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Introduction

Spain is often characterised as one of Europe's countries of new immigration and one of the countries representing the so-called Mediterranean model. Although there is no consensus on the exact meaning of this label, Spain shares a number of trends with other Southern European countries such as Italy, Greece and Portugal. First, all these countries have changed from being regions of emigration to receiving significant migration flows and having a percentage of immigrants in relation to their total population comparable to those of Northern European countries. In Spain, the number of foreign residents increased from 250,000 (0.75 per cent of the total population) in 1985 to 900,000 (2.18 per cent) in 2000, 1.3 million (3.10 per cent) in 2002, 3 million (6.7 per cent) in 2006 and 4.8 million (more than 10 per cent) in 2010 (Spanish Ministry of Labour and Immigration, 2010).

Second, in most Southern European countries huge foreign labour demands in the last twenty years have been combined with rather restrictive or non-working admission policies, which led to a model of irregular migration with frequent regularisation programmes. Although keeping count of the number of irregular immigrants is always an impossible task, it can be said that most foreign residents in Spain have been irregular at least once. For example, at the end of 2000, regularisation papers accounted for two out of three residence permits then in force (Izquierdo, 2006: 74). In absolute terms, the periodical regularisation initiatives (1986, 1991, 1996, 2000, 2001 and 2005) have given some idea of the growing numbers of irregular immigrants.

Despite these similarities, there are also significant differences. The first relevant difference is in terms of national identity. As we will see, the multi-national character of the Spanish state influences how national identity is conceptualised and how immigration is perceived and accommodated. Another relevant difference concerns the discourses on immigration. In general terms, public perceptions of immigration are much more positive in Spain than in Italy or Greece. This has been accompanied by a policy discourse that enhances cultural difference and presents integration as a bi-directional process rather than as a unidirectional path towards assimilation into the dominant culture.

This chapter focuses on three main issues. First, we examine the main factors that have determined the development of the predominant conception of Spanish identity and its impact on the accommodation of diversity. Second, we outline the main immigrant minority groups and briefly identify the main diversity challenges. Diversity challenges are analysed in terms of categories rather than groups as this allows us to: a) establish a clear link between national identity and diversity challenges; b) focus on the conflict itself and particularly on those issues/practices under discussion; and c) look at diversity in a broader sense, including debates on national cultural and linguistic diversity. Third, we consider how tolerance has been thematised in the Spanish case. We aim to understand which diversity-related conflicts have been understood in terms of 'tolerance' and which ones as issues of equality, respect, recognition or accommodation. Finally, we highlight the main distinctive features of the Spanish case from a comparative European perspective in the conclusions.

National identity and state formation

In this section, we identify the two main markers of Spanish identity from a historical perspective: language and religion. We then consider how immigration has been perceived as a challenge to linguistic and cultural (national) diversity. In the following paragraphs, the focus shifts to the role played by Europe in understanding immigration and the formulation of immigration policies in Spain. Finally, we briefly examine the definition of integration and the predominant discourse of interculturality.

Spanishness

Language (Spanish) and religion (Catholicism) have often been presented as the main pillars of Spanish identity or Spanishness. This discourse of identity has created a strong narrative of similarity and difference: similarity in terms of those who speak Spanish and profess Catholicism, originally meaning Castilians and subsequently Latin Americans and Spaniards in general; and difference regarding those who either do not speak Spanish or profess other religions.

Spanish identity was initially codified in the late fifteen century, and above all in the symbolic year of 1492, when the Sephardic Jews, Muslims and Gypsies were expelled and Castile officially began the conquest of America and what could be called the global expansion of Spanish Catholicism and Messianism. The politics of the so-called Catholic Monarchs has many elements of what we would today refer to as *ethnic cleansing* (Zapata-Barrero, 2006: 146). Islam has historically been excluded from the formation of the Spanish identity in which a Christian 'us' has been juxtaposed to an Islamic 'other' (Martín-Muñoz, 1996: 14).

The term *Hispanidad* was coined in the early twentieth century to counterbalance the loss of Spain's last colonies (Cuba, Puerto Rico and the Philippines) by emphasising the cultural proximity and historical ties between the newly independent Latin American countries and Spain. In the mid-twentieth century, it was taken up again by Franco's dictatorship 'precisely to comprise the whole Spanish area of influence, designating a linguistic (Spanish) and religious (Catholic) community and

creating a sense of belonging, excluding non-Spanish speakers, atheists and Muslims' (Zapata-Barrero, 2006: 148). The political Francoist argument '*habla cristiano*' (speak Christian) is a clear example of how the regime fostered an ambiguity between Spanish (the language) and Christianity (the religion) in order to build a culturally homogeneous society and exclude any sort of diversity.

The Spanish Constitution (1978), which emerged from the Transition period (1975-78) after almost forty years of Franco's dictatorship, left aspects linked to religion and linguistic and national pluralism unresolved. For instance, the Catholic Church still has some degree of control over cultural hegemony in the educational system, and is actively opposing government decisions related to 'education for citizenship', which recognise homosexual marriages, amongst other disputed topics. The difficulty of multinational recognition in the social and political debate is another example of an unresolved issue concerning national pluralism in Spain.

Minority nations

Despite the construction of a Spanish identity in the nineteenth and twentieth centuries, Spain has to a great extent remained a multinational country (see Gagnon and Tully, 2001; Máiz and Requejo, 2005; Requejo, 2005) composed of at least three major historical minority nations with their own languages: Galician, Basque and Catalan. While these languages were forbidden or reduced to folklore status during the Franco dictatorship (1939-1975), they were finally recognised by the Spanish Constitution in 1978. Moreover, the Spanish democratisation and constitutional process led to a gradual decentralisation with a differential treatment for minority nations and the recognition of specific rights for historic 'nationalities' (Nagel, 2006).

