

MIGRATION, INFORMAL ECONOMY AND SOCIAL EXCLUSION IN SPAIN¹

JAKA REPIČ

University of Ljubljana, Faculty of Arts
Department of Ethnology and
Cultural Anthropology
1000 Ljubljana, Aškerčeva 2
Slovenia

**UDK 314.745.3-054.7(460)
331.55(460)**

Original scientific paper
Izvorni znanstveni rad
Accepted / Prihvačeno: 14. 8. 2010.

The article examines the connection between recent migration to Spain and the role of the Spanish informal economy with its requirements for inexpensive, unregistered labour as one of the most crucial factors of early and contemporary labour immigration. Due to restrictive migration policy a marked social differentiation has occurred between Spanish citizens, new residents (from the EU) and immigrants. Migrant workers are often at the very bottom of the social scale, and it is in the interest of the capital to continue the policy of exclusion and foster their non-integration.

Key words: migration, Spain, social exclusion, migration policy, informal economy

“Gracias a los inmigrantes, los esclavos tenemos criados”

I noticed the declaration above stating, “thanks to the immigrants, even slaves have their own servants” in the form of a graffiti at the train station in El Masnou, the coastal suburb of Barcelona.² It provocatively reveals a very

¹ A version of this paper was presented at the Department for Social and Cultural Anthropology at the Miguel Hernández University in Elche (Titulación de Antropología Social y Cultural de la Universidad Miguel Hernández).

² Between 2004 and 2006 I conducted anthropological research on transnational migration between Argentina and Europe (comparing Spain and Slovenia). This article represents part of my research in Spain in which I was concerned with undocumented migration in Europe in general, and migration and integration strategies and policies. The data presented here is mostly taken from secondary literature and other sources, but partly draws on my ethnographic research in Barcelona and Almería.

relevant depiction of social reality regarding migration in contemporary Spain where during the last two decades, due to massive immigration, a new social class of migrant workers has emerged. Most of them have the lowest possible social status and besides having countless social and economic problems, they are also burdened with discrimination and often treated as the scapegoats of political conflicts. After settling in Spain, immigrants find themselves in a complex context, since their routes and integration strategies depend profoundly on social, political, and economic circumstances, migration and integration policies and the policy of citizenship.

Although migration is not new to Spain, it has developed into a complex phenomenon with new dimensions during the past two decades. This is clearly apparent in everyday life, in the media and in political discourse where migration is a constantly present if not prevailing topic. Reports on immigration issues, 'problems' with immigrants and conflicts between local populations and immigrant groups are continuously present in the media sphere. Among these reports, occasional articles feature the positive effects of immigration for a demographically aging Spanish society. But by and large, in media and political discourses there is a noticeable negative attitude towards immigration, whereby migration in general is regarded as uncontrolled and unsystematic phenomenon. Immigration is generally perceived in connection with illegality even though illegality itself is produced by migration and integration policies and the labour market (cf. DeGenova 2002). Several authors argue that the majority of the population perceives immigration as a potentially critical social problem and a cultural threat (see Solé and Parella 2003:122; cf. Checa 2001; Martínez Veiga 2001). Especially recent massive arrivals of migrant workers, often without legal status, is considered extremely problematic, as is apparent in the southern city of Almería, where since 2000 there have been occasional outbursts of violent xenophobia and racist demonstrations, unfortunately also supported by the state and local government (see Checa 2001).

Negative or sometimes even xenophobic attitudes towards migrant workers in Southern Spain were on the one hand produced by the local economy's almost insatiable demand for cheap labour – mostly unregistered migrant workers from Morocco, Algeria and Senegal. Cheap and often unregistered labour enabled the rapid development of intensive agriculture in huge greenhouses (*invernaderos*), as well as the growth of the

construction and tourism industries in the coastal areas (Baldwin-Edwards and Arango 1999; Jahn and Straubhaar 1999). On the other hand, negative attitudes were roused by local and state policies governing migration, labour and national security that produced social exclusion, the illegal status of immigrants and general social differentiation between locals, new residents and migrant workers (DeGenova 2002; cf. Walters 2004).

OVERVIEW OF MIGRATION PROCESSES IN SPAIN

The commencement of contemporary immigration to Spain dates back approximately to the 1960s. However, only since the 1980s can we talk of massive labour immigration.³ Prior to that, Spain used to be a predominantly emigrant society. Before the Second World War, people from Spain migrated to prospective Latin American countries and to the United States of America, whereas after the Second World War, emigrants primarily sought a living in more developed countries of northern Europe – especially the United Kingdom. Beside occasional return migrants, the first immigrants to Spain were retired middle and upper-class citizens of northern European countries – mostly from the UK – who started moving to Spain in the 1960s. They were attracted by the warm climate along the Mediterranean coast where they would either merely spend the winter or even settle permanently. Currently there are large communities or even enclaves of such ‘privileged migrants’ from the UK, Germany, etc. settled along the Spanish Mediterranean coast (see O'Reilly 2000; Carella and Pace 2001; Solé and Parella 2003). They have formed enclaves of foreigners with services in their national languages; there are even English newspapers, like *Sur in English* or *Catalonia Today* published by and for foreigners and tourists.

