ACCEPT
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Tolerance and Cultural Diversity Concepts and Practices in Spain

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ACCEPT PLURALISM is a Research Project, funded by the European Commission under the Seventh Framework Program. The project investigates whether European societies have become more or less tolerant during the past 20 years. In particular, the project aims to clarify: (a) how is tolerance defined conceptually, (b) how it is codified in norms, institutional arrangements, public policies and social practices, (c) how tolerance can be measured (whose tolerance, who is tolerated, and what if degrees of tolerance vary with reference to different minority groups). The ACCEPT PLURALISM consortium conducts original empirical research on key issues in school life and in politics that thematise different understandings and practices of tolerance. Bringing together empirical and theoretical findings, ACCEPT PLURALISM generates a State of the Art Report on Tolerance and Cultural Diversity in Europe, a Handbook on Ideas of Tolerance and Cultural Diversity in Europe, a Tolerance Indicators' Toolkit where qualitative and quantitative indicators may be used to score each country's performance on tolerating cultural diversity, and several academic publications (books, journal articles) on Tolerance, Pluralism and Cultural Diversity in Europe. The ACCEPT PLULARISM consortium is formed by 18 partner institutions covering 15 EU countries. The project is hosted by the Robert Schuman Centre for Advanced Studies and co-ordinated by Prof. Anna Triandafyllidou.

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GRITIM – Grupo de Investigación Interdisciplinario sobre Inmigración, in English Interdisciplinary Research Group in Immigration (Universitat Pompeu Fabra, UPF) – is a multi-departmental group led by Professor Ricard Zapata-Barrero and made up of researchers from different disciplines interested in aspects of innovation in research and management of change processes arising from human mobility and immigration.

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Executive summary

The report presents research results on tolerance to cultural diversity in Spain, conducted for the ACCEPT PLURALISM project. It is composed of four chapters. The first chapter presents an overview of tolerance and diversity discourses in Spain. The second chapter presents research results on tolerance to cultural diversity in Spanish schools. The third chapter presents findings about intolerant discourses in the political life in Catalonia. Finally, the concluding chapter revisits the results on tolerance to cultural diversity in Spain and raise perspectives on what the current debates in terms of tolerance or intolerance say about the transformation of the Spanish management of diversity.

Chapter 1. Tolerance and diversity discourses in Spain

The first Chapter aims at understanding the configuration of discourses about tolerance and diversity in the Spanish context. Spain is often characterised as one of Europe's countries of new immigration and one of the countries representing the so-called Mediterranean model. It indeed 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. Second, 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. Despite all these similarities, Spain is singular for its national identity conceptualisation or its discourse on immigrants. The chapter articulates three main dimensions: national identity and state formation, diversity challenges and definitions of tolerance.

National identity and state formation

Language (Spanish) and religion (Catholicism) have often been presented as the main pillars of Spanish identity or *Spanishness*. This discourse has created a strong narrative of similarity and difference. Nonetheless, Spain has to a great extent remained a multinational country composed of at least three major historical minority nations with their own languages: Galician, Basque and Catalan. It is in this context that immigration has often been perceived as a challenge to linguistic and cultural diversity. Immigration has been perceived as a threat to minority nations since the rural flight to Catalonia and the Basque Country all over the 20th century, which generated a major social, political and ideological debate on its impact on national identity and their integration. This debate has been reactivated in the 1990s and 2000s, when on this occasion, the arrival of international migrants was seen as a challenge to linguistic and cultural diversity. The language appears, particularly in Catalonia, as the main marker of identity.

Diversity challenges

This part presents the largest groups of foreigners established in Spain. It then presents particular conflicts which have arisen around particular groups. It shows that these conflicts should be understood in socio-economic terms rather than as culturally driven. Diversity challenges *per se* lead to focus on categories (religion and language) rather than on groups. With regard to religion, we identify three types of challenges. First, conflicts around mosques, oratories and cemeteries. Second, conflicts around religious education. Third, conflicts about the dress code (headscarves in schools and burqas and niqabs in public spaces). With regard to language, conflicts have mostly taken place in Catalonia and the Basque Country where debates have arisen around two main questions: which language should have preference in schools and which one in administration, media and for the reception of immigrants.

Definitions of tolerance

After having described the key features of Spanish national identity and having mapped the main conflicts based around diversity in Spain, the chapter examines under what terms these tensions have

been perceived, especially the understanding of diversity-related conflicts in terms of 'tolerance', intolerance or respect. It shows that the term tolerance is seldom used by Spanish politicians in debates related to immigration and diversity. But the notion of tolerance is referred to, and there is a consensus that basic values such as human dignity and human rights, freedom, democracy and equality should be respected. The chapter ends by examining the contexts of discourses in which tolerance is referred to, the topics which are addressed by these discourses and the actors who are conceptualised as the ones who have the power to tolerate and to be tolerated.

Chapter 2. Tolerance to cultural diversity in Spanish schools. discourses and practices.

Since the 1990s, the growing linguistic, cultural and religious diversity of the Spanish society coming from a raise in foreign immigration rates is challenging the national education system. The chapter provides in its first part an overview of the main statistics on the incorporation of immigrant children at school and presents key features of the education system. It then presents the main instruments implemented for the incorporation of immigrant students at school and the main challenges that the "new" diversity introduced by foreign immigrants has brought to Spanish schools.

Focus

This chapter explores the resistances and transformations of the educational system and the educational community when dealing with diversity. The core of the report is devoted to the exploration of two particular challenges. Firstly, we focus on the educational system itself and how it is affecting the acceptance and incorporation of immigrant children. Dynamics of concentration and segregation have been reinforced with the increase in the incorporation of immigrant children at school, especially in the major cities. We highlight the different explanatory rationales - taking the metropolitan area of Barcelona as an illustrative case study - and show how diversity issues are fuelling long-lasting tensions within the educational community. The second case is devoted to the debate that emerged before, during and after the design and implementation of a subject called "Education for citizenship" (*Educación para la ciudadanía* or EfC) in school curriculum, which aim was to acknowledge the new cultural and religious diversity in the society and at school and to prevent possible conflicts deriving from it. This subject has raised a strong opposition from Catholic organisations to what they perceived as an attempt of the State and pro-secularism organizations to indoctrinate students.

Methodology and data collection

This report is based on desk research as well as on qualitative semi-structured interviews carried out between December 2010 and June 2011. The desk research consisted of an analysis of newspaper materials and on the collection of administrative, statistical, and civil society documents on the two case studies investigated. In addition, 10 semi-structured interviews have been carried out with key actors involved in both case studies, in view of collecting discourses, statements and rationales on the challenges studied. The interview guides and the list of interviewees can be found in the appendix of this report.

Findings

- On schooling segregation and concentration

Schooling segregation is the result of intertwining socio-territorial, political and cultural factors. It has acquired a special relevance in the ultimate years in Spain with the integration of many immigrant students at school, challenging the principle of equal educational opportunities and the promotion of diversity. The incorporation of immigrants reveals a structural tendency which was already affecting lower-class natives, but it makes it more "visible" and renews the public awareness about schooling inequalities, given the development of diversity policies. We account for the diversity of positions in the field and emphasize on the statements which raise concerns in terms of tolerance and acceptance toward cultural and religious diversity. Three main topics related to immigrant concentration and schooling segregation are identified. The first one is the safeguard of the interest of the children and their family. The second one refers to the interest of the schools. The third one refers to the interest for the society as a whole and especially the interest in promoting real diversity at school.

If socio-economic questions are of crucial importance in this debate, this situation raises also specific normative issues in terms of cultural and religious diversity in the educational system. We highlight that the structure of the Spanish educational system is creating fewer opportunities for immigrant

students. This is problematic both in terms of accommodation of immigrants in the country, and also from a normative point of view when considering that a segregated schooling-system does not reflect the existing diversity in the society.

- <u>On "Education for citizenship"</u>

The creation in 2006 of a new course named "Education for citizenship and Human rights" (*Educacion para la ciudadanía y los derechos humanos*) has triggered not only debates about the curriculum and its content, but has raised a wide societal and political debate in Spain directly related to Spanish identity. It has opposed the Church and conservative organisations to the socialist government, organizations in favour of school secularization and organizations promoting intercultural diversity at schools. This debate has been active and fierce thorough the years 2004-2009 and the protests have occupied the social, political and judicial fields, until the Supreme Court and the daily practices softened the confrontation. The debate has given way to arguments about which public values and virtues could be taught to children, and who should be in charge of teaching these values. Other topics have been conveyed in the debate such as conceptions of what is tolerable or should be accepted as normal in terms of sexuality or in terms of models of families. In this debate, the place of religion and more specifically the relation between the Catholic Church and the State remained largely unsolved. To which extend the State is able to define and teach common and public values is thus the important question at stake here. The debate around EfC confronted thus two irreconcilable positions about the respective roles of the State and the families to educate children with their own provision in values. The intensity of the debate cannot be explained only by a strong politicization and rivalry between the conservative opposition and the socialist government. We show that the cleavage is deeper and questions the different resources of the Spanish society for reaching cohesion.

Concluding remarks

Discourse analysis on the two cases study has brought us to examine embedded dimensions of (in)tolerance in debates about diversity at school. The findings of the first case study refer to the dimension of who is entitled to tolerate or not diversity and thus, who is able to change situations of non-acceptance of immigrant students. The findings of the second case explore another dimension which is about the core values and principles which allow establishing the limits of what can be tolerated or not in a society. This case shows that there is no shared vision of the common values of the Spanish society. This disagreement prevents from defining consensual limits of tolerance to cultural and religious diversity and makes of this question a constant source of politicization.

Chapter 3. Intolerant discourses about migrants in Catalan politics

The financial crisis experienced by the country since 2008 has been challenging the way in which Spanish politics is managing migration issues and cultural diversity. This new situation is examined in this chapter from the angle of political discourses. Spanish policy toward immigrants settled in the country has been fairly proactive in terms of accommodation during the 2000s, in particular because of the usefulness of migrants for Spanish economy and welfare system. The weakness of extreme-right parties has also been a distinctive character of Spain. However, during the years 2010-2011, coinciding with the economic crisis in Spain and several electoral campaigns, anti-immigrant and intolerant political discourse in relation with migration have been at the forefront of public discourses. How to deal with the rise of non-toleration is undoubtedly one of the main challenges that face Spanish politics for the years coming.

Case study

The study focuses on Catalonia due to its particular position within Spain. It is the first autonomous community to have experienced important immigration flows. Its policy toward migrants has always been considered as the most integrative policy in Spain and a model of acceptance at European level. It succeeded in articulating the definition of the Catalan citizenship to the reception of non-Catalan people (foreigners or Spanish) in a civic-inclusive way and not in an ethnic-exclusive way. But,

despite its fairly progressive and comprehensive policy toward migrants, Catalonia has also experienced several important local controversies about migration in the last years. The report focuses on three of these controversies:

- The local exclusion from city census and basic welfare of undocumented immigrants in the city of Vic in January 2010.

- The "anti-Roma campaign" in the city of Badalona between April 2010 and May 2011.

- The "burqa" ban from public buildings proposals in the city of Lleida and across Catalonia from June 2010.

In addition, the absence of an electorate for far-right political parties in Spain is currently challenged in Catalonia, where a new far-right political party named the Platform for Catalonia (PxC), averse to migration and, above all, to resident Muslims, has been created in 2002. Although its electoral scores are still very weak in comparison with other European countries (2,4% voters at Catalan level), its audience is growing fast from an election to the next.

Method

This report draws on a qualitative research methodology to study political discourses and policies which express intolerance toward migration and cultural diversity. The methodology chosen to research on this challenge combines a content analysis of secondary sources and semi-structured qualitative interviews. The desk research has been conducted between September and November 2011 and consisted mainly in collecting and analysing secondary sources which reported discourses (newspapers, policy documents,...). In addition, 15 semi-structured interviews were carried out between November and December 201 with relevant actors who had taken part in one or more of the three controversies (10) and leaders of the main Catalan political parties (ICV, ERC, PSC, CiU and PP). The list of interviews and interview guide are provided in appendix.

Main Findings

The report focuses on two dimensions of intolerance embedded in political discourses on migration. Firstly, it focuses on the framing of the political discourses, especially during the three controversies studied. Secondly, it focuses on the role of political parties in the regulation of the discourse in Catalonia.

We have identified different modalities of what we call **"intolerance" frames**, defined as emphasizing the impossibility to maintain a tolerant attitude toward migrants (or particular groups of migrants) and the need to preserve the local society and its cohesion above the acceptance of migrants' values, practices or accommodation. Intolerance is only one of the way in which migration and cultural diversity can be framed but we assume that this frame has been more and more present in public discourses since the economic crisis.

Three principal "intolerance" frames are identified in the report.

1) Intolerance based on the perception of migration as bringing insecurity, delinquency and problems of coexistence.

2) Intolerance based on the definitions of migration as a threat for the cultural homogeneity of Catalonia and its fundamental values.

3) Intolerance based on a perception of migrants as competitors with locals for limited resources.

Through all these "intolerance" frames, migration is perceived as undermining the social cohesion and norms of civility that are attached to the local society. In the terms of non-toleration, the ones who are perceived as "others" then have to merge in the local society (if possible) or be excluded from it so as to preserve cohesion. While some express non-toleration to practices and values of migrants they deem problematic, the discourse of others go beyond non-toleration to express exclusion, rejection or hate toward (groups of) migrants or religious minorities (Muslims) *per se*.

The cases study show that non-toleration toward migrants is increasingly expressed by representatives of **mainstream parties**. Anti-immigrant statements would be a manner to test the limits of what can be said or not about migration in Catalan politics. The second part of the analysis then focuses on party politics to provide elements which help understanding the rise of intolerance. Unlike other countries the influence of the radical-right remains limited and the demand for tough discourse and policy on immigration is ambiguous. However, the succession of electoral campaigns during the years 2010-2011 in Catalonia, in combination with the financial crisis, has undoubtedly created opportunities for a change of discourse toward migrants. We thus turn our attention toward the organisational dynamics of political parties that could influence the way in which the issue is framed. Firstly, the presence of racism in Catalan politics is discarded by political leaders who understand intolerance as an electioneering strategy. The trivialization of intolerance and racism then explains in part the laissez-faire policy. Secondly, the organisation of parties as stratarchies, with an important autonomy within the party of local and Catalan levels, explains also the lack of mobilisation and sanctions against the representatives who express intolerance even if it goes against party's ideology. This proves the importance of the context and of partisan dynamics when it comes to understanding the use of intolerance frames in the political life.

As a conclusion, we highlight that expressions of intolerance tend to change the meaning of Catalan citizenship and notably make it pass from a civic-inclusive definition to a cultural-exclusive one. The negative perceptions attached to immigrants reverse the central political concept of "*convivencia*" (life together), which has been used in integration policies to stress the positive effect of the social plurality and of the coexistence of diverse cultures or religions. The chapter finishes by addressing two challenges on the path of the fight of intolerance and racism in the political life. Firstly, the tension between freedom of speech and the fight against hate speech and racism, which points toward judicial solutions. Secondly, the tension between laissez-faire attitudes and the institutionalization of anti-racism, which points toward the regulation of political discourses.

Concluding chapter

The concluding chapter revisits the results on tolerance to cultural diversity in Spain. It shows that discourses in terms of tolerance have been almost absent of the Spanish debates and policies about diversity. We put forward several explanations such as the scarcity of claims from immigrants resulting from their lack of organisation, the general consensus around the respect of basic values which have not been really challenged so far and, above all, the 'practical approach' of Spain in its management of diversity which has pushed aside possible debates on values and the definition of national identity. This is only in the last years that these debates have occupied a greater room in the public space. The chapter thus raises perspectives on what the current debates in terms of tolerance or intolerance say about the transformation of the Spanish management of diversity. In complement to the concluding remarks, the chapter provides a summary of the key messages for policy-makers which arise from the cases study and the research findings.

Keywords

Tolerance; Intolerance; Migration; Cultural diversity; Religious diversity; Immigrant students, Educational system, Concentration/segregation at school, Education for citizenship; Political discourses; Party politics; Radical right; Spain; Catalonia.

Introduction

Spain, often qualified as a 'new' country of immigration by opposition to Western and Northern European countries, has actually developed accommodation policies and has been concerned by cultural and religious diversity brought by foreign immigrants for fifteen years. This means also that the relationship between public authorities and immigrants is evolving and that it is sometimes perceived as bringing new challenges in terms of diversity management. The reflection on cultural and religious diversity issues in relation with immigration is particularly interesting if we consider that diversity debates are an intrinsic part of the Spanish political landscape. The democratic period has witnessed debates about minority-nations claims over territory, self-administration or language. The place of the Catholic Church and the recognition of its moral authority has also been object of many controversies. More generally unsuccessful attempts to define a stable and consensual Spanish identity have led to a conceptualisation which integrates diversity as a key defining element. As such, foreign immigration has mainly brought an actualisation of existing debates, even if it surely is the major phenomenon experienced by Spain in the years 2000. The aim of the report is to examine the situation of Spain regarding cultural and religious diversity issues in a moment of transition. The financial crisis has put an end to the important immigration flows the country has received each year for a decade, which have increased the foreign population by 4 millions. It has also complicated the design of policies towards the accommodation and recognition of immigrants. And the needs of immigrants now settled durably and mostly living in family have also changed.

The studies presented in the report address mainly immigration-related diversity in its different manifestations: cultural, ethnic and religious diversity. It refers to a lesser extent to socio-economic disparities but these remain mainly out of the ambit of the report. It seeks to operationalize the concept of tolerance, along with the concepts of intolerance and acceptance, to assess how an analysis of diversity discourses and practices may benefit from a look to debates in terms of tolerance and to tolerance boundary drawing activities.

Despite strong differences between the cases study presented, the main question addressed by the present report is how current debates, policies and practices are challenging the Spanish approach to diversity.

This report analyses tolerance and cultural diversity concepts and practices in the Spanish context. It brings together three different studies which explore more particularly the embodiment of tolerance in the political and historical context of diversity management (chapter 1), in education policies (chapter 2) and in politics (chapter 3).

The *first chapter* introduces the report by providing the historical and political context for diversity management in Spain. The chapter focuses on three main issues. First, it examines the main factors that have determined the development of the predominant conception of Spanish identity and its impact on the accommodation of diversity. Second, it outlines the main immigrant minority groups and briefly identifies the main diversity challenges. Finally, it considers how tolerance has been thematised in the Spanish case. It aims to understand which diversity-related conflicts have been understood in terms of 'tolerance' and which ones as issues of equality, respect, recognition or accommodation.

The *second chapter* explores the resistances and transformations of the educational system and the educational community when dealing with diversity. The core of the study is devoted to the exploration of two particular challenges. Firstly, we focus on the educational system itself and how it is affecting the acceptance and incorporation of immigrant children. Dynamics of concentration and segregation have been reinforced with the increase in the incorporation of immigrant children at school, especially in the major cities. Taking the metropolitan area of Barcelona as an illustrative case it focuses on the rationales at play and show how diversity issues are fuelling long-lasting tensions

within the educational community. The second case is devoted to the debate that emerged before, during and after the design and implementation of a subject called "Education for citizenship" (*Educación para la ciudadanía* or EfC) in school curriculum, which aim was to acknowledge the new cultural and religious diversity in the society and at school and to prevent possible conflicts deriving from it. This subject has raised a strong opposition from Catholic organisations to what they perceived as an attempt of the State and pro-secularism organizations to indoctrinate students.

The *third chapter* is devoted to the examination of intolerant discourses which have arisen in political debates in Catalonia. Despite a fairly progressive and comprehensive policy toward migrants, Catalonia experienced several important local controversies about migration in the years 2010-2011. Three of them are analysed more particularly in the chapter. They serve as examples of the ways in which cultural and religious diversity have been framed in terms of intolerance by political actors. Then this analyse provides evidences that intolerance is increasingly expressed by mainstream parties despite the weakness of the far right in the party system. It thus focuses on party politics to explain the spreading of intolerant discourses voiced by mainstream parties. Finally the study presents two challenges for the limitation of intolerant discourses: the reluctance to limit the freedom of speech and the regulation of political discourses.

The *concluding chapter* revisits the results on tolerance to cultural diversity in Spain. It shows that discourses in terms of tolerance have been almost absent of the Spanish debates and policies about diversity. We put forward several explanations such as the scarcity of claims from immigrants resulting from their lack of organisation, the general consensus around the respect of basic values which have not been really challenged so far and, above all, the 'practical approach' of Spain in its management of diversity which has pushed aside possible debates on values and the definition of national identity. This is only in the last years that these debates have occupied a greater room in the public space. The chapter thus raises perspectives on what the current debates in terms of tolerance or intolerance say about the transformation of the Spanish management of diversity. In complement to the concluding remarks, the chapter provides a summary of the key messages for policy-makers which arise from the cases study and the research findings.

Chapter 1

TOLERANCE AND DIVERSITY DISCOURSES IN SPAIN

Ricard Zapata-Barrero and Blanca Garcés-Mascareñas

1. 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 all 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 report 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.

2. National identity and state formation

In this chapter, 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 section, 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.

2.1. 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.

2.2. 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.

2.3. *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.

2.4. '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 multiculturality 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).

3. Diversity challenges

In this chapter, 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.

3.1. 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).

Table 1: Largest national immigrant groups (absolute numbers and percentages) (6/2010)

Country of origin	Absolute numbers	Percentage
Romania	793,205	16.72
Morocco	758,900	16
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

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 & 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. Quotinig 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).

3.2. 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, Álvarez-Miranda & Chuliá, 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 workship) have various strands (see Zapata-Barrero & 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.

3.3. *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 Vieytez 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).

4. 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 chapter 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 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,* 2nd February 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 indule in generalisations, i.e. discussions do not only focus on particular practices by particular people but tend to attribute

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[1]

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

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.

5. Concluding remarks

In this last chapter, 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?

Chapter 2

**TOLERANCE TO CULTURAL DIVERSITY IN SPANISH SCHOOLS.
DISCOURSES AND PRACTICES.**

Ricard Zapata-Barrero and Flora Burchianti

1. Introduction

Education is of crucial importance to ensure social cohesion and progress in a given society. Many scholars have shown how the design of the educational system and the content of the curriculum are of a tremendous importance to build what Anderson called the "imagined communities" (Anderson, 1991) and in the diffusion and maintenance of national identity. Since the 1990s, the growing linguistic, cultural and religious diversity of the Spanish society coming from a raise in foreign immigration rates is challenging the national education system.

Firstly, it raises a structural challenge for the Spanish education system which is characterized by an important diversity acknowledging territorial and minority nations' autonomy. This decentralized system has had to face crucial choices in incorporating immigrant students with different linguistic, cultural and religious backgrounds. The "new" diversity introduced by immigration has been often perceived as a threat for the already existing cultural and linguistic diversity (Zapata Barrero, Garcès Mascareñas 2011). In addition, the incorporation of immigrant students has affected differently schools and territories leading to an obvious inequality in their distribution. This imbalance is questioning the capacity of the decentralized schooling system in ensuring two constitutional principles: freedom of education and equal opportunities for all.

Secondly, diversity raises a challenge for the school curriculum. In spite of Spain's territorial and national diversity regarding education policies, the country is also characterized by a strong self-perception of its religious homogeneity (Dietz, 2007). The historical legacy of the domination of the Catholic church on education and the moral formation of the population, the continuities in the institutional interrelations between the State and the Church, even after the transition period (1978-1981) which has reduced subsequently the political role of the latter, have a tremendous influence on the education system. Religious homogeneity is significant in the curriculum, where almost the totality of children opting for religion are taught Catholicism, and in the management of private and publicly funded private schools, more than 20% of all students in compulsory education being enrolled in catholic-ruled schools (Escuelas catolicas, 2011). This self-perceived homogeneity is a second challenge when it comes to the integration of immigrant children with other religious backgrounds.

This report explores the resistances and transformations of the educational system when dealing with diversity. We will contextualize in section 1 the incorporation of immigrant students by providing general data on the educational system and statistical data, and then outlining the main challenges that the "new" diversity introduced by foreign immigrants has brought to Spanish schools. After having presented the research methodology in section 2, the core of the report will be devoted to the exploration of two particular challenges. Firstly, we will focus on the educational system itself and how this institutional arrangement is affecting the acceptance and incorporation of immigrant children (section 3). Phenomena of concentration and of segregation have been reinforced in the schooling system, especially in the major cities. We will thus highlight the different explanatory rationales - taking the metropolitan area of Barcelona as an illustrative case study - and show how diversity issues are fuelling long-lasting tensions within the educational community. Section 4 will be devoted to the debate that emerged before, during and after the design and implementation of a subject called "Education for citizenship" (*Educación para la ciudadanía* or EfC) in school curriculum, which aim was to acknowledge the new cultural and religious diversity in the society and at school and to prevent possible conflicts deriving from it. This subject has raised a strong opposition from Catholic organisations to what they perceived as an attempt of the State and pro-secularism organizations to indoctrinate students. Finally, the last section will present some concluding remarks related to the debates of tolerance in Spanish schools.

2. Cultural and religious diversity issues in the Spanish educational system.

2.1. Overview of the national education system

The contemporary Spanish education system has been developed along with the democratic transition period (1978-1982) and the adoption of the Constitution of 1978 which ends Franco's forty years dictatorship era. During the pre-democratic era, the education was at the service of the regime, strongly centralised at State level and delegated in great part to the administration of the Catholic Church. Catholicism and Spanish nationalism were the two pillars of the education delivered to the students (Zapata Barrero, Garcès Mascareñas, 2011). With the democratic transition, the priority of the new government was to de-monopolize education from the Catholic Church and to empower the Autonomous level in education matters, in order to recognize the multi-national diversity of the Spanish State (Zapata-Barrero, 2010)[2].

Concerning the first challenge, the educative role of the Church, the choice was made to safeguard its prominent place while guaranteeing religious freedom and building a non-confessional public education. The Spanish State signed agreements with the Holy See in 1979 which safeguarded the right to be taught religion at school, either private-owned or state-owned. During the years 1978-1985 two very different systems co-exist: public-schools, based on free and non-confessional education, and private-schools, confessional in their vast majority, with no public subvention and, therefore, expensive and designed for upper class families only. In 1985, the "Organic law on the right to education" (*Ley orgánica del derecho a la educación* or LODE)[3], opened the way to the current system by creating a third model in-between private-public dichotomy: the so-called system of *"concertadas"* (state-subsidized) schools. This created the possibility for private-owned schools to pass agreements with the State. In that case, the State subsidize the school in exchange of several obligations: the enrolment of students with low fares and, since 2006, the gratuity of education, obligations to follow the curriculum defined by State and Autonomous communities governments in the respect of the autonomy of the school, no-right to discriminate in function of the beliefs of children, equal admission procedures with public-schools. Most of the private schools passed agreement with the State and now, State subsidized schools represent the vast majority of private-owned schools. The proportion of students going to *concertadas*-schools is stable but slightly increasing in the last years. They enrol around 30% of all students in 2010 while those going to entirely private schools represent 2% of all students. The share of private-owned schools is especially strong in the metropolitan regions of Madrid and Barcelona, as well as in the Basque country, where they enrol more than 50% of students. The fact is that the two-thirds (around 65%[4]) of private-schools are catholic schools. The imbalance between the immigrants enrolled in public and *concertadas*-schools and their concentration in determined public-schools is an important source of debate in Spain (Carbonell, 2005; Ponce Solé, 2007) and will be studied in particular in this report.

The second challenge for the democratic education system was to decentralise the majority of the competencies to the Autonomous governments. After the centralised francoist era, one can no longer talk about a single Spanish education system, but rather about at least three different systems (in

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[2]

The introduction will be based in great part on this article

[3] ⌐ *Ley* orgánica 8/1985, de 3 de julio, Reguladora del Derecho a la *Educación.*

[4] ⌐ Escuelas católicas (FERE, EyG), *La enseñanza en los centros educativos católicos. Estadística curso 09-10*. [Available at: http://www.escuelascatolicas.es/estadistica/Paginas/DatosEstadisticos.aspx]

Catalonia, the Basque Country and the rest of Spain[5]), with an important political and financial autonomy (Zapata-Barrero, 2011). In 2004, 94% of Education budget belonged to Autonomous governments. This participates from a general movement of transfer from the central State to the Autonomous governments since the 1978 Constitution. In Autonomous Communities corresponding to "minority nations" (Catalonia, Basque country and Galicia) the issue of the language has been of crucial importance since the transfer of competencies on education has provided the possibility to develop immersion or bilingual education programs.

It was only in 1990 when the Organic Law on the *Ordenación general del sistema educativo* (LOGSE)[6] was voted that school became mandatory until the age of 16 as it is in the vast majority of European countries. Education until the age of 6 is not mandatory in Spain but Autonomous Communities and the State have to provide gratuity for schooling children between 3 and 6.

To complete this overview of the educational system, let us examine briefly statistical data highlighting the presence of immigrant children at school.

2.2. Statistics regarding immigrant students at school.

The number of foreign students have increased greatly since the beginning of the years 2000, along with the increase in the immigration flows coming to Spain : it has been multiplied by 7,5 between 1999-2000 and 2009-2010 academic years (Graph 1).

Graph 1 - Evolution of immigrant students in Spain. Academic years 1999-2009 (in absolute numbers).
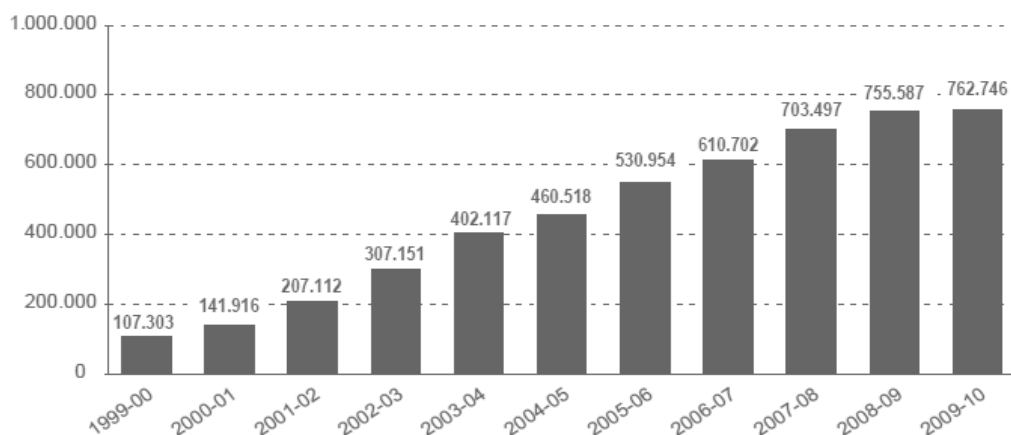
Source: Spanish Ministry of Education and Science,Data for the school-year 2010-2011.

