreign population is linked, among other factors, to a booming economy associated to an expansion in the housing market, to the fact that Spain is the second-most popular tourist destination in the world, and to the tolerance of its governmental policy on immigration, which aims to provide flexible labour for the building industry, hotels, restaurants, domestic services. In this article, immigrant integration in Spain is approached through a brief literature review written as a summary of a longer report published in www.imiscoe.org/publications/workingpapers/index.html.

Immigrants' integration and immigration policy making in Spain as a whole

The first studies on international immigration in Spain were published in the mid-1980s and took stock of the general situation of this segment of population (Colectivo Ioé 1987). A few years later, non-governmental organizations (NGOs) published a document denouncing the situation of undocumented immigrants due to the stringency of Spain's *Foreigners Law* (Amnesty International et al. 1989). However, it is in the early 1990s that certain publications started to take the Spanish immigration policy into account. Raimundo Aragón Bombín (1991), who was then the head of Dirección General de Migraciones linked to the Labour Ministry of the central government, published an article outlining the need of an active immigration policy based on the control of migration flows and immigrant integration. That same year, a second extraordinary regularization process for undocumented immigrants took place in Spain.

In the mid 1990s, Alegría Borrás (1995) directed the publication of a book on the 10th anniversary of the first *Foreigners Law*, analyzing the influence of European integration on the Spanish legislation on immigration, the constitutional position of foreigners in Spain, the situation of foreigners before the penal process, the evolution of the administrative treatment, and foreigners' evolution in the social arena. Raimundo Aragón Bombín (1996), at the time no longer in power due to the Partido Popular's victory, also analyzed the first decade of foreigners' legislation in an article where he acknowledges the influence that some trade unions, NGOs and immigrants associations have on policy making. During that time, a number of studies on NGOs and immigrant associations at the Spanish level were published, which analyzed the institutional capacity of these types of organizations (Alonso and García 1995), reflected on their influence on social integration (Bel Adell 1994), and studied the associative performance of significant national groups like Moroccans (Del Olmo 1996). At that time, Javier De Lucas (1996), from Universitat de València, wrote about the role of Spain in the building process of a European fortress, while Carolina Mayeur (1997), a top civil servant in the previous Socialist government, explored the contradictions, hypocrisy and perverse effects of

immigration policies, and Carlos N. Celaya (1997) studied the main political parties' response to immigration in Spain, taking the year 1996 as a reference. In his conclusion, Celaya noted that the so-called immigrants' pressure at the Southern border was influencing the treatment of the immigration question as a whole for both political parties.

In the second half of the 1990s, four doctoral theses dealing with immigration policies, immigrants' political participation and foreigners' legislation in Spain were submitted. Margarita Tarabini-Castellani (1997) presented a thesis on the rights of foreign workers, paying special attention to the situation of those undocumented and including a constitutional analysis of their juridical status (some pieces of her work were published in Tarabini-Castellani 1998). Liliana Suárez-Navaz's (1998a) thesis explored the rebordering of the Mediterranean; she also published an article on the impact of the foreigners' legislation on cohabitation of foreign workers and Spanish nationals (Suárez-Navaz 1998b). She found that the presence of foreign immigrants in the labour market enabled the State to achieve further modernization – at the economic level and, most fundamentally, at the political and cultural levels – in the process of constructing an ordered citizenship. Moreover, John Casey (1998a) presented a thesis exploring the role that NGOs play in the public policy process and evaluating the impact of such political participation. An analysis of the theoretical literature from diverse social science disciplines revealed that the participation of NGOs is likely to be conditioned by four factors: the political opportunities offered by the polity in which they operate; the nature of the policies they are addressing; the characteristics of the organizations seeking to participate and the resources they command; and the network of actors involved. These factors were used by Casey to construct a framework for evaluating the outcome of NGOs' participation in the development of public policies on immigration in Spain. As the main result of the documental analysis, he concluded that Spanish NGOs had not yet been able to establish themselves as strong independent actors in the immigration policy process. Finally, Ricard Morén-Alegret (1999) presented a thesis on the relation of governments, social organizations, global capital and foreign immigration in Spain and Portugal. This was an international comparative research addressing the complexities involved in integration processes, in socio-political participation and in policy making, mainly based on qualitative interviews held with 100 key informants and on the analysis of relevant documents. In closing, he noted that the increasing domination of capital logics over the population (i.e. systemic integration) was making socio-political participation, social integration and socially-friendly public policies more difficult (most of the thesis was published as a book in Morén-Alegret 2002a).

