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**The Province of Almería (Spain) -
Mirror and Migratory Laboratory of Europe¹
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ABSTRACT

The first part of this article focuses on the province of Almería and the social inclusion of Moroccan immigrants working in greenhouse agriculture; it reveals the significance of social actors (e.g. trade unions, immigrant organisations, local administration, NGOs, political parties and employers' associations) in providing immigrants with access to social benefits. In contrast to a great variety of other studies concentrating on this issue, research has been conducted on social inclusion as an outcome of a local bargaining process, constituted by collective actors and their strategies to include or exclude migrants from different spheres and benefits of the receiving society. Against the background of the local socio-political and economic context, the implications of failing national immigration policies as well as the deadlocks of an insufficiently funded multi-level framework for the social integration of immigrants become evident.

The second and concluding part of this article puts the local empirical record of evidences into the European context: Almería is for many African (but increasingly also Eastern European, Latin American and Asian immigrants) the space of first physical contact with "Schengen-Europe," the place of first labour market insertion and clandestine existence on European soil. Almería hereby can be portrayed as "Europe or Spain in small", a socio-political laboratory on a small spatial scale, bringing together as one (but not the only) mirror the contemporarily existing Spanish and European realities in the fields of immigrants' acceptance and integration. In the bigger European picture alike the chosen small-scale context, the project of an "inclusive society," so far, remains an unfulfilled dream. In addition to (mostly excessive and inefficient) control measures, much more financial, political and public support for migrants and organisations working in the field of inclusion is needed, especially in border regions as spaces of first social contacts among native and immigrant populations.

GRAPES OF WRATH: IMMIGRANTS IN THE GREENHOUSE AGRICULTURE OF ALMERÍA

Situated within the autonomous region of Andalusia, the province of Almería certainly is one of today's focal points of Moroccan immigration to Spain and Europe. In 2002, the number of foreigners living in this area was nearly twelve times higher than in 1991. This increase appears quite impressive in comparison to the total immigrant population of Spain, which in the same time experienced just a quadrupling. At the end of 2002, about 36,000 foreigners lived in the province of Almería and counted for more than seven per cent of the total population while the national average concerning the percentage of foreigners living in Spain was around three per cent.²

More than half of the foreigners registered in the province of Almería at that time were of Moroccan origin. Two thirds of the Moroccan population were male, unmarried and belonged to the group of people between 20 and 30 years old (see Ministerio de Interior: 2003, pp. 80, 481, 484; INEa). The significance of seasonal or return migration as well as family migration, especially with regard to Moroccan workers in agriculture (serving often for them as the first niche of the local labour market), has been very low.

The attraction of the province of Almería as a destination for migrants is mainly due to the evolution of an internationally competitive greenhouse agricultural industry (see Checa: 2003, pp. 106-107). Paradoxically, this agriculture has evolved despite the fact that this province covers one of the driest areas in Europe. Before highly sophisticated technological innovations had been made, the possibilities for agricultural use were quite bad. The province of Almería therefore has been for centuries a traditional place of origin of emigrants. Its transformation into an area of destination has been induced by a dramatic agro-economic transformation, initiated in 1941 by the authoritarian government of General Franco. By drilling wells to exploit the salty ground water, the area became usable for agricultural purposes, mostly the production of vegetables under glasshouses. Small parcels of newly cultivated land were given to (Spanish) landless migrants from neighbouring mountainous areas and other parts of the Iberian Peninsula.

Due to agricultural innovations and adaptations, the province of Almería soon experienced a remarkable growth in agricultural productivity. Since the year 2000, the area covered with greenhouses increased more than thirteen times. With approximately 25,000ha, the province of Almería then possessed more than 60 per cent of the Spanish and about 25 per cent of the total area covered with glass within the European Union (see Eurostat). Formerly impoverished, the area is now among the Spanish provinces with the highest rates of economic growth and lowest rates of unemployment (Ideal Granada, El País). Producing half of Spain's paprika output and about a quarter of all tomatoes, the province of Almería is one of the most

important European exporters of vegetables (see INEb, Eurosur Consultores: 2003, pp. 178-182). As a consequence of increased productivity, the new proprietors who once had been seasonal agricultural (migrant) workers on their own, became dependent on additional non-familiar workers (see Martínez Veiga: 2001, p. 27). It has to be said that the international competitiveness of today's local greenhouse agriculture is largely dependent on the very low salaries migrants get for their work – salaries that are often 15 Euros per working day and less (interviews with migrants).

The local agricultural employment system is characterised by a high degree of informality and semi-legal or illegal employment practices (see Martín Díaz: 2003, pp. 45-50). Due to an effective technological adaptation to natural conditions, seasonal variations of the agricultural production have been reduced drastically: Today, local farmers are for nine to twelve months per year in need of agricultural labourers of foreign origin. Although farmers still recruit on a day-to-day basis (a cheaper and more flexible system), it has to be stressed that this does not imply that their laborers therefore can be seen automatically as merely a seasonally employed workforce that may return to their country of origin or to other provinces like they "wish." The day-to-day recruitment – often misunderstood as the employment of migrants who are only "seasonally" living in the province – is hiding the fact that there is nearly no seasonality of agricultural production anymore and local agriculture is in need of high numbers of migrants all year-round as they have substituted the former family-based working force. Migrant workers in the agriculture of Almería - in contrast to the traditional construct of a seasonal guest-worker - have to stay temporarily flexible, have to be ready to take up work every time farmers want them to work (otherwise they get easily substituted by other workers) and are forced to stay within the province although some days, weeks or months they don't find guaranteed employment. In addition, the closure and fortification of Spanish borders to third countries, has on the first hand had the negative side-effect of forcing illegal migrant workers to stay in Spain and not return on a seasonal basis because the chances to get back (legally or illegally) have been drastically reduced. On the second hand, an illegal residence and employment status means that these workers remain even more bound to the local agriculture of Almería because this province, in contrast to other provinces and city regions of Spain, is characterised by an extremely low level of law enforcement. Any forms of control are a rare exception.