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[5]   ¹ The majority of Autonomous Communities have a monolingual education system but Catalonia and Basque country have different models. In Catalonia, the whole education is made in Catalan, except for the hours dedicated to teach Spanish language, but it is expected that students be able to use both languages at the end of compulsory education. In Basque Country, children and parents have to choose between different systems with different volumes of teaching hours in Castillian and Euskara. Other communities also have implemented in the ultimate years linguistic models based on bilinguism (Galicia) or on a mix of bilingual and immersion models (Valencian Community and Balearic Islands).

[6]   Ley 1/1990 de 3 de Octubre de Ordenación General del Sistema Educativo (LOGSE).

The average proportion of foreign students at State level is 9.5% when they only represented 2% of all students in 2000[7]. However there are important inequalities in the repartition between Autonomous Communities, which range from 2,5% for Ceuta to 15,9% for Rioja and the Balearic Islands (Graph 2). Catalonia and Madrid come after with respectively 13,1% and 13,6%, and are the firsts in absolute terms.

Graph 2 - Proportion of foreign students on the total of students in the Autonomous Communities of Spain (2009-2010).
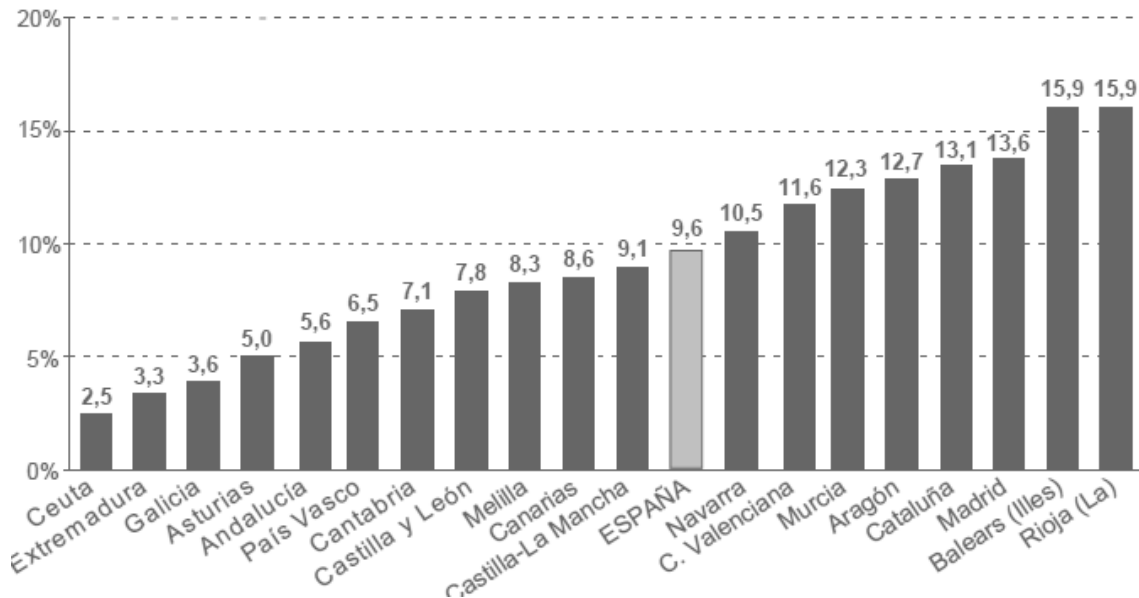
Source: Spanish Ministry of Education and Science, 2011[8]

As for the origins of foreign students, more than 42,6% come from Spanish-speaking countries (Latin-America), 28,5% come from the European Union, 21,9% from Africa and 5,6% come from Asia. This distribution is very important as the mastering of the Spanish language makes a difference in terms of school success and in the type of policy instruments implemented to integrate them at school. One of the main features concerning statistics on the enrolment of foreign students is the disparity between private or *concertadas* and public-schools. This has been one of the first distinctive points identified by public administrations and scholars (Alegre Canosa, 2005; Carbonell, 2005; Valiente, 2009).

At State level, whereas public-schools enrol 67,6% of all students, the percentage is higher for the foreign population, reaching 82% in 2008-2009. Hector Cebolla, researcher in sociology of education in Madrid, states that the difference between the two proportions is far more important when we consider major cities (Madrid and Barcelona) where the private sector is more developed than in the rest of Spain[9]. Foreigners and private-schools are present in greater proportion, and this has led to an enforcement in the segregation and therefore in the concentration of immigrant students in a few public-schools. For example, in Madrid community, while public-schools receive 54 per cent of all

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[7] Ministerio de Educación y Ciencia (2011), *Evolución y situación actual de la presencia del alumnado extranjero en el sistema educativo español (2000-2011)*, Madrid: Ministerio de Educación.

[8] ⁷Ministerio de Educación y Ciencia (2011), *Las cifras de la educación en España. Estadísticas e indicadores. Edición 2011*, Madrid: Ministerio de Educación.

[9] Personal interview with Hector Cebolla.

students, they enrol 76,7 per cent of immigrant children. In the city of Barcelona, only 39,1 per cent of students go to a public school for the compulsory education period but 77,7% of immigrant children[10]. When it comes to special attention to new immigrant students, the imbalance between public and private-schools is also evident. Special instruments as "reception classes" (*aulas de acogida*), have been implemented in very different proportions in public and private schools (La Vanguardia, 13 September 2004). In addition, as the Ombudsman for Catalonia underlines, dynamic enrolment of newly arrived immigrant students is enforcing school segregation by concentrating openings only in the least desired – and public – schools (Sindic de Greuges, 2008). Among other sources of segregation, this difference is the source of one of the main debate in Spain, which we will explore in more details in this report.

There are no official statistics available on the religious diversity at school but according to a report published by the major Muslim organisation "Union of Islamic Communities of Spain" (*Unión de Comunidades Islámicas de España* or UCIDE[11]) examining the 2008-2009 academic year, 149.366 students are willing to take classes in Islamic education, of which 53.117 were Spanish and 96.249 of other nationality. According to this report, Catalonia is the first Autonomous Community of reception of Muslim students, followed by Andalusia and the Autonomous Community of Valence[12].

After identifying important challenges through statistical data, lets us now turn to a more qualitative dimension.

2.3. Main challenges regarding education and the diversity brought by immigration.

Since the 1990s, several challenges regarding education have been highlighted by policy documents and the academic literature. Taking into account the challenges mentioned in the introduction, in this section we will present more accurately the two case studies. For both case studies, we will ask similar key-questions: Firstly, how the integration of immigrant children has been challenging educational policy, and secondly which are the persisting problems identified by policy-makers and scholars in relation with diversity issues at school.

2.3.1. Diversity challenges for the educational system: Toward an intercultural education?

Immigrant children have equal access with nationals to compulsory and non-compulsory education. In spite of that, there are diversity challenges for the educational system: firstly, the issue of the inclusion of newly-arrived children with special needs, especially in terms of language teaching; secondly, the issue of religion's teaching; and, thirdly, the development of an intercultural education which would seek, among other aims, to prevent indirect discrimination of children with a different cultural background, and would foster cultural and religious tolerance.

As for the dimension of inclusion, many are the debates between education experts in Spain in order to determine if it is better to build specific policies or to integrate them in the ordinary system. Unlike what had been done with the creation of a specific – and segregated –system enrolling Spanish gypsies in "bridge schools" before the 1990s (Garetta Bochaca, 2006), the integration of immigrant students at school is being done in the ordinary system. With the arrival of immigrant children, but also with a greater concern for disabled children, specific systems aiming at "students with special education needs" were created in the 1990s. This did not entail a parallel system nor did it prioritize the integration in ordinary schools. Specific programmes essentially aimed at delivering additional hours

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[10] ⌐ Sources: Ministerio de Educación y Ciencia, 2011; Consorci d'Educació de Barcelona Generalitat de Catalunya-Ajuntament de Barcelona, 2010.

[11] ⌐ UCIDE has been created in 1980 and recognized by the State in 1991. It integrates the Islamic Commission of Spain which is the only interlocutor of the State for matters related to Islam.

[12] ⌐ UCIDE, "Estudio demográfico de la población musulmana" cited by El País, 13 September 2009.

of language teaching to immigrants along with the transmission of codes of conduct. Autonomous Communities designed so-called "reception plans" to attend new immigrant students at school. Today, compensatory programmes are promoted with the creation and the increase in the number of so-called "reception classes" (*Aulas de acogida*) which are conceived as temporary systems located within ordinary schools and providing a specific support in determined areas (principally in terms of language skills)[13]. These reception classes are created either in public and *concertadas*-schools in function of the proportion of immigrant newcomers in the neighbourhood and at school (more than 10% are needed). Although the educational community in general supports the reception classes and considers they have positive outcomes for immigrant children integration, this system does not substitute a more comprehensive policy. As the third edition of the Migrant integration policy index (MIPEX III) points out: "there are very few systematic legal entitlements for all students, parents, and teachers" in supporting newcomers with different needs (Huddleston, Niessen et al., 2011, p.185). The instruments implemented are still quite disparate and in the ultimate years, with the decrease in immigration rates, Autonomous communities have reduced the funds dedicated to this policy.

Apart from specific instruments, the promotion of diversity at school encountered a great interest from the educational community since the 1990s (Essomba, 1999; Aguado and Malik, 2001). This has essentially been a bottom-up movement. Teachers, textbook authors and editors, and social workers have been the first to exchange about the transformation of their practices in the sense of a greater consideration of diversity at school. This concern for intercultural education has progressively formed part of the integration plans for immigrants designed at the Autonomous Communities level as well as in replans designed from Education departments (Garreta, 2006). Every educational Law since the Organic Law for the Quality of Education of 2002 reminds the principle of an equal right to education between foreign and native children and establishes measures to develop intercultural education. But despite this explicit concern and despite the richness of local experimentations at school-level, there are still few programmes promoting a two-way integration process by teaching languages and cultures of the parents' country of origin. In addition, there are still very few teachers with an immigrant background in Spanish schools (Huddleston, Niessen et al., 2011, p.185). The main systematic effort in fostering intercultural education is certainly the introduction of a new subject in the curriculum, named Education for citizenship and Human Rights, which became mandatory at primary and secondary levels in 2009. One of the rationales at the origin of its creation was to take into account the growing cultural diversity brought by immigrants in the society and at school. In 2004, this governmental project sparked off a wave of protest from a great number of catholic and conservative organizations and revealed deep cleavages about values teaching and the respective roles of the State and the families, the public and the private sphere, in the education of children. This is the main justification of selecting this case for discussion of tolerance and diversity in Spanish schools.

2.3.2. Persisting problems: religious pluralism and segregation dynamics at school.

Despite the efforts put on building interculturality at school, two main issues are challenging the integration of immigrant students: religious diversity and socio-territorial inequalities.

As other European countries, Spain has experienced debates regarding religious dress-code at school. However, the use of the Muslim headscarf has not been a controversial issue in public schools as it has been in several other European countries such as France (Kastoryano, 2006). No specific law or policies regulate this issue and this question has hardly been at the forefront of the political debate. When conflicts break out between a school and a student wearing headscarf, the right to education has always prevailed on the norms of the school. But in practice, the girls have always been transferred to another school in the same city. This has been the case for one of the first cases in 2002, when a 13-year old girl had been forbidden to wear the Muslim headscarf by the council of a catholic *concertada*-school. Madrid's education council had ordered her readmission in the same school but, in front of the

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[13] ¹ Due to the lack of legal definition of these reception classes, their actual design is fairly different from school to another. Since 2008, the number of these *Aula de acogida* is declining, due to the fall in the number of new incorporation of immigrant children.

opposition of religious teachers, she had been finally transferred to a public school (El País, 17 February 2002). Lately in April 2010, another similar case, this time in a public-school of the metropolitan area of Madrid, has also led to the transfer of the girl to another school (*El País*, 20 April 2010). Other conflicts related to the Catholic religion, are revolving around the presence of crucifix in public schools. When a controversy emerged in 2007 about the presence of crucifixes in a public-school, the need of tolerance for religious signs in public spaces has been asserted by the Council of Education of the Autonomous Community of Castilla y León (Zapata-Barrero, 2011, p.78). However, the controversy reappeared after November 2009 with the European Court of Justice's sentence on the presence of crucifix in Italian public schools[14] and with the intention expressed by the Spanish Prime Minister one month later – soon disclaimed – to integrate this decision in the reform of the Organic Law on Religious Liberty in 2010 (*El País*, 24 June 2010).

The most important debate referring to religious diversity at school is not on issues of presentation of self but refers to the structural lack of teachers of religion in comparison with the total number of students demanding specific religious education (Dietz, 2007). 1992 Agreements with the Muslim, Protestant and Jewish communities recognized the right to teach these religions at school, as it was the case for Catholicism. But governmental statistics on religious education at school show the scarce number of students effectively learning a minority religion. Less than 1% of primary schools students and 0.1 % of secondary education students have chosen to be taught a minority religion, Islam being chosen first in primary schools and Protestantism being chosen first in secondary schools[15]. We can hypothesise that these numbers are related to the immigration flows, which are very recent in Spain. This means that the proportion of immigrant children born in Spain remains low at school, but they should undoubtedly rise in the next years. But here a new problem arises, related to sources of information, since there are no public statistics on so-called "second generation" students. The State is obliged by law since 2004 to provide funding for religious teachers of Catholicism, Islam, Protestantism and Judaism, if more than 10 students of a school ask for it. But this is still scarcely applied. For example, the State and the Islamic Comission of Spain, the representative organisation of Muslims, agreed on the need of 314 teachers of Islam in public-schools in 2008, while there were only 46 of them in exercise in 2009-2010 (US Department of State, 2010). The same situation exists in the Autonmous Communities with full power on education[16]. The reasons of the quasi-absence of teachers of religions other than Catholicism can be explained as well by the lack of commitment of the State to respect agreements passed with minority religions as by the lack of formation of these religious teachers. On the other hand, Muslim and Protestant parents often give up on doing an official petition to ask for Islamic or Protestant education when they see that there are no such teachers appointed in their sector, which lowers the statistics. Resistance to hire new teachers of religion other than Catholicism can be also explained by financial reasons for the State, which is financing already the salary of around 15.000 professors of Catholicism. But the main argument put forward by the State and AC governments is the one of the qualification. 1992 State-religions Agreements establish that the representative organisations of minority religions are the ones which appoint and propose to the State the professors of religion. These professors have to be in possession of a Spanish superior diploma in Education, must have training in Spanish Law and be fluent in Spanish. According to the State and Autonomous governments, few applications comply really with these prerequisites to be a teacher and justify thus the impossibility to provide religious education in equality to all students (*idem*, 2010).

The persisting difficulties to solve this problem are one illustrative picture of Spain's lack of opportunities for immigrants regarding religious diversity at school (Dietz, 2007). This can be seen

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[14]   European Court of Human Rights, Case of Lautsi and others vs. Italy, Application n° 30814/06, Judgment of 3 November 2009, Strasburg.

[15]   ¹ Estadística de la Enseñanza en España niveles no universitarios. Curso 2008-09. Oficina de Estadística del Ministerio de Educación, 2010.

[16]   ¹ In Spain, AC are responsible of religious education with the exception of Andalucía, Aragón, the Basque Country, Las Canarias, Cantabria, and La Rioja, and the two autonomous cities of Ceuta and Melilla. In these cases this competency remains of the State.

also in the scarce number of non-catholic confessional schools, although the right to open such schools forms part also of the 1992 Agreements. Nowadays, there are only two protestant, one Jewish and no Muslim high-school in the whole Spanish territory.

Apart from these issues in relation with the integration of religious minorities, the main persisting problem in terms of the diversification of the schooling-system refers to schooling inequalities and segregation dynamics affecting immigrant children. Their concentration in certain public-schools is an important source of public and social concern. Many are the reasons put forward by scholars and policy-makers to explain such an imbalance in the distribution of immigrants. They refer to socio-economic explanations, territorial inequalities, weakness of educational policies, motivations attached to individual and cultural patterns, and the existence of prejudices and discriminatory behaviour (see for example: Carbonell, 2007; Valiente, 2009; Alegre Canosa and Subirats, 2007; Cebolla Boado and Garrido Medina, 2010). Above all, the inequalities in the distribution of immigrant students question the Spanish educational system as a whole and its capacity to ensure social cohesion and equal opportunities between students. We have chosen to investigate particularly this issue for the reason that debates about the (non)integration of immigrant children at school are deeply rooted in societal and political oppositions about Spain's educational system as a whole. In that sense, debates about segregation of immigrant children at school mirror general challenges posed to education in Spain (Zapata-Barrero, 2010). This situation illustrates the tension between freedom of school choice and right to equal opportunities in educational matters.

We have outlined how new dynamics of diversity, due mainly to the arrival of immigrants with new cultural, religious and linguistic backgrounds, impact on the Spanish educative system and make visible its deficiencies in that matter. Given this state of the arts we will turn our analysis towards two case studies. Section 3 will present the different rationales on the concentration and segregation process of immigrant students, by focusing on the metropolitan area of Barcelona and, section 4 the debates which arose from the design and implementation of Education for Citizenship and Human Rights in the Spanish curriculum since 2004. But let us before briefly introduce our qualitative methodology and research design (section 2).

3. Methodology and research design.

This report is based on a desk research and on qualitative semi-structured interviews.

The desk research, conducted between December 2010 and march 2011, has consisted of a non systematic analysis of newspaper materials, on the one hand, on the concentration and segregation processes affecting immigrant children at school during the period 2000-2010, with a special focus on the situation of Barcelona[17], and, on the other hand, on the debate which occurred before, during and after the vote of the Law that created Education for citizenship in the obligatory curriculum in Spain (2004-2010)[18]. In addition, we have collected and analysed statistical data and policy documents for the case on segregation and on the collection and analysis of manifestos, opinion articles and policy documents for the case on EfC.

Between April and July 2011, 10 semi-structured qualitative interviews were conducted. This technique is in our view the better for our purpose: the study of discourses, statements and rationales on a defined challenge. Semi-structured interviews provide a framework to ensure guidance toward topics and hypothesis of interest for the researcher and provide also enough freedom for the respondents to develop their own discourse. Interview guides can be consulted in the appendix of the report. The interviewees were selected on the basis of the findings of the desk research, in order to saturate the collection of discourses on each case and thus to provide contrasted rationales. They were, on the one hand, key informants, mostly academic experts in Education and, on the other hand,

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[17]   Sample: 184 articles published between January 2000 and June 2011 in *El Pais, El Mundo, La Vanguardia* and *El Periodico de Cataluña.*

[18]   Non-exhaustive sample: 162 articles published between January 2004 and January 2010 in *El Pais, El Mundo* and *ABC*.

practitioners and members of the educational community susceptible to provide an articulated discourse on the case-study. All the interviews but one (with one academic) have been recorded and their duration was between 45 minutes and 1h45 with an average of 1h15. The list of interviews and the interview guides employed can be found in the appendix at the end of the report. All interviewees agreed to be tape-recorded and have been informed on the objective and future use of the interview. They will be referred in the text with their initials when we refer to personal statements. However, academics will be referred to with they entire name when they outline academic findings.

Key informants were four professors of University, specialized in education, intercultural education or sociology of education. Among them, two are also involved in civil society organisations, which is important to take into account when analysing their discourse. One is the president of a think tank on education issues, closed to the actual political party governing Catalonia, and the other is the director of the UNESCO representation in Catalonia, very committed to the diversity and immigration agenda. All these interviews were conducted in Barcelona (3) and in Madrid (1). The purpose was firstly to provide a general overview of the challenges of education in relation with immigration in Spanish context. Secondly, questions were asked about one or both cases. Three of the interviewees specialized on questions of inequalities at school and more specifically on inequalities touching immigrant students. They were asked mainly about concentration and segregation processes at stake in Spanish schools but also on the second case, when they had a particular knowledge on the issue.

In addition, we have selected persons or institutions who were involved in the debate provoked by both cases. As for the debate about the acceptance of immigrant students at school, we have contacted representatives of three important actors who take part to it: a trade-union representative, a representative of the organisation of private and *concertadas* Christian schools and one head-officer of the Catalan department on Education. As for the case on the design and implementation of EfC, we carried out three interviews with key actors in Madrid, involved in the policy design and in the public debate generated. We have interviewed two actors at the origin of the creation and content of EfC subject and one of its main opponents.

The interview guides on each case were structured by similar sections. After general questions on the interviewee and its institution, the first set of questions aimed at collecting his/her personal framing of the case study. The second set of questions aimed at collecting the opinion and assessment of the interviewee on the solutions and on other rationales put forward during the debate.

4. Concentration and segregation of immigrant students at school : the role of publicly funded private-schools (*escuelas concertadas*) at stake.

The rapid incorporation of immigrant children at school in the last ten years, has not affected equally all Spanish schools. At the beginning of the 2000s yet, voices raise to alert about the strong impact on the functioning of certain schools of the presence of more than a half, or even more than 80%, immigrant students. And such a rapid incorporation (more than 600000 students in 10 years) has revealed important dynamics of schooling segregation and the current structure of the educational system tends indeed to concentrate immigrants in certain public schools. Many are the reasons which can explain such uneven distribution and the debate about what should be done to prevent the concentration of (lower-class) immigrant children in few schools is mobilising the educational community as a whole. We will account for the diversity of positions in the field and emphasize on the statements which raise concerns in terms of tolerance and acceptance toward cultural and religious diversity.

Segregationist logics refer in this case to the separation of children in different schools in function of ethnic, cultural, social or religious criteria. In Spain, such a separation is contrary to the Constitution and strictly forbidden. However, segregationist logics exist in practice. Our aim in that case study is to assess the different rationales that make a diagnosis and propose solutions to the concentration of immigrant students in determined schools. The initial intention for this case study was to investigate

the question at national level. However, due to the important territorial inequality on the impact of this issue and its very special relevance in the context of the major cities of Madrid and Barcelona, we have chosen to investigate especially the case of the city of Barcelona. The situation of Barcelona is particularly interesting because it acts as a "microcosm" which allows saturating all the challenges involved in this situation. This local-level analysis seeks to provide outcomes which can be applied to other scales and it can be generalised in great part to dynamics in other metropolitan areas.

We will present first data on the inequality in the distribution and concentration of immigrant children in Barcelona. We will follow by presenting the main topics orienting the discourses on this issue and by concluding remarks in relation with issued of tolerance to diversity.

4.1. The concentration of immigrant students in Barcelona: the imbalance between public and private-schools.

In the introduction, we have underlined that the first issue identified as a problem for the diversification of the schooling-system, has been the acknowledgement of an imbalance in the distribution between the public and the private state-subsidized schools (*concertadas*) (*El País*, 17 December 2007). We have presented in section 1 statistics on the imbalance between the public and the *concertadas*-schools in enrolling immigrants and we will now present the situation at local-level in the city of Barcelona. When considering the differential impact of the presence of immigrants in both types of schools in Barcelona, the statistics on the proportion of immigrant children among all students are striking (Table 1).

Table 1 - Proportion of immigrant students depending on the type of the school

	All schools			Public-schools			Private/*concertadas*-schools		
Type of School (age)	Nursery school (3-6)	Primary (6-12)	First stage Secondary (12-16)	Nursery school (3-6)	Primary (6-12)	First stage Secondary (12-16)	Nursery school (3-6)	Primary (6-12)	First stage Secondary (12-16)
Nb of foreign students	2.694	9386	8293	2190	7636	5999	504	1750	2294
% on all students	6,9	12,3	15,9	13,1	24,6	32,4	2,3	3,9	6,8

Source: Education consortium for Barcelona, Catalan government and Barcelona city council, April 2010.[19]

As we could expect, this difference between public and private or *concertadas*-schools depends also on the origin of the students. For instance, foreign students coming from the European Union and "rich" countries are more likely to go to a private-school than a foreign student coming from the Maghreb. North Africans are indeed the less likely to go to private school. Asians, on the contrary, are more likely to go to a private-school than other foreigners (Table 2).

Table 2 - Foreign children (3-16 years). Distribution according to their nationality.

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[19] Consorci d'Educació de Barcelona Generalitat de Catalunya-Ajuntament de Barcelona, *L'escolarització a la ciutat de Barcelona. Curs 2009-2010*, Recull estadístic, April 2010.

	Total		Public-school		Private/*concertadas*-schools	
	Foreign students	% of all foreign students	Foreign students	% of all foreign students	Foreign students	% of all foreign students
EU (without Spain)	1.624	8,0	1.119	7,1	505	11,1
Rest of Europe	974	4,8	682	4,3	292	6,4
North Africa	1.572	**7,7**	1.494	9,4	78	**1,7**
Rest of Africa	346	1,7	280	1,8	66	1,5
North America	130	0,6	73	0,5	57	1,3
Central and southern America	11.600	56,9	9.088	57,4	2.512	55,2
Asia and Oceania	4.123	20,2	3.086	19,5	1.037	22,8
Others	4	0,0	3	0,0	1	0,0
Total foreigners	20.373	100,0	15.825	100,0	4.548	100,0

Source: Education consortium for Barcelona, Catalan government and Barcelona city council, April 2010.[20]

The socio-spatial segregation of immigrants' housing in the city is often seen as the main cause of concentration a school. Table 3 thus combines the residency of immigrants and the geographical situation of the school. In Barcelona, the old city-centre (*Ciutat Vella*) is the one with the main proportion of immigrant residents and it is logically the one that gathers the most important part of immigrant students (Table 3).

Table 3 – Repartition of foreign students by type of school and district of location of the school (2009-2010).

	Total		Public-schools		Private schools	
	Foreign students	% of all students	Foreign students	% of all students	Foreign students	% of all students
Ciutat vella	2926	36,8	2.346	54,9	580	15,8
Eixample	2.342	10,2	1.387	21,4	955	5,8
Sants - Montjuïc	2777	17,9	2.300	29,5	477	6,2
Les Corts	658	5,4	380	10,9	278	3,2
Sarrià - Sant Gervasi	847	3,0	439	11,8	408	1,7

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[20] ⌐Consorci d'Educació de Barcelona Generalitat de Catalunya-Ajuntament de Barcelona, *L'escolarització a la ciutat de Barcelona. Curs 2009-2010*, Recull estadístic, April 2010.

Gràcia	906	8,3	691	15,3	215	3,3
Horta - Guinardó	2158	11,5	1.712	23	446	4
Nou Barris	3.292	21,1	2662	30	630	9,4
Sant Andreu	1599	11,5	1310	19,6	289	4
Sant Martí	2.868	13,4	2598	20	270	3,2
Total Barcelona	20373	12,2	15825	23,9	4.548	4,5

Source: Education consortium for Barcelona, Catalan government and Barcelona city council, April 2010.[21]

Immigrants, especially lower-class, live in majority in districts where private-schools are less present than in other parts of the city (Ciutat Vella, Nou Barris, Sants-Montjuic, Sant Marti). But even so, immigrant children are far less present in private-schools in all districts. The concentration of immigrant students in the city-centre schools is on average of more than 54%. For the school-year 2009-2010, 13 out of 16 public-schools of Ciutat Vella had more than 30% foreign students but only 2 out of 8 private-schools had such rates. In Sants-Montjuic, 15 out of 29 public-schools had more than 30% foreign students but only 1 out of 16 private-schools. At city scale, 37% of public-schools had more than 30% foreign students but only 5% of private-schools. Territorial segregation is indeed an important factor of schooling segregation, but it does explain the imbalance between public and private-schools only in combination with other factors. In its study of schooling segregation in Catalonia, the Ombudsman for Catalonia also pointed out that levels of segregation are higher inside districts than among municipal districts and also inside the public and the private sector rather than public and private schools (Sindic de Greuges, 2008).

As a result of these statistics, many voices raised to demand more implication of the private state subsidized *concertadas*-schools. Indeed, the signature of a contract (*concierto*) between the State and the school which grants the status of *escuela concertada* includes rights for the school (essentially right to public funding for the salary of professors and of administrative personal and other costs deriving from the teaching of the subjects and grades which are subject to the agreement) and some obligations too, such as the gratuity of the teaching part (other activities might require a payment from part of the parents) since 2006, the respect of students' beliefs as well as obligations for the admission of students following the model of admission existing for public-schools (criteria of proximity of the familiar residence, the presence of brothers and sisters, the level of income of the family...). Despite these obligations, the imbalance between public and private education remains important and have slightly increased since the beginning of the years 2000 when this subject began to be a matter of public and political concern.

4.2. *Debating about the segregation of immigrant children at school: an analysis of the main topics.*

Discourses about the segregation processes affecting immigrant children at school build upon different rationales which refer to different ways to frame the issue and its causes, and different ways to remedy to this inequality. What will be emphasized in this part is what these discourses reveal about the priorities and values of the different players as regards to diversity issues. We have organised the following rationales as such: discourses about a) the interest for the children and their families, b) interest for the school, and c) interest of the society as a whole.

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[21] ¹Consorci d'Educació de Barcelona Generalitat de Catalunya-Ajuntament de Barcelona, *L'escolarització a la ciutat de Barcelona. Curs 2009-2010*, Recull estadístic, April 2010.

4.2.1. Interest for children and families: ensuring school success, equal opportunities for immigrant children, respect for the freedom of choice.

It is important to underline that opposed diagnosis on the situation put the interest of the children at the centre of their concern. In this first rationale there are at least three ranges of arguments founded through interview analysis. Let us introduce them by order of priorities (more emphasis given by interviewees, and repetition of arguments as main criteria).

- Interestingly, the first range of arguments does not refer to foreign students but to *native families' strategies to ensure school success for their children.* The motivations of families receive three different types of explanations from the interviewees. Firstly, explanations which refer to attitudes of cultural prejudice against immigrants, which would explain "native flight" dynamics. Secondly, explanations referring to different familial investments of education. Thirdly, structural components which explain inequalities in school-choice determination.