The turn of the century saw the publication of some works dealing with more specific aspects of immigration policies; these include an approach to granting nationality as a path to foreign immigrants' integration (Rodríguez-Drincourt 1999), an article on the impact of the *Foreigners Law* on foreign women (Bedoya 2000), a study on the influence of the Census registration of foreign immigrants in obtaining social rights in Spain (Solanes 2000), a comparative research on the immigration national juridical models in Spain and France with references to the German and American cases (Marzal 2000), and a analysis of opinion surveys on immigration carried out in Spain in the 1990s (Díez Nicolás and Ramírez Lafita 2001). However, at that time Javier De Lucas (2000) asked for a new immigration policy model, and other authors offered general approaches to 15 years of immigration policies in Spain, noting the need for more integration policies (Arango 2000, Blanco Fernández de Valderrama 2001, Ruiz López and Ruiz Vieytez 2001). In this sense, Cristina Blanco undertakes a critique of the *Plan Greco* (2000-2004) launched by the Spanish government because it is focused more on the idea of immigrant adaptation than on immigrant integration. A compilation of the Integration Plans in Spain can also be found as an appendix in a book edited by Gema Martín Muñoz (2003), including the ones launched from the central government, the Madrid regional government, the Andalusian goverment (*Junta*), and the Catalan government (*Generalitat*).

Today Spain hosts approximately 4 million foreign residents (with a total population of approximately 44 million residents). Among the EU, Spain is the country that attracts most foreign immigrants per year, and its percentage of foreign residents is similar to North Western European standards.

The *Foreigners Law* reform (*LO 4/2000*) and counter-reform (*LO 8/2000*) appeared in 2000, corresponding with the political shift that occurred following the legislative elections held in that same year (when the Partido Popular obtained absolute majority). The significant events and debates on immigration policies occurring in Spain in 2000 and 2001 (protests and riots) were studied by Víctor Pérez-Díaz, Berta Álvarez-Miranda and Carmen González-Enríquez (2001), who analyzed reports of the parliament, senate debates, internal political parties documents, media coverage, opinion surveys and focus groups. One of the main ideas outlined in their study is the preoccupation felt by significant portions of the population with regards to achieving an effective immigration policy in order to overcome a sensation of impotence.

On the other hand, the relation of the Spanish welfare state with immigrants is researched by Rosa Aparicio and Andrés Tormos (2002) using interviews with key informants and focus groups. In conclusion, these authors note that

the idea of taking advantage of a welfare state is not in the immigrants' minds before arriving to Spain although they are aware that once in Spain, they will have access to certain public services. Foreign immigrants have similar access to child education and health services than the Spanish population but the access to services linked to labour rights is not so common due to the difficulties in obtaining a proper work contract.

In 2002, Cristina Blanco (2002) and Miguel Pajares (2002) discussed immigrants' social integration policies in Spain. That same year, Michael Donaldson, Ares Montardit, Lluc Pelàez and María Jesús Montserín (2002) published a paper using the concept of governance to approach the history of the anti-racist movement in Spain in relation to the changing *Foreigners Law*. According to these authors, there has not been a clear influence (especially at the central government level) of the critical anti-racist network in public policy making (except a few cases at the local level) in favour of the movement. However, the network was able to introduce the immigrants' situation in the political agenda of some institutions and it built cognitive frameworks of reference for the movement itself, the public institutions and a significant part of public opinion that, even if supportive of dominant values, opened up positions towards discursive strategies closer to the network of critical collective action (for instance, today everybody uses the word "integration").