Before migrant workers began arriving in the 1980s, there was a brief but substantial inflow of tens of thousands of Argentine immigrants escaping their home country during the period of military dictatorship between 1976 and 1983 (see Olmo 1990; 2002). Mostly highly educated

³ At this point I refer only to transnational or international migration and neglect the otherwise important issue of internal labour migration.

liberals and intellectuals fled the violent military regime. When they arrived in Spain (many also moved to the USA), they already had above average education and produced new jobs and services. Up until the mid-1980s, the number of immigrants in Spain was relatively low especially compared to the number of emigrants. Besides, they were mostly Europeans or of European descent (e.g. Argentines), highly educated or financially well-situated and as such they were not considered a problem to the receiving society. The phenomenon of immigration was generally invisible.

From the mid-1980s, migration processes reversed and international migration to southern European countries eventually became a major trend in Europe (see Baghana 1997; King 2000, 2001). The number of immigrants has been increasing ever since and simultaneously their national, educational and religious structure has changed significantly. In 1986, Spanish authorities registered some 275,000 legal immigrants. In 2000, their number rose to 895,720 (Solé and Parella 2003:121), in 2005 the total number of registered immigrants reached 2,738,932 and in 2009 4,791,232 – a figure that represented more than ten percent of the whole population.

In spite of the apparent and steep rise in the number of African and Latin American immigrants in Spain in 1999, European immigrants still represented a majority of all immigrants – about 45 percent. Later, even though the overall number of European expatriates in Spain rose steadily up until 2009, their relative slightly declined to 41 percent. In 2009, the largest proportion of Europeans constituted British, German and Portuguese immigrants (Carella and Pace 2001:65), but there were also many labour migrants from various Eastern European countries, especially Bulgaria and Romania.

The following table demonstrates the number of registered immigrants in 2005 and 2007 according to the country and continent of their origin. Only the most numerous immigrant groups are represented and we must take into consideration that there were also many unregistered immigrants, especially from Africa. The largest share of registered immigrants consists of Europeans, followed by Latin Americans and only then Africans. Even though the largest immigrant group by nationality is still Moroccan, this contradicts the common perception of immigration as consisting

Region&country / Year	1999	2005	2009
TOTAL	801,329	2,738,932	4,791,232
EUROPE	359,974	906,461	2,007,633
European Union ⁴	328,793	797,836	1,848,598
Bulgaria	3,013	56,329	147,080
Germany	60,828	71,513	109,438
France	43,265	52,255	86,132
Italy	29,871	84,853	150,667
Poland	6,517	34,600	86,314
Portugal	44,038	59,787	126,928
Romania	5,082	192,134	751,688
Ukraine	1,077	49,812	72,837
United Kingdom	76,402	149,071	222,039
AFRICA	213,012	649,251	994,696
Algeria	9,943	35,437	52,845
Morocco	161,870	493,114	767,784
Senegal	7,744	27,678	38,716
AMERICAS	166,709	1,003,230	1,479,014
Latin America	149,571	986,178	1,458,442
Argentina	16,290	82,412	103,171
Bolivia	1,283	50,738	117,106
Brazil	8,120	26,866	56,153
Colombia	13,627	204,348	287,205
Cuba	16,556	36,142	51,692
Dominican Republic	26,854	50,765	87,201
Ecuador	12,933	357,065	440,304
Peru	27,263	82,533	144,620
ASIA	66,922	177,423	299,743
China	24,701	85,745	151,547
India	8,515	15,273	26,435
Pakistan	5,126	28,707	45,817
Philippines	13,765	18,735	31,015
OCEANIA	1,013	1,466	1,903
NOT DEFINED	699	1,101	8,243

Table 1: Rise in number of immigrants in Spain between 1999 and 2009.

Source: Ministry of Labour and Social Affairs (Ministerio de trabajo y asuntos sociales), <<http://extranjeros.mtas.es/es/InformacionEstadistica/Anuarios/Anuario2009.html>>, accessed 19.09.2010.

⁴ Data for EU include number of Bulgarian and Romanian immigrants even when both countries had not yet became members of the European Union.

predominantly of Africans. The largest increase in immigration during the past few years has occurred due to arrival of migrant workers from Eastern European countries, especially Romania.

REASONS FOR MIGRATION

There are several important reasons for the popularity of Spain and other southern European countries among migrant workers. King and Rybaczuk (1993) tried to explain recent massive migration to Spain with the popular “push and pull” factor theory. However, they also stressed the importance of geographic and cultural proximity to Africa, from where migrant workers have been arriving – many of them without legal status. At the same time, many authors explain this popularity with pull factors such as positive political development and changes in Spain, its integration into structures of the European Union since the mid-1980s and continual economic development and growth, making Spain an ideal country of arrival for migrant workers.

Probably the most important reason for migration lies in the image of Europe as a continent of prosperity, wealth and welfare. This is merely a constructed image, and although it is sustained and reinforced by certain successful return migrants and transnational links, it normally turns out to contradict immigrants’ reality. Immigrants find themselves in conditions not corresponding to their expectations and aspirations. Instead of finding a better or at least decent life they are faced with poverty, inequality, discrimination and social exclusion. Europe now represents a kind of prosperity, or as my interlocutor Laura M. expressed in an interview, “a delusion that disappears as soon as you come close to it.”