In this context, immigration has often been perceived as a challenge to linguistic and cultural diversity. The conceptualisation of immigration as a threat to minority nations started at the beginning of the twentieth century, when regions such as Catalonia or the Basque Country witnessed important flows of immigration from elsewhere in Spain. Though Spaniards, these migrants were perceived as foreigners in linguistic and cultural terms. As a consequence, their arrival generated a major social, political and ideological debate on its impact on national identity and the difficulties arising from their integration (Calvo and Vega, 1978). Indeed, a similar debate emerged in the 1990s and 2000s, when on this occasion, the arrival of international migrants was seen as a challenge to linguistic and cultural diversity.

These debates on immigration have also acted as a battlefield for the continuous redefinition of the contours of national identities. As analysed by Gil Araújo (2009: 234-240), the immigration of the 1950s and 1960s led to a redefinition of the meaning of 'being Catalan' as 'living and working in Catalonia' or 'wanting to be Catalan'. With the end of the Franco dictatorship and the democratisation process, language became the main marker of Catalan identity. This is clearly illustrated by the Catalan Citizenship and Immigration Plan (2005-2008) and the National Pact on Immigration (2009): while citizenship rights are linked to local residence (registration on the municipal census or *el padrón*), integration is now more than ever associated with speaking Catalan.

The role of Europe

It was not until Spain joined the European Economic Community (EEC) in 1985 that the need to unify and give legal status of law to the various regulations, decrees and bilateral agreements on immigration arose. This need was resolved a few months later with the urgent enactment of the Ley Orgánica de Extranjería (LOE – Organic Law on Foreigners), which made the entry of foreigners and their residence and access to the labour market subject to regulation. This change was particularly important for immigrants from Latin America, the Philippines and Equatorial Guinea, who had not needed a work permit to work in Spain until the enactment of the new law (Izquierdo, 1989: 47).

This thickening of borders for those ‘privileged foreigners’ coming from the former Spanish colonies continued more than a decade later with the extension of visa requirements for most Latin American citizens. While politicians and intellectuals from these countries protested by pleading historic ties of solidarity with Spain, the imposition of the visa was ushered in under the pretext of the need for a common European policy. In this regard, Europe was crucial not only as a factor pushing towards more restrictive immigration policies but also ‘as a way of diluting blame by attributing responsibility to Brussels for a measure that was strongly criticised both in Spain and in the Americas’ (Moreno Fuentes, 2005: 116).

Simultaneously, the regulations that followed the LOE in the EU context introduced preferential treatment for EU citizens and their families who unlike non-EU citizens, enjoyed freedom of circulation and the right to engage in economic activity regardless of their national employment situation. The result was the emergence of a new category of privileged foreigners (EU citizens) as opposed to the newly defined ‘rest’ (non-EU citizens). Interestingly, as the frontier of the European Union extended eastwards to include most of the Eastern European countries, this category of ‘privileged foreigners’ also expanded. For instance, when Romania and Bulgaria joined the EU in January 2007, the legal situation of their citizens living and working in Spain – many of them in an irregular situation – changed overnight.

‘Accommodation’ of diversity

Although Spain is a laboratory of diversities, there is very little policy discourse on immigration and identity (Zapata-Barrero, 2009: 119). Indeed, analysis of the parliamentary debates and the political parties’ declarations suggests a shared tacit fear of talking about immigration in identity terms. This may be explained by the fact that identity is an unsolved and incomplete question in Spain (Zapata-Barrero, 2010: 413). To talk about multiculturalism would necessarily mean talking about multinationality. In other words, talking about ‘who is Spanish’ and who is not would mean beginning an unclear and politically undesirable debate about ‘what it means to be Spanish’.

The avoidance of debates around immigration and identity at Spanish national level to date has had two main implications. First, this kind of debate has only taken place at the level of the historic autonomous communities (particularly in Catalonia). As seen in the previous

section, this is where immigration is discussed as a political identity problem. Second, diversity is managed not on the basis of established and preconceived ideas – such as French republicanism or British multiculturalism – but rather by induction, taking into account questions and answers generated by the practice of governance of diversity linked to immigration. This pragmatism or ‘practical philosophy’, as defined by Zapata-Barrero (2010: 412), leads to a problem-driven policy (2010: 426).

While there is hardly any debate around immigration and identity at the national level, integration is often defined in policy documents and by administrations at various levels, politicians and stakeholders as a bi-directional process based on the concept of *convivencia intercultural*. As a key concept in the Strategic Plan of Citizenship and Integration (2007-2010), *convivencia* is used as synonym for integration, and literally means ‘living together,’ and *interculturalidad* is defined as a mechanism for interaction between persons from different origins and cultures that leads to the positive valuation and respect of cultural diversity. *Convivencia intercultural* therefore means living together under conditions of solidarity, tolerance, respect and recognition of cultural, religious and ethnic differences (Zapata-Barrero, 2011a).

Diversity challenges

In this section, we first outline the major immigrant minority groups in Spain, by highlighting their main features and identifying the main key challenging events regarding their presence in Spain. Second, we examine the main debates on diversity. Since Spanish identity has been constructed on the basis of language and religion, it is no surprise that the main debates emerged around these two categories. Note that while conflicts around religion could be characterised as social conflicts, those around language are of an eminently political nature.