It is estimated that per year up to 30,000 foreigners are employed in greenhouse agriculture, approximately half of them not possessing valid documentation. Although there have been some changes in the composition of the foreign workers population among agricultural labourers following the incidents of El Ejido (see below) when local farmers started to substitute

Moroccan workers for Latin American and Eastern European workers, until today Moroccans form the biggest share of agricultural workers. Given the fact that most workers have an illegal residence status (therefore mostly unregistered) and against the background that in Spain there is a general lack of trustworthy and reliable statistical data - with regard to legal as well as illegal immigrants as well as with regard to their employment - it is difficult to give exact numbers (see Martín Díaz: 2003, pp. 47-48). This is also due to the fact that most migrant workers – due to their illegal (unauthorised) employment – are not registered in the social security system. In addition, the number of migrant workers can only be estimated because the overwhelming majority of contracts are made verbally.

THE EMPLOYMENT AND LEGAL STATUS OF THIRD COUNTRY NATIONALS IN SPAIN

Spain, like many other contemporary societies affected by immigration, demonstrates a paradoxical situation: While the economy is in need of foreign, low-skilled and low-paid labour, migrants' entry, permanent stay and employment are more and more restricted (see Brochmann: 1999, p. 325). Since 2000 the Spanish foreigner's law (Ley de Extranjería) has been revised twice. In the case of third country nationals (Moroccan migrants belong to this group) who are not citizens of a member state of the European Union, the latest version (Law No. 8/2000, revision 2003) holds unrestricted access and residence possibilities for a longer period of time only for family members of legal migrants already present in Spain as well as acknowledged asylum seekers (see Martínez Atienza: 2002, pp. 304-358; Ley Orgánica 8/2000). Generally, possibilities for third country nationals to live and work in Spain, even temporarily, are reduced to a minimum. A visa to reside and work is only granted if the Spanish employer can prove that he has not found a Spanish worker. Furthermore, migrants can apply for employment opportunities only through Spanish embassies and consulates in their home country. Each initial work permit is then restricted to a distinct employment sector and working contract. As the job contract ends, simultaneously the work allowance and permit to stay become invalid (see Apap: 2002, pp. 173-174).

In Spain as in other countries a sharp line has been drawn hereby to divide legal and illegal migrants by the existing legislation. While nowadays, citizens of other EU-countries are been granted far-reaching rights and privileges, third country nationals find themselves confronted by exclusion from nearly all possibilities to enter, reside or work under conditions of "legality." To a wide extent a consequence of Spain's membership in the European Union (EU), judicial restrictions together with more rigorous border controls are the instruments of Spain as the

south-western guardian of the European Union to manage the “migration pressure” originating mostly from the African continent (see Goytisolo/Nair: 2000: 122). Among other Southern and Eastern European countries, Spain is one of the main actors to put into effect EU restrictions on immigration according to the Treaties of Maastricht and Amsterdam and the decisions of the European Council of Thessalonica in 2003. While Spain’s foreigner law grants immigrants possessing legal residence permits extensive rights, the fight against illegal forms of migration results mainly in the withholding of civil, political and social rights from those migrants without legal residence or employment status (see table 1).

With regard to agricultural employment in the greenhouses of the province of Almería, the majority of migrants do not possess a formally written work contract. In general, migrants are employed on a day-to-day basis; contracts exist only as verbal agreements. Locally, the presence of migrants with an illegal residence status who simultaneously do not possess a working permit is to a wide extent tolerated. Police controls are the exception. Although the current foreigners’ law holds severe punishment for employers recruiting illegal migrants (up to 60,000 Euros per illegally employed person, imprisonment up to 5 years), still today migrants with illegal status are able to find work in agriculture. The province of Almería, in contrast to other Spanish provinces, thus is an important staging ground for illegal migrants due to missing/inadequate controls. As a consequence, in front of administrations or police most migrants can hardly prove that a prolongation of their permit is economically justified or that they should be granted a legal status.

Many migrants who have entered Spain and have started working under legal conditions, often find themselves repeatedly in an illegal residence status (and thereby simultaneously are perceived as working illegally - that means without a valid employment permit that is directly depending upon their residence status). Generally these juridical categories are quite flexible. From time to time illegal migrants have been re-legalised by government campaigns. However, most immigrants afterwards have dropped again into an illegal status after the work contract, a prerequisite of the legalisation, ended (see Laparra/Martínez de Lizarrondo: 2003, p. 53; Apap: 2000, p. 175; Tapinos: 2000, p. 14; OECD: 2000, pp. 63-65). As a consequence, migrants often applied repeatedly for legalisation. At the beginning of 2004 it was estimated that more than one million people are living illegally within Spanish territory, hereby accounting for a third of Spain’s foreign population (see ABC) – to be in illegal residence status therefore rarely can be regarded as to be an exceptional case! As a consequence, at least this part of the foreign population as well as the rest of non-EU migrants who have to fear falling back into this status, do not possess a secure access to membership rights and can be considered as “margizens.” Migrants are only