It appears that only immigrants can satisfy the continuously increasing demand for cheap, unqualified labour. These demands come from specific economic sectors, such as intensive agriculture (Checa 2001; Carella and Pace 2001), tourism and the construction industry, which additionally have been fuelled by high investments funds provided by the European Union (Mendoza 2000) in the past decades.⁵ Another often-used explanation of

⁵ The construction sector almost collapsed in 2008 due to the global financial crisis, with estimates of around 500,000 migrant workers losing their jobs.

immigration is geographical proximity (on the one hand, Africa, and on the other, the ease of travel within the European Union) and the relatively large number of opportunities to enter the country. Even crossing from Africa is straightforward but can be extremely dangerous when organised illegally on small boats crossing the Strait of Gibraltar.

When comparing the recent flows of migrants to Southern Europe with past migration to Northern Europe, we can easily identify several differences. I want to point out one major distinction: the production of the illegal status of many recent migrant workers (see also DeGenova 2002). The illegal status (or lack of status) of unregistered migrant workers simultaneously results from the attraction of a huge informal economy, which supports or even demands immigrant labourers (Baldwin-Edwards 1999:3), and restrictive European and Spanish migration, integration and border crossing policies. Whereas migration to Northern Europe was largely documented and regulated – in the sense of legal border crossing, registered residence and formal involvement in labour – recent migration to Southern Europe has been predominantly undocumented and unregulated. In his overview of migration trends in Europe after the Second World War, Stalker (2002:152) defined four vague (and perhaps overly simplistic) categories of migration flows with the intention of creating a general understanding of migration trends in Europe since 1950s. These four categories corresponded to four general periods characterised by specific migration processes after the Second World War: mass refugee flows in the late 1940s and early 1950s; the recruitment of contract workers between the early 1950s and 1973; a period of increasingly restrictive immigration policies until the mid-1980s (mostly chain migration and family reunion); and asylum seekers, refugees and undocumented migration since the mid-1980s.⁶

The period of the most massive migration flows in Europe followed the Second World War, during which about 15 million people resettled. Stalker almost omitted this period even though it was extremely important as millions were displaced, returned home, changed place of residence or were exiled by post-war political repression.⁷ This period was rather brief

⁶ Asylum seekers become refugees when (if) their asylum is granted.

⁷ Political refugees escaped Spain, but also many communist countries (on the Slovene post war diaspora see Repič 2006; 2010).

and was followed by economically motivated migration in the 1950s. According to Stalker, rapid economic development in France, Germany, the United Kingdom and other northern European countries enabled the employment of workers coming mostly from poorer parts of Europe – Spain, Portugal, Italy, Yugoslavia and Turkey. Beside European migrant workers, people from British and French colonies came to the ruling countries seeking employment and a better life. France accepted migrants from Africa, Britain accepted people from the Caribbean, India, Pakistan, Africa, etc. In countries that accepted the most immigrants there was also opposition to migration due to the scale of immigration and especially the lack of proper social integration.

The period of relatively unrestricted and regulated migration to the rapidly developing countries of northern Europe ended in 1973 due to major economic crises followed. All European immigration countries started closing their doors to newcomers. While restricting migration policy, public attitudes towards immigration also became largely negative. Some migrants returned to their home countries, however most of them stayed and in spite of newly established bureaucratic obstacles their family members often joined them (Stalker 2002:153). According to Stalker, the last two decades of the 20th century were characterised by unregistered labour migration and the massive arrival of asylum seekers. Evidently, obstacles posed by increasingly restrictive migration policies could never completely stop or limit the arrival of new immigrants (Wikan 2002:39). Stalker (2002) and DeGenova (2002) also point out that this categorization of migration trends is overly simplistic and produced mainly by restrictive migration and integration policies.

In the mid-1980s, some former emigration countries such as Italy and Spain became interesting destinations for migrant workers. Migrants travelling to France or northern Europe through Spain could find employment there as well. Mostly, they were able to find work in intensive agriculture and construction. The Almerian model of intensive agriculture in huge greenhouses (*invernaderos*) that allows the growth of vegetables and certain fruits in the otherwise arid south throughout the whole year was initially established by the poor local population. This model of agriculture later became extremely profitable due to the poorly paid migrant workers.

It was the key factor in the development of the whole region of Almería and eventually other regions in southern Spain (Carella and Pace 2001:70). Currently, it is also used in Catalonia, for example. The fast development of the coastal regions of southern Spain was also possible due to high investment in infrastructure (heavily based upon structural funds provided by the European Union) and two complementary sectors of the economy – agriculture and tourism. Both economic activities enabled the employment of large numbers of immigrants, who nevertheless remained in a marginal social position.