A complex theoretical and empirical approach to immigration policies in Spain is the one offered by Ricard Zapata-Barrero (2004, 2003). His premise is that there is in Spain a process of creating an accommodation culture for immigrants. Among his conclusions, the following can be underlined: there is a need for creating a framework of relations between the central government and regional governments; it is necessary to improve the perception that most people have regarding the involvement of employers' organizations, public institutions and political parties in the management of immigration policies; there is a consensus in fostering a combination of policies of equality and policies of difference to manage the process of creating an immigration society; there is a common perception that immigration policies have to avoid exclusion, assure cohabitation and defend solidarity; at the level of admission policies, it is more realistic to accept that borders should be partially open, and at the level of social policies, the priority should be integration policies; the receivers of immigration public policies should be both foreign immigrants and national citizens and the main goal should be to accommodate both groups in the current process of social change.

Finally, as contributors to the 4th Congress on Immigration in Spain, other authors can be mentioned here. Thus Vicens Aguado Cudolà (2004) presents a paper on changes in the general administration of the State and on immigrant social integration policies, noting that the Partido Popular governments allocated immigration competencies in the Home Affairs Ministry, while the PSOE governments allocated immigration competencies in the Labour and Social Affairs ministries; Francisco Javier Durán Ruiz (2004) presents a paper comparing the European legislation on permanent permits for immigrants and the Spanish legislation, which concludes that there are too many limitations to move towards citizenship; and Ángeles Solanes Corella (2004) presents a paper on the lack of a multidimensional immigrants' integration policy in Spain, noting that immigrant integration in the labour market is precarious, access to social services being dependent on registration in the census (*empadronamiento*), which may be controlled by police, and a serious debate on voting rights for immigrants has still to be announced.

Two decades ago, a Foreigners Law was passed just prior to Spain's entry into the European Economic Community in 1986. Since then, several implementation laws have been passed and law reforms have occurred but jus domicilis is still relevant in Spain together with jus sanguis.

Diversity: Multicultural, intercultural and cultural identity – A variety of debates

In Spain, traditionally, debates on cultural diversity and identity have often been tied to regional and national differences (Basque, Catalan and Galician communities were the most relevant cultural identities asking to be included in the public arena). These debates were sometimes related to internal migration. Furthermore, in a more marginal situation and without specific territories, Roma people (gypsies) have also been included in discussions about identity in Spain.

Since the late 1990s, the arrival of an increasing number of foreign immigrants has changed the main focus of the debate (even if internal migration remains significant). As early as 1990, the first Summer School on Interculturality (Escola d'Estiu sobre Interculturalitat) was organized in Girona. It is an annual meeting of teachers, social workers, civil servants and academics and other professionals related to foreign immigration (e.g. Carbonell 1996). Since then, the concept of "interculturality" has been preferred by many scholars, activists and professionals as a goal (e.g. Aramburu and Zegrí 1994). As time went by, some local and regional governments (plus certain central government organisms) have included "intercultural mediators" in their policies (Navarro, Pascual and Rojas 2002). At the same time, multiculturality became the target of a wide variety of criticisms (e.g. Delgado 1998).

Final considerations

A significant number of the studies compiled in this article are descriptive accounts of legislation and integration

policies based on documental and law analyses. Some authors have paid attention to governments' policy making on immigration, using both qualitative interviews with key informants, public opinion surveys and documental analyses. Political parties' discourses on immigration and their influence in public policies have also been studied via press and parliamentary debate analyses. There has been a growing interest in including NGOs in the studies on immigrants' integration and immigration policy making; however governance is a concept included in very few studies. In the conceptual arena, "integration" is the most often used term, although it is often understood as immigrants' adaptation or assimilation, while "accommodation culture" is suggested by some authors.

The integration paradigm in Spain is a mixture of assimilation, multiculturalism and interculturalism. Spain is a highly decentralized country and each region (*Comunidad Autónoma*) and municipality has a significant degree of autonomy in implementing immigrant integration policies. It means that the outcome of such mixture is geographically uneven. The central government is the only one that can implement immigration policies (i.e. border control and management of immigration inflows) but immigrants' integration policies are mainly a decentralized affair.