eligible for permanent legal status, and according to HAMMAR (1990, p. 21; 1994, pp. 188-189) then “denizenship,” when they can prove five years of continuous legal status. Under the contemporary realities, the majority of Spain’s immigrant population is therefore far away from this more stable “denizen status.” In provinces like Almería the main factor determining the legal status of migrants has to be seen in consistence with the dynamics of the local labour market – due to the high degree of informality and the non-existence of state controls it becomes evident that agricultural workers are even more likely to live permanently in a insecure status on the edge between marginen- and denizenship or are effectively kept away – due to economic interests and the inflexibilities of bureaucracy – from becoming “denizens.”

BARGAINING SOCIAL INCLUSION: MIGRANTS AND THE RECEIVING SOCIETY

The social inclusion of migrants in Spain as a socio-political challenge is mainly delegated from the national to the regional (Autonomous Regions, for example Andalusia) and to an important part to the local level (provinces and municipalities). Established in 2001, the programme GRECO (Programa Global de Regulación y Coordinación de la Extranjería y la Inmigración) is the main instrument for the social integration of immigrants in Spain. On the national level, GRECO is based on four goal organising principles, including: “the design and co-ordination of immigration as a desirable phenomenon for Spain” as well as “the integration of the foreign population who contribute actively to the economic growth of Spain” (own translation, see Martínez Veiga: 2002, pp. 614-652). It becomes evident that “integration” in this sense has a restrictive character: the integration of these “good migrants” is intended because they do contribute economically. A need for the integration of unemployed and older migrants as well as their dependents, not economically-active family members, is not foreseen in the national action plan (see Torres: 2002, p. 63). While GRECO simultaneously emphasises the need for state action to fully guarantee the membership rights of migrants as granted in the foreigner’s law and the Spanish constitution, in principle, integration is only foreseen for legal migrants who are willing to adapt and accomplish the economic pre-condition (see Torres: 2002, p. 63). In the framework of this questionable concept most of the public funding for integration measures is being made. This is due to the fact that GRECO serves as the main instrument to co-ordinate different ministries and other political authorities and thereby heavily influences the approaches of these actors. Simultaneously, a co-ordination between the autonomous regions and the central state is intended by GRECO. Including principally an understanding of integration linked to control and pressure to adaptation, it seems problematic that in addition also most of the financial

contributions from the central state to non-state actors also are distributed within the co-ordinating framework of GRECO (see Laparra/De Lizarrondo Martínez: 2003, p. 52).

Although this public funding of non-state actors, like humanitarian and immigrant organisations, is low and in comparison with other European countries reflects the young history of immigration in Spain, non-state actors are bound in their activities to the fundamental concept of integration. As a result, NGOs are limited in their activities; some assistance can only be given to legal migrants as integration is only foreseen for them. However, indirectly these civil state actors are in some way entrusted with the quite delicate task of giving assistance to the huge number of illegal migrants living in Spain (see Arango: 2000, p. 270).

Thus, since its establishment, GRECO is criticised vehemently by non-governmental organisations, trade unions, political parties, immigrant organisations as also some governments of autonomous regions like Andalusia (see Laparra/De Lizarrondo Martínez: 2003, p. 52; Zapata-Barrero/Adamuz/Martínez Luna: 2002, pp. 83, 88). Due to the autonomy of the Spanish regional governments in welfare, housing, culture, education and health service, regions like Andalusia have developed additional integration programmes. In some provinces especially affected by migration processes, local plans also exist. Most of these action plans on the sub-national level also stress the importance of non-state actors and delegate tasks and funding to these organisations (see Laparra/De Lizarrondo Martínez: 2003, pp. 37-39; Zapata-Barrero/Adamuz/Martínez Luna: 2002, p. 89; Agrela Romero/Dietz: 2004).

In the opinion of Zapata-Barrero et al. outsourcing and the delegation of public tasks to a multitude of actors are leading to a growing confusion about which institutions in deed are responsible for the integration of migrants in Spain (see Zapata-Barrero: 2003, pp. 71-75; Zapata-Barrero/Adamuz/Martínez Luna: 2002, pp. 83, 88-89). This leads to the assumption that the Spanish provinces are the most important political entities regarding immigrants' inclusion, and civil state actors as well as authorities on this administrative level are the regulators of immigrants' inclusion.

Due to the mentioned juridical and bureaucratic practices of decentralisation and burden sharing (see also Agrela Romero/Dietz: 2004 and Faraco/Amrute/Pfohman: 2004), as well as the unbridled controlling economic dynamics of labour markets, the study focused on the province of Almería as a sub-national political entity and the specific situation in local agriculture. Confronted with a huge number of legal and illegal migrants, the local administration's capacity to act, to provide social benefits for economically welcomed migrants, is put to a key test. Since the year 2000 the issues of social inclusion have locally become even more sensitive and complicated

than anywhere else in Spain. After the riots against Moroccan immigrants in the town of El Ejido, committed by several thousand Spaniards, following the murder of two farmers and a young woman by Moroccans, the whole province of Almería became a symbol for growing social conflicts and xenophobic tendencies within the Spanish receiving society (see for example Martínez Veiga: 2001, Checa: 2003 and Europäisches Bürgerforum: 2000).