Country of origin	Absolute numbers	Percentage
Romania	793,205	16.72
Morocco	758,900	16.00
Ecuador	382,129	8.06
Colombia	264,075	5.57
United Kingdom	225,391	4.75
Italy	163,763	3.45
Bulgaria	154,353	3.25
China	152,853	3.22
Peru	138,478	3.12
Portugal	129,756	2.92
Bolivia	116,178	2.45
Germany	113,570	2.39
France	89,410	1.89
Argentina	89,201	1.88
Dominican Republic	85,831	1.81
Other countries	1,086,050	22.90

Source: Observatorio Permanente de la Inmigración, 2/2010

Immigrant minorities

There were 4,744,169 foreign residents in Spain in June 2010, accounting for more than 10 per cent of the Spanish population. Most foreign residents come from other EU countries (39 per cent), Iberoamerica (29.9 per cent), Africa (20 per cent), Asia (6 per cent), non-EU European countries (3 per cent) and North America (0.4 per cent). The largest national immigrant groups are Romanians, Moroccans, Ecuadorians, Colombians, British, Italians, Bulgarians, Chinese, Peruvians and Portuguese (see Table 1) (Spanish Ministry of Labour and Immigration, 2010).

Romanians: There were 793,205 Romanian citizens in Spain in 2010. Most of them arrived in Spain after 2000. While in 2006 there were 211,325 Romanians living regularly in Spain, in 2007 this amount increased to 603,889 (Ministry of the Interior 2006: 154; 2007: 189). This growth cannot be explained by an increase in the migratory flows but rather by the fact that when Romania joined the EU in 2007, those living and working irregularly in Spain became EU citizens and were therefore automatically 'regularised'.

In April 2010 the right-wing party Partido Popular (PP) in Badalona – a town near Barcelona – published a pamphlet stating '*We don't want Romanians*'. Its leader Xavier García Albiol subsequently clarified that they were referring to Romanian Gypsies and added that they were a 'plague' and that 'they came exclusively to relinquish', associating them with 'insecurity', 'dirt' and 'criminality'. These statements were criticised by all political parties, including the representatives of the Partido Popular at regional level, the Romanian embassy and Gypsy associations. Interestingly, the (indigenous) Gypsy association in Badalona supported the pamphlet. Some months later, during the expulsions of Romanian gypsies in France, García Albiol organised a visit in Badalona with Marie-Thérèse Sanchez-Schmid – a EP deputy for Sarkozy's UPM party – arguing that the situation in Badalona was much worse than that in France.

Moroccans: Moroccan citizens in Spain are almost as numerous as Romanians (see Table 1). Their number has doubled several times in recent years, and was around 200,000 in 2000, 400,000 in 2004, 650,000 in 2007 and 760,000 in 2010 (Spanish Ministry of Labour and Immigration, 2010). Despite their proximity in both geographic and cultural terms, Moroccans have often been seen as *the* 'problematic' migrants. Zapata-Barrero (2006: 145) argues that this is not exactly Islamophobia or religious/cultural racism but Maurophobia (phobia of Moors). The historical iconography of the Moors, and the opposition between Moors and Christians, started with the *Reconquista* and intensified from the sixteenth century onwards, becoming particularly acute in the nineteenth century with the African War of 1860. Finally, the outbreak of the Civil War led to the bipolarisation of the image of Moroccans. While republicans, socialists, communists and anarchists and peripheral nationalists depicted the Moroccans enlisted in Franco's armies as 'cruel' and 'mercenary', Francoists gave the respectful and paternalistic image of the Moroccan official status (Zapata-Barrero, 2006: 146).

The three-day campaign of violence against Moroccan immigrants in El Ejido – a market-gardening town in south-eastern Spain – in February 2000 shows how this historical racism has sometimes led to obvious conflict. In this case, the murder of a young Spanish woman by a mentally

disturbed Moroccan (who had been refused admittance to a health centre shortly before) led to the persecution of Moroccans, who demonstrated and went on strike for several days immediately afterwards. This process concluded with the 'El Ejido Agreement', according to which the various government bodies undertook to ensure better living conditions for immigrant workers in the area. Despite this agreement, in subsequent seasons the Moroccan workers found that they were being replaced by female workers from Eastern Europe. When NGOs, immigrant organisations, unions and some opposition parties condemned this situation, the government argued that employers were free to employ whoever they wished (*El País*, 12 June 2002).

When explaining the attacks in El Ejido, Martínez Veiga (2002: 133) concludes that these were perpetuated as a way to 'impose discipline, exclusion and, in some ways, let them know where they stand: outside. (...) They are expected to work and then to disappear. They are made into an instrument of production without bearing in mind the costs of reproduction'. The two main factors that according to the author account for the racist campaign against Moroccans were labour exploitation and spatial segregation between migrant workers and the native population.

Latin Americans: The largest Latin American national groups are from Ecuador (382,129), Colombia (264,075), Peru (138,478), Bolivia (116,178), Argentina (89,201) and the Dominican Republic (85,831). In contrast to Moroccans, Latin Americans have been for long *the* 'privileged' and 'desired' immigrants in Spain. This preference has also been enshrined in law.

As an example, the visa requirements for most Latin American citizens did not come into force until long after those for other non-EU citizens, and particularly those from North-African countries. The Citizenship Law is also a good example of this kind of distinction. Dating back to the 1889 Civil code, this Law concedes citizenship after two years of legal residence to people from Latin America, the Philippines and Sephardic Jews, and ten years of legal residence for other foreigners.

This differential treatment has been justified by an alleged need to cultivate relations with the former colonies (but not all of them, as in the case of Morocco, which was one of the last Spanish protectorates) and as answering for the historic debt that Spain had incurred with those countries that had been receiving Spanish immigrants for decades. It has also been explained by the objective of promoting immigration (or integration) of 'people like us' in linguistic or religious terms (López Sala, 2000: 375).