LABOUR MIGRATION AND INFORMAL ECONOMY⁸ IN SPAIN

Three-quarters of labour immigrants work in five sectors with the “worst employment conditions in terms of human capital, labour relations, working conditions and wage levels” (Solé and Parella 2003:123). In 1999, migrants were employed predominantly in private households as domestic workers (26.4 percent), in agriculture (21.2 percent), as unqualified workers in hotels, restaurants and catering (11.7 percent), in construction (9.4 percent), and in trade (7.4 percent) (see Solé and Parella 2003). Besides, many registered and unregistered immigrants worked in the informal economy, characterised by flexibility of the labour force, poor labour conditions, the lowest incomes and lack of any social or medical security. The informal economy with its seasonal and unregistered labour plays an important role in the whole of southern Europe. In Spain, the informal economy represents over 20 percent of the gross domestic product.⁹

⁸ “Informal economy” (see Solé and Parella 2003; Baldwin-Edwards and Arango 1999; Baghana 1998) can also be termed “hidden” or “parallel” economy (Carella and Pace 2001), “black” economy (Williams and Windebank 1995) or “illegal” economy (Baldwin-Edwards 1999). In Spanish it is often termed *economía sumergida*.

⁹ This percentage can only be roughly estimated due to the nature of the informal economy. Estimates range between 23.1%, (Baldwin-Edwards 1999:5) and 22.4% (Antunes and Cavalcanti 2007).

The high share of the informal economy makes Spain number three in the ranking of European countries, preceded only by Italy and Greece. All of the European countries with a high proportion of informal economy, especially Spain and Italy, also host many unregistered immigrants (Baldwin-Edwards 1999:5). The informal economy with seasonal, temporary or irregular employment on the one hand and a high demand for unregistered, poorly paid workers on the other, is accompanied by restrictive migration and border crossing policies and a lack of integration strategy, which is clearly apparent in bureaucratic obstacles and sometimes absurd requirements for gaining work permits and residential permits. This situation has resulted in high number of undocumented immigrants (see Jahn and Straubhaar 1999:24; Corkill 2001).

Comparison of recent migration processes to the earlier ones of the 1950s to 1970s shows a strong trend towards southern Europe that is strongly characterised by the informal economy. Past migration in Europe – especially to Germany, the Netherlands and Great Britain – was far more regulated than recent labour migration to southern Europe. Countries in northern Europe principally accepted workers through labour programmes, such as Germany’s “guest worker” programme (see Stalker 2002:163–164). Migrant workers were employed with the assistance of state agencies and were thus incorporated into a formal economy. Bilateral agreements also defined an official status for immigrants and assured them basic social and healthcare rights.

Contrary to the immigrant groups in northern Europe, immigrant groups in southern Europe are diverse, dispersed, smaller and less interconnected. Even though northern countries had many immigrants, for example Germany, most of them belonged to a specific large and relatively homogenous national group – a situation that enabled at least a certain level of primary integration (Stalker 2002:161).

Labour immigration in Spain has partly been characterised by the production of illegality, which started with undocumented (illegal) entry and continues with unregistered stay and work. Although some bilateral and multilateral agreements between Spain and emigrant countries are in place, they mostly only cover border protection and expatriation policy. Immigrants who illegally cross the border, settle without permits and

work in the informal economy also lack social and medical security. Their integration is impossible as long as their life is marked by illegality and fear of deportation (see DeGenova 2002; Martínez Veiga 1997).

Immigration to Spain therefore differs from past migration flows to northern Europe especially concerning illegal status, which is on the one hand produced by the state's migration policy established according to European Union migration regulations and Schengen border policy (see Baldwin-Edwards 1999:2), and on the other hand by the "attraction of informal economy that supports – even demands – employment of immigrant labourers" (Baldwin-Edwards 1999:3).

INTENSIVE AGRICULTURE AND UNREGISTERED LABOUR

Certain economic sectors could only make a profit by extremely lowering their production costs and were therefore based on poorly paid unregistered foreign labour. This is apparent for example in Almería, where low wages have been the foundation of rapid development, growth and high incomes in intensive agriculture.

An example of rapid economic development based on intensive agriculture resulting in the development of the whole region can be found in the small town of El Ejido that lies in the arid desert about ten kilometres away from the Mediterranean coast in the province of Almería. The economy of the city and its surrounding areas is based upon two complementary economic sectors – agriculture and tourism. Tourist resorts are situated along the coast with the entire necessary infrastructure, whereas the hinterland is reserved for agriculture. El Ejido has, during the past three decades, become the centre of agriculture in Almería and simultaneously a synonym for successful economic and urban development. El Ejido started developing in the 1960s and has become one of the richest parts of Andalusia. It has also grown substantially. In the mid-20th century it had a population of only around 2,000, while in 2000 this had grown to around 50,000 plus an additional 65,000 living in the surrounding areas (Checa 2001:23). A highly complex infrastructure with trade and transport connections to many parts of Europe was developed. The town serves as an intersection of constant flows of people, goods and capital. Throughout the

year, vegetables are grown in huge greenhouses (*invernaderos*) and are then transported to various locations in Spain and the rest of Europe.

The key technology in the successful agricultural industry is the construction of specially adapted plastic-covered greenhouses that contain heat and especially moisture. In these *invernaderos*, vegetables are grown throughout the whole year. *Invernaderos* are structures measuring approximately five metres in height, twenty meters in width and up to a hundred metres in length. They strongly resemble industrial factories except that they are covered with layers of plastic. They are almost completely closed with the only ventilation on the roof. Their main quality is to contain moisture in an otherwise completely arid country. In the *invernaderos*, the desert climate becomes tropical-like – a climate condition perfect for growing plants but at the same time extremely difficult and unhealthy for workers.