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As previously mentioned, current legislation on immigration in Spain is relatively new. Two decades ago, a *Foreigners Law* was passed, just prior to Spain's entry into the European Economic Community in 1986. Since then, several implementation laws have been passed and law reforms have occurred but *jus domicilis* is still relevant in Spain together with *jus sanguis*. Immigrant integration policies are more recent, most of them having been implemented in the mid-1990s: the first Immigrants' Social Integration Plan was passed in December 1994 by the Spanish Council of Ministers and it dealt mainly with immigrants who possessed labour and residence permits. During this period, some regional and local administrations began to elaborate and to execute more concrete social measures with respect to immigration. To this end, the Autonomous Community of Catalonia is particularly prominent, boasting the largest number of immigrants in Spain, and is the first one to coordinate measures for the social integration of immigrants into the Catalan society. Diverse autonomic governments also began to create specific political positions to take care of immigration issues in their respective communities. In 1995, the central government created the Interministerial Commission for Foreigners and in 1996, the General Office for Migrations Arrangement (Dirección General de Ordenación de las Migraciones) was created and restructured as the Institute for Migrations and Social Services (Instituto de Migraciones y Servicios Sociales). Also, the Forum for the Immigrants' Social Integration (Foro para la Integración Social de los Inmigrantes) was created in 1994, as the highest consultative entity of the government in this matter, in which are represented the generic associations of immigrants, associations supporting immigrants' rights and the main trade unions (in several regions similar advisory councils were set up during those years and afterwards with a diverse impact). In the same way, a Permanent Immigration Observatory (Observatorio Permanente de la Inmigración) was established to analyze and support the government's policy in this matter.

Since the victory of the conservative party (PP) in 1996, foreign immigration policies have become a political battlefield. In 2000, the central government passed a new foreign immigrants' integration plan, called *Plan Greco*.[1] This Plan mainly considered immigration in problematic terms and it was elaborated with very little dialogue with social agents or other political organisms. During most of this period, the basic consensus on immigration policy was broken among both majority parties (PP and PSOE), until the approval of a law reform in November 2003 (most minority parties were critical of such reform).

During this period, a number of Autonomous Communities pointed out major discrepancies with the restrictive policy carried out by the central government. Catalonia and other regions demanded that they share executive powers in immigration policy with the central State (not only integration policies). Many Autonomous Communities (Catalonia, Valencia, Andalusia, Madrid, Navarra, Basque Country…) passed regional plans on immigrant integration. Some of the guiding principles of these plans are similar, whereas others vary greatly. Contradiction between the Spanish and Basque governments in this matter is testified by the mutual battle of regulations in the courts. Probably, both Catalonia and the Basque Country have developed the most progressive policies on immigrant integration thus far.

The current PSOE government, in power since March 2004, announced its intention of preparing a new immigrants' integration plan, but no specific results have been seen to date. As time has gone by, NGOs have increased the importance of their role with regard to the delivery of services to immigrants. However, their importance varies depending on the region or the municipality. The private sector still has a limited influence with respect to most services provision, although in some cases, such as driving licence training for immigrants, private companies remain the major providers.

Language training is a key service offered without charge to foreign immigrants by governmental bodies and

NGOs alike. In regions with two official languages, training in both Spanish and the other official language (e.g. Catalan, Basque or Galician) is offered, and it is usually up to the immigrant to decide which language to study first (or to study both simultaneously).

Certain charities, trade unions and NGOs offer free legal information to foreigners in order to help them obtain or renew their work and residence permits. Labour training and orientation to find employment are also mainly carried out by these types of organizations. However, in the last few years, a growing number of private companies are offering legal services to foreign immigrants.

Finally, in relation to naturalization policies, foreign immigrants from former Spanish colonies (except Morocco) can apply for the Spanish nationality after two years of legal residence in Spain, while all other foreign immigrants must wait for a longer period (usually ten years). It is also possible to obtain Spanish citizenship by marrying a Spanish citizen.

It is very difficult to evaluate immigrants' integration policies in Spain as a whole, given the existing diversity and dispersion; in any case, there is not room enough in this article to ponder the question. However, it may be relevant to note that debates in North Western Europe concerning the necessity of a certain level of language proficiency and civic training for foreign immigrants are starting to make their way across the Pyrenees. One may wonder if such debates are here to stay or are just temporary Northern winds. In any case, again, internal diversity within Spain may be important in the debates, given that in certain communities like Catalonia, language proficiency might be required in two official languages, Spanish and Catalan.

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Note

[1] Global program of Regulation and Coordination of Foreigners in Spain, its application covers the 2000-2004 period.