The outcome of this policy was a process of Latin Americanisation of immigration during the 1990s and much of the 2000s, and the fact that a high proportion of foreigners who acquire Spanish nationality (81.52 per cent in 2006) come from the countries of Latin America (Spanish Ministry of the Interior, 2008). In terms of rights, this means inequality of access to the civil, political and labour rights associated with citizenship. In short, it is a selective, exclusive and discriminatory policy.

One of the major conflicts regarding Latin American immigrants in Spain has involved the so-called *street gangs* or *street organisations* (see

Feixa and Canelles, 2006; Feixa et al. 2008). In 2002 a high school in Barcelona asked the municipal police to intervene after several violent events involving Latin American youth. The main street gangs in Spain are the *Latin Kings*, created in Chicago in the 1940s, and *la Ñeta*, created in Puerto Rico in the late 1970s. As Feixa (2006) observed, these street organisations should not be understood as a mere continuation of the original groups but rather as resulting from the new context of immigration. Interestingly, the municipality of Barcelona has recently recognised them as cultural associations (the *Organización cultural de Reyes y Reinas Latinos en Catalunya*, and the *Asociación sociocultural, deportiva y musical de Ñetas*) with the aim of institutionalising their presence and, by so doing, preventing processes of social exclusion and violence.

Chinese: The number of Chinese foreign residents in Spain grew from 28,692 in 2000 to 85,745 in 2005 and 152,853 in 2010 (Spanish Ministry of Labour and Immigration, 2/2010). Chinese immigrants are concentrated in urban areas and along the Mediterranean coast. In terms of the labour market, most of them work in services (restaurants and retail trade) and in the garment industry and sweatshops. Though the Chinese are often seen as an 'unproblematic' immigrant community, their presence in some particular economic sectors has sometimes aroused fear and distrust.

In September 2004, around 500 people demonstrated in Elche (near Valencia) to protest against the presence of Chinese businessmen in the area. In a context of a severe recession in the footwear sector, the demonstrators argued that Chinese were disloyal competitors as they operated beyond any governmental (tax) control. The demonstration concluded with the burning of two warehouses and a truck full of merchandise. In his thorough analysis of the event, Cachón explains it in terms of a result of pre-existing negative stereotypes and prejudices together with the unrest caused by a huge economic transformation and the consequent crisis in the sector. Quoting Wieviorka (1998: 44), Cachón defines it as the 'racism of the fall and social exclusion' or the racism of the 'poor white' (Cachón, 2005: 268).

EU citizens: Europeans represent almost 40 per cent of all immigrants in Spain. The largest national groups are Romanian, British, Italians, Bulgarians, Portuguese, Germans and French (see Table 1 for absolute numbers and percentages). A significant proportion are pensioners migrating from North-Western Europe (mostly from the United Kingdom and Germany) and professionals. Moreover, there is a sizeable new immigration of economic migrants from Central and Eastern Europe, namely Romania and Bulgaria. Apart from the case mentioned above regarding Romanian gypsies, the presence of EU residents in Spain has not aroused particular distrust.

Sub-Saharan Africans: Sub-Saharan Africans account for a small percentage of the total immigrant population in Spain. Most of them are from Senegal (38,716), Gambia (21,249), Mali (16,202), Nigeria (26,227) and Equatorial Guinea (9,985) (Spanish Ministry of Labour and Immigration, 2009). Although they are perceived as less problematic than Moroccans, their presence is commonly associated with illegality.

First, they are associated with illegal border crossing. Images of fishing boats full of African migrants trying to reach the Spanish shores have

been broadcast all over the world. Second, they have also been associated with informal work. Particularly in the summer, Spanish newspapers and televisions often report on their precarious status as illegal workers in the fields of Andalusia and Catalonia. Third, in recent years, they have also been associated with illegal street trading (the so-called *top manta*) in public spaces. Being mainly present in the tourist resorts on the Mediterranean coast, many municipalities are now trying to control their presence either by exploring the possibility of legalising their trade (Calafell and El Vendrell) or in most cases, by increasing police control. The municipality of Barcelona – one of the cities with the largest presence of African street traders – is now trying to persuade them by making regularisation difficult for those who have been fined for selling illegally on the streets (*La Vanguardia*, 14/09/2010).

Religion

Most diversity challenges in Spain have been related to religion, and more particularly to Islam. For instance, whenever the members of a Muslim community want to construct a mosque, an immediate reaction of neighbourhood protests begins, which is generally supported or at least not obstructed or contradicted by local authorities. It is a fact that in Spain, Muslim and Islamic issues have appeared in the public sphere with rather rigid images attached to them. Invariably, public opinion polls on these issues reveal that the majority of Spanish citizens link their opposition to immigrants in general to the Muslim community in particular (Pérez-Díaz et al. 2004).

Conflicts around Islam should first be understood in the context of the Spanish identity construction, which as explained above is based on a traditional negative perception of Muslims and more specifically Moroccans, who are considered in pejorative terms as 'the Moor' (*el moro*) (Zapata-Barrero, 2006: 143). Second, these conflicts should also be explained in terms of a dual and apparently contradictory process: the secularisation of the state but the ongoing predominant position of the Catholic church. While the shift to a secular state has tended to relegate religious practices to the private sphere, the asymmetrical relationship with the Catholic church has in practice led to the non-fulfilment of the agreements signed with minority religions (see Zapata-Barrero, 2011a). Third, and finally, as in many other European countries, some cultural practices of Muslim communities are increasingly perceived as opposed to liberal values such as human dignity, freedom and equality.