Since the 1980s, intensive agriculture using immigrant labour – or the production of “green gold” (Checa 2001:15) – has been a successful economic strategy in Almería. The poor local population, often former emigrants themselves, established this type of agriculture already in the 1960s but as it developed it also required increasing numbers of workers. The exploitation of low-paid migrant workers is now characteristic for this type of intensive agriculture and has also been the key to the development of the economy of the whole region (Carella and Pace 2001:70). “The self-exploitation of poor families from Las Alpujarras /.../ turned into the exploitation of migrant workers” whereby poor families turned into rich entrepreneurs (Checa 2001:16). Such agriculture requires a lot of immigrants coming mostly from Africa and lately from Eastern Europe (Carella and Pace 2001).

Even before immigrants found employment in Spain, there were already established migration routes that led seasonal migrant workers from Morocco through Spain to France, where they worked in agriculture – mostly in fruit picking (see Martínez Veiga 1997, 1999; Corkill 2001). However, some twenty years ago, seasonal workers moving from Africa to France could also find good jobs in agriculture in Murcia and Almería. At that time, Murcia was developing into one of the leading European fruit-producing regions whereas Almería became important in growing vegetables. However important it may be, the intensive cultivation of

fruit and vegetables is only a partly regulated form of economy. To a large extent, it is an informal economy that requires the employment of many immigrants, among them also unregistered ones. Employment in agriculture is seasonal and temporary; often it is informal and even illegal and based upon verbal agreements between employer and employees. Production and high incomes are thus assured by the almost slave-like exploitation of immigrant labour (see Checa 2001:14). In El Ejido and similar towns, every morning employers drive with trucks to specific locations in the streets to pick up workers and take them to the greenhouses. There they work for about twelve hours and earn fifteen to twenty Euros. Sometimes employers refuse to pay, which leads to conflict.

Thousands of greenhouses, which stretch like a sea of plastics in every suitable location around El Ejido and quite commonly elsewhere in Spain, are places where unregistered immigrants find basic employment but no social and health security. The illegal status of immigrants was a condition that supplied thousands of workers to the informal economy until xenophobia, discrimination and violence appeared (see Martínez Veiga 2001). After occasional violent demonstrations against (illegal) immigrants from Africa, employers began to refuse to employ Africans and preferred to give jobs to immigrants from Eastern Europe instead. In this sense, immigrants have remained in a powerless position.

"FORTRESS OF EUROPE?"

During the past two decades, migration processes in Europe have been characterised predominantly by economically motivated migration followed by asylum seekers, refugees and unregistered (notoriously labelled illegal) immigrants. A substantial number of migrants has tried to settle in northern and western European countries, but has been either rejected at the borders or simply unable to find employment. In Europe, more than four million people applied for asylum between 1989 and 1998 (see Stalker 2002:153, 161) although they were primarily migrant workers. Already in the early 1980s, thousands of Turks applied for asylum so they could legalise their status in Germany. The European Union and other European countries shut their borders even more tightly. Hence even more immigrants arrived

illegally (see Geddes 2003; Pajnik, Lesjak and Gregorčič 2001). Due to the high pressure on the southern European Union border, the opportunity for another illegal activity emerged – trafficking or smuggling immigrants across the Gibraltar Strait and across the Schengen border. Migration processes and policies in Europe are closely connected to the structure of the European Union and the positions of its nation states. During the process of the European Union's internal integration, internal borders became much more permeable while outer borders were closed in order to keep out potential immigrants (Stolcke 1995:2).

Although migration in Europe is a very important and even popular topic, the reactions of the nation states and their public to immigration indicate a poor knowledge of the phenomenon. Most often, discourses of migration refer to problems, crises (Zolberg 2001), conflicts and threats to contemporary social, economic and cultural systems. The positive influence of immigration for the general economic and social welfare of the otherwise rapidly aging European population is completely eclipsed by negative images (Geddes 2000:1). Internal migration generally remains of vital importance to the integration of the European Union. However, with the European Union growing, there also appears to be a strong need to control the movements of people and goods across its outer borders, often described by political activists and in scholarly texts as the “European fortress” (Geddes 2000; Stalker 2002:166).

Several authors criticize the term “fortress” as being politically motivated and analytically incorrect. Walters discusses recent UK measures to combat “the rising problem of 'illegal entry', 'illegal working', and 'people trafficking’” (2004:238) and draws attention to “domopolitics” – the tendency to govern a country like a home or household. “Domopolitics implies a reconfiguring of the relations between citizenship, state, and territory” and juxtaposes the concepts of “community, trust, and citizenship” with the “illegals, traffickers, terrorists” (ibid.:241). According to Walters, “illegality” is produced by migration policies (cf. DeGenova 2002) but even more so by security policies that enable practices of legal and social exclusion supported by the enforcement of secure and heavily controlled borders (Walters 2004:250). Both concepts – “fortress” and “domopolitics” – imply that by means of migration and integration policies, as well as

by border and homeland security policies, states are responsible for the production of illegality, social and class differentiation and socio-economic exclusion in contemporary migration processes.