First explanations refer to the strong concern of families about the possible "stigmatisation" of their child when going to schools with high concentration rates. This comes along with "native flight" processes, that is to say a "vicious circle" which conduct native families to remove their children from schools with an important share of immigrants to put them in other schools – mainly private and *concertadas* – and as such, increasing even more the concentration. This effect was put forward by Zapata-Barrero (2004). Consequently families concerns is thus one of the main explanation put forward to explain schooling segregation.

The president of UNESCO Catalonia explains that school is more subjected to segregation than the sanitary system or the work-market. At work, he explains, people tolerate immigrants as they occupy a different and lower place on the job-market than they do. However, he continues:

> "In the school there is my little child and in there, in the school, we are not going to make one classroom with some children and one classroom with foreigners. Perhaps if it was the case some families would agree to keep their children in it but, as it is contrary to the Constitution (…). Native families disappear from schools where there are immigrants. And then starts the vicious cycle. (…) It is not the responsibility of the school, it is the society, it is the families who want to select one school or another". [Exp.3]

"Native flight" or "exit" (Hirschmann, 1970) is seen by the actors as a structural side effect of unfair policies and of an unfair situation. But the question of racial and cultural prejudices of native families is also raised by some of our interlocutors:

> "Question: So, you think that this is more an institutional and political problem, not the attitude of parents...
>
> Response: No! The ones who are removing their child from a school to put him in a *concertada*-school because there are too many black children, these are the parents!" [Bcn.2]

Different familial investment of their children education is another explanation put forward to assess the process of "native flight". Some families are more likely to search a school that will ensure the success of their children, especially in an increasingly dual system with strong differences in terms of school success[22]. For the head of the Catalan Education department service on school / families and school-community relationship, the interest of families is the education of their children is the first criterion to be considered when examining the imbalance between schools:

> "Families choose freely... obviously families, er, the most interested, with more... I don't want to say more possibilities because this is not linked to their financial capacity... with more interest in the education of their children, will try when they will have to choose: "I decide where to

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[22] See PISA results 2006 and 2009.

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> live, because I am interested in education and I will live in a place where I like schools"... of course not everyone does that." [Bcn.1]

In her view, immigrant families are not different from native ones:

> "People coming from abroad trust in education and know that education is a key element of success for their children, they look for a quality school for their children studies. This depends greatly on the family and I don't think that if they are from here or there it makes a difference." [Bcn.1]

However, all our other interlocutors have put into perspective this analysis by putting forward structural causes. Inequality in the distribution of information and in the knowledge of the schooling-system, gives much more importance to the economical capacity of the family in school-choice determination. To an expert, the publication of rankings of schools, often made by the public administration itself, contributes to enforce familial strategies to provide a good education to their children. To him, family choice is more and more driven by the competition of centres on the educational market: "the segregative mechanism in the society is not politics, it is the market" [Exp.4]. And families' strategies as well as school strategies tend to the segregation of lower-class immigrants.

- The second range of arguments refers thus to *equal opportunities* between immigrant and native families. That is, the inequality in the distribution of students between public and private-schools affects the success of immigrant children and their future incorporation in the society and the job market. Oddly, the interest of immigrant families in desegregating schools has been hardly put forward during the interviews, far less than the interest for the society, native families or for the schools with a high concentration of immigrants. Only two of the interviewees underline that one major problem of the concentration is that this deteriorate the opportunities of success for immigrant children. As the trade-union representative puts forward:

> "This is creating conflicts in the sense that an "anti-natural" – if I may call it so – concentration of immigrants, most of the time with scarce resources for schools to solve the deficits... what I mean is that these kids are less... to be clear, there is an accumulation of problems, not so much problems but difficulties of immigrant students, which lead to school failure. (…) If you have 20% immigrants, as in the neighbourhood, as in other schools, there is no reason that you may have any problem, because the heterogeneity and the mixing are supporting the normal progression of all children... but if you have a concentration, there are schools with more than 80% immigrants, of 20 nationalities and, more important, of very different languages, from this come the difficulties for the children and the school." [Bcn.2]

Part of the interviewees have underlined that the interest of native families is also at stake here. This situation is considered a loss for the native children who cannot benefit from the positive effects of the mix of cultures on their attitudes and knowledge toward the other. In the word of one interviewee "the concentration complicates the integration of immigrants, but it also complicates natives' knowledge of diversity" [Bcn.2]

- The third set of arguments is the *claim for respect of immigrant families when it comes to school-choice*. It has appeared several times from part of the sector supporting *concertada*-schools when assessing one measure to reduce distribution inequalities: "busing"[23] and other means to transfer immigrant students in order to de-concentrate schools. This measure targeting only immigrants is seen as a lack of respect. This point was basically stressed by the representative of Christian schools in the following terms:

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[23] ⌐ *Busing* refers to the practice implemented in the United-States between the 1970s and the 1990s, which aimed at a better diversity at school by creating specific bus routes to carry children from the deprived "black" neighbourhoods to "white" schools.

"That the administration treats immigrant students as "nuisance" which has to be distributed... I'm sorry, I am saying it in a forthright manner! Immigrant child is like any other: you can't distribute them with quota. He does not have the freedom of choice and this is a problem. I understand that the administration wants to do something: but acting in the respect of families, not by distributing them, because you can't ask it to persons, this is not something that can be done". [Bcn.3]

Immigrant families' right to choose their school has also been raised by the representative of CONCAPA, the Catholic parents' organisation. According to the Catalan Catholic schools representative, the respect of immigrant families is important also when considering the possible influence of religion in the segregation process. The inscription of a confessional belonging in the school project is likely to bother immigrant families with different or no religion. But she underlines as well that it can increase the interest of the families "because there are many immigrants who prefer a religious education, even different from their belief, instead of nothing, because neutrality is assimilated to atheism or activist agnosticism." [Bcn.3]

This introduces the topic of families' freedom of choice in selecting schools and its possible limitations and it leads us to investigate a second range of arguments in relation with the interest of the school.

4.2.2. Interest for the school: management, quality and financial issues.

The assessment of the role of schools in the segregating process of immigrant children receives the most opposed answers. The topics here are organised along three lines: the ruling of the school, and especially the public-private divide ; questions of school quality and questions of financial capacity.

- There is a discrepancy on to which extent the existence of a *dual network of schools* – public-schools and private-schools with public funding – is responsible for segregation and concentration processes.

To the trade-union representative, the existence of a dual network is the main reason for the segregation. To her, the existence of the concertadas-schools is an anomaly which should be erased. The private sector is receiving money without participating entirely to the social mission and the public service which are to be expected from schools. Plus, this has an effect on the public sector as well. In her terms:

"It is creating a prejudice, including inside the public sector: there are public schools which intent to attract the natives who do not want to go to immigrant schools." [Bcn.2]

On the contrary, to the Catalan administration representative, schools play a very minor role in the segregation. She emphasizes the strong constraints exerted on them during the admission process in the following terms:

"The debate is a territorial debate, it is not about who rules the school. (…) This question has been put forward by few organized sectors of the society, but it is a false debate, the Law is equal for everybody". [Bcn.1]

In between these positions, it is underlined that the role of the private sector cannot be denied, especially when looking to statistics, but that the boundary between segregated and diverse schools transcends this opposition. Admission strategies are not exclusive to private-schools, but also practised by public ones, which try to discourage the enrolment of some families, and especially lower-class immigrant families. According to the interviewees, this takes the shape of discouraging speeches during face to face encounter with parents of lower-class immigrants, the absence of diversity objectives in the school project, and campaigns aimed at upper-class families (and then, indirectly de-motivating lower-class). On the contrary, there are several examples of *concertadas*-schools with social compromise which have developed an admission policy toward immigrant children. Following this reasoning line, an expert highlights:

> "Schools provide a public service not in function of who rules them but in function of its project and social compromise. That is to say, it is a false debate to say that public schools are integrating and that private-schools are segregating because empirical evidences show that there are publicly-ruled schools which are managed according to a "private" project, and in the city of Barcelona we have quite a few examples, and there are *concertadas*-schools which are doing a great public-service". [Exp.3]

This is worth mentioning that this opinion is the most commonly shared by our interlocutors, while not underestimating the public-private imbalance in the macro approach.

- Question of *school quality* is closely connected to the management issues. For an expert, education has to be considered more and more as a market on which schools try to attract who they feel to be "good clients" for them, that is to say students who will not only provide the best chances of success, but could in turn attract other "good students" in a snowboard process. However, he underlines that in his view school quality issue is not well framed in the public debate:

> "In relation with the effect of concentration on school results, I think that the government treats it with an excessive dramatization. What is determining schools' results is not the concentration of immigrants but the concentration of disadvantages". [Exp.4]

Threats on school quality are also mentioned by the trade-union representative as a consequence of the concentration of lower-class immigrants and children with scarce resources in general in the same schools. To her, concentration is threatening eventually public-schools sector as a whole, which will attract lesser and lesser families in comparison with the private and *concertadas* sector. This issue should thus be considered at a macro level because it causes an imbalance between the three networks of schools at the expense of the public ones.

- For the representative of catholic private-schools however, *financial reasons* are the most important explanation of the few rates in immigrant enrolment. Bureaucratic and legal constraints in opening new schools and new classes, the difference between the real cost of schooling and the subvention given by the public administration, are both relevant to justify the difficulties in welcoming immigrant children. Put in AR words:

> "When the dominant discourse is "Catholic or Christian schools refuse to have immigrant students"... [sigh] It is not that they refuse; many have had and still have many immigrants in spite of very distinct conditions and resources. I think that this should be compensated, but what is going on is that the *vox populi* and the media do not allow this discourse to appear. When we publish an information about this, nobody talks about those who are in the *concertada*-schools, is spite of all the difficulties and in spite of the fewer resources given by the administration to attend them". [Bcn.3]

Others mentioned the importance of the economic issue in this matter, especially to understand the difference between public and *concertadas*-schools. For one expert, some *concertadas*-schools seek to attract middle/upper-class families and future members of the "elite" who could later fund the school through donations [Exp.4]. For another, the conjunction of the pressure of native families and the threat of financial bankrupt are influencing the attitudes of school, especially in the so-called "hidden selection" strategies. In his words:

> "Hidden selection is the answer to the social pressure of families. Maybe there are schools which would not do this hidden selection but there are high chances that they land up with no enrolment. (…) If a public-school does not have students, it would be a problem of course, (…) but this is not vital. As for the private-school, it would have to close." [Exp.3]

Let us now turn to the third, and last, range of arguments concerning school concentration.

4.2.3. Interest for the society: issues of social cohesion and racism.

In comparison with topics families and school interests related, arguments linked to social cohesion and the interest of society as a whole are practically absent. However, two topics are present even if they are not dominant: the threat for social cohesion due to the lack of contact between native and immigrants, and the assessment of racism and conflicts linked to diversity at school.

- Concentration raises concerns about *social cohesion* especially among academics. The diagnosis made on the concentration of immigrants in some schools and their absence in many others, builds mainly on a rationale about school success for children and school quality as a whole. The negative effects of concentration per se are not often present in the public discourse and in the interviews. Only one academic links explicitly the concentration with issues in terms of social cohesion, in the following terms:

> "I have talked about the concentration as a problem until now, because it is an independent problem which affects school performance, but it is also a problem in itself, because the new citizens are creating relationships in priority at school. It is a moment of early socialization, primary and thus essential. As a consequence, in my view, concentration is bad in itself." [Exp.4]

Other interviewees build on the same idea of school as a microcosm of the society, rendering school issues a matter of global concern:

> "School is a mirror of what is going on in the society. As such, schooling inequalities is a social issue and not only for school." [Exp.3]

If references to social cohesion are not explicit, the fact that segregation and concentration difficult the integration in the schooling system, opportunities of success, social mobility and, finally, difficult the integration of immigrants in the society, is underlying most of the examples and rationales of the interviewees. The word "ghetto" is employed frequently to designate schools or the process affecting immigrant children.

- References to *racism and inter-ethnic or inter-religious violence* at school are present in all the interviews. It is stated that high concentration of immigrants in a school could be a favourable context for expressions of racism, and for raising ethnic- or religious-based conflicts. But the actors agree that until now there is no major problem related to racism and violence in this inter-relational context. The work of teachers and the efforts in the conception of school projects seeking to accommodate cultural and religious diversity are often cited as exemplary. The daily consideration of diversity issues by the schooling-community can be seen as an approach "from below" to counter the possible negative effects of the concentration. But as the trade-union representative states:

> "There are no important problems of racism...but the most racists of all are not at school with immigrants! Even so, programmes are positive because despite all the rest, in diverse schools there are no big problems. But the concentration makes most things more difficult, as for the "social elevator" or the learning process". [Bcn.2]

After having outlined the main topics used to qualify and assess the issue of concentration and segregation at school, we will present the way in which representations and practices of intolerance are embedded in these discourses.

4.3. Changing the structure of the education system to ensure equal acceptance of immigrants at school?

Discourse analysis on segregation and concentration processes at school demonstrates that ethical questions in terms of intolerance and non-acceptance of the cultural diversity remain a secondary explanation. This issue does not really emerge out of the public debate. We have seen that the main topics revolve around the (sometimes) conflicting interests of families, schools and the society. One tension is transversal to all topics: the cleavage between two core principles of the Spanish educational system, freedom of school-choice for the parents on the one hand, and equal educational opportunities for all children on the other hand. All the interviewees recall that the State is seen as the protector of the equilibrium between the two principles. What the diversification of schools highlights is the very fragile balance between these key principles. Processes of segregation and the correlative concentration of immigrant students in few schools have created an imbalance and question to some extent the stability of the education system. The arrival of immigrants emphasizes that the structure of opportunities creates different effects depending on the social, cultural or economic dispositions of the child, and that lower-class immigrant students are particularly affected by a structure which does not protect them in the same way as upper-class natives. The incorporation of immigrants reveals a structural tendency which was already affecting lower-class natives, but it makes it more "visible" and renews the public awareness about schooling inequalities, given the development of diversity policies.

Thus, a transversal question refers to the opportunity or not to limit the freedom of choice of parents to ensure schooling equity for lower-class immigrants. Put in other words: what is the opportunity of political intervention to regulate the issue of distribution? This question has not really been answered by Spanish policies yet, in spite of different attempts to find partial solutions. We will examine below how segregationist dynamics raise questions of tolerance toward diversity, as for individual conduct as from an institutional point of view.

4.3.1. Questions of tolerance embedded in individual conducts in relation to school-choice.

It has been mentioned that the freedom to choose a school according to the interests and beliefs of the families is one core principle of the Spanish education system. However, this does not mean that parents are totally free to choose a school for their child. The Catalan government has established constraints and priorities for the admission at school. Schooling zones have been created in which parents are in principle compelled to choose their school. This is valid both for public and *concertadas*-schools. In case of demands superior to the places offered for children, various criteria are set up to regulate the selection process, taking into account the territorial proximity of the family residence or place of work of parents, the economic situation of the family, the presence of sisters and brothers in the school. This system of points allows resolving draw situations and is quite transparent. But in practice, scholars and experts observe the existence of a "hidden selection process" which explains greatly the inequality between immigrant and native families (Essomba, 2007; Bonal, Essomba and Ferrer, 2004), as well as between lower-class and upper-class families (Fernández Enguita, 2008).

Dimensions of intolerance toward cultural diversity embodied in a situation of segregation have not been explicitly cited by the interviewees. However, issues of tolerance are indeed underlying all discourses about this issue. The concept of tolerance is not used in discourses but the notion of tolerance is driving most practices (see also: Zapata-Barrero and Garcès Mascareñas, 2011). When it comes to choose a school, much individual behaviour is driven by prejudices against immigrants and cultural, ethnic and religious diversity. In the interviews, racism has been referred as a motivation of "native flight" which is of course an intolerant conduct. But this is more generally the case of the perception of the quality of schools. All interviewees have underlined that one of the main source of imbalance between schools is that native parents seek for their children what they perceive as the best quality, the one that will give the best opportunities of success to their children. Two logics are thus enforcing the schooling segregation. Firstly, the *concertadas*-schools are massively seen by parents as

"better" schools than public-schools. Secondly, the parents perceive a great presence of immigrant students in a school as a factor downgrading the quality of the school, which explains the importance of "native flight" dynamics toward *concertadas*-schools.

But indeed, according to studies in that matter, these perceptions are only partially correlated with facts. Ignacio Urquizu shows that, if we neutralize the effect of socio-economic variables of student families, public-schools have better results than private-schools in the Spanish context (Urquizu Sancho, 2008). As for the presence of immigrants, Hector Cebolla and Luis Garrido show that there is indeed a negative correlation between immigrant concentration and individual performance (Cebolla-Boado, Garrido Medina, 2010). But they show that this is due in greater proportion to socio-economic compositional effects. It means that if individual performance is lower in schools with a high concentration of immigrants, it is mainly because native students going to these schools are also "more deprived than the rest of the student population". Two conclusions can be made here. First, "native flight" caused by the research of better opportunities of success in *concertadas*-schools is based on a false perception of the quality of public-schools, but results in creating real downgrading effects due to the concentration of deprived students in the same schools. Second, the issue of the concentration of immigrants has mainly contributed to make visible an already existing situation, which is the strong inequality in the distribution of children according to their socio-economic resources. Political and financial efforts should thus be concentrated in schools enrolling more deprived students.

If socio-economic factors are of crucial importance, this situation raises also specific normative issues in terms of cultural and religious diversity in the educational system. What has been highlighted is that the structure of the Spanish educational system is creating fewer opportunities for immigrant students. This is problematic both in terms of accommodation of immigrants in the country, and also from a normative point of view when considering that a segregated schooling-system does not reflect the existing diversity in the society.

4.3.2. The structural component of intolerance: Limiting free-choice to ensure equal opportunities?

In addition to individual practices of intolerance, the structure of the schooling system is undoubtedly source of concentration and segregation in Spain. This implies considering that intolerance (and discrimination) can be embedded in institutional and structural dynamics, and not only in individual discourses and practices. The power of the system of representations at the basis of the Spanish schooling-system is being put into question due to the unequal treatment of immigrants in matter of education.

The underlying question posed to the Spanish educational system, in lines of the framework of Accept, is whether it is tolerable to limit more families' freedom of choice in matters of education to give equal opportunities to all children. Both are guaranteed by the Spanish Constitution and are structuring the collective representations about education in the country. Making changes in that way implies an important transformation of the educational system and of collective representations about it. This is precisely what policy-makers have refused to do so far. The different educational laws at State and Catalan levels have introduced measures attempting to reduce inequalities, as the gratuity of *concertada*-schools, the limitation of parents choice by establishing a system of points and by school districting. But they did not affect really the relation between free education and equal opportunities. For several interviewees, in that limitation lies the solution to ensure equal opportunities. But they also underline that a radical change in that matter can hardly be brought to the political agenda. As one academic states:

> "Other kind of policies, which would start by changing the freedom of school-choice, this would really change things and the concentration at school. But as far as the free-choice, which is a freedom of families, of the parents, is placed above all, above distributive justice, one cannot pretend to change things significantly. Yes, they can be modified, but not significantly. (…) But while free-choice of schools is the value which has to be preserved, you can only make little transformations, marginally, but you can't make inequalities in school-choice disappear. At

least if you don't do very very aggressive and radical policies, and this, I think that no Autonomous Community is ready to do it, including Catalonia". [Exp.4]

The positions of the different parties involved in the education policy are totally opposed on this issue. The trade-union representative is in favour of a strong limitation of the free-choice of schools and, above all, advocates for the disappearance of the "double network" (private and public-schools) in favour of a unique public service of education. In her words:

> "Here we have a system which enforces – from the right-wing but the left-wing has also made things in that sense – the free choice of schools. You can choose the school but, I mean, the one who choose is the one who can! You can always choose the car you prefer but you have to pay for it. So the conception that parents have the freedom to choose... yes there are rules, it is easier to have a place in your neighbourhood but, beyond this, there are so much possibilities to fraud the system. And especially in the *concertadas*-schools. (…) The solution for us is to eliminate the private-schools network". [Bcn.2]

On the contrary, the freedom of choice is seen as one very fundamental basis of the schooling-system for catholic-schools and parents representatives. They discard that this freedom enforces inequalities between families and emphasize that all families, native or immigrant, have equal right to choose. The representative of the private-schools advocates that, instead of limiting the right of parents to choose, especially of immigrant parents for the case of "busing", positive discrimination driven by a compensatory principle have to be implemented. The schools which receive more immigrants or lower-class students have to receive more money to ensure equal opportunities. The representative of the Catalan administration also discards limiting the freedom of choice more than it is currently. She insists on the fact that the choice of parents and the admission of children are already very much constrained by existing rules.

This highlights the fact that there is no consensus on a policy directed to redress this situation by affecting the current institutional arrangement, especially when it comes to limit educational freedom. The historical, political and social democratic transition consensus on maintaining the right to choose one's school remains very strong, as underlined by experts, such as:

> "At Catalan level, and at the level of the society as a whole, above all of the Catalan middle-class – and surely in general in Spain but in a lower proportion than in Catalonia – there is a tacit agreement in favour of the free-choice of schools. It is something perceived as normal and important, as a right of families and as something which can hardly be questioned. The relative political consensus in that matter is clear. The freedom of choice is not questioned. But the socialists intend to compensate this principle of school-choice with aids to ensure the effective gratuity or with sanctions to schools which make parents pay." [Exp.1].

The current balance between equal opportunities and free-choice is a structure for the schooling system which cannot be changed easily. This highlights that national and local institutional and cultural structures are affecting in great extent the accommodation of immigrants. Dynamics of institutional discrimination and rejection have to be considered as crucial elements in the non-acceptance of immigrants. In that sense, we have tried to show here that tolerance has certainly an inter-individual component, as we saw for the motivations of parents, but it has also a strong structural and systemic dimension.

5. Debates about the creation and implementation of the Education for citizenship (*Educación para la ciudadanía*) course.

Education for citizenship (EfC) teaching has been subject of a growing attention from policy-makers and scholars in many European countries (United-Kingdom, Ireland, Sweden, Norway...). Various reasons to explain this growing interest have been put forward. For Keating, it is due to the changing

patterns of governance in the nation-States and to the globalization process (Keating et al., 2009). Naval et al. argue that the perception of a decline in the adhesion of children to liberal-democratic values in the post-September 11 context, the increase in immigration rates and the growing cultural diversity of these societies have contributed to bring this question on the political agenda (Naval et al., 2002). If the question of the introduction of Education for citizenship has been debated in the vast majority of the Western democracies since the end of the 1990s, Spain undertook an important reform in order to introduce this subject in the school curriculum. Almost all European countries have included a course referring to EfC, but Spain is certainly the one in which such creation sparked of the most important controversy (Eurydice, 2005; Naval et al., 2002).

The creation in 2006 of a new course properly named "Education for citizenship and Human rights" (*Educacion para la ciudadanía y los derechos humanos*) has triggered not only debates about the curriculum and its content, but has raised a wide societal and political debate in Spain directly related to Spanish identity (Garcès Mascareñas, Zapata-Barrero, 2011). The debate largely exceeded the initial motivation for the creation of the course, which was mainly to take into account new challenges which arose from the culturally diverse Spanish society. It has highlighted a societal division about the place of values and multicultural ethics teaching at school and, more generally, about the respective role of school, State and families in the education of children. EfC has been criticised on the one hand on the opportunity to create a dedicated subject on this matter instead of making of it a transversal thematics. It has been criticised on the other hand because of its very content[24].

Concretely, the content of EfC introduces many topics and only part of them has been seen as subject to controversy. First, it aims at fomenting acceptance of cultural and religious diversity in societies. It promotes the respect of other cultures and religions, peaceful coexistence, condemns xenophobia and racism, and aims at preventing violence at school. Second, it seeks to transmit a basic knowledge about the organisation of the democratic State and its institutions. Thirdly, it seeks to give an insight on human rights and rights and duties of citizens. Finally, it covers contemporary transformation such as social change, globalization, international relations and conflicts. Apart from rather consensual points, the very controversial topics remain on questions of sexuality and models of family as well as on an alleged relativism in terms of religion. EfC promotes gender equality, seeks to fight homophobia and presents equally respectable models of families, including homosexual families. And, although there is no real non-confessional teaching of religions included in EfC, its content has also be seen by the opponents as a "propaganda" in favour of secularism.

The debate about how to strengthen tolerance in an increasingly diverse society has given way to arguments about which public values and virtues could be taught to children, and who should be in charge of teaching these values. Other topics have been conveyed in the debate such as conceptions of what is tolerable or should be accepted as normal in terms of sexuality or in terms of models of families[25]. In this debate, the place of religion and more specifically the relation between the Catholic Church and the State remains largely unsolved.

First, we will provide a contextualisation of the questions of religious and values teaching in Spain, in order to enlighten the causes of such contention. Then, the very presentation of the controversy will be made by following chronologically the debate occurred by EfC, from its conception to the ease of the

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[24] ˥ The Royal Decree 1513/2006 of 7 December 2006 fixes the content for primary school (Individuals and interpersonal and social relations ; Life in community ; Living in society) and for secondary education (Respectful approach to diversity ; Interpersonal relations and participation ; Rights and duties of citizens ; Democratic societies of the XXIth century ; Citizenship in a global world). Apart from this official content, many textbook have been published to support teaching. This is mainly the content of (some of) these textbooks which is cited by the opponents to EfC as intolerable assertions (like the presentation of abortion as a "normal" practice, the presentation of homosexual families, relativism and secularism).

[25] ˥ It is interesting to mention that it is not the only occasion of confrontation between the Church and the State at the same period on questions relative to gender and homosexuality. Zapatero's first government (2004-2008) has improved greatly rights of homosexuals, especially by authorizing the wedding of same-sex partners and by raising the condemnation of anti-homosexual speech. The hierarchy of the Church has been strongly opposed to same-sex wedding, has organized several marches against the measure, signed many public declarations and tribunes.

conflict. This will be followed by an analysis of the rationales in terms of tolerance which have appeared. We will show that most of the issues highlighted by this conflict, and especially questions of what is tolerable and what values should be teach to children at school, are still unsolved and remain non-consensual questions in the society.

5.1. Contextualisation of the creation of Education for Citizenship and Human Rights

The creation of the new subject has been decided after long years of debate about the necessity to introduce the teaching of civic and public values to children at school. However, decisive moves came from supranational organisations and in particular the Council of Europe. This institution has promoted Education for citizenship as a core element in the curriculum of European children[26]. In 1997 the *Summit* of *Heads of State* and Government of the *Council of Europe* issued a declaration calling on the inclusion of human rights, democracy and the rule of law as subjects in the curricula of all learning institutions. Between 2002 and 2005, various recommendations were issued by the Council of Europe all focusing on the implementation of citizenship education in the member's States. The initiative of the Council of Europe to declare the year 2005 "European Year of Citizenship through Education" has been an opportunity to organise many events and debates. It strengthened the collectives who had been advocating for the development of citizenship education.

The making of a new Education Law in 2004 by the socialist government is a good opportunity to make concrete the international recommendations in favour of education for democratic citizenship. Nevertheless, to understand the debates it is important to detail previous experiences of religion and moral values teaching. Since the democratic transition, each have been present in Spanish curricula but with different dynamics. We will present first the framework of religious teaching at school, because the creation of EfC has been perceived at first as an attempt to reduce or replace religion in the curriculum and to explain why Catholic organisations have been at the front-stage of the protestation. We will present then previous experiences in giving a moral education to students and how they will be structuring the debates about EfC.

5.1.1. Legacy and transformations in teaching religion:

The adoption of the democratic Constitution in 1978 was a decisive change for the place of Catholicism in Spain. During the Francoist era Catholicism was established as National Religion by the Concordat of 1953 with the Holy See. Religion as a subject was mandatory and considered as the cornerstone of the moral education of children. After 1978 constitution, Spain can no longer be considered as a confessional State. Yet, in the early years of the democracy, the Spanish State has maintained a dialogue with the Catholic Church which led to the signature of Agreements with the Holy See in 1979 which guaranteed a specific status to the major Church, and one of these concerned Teaching and Cultural affairs. This agreement states that religious education in public schools is an optional subject for students but that it is mandatory that all schools provide the possibility to be taught confessional religion. Religion teaching is thus based on the right to be taught one's religion on the one hand and the freedom not to have religious teaching – nor exclusively catholic religious teaching – in the other hand. Despite this principle, religion remains mandatory in practice in the vast majority of schools as is the examination on religion. But in 1990, the Organic Law on the General Organisation of the Educational System (so called "LOGSE"), will make of religious education an optional subject.

The regulation of education is one of the principal source of conflict between the Church and the State in Spain. There are frequent controversies on the alleged discrimination of one or other group of students regarding the choice of religion. The fact that the share of students choosing religion is declining over years is one important cause of the sensibility of the Catholic Church on this matter

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[26] ⌐ Council of Europe has a dedicated division on that matter. For more information see: http://www.coe.int/t/dg4/education/edc/

(see Conferencia episcopal española, 2011). Differently to other European countries, religious education which has to be offered within the school curriculum is not "cultural" religion or an historical approach to religions but confessional religion. Since 1992 and the signature of agreements with Islamic, Jewish and Evangelic representatives, schools have to offer the possibility to be taught not only Catholicism but these religions too, nevertheless, we have seen that there are still very few teachers of minority religions. The option to receive religious education remains dominant among students of all ages, but decreases greatly in secondary public schools and even more in the last years of secondary education (*Bachillerato*) where only 27,6% of public school students choose to have religious teaching.

The most important debate relative to religious education is not around the right to be taught religion, which is guaranteed by the constitution, but on the existence of an "alternative" to religion course. The Catholic Church has always struggled to maintain the existence of another compulsory teaching. Despite different governmental projects to suppress this alternative to religion, and despite the criticism of most parents due to the lack of content of the hours dedicated to the so-called "learning activities", the opposition of the Catholic Church has led to the conservation of a compulsory alternative subject. The last organic law on education, the *Ley orgánica de Educación* (LOE) (2006) has changed the name of the alternative course, but it remains not defined and is often dismissed as the "course of nothing". In fact, the law prohibits teaching any content about religion, or with other part of the curriculum, so as not to constitute a discrimination against the children who do not attend this course. Even if the law states that children must remain under the responsibility of the school during hours of religion, many educative institutions place these hours at the beginning or at the end of the day to offer the possibility to families to keep their children at home at this time. This is a continuous source of discontent from part of the Catholic Church.