Conflicts around mosques, oratories and cemeteries: Conflicts around mosques and oratories (Muslim places of worship) have various strands (see Zapata-Barrero and de Witte, 2010):

- Opposition to the building of mosques and/or opening of religious centres or oratories by both citizens and government. This shows a lack of social recognition of Muslims in the public space.
- Discussion on the access of women to mosques and oratories. A particular criticism is that women's access to mosques is either prohibited, or they have to use separate rooms. It is often perceived as unacceptable from the perspective of the principle of gender equality, or the principle of religious freedom.

- Opposition to foreign funding of mosques. The main concern is that poorly resourced mosques depend on funding from foreign sources, including extremist groups.
- Criticisms of radical imams leading mosques. As these religious leaders are either educated abroad or completely uneducated at all, the fear is that they advocate interpretations of Islam that are in conflict with the legal and social norms in Spanish society. In an attempt to prevent imams from spreading hateful and violent ideas, the government proposed to monitor and censor mosque sermons in May 2004. Protests by Muslim and civil liberty groups led to the retraction of the proposal. As an alternative, the main Moroccan immigrant workers organisation (ATIME) proposed a system of self-control of mosques (including supervision of mosques and appointment of imams) led by local and national Muslim councils.

Conflicts around religious education: Conflicts around religious education have been based around three main topics (see Zapata-Barrero, 2011a):

- Discussion on the predominance of Catholic education. Catholic education must be offered in public schools, although students are free to choose it or otherwise. While no alternative needs to be provided in primary schools, in secondary school an alternative course (history of religions) should be offered but students are also free to choose neither of these options (Rodríguez de Paz, 2006; Morán, 2006). There have also been debates on the presence of Catholic symbols in schools. Interestingly, when some parents criticised the presence of crucifixes in the classroom, the council of education of the Castilla y León Autonomous Community asked them to be 'tolerant,' arguing the need for toleration in a sphere of *convivencia* (peaceful coexistence). In 2010 the draft of the new Organic Law for the Freedom of Conscience and Religion prohibited the presence of religious symbols in public schools.
- Discussion on the right of religious education in both public and private schools. Although the agreements between the Spanish state and the Jewish, Evangelic and Muslim communities guarantee the right of religious education, in practice most schools do not provide this.
- Discussion on the new compulsory course (final year in primary education and throughout secondary school), called 'Education for Citizenship and Human Rights' (*Educación para la ciudadanía y derechos humanos*). Following recommendations from both the Council of Europe and the European Union, this new course was introduced in 2006 in order to teach individual and social ethics and democratic values, including topics such as climate change, human rights, immigration, multiculturalism, etc. The arguments *for* were the need to create democratic citizens and prevent inequalities between sexes, minorities, etc. The arguments *against* come from the Catholic Church and related groups who argue that it might lead to value indoctrination by the state and is against the principle of freedom of ideology and religion.

Conflicts based on dress code: Conflicts have arisen around headscarves in schools and burqas and niqabs in public spaces. The terms of the debates have been the following:

- Headscarves in schools: the wearing of the Muslim headscarf in public schools has not been as controversial as in other European countries

until very recently. However, opinion has been divided between those who defend religious symbols as part of religious freedom and those who would like to see the prohibition of religious signs in the public sphere in the name of liberal-republican values (Pérez-Barco & Bastante, 2006; Martí, 2007). When schools prohibited girls wearing from the Islamic veil (*hijab*) based on the internal rules of the centre that prohibits all elements of discrimination, the responses were also diverse. For instance, the Catalan government intervened in 2007 to reverse the school prohibition by arguing that the right to education had priority over the regulation of (religious) symbols (Escriche, 2007). In spring 2010, the right-wing regional government of Madrid supported a school prohibition, while the Socialist national government opposed it arguing that the right to education took priority. This latter case led to a major national debate that continued with the discussions on the draft of the new Organic Law for the Freedom of Conscience and Religion.

- Burqas and niqabs in public spaces: In 2010 some municipalities (first in Catalonia and then in Andalusia) began to prohibit the burqa and niqab in public buildings. In June the Senate also approved – albeit by a thin majority – a proposition made by the Partido Popular to ban the use of the burqa and niqab in *all* public spaces. Those who defend these measures argue that the burqa and niqab violate women’s dignity and the principle of equality, and pose a threat to public security. Those against the ban argue that these measures have the effect of shutting women in their houses and polarising positions around Islam.

Language

Immigration is often seen as a challenge to Spain’s linguistic diversity. For instance, in the Spanish case, the presence of Latin American immigrants reinforces the weight of Castilian Spanish and is therefore often perceived as a threat to the situation of minority languages such as Catalan, Galician or Basque. In consequence, when traditional and new linguistic diversity come together, immigration policies tend to turn into linguistic policies.

Conflicts around education: Conflicts around language education have mostly taken place in Catalonia and the Basque country. While both examples reveal the difficult balance between the promotion of native languages and the acceptance of immigrants’ languages in the public space, the institutional responses have been different in each case:

- Catalan education: the Language and Social Cohesion Plan from the Catalan Education Department (2007) was aimed at consolidating social cohesion by simultaneously promoting intercultural education and the Catalan language. While its starting point is to guarantee equality for all and respect for diversity, social cohesion is understood as a precondition for the celebration of cultural diversity and Catalan language learning is deemed to be the main tool to create this. One of the aims of the Plan is therefore to consolidate Catalan as *the* vehicular language in schools. In practice, this tends to take the form of a rather assimilatory linguistic policy and creates an extra difficulty for newcomers that neither speak Catalan as a mother tongue nor have the opportunity to learn it in their immediate (Spanish speaking) social environments.

