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Migration Dossier

Spain: No Legal Way In

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The first ever Immigration Act in Spain was passed in 1985. Before that, the big waves of migration had either been outwards (first to the ex-colonies in Latin America, then into exile following the defeat of the Republic in the Civil War and finally in search of work in Europe) or internal (with hundreds of thousands moving from rural Andalusia to work in the factories of Catalonia).

Even as late as the mid-1990s, the foreign population was relatively small and contained a majority of EC-nationals. As workers started to arrive in bigger numbers from Morocco, West Africa, South America and the Philippines, they had little trouble finding jobs, even if poorly paid and in bad conditions, but huge problems coping with the Kafkaesque requirements for becoming - and staying - 'legal' imposed on them by the 1985 Act.

[https://www.internationalviewpoint.org/IMG/jpg/12_Moroccan_migration.jpg]

Despite certain changes (for the worse) the basic situation remains that people are expected to obtain an employment contract while still in their country of origin, produce this at the Spanish embassy to apply for a visa and only then come to take up their job, which is supposed to have been kept open for them for however long this process may last. Of course, this is not how the labour market functions and everyone knows it.

In the real world, with legal entry into the country virtually impossible, whole sectors of the fruit-growing and construction industries, for instance, have thrived on employing migrant workers who officially don't exist and therefore have no recognized rights. Never the less, combined pressure from immigrants and their supporters has forced the government to concede several amnesties, known as 'special regularization processes', for those who have managed to get in.

Charged with guarding the European Union's southern flank against 'illegal' immigrants, the Spanish government has obliged by reinforcing its coastal and airport controls and building massive walls around Ceuta and Melilla, its two North African enclaves. This does not prevent access - new immigrants continue to come in all the time - but does make it considerably more dangerous and lucrative for the 'mafias'. Countless hundreds have been drowned braving the currents of the Straits of Gibraltar or attempting the route to the Canary Islands in boats that are hardly seaworthy. There has been little difference between the Socialist Party (PSOE) and the Popular Party (PP) on this question.

Until fairly recently, migrant workers' main problems stemmed from state and institutional racism in the form of police harassment and the enormous obstacles in the way of obtaining permits. Immigration was not a major political issue and overt anti-immigrant racism (as opposed to that against Spanish gypsies) was generally absent from society at large.

However, a new, tougher Immigration Act was passed at the end of the PP's previous term of government and yet another, still tougher, one almost immediately upon its return to office. This, the focus on the 'immigration problem' at the Seville summit at the close of its EU presidency and openly blaming (illegal) immigrants for a sharp rise in crime, sent out a clear signal on what was considered legitimate. Racist outbreaks and simmering conflicts have become more frequent. The climate has changed.

When hundreds of immigrants occupied first one church, followed by another ten, in the centre of Barcelona in January 2000, they stirred up a tremendous surge of sympathy. Their determination and tenacity, together with the active support of several sections of society, managed to wring 'papers' from the government for practically all those

concerned as well as opening the door for thousands of others.

Unfortunately, the occupation of a university in Seville, on the eve of the EU summit there, by over 400 migrant workers also demanding 'papers' did not meet with the same response, even though the government has been under more social pressure (including a general strike) than at any time since it first came to power, and so did not have the same success.

Rifts in the anti-racist movement will have to be healed, the global justice movement will have to be convinced of the need to become more involved, new alliances forged with the workers' movement and co-ordination sought with others across Europe if resistance is to be effective in the future.