In the following empirical study, firstly, it was intended to analyse the social inclusion³ of Moroccan agricultural workers within the local context: To what extent are they members and included - in the understanding of having access to a certain range of social benefits - in different spheres of local society? While in a juridical and political perspective, immigrants are entitled to certain social benefits, like education or health care, this argument is based on the assumption that entitlements are translated into practice by various local actors, both of political authorities and civil society, in a locally specific bargaining process.⁴ While describing the currently existing local pattern of inclusion, the local mechanisms of inclusion will be analysed by discussing the role, significance and the strategic behaviour of various actors who are involved in the local bargaining concerning immigrants' inclusion: Which kind of inclusion mechanisms are utilised in the local context?⁵ How do local actors contribute to increasing (or minimising) Moroccan migrants' inclusion?

LOCAL EVIDENCES: ALMERÍA AND THE INCLUSION OF MIGRANTS - THE CASE OF MORROCAN AGRICULTURAL WORKERS

The agricultural labour market

Certainly the most important sphere of immigrants' inclusion within the local receiving society, it is the greenhouse agriculture and the existing working conditions within this locally important economic sector which have to be analysed. In general, working conditions for both illegal as well as legal immigrants are harsh in agriculture: NGOs like Mujeres Progresistas and Acoge are describing the current employment practices as "modern forms of slavery and exploitation in its extreme form." In addition to very low salaries, most immigrant workers suffer from high temperatures, herbicide and pesticide exposure, and resulting health problems. Claiming higher wages or better working conditions mostly results in losing one's job as a large number of other migrants is locally present and willing to work and to accept the conditions, however unsafe.

The Spanish quota system for migrant workers (known as the "contingentes") is currently only applied in some exceptional cases. Local farmers prefer hiring workers in the traditional (informal) way, which allows them to pay low salaries and avoid taxes and social security

contributions. In 2003, only one thousand migrant workers were granted a visa to work in the agricultural sector of Almería (see Ministerio de Trabajo y Asuntos Sociales) - comparing this number with the above mentioned estimation of up to 30,000 migrant agricultural workers, and it becomes evident that informal recruitment practices are much more important than the contingent system. Authorities of the central and regional state, Police, Guardia Civil and tax inspectors, turn a blind eye towards local employment practices and conditions. Within this framework of missing and failed controls, exploitation of immigrants and their inclusion in an extreme form of marginalisation is locally guaranteed.

As the foundation of local wealth and nearly every form of local development made in the last four decades within the province of Almería is linked directly to greenhouse agriculture, policies of protectionism are common. Farmers' associations generally do not feel any responsibility for the improvement of employment conditions, stating repeatedly that they give some bread to poor people working for them and cannot give more, employment activities are similar to those the families of today's proprietors had to endure before, in the time when they had been agricultural workers on their own (interview with UPA and Coexphal). As agriculture is immersed in a crisis of shrinking benefits and increasing international competition (see Ruíz Sánchez 1998, p. 183 and Oliver: 2003, p. 39), both political parties as well as local administrations are interested in protecting their clientele in the most important local sector of capital accumulation and their biggest section of the electorate. Claims to better employment conditions for employees seem inappropriate and dangerous within this crisis of local agriculture – in contrast, it is even more important to produce more and to reduce local salaries (see Checa 2003: pp. 142-144). Interest in employing illegal migrants therefore principally, rises, although central state authorities try to stop the illegal entry and residence of migrants. Representatives of local political parties, in general, show no interest in the integration of immigrants. Public and political discourse on this issue is either avoided or focuses exclusively on other topics like the criminal activities of immigrants or the claim to control Spanish borders more efficiently. The fact that the locally-created demand for migrants is the most important factor to explain the presence of immigrants is cut out from local political as well as media discourse. In contrast, farmers' associations (UPA, COAG) see themselves as "flooded" with too many immigrants demanding work. Quite naturally, in their view, thereby local salaries are minimising.

Against the strategic alliance, formed by the economical interest of farmers representing an important share of the local population, supported by political parties and local authorities, trade unions as well as organisations struggling for the rights of immigrants so far cannot exercise

any bargaining power. Although trade unions and employers locally have agreed on minimum salaries – the lowest ones of all Spanish provinces – this agreement is not transferred into practice. So far, local agriculture has been able to avoid the infiltration of trade unions: Immigrants engaging themselves in trade unions' activities are often excluded from any form of agricultural employment. Due to the formulations of the Spanish foreigners' law it is even forbidden for illegal immigrants to engage in or to affiliate with trade unions or to strike. As half of the local agricultural work force is constituted of immigrants in an illegal status, they are included in employment activities as lawless and extremely marginalised persons. Local humanitarian activists engaging themselves on behalf of immigrants have been repeatedly brand-marked (disgraced?) in public, like in the case of the representative of Mujeres Progresistas who had pamphlets set up in El Ejido claiming that she "play(s) with the bread of local farmers."

Housing conditions

Living mostly in an unstable juridical residence status, suffering from harsh working conditions, agricultural workers see themselves confronted with the lack of adequate housing. Although employed continuously in agriculture, so far no attempts have been made to provide accommodation by local farmers, due to the fact that from a juridical point they are not forced to do this when their immigrant workers are not contracted via the quota-system (contingentes). While farmers thereby avoid further labour costs, local administration feels no responsibility to construct houses for immigrants and emphasizes that "this is the task of their employers" (Unidad de Inmigración). Especially when regarding the claims for adequate housing made by immigrants, their organisations and support groups, until today the construct of seasonal workers who work and stay only temporarily within the locality is reconstructed continuously: Why provide housing when they will leave soon? - This is the normal reaction and only answer when talking to both farmers as well as local administrations' representatives.

