Highlights

National/regional public policies and discourses on integration and (anti-)racism

Portugal

(Anti-)racism in Portuguese policies and institutions: the 'integration' and 'accountability' of immigrants/minorities as 'solution'

Silvia Rodríguez Maeso, Marta Araújo, Olivier Guiot

Centre for Social Studies, University of Coimbra (CES/UC)

- In our analysis we find it essential to question the ways in which public policies and policy-making approaches have conceived of a relationship between the 'presence' of certain **immigrant** and **ethnic minority communities** and **racism**. That is, public policies and policy-making discourses are based on the constant delimiting of boundaries between minorities and immigrant communities and the national host society.

- **Racism and racial discrimination are mainly considered as a result of prejudice**, of *erroneous* visions of reality that should be confronted through political intervention, i.e. through educating the majority. From this perspective, the existent consensus about having to overcome 'most explicit and violent' forms of racism leads to the ongoing concern about the so-called 'subtle racism', seen as difficult to *prove*. Therefore, **anti-racism policies are converted into an instrument that aims at contesting something that cannot, in fact, be contested.**

- The *Plano para a Integração dos Imigrantes* [Plan for Immigrant Integration] (PII), the main project of the Portuguese state for immigrant integration, is based on the construction of a target audience, **the *figure* of the *immigrant-worker***, having assumed that Portugal is no longer just an emigration but also an immigration country. In this way, **this simplistic vision of immigration** in Portugal **reaffirms North/South, poor/wealthy dichotomies, substantiating the *locus* of Europe as a paradigm of modernity and development, and of Portugal as its part.**

- The main idea underlying the PII is an evaluation of immigration processes in terms of **positive and negative effects** that the 'presence' of immigrants might have on the 'national society'. The state's *responsibility* and that of the 'majority' are being constructed on the basis of the **paired terms welcoming/integration** that also frame ideas regarding the 'acceptance' of the foreign presence. There is evidently a tension between *inclusion* and *exclusion* policies which translates simultaneously into the view of the state as both **welcoming**, where it claims to be an 'ally of

immigrants' and **repressive**, where it asserts its sovereignty as far as their entry, leave and expulsion is concerned.

- The PII announces the need to define the scope of **tolerance** (within the legislation of the *host* state) thus reconsolidating **the presupposition of the immigrant as a member of population whose performance as citizen needs to be 'supervised'**. In this way **the boundary – conceived of as distance – between immigrants and nationals is continuously redesigned.**

- The topic of racism and racial discrimination has some visibility within an array of proposed measures in the PII. A substantial part of those measures and their indicators are oriented towards **appeals to *awareness*** and on communicating and disseminating 'trajectories of success', **aimed at constructing a (self-)perception of an inclusive society which is not affected by either individual or structural racism.**

- The creation in 2007 of the Alto Comissariado para a Imigração e Diálogo Intercultural [**High Committee for Immigration and Intercultural Dialogue**] (**ACIDI**) can be regarded as the culmination of a series of institutional initiatives of the Portuguese state, since the 1990s, for the struggle against racism and xenophobia, and closely linked to **the configuration of *immigration* as a central topic in a political debate**. Within the ACIDI political practice and discourse, **racism and xenophobia are predominantly seen as a consequence of deficient integration of immigrant and ethnic minority communities**.

- **None of the ACIDI or its predecessors' founding legislative documents provide any definition of 'ethnic minority'**, which leads to the ambiguity in its use as both characterizing ethnic and racial diversity of immigrant population and Portuguese autochthon population. **Even though the Roma community is the only recognised ethnic minority in the Portuguese national territory, it is never mentioned in the documents in an explicit way**.

- The ACIDI activities represent a sort of a pendulum swing between the need of discovering the 'other' on the part of the *majority* and the highlighting active integration within the 'autochthonous society', mainly within the spheres of economy (immigrants' contribution into the national economy) and culture (immigrants want, should learn and take part in *the* 'Portuguese culture'). From this perspective, **defying any forms of discrimination and racial discrimination specifically, as stated by one of the ACIDI representatives, is not considered a priority. Instead, the focus seems to be on ways to promote the *integration* of immigrant communities and minorities, which are seen, however, as most vulnerable in regards to racial discrimination.**

- Similarly to the PII approach, the ACIDI positions integration as a central question, also re-invoking the figure of the immigrant worker as the 'other' who *wants* and *aspires* to integrate (i.e. become a Portuguese), which can be proved by assessing one's contribution to the economy and his/her cultural competence; the ACIDI

awareness-raising actions make the point of showing that immigrant contributions do not represent any 'threat' to either the national culture nor to country nationals' employment opportunities. **Immigrant communities are therefore positioned as subordinate, which reproduces the image of the immigrant worker as a second-class citizen, although with the promise of full integration as 'subject residents at the service' (of Portuguese nationals).**

- In 1999, under the auspices of the ACIDI, Comissão para a Igualdade e Contra a Discriminação Racial [the **Commission for Equality and against Racial Discrimination**] (**CICDR**) was created as an independent agency for monitoring and inspecting discriminatory practices, and especially racist ones. The CICDR began its work in 2000, always headed by the High Commissioner of the ACIDI, with the status of the Equality Body in line with the Directive for Equality of the European Union Council (Directive 2000/43/CE). Several reports by European monitoring agencies as well as studies by Portuguese research centres pointed out **the scarcity of registered complaints in the 10 years of the CICDR work**, **along with the lack of political independence, the inefficiency of policies in relation to discrimination of Roma communities, and the insignificant number of sanctions or sentences.**