- Basque education: parents in the Basque country are free to determine the linguistic model they want for their children. Model A is Spanish-language teaching with Basque as a compulsory subject. Model B combines Basque and Spanish as vehicular languages under comparable conditions. Finally, Model D involves Basque being the vehicular language of instruction for all subjects, with the exception of Spanish language and literature (Ruiz Vieyetz, 2007: 8). The coexistence of different linguistic models raises the question of whether this will lead to a retreat of the Basque language in schools or to a segmented educational system with immigrant students following Spanish speaking teaching, and autochthonous students using the educational models with a higher profile of Basque.

Conflicts around Catalan as preferential language: The new Statute of Autonomy of Catalonia (2006) provides Catalonia's basic institutional regulations. It defines the rights and obligations of citizens in Catalonia, the main political institutions with their competences and relations with the rest of Spain, and the financing of the Government of Catalonia. Moreover, the Statute stipulates that Catalan is the preferential working language (*lengua vehicular*) in Catalonia. This has led to many discussions, particularly regarding the following aspects:

- Catalan as the preferential working language in the government and media: while the Statute of Autonomy of Catalonia – approved by referendum in June 2006 – defined Catalan as *the* common and preferential language in the Catalan government administration and media, in June 2010 the Constitutional Court ruled that Catalan was indeed the common language but could not have a preferential position *vis-à-vis* Castilian Spanish.
- Catalan as the basic public language for the reception of immigrants: according to the Catalan Citizenship and Immigration Plan (2005-2008) and the National Pact for Immigration (2008), one of the main challenges for the construction of a 'common public culture' is making Catalan the basic public language in Catalonia. Based on this claim, the Reception Bill (*Llei d'acollida*) establishes that Catalan will be the working language for the reception and integration of migrants, meaning that immigrants will be required to learn Catalan first. This led the Spanish Ombudsman to present an appeal to the Constitutional Court in August 2010 on the grounds that Catalan could not be the *only* language recommended in the Reception Bill, as this infringes the right of immigrants to learn Spanish and the official bilingual situation in Catalonia (see Zapata-Barrero, 2011b).

Definitions of tolerance

After having described the key features of Spanish national identity and integration philosophies and having mapped the main conflicts based around diversity in Spain, it remains to be seen under what terms these tensions have been perceived. With this in mind, in this section we analyse whether, in which context, regarding what issues and by whom is the term 'tolerance' used. This will allow us to understand which diversity-related conflicts have been understood in terms of 'tolerance' and which ones as issues of equality, respect, recognition or accommodation.

A review of parliamentary discussions and electoral programmes from the main political parties (the Partido Socialista Obrero Español and the Partido Popular) since the 1980s shows that the term tolerance is seldom used by Spanish politicians and, when referred to, it is exclusively in terms of value, habit/attitude/disposition or virtue. For instance, Canovas Montalban – a member of parliament for the PSOE – stated in the Spanish parliament in 1997 that tolerance was an ‘essential value’ and that ‘education for cultural, ethnic and ideological diversity, and for respect for diversity and the rejection of violence is an unavoidable obligation at a time when xenophobia, intolerance and lack of solidarity are not past but present terms’¹. In the electoral programmes of the right-wing party PP, the term tolerance always goes hand in hand with living together (*convivencia*) and with other terms such as respect, equality, freedom and solidarity.

A look at integration plans at both national and regional level leads to the same conclusion: the term tolerance is only used as a synonym of respect for difference. For instance, in the most recent Spanish integration plan (*Plan Estratégico de Ciudadanía e Integración*, 2007-2010), one of the ten general objectives is to ‘promote understanding from Spanish society for the phenomenon of immigration, to improve interculturality (*convivencia intercultural*) by valuing diversity and favouring values of tolerance, and to support the maintenance and knowledge of migrants’ cultures of origin’. Similarly, integration plans produced in Andalusia and Madrid refer to ‘tolerance’ as a basic democratic value and as a prerequisite for ‘living together’. The word tolerance is seldom used in the Catalan integration plans, while other concepts such as pluralism, equality, civic responsibility and *convivencia* are constantly referred to.

In general terms, we can therefore conclude that the term tolerance is rarely used and when it is, it refers to liberal respect, meaning the need for democratic citizens to respect each other as legal and political equals, according to a logic of emancipation rather than toleration (see Bader, 2010: 7). In fact, a more permissive conception of the term – accepting the power of interference or the power not to tolerate – would have been at odds with the common definition of integration as a bidirectional process based on the concept of *convivencia intercultural*, i.e. living together in solidarity, tolerance, respect and recognition for cultural, religious and ethnic differences.

Despite this reluctance to use the word tolerance in other senses than that of respect and recognition, there seems to be a general consensus that basic values such as human dignity and human rights, freedom, democracy and equality should be respected. In practice, even when not formulated in this way, these values define the limits of what can and cannot be tolerated. In this respect, it can be said that the *notion* of ‘tolerance’ does exist but that the *concept* does not. In other words, while the meanings and practices of tolerance are known and used, there is no term to cover them. In the following paragraphs, we will discuss in which context, regarding what and by whom the limits of what is tolerable and what is not have been imposed.

Regarding *the context*, it is possible to say that the ‘tolerance’ boundary is commonly referred to when cultural diversity is perceived as being contradictory to human rights, freedom and individual autonomy/dignity. Media debates are very illustrative of these arguments and terminologies. A review of the national newspaper *El País* since 2000 suggest that this

1. The quotations have been translated from Spanish to English by the authors.

opposition is commonplace. For instance, Josep Ramoneda – a well-known Catalan intellectual – states that ‘tolerance starts by making clear the rules of the game of the open society that are in place here and by demanding their implementation’ (*El País*, 02/02 2010). In a similar vein, Marc Carrillo – professor of Constitutional Law at Pompeu Fabra University – argues the following: ‘[...] the democratic state is based on the tolerance towards cultural diversity that citizens express, as the holders of fundamental rights. But tolerance is not indifference. And respect towards traditions that become human behaviour in a multicultural society are not and cannot be unlimited. The guarantee of human rights is an impassable border, otherwise the democratic state would lose its identity’ (*El País*, 29/04/2009).