In addition, immigrant groups, some NGOs and trade unions also avoid discussing the construction of homes especially for agricultural labourers. In their views, this could lead to "bonded labour in the most extreme form" (Atime): Immigrants reduced to pure labourers who have to work for their housing and would earn even less money than before and could be abandoned, left without home, when asking for too much. Political parties and local administrations also avoid putting housing projects for immigrants on their agenda. The fear of ghettos is widespread – this although extreme segregation already exists (see Checa: 2003). Most immigrants have either to construct their own huts out of plastic along the streets, next to

the greenhouses or to pay exorbitant rents for accommodation. In most cases they have to share their space with other immigrants to be able to pay rents – for local residents consequently they seem to be “people working like slaves, living like animals – people you don’t like to look at and just cut out of your daily perception” (own interview). Social distance between receiving society and immigrants therefore grows. Especially Moroccan immigrants are confronted with xenophobia and do possess even more limitations of access to the housing market, following the incidents of El Ejido (Cruz Roja).

As no attempts have been made by local administration, the government of the autonomous region of Andalusia as well showed only little engagement, humanitarian organisations like the local Red Cross (Cruz Roja) failed in providing accommodation for agricultural workers. The plan of Cruz Roja to establish homes, meeting centres and other facilities for immigrants has not been possible due to intense public pressure, the local residents’ fear of the creation of ghettos in their neighbourhood, and the agitation of political parties, certain administration officials and individuals. In the view of the conservative party Partido Popular, any housing projects would lead to an increased inflow of illegal migrants, further worsening the existing conflict. This opinion is shared by all other actors excluding humanitarian and immigrant groups. In conclusion, immigrants face a coalition of local actors who, for distinct reasons, show little or no engagement in their lives. Like state control failures regarding illegal immigration and illegal employment practices, regional and local administrations as well as employers are responsible for the severe housing conditions of immigrants. Negatively, there is also nearly no general public debate on these issues or pressure exercised by local civil society. Immigrants’ inclusion in the local housing market thereby is similar to the situation within the agricultural employment sector.

Realisation of civil rights and political mobilisation

Extensive limitations both for legal as well as illegal migrants are provided by the Spanish foreigners’ law within the sphere of political and civil rights (see table 1). Eligibility and suffrage is only possible for third country nationals who have been naturalised, which is quite an exceptional case within the province of Almería as a prerequisite in most cases is a recorded continuous legal residence status of five years. Migrants without valid documentation are denied all kind of rights to initiate and to participate in public gatherings as well as in demonstrations. In contrast to legal migrants they also do not possess any right to form associations or to affiliate in other interest groups. Consequently, immigrants’ abilities to usurp the power of employers and to participate in

the local bargaining process are extremely limited. For most immigrants “surviving, that means earning money and avoiding police control, counts” (SOC). In the view of the pro-human rights movement Apdha, generally immigrants do not involve themselves in political activities for fear of angering the local population and outbreaks like had happened in El Ejido (2000). Repeatedly, riots against Moroccans are noted, but mostly not discussed in local media and political discourse. Moroccans are generally seen as creating social conflict, while xenophobic tendencies of local receiving society are played down to a wide extent, though most local residents are aware of the fact that they have been brand-marked nationally and internationally since the year 2000. Since then local farmers have intended to replace Moroccan workers by inviting Latin American and Eastern European labourers to work in local agriculture. Farmers hereby play a game by declaring these new workers as “the good ones” while stigmatizing Moroccans as “the bad ones” or by making use of the more stigmatized Moroccans by employing them as foremen for other immigrant workers and therefore extending the gap of intolerance and creating resentment against Moroccans among other immigrant groups.

Due to the juridical regulations, the possibilities of mobilisation are extremely limited for Moroccans, especially in the case of illegal migrants. Despite this, in some cases Moroccans are initiating the first steps of mobilisation: Trade unions like SOC, UGT and CCOO emphasise the significance of certain Moroccan individuals intending to inform other workers about their rights and possibilities to mobilise. Due to a game of local farmers who play with different immigrant groups by favouring some while punishing others, so far only minor successes have been noted. Moroccans, as members of the most established immigrant group within the province of Almería, are becoming more likely to denunciate illegal employment practices- thereby, they “attract more anger and hate as (than) others” (Cruz Roja). So far, in the local context no social movement to support immigrants’ inclusion exists: the engagement for immigrants’ rights is limited to small circles of activists and their organisations, which lack the general support of the public.

While Moroccans are excluded from political parties and in the majority of cases also from trade unions and groups of the local receiving society like neighbourhood associations, some individuals are engaging themselves in local humanitarian organisations. Seen from this perspective, they have included themselves effectively in structures of the local receiving society, although this inclusion remains limited to some very specific groups. Some of these Moroccan activists intend to establish associations of Moroccan agricultural workers. So far, despite the high number of Moroccans living in the province of Almería, only few Moroccan organisations do exist whose engagement is directed towards the receiving society and claiming better living and

working conditions. Most other Moroccan groups so far remain limited in the scope of activities and concentrate mainly on the construction of mosques.