5.1.2. Previous experiences in teaching moral values.

The creation of Education for citizenship and human rights is not the first experience in Spain. Several subjects have been designed for such purpose over time. There is of course an important difference between the place of moral and values at school during the Franco dictatorship and the democracy. But references to the dictatorship and to other totalitarian regimes have been put forward by both parties during the conflict about the creation of Education for citizenship.

During the Francoist era, moral education was one pillar of the curriculum at all stages of school (Dietz, 2007). First, ethics was delivered through compulsory catholic religion. Catholicism was not only one of the two pillars of the regime along with patriotism and national unity. It was also the cornerstone of the moral formation of children at school. Until 1970, another subject was entitled "Formation of the National Spirit" (*Formación del Espiritu Nacional*) and aimed at delivering the doctrine of Franco's "National movement", especially Spanish nationalism, corporatism, deference to the regime and its leader. The 1970 law which reformed the education system suppressed this course. But it remains in the memory of a large generation, especially those who are born before 1961.

The existence of this recent experience is referred to by the interviewees, whether they are in favour or no of EfC. An expert analyses the Church's strong opposition to EfC as a reaction against the reduction of the control over the moral education of children, and of the population as a whole, which was granted to this institution during the Francoist era. To him, "it is obvious that the current situation is a loss for the Church, because we are moving from a situation of privilege to a situation of equality" [Exp.3]. The conduct of the Catholic Church during the controversy over EfC has been indeed frequently analysed by the pro-EfC interviewees as a re-active attitude against what is seen as a threat to its identity. On the contrary, the anti-EfC see in the creation of such subject similarities to a totalitarian policy[27]. As the president of CONCAPA remarks:

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[27] See also this kind of arguments developed in Trillo Figueroa (2008).

It seemed to us, or it seems to us, that the subject as it is conceived in Spain is an illegitimate intrusion of a government in a part which is__ of parents, and in that way it recalls sadly the ideal of "new man" that the regimes of Staline and Hitler, and also many other dictatorship regimes, shared, trying to make out of it a model of society". [EfC.3]

During the democratic transition (1975-1982), a course named "Living together in democracy" (*Convivencia en democracia*) tried to oppose dictatorship's moral education. It was integrated afterwards in History subject. In 1990, the LOGSE created the concept of "transversal subjects" to which were not dedicated specific hours but had to be integrated in all other subjects and were considered as of crucial importance for the curriculum. Civic education and values such as gender equality, respect for diversity and multiculturalism were considered as transversal subjects (Gonzales-Lucini, 1993). The 2002 LOCE took up the idea of transversal subjects and added a focus on the need to deliver the "culture of effort" to students. All in all, this policy cannot be considered as a success as the integration of these core transversal subjects in other courses was merely perceivable.

The introduction of transversal values in the curriculum had already been advocated by some education organisations. The president of the "Spanish league for education and popular culture" (*Liga española de la educación y de la cultura popular* or LEECP), recalls that this was considered as a first victory. But in front of the lack of effective implementation of these values in the curriculum, these entities begin to promote the creation of a full subject aiming at teaching citizenship and liberal democratic values.

Despite these limited measures, the need to develop values teaching as well as the democratic culture among children had not been a priority of the Spanish education policies before the years 2000. New opportunities arise for the ones who advocate for the reinforcement of democratic and human rights values teaching at school. The settlement of the democracy in Spain, the desire to further the democratic culture of children, and, above all, the desire to take into account the transformations of the Spanish society since the 1990s and especially the new diversity introduced by foreign immigrants, create the conditions to the development of a way to teach citizenship and human rights at school. This is the purpose of Education for citizenship, whose creation unleashed an important controversy, which will be presented in the next section.

5.2. The controversy about Education for citizenship

In this section, we will follow the controversy about EfC from the conception of the Law to its implementation. This makes sense because the conflict has taken various forms in each stage, and the dynamics of the coalitions have changed also in parallel. We will thus present the first stage of the debate, in which the design of EfC shows a progressive cleavage-building process and to a strong controversy. Then we will present the developments during the implementation of EfC, from the political arena to the courts.

5.2.1 Cleavages-building process about the creation of Education for Citizenship.

The creation of EfC has confronted two clear sides. On the one hand, people who put forward values of public ethics and secularism and defended that there are minimal constitutional values that have to be taught to children, as tolerance to diversity and to sexual, religious or cultural differences, democratic values and human rights. Among them are the instigators of the Law, who belonged mainly to the socialist party (PSOE) circles and to organizations of the civil society in favour of secularism. On the other hand, entities have rejected the new subject for the reason its goes beyond the duty of the State to teach values to children which can be contrary to the personal beliefs of their families. The most actives were members of the Catholic Church hierarchy and Catholic organisations which could rely on the support of an important part of the conservative Popular Party (PP) representatives. A retrospective review of years of public debate since 2004 reveals the complexity of

this matter, as for the variety of actors involved as for the twists and turns at different stages of the confrontation.

Socialists' coming to power in March 2004 is perceived as an opportunity for the sectors promoting the creation of a course on citizenship and democratic values to make it reality, and even more because many of them were member or closed to the socialist party. As we have seen, a project to develop Ethics and values teaching at school was claimed by different sectors of the civil society and especially by the Spanish Secular movement since the 1980s. With the impulsion and the recommendations coming from the European Union, these activists felt that the reform of the Education Law was the right moment to strengthen values teaching at school. Prominent figures of the academia and of the socialist party as Gregorio Peces-Barba[28], rector of the University Carlos III, were pressing for the creation of a dedicated subject during the year 2004[29].

During the process of elaboration of the future Organic Law on Education (LOE) in 2004, the Ministry of Education invited determined sectors of the civil society working on education to belong to an ad-hoc group for discussing and designing what could be the new subject. The future promoters of EfC[30] are in the discussion group, but there are also representatives of organisations which will be the leaders of the protests against EfC as members of Catholic Schools organisation (the organisation of Catholic schools - *Escuelas catolicas*-FERE-CECA; the Catholic parents' organisation - CONCAPA). This ad-hoc group, which gathered several times, will design roughly what will be the future subject. It also served to strengthen networks which will be the advocates of EfC.

At the end of 2004, the Ministry of Education published a document named "A quality education for all" (*Una educacion de calidad para todos*) in which it outlined, among other measures, the key features of a new subject named "Education for citizenship" (Ministerio de Educación y Ciencia, 2004). The document was addressed to all educational organisations (trade unions, parents associations, schools organisations, organisations non-formal education, lobbies and especially all the members of the State council on Education) but the Ministry called also for the participation of individual citizens. The document underlines the importance of teaching values and citizenship to the young and the crucial role of the school in that matter. The diversity resulting from the new immigrants is one argument to strengthen such education. The Ministry states that immigration has been positive in many matters but that "it has introduced in the distinct social institutions and at school a range of very diverse beliefs, customs and practices of socialization, sometimes contradictory and not only occasionally opposed to widely accepted democratic principles of our society" (Ministerio de Educación y Ciencia, 2004, p.96). It acknowledges that values education implemented as a transversal subject of school centre projects is insufficient to deal with the importance of values education in the contemporary society. It proposes thus to create a dedicated area or subject of Education for citizenship. Between October 2004 and March 2005, the Ministry receives more than 300 contributions and the creation of such course gathers many of the comments.

In March 2005, one initiative from the civil society contributed decisively to design the content of Education for citizenship. It is the Foundation CIVES's report, a foundation linked to the *Liga española por la educación* specialized on values teaching and citizenship issues at school, in collaboration with the chair "*Laicidad y Libertades Públicas Fernando de los Ríos - Instituto de*

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[28] Gregorio Peces-Barba is a spanish politician and academic. Member of the PSOE, he was one of the writer of the democratic constitution of 1978 and has been a socialist MP during the 1980s when he decided to leave his charge to return to academia. He has been at the initiative of the creation of the University Carlos III in the south of Madrid and has been its rector since its creation and until 2007 when he retired. The Minister of Education María Jesús San Segundo herself had been a professor of economy and a vice-rector of the University Carlos III during the years 2000-2002.

[29] See for example : Peces-Barba G. in *El País*, 22.11.2004.

[30] Mainly: the CIVES Foundation sister organisation of the *Liga española por la educación*, professors of Carlos III University in Madrid, the trade union UGT and its sister organisation the Foundation Lorenzo Luzuriaga.

*Derechos Humanos Bartolomé de las Casa*s" of the University Carlos III in Madrid[31]. By sending their report to the Ministry and making it published, both institutions acquired a great role in the shaping of the reform. In this document, they proposed a full course of Education for citizenship, which should be taught at every grade and delivering a general knowledge on the public institutions as values and knowledge based on the Human Rights and liberal democratic values. Referring to Habermas' concept, the document stated that the course had to deliver and develop the "constitutional patriotism" of the young and a "common heritage of values" based on the liberal-democratic State (Comunidad Escolar, 2005). This proposal was received very favourably by representatives of the Ministry and especially by its General Secretary Alejandro Triana who was in charge of the coordination and of the elaboration of this matter.

Conversely, this proposition raised many resistances from the catholic organisations who interpret this initiative as an attempt from the secular movement to control the content of the values taught to students at school. The support of the Ministry has also been targeted by criticisms as these organisations complained not to be heard and that, despite the open debate process, the government had already made its choice concerning Education for citizenship. But at this stage, the catholic organisations were not the only ones to criticise the initiative. For several reasons, the project gathered criticisms from very different sectors of the civil society. First, this project was criticized not for its content but rather for it acknowledged that the "transversal subjects" strategy to deliver values was not efficient. Some sectors of the civil society, organisations of the Left and especially main education unions as the education federation of the *Comisiones Obreras* (FE-CCOO)[32], criticized that the creation of EfC was in fact a way to abandon the transmission of values during the other courses. This opposition had an unexpected consequence: the Education council of the State, the major consultative body on Education, has voted the rejection to EfC as a dedicated area during a tense plenary of the Council in February 2005. In April though, the majority of the Council changes and it will back this time the creation of EfC as a dedicated area[33].

It is important to underline that between February and April 2005 the opposition to the project of Law had raised greatly, especially in turn of religious matters: on the one hand, about the project to make religion optional and non evaluable, and on the other hand, about EfC which was said to be a way to depreciate religion and to deliver to children Secular ideology and values contrary to Catholicism. In February 2005, the Catholic confederation of parents (CONCAPA) decided not to take part any more to the discussion groups about the Law and the Confederation of private-schools CECE decided not to participate either arguing that the government had not solicited its opinion sooner enough. However, the major organisation of catholic private-schools (*Federación Española de Religiosos de Enseñanza* or FERE-CECA) took part to all negotiations.

In April 2005, CONCAPA appealed to the "conscientious objection" of catholic parents to the future subject, which will be one of the main strategies to oppose EfC when this one will be implemented. This initiative is immediately supported by the Catholic Church and the Conference of Spanish Bishops becomes one of the main opponents to the Law. Despite this opposition and despite the attempts of the Ministry of Education to negotiate the Law with these opponents, the process of elaboration of the LOE follows and leads to its adoption in December 2005 with the creation of the

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[31] The Chair has been created in 2004 with the collaboration of the same Foundation CIVES. The titular of the chair since its creation is the Professor Dionisio Llamazares, full professor of Ecclesiastic Law.

[32] This is the mostly voted education trade-union in Spain.

[33] Others entities related to leftist activism also deemed EfC to be a way for the State to indoctrinate the students, to present the representative liberal-democracy as the only form of government and as the only organisation of power possible. Others also deemed the content of the subject to be a artifice from the government and the liberal-democracy which spread human rights principles at the same time it supported capitalism, individualism and the market economy. One of the main advocates of this critical trend, Carlos Fernández Liria, has edited afterwards a "manual" of Education for citizenship while reiterating his opposition to this subject. The intention of its authors is to "show the radical incompatibility between capitalism and citizenship" and to oppose frontally the arguments developed by the Conference of Bishops of Spain to oppose EfC. ("Entrevista a Carlos Fernández Liria, coautor del libro: "Educación para la ciudadanía"", *El otro País* nº 38. July 2007)

subject Education for Citizenship but without the support of the main parliamentary opposition, the Popular Party, which had rallied the arguments developed by the Catholic hierarchy.

5.2.2. The implementation of the law: from the political debate to the Courts.

The design of the content of EfC took almost a year from the vote of the Law. The publication of the texts complementary to the Law has been made in late 2006. They fixed the hours of EfC and the school-grades to which it would be imparted but let a great autonomy to the Autonomous Communities to decide of the content of the course and of its organization within the schools. They offered the choice to start EfC at the beginning of the school-year 2007-2008 or one year later. The first year, half of the Autonomous Communities choose to organize EfC[34] while the other half postponed it with various reasons. This opened a new stage in the opposition, with the movement of "conscientious objection" to EfC promoted by catholic organisations and the hierarchy of the Church on the one hand, and the political opposition of representatives of the PP, especially at the level of the Autonomous Communities on the other hand. Weakened by the re-election of the socialists in the general elections of March 2008, the last stage of the contention against EfC took place in the Courts of justice. These three forms of contention to EfC, social, political and judicial, will be examined here to see how the conflict has been solved and to introduce how these protestations used the thematic of tolerance and how their raised concerns in terms of tolerance in return.

Launched for the first time by CONCAPA, a federation of catholic parental associations, the movement of conscientious objection has been the main societal opposition to the implementation of EfC. For CONCAPA representative, conscientious objection has been decided because EfC is perceived as a clear intrusion into the parents' prerogatives in educating their children. The opponents to EfC, he states:

> "want the humans being free, independent, being educated in the most important subjects as morality, ethics by the families, and that schools be an auxiliary, which helps to the formation. As a consequence (…) we want to charge the teachers to educate our children in what we cannot do ourselves. (…) I do not educate my child for the State; I educate my child to be a good person. (…) [Consciencious objection's purpose] was not going to these classes because the content was contrary to the principles of the families." [EfC.3]

It can be seen yet that the discursive opposition between the families and the State, via the schools, when it comes to education is structuring the debate.

The first stage of the opposition has been to circulate a petition against EfC which received more than 3 million signatures EfC. The conscientious objection appeared just in a second time after the implementation of the Law. Along with parents and families organisations, prominent bishops appealed to disobey the law. The first one was the archbishop of Granada, Javier Martinez, who appealed to "conscientious objection" and "civil disobedience" to EfC in November 2006. The argument is one more time the "real invasion of the fundamental right of parents" and the "terrible threat" to the freedom to education. This first statement from a high representative of the catholic hierarchy made a commotion at political and social levels. But this opposition will be followed by a strong movement leaded by parent and family associations as well as the "Association of professionals of Ethics"[35]. They all gathered in the same platform, very active in disseminating the initiative of "conscientious objection" and compiling the demands made by the families to the Autonomous

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[34] Andalucía, Aragón, Asturias, Cantabria, Cataluña, Extremadura and Navarra.

[35] This last one was certainly the most active in providing legal tools to the families: manuals, support to formal accusations to the Autonomous Communities and in front of the European court of fundamental rights... (ex. Profesionales por la Ética, 2006)

Communities. But despite this, the movement of conscientious objectors was not the expected success in terms of number of families involved[36].

The politicization of EfC took place in the traditional opposition between conservative sectors of the Popular Party (PP) and the socialists at the head of the government. All the interviewees underlined that the role of PP representatives in EfC controversy has been less important than the one of the civil society and of the Catholic organisations in particular. It is true that the rationale of PP representatives did not differ much from the rationale of the catholic organisations opposing the Law.

The main initiatives coming from PP representatives were held in Autonomous Communities ruled by PP governments. Due to the decentralisation of education matters, the implementation of EfC lied in great part on the Autonomous governments. Thus, the ones ruled by the PP stated to delay the application of the new subject to the year 2008-2009. It was meant to wait for after the general elections of March 2008, counting on a victory of the opposition who promised to suppress EfC in case of victory. The re-election of a socialist government ran counter these expectations however and is as well the main factor that weakened the possibility to politicize the issue for the popular party afterwards.

Despite that, the Autonomous Communities (AACC) of Madrid, Murcia and Valencia have tried to place a hindrance to the normal implementation of the law. Madrid's government delivered several times its support to the "objectors" and announced in 2008 that the AACC will organise alternative courses for the students who object EfC. It did not answer to the warnings of the Education Ministry, which remembered the obligation to attend the course until the Supreme Court of the State declared illegal the movement of conscientious objection. Same movement has been followed by the government of Murcia who accepted all the objections and stated that the objectors wouldn't have to attend courses of EfC. As for the government of the Valencian Community, it adopted the same position admitting objection to EfC, but it also decided that it would be delivered in English. Despite of these counter-initiatives, the success of the socialists at the general elections of 2008 and even more the sentence of the Supreme court illegalising the objection to EfC has deeply weakened the political opposition, even if the leader of PP stated in March 2011 that his party would suppress the course in case of victory at the next general elections in November 2011[37].

The last stage of contention has taken place in the administrative justice sector. Parallel to individual objection to the subject, the families and the associations presented a great number of complaints to the Autonomic Courts and to the ECHR, deemed to hurt their fundamental rights. At first, the sentences only have added more confusion to the debate. Opposed sentences pronounced by the Autonomous Courts contributed to blur the case of EfC. While the Superior Court of Justice of the Asturies AACC (on the north and Atlantic coast of Spain) stated that EfC was perfectly constitutional and did not hurt the rights of parents and children, the Superior Court of Justice of Catalonia simply stated that it did not exist such thing as the right to conscientious objection, and, conversely, the Superior Court of Justice of Andalusia and of Rioja recognized the right to object EfC if parents felt that it was contrary to their beliefs. The contention and the search of an exit to the conflict about EfC was thus transferred to the Autonomous courts of Justice and, finally, to the Supreme Court of the State. The resolution of the Supreme Court illegalizing the movement of conscientious objection in 2009 weakened definitely the opposition movement. But the fact that the Supreme Court underlined that the content of classes could not damage the personal beliefs of parents, satisfied also the opponents.

The debate about EfC has confronted mainly two groups of individuals and organisations : people advocating for a new ethical education of children in matters of citizenship, human rights and respect to diversity, and people who saw the principle and the content of the subject as an intolerable invasion of parents – and private in general – prerogatives on education. This opposition overlaps the traditional

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[36] ¹ The association Professionales por la Etica counted 45,000 objections at the pick of the movement but the Autonomous Communities have considered the movement to be fairly limited and that it did not occurred troubles for the centres.

[37] In July 2012, the new government of Mariano Rajoy (PP) had still not decided to suppress Education for Citizenship.

right-wing / left-wing cleavage in Spain, but not only, as a great part of right-wing representatives (especially of political parties different to PP) did not actively opposed EfC[38]. We will see that if the debates did not focus directly on the tolerance to diversity, both dimensions are indeed inter-related in the debate.

5.3. Teaching tolerance or teaching ideology? What Education for citizenship's debate reveals.

We have outlined the main cleavages between the supporters and the opponents of EfC. But it is important to sum up these oppositions especially in that they refer strongly to issues of tolerance and acceptance.

The debates about the creation of EfC generally turn around certain issues: Is the creation of such a course necessary? Is it better teaching values as a transversal subject or as a specific subject? Is it the role of the school to teach values to children – and to dedicate a full subject to it – or should it be considered of the responsibility of parents? Said differently, is the transmission of values a public or a private matter? Although it is an artificial classification, it is possible to differentiate debates about the principle of creation of EfC and debates about its content. Both lines of argument are generally associated in the claims and rationales about EfC.

Debates about the principle of creation of EfC are much more open than the other. It means that even strong supporters of EfC express a preference for another type of subject or for another way to teach tolerance and respect to diversity. The majority of our interlocutors underlined that they were in favour of a transversal subject, which would be introduced in all classes and in the school project. The president of CONCAPA states that it is for his organisation a first motive of opposition. The professor at University Carlos III and one of the first designer of EfC on the one hand, and the president of the Spanish league of popular education and the CIVES foundation, which designed the first content of the law on the other hand, claim that a transversal subject would have been better for introducing diversity and citizenship issues in the curriculum. It is also the opinion of one expert, president of the UNESCO representation in Catalonia. For the professor at Carlos III University, teaching values and tolerance should be transversal. However, to him, there is the need for a non-confessional religion subject. As he points out:

> "But there is a thing which... there is missing something, it appears to be a fundamental right and of more social confrontation, which is religion. (…) I said it that way in the meetings but nobody answered me, never. I think that you cannot teach children to be good citizens or to understand tolerance, which do not means you cannot criticise or agree with the other, who is different... it is difficult to do it if you don't explain that the Muslim at your side is a perfectly normal person. But the thing is that he believes in other things." [EfC.1]

The *debate about the content* of the course was much more heated, as several points have been subject to criticism. This concerns the definition of limits of the common values of the Spanish society (liberal-democratic values, human rights or constitutional values) and above all the inclusion or not of non-consensual matters such as gender theory, models of families or sexuality. The content referring to cultural and religious diversity as such is not seen as a major problem for the opponents. But the way to connect tolerance and immigration is questioned. First, they underline that tolerance to diversity is just a false argument to create EfC. Plus, they feel that tolerance should be limited and that the State, and especially the socialist government, has been too lax in this sense. As LC interviewer insisted:

> "Here, we should not mistake tolerance with a cession of rights. I think that one of the debate is if tolerance has to admit all the cultural, religious – and other – diversity brought by

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[38] There has been also a "left-wing" discourse against EfC, which libertarians and other revolutionary organizations saw also as a way for the state to indoctrinate children in favour of the liberal-democratic system.

immigrants.(…) We cannot be fighting to obtain women's liberation and allow women to wear burqa. This is not tolerance; this is a transfer of rights we have fought during generations to obtain (…), because this is mistaking debility for tolerance.

I think that here, in every houses, yours or mine, we have invited hosts and these hosts have to respect minimal norms of positive coexistence. I understand that there is this very Manichean discourse about plurality, about tolerance, and we have to be careful because it can be confusing. The thing is to which extent we want...we will abandon our very cultural essence, for which we have fought during centuries, in exchange for a tolerance which brings nothing to humanity. [EfC.3]

Despite these important criticisms, this is not the main cause of rejection of EfC. The way sexuality, gender relations and secularism are taught to children is a far greater concern of the president of CONCAPA. He states:

"Obviously the principle and the pretension to teach students, our children, a serial of statements which are not perceived equally by all, I will mention again the gender philosophy. (…) And we feel like topics as sexuality or the thematic of radical secularism which pretends to fight religion are not topics which can be acceptable." [EfC.3]

On the contrary, EfC supporters state that nothing in its content goes against the Human Rights which are the common basis shared by anybody.

"When EfC is proposed by the most progressive sectors of the society, the intention is not to invade anybody's moral education but to educate in democratic values to strengthen the democracy. I dare anybody's from the Church or from others sectors, as the conservative sector for example, to say which values of EfC go against human rights, may they just show me one example! When they will give me one example, I will change my mind and I will go against EfC, but meanwhile... The thing is that the values of EfC are not proprieties of determined sectors but they are legitimate and justified values." [Exp.3]

Thus for supporters of EfC, the Catholic Church, Catholic organisations and others protesters founded their claims on an anti-democratic ideology, or are at the margin of democratic concerns. What is emphasized by this controversy is the opposition between private entities and private moral and the State and the public moral. The idea that private morality would be superior than public morality, especially at school, is seen as a legal fault and an anti-democratic statement:

"Firstly, they can't deny the legitimacy of this decision taken by the parliament, even if it goes against their beliefs. Because, secondly, the only moral which is worth taking account in that matter is the public moral. (…) They live within a democratic system, which has its own rules. [Exp.3]

These debates brought to light important cleavages in the Spanish society about the respective places of the State, the Church and the families when it comes to determine the values generally accepted, and when it comes to determine which statements and practices can be tolerated or not. Few people or organisations questioned the need to reinforce the transmission of values to children, for two main reasons: the growing individualism in the society either due to the logics of the free-market economy or to the spreading of a "moral relativism" as a trend of thought (put forward by the Catholics) on the one hand, and the growing cultural and religious diversity due to the important immigration flows Spain was receiving on the other hand. We have said that no opposition to EfC was based on the refusal of the teaching of tolerance to cultural diversity, at least officially. On the contrary, even the opponents to EfC thought it was positive to teach to students – and mainly, if however paternalistic, those from other religion or culture – liberal-democratic values and a code of conduct within the Spanish society.

However, in link with issues of tolerance and acceptance, what the debate around EfC has highlighted is the co-existence in the Spanish society of two different institutions, the liberal-democratic state and the Catholic Church, based on two different reference frameworks to define what the "regime of truth" and associated values are. Even if the liberal-democratic State and the constitution are defining the core values of the Spanish society, the values and organisation of the Church continue to be the main reference for sectors of the civil society and some families, especially when it comes to education. To which extend the State is able to define and teach common and public values is thus the important question at stake here.

The debate around has been extremely politicized and aggressive[39], but the terms of the confrontation were clear. The dividing line between tow ethical systems (the ethics of the State and the ethics of the Church) is clear in the texts of the Conference of Spanish Bishops, which lets the parents determine which kind of moral education they are willing for their children: "the State cannot force legitimately a determined formation of the moral conscience of students apart from the right to choose of parents. When these choose freely religion and the catholic ethics, the State must recognize that the necessary moral formation of students is assured by those who have the duty and the right to deliver it." (Comisión permanente de la Conferencia Episcopal Española, 2007). Thus, the examples of an effective opposition between the values contained in EfC and those of Catholicism are not always put forward and, when they are, they refer to one point in particular, what the Conference of bishops calls the "gender ideology". EfC includes indeed among the values to teach, gender equality, autonomy in the sexuality and the rejection of homophobia. To the catholic organisations and hierarchy opposed to EfC these subjects should be out of the limits of what can be taught to children as they hurt the values and beliefs of some families and especially the ones who choose to educate their children in line with the catholic ethics.

For EfC advocates, it is precisely needed that schools deliver to all the students common public values, precisely because all the moral education must not lie on parental education and because the State has to "educate in self-defence, to avoid becoming a hotbed for opposed intransigences and for uncommunicative ghettos of tribal dogmas" (Savater, 2006). The arguments of the promoters of the law is therefore that not only it exists such thing as a public ethics and public values, based in the constitution and on international treaties on Human Rights signed by Spain, but this public ethics has to be taught to children to maintain social cohesion and the possibility to live together. Plus, they put forward that the public ethic, whose respect is guaranteed by Law is superior to private ethics when values are in conflicts. That is to say that even if the State tolerates private ethics based on values differing from the public ethics, the respect of private values can't be an argument to oppose public ethics (Llamazares, 2009; Savater, 2007).

The debate around EfC confronted thus two irreconcilable positions about the respective roles of the State and the families to educate children with their own provision in values. The intensity of the debate cannot be explained only by a strong politicization and rivalry between the conservative opposition and the socialist government. The cleavage is far deeper and questions the different resources of the Spanish society for reaching cohesion. The "invertebrate Spain" (*España invertebrada*), as depicted at the beginning of the XXth century by the Spanish philosopher Ortega y Gasset, finds here a new illustration.

6. Concluding remarks: Debates of tolerance in Spanish schools.

The growing presence of immigrant children is undoubtedly changing the composition of school-classes especially in the few last years. The schooling-system, characterized mainly by its important political decentralization to the Autonomous Communities and by the force of the sector of the

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[39] EfC has been accused to be a "totalitarian" enterprise (it is even the title of a book published about EfC by J. Trillo Figueroa (2008) or a modern version of the Francoist "Formation of National Spirit" (even from the president PP of the Autonomous Community of Madrid Esperanza Aguirre).

publicly funded private-schools, has had to adapt quickly to this new reality. Policy instruments aimed at newcomers have been developed and have proved to have a positive impact on the integration of foreign students. But there are still important lacks in the accommodation policy in matters of education. The settlement of immigrants has inscribed cultural and religious diversity in the social and educational landscape. Policies designed for newcomers are being less necessary but instruments to foment intercultural education and structural changes to give equal opportunities to immigrants and natives still have to be reinforced. In matters of intercultural education, the initiatives are still coming in great part from below and emerge out of the educational community, but are often not accompanied with a political and financial effort from the governments. The needs in terms of religious teaching are increasing and the means put to guarantee minority religious teaching are still very poor. The main initiative coming from the central government in matters of teaching interculturality and respect to diversity has unleashed a controversy and, finally, has put into question far more the receiving society than immigrants reputed to bring in diversity. Apart from these issues, the question of the equal opportunities of immigrants in the schooling-system remains the main source of concern when examining diversity issues in education.

To conclude, we will summarize quickly the main findings on the two case studies, and we will highlight tentatively how these cases can contribute to understand debates of tolerance toward cultural diversity in Spain[40].

6.1. Intolerance expressed through segregationist dynamics: examining individual and institutional causes.

The case on concentration of immigrants and the segregationist dynamics which lead to this concentration has led us to investigate different rationales which explained such imbalance and which assessed possible solutions. It showed that the analysis of the situation from experts and practitioners refer to an intertwining of interests which are frequently irreconcilable. This complexity is reinforced by the fact that historical and ideological representations of what should be done to improve the Spanish schooling-system as a whole are structuring all the discourses on the acceptance of immigrants. As such, immigration really functions for this case as a mirror of general issues on education.

The main findings of this investigation for the framework of Accept, refers to the question of **who** is entitled to tolerate or accept diversity. We have shown that the situation affecting immigrants can only be understood by paying attention to individual motivations which reinforce segregation (school-choice, native-flight, school-quality perception, competition in the educational market, racism) and to the way that intolerance can be embedded in the very rules and representations which constitute the educational-system. The constant political effort to maintain the stability between the free-choice of parents and the guarantee of equal opportunities in the schooling system, is realised at the expense of the latter, and thus at the expense of those who lack of resources, of the more deprived. The force of the constitutional principles associating freedom and equality and the advocacy of important political forces in favour of the conservation of a strong private-sector make it difficult to change the structure of the schooling-system.