Regarding the *what*, we can conclude that the ‘tolerance’ boundary has mainly been drawn with regard to Islam. Once again on the basis of the articles published in *El País*, most debates on the opposition between cultural diversity on the one hand, and human rights and freedom on the other have been based around issues such as headscarves in schools, burqas in public spaces and, more generally, male/female relations. In these debates, there is a tendency to indulge in generalisations, i.e. discussions do not only focus on particular practices by particular people but tend to attribute particular practices to the whole group (Muslims) and religion (Islam). In some cases, these practices are presented as an illustration of the incompatibility between Islam and democracy, freedom and equality and, in other cases, they are thought as examples of the backward nature of Islam *vis-à-vis* the modern West. This leads us to conclude that when looking at media debates, there is a common (and dangerous) shift from targeting particular practices to targeting groups and ‘cultures’ as a whole.

Regarding the *who*, i.e. who has the power to tolerate or otherwise, most cases involve either local administrations (for instance, concerning the use of the burqa in public spaces) or practitioners, including social workers (with regard to male/female relations) and educators (with regard to the use of the headscarf in schools). This leads us to two main conclusions. First, local authorities and practitioners (within the state apparatus or otherwise) seem to be the main actors playing the role of ‘tolerators’. In this regard, although further research is needed, our hypothesis is that toleration is particularly exercised among the actors most deeply involved in the formulation and implementation of integration policies. Second, we can also conclude that, when looking at conflicts based around diversity and analysing the limits of what is considered as tolerable or not, we should take into account not only the central government but also a wider range of actors, including other administrative levels such as regional and local governments; other institutions, agencies and practitioners within the state apparatus; and other relevant actors, such as politicians, NGOs and private institutions. We suggest therefore – following Maussen’s (2007: 5) definition – to shift the focus from *government* to *governance* in order to widen the analysis beyond the state as an actor, and beyond the regulations via legal rules or law-like regulations.

Concluding remarks

In this concluding section, we highlight the main features that characterise the Spanish case from a comparative European perspective. In short, the question that underlines these final paragraphs is what the distinctive

features of Spain are when we consider issues such as immigration, identity, diversity and tolerance.

1. In comparison with other European countries, immigration in Spain is a recent phenomenon that has developed very intensively in a very short period of time. Indeed, the number of foreign residents in Spain increased from 250,000 in 1985 to almost 1 million in 2000, and more than 4 million in 2010. This means, on the one hand, that most immigrants have arrived in the last ten years and still have a temporary status and, on the other, that the debates on immigration and policies regarding immigration and diversity are still rather new.
2. Spanish identity, or what we called *Spanishness*, has been built upon two main pillars: language (Spanish) and religion (Catholicism). The Francoist political argument '*habla cristiano*' (speak Christian) illustrates how these two markers were even merged in the attempt to build a culturally homogeneous society. At the same time, Spain has to a great extent remained a multinational country with three main historical minority nations with their own languages: Galician, Basque and Catalan. This explains why immigration has often been perceived as a challenge to national linguistic and cultural diversity in Spain.
3. The main conflicts around migrant minorities are socio-economic in nature. If we consider conflicts around diversity, a distinct feature of the Spanish case is that they have been articulated around the two main markers of Spanish identity. While conflicts around language have been of a political nature and have mostly referred to the status of the languages of minority nations, conflicts around religion have been of a more social nature and have focused on two main themes: the predominance of the Catholic church in the new context of secularisation and immigration, and the institutionalisation of Islam and the prohibition of particular (Muslim) practices.
4. Policy discourses emphasise interculturality, respect and recognition for cultural, religious and ethnic differences over concepts such as integration or assimilation. This discourse of interculturality may explain why the term tolerance is seldom used in Spain and, when it is, it refers to liberal respect, thus denoting emancipation rather than toleration. At the same time, there is a broad consensus that values such as human dignity and human rights, freedom, democracy and equality draw the line between what can and cannot be tolerated. This is where respect-based approaches turn into permission-based approaches, thereby accepting the power of interference or the power not to tolerate. While this power is mainly exercised *vis-à-vis* particular practices, there has been a shift in public debate from not tolerating particular practices to not tolerating particular groups and 'cultures'.
5. Despite the general reluctance to use 'tolerance' in terms of permission, liberal values in practice establish the limits of what is tolerable. Here we find a clear convergence with other European countries. Examples include the French anti-headscarf law of 2004, and the invocation of 'Dutch norms and values' in Dutch civic integration courses. The relevant question here is which practices really do challenge liberal values. It is also essential to consider when or under which circumstances these prohibitions run contrary to the very liberal values upon which they are based. In more specific terms, by excluding those perceived as 'not liberal enough', when or under what circumstances do we run the risk of falling into the paradox of claiming liberal values for illiberal purposes?

Bibliography

Bader, Veit. "Concepts of Tolerance and Toleration. Moral Minimalism and more demanding Moralities. Some Reflections on 'Tolerance/Toleration'", WP2 Accept Pluralism, 2010.

Cachón, Lorenzo. *Bases sociales de los sucesos de Elche de septiembre de 2004. Crisis industrial, inmigración y xenofobia*. Madrid: Observatorio Permanente de la Inmigración, 2005.

Calvo, A.; Vega, E. "Generalitat, partits polítics i immigració durant la Segona República", *Quaderns d'Alliberament*. Vol. 2. No. 3 (1978). P. 17-27.

