

Spanish government policy towards immigrants: a model for Scotland?

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- A holistic approach – treating immigration as a cross-departmental policy theme
- A partnership approach – including civil society organisations, immigrant organisations, academic experts and different levels of government administration in the development and implementation of policy
- A positive approach – viewing immigration as an opportunity rather than a problem

Introduction

The forthcoming referendum on Scottish independence creates an opportunity to raise and consider important questions about immigration policy in a future Scotland. If the Scottish people vote in favour of independence the Scottish Government will need to develop its own policy on border controls and the admission of immigrants. Whether or not the vote is in favour of independence the referendum provides an opportunity to consider the shape of future policy regarding immigrants living in Scotland. Under existing powers the Scottish Government has significant scope to develop a policy towards immigrants that differs from the rest of the United Kingdom (UK). This briefing paper outlines aspects of Spanish Government policy towards immigrants that might provide a model of good practice for a future Scotland. The material in this briefing is drawn from interviews that the author conducted with migration experts (academics and policy-makers) in Spain.¹

Background

Spain provides an interesting comparison for Scotland and the UK. Like the UK it is one of the larger states in the European Union (EU). It is also a state with a large and heavily populated administrative centre (Madrid), and devolved regional parliaments. Spain, like the UK, also has some regions which have a distinct sense of national identity (Catalonia and the Basque Country in particular). Unlike the UK, Spain is geographically located in south-west Europe across the sea from its relatively much poorer north African neighbours. With regard to migration Spain, like Scotland (but unlike England), is a country with a long history of net emigration and only a very recent history of net immigration. This shift from net emigration to immigration in Spain has been fairly swift and dramatic. In the 15 years from 1996 to 2011 the foreign born population living in Spain increased almost tenfold from 542,314 (1.37% of total population) to 5,730,667 (12.2%). The proportion of the foreign-born population of England and Wales (13% in 2011) is similar to Spain's and almost double that of Scotland (6.5% in 2011). Spanish Government policy towards immigrants has differed significantly from that of the UK Government. Spain has, for example, had six immigration regularisation programmes (amnesty for irregular immigrants) since 1985 (under both left – *Partido Socialista Obrero Español* (PSOE) – and right – *Partido Popular* (PP) - Governments). Public attitudes towards immigrants are much more positive in Spain than they are in the UK (attitudes towards Muslim immigrants are more positive in the UK than in Spain), and this remains the case despite the fact that Spain has been much more severely affected by the current economic crisis than the UK (Arango et al, 2012) (see Table 1). Spanish policy regarding immigrants has changed under the current right of centre PP Government. All interviewees viewed these changes in policy as a negative step away from examples of good practice.

Table 1: Public attitudes towards immigrants in 2011: Spain and UK compared, %

| <i>Positive attitudes</i> | Spain | UK |
|--|--------------|-----------|
| Allow more immigrants with high level education | 69 | 56 |
| Allow immigrants who come to Spain/UK to escape from poverty | 76 | 51 |
| Immigrants are integrating well | 54 | 42 |
| <i>Negative attitudes</i> | | |
| There are too many immigrants in Spain/UK | 48 | 57 |
| Immigrants are more a problem than an opportunity | 58 | 68 |
| Muslim immigrants are integrating poorly | 64 | 49 |

(Source: Transatlantic Trends, 2011)

Governance structures: Departments and Ministers

The Spanish Government (*El Gobierno de Espana*), like the UK Government, treats border controls as a reserved matter and it is primarily the responsibility of the Home Office (*Ministerio del Interior*). As in the UK, many aspects of policy regarding **immigrants in Spain** (i.e. foreign-born people who are currently resident in Spain) are devolved matters and the regions have discretion on how they develop and implement policy in this area. Unlike in the UK, however, policy regarding immigrants was moved (by left of centre PSOE Governments) from the Home Office to the Department for Employment and Immigration (*Ministerio de Trabajo y Inmigración*). (Right of centre PP Governments have tended to view immigrants as a threat or a problem – when they returned to power they moved immigrant policy responsibility to the Home Office). In Spain there has also been a junior Minister (*Dirección General*) for immigration with a remit to work collaboratively across government departments (the current PP Government have retained this post – but removed some of the powers associated with it).

Both academics and policy-makers thought that it was good practice to locate responsibility for immigrants in the Department for Employment rather than the Home Office. The main reason given was that the Home Office also has responsibility for policing, national security and prisons and consequently this creates an association between immigrants and illegality or threats to security. Locating principle responsibility in the Department of Employment recognises the fact that most immigrants are migrant workers and they are contributing to the national economy. Academics and policy-makers also thought that it was good practice to have a junior Minister with a cross-departmental remit because this enables a holistic approach, which is required for immigration as a policy area. In practice most other Government Departments – and particularly Education, Health, Agriculture, Industry – have to engage with immigrants as part of their specific Departmental remits.