For many migrant workers, Spain initially represented merely a passage to other European countries, but many of them subsequently remained in the country because they could make a living by entering informal economy. According to some assessments, already in 2002 at least 3 million unregistered immigrants were living in Europe, representing about 15 percent of the whole immigrant population (Stalker 2002:157). Recently, their number has continually been on the rise. The largest numbers of unregistered immigrants are in Spain and Italy, where very restrictive immigration policies are implemented. In 2000, there were at least 245,000 unregistered immigrants living in Spain, according to the number of applications to resolve illegal status. In 2004, assessments of unregistered immigrants reached over a million, with most employed in construction, intensive agriculture and domestic work. In the most recent regularisation process in 2005, their number dropped substantially. During a three-month period of legalisation (March to May 2005) Spanish authorities legalised the status of around 700,000 immigrants who were granted residential and work permits (cf. Levinson 2005).¹⁰

The attitude towards immigration in the country of arrival can greatly influence migration flows because the nation-state has the authority to officially distinguish between citizens, legal residents and undocumented immigrants – and thus produce illegality. European migration policies, which are a “mix of restrictive tendencies ... and distinguishing processes of inclusion and exclusion of migrants and their descendents” (Geddes 2001:1; cf. Stolcke 1995; Wikan 2002), play an active role in the “segmentation of the labour force and discrimination of immigrants” (Solé and Parella 2003:127). Therefore, migration politics actually have an imperative impact on the strategic control of the labour force.

¹⁰ Despite such massive legalisation, various recent assessments indicated up to 1.5 million remaining unregistered immigrants solely in Spain.

MIGRATION POLICY AND THE REGULATION OF UNREGISTERED IMMIGRANTS

Migration policy in Spain conceptually and formally distinguishes between the movements of people within the European Union and across its outer borders (Solé and Parella 2003). Control of the latter is part of restrictive European migration policy and the Schengen border regime that is most often represented as the last line of defence against the threat posed by foreigners.

The migration policies of the European countries were not always so restrictive. In the 1950s and 1960s, migration policies were rather liberal with only certain limitations. The United Kingdom, for example, allowed the immigration of all citizens from former colonies of the British Empire. Even more, immigrants were entitled to full citizens' rights (Stalker 2002:165). The situation in France was similar. All residents of its colonies were entitled to French citizenship.¹¹ Germany, Belgium and the Netherlands also had similar connections with countries that had been former colonies. Besides, certain European countries, Germany for example, invited entry to migrant workers from Southern Europe, especially from Spain and Yugoslavia, but also from Morocco, Tunisia and Turkey. Switzerland also accepted immigrants from these countries, but implemented a stricter and more selective immigration policy. All unregistered immigrants were considered illegal and were expelled. These restrictive measures with regard to immigration were only implemented in the 1970s, when many immigrants permanently settled, were joined by family members or friends and established migrant communities.

Until 1985, immigration policies were independent from European Union regulations and based only on the policy of the nation-states. In

¹¹ Residents of the French colonies were automatically granted French citizenship. However, when these colonies became independent nation states (e.g. Algeria), French citizenship was revoked. Immigrants from Algeria who were already residents in France were given the opportunity to decide which citizenship they would keep after Algerian independence in 1962. For political reasons, many kept Algerian citizenship and became foreigners overnight. However, their children born in France were automatically granted French citizenship (see Stolcke 1995: 9).

1990, certain European countries accepted the Schengen convention¹² that implemented free movement between Schengen countries, but also applied further restrictions on migration flows across the outer European borders.

Spanish migration policy was outlined in the migration law¹³ of 1985 but changed several times. The law stipulated border regulations, entry procedures, the conditions for residential and work permits, and also sanctions against illegal or unregistered immigrants. Until 2000, the law essentially differentiated between documented (legal) and undocumented (illegal) immigrants. With changes to the law in 2000, basic rights were granted to undocumented immigrants¹⁴.

The purpose of migration policies in general is to control and regulate migration flows and select 'appropriate' immigrants. While it is supposed to uproot undocumented immigration, its outcome is actually to produce migrant illegality, social discrimination and a segmentation of the labour force in general (see Solé and Parella 2003:127). Migration policies and border restrictions often impose illegality upon immigrants who cannot fulfil all necessary requirements and therefore automatically become unregistered residents condemned to work in the informal economy. Work

¹² Before the enlargement of the European Union in 2004, which anticipated the inclusion of new member states into the Schengen Agreement, the countries that signed and implemented the agreement were: Austria, Belgium, Denmark, Finland, France, Greece, Iceland, Italy, Luxembourg, Germany, the Netherlands, Norway, Portugal, Spain and Sweden. Great Britain and Ireland have not signed the agreement, but have implemented its regulations. Norway, Iceland and Switzerland are not members of the European Union, but they have nevertheless signed the agreement.