The only pressure group organising strikes of agricultural workers is constituted of the small union of agricultural workers (SOC). In contrast to the bigger trade unions (UGT, CCOO) SOC is formed nearly exclusively of immigrants. As the established unions of the receiving country only possess limited bargaining power and show no interest in organising strikes, (not to mention the fact that their clientele is mainly formed by Spaniards), SOC, represents for most farmers a kind of trouble-making movement, and is cut off from public funding. For local immigrants' associations, like Atime and Al-Ittihad, the main source for funding is the central and regional state. In general, local administration shows no interest in any humanitarian organisation and immigrant support groups. The common interest of the native resident population in keeping the status quo and protecting agriculture, so far, is blocking all attempts to improve the situation of migrants. Support remains limited to some grass-root initiatives. In the view of Apdha and other local organisations, it is also due to the great variety within the group of Moroccans (ethnic aspects, religious practices, values and regions of origin) that, so far, all attempts to form a significant pressure group have failed. One additional factor to explain the lack of engagement of most immigrants consists in the belief, shared by most immigrants, that they are only temporarily living within the local society of Almería, and will leave this area as soon as possible when they have been legalised or have found a better employment opportunity.

Health and social welfare

According to the foreigners' law, legal migrants and minors without consideration of their legal status can be regarded as nearly equal to Spanish citizens in their access to health care, education and welfare contributions, while in the national context important limitations to the mentioned benefits exist for illegal migrants, though within the Autonomous Region of Andalusia they possess unlimited access to health care. Since the introduction of the Andalusian health card (tarjeta sanitaria, see Junta de Andalucía: 2003, p. 4), humanitarian organisations like the Red Cross shifted their activities towards social welfare, education and emergency assistance. With regard to health care, immigrants' inclusion is regardless of their juridical status as equal to Spanish citizens. Thanks to the engagement of the regional level, immigrants' health is not dependant on the goodwill of local farmers, and health care centres are financed directly by the regional government thereby by-passing local administration. Unfortunately for the immigrants, this practice is not applied in regards to housing projects in the local context. Although there had

been repeated attempts by the regional government, an improvement of housing conditions for immigrants failed due to the lack of cooperation of local administrations to grant construction land.

In comparison to health care, education and social welfare are simultaneously provided by local non-state actors and local administrations. Immigrant minors are able to get education regardless their juridical status in all public schools, access for them is also provided without limitations to kinder gardens and any other public education facilities until they are 18 years old. Financed by the central state, via GRECO and other programmes, and the regional and local administration, some possibilities for education are also open even for illegal immigrants. Concerning illegal immigrants, funding is extremely limited: most humanitarian organisations have reached the limits and can only assist a small share of the local immigrant population. With regard to social welfare, the involvement of non-state actors makes it possible for immigrants to get some assistance, although they originally do not belong to the traditional Spanish welfare system, founded basically on catholic church's involvement as well as familiar mutual assistance. Benefits for immigrants are mainly limited due to overall lacking financial resources and transfers, regardless if they are provided by the central state or regional government. Local agriculture, so far, has blocked every attempt to be included in the provision of welfare and other transfers to immigrants. Generally welfare, health care and education are seen by farmers as being an exclusive responsibility of central state, regional and local administrations.

Almería - mirror and social laboratory:

Welcoming and including migrants in Spain

By revealing the inclusion of Moroccan immigrants within the province of Almería it became clear that in the case of Spain, due to decentralisation and burden sharing practices, the locally existing circumstances are of high importance. The province of Almería owes much of today's wealth and development to greenhouse agriculture, depending heavily on cheap and flexible foreign labourers. The locally existing employment practices, highly informal and flexible, as well as the strategic alliance between farmers, civil society, political parties and local administrations protecting agriculture as the foundation of local wealth and development constitute a locally specific setting for inclusion.

Due to the involvement of a majority of local residents in greenhouse agriculture and the existing informal employment practices, the presence of illegal migrants, as well as their exploitation is highly tolerated. Thanks to the involvement of other actors, like the regional administration of Andalusia and locally based non-governmental actors (in some part supported

financially by the central and regional state), immigrants possess at least some access to important basic resources like health care, substantial welfare benefits and education. Regarding immigrants' accommodation and their inclusion as neighbours into the local receiving society, migrants are facing severe problems that cannot be solved without the engagement of the most important local key player: the agricultural sector. Unfortunately, local farmers in most cases feel an extremely limited social responsibility towards their workforce. So far, all measures for immigrants' inclusion are regarded by the local economy as the exclusive responsibilities of state, regional and local administration. In principle, farmers are interested in keeping the status quo: Firstly, to have a workforce constituted mostly of illegal migrants that is willing to work under poor conditions and is rather helpless due to their exclusion from local membership, and secondly a low engagement of local civil society in support of immigrants.

Due to the historical evolution of greenhouse agriculture, until today a local agreement between political parties, farmers and administration representatives exists "not to touch" agriculture and to avoid troubles: for local incomes and taxes generated by agriculture are great. Given this local agreement, nearly no possibilities exist for non-state actors or public actors of the regional and national level to intervene and alter the currently existing situation. So far, immigrants' inclusion regarding agricultural workers is constituted to a wide extent of pure grass-root initiatives based on humanitarian ideals. Generally these initiatives lack the public support of local civil society. This although the majority of the local population is quite conscious of the employment and housing conditions of immigrants - public pressure on local authorities is low.