6.2. How to define limits to tolerance when common values are contested?

The second debate which has been presented here refers to the creation and implementation of a course aiming at fostering the tolerance or student toward cultural, religious, sexual diversity and at reinforcing the democratic culture of children. The intention in the creation of the course is worth

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[40] Additional conclusions will be drawn by the case studies and further discussions between the authors and will thus be integrated in the public version of the report and in the comparative report.

considering, but what has attracted our attention is the important debate which accompanied it and which goes far beyond education and diversity issues. This debate has been active and fierce thorough the years 2004-2009 and we have seen that the protest have occupied the social, political and judicial fields, until the Supreme Court and the daily practices soften the confrontation.

In comparison with case one, this debate is a very different contribution to a reflection on the link between tolerance and diversity. The study of such debate is relevant as it touches upon issues such as the secularisation of the State. The debate around the limits of the public and the private spheres is relevant to an analysis of the delimitation of what has to be tolerated and accepted in the European societies. Detractors of the course on 'Education for Citizenship' have argued that ethics and morality are not a matter of the State whereas its supporters and instigators argued that it is desirable to define common values that are or should be shared by all, independently of their culture, ideology or religion. Interestingly these values have not been contested by cultural minorities but by the Church and related groups which are part of the cultural majority.

The exploration of these two cases related to the acceptance of cultural diversity brought by immigration at school highlight **policy-relevant issues,** especially related to the concentration of immigrant children at school. The concentration of really high rates of immigrant children in determined schools (superior to 60 to 80%) is unanimously considered as a matter of concern by governmental and non-governmental actors. Efforts have been made in the ultimate years to equalize the regime of admission between *concertadas* and public schools and disadvantaged children should be normally favoured over other children in school admission process. But the control over the application of these procedures is still poorly implemented. It seems that a rise in the human and financial resources dedicated to these controls would prevent the schools from disregarding the norm and from discouraging the matriculation of lower-class immigrant children. In addition, the already existing instruments providing additional resources to schools enrolling important share of immigrant pupils should be re-forced and concerted regularly with the educational community. Even if this is still a sensitive topic for important sectors advocating for free-choice, the positive role of intercultural relations among children at school and the negative impact for the whole society of a segregated system, justifies the implementation of more binding measures in matter of school admission and school zoning, in consultancy with public and private-schools sectors representatives.

Chapter 3

INTOLERANT DISCOURSES ABOUT MIGRANTS IN CATALAN POLITICS

Flora Burchianti and Ricard Zapata-Barrero

1. Introduction. The raise of intolerance toward migrants in Spanish politics[41]

As in all European countries, the raise in the xenophobic and anti-immigrant discourses is currently a great concern for Spanish politics.

Racism and anti-immigrant discourses have had a place in the public space since Spain is experiencing large-scale immigration flows (see SOS Racismo, 2002-2010). Yet, the weakness of far-right political parties in Spain contrasts with many European countries which have experienced an increase in their presence, as for the Front National in France, and even their participation to governmental coalitions, like the Freedom Party in Austria, the Vlaams Belang in Belgium or the Danish People's party in Denmark. In comparison, even if several far-right parties can be identified in the country, no member of parliament of these parties has been elected since 1979 and the sum of the votes for the radical right does not even reach 1% at Spanish level. But the financial crisis which is experienced by the country since 2008, directly following the settlement of more than 4 million foreigners since 2000 - 1 million of which in Catalonia -, is setting up a new deal for how Spanish politics is managing migration issues and cultural diversity.

Spain is entering in a new era regarding migrations, experiencing stability in migration flows, with a majority of immigrants living in the country since five years or more, and with the increasing presence of natives with immigrant background. Yet, the new economic cycle is affecting more migrants than natives. More immigrants have lost their job, especially because they were concentrated in sectors affected primarily by the crisis. At the end of 2009, unemployment was affecting 29,7% of immigrants (Pajares, 2011) and 37% during the first trimester of 2012 (National institute of statistics, 2012). Even if the activity rate of immigrants is still higher than the one of Spanish people, it has dropped from 68,3% at the end of 2006 to 53,5% at the end of 2009. In a country which has based an important part of its policies and political discourses during the years 2004-2008, on the idea that migration was positive because it was useful and profitable for Spanish economy and social security, this new situation deserves to be examined from the angle of political discourses.

The study focuses on Catalonia due to its particular position within Spain. Catalonia is the first autonomous community to have experienced important immigration flows, especially since the late nineties. It is still one of the autonomous communities with the main proportion of resident foreigners (15.7%) and the second community regarding the proportion of non-communitarian foreigners (11.7%)[42]. But Catalonia has also experienced several important local controversies about migration in the last years (Garcès Mascareñas and Zapata-Barrero, 2011). In addition, the absence of an electorate for far-right political parties in Spain is currently challenged in Catalonia, where a new far-right political party named the Platform for Catalonia (PxC), averse to migration and, above all, to resident Muslims, has been created in 2002. Although its electoral scores are still weak, its audience is growing fast from an election to the next. In 2007, PxC obtained 17 elected representatives at municipal level and 67 at the last municipal elections of May 2011. They also tried to enter the Catalan Parliament in the past elections of November 2010, without obtaining political representation, but very near to have it with 75.134 votes representing a 2.4%. It also extended its electorate from rural regions of Catalonia toward the suburbs of the metropolitan area of Barcelona, both receiving an important foreign immigration since 2000. It has had a prominent role in several controversies on issues related to

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[42] Source: Spanish National Institute of Statistics (INE), 2011.

cultural and religious diversity in Catalonia, such as the building of Mosques and direct anti-Muslims rhetoric. The controversy on the building of a Mosque in the city of Premia de Mar, a coastal city of 27000 inhabitants situated at the north-east of Barcelona, made the Platform and its leader Josep Anglada notorious (Burchianti and Itcaina, 2007; Zapata-Barrero and de Witte, 2010). Catalonia thus undoubtedly appears as a "laboratory" for Spanish politics concerning issues related to cultural diversity.

Intolerant discourses are defined as political discourses which emphasize the impossibility to maintain a tolerant attitude toward migrants (or particular groups of migrants) and the need to preserve the local society and its cohesion above the acceptance of migrants' values, practices or accommodation. This recalls previous analysis of "reactive discourses" on migration which can be defined as discourses which express a reaction against the historical process toward multiculturalism and the will to get back to culturally unified societies (Zapata-Barrero 2007, 2009). Our definition of intolerant discourses encompasses a variety of expressions, especially as it does not qualify *ex ante* who is object of intolerance and who is expressing intolerance, nor the degree of non-toleration (from liberal intolerance or welfare protectionism to explicit racism and hate speech).

The object of intolerance is indeed different in function of the discourses. The "other" who is reputed to bring a (negative) difference to the society can encompass all immigrants; particular groups in function of their nationality, ethnicity, or religion; or practices and values associated to migration and perceived as problematic. Other intolerant discourses are also aimed at migrants in function of their socio-economic (poor) or legal conditions (unauthorized migrants). The one who expresses intolerance and the degree of intolerance can also vary greatly. In fact, intolerant political discourses aimed at immigrants or about migration are not only present in the discursive repertoire of explicit anti-immigrants parties but are also increasingly expressed by representatives of mainstream parties.

During the two last years, coinciding with the economic crisis in Spain and several electoral campaigns, anti-immigrant and intolerant political discourses in relation with migration have been at the forefront of public discourses. Intolerant statements have attracted differently media and public attention. While some have been almost ignored by media and other political actors, others have attracted a huge public and media attention and created important controversies. How to deal with the rise of non-toleration is undoubtedly one of the main challenges that face Spanish politics for the years coming.

The first section presents the emergence of intolerant discourses in Catalonia. Despite the construction of a proactive policy on migration which seeks to develop the acceptance and respect of cultural diversity, the presentation of controversies which occurred of the years 2010-2011 demonstrates the development of anti-immigrant discourse and policies in Catalonia. The second section presents the different frames which appeared during the controversies and how intolerance is embedded in these discourses. It is argued that intolerance as a cognitive frame relies mainly on three different rationales about the preservation of culture and identity, the competition for resources between migrants and locals and the preservation of the security. The last section presents the tensions existing in the search of limits to intolerant political discourses and focuses on party politics. Political parties appear as key but ambiguous actors in regulating discourses and their handling of the issue helps understanding the use and limits of anti-immigrant discourses.

2. Political intolerance toward cultural diversity in Catalonia: a changing landscape.

The conflicts which occurred in Catalan context exemplify the diversity in the expression of anti-immigrant discourses: diversity in the topics (welfare provisions, security or values), diversity in the actors (extreme-right, conservative or socialist representatives), and diversity in the strategies (manifesto and public campaign or local policies). We will now proceed by contextualizing the three cases studies which have been chosen to exemplify the configuration of intolerant discourse toward migration and cultural diversity.

2.1 A backlash of intolerance in Catalonia?

Xenophobic and anti-immigrants political expressions are one of the main challenges to European societies under the terms of tolerance. Which limits is desirable or possible to lay down to such discourses, policies and attitudes, is one of the key practical questions posed to European policy-makers.

The relation Catalonia maintains with migration has always been special. Its self-conception as an historical immigration land and the confidence in its capacity to integrate non-Catalan newcomers into the Catalan nation have been key features of its migration policy since the 1990s. Pragmatically, the competence of the autonomous government on migration has also been at stake in the relations that Catalonia maintains with the State. During twenty years of regulation of migration, Catalonia has developed a comprehensive policy which makes a strong emphasis on reception but encompasses also all dimensions of the accommodation of social and cultural diversity. This policy is in theory conceived as more tolerant than State policy toward migrants, especially through the recognition of citizenship and the belonging to a same community. Catalan citizenship is based on a voluntary adhesion expressed through the election of Catalonia as a place to live and the use of Catalan language. In theory this implies the admission of newcomers as equals.

All major political plans toward migrants and cultural diversity include in their general statements this view on citizenship and the conception of Catalonia as an open and tolerant society. In late December 2008, following a long-term consultancy process and four different immigration plans since 1994, the National Agreement for Migration (*Pacte Nacional per a la Immigraciò*) was approved, along with a Law of reception (*Llei d'acollida*). It has been approved by a wide range of immigrant associations, pro-migrant organisations and the parliamentary groups of all parties except the Popular party (PP). This document is considered by many of the stakeholders as a fundamental document which aims at reorganising deeply migration policies.

The content of the agreement is also explicitly taking stand for a model of regulation for migrations. Its starting point is that immigration causes are structural and that it is time then to stress the importance of integration. Migration policy should therefore be efficient, ensuring that immigrants are not competing with the locals while creating one diverse society (and not "a diversity of societies"). It contains 112 different measures that include normative changes in autonomous and state laws, such as reducing the period to obtain the nationality from ten to five years. As regards to political discourses, the agreement introduces the idea of a code of conduct for political parties and refers several times to the need to introduce ethics and prevent public expressions of prejudices toward migrants.

But the process which led to the agreement had started before the economic crisis in Spain and the change in the context has dramatically changed the perspective and the public discourse toward migration. Yet, it is important to stress that despite the large amount of migrants who came during the 2000s in the country, and while Spain is now the European country with most third country nationals, its policy has been considered as advanced and rather tolerant in terms of reception, labour possibilities and rights in comparison with other countries (Huddleston, Niessen et al., 2011). It is especially the case of Catalonia. Furthermore, in the years 2004-2008, the Catalan and Spanish governments both articulated migration to utilitarianism, and promoted a very positive vision on immigration insofar as the country needed workers for its development and for "saving" its social security system. The link between the positive effects of migration and the socio-economic conditions of the country to promote the acceptance of migrants in the society has had a backlash effect when the economic crisis started and the unemployment grew dramatically. The discourses of local actors still recall the tolerance and openness of the Catalan society toward migrants. However, the economic crisis provides a new context, in which non-toleration is progressively growing up as a dominant repertoire when it comes to discussing migration.

Intolerance in political discourses and the perception of migration as undesirable were already present in Spanish political life. But intolerance affected mainly immigration policies and debates about the reception of migrants more than the immigrant policy which is designed and implemented in great part at meso and local level. Spain has become a strategic actor for the control of migration at the southern

border of the European Union. During the years 2000-2004, Aznar government developed its discourse on migration around the idea of a country under siege and the need to preserve State sovereignty and power on migration. A change of discourse occurred in 2004 when, while pursuing the control policy at the borders and the cooperation with EU, migrants have been perceived positively, especially because of their usefulness for the development of the Spanish economy and its welfare system.

If the discourses on the limited capacity of Spain and the need to control migration are relatively ancient, what is new about intolerant discourses examined here is that they target resident immigrants and challenge directly the positive perception of cultural diversity in the Catalan society. This highlights that Catalonia and Spain are entering in a new stage in migration and diversity politics. But it raises concerns for the future of Catalan society and political life.

2.2. Dimensions of intolerance and controversies: the case-studies

We focus particularly on three different events of the years 2010-2011, taken as an entry point to investigate the forms and procedures of intolerant discourse toward immigrants in Spain. They have sparked off political expressions from different political and social actors which present different ways to frame "conflicts" related to migration and limits to intolerant discourses. These public debates related to immigration show how discourses on immigration are embedded in particular local contexts, but they tend to typify re-active or intolerant discourses about migration as a whole. They highlight the plurality of the challenges facing the acceptance of cultural and religious diversity which cannot be analysed through the same lenses.

2.2.1. Case 1: Undocumented immigrants' exclusion from municipal census in Vic.

First case refers to the decision at local level to exclude undocumented immigrants from municipal registers (*padrón municipal*) which give – among other things – access to basic social rights, and make visible people who are "invisible" for other administrations. In late December 2009, the city council of Vic, a city of around 40.000 inhabitants in the province of Barcelona, decided to forbid the registration on the city census of foreigners who cannot prove their regularity regarding immigration laws. To justify the need to take such measure, the local government highlighted that 2% of the new petitions for registration were issued by persons who could not prove the regularity of their administrative situation[43]. It stated also that such motion would strengthen "social cohesion in the city, [and was] working driven by the need of order and peaceful coexistence".

The fact that the decision of Vic triggered an important local and national media and social attention has a lot to do with the particular context of the city. It has been the first city with elected representatives of the radical right party PxC since 2003, and the Platform became the second most voted party in 2007 with 20% and five elected representatives. The rise of PxC in Vic soon became the symbol of the establishment of a "national populist" ideology in Catalonia (Casals, 2009). The situation of Vic is also particular as regards to immigration. The town received an important foreign immigration since the end of the 1990s[44], attracted by the development of food industry (pork slaughterhouses), farming and agriculture as well as construction sector, with the particularity of being in its majority from Africa (around 60% among foreigners). Migration to Vic and its region (Osona) is thus ancient in comparison with other parts of Spain and Catalonia. Furthermore, Vic's policies toward immigrants have frequently been cited as examples of good practices at the end of the 1990s and beginning of the years 2000, especially for the implementation of its pro-active school policy trying to put an end to the progressive concentration and segregation of immigrant children at school (Carbonell and al., 2005). But since the apparition of the Platform for Catalonia, concerns about an increasing

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[43] City council of Vic, Press release, 29 December 2009.

[44] There were 3,8% of foreigners residing in Vic in 1998 and 23% in 2008. Source: Spanish national institute of statistics.

intolerance toward immigrants have been raised. This fact even let at the background the positive picture the city was having, for its commitment to diversity management in a positive way. Vic still deserves attention for its diversity policies. The intercultural cities network of the Council of Europe has even retained some of its best practices in integration policy[45].

Yet the case of Vic is not isolated. Vic's ban unleashed an important controversy on the rights of (undocumented) immigrants and the role of municipalities in migration policies. Other political representatives and cities have expressed doubts if not their disagreement with the registration of undocumented immigrants in the *padrón* and consequently have access to basic social rights and education[46]. A city near Madrid, Torrejon de Ardoz, also voted the prohibition of municipal census to immigrants presenting a passport with only a tourist visa and those who live in a place with less than 20 sq. meters per inhabitant. The access to the *padrón* for undocumented immigrants is part of the debate on migration policy and law. Once in 2003, the right-wing government passed a law which allowed the police to access the data on undocumented residents for the purpose of an investigation. It also changed the rule by making an obligation to unauthorized immigrants to renew their inscription every two years (Gonzalez Enriquez, 2010). Vic's case led to a legal battle on the interpretation of the law and ended with a report from the Spanish state legal service declaring illegal the local prohibition measure.

The political side of the controversy has been even more important; as the motion has been voted by representatives of political parties who did not supported such measure. For example, even representatives of the Socialist party of Catalonia (PSC) and the Republican left of Catalonia (ERC), allied with the party at government Convergence and Union (CiU) in 2010, voted in favour of the exclusion of undocumented immigrants[47]. This raised the question of attitudes and discourses of political parties regarding immigration, and questioned their capacity to provide coherent and comprehensive discourses and policies on migration regardless of electoral pressure, at all levels (national and local).

2.2.2. Case 2: Burqa ban proposals in Lleida and across Catalonia

The second case explores policies in relation with religious diversity in general and religious dress code in particular. It concerns the "burqa ban" proposals which spread in Catalonia during summer 2010. That year, several towns of Catalonia decided to vote proposals banning the wearing of the so-called "full veil" (which encompasses the religious veils that cover the face such as burqa and niqab) in public buildings or in public spaces[48]. The first and most publicized case has been the one of the provincial capital of Lleida (130000 inhabitants), ruled by the socialist party.

In May 2010, the plenary of Lleida's city council decided to vote a motion forbidding wearing religious veils covering the face in all municipal buildings (civic, cultural, education, sport and other buildings), making of Lleida the first Spanish city with such banning measure. It was extended to all

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[45] See the document *Intercultural Cities - Towards a Model for Intercultural Integration,* edited by the Council of Europe, p. 50 and *Ten steps to an intercultural city policy*, http://www.coe.int/t/dg4/cultureheritage/culture/cities/AG_en.pdf

[46] In fact, this is not a right but an obligation in Spain to be registered where one's live. It serves primarily to demographic studies in the country, to establish the electoral census, to determine who has access to social and health services and education in a municipality, and also to calculate the amount of financial transfers between the State and the municipalities.

[47] The motion has been voted in favour by the ruling coalition of representatives of the conservative Catalan nationalist party Convergencia i Uniò (CiU), the socialist party of Catalonia (PSC) and the left-wing republican and Catalan nationalist party (ERC). It was supported also by the extreme-right and openly anti-immigrant party, the Platform for Catalonia (PxC) which is the second political force in the city council with 4 representatives. The only ones to vote against the motion were the representatives of the left-wing party Initiative for Catalonia - Greens (IC-V) and the Catalan separatist and left-wing Popular Unity Candidacies (CUP).

[48] The debates and proposals all focused on prohibiting the wearing of the burqa and niqab and not the headscarf or hijab, which is the most common among Muslim women in Spain by far.

"other pieces of clothes or accessories which cover entirely the face and hinder identification and visual communication"[49]. After a large public debate, in the aftermath of Lleida's ban, several cities of Catalonia adopted similar measures, including the major cities of Barcelona, l'Hospitalet de Llobregat and Tarragona[50]. Some voted a motion like in the case of Lleida and others, such as Barcelona, chose to pass the ban by municipal decree, due to the opposition of part of the governing partners. While the debate and vote in the city council of Lleida received an important attention from the media and public opinion, it has not been the case of those who chose to pass the ban by local decree, like Barcelona.

The right-wing cleavage does not explain the vote of these municipal decrees. Most of the cities were ruled by the socialist party of Catalonia, often in coalition with others, like in Barcelona, Lleida and Tarragona. However, the motions were often presented jointly with the centre-right nationalist party, Convergence and Union and with the vote in favour of the conservative popular party. PP is also at the origin of several motions in favour of full veil ban in all public spaces or of banning the headscarf at school, while all other political parties oppose such measure. The radical-right party *Plataforma per Catalunya* originated also several motions which were turned down in general, as they proposed to criminalize the wearing of full veil in all public spaces. Conversely, top representatives of the left-wing nationalists ERC took stand against the ban, following the recommendations of the bureau of Religious Issues of the Generalitat de Catalunya, led one of its representatives and its local representatives generally abstained in local votes. The green-communists of Initiative for Catalonia-Greens (ICV) were the only to constantly and publicly oppose the ban. The question of the banning or not of full veil in municipal buildings divided the socialist party as emphasized by the diversity of positions among its representatives and the opposed votes they have made at municipal level[51]. The heterogeneity of positions within a same party is one of the most interesting facts about the full veil issue (see Table in annex), together with the fact that the issue has been again raised from the local level.

The question of full veil prohibition also touched other levels of government. This issue has been immediately debated at the upper house of the Parliament (*Senado*) which approved a motion on the prohibition of burqa and niqab in all public spaces, presented by PP and supported by CiU, while the ruling party PSC and all other parties were against the motion. But this motion never led to an actual prohibition. The issue of full veil banning also played a role in the election campaign to Catalan parliament in late 2010. PP and CiU included full veil banning in their platform. This matter has been discussed in the Parliament during the two last years. PP motion in 2010 gained the support of CiU but did not pass due to the opposition of the left-wing majority. Another one was rejected in 2011, because of the opposition of CiU this time, who had obtained meanwhile the majority at the Catalan parliament[52].

The debate and policies toward the full veil highlight the lack of consensus on this issue within part of the main political parties.

2.2.3. Case 3: Anti-Romanian Roma campaign in the city of Badalona

The third case focuses on the political discourses linking immigration to security and delinquency.

Candidates of the Popular Party to 2011 municipal elections have made of migration issues a key element of their campaign, in part by linking migration to crime and insecurity. This was best exemplified in the city of Badalona, a close suburb of Barcelona, in which the candidate and actual

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[49]   Motion approved by the city council of Lleida, 28 May 2010.

[50]   The following cities agreed on banning the wearing of the full veil in public buildings: Barcelona, L'Hospitalet de Llobregat, (Province of Barcelona), Lleida, Cervera (province of Lleida), Tarragona, Reus, Cunit, El Vendrell (province of Tarragona). Coin (Malaga, Andalucia) was the only non-catalan city to ban the full veil in summer 2010. The city of Girona is the only capital of province of Catalonia to vote against the prohibition of the full veil. (See table in Annex).

[51]   « La burca divideix els partits », *Avui*, 03.06.2010

[52]   "Cataluña rechaza vetar el 'burka' esta precampaña", El País, 06.04.2011

mayor of the town has based his campaign on the designation of Romanian Roma who settled in the town as a source of insecurity and delinquency[53].

In April 2010, Xavier García Albiol, an elected PP representative of the municipality of Badalona and candidate to 2011 municipal elections, published and distributed, in company with PP leader in Catalonia, Alicia Sanchez-Camacho, a flyer in which Romanians[54] were stigmatised as a source of urban insecurity. The tract (*see picture in Annex*) was entitled "Is your neighbourhood safe?" and showed a picture of three supposedly Romanian Roma in first page. Inside the pamphlet, the four keywords "insecurity", "dirtiness", "delinquency" and "incivility", were accompanied by pictures of gypsies and immigrants and by pictures of people holding placards criticizing the current mayor or claiming for dignity for the neighbourhood. The most controversial one was a picture of a sign on a balcony in which was written "We do not want Romanians". The publication of this flyer took place at the very beginning of the regional and municipal campaigns and followed previous claims of the PP representative for more control over immigration and previous statements in which he accused Romanians Roma to be "a plague and represent a curse on the city" and to "come to Badalona only to commit crimes" (El Pais, 16.04.2010).

The flyer led immediately gypsy associations, associations of Romanians and pro-immigrant organisations to condemn the statements of X. García Albiol. The consul of Romania in Barcelona expressed his deep sense of unease in front of this campaign in a meeting with the Secretary of immigration of the Catalan government. Eleven political parties and organisations presented a "Manifesto against the rise of racism and xenophobia in Catalan politics" before the Catalan parliament. Even the proper Alicia Sánchez Camacho apologized to the persons who could have been hurt and the PP at Spanish level distanced itself from the flyer.

Months later, the expulsion of Romanian Roma by the French government gave a new occasion to put this group at the centre of the local electoral campaign. Alicia Sánchez Camacho invited Marie-Thérèse Sánchez-Schmid, a French MEP for UMP (French right-wing), to visit Badalona with X. García Albiol. This occasioned huge media coverage and both Spanish and French elected representatives made a parallel between the situation of France and Spain, where "immigrants from the East" had "only rights and no duty". Even if all other political parties rejected the positions of X.Garcia Albiol, the PP at a national level gave this time its support to the action of the local representative.

Anti-racist and pro-immigrant associations were divided on the appropriateness of suing X.Garcia Albiol given the unfavourable jurisprudence in previous similar cases. However, two formal complaints were filed against X. García Albiol. One was addressed by ICV to the Public prosecutor office for Hate crimes and discrimination. The second, which replaced the former, was made later by the anti-racist association SOS Racisme and the Federation of Gypsy associations of Catalonia to the general Court of Justice. It has been classified on 14 March 2011. According to the Court, expressions of xenophobic ideas were not illegal if they were not a direct invitation to racist violence and hate crimes. X. García Albiol expressed his satisfaction in relation to the sentence and stated again that he would cut every aid to those immigrants who come to "be delinquents, steal, make neighbours' life impossible and take advantage of social benefits", and reaffirmed his compromise to limit the rights of immigrants if he was elected (La Vanguardia, 15.05.2011). The PP actually won the elections in May 2011 and X. Garcia Albiol became mayor of the city.

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[53] Experts estimate Roma at around 20000 people in Spain and 2000 to 3000 people in Catalonia according to the Foundation *Secretariado Gitano*. The Foundation *Secretariado Gitano* is a non-profit organization which aims at developing services and programs for the gypsy community in Spain and in Europe since the 1960's.

[54] There was confusion in the discourse of the PP about the group who was accused of incivility and delinquency. In the flyer, the most controversial picture was the one of a sign stating "*No queremos Rumanos*" / "We do not want Romanians". But confronted with the controversy and the reaction of the Romanian community and authorities, PP leaders clarified that they were only accusing Romanian Roma who, in the words of Garcia-Albiol, "settled in this city to commit crimes and steal" and who "generate a lot of problems in the densest neighbourhoods of the city" (La Vanguardia, 24.10.2010).

During these three controversies, major public discourses were based on intolerance frames about migration. Our purpose is, on the one hand, to highlight these intolerance frames, and on the other hand, to examine the question of the limits to such discourses and the key role of political parties.

3. Methodology

This report draws on a qualitative research methodology to study political discourses and policies which aim at limiting migration and cultural diversity. The methodology chosen to research on this challenge combines a content analysis of secondary sources and semi-structured qualitative interviews.

We have chosen to study political discourses through three controversies which appeared in the years 2010-2011 in Catalonia.

Studies on communication and language have shown that racism or prejudices against migrants and people perceived as different are not often explicit in discourses, in particular in the discourses of the political elites and the media (Van Dijk, 1995). This oriented our research towards the study of discourses accompanying policies and interviews rather than party manifestos or public texts which are much more controlled by the "political correctness" when it comes to migration and diversity issues.

We also chose to examine altogether political discourses, policies and practices. What is the discourse accompanying the policy? Are all the policy-makers and representatives producing the same discourse on the topic? Is this discourse changing along the controversy which occurred? What are the counter-discourses and who is producing them? Focusing on controversies and policies and not only on explicit anti-immigrant discourse of far-right parties enables to emphasize the plurality of actors and topics involved.

The desk research has been conducted between September and November 2011 and consisted mainly in collecting secondary sources. Newspapers materials have been collected on the three cases studied for the period between January 2010 and June 2011 (end of municipal elections) in seven Spanish (3) and Catalan (4) newspapers[55]. In addition to providing information on the three controversies, relevant articles which contained or referred to political discourses on the topic of the controversy have been selected as a sample of discourses. This sample is of 48 articles for the case of the anti-Romanians campaign, 63 articles for the case on full-veil prohibition and 68 articles for the case on undocumented immigrants' exclusion from municipal census. In addition, a sample of articles on the municipal campaign of 2011 has been collected and analysed, especially when articles referred to migration issues in the campaign and to the radical-right political party, PxC.

The second part of the desk research consisted in the collection and analysis of administrative, policy and civil society documents. More precisely, we collected the minutes of all city councils assemblies of the three municipalities of Badalona, Lleida and Vic in which the topic selected was discussed, along with debates at the Catalan parliament. Public positions of civil society organisations on the cases studied and public reports elaborated at Catalan, state and European level on far-right parties and xenophobic expressions in politics complete the secondary sources.

Between November and December 2011, 15 semi-structured interviews were conducted with relevant actors who had taken part in one or more of the three controversies and leaders of the main political parties. Semi-structured interviews were chosen as this technique allows to collect elaborated discourses and to make a balance between freedom for the interviewee to develop complex and meaningful responses and the guidance of the researcher toward his research interests. The choice of the interviewees has been made following two different logics. Firstly, we chose to interview the political leader in charge of migration issues in each of the main political parties of Catalonia (ICV, ERC, PSC, CiU and PP). This was chosen according to one of our main research question which was

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[55]   In Spain: El Pais, El Mundo, Publico; In Catalonia: La Vanguardia, El Punt Avui, Ara, El Periodico.

on the role of partisan organisations in the production of intolerant discourses and in fixing rules and limits to such discourses. While secondary sources had provided us with extent discourses from local authorities representatives, we had very few discourses from party leaders (at Catalan level) and little information about the internal dynamics of the party to regulate political discourses. Questions on the three cases have generally been asked to party leaders. Secondly, we chose to interview leaders of public administration, social organisations and stakeholders which took part in one or more of the controversies. This selection was based on secondary sources analysis which highlighted the main participants to the debate. No major obstacle has been suffered to reach the interviewees and proceed to the interview. Yet, one limit of the research is due to recent changes in public institutions' and political parties' organisation, which has made it difficult to reach persons who are no longer in charge, passed the elections. Another problem is due to the lack of information and historical vision of the respondents who sometimes were not in charge at the moment of the controversies. All interviews have been tape recorded and transcribed. A list of interviewees and the interview guide can be found in appendix at the end of the report.