Escrache, Elisabet. "Educació descarta fer una normativa que reguli l'ús del vel islàmic a les aules", *Avui*, (04 October 2007).

Feixa, Carles. *Jóvenes 'latinos' en Barcelona. Espacio público y cultural urbana*. Barcelona: Anthropos, 2006.

Feixa, Carles; Canelles, Noemí. "De bandas latinas a organizaciones juveniles. La experiencia de Barcelona", *Jóvenes. Revista de estudios sobre juventud*, Vol. 24 (2006). P. 40-56.

Feixa, Carles et al. *A case study on transnational migrant youth: the Cultural Organization of Latin Kings & Queens in Catalonia*. Tresegy, VIth Framework Program, Universitat de Lleida, 2008.

Gagnon, Alain-G.; Tully, James. *Multinational democracies*. Cambridge: Cambridge University Press, 2001.

Gil Araújo, Sandra. "Gestión de la cuestión nacional: España y Cataluña en perspectiva". In: Zapata-Barrero, Ricard (ed.). *Políticas y gobernabilidad de la inmigración en España*. Barcelona: Ariel, 2009.

Izquierdo, Antonio. "La inmigración irregular en el cambio de milenio: una panorámica a la luz de las regularizaciones y de los contingentes anuales de trabajadores extranjeros en España". In: Solé, Carlota; Izquierdo, Antonio (eds.). *Integraciones diferenciadas: migraciones en Catalunya, Galicia y Andalucía*, Barcelona: Anthropos, 2006. P. 73-88.

Izquierdo, Antonio. *La inmigración en España*. Madrid: Instituto Español de Emigración, 1989.

López Sala, Ana. *Inmigrantes y Estados: la respuesta política ante la cuestión migratoria. El caso español en el contexto de las democracias occidentales*. Universidad Complutense de Madrid, PhD Thesis, 2000.

Máiz, Ramon; Requejo, Ferran. *Democracy, Nationalism and Multiculturalism*, London and New York: Routledge, 2005.

Martí, José Luis. "El velo de la discordia", *La Vanguardia*, 03-03-2007.

Martín Muñoz, Gema. "Prólogo". In: Balta, Paul. *El Islam*. Madrid: Salvat-Le Monde, 1996. P. 9-16.

Martínez Veiga, Ubaldo. "Immigrant Labor: Policies, Civil Rights, Violence and the Labor Market: El Ejido (Almería, Spain)". *ÉNDOXA: Series Filosóficas*. Vol. 15 (2002). P. 129-134.

Ministerio de Interior. *Anuario Estadístico*. 2000-2008 (online) <http://www.mir.es/MIR/PublicacionesArchivo/publicaciones/catalogo/anuari-osestadisticos>.

Ministerio de Trabajo e Inmigración. *Extranjeros con certificado de registro o tarjeta de residencia en vigor*, 31 de marzo 2010.

Moreno Fuentes, Francisco Javier. "The Regularisation of Undocumented migrants as a mechanism for the 'emerging' of the Spanish underground economy", *Working Paper* 05-06, CSIC, 2005.

Nagel, Klaus. "25 Years of Catalan Autonomy". *Scottish Affairs*. Vol. 54 (2006). P. 22-38.

Pérez-Díaz, Víctor; Álvarez-Miranda, Berta; Chuliá, Elisa. *La inmigració musulmana a Europa: turcs a Alemanya, algerians a França i marroquins a Espanya*. Barcelona: Fundació 'La Caixa', 2004.

Pérez-Barco, M.J. & J. Bastante. "El Gobierno abre el debate sobre el uso del velo y otros símbolos en espacios públicos", *ABC*, (27 November 2006).

Requejo Coll, Ferran. *Multinational Federalism and Value Pluralism*. London & New York: Routledge, 2005.

Rodríguez de Paz, Alicia. "El modelo de la asignatura de religión impide un acuerdo entre Gobierno y obispos", *La Vanguardia*, 06-12-2006.

Ruiz Vieytez, Eduardo. "New minorities and linguistic Diversity: Some reflections from the Spanish and Basque perspectives". *JEMIE*. Vol. 6. No. 2 (2007). P. 1-21.

Zapata-Barrero, Ricard. "The Muslim Community and Spanish Tradition: Maurophobia as a Fact, and Impartiality as a Desiratum". In: Modood, Tariq; Triandafyllidou, Anna; Zapata-Barrero, Ricard (eds.). *Multiculturalism, Muslims and Citizenship: a European Approach*. New York: Routledge, 2006.

Zapata-Barrero, Ricard. "¿Existe un enfoque propio de gestión de la inmigración? Filosofía práctica de la política de gobernabilidad en España". In: Zapata-Barrero, Ricard (ed.). *Políticas y gobernabilidad de la inmigración en España*, Barcelona: Ariel, 2009.

Zapata-Barrero, Ricard. "Theorizing State Behaviour in International Migrations: An Evaluative Ethical Framework". *Social Research*. Vol. 77. No. 1 (2010). P. 325-352.

Zapata-Barrero, Ricard. "Education as the mirror of Spanish society: challenges and policies towards multiple diversities". *OMNES: Journal of Migration and Society* (2011a).

Zapata-Barrero, Ricard. "The Spanish autonomy-building process in a multinational context: a view from the immigration policy field". In: Gagnon, Alain-G; Keating, Michael (eds.). *Autonomy: Imagining Democratic Alternatives in Complex Settings*. Vancouver: University of British Columbia Press, 2011b.

Zapata-Barrero, Ricard; de Witte, Nynke. "Muslims in Spain: Blurring past and present Moors". In: Triandafyllidou, Anna (ed.). *Muslims in 21st century Europe: structural and cultural perspectives*. London: Routledge, 2010. P. 181-198.