With regard to the local administrations' action plan for immigration (Primer Plan Provincial de Inmigración 2000-2003; Diputación Provincial: 2000) that emphasises the need to establish a co-operation of local actors in the field of immigrants' integration, it has to be said that this intended co-operation has not been achieved so far. Most NGOs and immigrant groups have left the negotiating table because no real agreement on improving the situation of immigrants was possible due to effective policy blockage, applied by agricultural organisations, political parties as well as local authorities. Resulting from this, all attempts of the Andalusian government to mitigate immigrants' marginalisation and stop their exploitation within the province of Almería have failed.

In 2000, the incidents of El Ejido were able to fundamentally change the Spanish context of immigration: Using the images of El Ejido and stimulating public fear, the conservative party Partido Popular was able to win national elections. Consecutively, one of the first laws reformed and enforced by the new government was the foreigners' bill. Since then, immigration policy is

regarded as being an important pillar for national security. Repeatedly the debate on illegal migration led to severe diplomatic disturbances between Morocco and Spain. The terrorist attacks of March 9 (2004, Madrid) led to further tensions between natives and Moroccan and other Muslim immigrant communities in Spain. In summary, immigration and integration in Spain remain linked to the illusion that increased border controls are the panacea to stop illegal migratory processes. The conservative government of Partido Popular until 2004 avoided to face growing realities for a long time: the only reaction towards a continuously growing number of illegal migrants (at the end of 2003 their number was estimated up to one million; see ABC) was – according to the general pattern in most European states – to put even more emphasis on border controls. Legalisation campaigns were repeatedly denied with the argumentation that this step would even increase the attraction of Spain as a destination for illegal migrants. In contrary to all statements made by the conservative party, as well as its successor, the Socialist Government under Zapatero (formed in 2004), the huge Spanish informal economy - the most important employer of illegal migrants and most important pull-factor - remained untouched.

Despite the promises of the new socialist government (formed by PSOE in 2004) to bring a fundamental change for illegal migrants and to guarantee them an existence in Spain under conditions of legality, most NGOs (ACOGES, APDHA etc.) supporting the inclusion of migrants into Spanish society heavily criticised the legalisation campaign that was conducted in the spring of 2005. Although PSOE intended to legalise all illegal migrants, only a limited share of illegal migrants has actually been able to legalise themselves – some of the legalised migrants could in the mid-term future lose their status again as the precondition for legalisation remained the existence of a written employment contract - a document that most agricultural workers in Almería are unlikely to deliver. In addition, they had to deliver a proof that they had been inscribed in the local municipal register – although this registration officially was not permitted any more following the reform of the foreigners' bill in 2000 and a huge portion of illegal migrants therefore certainly avoided registration. However, it is important to emphasise that even those migrants who will become legalised will not possess a permanent working or residence permit! The new legislation – as in former campaigns – provides migrants only with a temporarily validation that remains to be bound to the existence of a contract. If legalised migrants lose their employment or if the contract ends and they are not able to find a new employment with contract they again will fall back into an illegal status.

It is often said in debates among members of the public as well as between politicians and other decision-makers that the province of Almería is one of the “most conflictive and most

problematic areas” of insertion and contact between native citizens and immigrant workers in Spain.⁶ Unfortunately, this often seems then to serve as an excuse for outside (non locally-based) actors not to intervene in this area. The province of Almería is somehow portrayed as locally unique in the sense that the outside world never will be able to understand what happens/happened here (the big transformation of this impoverished area into a competitive and rich region, the suffering the native population once had to accept), so that any intervention from the outside is likely not to work as the native-insiders do not accept any interference into their “daily struggle for survival” (high level of competition on the European and global agricultural market). Often immigrants are blamed for any locally existing problem – the argument put forward is often that Almería suffers from its geographical position as a border region and staging ground for immigrants and that this region cannot cope with these high numbers of stranded people, storming this “helpless province” and thus creating social tensions. On the other side, however, the attractiveness and pull-effect of Almería’s informal economy and the locally created benefits are somehow forgotten in this debate. This Spanish region is therefore often construed as an “exceptionally different case” – a place that cannot be changed like other regions. This of course supports the further growth and existence of unbridled exploitation and xenophobia. Unfortunately, so far, no significant change of perspective has taken place: Almería might be a/the “worst-case scenario” in Spain, but little has been done to help and to de-stigmatize this area and bring this social laboratory, consisting of certain mechanisms of informal market insertion of migrants, high levels of exploitation but also high opportunities for clandestine residence of migrants, to a socially sustainable solution.

THE BIGGER PICTURE: ALMERIA AND EUROPE

The province of Almería clearly illustrates Europe’s current migration dilemma: While European and national policy makers struggle hard to create more legal channels for highly skilled migrants (for example through the new “Hague Programme” for economic migration, currently promoted by the European Commission), economies on the local level, especially former traditional agricultural economies and their labour markets, generate economic benefits by employing and exploiting unqualified Third country nationals. While the focus of policy-makers lies on better ways to attract and recruit high-skilled migrants – seen as generators for economic growth and as a “good” Europe should attract in order to show that it is competitive with other world regions in the global economy – the existence and necessity of labour markets to employ low skilled migrants in “traditional” sectors like agriculture but also in basis services is somehow avoided. Often this is

explained by the fact that policy-makers avoid this more important section of migrant workforce in order to avoid public backlashes as, against the background of high unemployment in most European countries, policies to attract low skilled migrants would mean an “affront” to the native electorate.