4. Intolerance frames in political discourses about migration

Framing processes offer a great resource to analyse the political discourses on migrants and cultural diversity in Catalonia. In fact, discourses on migration rely on several frames that organize individual and collective experiences (Goffman, 1974). We assume that non-toleration/intolerance is one of the possible frames that serve as a matrix to structure the experience and discourse of individuals and political actors. This means that intolerance frames are not in theory crafted for some purpose but are instead a tacit code which helps understand a given situation. But, in the case of political discourses which accompany policies or political campaigns, discursive framing may also have another purpose and are oriented toward collective action and the mobilisation of the population (Gamson, 1992, Snow et al., 1986). This refers to a strategic use of frames. Active framing intends to mobilize and rally the majority of people to the type of definition or frame that is put forward by the speaker or organisation. In the case of intolerance as a political discourse, both senses of frames, passive and active, are helpful to understand the process. Intolerance frames, which are only one of the way in which migration can be framed, rely on basic and unconscious understanding, such as the perception of a difference or an opposition between "us" and "them"[56], or elements which appeal to the everyday experience of an individual: situation engendering sentiments of fear, of anxiety or of injustice for example. As for the political discourses (and all public discourses), intolerance framing is conceived as an active process which intends to strategically gain support and power, by making prevail a particular definition of the situation among others. What is pursued by the political organisations is to produce new alignments to their own framing of the situation and the apparition of a "frame resonance" with new individuals and groups (Snow et al., 1986). But this highly strategic view on framing processes must be offset by the importance of macro-cognitive structures which shape the understanding of the people. In other words, not everything can be said to anyone to make him/her rally one's cause. Frames must be coherent to the belief system and experience of the people who is mobilized but also to some extent, to the ideological system of the political party or leader. The framing cannot be perceived as unfamiliar or as mining the core representations and beliefs of the individuals and organizations. In that sense, framing processes have limits and discourses appealing to intolerance frames too.

Each of the three local controversies appealed to different framing processes on the challenge which was supposedly faced by political representatives, each one being perceived as important for Catalan politics. The three principal intolerance frames are identified: perception of migration as bringing insecurity, delinquency and problems of coexistence; definitions of migration as a threat for the cultural homogeneity of Catalonia; perception of migrants as competitors with locals for limited resources. Through intolerance frames, migration is perceived as undermining the social cohesion and norms of civility that are attached to the local society. In the terms of non-toleration, the ones who are

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[56] This element was also emphasized by Gamson (1992) as a basic component of the injustice frames of collective action.

perceived as "others" then have to merge in the local society (if possible) or be excluded from it so as to preserve cohesion.

4.1. Security: framing the association between migrants groups, delinquency and (in)civility

The linkage between immigration and insecurity is the more ancient and certainly the best documented framing in terms of intolerance toward migration in Spain (Ritaine, 2005, Santamaria, 2002). As well as immigration flows have been turned into a security issue for European societies (Huysmans, 2006), political discourses on resident immigrants increasingly stigmatise them, or determined groups among them, as being responsible of urban insecurity, delinquency and incivilities which disturb the peaceful coexistence of the inhabitants. This is frequently associated with discourses on the radical otherness of certain geographic origins and cultures – such as Romanians Romas, North-Africans or Muslims - which cannot be accommodated within the Spanish and Catalan societies.

The case on Popular party's campaign in Badalona is the one that presents such framing in terms of insecurity. But the discourse about security is in this case closely linked to a cultural debate about the possibilities for certain groups of immigrants to integrate the Catalan society. For the Popular party of Badalona, the "culture" of the Romanian Roma and the practices that are associated to this culture are deemed incompatible with the local way of living and security. The discourse is built on cultural prejudices against Romanians Roma which state that robbery is an essential part of Romanian and Roma culture and economy.

This is the controversy in which the cleavage between conservative and liberal political parties seems to currently work. The stigmatisation of Romanians as the main source of delinquency in the deprived neighbourhoods of the city of Badalona by the local PP candidate has been condemned by almost all other political parties, except by radical-right party PxC which accused instead the PP to be copying its own discourse.

The flyer which was at the centre of the debate (see annex) clearly associated images of immigrant, an anti-immigrant statement ("we do not want Romanians") and the words "dirtiness", "insecurity", "delinquency" and "incivility". The PP representative for migration issues in Catalonia is supporting the discourse of the representative of her party, even if she does not want to take stand for him. But she is endorsing the general discourse on the existence of a problematic group who is threatening social cohesion and peaceful coexistence in the city. Her point is that this discourse has proved to be right as it has been supported by the majority of the population during the elections:

> People said that this man [X. Garcia Albiol] was right, that they were tired that in two districts nobody could live, and of the harmful coexistence, and they were tired of Romanian Roma (*gypsies*), specifically. Even the lifelong gypsies do not want them, neither the Romanians. Those ones are outcasts, they are in the middle, and nobody wants them. I've been in those meetings with the gypsies and they told it to me, I am not saying it myself. Look at the Romanian associations, in Badalona, there they told me: "Mr. García Albiol does very well, and speaks well of what he is speaking about". We could not live with them, and nobody, nobody until now has done something. What did García Albiol do? He has taken the lead and said what people wanted to hear. What does he say? That he do not want people go peeing or bathing in the fountains. If for that you have to remove the sources, remove the sources. Or the guys get out. What does he say about the apartments that are empty and are filled with squatters? It is clear that people are increasingly happy and this is what is happening. The thing of Garcia-Albiol has been to have a discourse for a particular population that was tired of the permissibility and peaceful attitude of the Left, being conformist and laissez-faire. And they have chosen someone who sets standards and who speaks clearly. [pp.2]

The most interesting part of the debate on the electoral campaign of PP representative in Badalona, especially for our purpose, has been the debate about what are the limits of what can be said about migration in political discourses. The anti-immigrant discourse triggered a debate on the tension

between freedom of speech and the need to limit, or suppress, discrimination by speech and intolerant expressions toward migrants.

The framing in terms of security has been also an important component of the discourse about full veil bans. Firstly, local security was invoked as an explanation for demanding the ban of religious veils covering the face. For the councillor who presented the motion, *"the use of any element that completely conceals the face of a person creates a real feeling of insecurity"*. Many defenders of the regulation argued that municipal employees must be at any time able to identify the person who enters a public building. The main argumentation of the city of Lleida to defend the local regulation in front of the Court was the fact that it was a norm of security which, as being a collective right, could prevail over freedom and religious freedom which are individual rights. It argued also that every piece which covers the face such as helmets, face masks and balaclavas were mentioned in the ban, proving that it was not meant to target Muslims.

Another argument relating security and full veil is present among many supporters of the ban. It relates full veil wearing and radical Islamic supportive of terrorism and political violence. As such, it is considered important to prohibit burqa/niqab wearing as the society cannot tolerate the expression of ideas and values contrary to liberal-democracies and supportive of terrorism against their society. In the words of the leader of Democratic convergence of Catalonia (CDC)[57] on migration issues, party which presented the motion in Lleida with the support of PSC:

> Islamist and anti-democratic behaviour, or fascist, conflicts with the democratic values that we have in Europe and Catalonia, and as such we cannot accept them. And this is not a cultural feature that we should respect; this is an attack to democracy, to human rights, the rights of women also, but a clear attack to democracy. [pp.3]

Generally, the discourse about security is closely linked to the cultural dimension as well. The direct threat to social cohesion posed by delinquency and incivility is generally linked to the attacks to the cultural and moral dimension of social cohesion. But this argument appears as much more controversial among politicians and civil society organisations. For anti-racist organisations, the debate on the burqa has been a smokescreen to stigmatize the Muslim population, especially in that it has been framed in part as a debate on security.

> Security? I, how many times have we seen a delivery man entering with a helmet, and nothing happens? So it was very violent, to us, what we thought being the more violent was to link it to security and identification. Because they were creating a context, which meant that under the burqa there are explosives. We know all what has happened with 9/11, 11M [*Madrid metro's bombing*], and this is not all. We started talking to break it, we have never entered (in the debate) to go further. [civsoc.2]

Frames in terms of security are still important in the public discourses expressing non-toleration about migration or migrant groups. But in both cases in which this discourse has appeared clearly, it is merged with cultural, identity and moral dimensions. The centre of the concerns in both cases is the safeguarding of the social cohesion, as in terms of security as in terms of cultural and moral homogeneity. Migrants are required to be "civic-minded" in the standards of the local society.

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[57] CiU is a federation of two different organisations, one inspired by liberalism and supportive of Catalan independence (Democratic convergence of Catalonia, CDC), and one Christian and conservative, supportive of Catalan autonomy (Democratic union of Catalonia, UDC). The difference between representatives of the two organisations vis-à-vis migration issues is frequently underlined. The dominant party of the coalition has always been CDC, from which are issued all the president of the Catalan government. It influenced greatly the construction of a migration policy oriented toward liberalism and for which, cultural dimensions of migration have been secondary, although present and at the forefront at times.

4.2 A challenged identity: intolerance frames about full veil wearing and "compatible cultures"

Culture is one of the components of intolerance frames. The definition of the situation which is made through this framing process is that immigrant' culture and practices which are deemed opposed or incompatible to the local culture and practices, or disturbing the local society for being contrary to the system of values and beliefs of the people, cannot and should not be tolerated. This implies that the actor provides also a definition for the local culture and the values, moral system, beliefs and practices attached to it. But in many cases, actors dispense with defining the "local culture". Targeted practices or discourses are simply opposed to "ours", but the relation between "their" and "our" culture is not explained. This is especially the case for Spanish culture as there has never been a consensual definition of it, especially after the end of Franco's dictatorship (Zapata-Barrero, 2010). The definition of the elements of "our" culture in Catalonia refers in fact to different dimensions of the life in society and to different cultural spaces. It may refer to liberal-democratic values as a whole, to human-rights values but also to the majority religion (Catholicism), the language (Catalan) and local traditions (celebrations, holidays, courteousness, culinary customs...) as well as general norms of civility (noise, respect for public equipments, and occupation of public spaces...). When it refers to global values and norms of civility, this frame is close to liberal intolerance, which perceives illiberal practices and values of immigrants or cultural and religious groups as threatening social cohesion (Dobbernack and Modood, 2011).

The intolerance frame referring to the safeguarding of the local culture has been especially present in two of the three controversies. Firstly, in the case of full veil bans, the intolerance frame relies on three different definitions of what cannot be accepted in relation with local culture, which is to harm gender equality, liberal-democratic principles and rules of civility. Secondly, in the case of the stigmatisation of Roma as a problematic group, the framing relies on a differentiation among cultural elements which are perceived as incompatibles with the local culture, such as auto-segregation, a "culture of delinquency" but also language or education principles. The question of Roma's "compatibility" can be generalised to culturalist discourses of the conservative stream in Catalonia, especially within the Popular Party and the Democratic Union of Catalonia.

4.2.1. The cultural dimension of full veil controversy

The local motion asking for the banning of full veil wearing in the city of Lleida, which was followed by motions and local rules in a number of Catalan cities, has been the occasion for all political parties – and many social organisations – to express their view on full veil and on the prohibition. This debate already occurred in several European countries and the Catalan debate does not differ much from the way it has been framed in other countries. Actually, the debate occurs just two months after Belgium was the first European country to ban full veil in public spaces and in the middle of important debates in France (leading also to a law banning full veil in public spaces) and in other countries. One interesting feature of this debate is that, unlike the two others which are clearly discussing a local policy and a discourse deemed anti-immigrant, actors are much more uncertain in qualifying full veil prohibition as an anti-immigrant policy. But the controversy clearly focuses on the intolerance to certain practices associated with religion and particularly Islam.

Several dimensions have been at stake during the controversy. Four types of justifications have been especially used to justify the non-toleration of full veil wearing:

1) Every person has the obligation to identify themselves for reasons of security.

2) Everyone has to act civilly by recognising common rules of presentation of self, such as showing his/her face.

3) Full veil wearing is endangering women's equal right and no discrimination and should not be tolerated.

4) The wearing of full veil is the expression of a rejection of liberal-democracy and Spanish/Catalan social contract, which cannot be tolerated.

The three last ones specifically refer to constitutive elements of what is perceived as the local identity, as opposed to what is perceived as elements of other cultures. An interesting fact is that these three elements have not been put forward as strongly as the intolerance frame on security, which is the one that legally supported the ban. However, all the dimensions and not only security are altogether presented in the original motion which justifies the ban:

> There are three reasons which justify the presentation of the motion. First, defending a society that advocates strongly for the values of equality and non-discrimination. Secondly, considering that integration has both a collective and individual value. Thirdly, for security reasons. (City council of Vic, 28.5.2010)

And the majority of these arguments refer to the safeguarding of the local culture and norms of conducts.

Women's right attack is certainly the most consensual position among actors for condemning full veil use, whether they are in favour of the ban or oppose the regulation. The significance of full veil, *burqa* or *niqab*, as a mean to control and discriminate women is not questioned, even by the main Muslim organisations of Catalonia.

This is closely linked to codes of conduct and presentation of self in democracy and to issues of social cohesion. The wearing of a niqab is perceived as a lack of respect and courtesy. Transparency and thus identification are closely associated with the rules of the democracy and equality among citizens. Many public statements claim for the right to look at another person in the eyes and to see her face, not for security reason this time, but so as to feel respected and placed on an equal position.

But among full veil issue, many of political representatives in favour of its banning stated that attacking full veil was also a mean to attack illiberal practices in the society and to maintain social cohesion. Women who wear niqab are seen as members of families which deliberately exclude themselves, form a parallel society and are linked to radical Islamism:

> It has been said that in Lleida there was no problem with the Burqa. The use of full veil is very minor in Lleida, however, is a sign that a group wants to perpetuate values that go against ours. (City Council of Vic, 28.05.2010)

For the leader of CDC on migration issues:

> It is the tip of the iceberg of radical Islam. Who wears the full veil? Well women whose husbands, basically, are Salafists or radical Wahhabis, who are people with profoundly anti-democratic thoughts and make proposals for social segregation in Europe. It is these people, the women of these gentlemen. So, well, this behaviour or attitude has been detected, and we are against this behaviour or attitude. We do not want them to be part of the natural landscape of Catalonia, because it has never been the case, it needs not to ever be. We will fight against that, deeply, while at the same time we will support whatever is normalizing Islam as the second religion, which it is, of Catalonia. The implementation of the mosques, for this we have make the law on Religions which we are implementing, the Religious Freedom Act, all this is normal. [pp.3]

Politicians in favour of the banning of full veil wearing express repeatedly these concerns about radical Islamism as a threat for the cohesion of the society. This is about practices associated with radical Islamism that political discourses can be linked to liberal intolerance. The wearing of the full veil cannot be admitted as it is contrary to liberal-democratic values in the country. But this is not only democratic values that apply in that matter, reciprocity of the practices also matters. Intolerance in the country of origin, in that case about no covering women's head, is an argument to not tolerate practices which are not belonging to national – religious – culture. This refers mainly to an assimilationist conception of migration in which the settlement in a new country supposes the endorsement of all its culture, values and practices:

I as a woman, I can assure you, I am of the strongest advocates in this regard and I, getting back to topic, there are rules in the country where you live that you cannot infringe, and this is one of them. One cannot be covered from head to toe, because in her country this means I don't know which story, well no. I cannot go to Iran, Iraq or one of these countries and have a walk on the street because they would whip me, am I right? Well, it's the same. I cannot move as I want, am I right? (...) We cannot do this in their countries of origin, am I right? Well lady... and do not come to tell me that this is a secular country, the argument given by the left. This is a secular country, fine to me, but there are codes of conducts that I believe cannot be infringed. [pp.2]

The debate on full veil banning is the one which appeals more to identity issues in Catalonia and in Spain, especially when it comes to religious extremism and women's right. But this is interesting to note that no women association has raised voice to condemn full veil wearing. Indeed feminists have been strangely absent of the debate. This is also the controversy which has divided more representatives within a same political party, especially in left-wing parties.

4.2.2. The cultural dimension in conservative parties' discourse

Conservatism is the central ideology of two important parties in Catalonia: Popular Party (PP) and the Democratic Union of Catalonia (UDC). UDC is one of the two organisations forming Convergence and Union (CiU), the main centre-right nationalist party, which governed Catalonia between 1980 and 2003. Even if the representatives of these parties are the ones who have raised publicly the idea that Catalonia could not tolerate any more practices of migrants, values and cultural features that they perceived as incompatible with the society, the majority of the social and political actors reject the idea that these parties have converted to anti-immigration ideology. They rather distinguish the party from sectors within it, which embrace these ideas.

I think that the people of CiU does not agree with that [*declarations of Mr.Duran i Lleida on migration during November 2011 general elections*], or it would be very serious. I believe that there is surely a Catholic conservator stream. Much more than CiU, Duran i Lleida is representing this sector, because he always links this topic with the Christian and occidental tradition, and the danger of Islam. So, there is a stream inside CiU, which is larger inside the PP and the Platform too, in the sense that Islam represents a danger for dignity, and islamophobia follows the same path. [civsoc.3]

UDC's Christian-conservatism is reluctant to the recognition of religious diversity and claims for a tougher policy toward migration and especially undocumented migrants. UDC representatives' discourses rely much more on the need to safeguard social and cultural cohesion of Catalonia and to prohibit practices and discourses of migrants which are not seen as forming part of the Catalan society. The influence of Christian conservatism in political discourses on migration is relevant to understand the controversy which occurred in the city of Vic, whose mayor is a leader of UDC. Even if it is the controversy in which the cultural dimension is less evident, several interviewees underline the importance of conservatism and traditionalism in the region of Vic to explain the ban of undocumented immigrants from the census.

The relationship between Christian-conservatism and re-active political discourse at Catalan level has also appeared during the recent campaign for the elections to Spanish parliament. Although migration issues have been almost absent of the campaign, the leading candidate for CiU, UDC leader J. Duran i Lleida, has made several statements which targeted migrants, especially through cultural and family dimensions. He declared that immigration should be considered a problem, that the excessive presence of immigrants in neighbourhoods was lowering the price of apartments and damaging the interest of natives, and that immigrant students were lowering the results of Catalan schools (Ara, 3.10.2011). He later declared that in a region of Catalonia *"more Mohamed are born than Jordis or Josés"* and followed by stating that he was *"concerned that among [the] native population, due to errors that had been done of no supporting the family and demographic policies, there are always more immigrant persons. I do not mind those who share a culture and values with what means Catalonia or Spain, I do*

not mind the Argentine, the Chilean, and even the Mohamed who integrate himself. But I am concerned by the fact that many Mohamed do not integrate and do not respect the values of this country" (El Periodico, 16.11.2011).

Despite these statements, intolerance toward migration is tempered by the permanent alliance of UDC with CDC party and by the fact that they are both governing Catalonia and the majority of the Catalan cities.

Conversely, due to its minority position in Catalonia and its hostility to Catalan claims for independence, the Catalan PP has always been more conservative than in other parts of Spain and has made of a tough policy and discourse on migration a key issue in the last years.The argumentation of the PP representative in Badalona lies on the designation of a group who is perceived as radically questioning the way of life of the population in the neighbourhoods in which it settled. The Romanian Roma in that case are considered as an alien group who do not come to live and "make society" like others. The discourse of X.Garcia Albiol is fundamentally based on the exclusion of the group which threaten the peaceful coexistence in the society. In the specific case of Badalona it draws on security issues, but connects security to culture. Even if the discourses of other elected representatives are lesser connecting migration and insecurity, it shares an essentialist view of cultures and identities.

They frame differently immigrant groups as regards to their possibilities or they will to integrate the local society. Immigrants coming from Africa and Muslim countries are perceived as less "assimilable" in the society than Latin-Americans who share the history and religion of Spain. This discourse is also embedded in the political opposition of PP to Catalan nationalist parties who have been governing Catalonia during large-scale immigration flows. Their policy is conversely accused to have discriminated Spanish-speaking immigrants (Latin Americans) for reason of language:

> The Moroccan and African migration has settled in Catalonia, which is precisely favoured by the nationalist parties' policy, who preferred that those who came, came and learn Catalan, disfavouring the others. But over the life time you realize that Latin Americans are easier to integrate than the Africans, so we have arrived to the stage in which we are now, in which there is a large rejection of the Moroccans and Africans, and almost no rejection, I can tell because I am monitoring it, of the Latin American group. [pp.2]

The analysis of the PP is that this policy is causing more problems of social cohesion and security in Catalonia because of the difference of proximity and integration among migrants groups. Latin-Americans are reputed to be of "easy integration".

> And that's what we are saying in the Popular party, that we share with the Latin Americans the same values: first, the mother tongue, second, religion, family, the concept of the country, for us Catalonia is Spain, the concept of constitution, all Latin American countries have a constitution, which is respected and is above everything else. [pp.2]

Conversely, African immigrants are conceived as problematic in terms of social integration, for cultural reasons. When the distance between cultures is deemed very important, the practices and systems of values attached to cultures are considered incompatible and then require the abandon of the migrants' system to adopt the local one:

> We believe that the fundamental problem is that many times they do not want to integrate. Because sometimes "I'm here because I need money, I need a job, I have to send money over there, maybe I will come back, I don't know. And what I do not like here is how women live, the freedom that the Western women have, I do not like this or that..." And of course, here we have a big problem, because it is you or me.

> (...)Then there are rights that we believe are inviolable and which are the norms for living together (convivencia). So I go back to the beginning: why more acceptance [for some migrants]? And note that the question you are asking me, the society is asking the same to itself: why is there less rejection of the American collective and more rejection of the African one? [pp.2]

All party representatives and stakeholders condemned the electoral campaign of X. Garcia Albiol in Badalona and the discourse targeting a particular immigrant group. But when asked about their view on the compatibility of cultures, several interviewees do not deny that migrants groups, like Romanian Roma, are challenging accommodation policies more than others. But an important difference with the discourse of PP is that they generally explain this challenge by socio-economical factors and not cultural ones.

> Then there are all parts of the whole concept around Gypsies, a great concept that is difficult to break. And the Roma people have historical roots in Catalonia... but they are always related to crime, to dirtiness. Now the Romanians are arriving, arriving in conditions that are dirtier, indeed, as being poorer, there can be more dirt there, and the poverty level also brings more delinquency. [civsoc.2]

Intolerance frame in terms of culture and identities is highly challenging when it comes to manage diversity in the society. Despite a powerful conception of Catalanity as a vector of integration and citizenship, and despite the emphasis on the building of a common public culture encompassed in the National Pact for Immigration, framing in terms of identity and culture and especially on the incompatibility of certain cultural values and practices with the local one have grown stronger in the last years.

4.3. Welfare: framing local exclusion of undocumented immigrants

One of the principal ways to justify non-toleration is to stress the existence of a competition between natives and immigrants, at the expense of the firsts. This is the fundamental rhetoric of a range of radical-right parties which appeared in Europe since the 1980s. These parties can be qualified as anti-immigration in the sense that they make of immigration the core of their platforms and are strongly in favour of a restriction of migration (Fennema, 1997). But, these new radical right parties do not only claim for a tougher control of migration and the closure of borders. They are making a strong connection between the preservation of the welfare state and the limitation of immigration. "Welfare chauvinism" (Kitschelt, 1997) put forward the idea that the members of the local community should have the priority on others. Kitschelt shows that this anti-immigration discourse is not based on the same assumption of cultural racism or ethnic essentialism and does not target the same migrants. In the case of welfare chauvinism, every newcomer, even those who are not perceived as culturally different, can be blamed for competing with locals. While framing in terms of cultural essentialism and incompatibility may be attached to elite perceptions, welfare chauvinism may be shared by direct competitors, especially lower-class natives. However, even if this discourse directly appeals to low-class and low-qualified workers and has been as such analyzed as a new form of populism[58], evidences show that the electoral support of radical-right parties in Europe is much more diverse and more present among the self-employed petite bourgeoisie (Norris, 2005). Lower-class resentment against migrants due to the direct experience of unemployment and social problems is not the direct cause of radical right's electoral support.

The discourse of PxC in Catalonia is a good example of new radical-right's discourse. Directly inspired by Vlaams Block successful discourse in Belgium, it has been identified to national-populism in the sense it is explicitly appealing to the support of native/"ethnic" Catalan people by opposing their interests to the ones of immigrants settled in its territory (Casals, 2009). This is best exemplified by its main slogan "Locals come first" (*Primer els de casa*) which is reminding the "national preference" of the *Front National* in France. The discourse of PxC is always exemplifying this slogan in its propaganda by statements on the prejudices suffered by natives and an alleged preference to migrants at the expense of the "locals".

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[58] For an analyze of this new populism and its history, see among others: Mény and Surel, 2002.

Last campaign video of PxC for general elections in November 2011, pictured a young blonde girl, "Maria", and a veiled girl, mute and hiding her face, on opposite sides of a table. Men representing each political party of Catalonia appear and take something from the blonde girl: "health" represented by an emergency kit, "education" represented by books and then a plate, her coat and, finally, almost all her clothes, to give it to the veiled girl with different justifications: "they have more children", "they are cheaper for us", "it's cool, it's 'trendy lefty'". The video opened with the statement: "Based on real facts" and ends with a view of "Maria" with only underwear and crying while appears a message stating: "Maria could be your mother, your daughter, your girlfriend, your sister..." The logo of PxC appears while we hear "who cares about "locals" (*los de casa*)?"

[see Público, 18.11.2011]

Yet, the rhetoric based on a supposed competition between natives and immigrants for scarce resources, has been retaken by representatives of other political parties and has gained force since the beginning of the economical crisis. According to several interviewees, the link between migration and economic crisis has been made at the very beginning of the crisis and came from representatives of mainstream parties. In particular, the discourse of the socialist Minister of labour and immigration at the beginning of the second office of J.L Zapatero government is perceived as problematic in that sense:

> And here, I think, the first who sinned was the Minister of Labour at the time, Corbacho, when the crisis began and his first speech of the 2008 Legislature was "I will change Immigration Laws, because we will be invaded by family reunification" and so on, that "there would come a million people and something", "This will affect pensions, social security", etc, etc. "We have to complicate family reunification": first sin. The second one, unemployment linked to voluntary return to the country of origin. As a consequence, migration has soon been linked with the crisis. One way or another it has created a climate in which migration is to blame for the crisis. [civsoc.3]

Popular party representatives also use rhetoric about the limited resources of the country and, thus, the need to limit migration so as not to damage the interests of the natives. The sentence *"We do not all fit in here"* has been used as a motto in 2008 by the leader of the party - and current Prime Minister - Mariano Rajoy, and has been retaken by the leader of PP in Catalonia, Alicia Sanchez-Camacho, and the mayor of Badalona, Xavier Garcia Albiol.

For most of the interviewees, this discourse has a special impact on the population, especially urban lower-class natives whose economic conditions are the closest to the lower-class immigrants. Most of the people with low economic conditions have immigrated to Catalonia from other parts of Spain during the second half of the 20th century.

> The tradition of integration is continuous. The only difference with the last ten years is that immigration is more diverse, more plural, and that many people have come in no time. And what also happened is that many people have arrived and have occupied the empty flats of these uninhabitable neighbourhoods. Thus it has inevitably created conflicts, not with the Catalans themselves, but with the former immigrants who had stayed there. Because, in this country, the "social elevator" is functioning. Therefore, the children of immigrants who arrived in the seventies have prospered and bought a house in another more liveable place. And who stayed in these neighbourhoods? Older people who bought their flats and do not move from there or people who have not been lucky and have not succeeded. So they clash with their new neighbours, from Morocco, Pakistan, Ecuador and such. And there you have what I call hot spots, dangers of conflict. [gov.1]

This situation of competition between migrants and lower-class natives has been especially highlighted for the case of Badalona.

> In Badalona there was a situation where there was a discourse of "locals come first" (*primero los de casa*), of worrying about our stores, that others come to settle. Then with the discourse about the competition for resources that worked here... in Madrid perhaps this is not necessary because there is another dynamic with migration. [civsoc.1])

The rhetoric of competition between natives and immigrants seems to be especially articulated to the situation of deprived neighbourhoods. But this discourse has also been the one at the origin of the exclusion of undocumented immigrants from the municipal census, which has been retaken mainly in cities situated in rural zones. Representatives of political parties seem indeed be using this kind of argumentation whether there is or not, a coexistence of lower-class natives and immigrants in the same neighbourhoods.

In the case of Vic's ban of undocumented migrants from municipal census giving access to social aid and education, the exclusion is not based primarily on intolerance to cultural difference, but on the rejection of people who are perceived as unfair competitors for limited public resources. Another justification for their exclusion was the necessity to enforce the law. The exclusion was justified as a way to "safeguard social cohesion" and the possibility of integration of legal immigrants. It was also said that this kind of measure was implemented to "give a sense of responsibility" to all newcomers.

All these rationales express a vision of undocumented immigrants as free-loaders which intent to make the most of the society without contributing to it. In that sense, it is also the preservation of social cohesion which justifies intolerance.

The exclusion of undocumented immigrants divided representatives of mainstream parties, but this time the cleavage was situated between local and Catalan or State representatives. Except for PP and PxC, all other political parties have positioned themselves against the exclusion of undocumented immigrants. But local elected attitudes have been much more ambivalent. In Vic, the motion has been agreed between right and left-wing parties, and voted by PxC, leaving apart only representatives of the red-green coalition ICV. The ban did not only intend to exclude undocumented immigrants. The policy was justified pragmatically in the framework of a rivalry between powers situated at different levels. Local governments complained that they lack of the means to integrate all newcomers, especially since the economic crisis has led to important cuts in the financial transfers between the state and the municipalities.

The problems posed to local governments are widely acknowledged among stakeholders and civil society representatives. Even if the policy is criticized by all the interviewees (except PP representative), they also highlight that municipalities cannot face the cost of the accommodation of immigrants at local level especially with less money due to the crisis. This is thus a way for Catalan nationalists to criticize Spanish government and claim for more political power to regulate this issue at autonomous and local level.

> Of course, this also showed that there was a problem in many cities on the issue of local registration, and this problem is still tackled within the larger federations of municipalities of Catalonia [...]. But anyway, they will continue to work together to seek, say, improvements in the registration process, to make it more fair, to avoid problems for the mayors in their territory, due to the poor management capacity we have because of Madrid, which has cut out part of our competences. This too is an issue which is important to consider when discussing this topic. [pp.3]

> Yes, we should also mention that the ones which have been more affected by the crisis are local administrations, then the autonomous ones and then the state ones. Local governments are the ones that have experienced cuts in all areas. Of course, and maybe it explains why it is here that xenophobic discourses and racism harvest more votes, because the people sees very directly that social services are not going as fast as they should be. That could be a reason. [vic.1]

This focus on the particularities of the municipalities has also an influence when political parties are facing local initiatives that political leaders do not support. Autonomy within the party and at local level is one of the main obstacles to fight against anti-immigrants rhetoric in the political parties.