A partnership approach to policy regarding immigrants

Different political actors have different levels of influence and input at different stages in the policy process – i.e. policy formation, legislation and implementation. Policy formation and implementation regarding immigrants in Spain has involved a complex web of different interest groups in Spanish society. The main strand of policy – immigrant integration – emerged in response to demands from Regional Government (*Comunidad autonoma*) and some civil

society organisations. Some experts even suggest that Spanish Government integration policy is modelled on policy which was first developed by the (regional) Catalan Government (Brujetas-Cajello et al 2008). The Catalan Government certainly developed integration policy earlier than the Spanish Government and it did so with input from a Barcelona based think tank (CIDOB), civil society organisations, immigrant organisations and academics. Part of the reason why the impetus for policy development came from the 'bottom-up' is because regional Governments, Local Governments (*Ayuntamientos*) and civil society organisations engage with immigrants on a day-to-day basis much more than the Spanish Government does. It was in local schools, local housing markets, local health clinics – and other places where public administration and the general public intersect – that practical issues were first encountered. These are also the places which are at the front-line of policy implementation. When it comes to policy implementation the Spanish Government relies on other levels of Government, often in collaboration with civil society organisations, to enact policy on the ground.

Partnership between Government and other policy actors is formally recognised in a number of institutions in Spanish society. The *Forum for the Social Integration of Immigrants (Foro para la Integración Social de los Inmigrantes)*, for example, is a national level public Body which informs and advises the Minister for Immigration. The Forum includes state representatives (from: Government Departments; Regional Government, and; Local Government), civil society organisations with a particular interest in immigrant issues (such as: Trade Unions, charities, and Integration Networks) and immigrant organisations (such as: the Association of Moroccan Immigrants in Spain). There are also a number of *Migration Observatories* which have a similar remit – and a similarly diverse membership – at the regional level.

Many of the academics and all of the policy-makers that I spoke to viewed this partnership approach in positive terms. Perceived benefits of the partnership approach included: helping to bridge the host/immigrant distinction through developing networks (often of common interest) which cut across the host/immigrant divide; facilitating a holistic view of immigration through including the input of a wide range of viewpoints; policy-learning – vertically between national and regional levels and horizontally across different regions; permitting more effective policy implementation through having a feed-back loop in the policy process that allows for communication regarding what works and what difficulties are encountered, and; providing Government with access to a wide range of expertise.

| | |
|-----------------------------------|---|
| National Level Governance | Department for Employment and Immigration |
| | Secretary of State for Immigration and Emigration |
| | Permanent Observatory on Migration (Public Research Body) |
| | Forum for Social Integration of Immigrants (Partnership Body; Consultative) |
| Regional Level Governance | Department for Employment and Immigration |
| | Director General for Immigration |
| | Migration Observatory (Partnership Body; Consultative + research) |
| Municipal level Governance | Department for Social Welfare/Immigration |
| | Municipal Immigration Council (Partnership Bodies; Consultative) |

Table 2: Multi-level governance of immigration policy in Spain

Other points

Encouraging public dialogue: a few interviewees (all in Barcelona) expressed the view that publications, seminars and conferences helped to create a wider public dialogue which influenced the way that immigration was discussed and what specific topics were discussed – and this attempt at wider public engagement was important.

Recognising that change happens and seeing it as an opportunity – this was expressed in different ways by different interviewees. One interviewee said that immigrants don't bring change, they are just an expression of a changing world – so discussion should not focus on immigrants but on how the whole of society ('the majority' and immigrants) should respond to these broader changes. Another said that we need to shift from talking about immigration to talking about a changing world, and that diversity will be a key feature of the world that is in the making – diversity is neither good nor bad, it is simply a fact of life.

Conclusion

Despite having experienced fairly rapid growth in immigration over a relatively short period of time and now experiencing severe economic difficulties – both factors which have been considered to increase hostility towards immigrants – public opinion in Spain is generally more positive towards immigrants in Spain than in the UK. There are negative attitudes towards immigration and immigrants, but these are less prevalent in Spain than in the UK (with attitudes towards Muslim immigrants being the main exception). Given that immigration will be a reality in any future Scotland – whether independent or not – it is important to consider how to make this immigration a more positive experience for Scottish society as a whole (for both the 'new' Scots and the 'old'). The example of Spain suggests some good practice that may help.

A holistic approach helps us to recognise that immigration is embedded in a wide range of policy areas – it is not a stand-alone issue. A partnership approach has many potential benefits, including helping to bridge the immigrant/host distinction. A positive approach encourages us to viewing immigration as an opportunity rather than a problem.

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i The interviews were conducted in Spain in October 2012 and January 2013.