Almería stands only as one example (in addition to many other areas in Spain, Italy, Greece or Portugal) of the failure to implement an immigration policy, harmonized with Schengen and EU standards, on the national (central government) level that is rather the outcome of policy pressures imposed by other EU Member States and the necessity to conform with the Schengen and EU-acquis than this migration policy actually recognizes the individual, nationally existing immigration reality in the country concerned, its specifics and dynamics on the actual local and regional level. Southern European border regions like Almería share the fact that local labour markets never have been regulated like labour markets in the Northern or Western European industrial societies. Consequently, the possibilities of the central government level and the overall European policy level to intervene are extremely limited. The only solution for the local problem would consist of intensified interventions by the central state to control and stop illegal employment of immigrants by transferring more financial and personal resources to the province of Almería as one of the most important entry-points for illegal migrants. The side-effect of such measures, however, would consist of an extremely decreased competitiveness of local agriculture in the European and world market, a likely increase in local unemployment rates as a result of stricter labour market controls that would also affect the native workforce and a further intensification of xenophobic discourses against immigrants.

On the other side, border regions like Almería (in Southern Europe but also in the new Eastern European member states) suffer from the fact that these regions are often left alone with the side effects of European migration policies. Border regions traditionally are seen as spaces where the national government demonstrates its independence and demarcates its territory. As a consequence, border regions are used as spaces to demonstrate to certain categories of cross-border movers that they are either welcome in the country or – in the other case – are not welcome. Almería like other European border regions thereby clearly illustrates the perversion of current European realities: locally, both categories of migrants are economically – and in the end also socially – included in certain niches of the local society, economic benefits are created (low prices of products for European consumers, income and stability for local natives, taxes for the state) despite the fact that borders have been ignored. Although politicians in general emphasize that these local labour market niches should become regulated and controlled, however, to date

very little (if any) progress has been made in Spain or elsewhere to change “traditional” informal (with regard to migrants thereby semi-legal or illegal) employment practices that on the one side offer opportunities for immigrants to “get in” but on the other side often simultaneously lead immigrants to “get trapped” in exploitive labour market and tense intra-society relations.

As EU-Europe gets bigger and bigger, and the border lines are expanding and border regions are “moving” to the territory of mostly poor new Member states that are struggling on their own, more emphasis should be paid to border regions at the European level: this emphasis should not consist exclusively of measures to combat illegal cross-border movements in these border regions but also in strategies to effectively govern local labour market patterns and social dynamics in these areas. Border regions like Almería on one side have to serve as spaces where illegitimate cross-border movements have to be avoided but these regions are also in need of more support from the national and European level to manage their individual local immigration realities actively “on the ground”: more support to strengthen and create social society structures and institutions is needed. Effective measures toward illegal immigration would consist of more effective controls of local labour markets and the fight against a local tolerance of illegal exploitation patterns – on the other side, NGOs and migrants should be enabled to exercise their political, social and economic rights and supported in finding effective ways to include migrants and create socially sustainable and tolerant neighbourhoods. To construct an unwelcoming “cordon-sanitaire” on European grounds by tolerating xenophobic attitudes and exclusion mechanisms in the end is likely to create more negative side-effects for receiving societies than it is helping to defend borders that never will be absolutely tight and secure.

legal residence status	illegal residence status
(limited) freedom of movement (art. 38)	no right to enter, remain and work in Spain (art. 38)
(limited) equality in employment (art. 10 and 32)	no affiliation in trade unions, no right to strike (art. 11)
Unlimited access to health and educational services equal to citizens (art. 12)	medical emergency treatment (art. 12) unlimited access to the educational and health service for minors (art. 9 and 12)
Access to social services and welfare benefits (art. 14)	only limited access to social services and welfare benefits (art. 14)
limited possibilities to perform political rights (e.g. art. 7 and 8)	no rights to organise and to participate in public gatherings and manifestations; no rights to affiliate in interest groups and to form associations (e.g. art. 7 and 7)

Table 1: Share of rights for migrants in Spain, according to status of residence

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²Until today the number of foreigners in Spain has risen considerably. Numbers given reflect the statistical data that was available at the time of empirical research.

³The term "inclusion" (exclusion as the opposite) is hereby seen as a status constituted by the access (lack of access) of migrants to certain spheres and benefits (see also Kronauer: 2002, pp. 45-46) of the receiving society.

⁴Inclusion (exclusion) in this sense is regarded as the extension (limitation) of migrants' access to certain spheres and benefits.

⁵To get access and understanding of the locally existing situation literature, statistics and media information (Ideal Almería and La Voz de Almería) have been analysed. In the following, various expert-interviews with local (place-based) actors have been conducted between autumn 2003 and spring 2004. The author would like to thank all interview partners, including representatives of the following organisations: ATIME and Al-Ittihad (Associations of Moroccan immigrants); Acoge, APDHA and Mujeres Progresistas (immigrant support groups); Cáritas and Cruz Roja (humanitarian organisations); CCOO, SOC and UGT (trade unions); Unidad de Inmigración (Provincia de Almería), Oficina Municipal de Inmigración (Roquetas de Mar) and Servicios Sociales (Vicar) (local authorities); Partido Popular (PP) (Political party); UPA, COAG and Coexphal (agricultural associations).

⁶ Empirical evidences from local field research and through text-analyses of local, regional and national newspapers as well as scientific literature on Almería.