The discourse opposing natives and immigrants in the access to welfare, jobs and upward social mobility has penetrated the political debate in Catalonia. Far from standing alone and replacing traditional discourses, it is often articulated to discourses on identities and cultural difference perceived as irreducible in the case of more or less larger groups of immigrants.

The following section will examine more particularly the tensions between what can be said or not about migration in the Catalan political life. Several dimensions have been highlighted through the framing processes, especially the tensions within mainstream parties and especially between local and Catalan/national representatives, and the tensions between freedom of speech and non-discrimination. Such tensions are configuring the debate on the limits of intolerant speech in political life. We especially pay attention to the role of political parties as agents of regulation – or not – of anti-immigrant political discourses.

5. Stretching the limits of intolerance in political discourses: Political parties at stake

Political discourses are increasingly stretching the limits of intolerance in the Catalan society and undermine the symbolic function of so-call "red lines" that discourses should not be able to cross. Within this framework, the role of the political parties in defining or expanding the boundaries of tolerance toward migrants is fundamental. It allows understanding the politicization of the issue and the way in which it is publicly framed. Party's framing is not necessarily conditioned by the existence of a far-right political party or people's demand for tough migration policy. What is more important is the way in which parties handle different streams on migration depending on their ideology, which can lead to different framing of the issue (Odmalm, 2011). The recuperation of an anti-immigrant or intolerant discourse by mainstream parties is of utter importance, especially because recent developments in the research show that tougher positions on immigration of mainstream parties are the ones that legitimize anti-immigrant parties and the radical right (Dahlström and Sundell, 2012).

5.1. Party politics and immigration in Catalonia

The influence of the success of a far-right party on mainstream parties and the party system has raised the interest of several scholars (Pettigrew, 1998; Minkenberg, 2002; Schain, 2002). They demonstrate that the far-right is influencing not only right-wing parties but all mainstream parties, and that opposition parties are more vulnerable to the contagion effect (van Spanje, 2010). But even if the growing influence of *Plataforma per Catalunya* is challenging mainstream parties' strategies and discursive repertoires about migration, it remains weak in terms of electoral support, especially in comparison with many other European countries. PxC failed in its attempt to have representatives at Catalan and Spanish parliaments in 2010 and 2011, and is thus far from entering any government coalition. It is not involved in any local government either. Thus, the pressure of the radical right is not enough to explain why intolerance is raising in political speech about migration. Arguments about voters demand are problematic as well, as there is not a general agreement on the measure of the demand for tougher positions on migration. Furthermore, several studies put forward the role of the elite in the construction of opinions about migration (Van Dijk, 1993). Even if tolerance to migration has dropped between 1996 and 2002, accompanying immigration flows in Spain, it might not be only due to a direct contact with migrants but to the possible contribution of the media (and political elites) to the activation of xenophobia (Cea d'Ancona, 2004).

In order to understand better the way in which intolerance frames have appeared and are used in Catalan politics, we think that it is important to examine party politics, and not only political demand or inter-party competition. Political parties, as institutionalized organizations, are structured around a set of beliefs and norms that can be explicit or not, such as rules of behaviour and speech. As for any institution, political parties tend to avoid changes, in order to not loose electoral support, as well as to comfort the positions of its leaders. But the succession of electoral campaigns during the years 2010-

2011 in Catalonia, in combination with the financial crisis, has created opportunities for a change of discourse toward migrants.

Political leaders, who frame migration (or migrants' practices) as an issue that can no longer be tolerated, come initially from parties in opposition, such as PxC and then Popular party. This framing of migration is also the more coherent with their system of representations. PxC can undoubtedly be defined as an anti-immigrant party in the sense that, apart from claiming for a tougher migration policy, immigration is also the central topic of its platform (Van der Brug, Fennema, 2003). As for the Popular party, it has had a tough discourse on migration since the increase of migration flows, especially during the years 2000-2004 when PP had the absolute majority and governed Spain. But the change lies in the fact that several of its Catalan representatives claimed to get rid of "political correctness". They switched the traditional discourse on borders closure and control, to explicitly target particular ethnic and religious groups such as Roma, or Muslims. This change can only be understood in relation with the particular position of PP in Catalonia. Catalonia is one of the few autonomous communities, with Basque Country, in which PP is not the main right-wing party. With the existence of CiU, PP is forced to remain in the opposition and is only the third or fourth force in Catalonia. It allows its representatives to make changes in the traditional ideological corpus of the party, and especially in their public discourse. National representatives and PP leaders who are governing other autonomous communities have taken their distance with the discourse of X. Garcia-Albiol during the anti-Roma campaign and did not follow the same path. But the electoral success of PP in Badalona and its relative success during 2011 autonomous elections have woken up the interest for the Catalan Popular party at national level.

Anti-immigrant statements would be a manner to test the limits of what can be said or not about migration in Catalan politics. The relative novelty of international migration and the rather tolerant discourse about the "usefulness" of migrants which prevailed during the years 2004-2008, are challenged now by the raise of intolerance frames. Emerging political discourses stretch the limits of intolerance toward migrants.

This demonstrates the importance of the context and of partisan dynamics when it comes to understanding the use of intolerance frames in the political life. In Catalonia, we understand that intolerance toward migrants expressed by mainstream political leaders and representatives is allowed by the party as far as it does not undermine its core values or challenge its position within party competition. This is especially the case of PSC and CiU, parties with an ambivalent discourse on migration which varies greatly between municipalities (Garcès-Mascareñas and al., 2012). This means in practice that for mainstream parties who do not openly support tough immigration policies and intolerance to migrants, an intolerant speech is tolerated as far as it appears as isolated within the party. That is why the impact of intolerant discourses is often minimized by party leaders. Two dimensions are especially interesting to explain the possibilities of emergence of such a discourse and to explain at the same time the justifications and the trivialization of non-toleration in Catalonia: electioneering on the one side and intra-party organization, particularly local-national relations, on the other side.

5.2. *Justifications for intolerance: not racism but electioneering.*

Almost all party representatives and stakeholders discard the importance of racism and xenophobia in Catalan politics. But they agree on the fact that anti-immigrant statements and policies serve electoral purposes of mainstream and radical-right political parties. By making this distinction, they tend to preserve the original values of moderate parties who are not anti-immigrants and stress the importance of migrant's rights and integration. They tend to preserve also the representation of Catalonia as a land of tolerance toward migrants. This is important in terms of strategy to limit intolerant discourse. Many fear that anti-racist campaigns, trials and public expressions which aim at blaming and shaming those who express and spread racism and xenophobia would lead in the contrary to amplify the penetration

of these discourses in the population and give a wrong image about Catalans. As the director of Migration in the Catalan administration states:

> Look, I think that the more you make anti-racism, the more it serves to create racists. In my view there is no racism […], and even PxC voters are not racists, this is my opinion. I think that we have to keep this topic under control as we can, from below, inform positively on what is going on with the rumours and strike effectively like suing Anglada. But I am not obsessed by this topic, because I know that the Platform voter is not racist. [gov.1]

Many interviewees therefore deny that racism is important in Catalan politics. Racism is generally admitted only for PxC leaders. Even if public statements of other representatives can be deemed xenophobic, for the vast majority of the interviewees, such statements do not reflect the political thoughts of politicians but have to be considered as strategic discourses to gain voters. Only the anti-racist association SOS Racisme and, to a lower extent, the representative of ICV, considered that anti-immigrant discourse was an important fact at Catalan level and corresponded effectively to a political ideology. But even them do not deny that anti-immigrant discourses are often used as demagogic discourses strategically used to gain votes in the electoral competition.

> But the thing with the town council of Vic, is that not all of what it has done is negative but I think it was an electoral manoeuvre, it was obvious. When elections are approaching, and when you have the Platform for Catalonia, you have to do a shock action. I think it was an electoral manoeuvre, and in additional very little grounded in law, I told them it was unwise. Or perhaps it was well thought and strategically to generate all this... who knows? [vic.2]

Even on the explicit discourse of the candidate of Badalona, and even if he had received the support of his political party, the discourse is seen as "not xenophobic", but "flirting with xenophobia" for electoral purposes.

> But hey, when you go with this discourse flirting with xenophobia, but which is not a xenophobic discourse, which takes advantage of several factors: exploiting the desire of change of the city, the alternative to the PSOE was PP. It had therefore already several votes ensured, and afterwards, with this tough - and direct - speech on immigration... it is serious, it was not "we are tough on delinquency", it was "we are tough on certain immigrants". Besides, we have the misfortune that there is a specific group which is very controversial, who are the Romanian Roma... [gov.1]

Stakeholders and political leaders make a difference between anti-immigrant statements that were expressed by specific leaders and the discourse of the political party to which he/her belong. They take distances with these statements and disapprove them, and they tend to minimize their interest or their influence. Above all, they show that such discourses are not grounded on the party's ideology:

> There have been statements within my own party, of politicians, who have made me unhappy. They are "week-end statements", I do not know if you understand. Firstly, they do not build anything; secondly, they are sometimes silly things, personal opinions. But even if you are the party candidate... , because the party..., what interests me are the electoral manifestos. And the electoral programs I've read them all in relation to the issue of immigration, including the one of the Popular Party, which is a program generally acceptable, with some things that I do not agree with at all, but they do not say silly things, this is what matters. Those of Anglada's yes, they say silly things [pp.3]

This ambivalent discourse combines the recognition of an increasing use of anti-immigrant discourses in the political arena but only as a strategy and reject an actual reconfiguration of the belief system of the party. This is an interesting feature, especially when it comes to the reflection on the limits to such discourse. The National Agreement on Immigration, approved in late 2008, contains a statement on the political use of migration as an electoral strategy. The main political parties signed "a commitment for political parties with representation in Catalonia not to use migration in an instrumental way in

election periods"[59]. But it is widely acknowledged that the change of context due to the economic crisis – and the blaming of migrants for it – has left this commitment apart during the following elections.

5.3. *Local autonomy and intra-party competition*

The vertical interactions within political parties are of great importance when it comes to defining and justifying positions during controversies related to migration and cultural diversity. Studies on political parties have now demonstrated the importance of considering their internal dynamics. Catalan mainstream political parties tend to be organized as stratarchies (Katz, Mair, 1995), local and national (Catalan) organisations work rather autonomously one with the other. Furthermore, stratarchy tend to ease intra-party competition, and intra-party competition reinforces in return the greater autonomy of local and national organisations. When it comes to discourses toward migrants, we observed that local autonomy and the primacy of the local context authorize national leaders to take their distance with a policy or a statement without having to condemn it firmly. As the coordinator of migration in the socialist party states:

> We have a framework programme, but afterwards it is true that the local reality, the relationships that are maintained in each territory are distinct. Surely, what is going on in Lleida is not the same as what is going on in Sant Pere de Ribes or in Sitges[60]. That is why the answers surely cannot be the same for all municipalities. In many cases, surely as well, an in-depth debate is necessary. And sometimes, as regards to politics and local issues – those who have worked in city council we are aware of that –, everything is going fast, the answers have to be quick and sometimes they are very influenced by the environment. That is why, we always focus on that there are no common answers for all and everything, there is a framework for thinking, for working and, starting from that, each one has to apply it to his context. [pp.1]

With such an organisation, in which the local context prevails over party's framework for discourses on migration, the national/autonomous level of the party tend to let the local elected free to determine the most adequate positions, and internal sanctions are not implemented frequently. Sanctions are a risk for the party as it would threaten the internal organisation and intra-party competition. So even if the national organisation, and especially secretariats or branches that are in charge of migration issues, disagree with statements and policies at a local level, they prefer to turn a blind eye or minimize the situation which is considered local and contextual and as such, does not challenge party's ideology, or prefer to create internal dialogue over sanctions.

In the case of Lleida, the Catalan direction of the socialist party prioritizes the local context and does not challenge A. Ros decision, even if they take their distance with it:

> To say if we would have done [the burqa ban] or not is really difficult. It surely occurred in Lleida because there was an explosive that led to make this reflection. How much burqa do they have? Maybe a few. In my town there is one. So, if there is an element that makes it difficult to identify people, you have to search a way out to make it possible to identify this person. I believe that Lleida tried to find this way out... not for the burqa but for particular elements. The focus has been put on the burqa because I suppose that it gives more media visibility. Whether the city council searched for it without ulterior motive... that I still do not know. But the media certainly focused on that, and there were certainly more people with helmets than with burqa. [pp.1]

That was also the attitude in the case of Vic's elected representatives, who do not govern the city but voted the ban of undocumented residents, even if a dialogue has been established with the socialist board:

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[59] *National Agreement on Immigration*, Generalitat de Catalunya, 19 December 2008, p.67.

[60] The three are cities of Catalonia, with different sizes and migratory context.

> Well, from the Executive committee we asked to the proper Vic's councilmen to come and explain their position to the rest of the council and, well, there has been a debate that enriched them in the end. When you are in a very concrete reality, you see all very differently, not better but differently. Because, certainly, we do not have the pressure of the population. [pp.1]

The autonomy of local and national scales is a common feature among many of contemporary political parties, especially cartel parties as defined by Katz and Mair (1995). But autonomy itself does not explain the emergence of discourses toward migrants that express intolerance while the party itself does not support such discourses. Local autonomy explains the discourse and the trivialization at party level only if we consider also that there are different political streams within the party. Oldmalm shows that left-wing and right-wing parties have to handle conflicting streams that can lead to adopt a more open or tough discourse on migration (Oldmalm, 2011). Centre-right parties are torn between value-conservatism and market-liberalism and centre-left parties might hesitate between international solidarity and job-market/welfare state protectionism (ibid.). The mainstreaming of intolerant discourses on migration, the unease among party leaders and strategies of trivialization can be explained by such difficulties to handle conflicting streams and interests within the party.

In the case of Convergencia i Uniò, the alliance between two parties which represent two poles of the right-wing, one conservative, the other liberal, makes the definition of a position on migration obviously conflicting. While CDC has always led the coalition especially as party in government at Catalan level, and has implemented a fairly open and inclusive migration policy, the representatives of UDC at local and autonomous level increasingly define resident migrants as a source of problems for social cohesion, as we have seen.

The left-wing PSC, and to a lower extent ERC, is not exempt of such internal conflicting streams. Angel Ros, the mayor of Lleida, is perceived as the leader of a new stream that would gain power in PSC and further in the Spanish socialist party (PSOE). Stakeholders perceive the situation of Lleida as an indicator of a (successful) political enterprise, connected to the renovation of the discourse of the party on migration:

> Angel Ros is totally different [within PSC]. He has done a very tough policy on migration, very brute. […] He is doing this since a while now. And I think that it is very curious because a few years ago […] he did not have an important role within his party, and now he does. And he obtained it thanks to his tough policy on migration. […] He did it in Lleida with this municipal autonomy. It was a laboratory, and it was very convenient for them. I do not know if this could be a model for the migration policy but Rubalcaba said that he would talk to him for migration policy[61]. [civsoc.2]

Indeed, the economic crisis and the reception of large scale immigration during the last ten years have given new opportunities for representatives and political party to express anti-immigrant discourses and statements. While the radical right remains very low in comparison with many other European countries, the mainstreaming of intolerance toward migrants is acknowledged by political leaders and stakeholders. The importance of such discourses, however, is often trivialised by political leaders. We have highlighted how tolerance for intolerant discourses has a lot to do with party dynamics in Catalonia and the will of many political leaders to preserve the representation of Catalonia as a tolerant and welcoming land. We will conclude by outlining the perspectives that such analysis offer for political action toward intolerant discourses.

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[61] A. Rubalcaba, the socialist candidate for Prime Minister in 2011, effectively asked to Angel Ros, the mayor of Lleida, to write the part on migration for the platform of the socialist party. See *El Periódico de Catalunya*, 8/07/2011.

6. Concluding remarks. Tolerating or limiting intolerance in political life: Toward the end of laissez-faire?

6.1. Analysing acceptance and intolerance in Catalonia's political life

The Catalan policy toward migrants has always been considered as the most integrative policy in Spain and a model of acceptance at European level. The Catalan administration and its policies have always emphasised the acceptance of migrants, especially by recognizing equal rights between nationals and immigrants and pressing the Spanish State for a more inclusive policy and the empowerment of Autonomous communities. It also succeeded in articulating the definition of the Catalan citizenship to the reception of non-Catalan people (foreigners or Spanish) in a civic-inclusive way and not in an ethnic-exclusive way. Citizenship is defined – and recognized – according to two pillars: the language (Catalan) and the residence. This orientation has been reasserted in each policy plans and framework programmes built by the Catalan administration and by the main cities of Catalonia such as Barcelona. This led to the signature of an Agreement between the main political forces (except popular party), civil society organisations and the Catalan administration, the National Agreement on immigration in December 2008, which reaffirms their commitment for building inclusion along three lines: "Management of migratory flows and access to the job market", "Adapting public services to a diverse society" and "Integration in a common public culture".

However, the agreement and the new plan for immigration 2009-2012 coincided with an aggravation of the financial crisis in Spain and with a series of European, autonomous communities, local and national elections during the years 2009-2011. During this period and especially since 2010, policies of exclusion and intolerant discourses toward migrants have taken over the public debate. In the political landscape of Catalonia, two different discourses claim to halt the toleration that has been implemented so far toward migrants. They both start from considering that migration and cultural diversity come along with problems posed to the social cohesion, and cannot be only perceived as positive for the society. But while some express non-toleration to practices and values of migrants they deem problematic, the discourse of others go beyond non toleration to express exclusion, rejection or hate toward (groups of) migrants or religious minorities (Muslims) *per se*.

In Catalonia, the expression of hate or rejection in the political life, through explicit racism essentially, is still unusual. The raise of the Platform for Catalonia has led to reconsider the place of the radical right in the country, even if its electoral support remains low in comparison with European countries. The Platform's discourse explicitly targets Muslims and migrants, especially lower-class migrants, as being undesirable in Catalonia and rejects at the same time the idea and the possibility of their integration in the society. Several flyers targeting Muslims or North-African immigrants have been condemned publicly and at times sued, and the party is still perceived as an outsider with whom other parties would never associate. However, it was argued that in the new Catalan political context representatives of mainstream political parties, especially the Popular party of Catalonia but also Convergence and Union, and to some extent the Socialist party of Catalonia, retook the idea that intolerance was necessary to safeguard social cohesion threatened by the increasing diversity of the society. The discourses of these leaders are closer to liberal intolerance for perceived illiberal and un-civic practices attached to certain ethnic groups, migrants or religious groups. But the definitions of the situation made by these leaders also challenge the definition of citizenship in Catalonia.

Expressions of intolerance tend to change the meaning of citizenship and notably make it pass from a civic-inclusive definition to a cultural-exclusive one. The backlash against multiculturalism is located around the question of civic behaviours and values that sustain citizenship in Catalonia. This takes the opposite view of the central political concept of "*convivencia*" (life together), which has been used in integration policies to stress the positive effect of the social plurality and of the coexistence of diverse cultures or religions. So far, the discourses and policy documents were aimed at creating a common culture based on harmonious coexistence and mutual enrichment between cultures. What the debates on the limits of tolerance and the need to not tolerate some practices challenge is precisely that

particular behaviours (of migrants), particular values (associated with minority religions or cultures) go radically against the "*convivencia*" because they are by nature uncivil, segregative or communitarian.

The dominant political and administrative response to intolerance and even discriminatory discourses so far has been an attitude of laissez-faire, in part because of a strategy to marginalize these discourses by not letting them receive media coverage, and in part because of the prevalence of the representation of Catalonia as a welcoming and tolerant territory.

On the path of the limitation of discrimination and hate speech, two tensions are not solved yet in the Catalan context. Firstly, the tension between freedom of speech and the fight against hate speech and racism, which points toward judicial solutions. Secondly, the tension between laissez-faire attitudes and the institutionalization of anti-racism, which points toward the regulation of political discourses.

6.2. Policy-relevant conclusions

1) Anti-racist campaigns have been implemented in Catalonia especially based on the need to fight rumours and hackneyed subjects about migrants. These campaigns have been developed by anti-racist organisations and retaken by the city of Barcelona and then the Catalan administration through the "anti-rumours network[62]" and consist on the presentation of data and laws that explain the falseness of hackneyed subjects blaming migrants ("they steal our jobs", "they do not pay taxes"...). These campaigns are also part of the more general effort toward the building of a so-called "common global culture" in Catalonia. This policy can be considered as a model at Spanish level and European level.

2) However the anti-discrimination and anti-racist policies can be effective only if the elites and especially political leaders do not validate the clichés by integrating them in their discourses. The compromise stated in the National agreement on immigration has not been respected by all the parties. This compromise cannot be made only at party level but should involve also the local structures of the party. Political parties should use the means at their disposal to regulate and implement effectively this commitment. The ambivalence of political parties which officially disagree with anti-immigrant statements and intolerance but have a laissez-faire approach of controversies, is in part responsible of the multiplications of statements which test the red lines between what can and cannot be said.

3) The jurisprudence of Catalan's courts still gives priority to the freedom of speech in political life to the sanction of discrimination by speech and prejudices expressed toward migrants. Only few cases of anti-immigrant discourses have been led to a condemnation for the speaker. Stakeholders agreed on considering the Law and courts' sentences lax on discrimination. This is problematic as it undermines the attempts to oppose actively discourses which are considered racists or discriminatory. Furthermore, the length of the trials makes it difficult to combat actively racism by the legal way.

Xenophobes are clever enough not to cross the red line. If they said "let's go and kill immigrants", this means they would undoubtedly be convicted. But they do not say that, they say "immigrants are privileged and we are marginalized" or, "they want to build a Mosque on the bullring", "we give 4000

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[62] Anti rumours network of Bacelona: http://bcnantirumors.cat ; Campain of SOS Racisme: *Walls: Let's take down clichés for living together:* http://www.sosracisme.org/accions/campanya.php?doc=1#part1

Euros a year to each immigrant", that cheque they made[63]. Of course this is not a direct incitement to violence. Incitement to hate, yes it is, because it is falseness. But in here the judges are quite benevolent and if there is not a direct incitement to violence, or if there is no clear justification that it is racism – and they are also very smart to not handle this topic – the sentences are very benevolent. [gov.1]

4) Stakeholders agree in their majority on the fact that political rights of foreigners would be changing the regulation of political discourses. The rule of reciprocity is applied in Spain for local elections, which enable some foreigners (almost exclusively Latin-American countries) to vote. But the exclusion of several of the major communities in Spain (like Moroccans[64]) makes it difficult for resident foreigners to be represented in the political life. The absence of foreigners among voters and the fact that still few Spanish nationals are naturalised or born from foreign parents contributes to maintain   electioneering   strategies   which   target   migrants.

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[63] The cheque refers to an initiative of the Platform for Catalonia which sent a cheque-like flyer to the inhabitants during the local electoral campaign of 2011. They were cheques of 4000 Euros addressed to "Mohamed Alcabir Samir", with the fake logo and signature of the Catalan administration, supposedly to denounce the inversion in migration and social integration policies. The Catalan administration sued the Platform for the falsification of its logo and signature on the flyer.

[64] Morocco has authorised the vote of foreign residents in its new Constitution the 1st July 2011 and, due to reciprocity rules, Moroccans should be authorized to vote at local elections in 2015. Still, this is raising the opposition of PP representatives, especially in the cities of Ceuta and Melilla, Spanish enclaves in Morocco.

Concluding chapter

1. Introduction

In previous works, Zapata-Barrero has shown that diversity policies and management in Spain has been driven by a "practical philosophy" (2009) and implemented as a "practical approach" (2010). By stressing the pragmatism in the design and implementation of diversity policies, Zapata-Barrero referred to several distinctive traits of the Spanish approach in comparison with other countries. Firstly, the Spanish approach of diversity is inductive. It means that regulations and policy instruments have not been developed a priori, following a particular philosophy such as republicanism in France or multiculturalism in the United Kingdom, but solving problems from below and, generally, at local or meso-level. It means also that this approach has been adapted to the territorial organization of Spain and in particular to the strong devolution of power to the Autonomous Communities and the respect of their specificities. The practical approach also refers to the fact that the research for solutions to political problems or claims and the design of new policies have often relied on the comparison and "benchmarking" of experiences in other European countries. Policy-makers in Spain have often sought to implement what were perceived as "good practices" in other countries and tried to avoid what was perceived as failures of foreign diversity policies. These criteria have oriented the practices in incorporation policies and diversity management in the first years of reception of large scale immigration in the country, especially in the late 1990s and 2000s. Even if immigration policies and border control have been designed in a much more politicized and ideological way, pragmatism has been the dominant pattern of policies of incorporation. Paradoxically, the absence of pre-existing philosophy on diversity accommodation and citizenship has led to create a new model and a new policy in which pragmatism is perceived and claimed as the best way to manage pluralism.

The examination of discourses and practices of tolerance or intolerance toward immigrant and cultural diversity has been the occasion to question the permanence of this practical philosophy in Spain in recent years. The cases study on education and on the political life have highlighted policy change, the rise of ideological discourses on immigration and diversity, the underlying importance of traditions and historical heritage, as well as unwanted effects of existing institutional systems in terms of acceptance of diversity. As a conclusion, we will highlight in a first part the principal findings of the presented studies in terms of tolerance, acceptance and intolerance of cultural and religious diversity in Spain. In a second part, we will show how these conclusions on tolerance and acceptance in Spain challenge the practical approach of diversity and incorporation policies in Spain.

2. Understanding the embodiment of tolerance in diversity policies in Spain

One of the main questions addressed by this report was to assess whether Spain has become more or less tolerant over the last years in which it received important immigration flows. Except in territories, such as Catalonia, which have had a long history in terms of reception and accommodation of immigrants, cultural and religious diversity brought by immigrants has become an issue in the country only during the years 2000.

As we have shown, diversity management has been an important component of Spanish politics since the establishment of the democracy in the late 1970s. The contemporary political model of Spain has had to take into account the territorial diversity of the country, in terms of national identities and of language diversity. The diversity is acknowledged by the administrative, political and territorial organisation. It is also acknowledged by the recognition of specific competencies to historical

territories and nations: diversity of education systems, diversity in managing language issues, diversity in auto-administration. If there is one main distinctive feature of Spanish identity, we argue, it would be precisely the integration of diversity. But it does not mean that this is implemented without tensions and conflicts. The way in which this diversity had to be recognised, in terms of legal recognition, political organisation or educational policies has been undoubtedly one of the major debates over the past 35 years. The system implemented, the so-called State of the Autonomies, has always been challenged, as by the central government as by the historical national minorities in Catalonia and the Basque country mainly. National minorities claims have been sometimes recognised (full education system in Catalan language, independent tax system in the Basque country for example) but major topics are still objects of dispute between the Autonomous governments and the central government or State institutions (notably the Supreme court).

Despite this experience of diversity management pre-existing to foreign immigration flows, tolerance of diversity has thus been a challenge for Spain. On the one hand, the Spanish national identity has been constructed before and during Franco dictatorship as a culture with single characteristics. In particular, the Catholic religion and Spanish as a common language are identity landmarks and symbolic instruments to affirm the unity of the country. In relation to foreign migration, it has had a double effect. It facilitated on the one hand the reception of migrants, especially Latin-American immigrants, who shared the same religion and language as well as a common history (Spain appearing as the *Madre Patria* or Motherland). However, it complicated the admission as equals of other foreign immigrants who did not share the same religion or language. For the minority nations of Spain, the reception of immigrants, whether from other Spanish regions or foreigners, has been perceived as a different challenge for their identity construction and their autonomous claims. During the dictatorship, the settlement of non-Catalans or non-Basques in these regions due to rural exodus, also raised a debate on the possibility to integrate these migrants perceived as different in terms of language and culture despite their common nationality. A similar debate occurred since the 1990s with foreign immigrants.

The presence of the gypsy minority within the Spanish population has also raised challenges in terms of diversity in Spain. The Spanish gypsies have historically been living in lower socio-economic conditions than the rest of the population and have been largely discriminated against. In addition, there has been little thinking on their situation and the discrimination they suffer. But in terms of national identity, the Gypsy culture has been intimately connected and melted into the Spanish culture, especially via the music, dances or the literature. In the debates about the living conditions of the Spanish gypsies the socio-economic issues have thus prevailed over cultural and identity issues. But even if the equality and the right to difference of gypsies has been recognized by the democratic regime, they are still objects of negative perceptions from the rest of the Spanish population.

Debates about diversity and unity of the State and the Spanish people have thus been at the forefront of the public debate over the last 35 years. The reception of 4 million immigrants in ten years has given a new actuality to these debates and led to an assessment of the necessity or possibility to tolerate or accept the diversity of practices and beliefs. What is particularly interesting is how this diversity reveals non-stabilized debates and arrangements about the management of the internal diversity in Spain.

Tolerance as a word and a concept seldom appears in Spanish politics and in the public debate to talk about diversity and immigration. When the term tolerance is used in the public debate, it mainly stresses the need for citizens to respect each other's beliefs and cultural difference and to consider all citizens as equal in legal and political terms. In comparison with the terms 'tolerance', 'acceptance' or 'respect', the Spanish term '*convivencia*' (living together) is the one that has been privileged in all accommodation plans and diversity policies. This term had previously been used to qualify the relationship between Christians, Jews and Muslims during the Moorish period, and particularly to emphasize the peaceful coexistence and religious tolerance at that time (8th-12th centuries). The unequal relationship between the 'host' and the 'guest' which is at the heart of tolerance and toleration is not conveyed by the term '*convivencia*' which stresses the horizontal and reciprocal dimension of accommodation. To speak about '*convivencia*' and to gather integration and diversity policies under

the terms of citizenship policies is a political position. It shows also that key questions for the concept of tolerance such as which practices, beliefs or discourses do citizens – or the society – agree to put up with or not, is almost absent of the public debate about immigration, at least until recently. This contrasts with debates on immigration policies which have been much more polarized around the issues of border control and security. To sum it up, debates and policies about cultural and religious diversity in Spain have been focused on the 'beyond tolerance' dimension, mainly policies aiming at the recognition as equals of immigrants in terms of civic and social rights. Specific cultural and religious rights on the contrary have not been discussed in the public space, at least until very recently.