¹³ Migration policy is outlined in the Law on Foreigners (*Ley de extranjería*), which is actually a law concerning the rights and freedoms of foreigners in Spain and their social integration (*Ley sobre derechos y libertades de los extranjeros en España y su integración social*). It came into force in 1985 (*Ley Organica 7/85*), was changed in 1996, again in December of 1999, and again in 2000 with the victory of *Partido popular* (*Ley Organica 4/2000*) (Solé and Parella 2003; Carella and Pace 2001). The last time migration policy was changed was in 2004 with the victory of *Partido Socialista Obrero Español*. However the basic law remains the same.

¹⁴ See '*Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social*': http://noticias.juridicas.com/base_datos/Admin/lo4-2000.html.

permits can only be obtained if there is a verified shortage of labourers in specific sectors; hence migrants cluster in certain marginal economic sectors with the worst labour conditions. Before 1996, residence permits in Spain were dependent on official employment contracts but this requirement enabled employers to socially and economically exploit migrant workers. This regulation was abolished in 1996 – since then a contract is no longer required to extend residence permits.

Illegality is predominantly an official status and the result of regulations in national and European migration policies. Because so many unregistered immigrants have illegal status, proper integration opportunities are inadequate. This is occasionally rectified by the legalisation of undocumented residents. In Spain, there have already been several drives to legalise unregistered immigrants: 44,000 were able to regulate residence in 1986, 108,321 in 1991, another 14,653 in 1996, and around 120,000 in 2000 (see Carella and Pace 2001:66). In 2005, about 700,000 unregistered residents were granted legal status.¹⁵ The most recent legalisation process took place in spring 2005 and was part of a renewed migration policy initiated by the socialist government, which claims it was only trying to rectify mistakes made by the previous government.¹⁶ However, there is an economic agenda behind regularisation: controlling undocumented migration can allow the government to control the informal economy more efficiently.

The illegal status of immigrants is imposed by the state's regulation of migration but also required by the informal economy's insatiable need for cheap labour. Regularisation allows immigrants to legalise their residency, solve a number of bureaucratic absurdities, gain social and medical insurance, as well as the right to be included in the official labour market

¹⁵ Unregistered immigrants applying for the regularisation of their status had to demonstrate the length of their residency in Spain, their family situation and provide a work contract. If they did not have a work contract they had to prove at least six months continual residency in Spain. That could be achieved by providing a municipal certificate (*Certificado de Empadronamiento*). Although this seems like an absurd requirement for unregistered immigrants, most of them actually acquired this certificate because it guaranteed basic rights like medical care and education.

¹⁶ Before regularisation, the government strictly followed the principle that migrants who had entered the country illegally had to leave or face deportation.

and formal economy. However, occasional regularisation is not a systematic solution but merely a temporary one. For as long as economic profit is the only principle of social development and migration is not systematically regulated, incorporated into European social reality and de-criminalised, we can expect a further continuation of social inequality and exclusion.

REFERENCES

- ANTUNES, António and Tiago CAVALCANTI. 2007. "Start up Costs, Limited Enforcement, and the Hidden Economy". *European Economic Review*, vol. 51: 203–224.
- BAGHANA, Maria, ed. 1997. *Immigration in Southern Europe*. Oeiras: Celta Editora.
- BAGHANA, Maria. 1998. "Immigrant Involvement in the Informal Economy: The Portuguese Case". *Journal of Ethnic and Migration Studies*, vol. 25 (2): 367-385.
- BALDWIN-EDWARDS, Martin. 1999. "Where Free Markets Reign: Aliens in the Twilight Zone". In *Immigrants and the Informal Economy in Southern Europe*, eds. Martin Baldwin-Edwards and Joaquin Arango. London: Frank Cass, 1–15.
- BALDWIN-EDWARDS, Martin and Joaquin ARANGO, eds. 1999. *Immigrants and the Informal Economy in Southern Europe*. London: Frank Cass.
- CARELLA, Maria and Roberta PACE. 2001. "Some Migration Dynamics Specific to Southern Europe: South-north and east-west axis". *International Migration*, vol. 39 (4): 63–99.
- CHECA, Francisco. 2001. "Introducción: ¿Que ha pasado en El Ejido?". In *El Ejido: La ciudad-cortijo*, ed. Francisco Checa. Barcelona: Icaria, 11–29.
- CORKILL, David. 2001. "Economic Migrants and the Labour Market in Spain and Portugal". *Ethnic and Racial Studies*, vol. 24 (5): 828–844.
- DEGENOVA, Nicholas P. 2002. "Migrant "Illegality" and Deportability in Everyday Life". *Annual Review of Anthropology*, vol. 31: 419–447.