We can raise three arguments to explain the absence of debates in terms of tolerance in Spain during the years 2000. Firstly, the main explanation lies in the absence of organized claims from immigrants. The recent settlement of foreigners in Spain, the overall precarious situation of these immigrants and the lack of immigrant organisations account for the scarcity of claims in terms of recognition of cultural and religious difference. The main claims which have been voiced in the public space were connected to the legal and administrative recognition of undocumented immigrants and to the ambit of social and labour rights in general. In addition, these claims were voiced by advocacy coalitions mainly composed by Spanish organisations in support of immigrants and not by autonomous immigrant organisations. Immigrant organisations, in turn, were mainly dedicated to the direct support of their members and to cultural and community activities. Secondly, the lack of specific claims for recognition of religious and cultural diversity can be explained by the general consensus that human rights, human dignity and liberal-democracy have to be respected. The absence of explicit challenge to these core values, whether by immigrant or religious groups or national organisations and institutions, explains the absence of debate about the boundaries of tolerance.

Thirdly, much of the absence of debate in terms of tolerance is also due to the 'practical philosophy' of accommodation at play in Spain. The management of diversity from below and the pragmatic approach in solving problems explains why debates of major extent did not occur in Spain. Nevertheless, the present report has identified a series of cases and debates in relation with education and the political life which have challenged the pragmatic philosophy of diversity management over the last years. On the one hand, examples show that this approach did not prevent segregationist dynamics and unequal treatment of immigrants, especially in the educational system. On the other hand, discourses of intolerance, reaffirmation of national identity and values perceived as opposed to immigrant groups' or minority religions' ones and claims for excluding practices or beliefs from the realm of what can be tolerated have made an appearance in public debates. To which extent this is challenging the practical approach of diversity and reconsidering boundaries of tolerance in Spain is the question which will be examined in the second part.

3. Challenges to the 'practical approach' of diversity in Spain

The cases studies presented in the report highlight different challenges posed to diversity management and accommodation policies in Spain. With the apparition of debates in terms of tolerance or intolerance of values and practices associated to cultural and religious minorities, this is the whole 'practical approach' of diversity which is challenged. In addition, part of the cases studies also show that the practical approach failed to address important questions related to the admission as equals of immigrants. This final part will thus examine what has changed in the public debate and seeks to assess whether this is the sign of a change of paradigm in the management of diversity.

We have put forward three arguments to explain the scarcity of references to tolerance in public debates until recent years: the weakness of immigrant claims, the absence of challenge to the basic values of human rights and democracy, and the practical approach of diversity management due to the absence of a pre-existing accommodation philosophy. We should logically examine these three elements to determine if the apparition of debates in terms of tolerance has to do with their transformation.

The apparition of debates in terms of tolerance or intolerance toward cultural and religious diversity is not due to the apparition of immigrant claims in the public space. Very little organized claims for recognition of distinctive cultural and religious practices have been voiced by immigrant or religious minority organisations. In all the cases study presented in this report, immigrants or representatives of cultural and religious minorities are virtually absent of the public debates as actors and only appear as objects of discourses and policies.

The dynamics and activities of intolerance boundary drawing are mainly rooted in changes in the conception of cultural and religious diversity in the country or in the revival of enduring cleavages.

In relation with the dimension of challenge to the human rights and liberal-democratic values, several cases studies have presented debates focused on this question. Illiberal practices exist and can sometimes be attributed to immigrants or religious minorities members. But the main change in discursive dynamics is the growing tendency to hold minority groups responsible for the behaviour of individuals. Intolerant discourses are aimed at individual practices which are disapproved of, essentially when these practices happen in the public space. This is the case of dress code, mainly the wearing of religious veils covering the face such as the niqab. It is also referred to practices related to crime, delinquency and incivilities, which threaten the peaceful life of citizens, like in the case of Badalona. Despite the individual nature of these practices, discourses of intolerance toward religious minorities or immigrants, perceive and present them as a group expressions: the wearing of niqab is presented as the symbol of the expression of fundamental Muslims while acts of delinquency and incivility are presented as the symbol of the Romanian Roma culture.

The second discursive dynamics which challenges the boundaries of tolerance aim at making salient long-lasting cleavages within the Spanish society. We have highlighted that the conceptualisation of national identity in Spain has remained largely unsolved. The pillars of Spanish identity, the Spanish language and the Catholic religion, have been associated to the dictatorship attempts to unify the country by authoritarian methods and the indoctrination of the population. Even if both Catholicism and the Spanish language are still important markers of the Spanish identity, the conceptualisation of identity has been also closely associated to the ethno-territorial diversity of the country. In terms of religion, the secularisation of public education and public institutions and the growing secularisation of the population are also challenging the place of Catholicism as an identity landmark. This lack of powerful philosophy and strong national identity has been an opportunity for accommodation policies aimed at foreign immigrants through the so-called 'practical approach'. But it is also an opportunity for some political and social actors to challenge the boundaries of tolerance. This has been exemplified by the case study on the creation and implementation of education for citizenship. The will of the government – and social movements in favour of secularism – to teach non-denominational ethics to all students has awaken underlying oppositions about the core values which 'vertebrate' the Spanish society.

More generally, the cases studies on political intolerance in Catalonia have highlighted the fact that immigration and religious diversity have become key elements, especially in times of electoral campaigns, in discourses on the preservation of social and cultural cohesion. In times of financial crisis, these discourses which present immigrants and minorities as a threat for the social cohesion and the living conditions of the natives have sprung. Even so, there is no clear evidence that these discourses would jeopardize the management of diversity from below which has prevailed so far. Debates on values and identity do not lead to the establishment of new criteria of admission or to a stabilization of collective identity conceptions. There is no real alternative to a pragmatic approach and few people plead for the adoption of multiculturalist or republican approaches. Despite the financial crisis and an important cut in accommodation policies funds, the overall philosophy of policies has not changed. The only evidence of change in the conception of membership is the one at play in Catalonia. We have highlighted that political discourses and the stretching of limits of intolerance is progressively changing the conception of Catalan identity toward an ethnic conception and tend to elevate the cost of membership.

As highlighted by some of the cases studies presented in this report, the approach of cultural and religious diversity and accommodation policies are not only challenged, they also fail to address key issues for the accommodation of immigrants and minorities. The self-conception of the Spanish culture as a culture of tolerance, of 'convivencia' and of respect of differences still dominates the public debate. In particular, Catalans still perceive their tolerance and openness to other cultures, their rejection of racism as a distinctive feature of their culture. However, the case study on school segregation but also conclusions on intolerant political discourses show that accommodation policies are sometimes blind to negative effect of pre-existing structures on the admission of immigrants as equals. Formal equal admission is often challenged in practice by the persistence of inequalities or of discriminations which are not seriously addressed by policy-makers. This is especially the case when the prominent position of the cultural majority or majority religion stays in the way of the admission as equals of immigrants and religious minorities. In front of institutional discriminations, the practical philosophy find its limits in integrating effectively differences.

This was exemplified by the case on school segregation and concentration of immigrant students. Despite of very elevated rates of concentration of immigrant pupils, no serious policy is challenging the general organisation of the educational system and its principles, in order to implement effectively equal opportunity measures. A multiplicity of factors maintain a discrimination in the access to equal education between immigrants ans natives but also between low-income and high-income students. But the levers policy-makers can pull to change institutional factors and unequal admission procedures are still underused. This is mainly due to the major political support to the actual system which aims as preserving the freedom of choice of parents, but without the means to correct dynamics of segregation. The creation of religion courses and the hiring of teachers other than Catholic, mainly for Muslim students, is also a current problem. In cases on the political system, we have found a comparable issue in the debate about the limits of intolerance and racism in political discourses. Even if Spain has strengthened its legal instruments in order to fight more adequately racism and hate speech, very few sentences against racist expressions have been passed. It is explained by a restrictive understanding of the law and the prevalence of free speech principles over the fight against racism and discrimination.

These examples show that tolerance or even a formal admission as equals is not enough to achieve the equality of conditions between minorities and the majority. This situation raises interrogations on the capacity of organised immigrants, or cultural and religious minorities, to voice specific claims in the future. Even if the accommodation of diversity is implemented on equal bases with the 'in group' the lack of recognition of institutional discrimination due to the safeguarding of majority privileges may represent a new challenge in the future.

4. Key messages for policy makers

General

Several concrete measures are needed to improve the situation of immigrant and native minorities in Spain. It is of paramount importance to prevent public and media discourse from targeting groups instead of targeting practices perceived as non tolerable according to liberal-democratic and human rights standards. Three issues need priority attention:

- Public discourses tend to practice inappropriate generalizations from determined practices by determined people to target cultural, ethnic or religious groups as a whole.

- Religious pluralism and Islam: Pay attention in particular to the treatment of Islam and Muslims who have been attacked as a group repeatedly, especially when discussing practices perceived as opposed to gender equality or to liberal-democratic values.

- New minorities in Spain - Romanian gypsies: A special attention should be paid to the situation of Romanian gypsies – and Romanians as a whole – who are increasingly targeted by public discourses

on security issues, mainly since free movement rules apply officially to Romanians as European Union's citizens.

Relevant measures to address these issues include:

- Promotion of a voluntary ethics code for media reporting on minority and migration issues.

- Set up lifelong learning schemes for local administration officials to raise their awareness of diversity and train them in antidiscrimination measures.

Education

To ensure equal opportunities of immigrant children at school

The concentration of really high rates of immigrant children in determined schools (superior to 60 to 80%) is unanimously considered as a matter of concern by governmental and non-governmental actors. Efforts have been made in the ultimate years to equalize the regime of admission between *concertadas* and public schools and disadvantaged children should be normally favoured over other children in school admission process. But the control over the application of these procedures is still poorly implemented.

Control of the admission process: the increase in human and financial resources dedicated to the control of admission procedures would prevent schools from disregarding norms and from discouraging the matriculation of lower-class immigrant children. It would also prevent parent's strategies to overpass the normal procedure. It should guarantee that the admission of children is made along clear lines and in the respect of the legal criteria determined to ensure equal opportunities for all children.

Criteria of admission: Criteria of admission which in practice are a barrier for the accession of immigrant children to some schools should be eliminated, in particular criteria which value the current or former enrolment of other family members in the same school.

Targeted aid system: Aid system for low income students as well as additional resources (material, personal and financial) for schools who receive a major share of low income and immigrant students have to be reinforced by public authorities. Governments should compensate and modulate the aid in function of the composition of the school. The already existing instruments providing additional resources to schools enrolling important share of immigrant pupils should thus be reinforced and concerted regularly with the educational community. Nevertheless, the reinforcement in resources of schools with high levels of concentration should not be perceived as a finality but as a transition policy while implementing a de-segregationist policy.

Introducing more binding measures in the school selection process: Even if this is still a sensitive topic for important sectors advocating for free-choice, the positive role of intercultural relations among children at school and the negative impact for the whole society of a segregated system, justifies the implementation of more binding measures in matter of school admission and school zoning. These measures have to be decided, in any case, in consultancy with public and private-schools sectors representatives.

Consequences of the debate on Education for citizenship

The debate on the legitimacy of Education for citizenship should draw the attention of policy-makers on the fracture it has revealed in the Spanish society concerning the respective places of the State and the Church in the education parents want for their children. The debate especially highlighted the fact that the authority of the State in providing secular ethics to children is still in dispute.

In the end, the pragmatic approach of the implementation of Education for citizenship has had positive effects to ease the conflict. Nevertheless, the need to foster a common culture among students based

on democratic values and human rights, interculturality and the respect of diversity should be reaffirmed and should be provided to all students whatever the school they are enrolled in.

In general terms, there is a need to acknowledge the growing presence of students with non-catholic background at school, as well as the de-secularisation of the Spanish society. This recognition should lead to provide more space for a non-confessional and historical teaching of religions for all students. It should also lead to allocate effectively the same room for all religions, which means to accommodate Protestant, Muslim, Jewish or Buddhist practices as much as Catholic practices.

Politics

Innovative programmes on rumours and falseness about migration.

Anti-racist campaigns that have been implemented in Catalonia since 2009 focus mainly on fighting rumours, hackneyed subjects and stereotypes attached to migrant and migration. These campaigns have been developed by anti-racist organizations and retaken by the city of Barcelona and then the Catalan administration through the "anti-rumours network1". Its objective is to present data and laws that explain the falseness of 'rumours' about migrants ("they steal our jobs", "they do not pay taxes"...). These campaigns are also part of the more general effort toward the building of a so-called "common global culture" in Catalonia.

This policy can be considered as a model at Spanish level. It has to be maintained and disseminated widely to the population. Anti-racist organizations such as SOS Racisme in Catalonia stress the importance of talking about "stereotypes" instead of rumours in order to de-construct as well the construction of prejudice.

Regulation and auto-regulation of discourse

To be effective, anti-discrimination and anti-racist campaigns have to be backed up by political elites. However, several political leaders and political parties have had a major role in validating stereotypes and falsenesses about migration, especially in political campaign's discourses.

As proposed by the National agreement on immigration, a formal commitment of political parties should be made to reject instrumental use of migration and form a "cordon sanitaire" around political organizations and leaders who spread racism, falseness and intolerance.

This compromise should involve also the local structures of parties. Political parties should use the means at their disposal to regulate and implement effectively this commitment. The ambivalence of political parties which officially disagree with anti-immigrant statements and intolerance but have a laissez-faire approach of controversies, is in part responsible of the multiplications of statements which test the red lines between what can and cannot be said.

Legal means to fight racism and hate speech

The jurisprudence of Catalan courts still gives priority to the freedom of speech in political life over the sanction of discrimination by speech and prejudices expressed toward migrants. Only few cases of anti-immigrant discourses have led to a condemnation of the speaker. The legal framework and courts' sentences remain lax on discrimination. This restricts the possibilities for the civil society and public institutions to oppose actively discourses which are considered racists or discriminatory.

Three dimensions can particularly be improved:

- Support anti-racist organizations and create structures to which victims of discrimination can file complaint for free.

- Reduce the length of trials: their duration makes it difficult to combat actively racism.

- Create a 'legal culture' about the fighting of racism and discriminations (ex.: awareness campaigns directed at judges and law schools).

Participation and representation of migrants

As a recent country of immigration, Spain does not count with an important participation and representation of migrants' representatives in political life. Stakeholders agree in their majority on the fact that political rights of foreigners would be changing the regulation of political discourses. Giving the application of rules of reciprocity for local elections, some foreigners - almost exclusively Latin-Americans – have the right to vote. In 2014, Moroccans will in theory also be allowed to participate to local elections. The political empowerment of migrants will contribute to change the discourse on migration. Still, Spain has also to ensure the effective participation and representation of migrants and minority citizens in order to normalize social and cultural diversity in the society.

Advanced social policies in times of crisis

It is impossible to separate the rise of intolerance in political discourses and the deep financial, economic and social crisis that Spain is experiencing since 2009. Immigrants' work and social conditions have gotten worse since the crisis and migrants have been more affected than nationals by unemployment. In addition, the Spanish government announced in April 2012 its intention to exclude unauthorized migrants from medical coverage. On the other hand, restrictions in social policies and the general cuts in welfare, health, housing and education have led to a growing unrest among nationals and to a growing sentiment of competition with migrants. One of the main components of anti-immigrant and intolerant discourses is based on welfare chauvinism and socio-national protectionism. In the case of Spain and Catalonia it appears clearly that the preservation of cultural homogeneity is overcome by the preservation of social cohesion and living standards. These interconnections between crisis, restrictive social policies and anti-immigrant sentiments, discourses and attitudes have to be considered as an alarm and a priority for policy-making.

This concretely means that:

- Policies trying to deal with the economic crisis should be aware of the necessity to preserve the situation of the lower middle class who is the more affected by the crisis and the more likely to develop anti-immigrant sentiments if put in a direct situation of competition with migrants.

- Public messages (in the media and politics) should avoid at all costs to present migrants and locals as competitors on the job market and for social resources. Instead, public campaigns should keep on fighting prejudices and spreading the message that migrants are not the source of the crisis.

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ANNEXES

Chapter 2: Methodological Appendix

1. List of interviews

Interviews with experts:

	Type	Function	Duration – Record - Place
[Exp.1]	Academic	Professor of Sociology of Education, Universitat Autonoma de Barcelona	1h, not recorded, UAB, Sabadell (Catalonia)
[Exp.2]	Academic / Think tank	Professor of Education, Universitat Autonoma de Barcelona. President of EDU21, a think tank on Education, close to the centre right nationalist political party Convergencia i Unio (CiU), who is currently ruling the Catalan government	1h15, recorded, UAB, Sabadell (Catalonia).
[Exp.3]	Academic / International organisation	Director of the UNESCO Catalonia Professor of intercultural Education at the Universitat Autonoma de Barcelona,	1h15, recorded,a UNESCO Catalonia, Barcelona.
[Exp.4]	Academic	Professor and researcher in Sociology of Education, Universidad Nacional de enseñanza a distancia (UNED) and Juan March Institute, Madrid.	1h30, recorded, Juan March Institute, Madrid.

On segregation and concentration at school in the metropolitan area of Barcelona :

	Type	Function	Case
[Bcn.1]	Administration/ Policy-maker	General director of the Attention to families and educational community service, Department of Education, Catalan government ; Former MP of Catalan parliament for CiU (centre-right nationalist party, current majority)	1h15, recorded, head office of the Catalan Education department, Barcelona.
[Bcn.2]	Trade-Union	Spokeswoman of the Education trade-union STES-USTEC	1h30, recorded, headquarters of STES-USTEC, Barcelona.
[Bcn.3]	Private-Schools representative	pedagogical consultant for the Christian Schools Foundation in Catalonia - FEEC	1h15, recorded, headquarters of the FEEC, Barcelona.

On the creation and implementation of Education for Citizenship :

	Type	Function	Case
[EfC.1]	Academic	Professor of Ecclesiastic Public Law at the Universidad Carlos III, Madrid. Fernando de los Ríos chair on "Secularity and Public Liberties"	1h30, recorded, Universidad Complutense, Madrid.
[EfC.2]	Civil society	President of the *Liga Española de la Educación y la Cultura Popular,* President of the Foundation specialized on Education CIVES ; Former national MP for PSOE (socialist party).	1h15, recorded, headquarters of the *Liga de la Educacion*, Madrid.
[EfC.3]	Civil society	President of the catholic parental organisation CONCAPA	1h, recorded, headquarters of CONCAPA, Madrid.

2. Interview guides:

Interview Guide n°1 : The distribution of immigrant pupils at school.

General :
- Function of the interviewees and bio-data - Description of the organization/institution - Orientation and objective of the organization/institution in matters of education (fundamental values, main goals...)

Bloc 1 : Framing of the issue :
→ How does the structure of the Spanish education system affect the acceptance of immigrant children in school ?

Topics	Main questions
Description	**How do you <u>describe</u> the current debate on that matter?** - In your view, how can we explain the scarce number of foreign pupils in concertadas-schools, in comparison with public-schools? - In your view, what is the main issue about the inequality in the distribution? - Can the distribution inequality be considered as a problem? In this case, how can you qualify the problem?
Explanation	**How do you <u>explain</u> this debate?** - What is or are the origins of the inequality in the distribution ? - Do you think is comes from : existence of private-schools / territorial inequality / social and economic inequality / cultural or religious difference / school strategies / parents strategies / problems of schools funding / racism (side questions).
Assessment public discourse	**How do you <u>evaluate the public discourses</u> on that matter?** - Concretely, how does your organization or institution decide to participate to the public debate? What is your organization/institution main discourse? - Do you collaborate with others? By which means (platforms, coalition, task group...)? How does it works concretely? - Which discourses or organizations are you fighting? How would you

	assess their discourse?

Bloc 2 : Evaluation and alternatives.

Topics	Main questions
Assessment of policies	**How do you <u>evaluate the political measures</u> or the propositions made so far to tackle this question?** - If you think that the distribution inequality is a problem which has to be solved, which actors are in your view those who has to act in priority? Which political level is the most important : State, Autonomous Communities, City councils, Schools, Civil society, Parents? How do you assess the measures proposed so far ? Recall following measures and experiences : - Changes in school zoning, - Experience of Vic (radical changes in the distribution by the fusion of schools …) - Busing. - Gratuity of *concertadas*-school . - Diminishing the freedom of choice from parents. - Which are the values which have to be considered in priority when searching solutions to this issue?
Alternatives	If these measures or propositions do not satisfy you, Do you think they have to be reinforced, expand or changed for others? For you/your organization, **what would be the potential or desirable solutions to this issue?**
Practices / experiences	Can you give **concrete examples and practices** which you estimate are good practices? In the contrary, which concrete examples should not be imitated?

<u>Interview Guide n°2 : Creation and implementation of *Educación para la Ciudadanía*</u>

General :
- Function of the interviewees and bio-data - Description of the organization/institution - Orientation and objective of the organization/institution in matters of education (fundamental values, main goals...).
Bloc 1 : Framing of the issue : **In your opinion, why has the creation of Education for citizenship (EfC) raised such debates in the Spanish society?**

Topics	**Main questions**
Personal opinion about EfC	- In your view, was it positive to create *Education for citizenship*? - If yes : Would you have done it in the same way? As a dedicated subject? - Personally, do you agree with the content of EfC?
Description	**How do you <u>describe</u> the current debate on that matter?** - Can you tell me how you would qualify the debate ? Have you ever seen

	comparable debates in schooling matters in Spain ? - Can you explain how the decision to create EfC was taken ? What was your / your organisation's position at the beginning / during the design of the law / after the implementation?
Explanation	**How do you <u>explain</u> this debate?** According to you, what is/are the reasons which raised such an important concern? Was it for the subject per se, the content of EfC, the way it was created and implemented, political reasons? In your view, what was the importance of diversity issues in creating EfC? Is EfC responding to the new diversity at school ? Does it respond to it the right way?
Assessment public discourse	**How do you <u>evaluate the public discourses</u> on that matter?** - Can you tell in your view who were the main actors of the debate? - Which were for you / your institution the main values at stake in the debate following the creation of EfC? - Concretely, how did you decide to participate to the public debate? Did you collaborate with others ? Did you directly opposed other actors? - Do you think the debate has come to an end now?

Bloc 2 : Evaluation and alternatives.

Topics	Main questions
Assessment of policies, measures and attitudes	**How do you <u>evaluate the political measures</u> or the propositions made so far to tackle this question?** - Did you collaborate directly to the design of EfC? Did you collaborate to the design of its content and implementation? How would you qualify this process? Do you feel that your point of view has been taken into account? - Do you think that EfC has evolved positively from its original conception to its implementation? - What do you think of the attitude of Autonomous governments ruled by the PP (Valencia, Madrid) in the implementation of EfC? - How do you see the role played by the courts in the evolution of the debate on EfC? -How do you see the so-called "conscientious objection" movement initiated by the Church and catholic parents? -What do you think about how EfC is implemented now?
Alternatives / Moral and values at school	For you/your organization, **what would be the <u>potential or desirable solutions</u> to this issue?** - If you could choose, what would you do with EfC? - Do you think there would be a better solution to foment intercultural education and to address diversity at school ? - Do you think that it is the role of schools to teach children some values? Do you think that tolerance to diversity has to be learned at school?

Chapter 3: Methodological Appendix

1. List of interviews

Representatives of political parties

[pp.1] Teresa Llorens, head of the Socialist party of catalans (PSC) for migration issues, Barcelona, recorded, 1h20.

[pp.2] Susana Clerici López, head of the Popular party (PP) for migration issues, Barcelona, recorded, 1h30.

[pp.3] Àngel Colom i Colom, head of Convergenc and Union (CiU) for migration matters, president of the *Nous Catalans* Foundation, dependent of the party, Santa Coloma de Gramenet, recorded, 1h30.

[pp.4] Pere Culell, head of Republican left of Catalonia (ERC) for migration issues, Manresa, recorded, 1h15.

[pp.5] Luis Esteve, head of Initiative for Catalonia – Greens (ICV) for migration issues, L'Hospitalet de Llobregat, recorded, 50 min.

Stakeholder: general – Government

[gov.1] Xavier Bosch, head of Catalan administration's department on migration issues, Barcelona, recorded, 1h20.

Stakeholders: general – Civil society

[civsoc.1] Janet Vallejos, head of AMIC-UGT, pro-migrant organization within the trade-union UGT, Barcelona, recorded, 1h.

[civsoc.2] Alba Cuevas, SOS Racisme, anti-racist organisation, Barcelona, recorded, 1h45.

[civsoc.3] Ghassan Saliba, head of CITE-CCOO, pro-migrant organization within the trade-union *Comisiones Obreras*, Barcelona, recorded, 1h15.

Stakeholders: Case on undocumented migrants' exclusion of municipal census

[vic.1] Sergi Santacana, lawyer, former member of Col.lectiu Ronda and writer of a report on municipal policies of exclusion of undocumented immigrants, Barcelona, recorded, 1h15.

[vic.2] Joan Vera, head of the social and catholic organization Caritas in Vic, member of the coalition against the exclusion of undocumented immigrants in Vic, Vic, recorded, 1h.

[vic.3] Mohamadi Houzi, head of the amazhig association of Vic and head of the coordination of entities of migrants of the region of Osona, Vic, recorded, 1h15.

[vic.4] Antoni Iborra, lawyer and member of Veus Diversas organization which took an active part in the opposition to the policy excluding undocumented immigrants, Vic, recorded, 1h15.

Stakeholder: Case on anti-romanians and roma campaign

[bad.1] José Santos Silva, Cristobal Lasso and José Cortés Cortés, President, vice-president and treasurer of the Federation of gypsies associations of Catalonia, Barcelona, recorded, 1h30.

Stakeholder: Case on the prohibition of wearing full-veil

[llei.1] Mohamed Halloul, head of the Islamic council of Catalonia, Barcelona, recorded, 1h15.

2. Interview guide

The interview guide differs slightly between the interviews carried out with party representatives and general stakeholders or with stakeholders on a particular case.

Origins / Motivation

[Stakeholders]

> Which were the reasons which have driven you / your party / your organisation to take part on the debate on: Vic-census / Badalona-anti-Roma campaign / Lleida – burqa ban?

[Party leaders]

> You know about the different debates which occurred since 2010 about migration related issues (remind the three cases), do you think that the way in which politicians talk about migration is currently changing? How?

Presentation and justification of his/her role in the controversy

[Stakeholders/anti-racist and immigrants organisations]

> Which are the ways to oppose anti-immigrant discourses that seem more effective to you in that case? Why did you choose to act as you did (media / public manifesto, manifestation, negotiation / reunions, legal action)? Which were the constraints?

[Party leaders]

> How are managed in your political party anti-immigrants expressions by elected representatives? How do you concretely manage debates about migration in which local elected of your party are involved?

> Is there institutionalized mechanisms or procedures which aim at regulating discourses or policies of members of your party which go against the ideas of the party on migration?

> What is the relationship between local representatives and Catalan party leaders on migration issues?

Assessment of the situation in Catalonia

> What is your opinion regarding the general framework in which politicians expressed themselves on this topic?

> Do you think that this local debate has been relevant at Catalan/State level?

> You know about this case (Vic/ Lleida / Badalona): what do you think about politicians' attitude? Was it discussed in your own party? What was the analysis of your party?

> Do you think the economic crisis has an influence on the discourses and policies about migration and cultural diversity? In your party / your organisation, did you concretely adapt your discourse to this new situation? How?

Limits to political discourses and solutions

> Do you think that there are values or principles which are contrary to the practices of some migrants and thus justify political limitations?

> Do you think that we need more instruments and efforts to limit anti-immigrant expressions?

> From what has already been done, what do you think is more efficient?

Do you think that the National agreement on migration (*Plan nacional per a la immigració*) has been useful?

What do you think is missing in fighting anti-immigrant discourses or which are the instruments you think more effective?

What do you think about legal actions to fight political discourses against migrants? What do you think about the current legal framework limiting racism and hate speech? Do you think it is efficient to fight racism and anti-immigrant discourses in politics? Do you think there is a problem in combining freedom of speech and the fight against hate speech/racism toward migrants?

Which solutions you think are more effective at short and long term?

Chapter 3. Annexes

Annex1- Table: Local ban of full veil in municipal buildings, Catalonia (2010)

Cities	Party in government	Type of decision (party's initiative)	Party vote	+ in favour - against o absention
Ban from municipal buildings				
Lleida	PSC (maj),	Vote of motion (PSC, CiU, PP)	+ CiU, PSC, PP - ICV o ERC	
Barcelona	PSC (maj), ERC, ICV	Decree (PSC)	- ICV, ERC, PP	
L'Hospitalet	PSC (maj),	Vote of Motion (PP)	+ PSC, CiU, PP - ICV	
Tarragona	PSC (maj), ERC	Vote of motion (PSC, CiU)	+ PSC, CiU, PP o ERC (modif)	
Cervera	PSC, ERC, INSE, PP	Vote of motion (PxC)	+ PxC, CiU - PSC, ERC, INSE o PP	
Reus	PSC (maj), ERC, ICV	Decree (PSC, 6 months after the rejection of two motions)		
Cunit	PSC, PP	Motion (PSC, PP)	+ PSC, PP o ERC, ICV, CiU	
El Vendrell	CiU	Motion (CiU)	+ CiU, PxC, PP, ERC (PSC left the plenary)	
"Regulation"				
Manresa	PSC (maj), ERC, ICV	Vote of motion	+ CiU, PSC, ERC, PP, PxC - CUP, ICV	
Sabadell	PSC (maj)	Local regulation		

Legend of political parties:
CiU: Convergencia i Uniò (centre-right, nationalist)
PSC: Partit dels socialists de Catalunya (centre-left)
ERC: Esquerra Republicana de Catalunya (left; nationalist)
ICV: Iniciativa per Catalunya-Verds (red-green coalition)
PP: Popùlar party (right)
PxC: Plataforma per Catalunya (far-right)
INSE: Independents de la Segarra (local party)
CUP: Candidatura d'Unitat Popular (alternative left; independentist)

Source: Own elaboration with media data.

Annex 2- Partido Popular's flyer, municipal campaign, 2010

Translation:

Title:"+ Security"
In the black squares:*"Delinquency" "Insecurity" "Incivility" "Dirtiness" "Is your neighbourhood safe?"*
In the blue square: *"I need only 2 councilmen to win local elections. If I am mayor in 2012 I promise that:*
We will be able to go out in the neighborhood without being harassed or attacked.
Whoever lives in Badalona will have to adapt to our norms and customs."

The top right picture stating "we do not want Romanians" has been the main object of controversy.