- GEDDES, Andrew. 2000. *Immigration and European Integration: Towards Fortress Europe?* Manchester: Manchester University Press.
- GEDDES, Andrew. 2003. *The Politics of Migration and Immigration in Europe*. London: Sage.
- JAHN, Andreas and Thomas STRAUBHAAR. 1999. "A Survey of the Economics of Illegal Migration". In *Immigrants and the Informal Economy in Southern Europe*, eds. Martin Baldwin-Edwards and Joaquin Arango. London: Frank Cass, 16–42.
- KING, Russell. 2000. "Southern Europe in the Changing Global Map of Migration". In *Eldorado or Fortress? Migration in Southern Europe*, eds. Russell King, Gabriella Lazaridis and C. Tsardanidis. London: Macmillan, 1–26.
- KING, Russell, ed. 2001. *The Mediterranean Passage: Migration and New Cultural Encounters in Southern Europe*. Liverpool: Liverpool University Press.
- KING, Russel and K. RYBACZUK. 1993. "Southern Europe and the International Division of Labour: From Emigration to Immigration". In *The New Geography of European Migration*, ed. Russel King. London: Belhaven, 175–206.
- LEVINSON, Amanda. 2005. *The Regularisation of Unauthorized Migrants: Literature Survey and Country Case Studies: Regularisation programmes in Spain*. Oxford: University of Oxford, Centre on Migration, Policy and Society. Source: http://www.compas.ox.ac.uk/fileadmin/files/pdfs/Non_WP_pdfs/Reports_and_Other_Publications/Country%20Case%20Spain.pdf (19.9.2010).
- MARTÍN, Diaz Emma, Melis MAYNAR and Sanz CASAS. 2000. *Mercados de Trabajo e Inmigración Extranjera en la Agricultura Mediterránea*. Sevilla: Junta de Andalucía.
- MARTÍNEZ VEIGA, Ubaldo. 1997. *La Integración Social de los Inmigrantes Extranjeros en España*. Madrid: Trotta.
- MARTÍNEZ VEIGA, Ubaldo. 1999. "Immigrants in the Spanish Labour Market". In *Immigrants and the Informal Economy in Southern Europe*, eds. Martin Baldwin-Edwards and Joaquin Arango. London: Frank Cass, 105–128.

- MARTÍNEZ VEIGA, Ubaldo. 2001 *El Ejido: Discriminación, exclusión social y racismo*. Madrid: La Catarata.
- MENDOZA, Cristóbal. 2000. "African Employment in Iberian Construction: A Cross-Border Analysis". *Journal of Ethnic and Racial Studies*, vol. 26 (4): 609–634.
- O'REILLY, Karen. 2000. "'New Europe, Old Boundaries': British Migrants in Spain". *Journal of Social Welfare and Family Law*, vol. 22 (4): 479–491.
- OLMO, Margarita Del. 1990. *La construcción cultural de la identidad: Inmigrantes argentinos en España*. Madrid: Universidad Complutense.
- OLMO, Margarita Del. 2002. *La utopía en el exilio*. Madrid: Departamento de antropología de España y América.
- PAJNIK, Mojca, Petra LESJAK-TUŠEK and Marta GREGORČIČ. 2001. *Prebežniki, kdo ste?* Ljubljana: Mirovni inštitut.
- REPIČ, Jaka. 2006. "Po sledovih korenin": *Transnacionalne migracije med Argentino in Evropo*. Ljubljana: Faculty of Arts, University of Ljubljana.
- REPIČ, Jaka. 2010. "Ambivalent Identities Emerging in Transnational Migrations between Argentina and Slovenia". *Dve domovini/Two Homelands*, vol. 31: 121–34.
- SOLÉ, Carlota and Sònia PARELLA. 2003. "The Labour Market and Racial Discrimination in Spain". *Journal of Ethnic and Migration Studies*, vol. 29 (1): 121–140.
- STALKER, Peter. 2002. "Migration Trends and Migration Policy in Europe". *International Migration*, vol. 40 (5): 151–179.
- STOLCKE, Verena. 1995. "Talking Culture: New Boundaries, New Rhetorics of Exclusion in Europe". *Current Anthropology*, vol. 36 (1): 1–24.
- WALTERS, William. 2004. "Secure Borders, State Haven, Demopolitics". *Citizenship Studies*, vol. 8 (3): 237–260.
- WIKAN, Unni. 2002. *Generous Betrayal: Politics of Culture in the New Europe*. Chicago: University of Chicago Press.

- WILLIAMS, Collin C. and Jan WINDEBANK. 1995. "Black Market in the European Community: Peripheral Work for Peripheral Localities?". *International Journal of Urban and Regional Research*, vol. 19 (1): 23–39.
- ZOLBERG, Aristide R. 2001. "Introduction: Beyond the Crisis". In *Global Migrants, Global Refugees: Problems and Solutions*, eds. Aristide R. Zolberg and Peter M. Benda. New York and Oxford: Berghahn Books, 1–16.

Jaka Repič

MIGRACIJE, SIVA EKONOMIJA I DRUŠTVENO ISKLJUČIVANJE U ŠPANJOLSKOJ

Članak propituje vezu između suvremenih ekonomskih migracija u Španjolsku i ulogu španjolske sive ekonomije i njene potrebe za jeftinom, neprijavljenom radnom snagom kao jednim od ključnih faktora rane i privremene ekonomske imigracije. Zbog restriktivne imigracijske politike nastala je značajna razlika između španjolskih državljana, novog stanovništva iz Europske Unije i imigranata. Ekonomski imigranti se često nalaze na dnu društvene ljestvice, a u interesu je velikog kapitala da se nastavi politika isključivanja i onemogućí njihova integracija.

Ključne riječi: migracije, Španjolska, društveno isključivanje, migracijske politike, siva ekonomija