- The insufficient practice of the CICDR has its origin in the little relevance of anti-racism on the ACIDI agenda and overall in that of the Portuguese state policies. We would like to point out **how an interpretation of practices of racial discrimination as inherent in social structures and therefore determining one's personal life (for example, not getting a job, not being able to rent a house), has been labelled as *subtle racism***, or as the former High Commissioner puts it, as '*glass ceiling*', and yet goes without mentioning institutional structures that produce those invisible and unacknowledged obstacles. This conceptualization is also dominant among many representatives of associations of immigrants and of Roma communities. As we have already stressed throughout the text, this kind of approach to anti-racism **makes 'the fact' that Roma and immigrants are subjected to racial discrimination appear *natural* and favours the marginalisation of anti-racism in public policies**, convinced that it is by the positive side, i.e. by 'active integration' of immigrants and minorities, that the 'prejudice' would be eliminated.

- Within **this approach 'by the positive side'**, the Escolhas Programme [Choices] (PE), founded in 2001 and since 2004 integrated in the ACIDI (High Committee for Immigration and Ethnic Minorities at the time), aimed at promoting 'social inclusion' of children and youth from most vulnerable socioeconomic backgrounds (especially immigrant families and their 'descendants' and ethnic minority children) represents one of the most significant and prominent ACIDI initiatives. In fact, the Escolhas Programme probably gets more advertising than any other ACIDI programmes as it highlights cases of successful integration.

- Within this approach to diversity 'by the positive side' guides the movement against social exclusion, the topic of racial discrimination is never actually discussed or focused upon. The PE aims to support 'social inclusion' without contesting or trying to understand the reasons for the exclusion, situating those in **a sort of a vicious**

circle of stating the 'presence' of immigrant children and consolidating their status as that of 'vulnerable population' due to their 'immigrant condition'.

- The analysed discourses and political practices are nested within broader discourses of the last ten years in Portugal which focus on the relation between immigration and (anti-)racism, establishing a dialogue between the political sphere (institutional and that of political party affiliation) and the academic one. We can even argue the existence of a 'migration industry' from 1990s on, the moment from which academic publications and political interventions has started to move away from emphasizing the study of Portuguese emigration to focus on immigration to Portugal, and, moreover, on immigrants themselves and their integration into the Portuguese society.

- Our analysis uncovers the existence of some common views or political consensus: (i) the idea of a historically constructed 'matrix of tolerance' in Portugal; (ii) the **assumed transition from a country of emigration to that of immigration**; (iii) **the invoking of the national experience of emigration** (along with the difficulties of integration lived by Portuguese emigrants) is used to legitimize the fairness of the proposed measures for integration; (iv) the choice of a positive view of immigration, which results from **the 'demographic dilemma'**: the current context of demographic and economic vulnerability brought on by aging of population in Europe and by crisis of social welfare systems and the concurrent increase in immigration.

- From this perspective, **racism is seen as inevitably associated to the (unwanted) immigrant, viewed as a natural reaction to the difference which represents the negative side of integration – implying that it should not be stressed as it might result in exacerbating latent social problems**. Racism is tackled by means of euphemisms accompanied by making it seem **banal and natural**, which adds to denying its relevance as resulting from contemporary social relations (viewing at as an equivalent to social exclusion and something to be contended with). As it is not named, **it fails to trigger an array of symbols that calls for a different type of political approach that would touch upon deeper foundations of national states.**

- Political and academic discourses refer to the central **role for scientific knowledge** in acting against racism and xenophobia. There seems also to be a need of becoming more informed about immigrants themselves as a logical consequence of linking the problem of racism to immigrant populations. Moreover, the scientific knowledge production along with its consequences is never questioned, as if the scientific knowledge were antiracist by its nature.

- Both academic sphere and that of institutional and political party affiliation policies are seen as free from racism or discrimination, which confirms the idea that public opinion constitutes a social sector where prejudice resides. **Consequently, racism is understood as a result of ignorance, exonerating the role of politics and academy in consolidating and producing racism**. **This assumption need to be challenged**.

Denmark

Analysis of integration policies and public state-endorsed institutions at national and regional levels in Denmark

Tina Gudrun Jensen, Garbi Schmidt, Mette Kirstine Tørslev, Kathrine Vitus, Kristina Weibel

The Danish Centre for Social Research (SFI)

- Denmark provides an overall governmental and institutional framework for dealing with immigration, integration and discrimination. The **Ministry of Refugees, Immigrants and Integration** was established in 2001, and is assigned the responsibility for the *Aliens Act*, the *Integration Act*, statistics on foreigners, ethnic equality, and instruction in Danish language and civics. The **Danish Institute for Human Rights** was established by stature in 2002 and is responsible for research, information, documentation on human rights and discrimination. In 2003, a **Complaint Committee for Ethnic Treatment** was established, and replaced in 2003 by the **Board of Equal treatment**.

- Two central acts constitute the main body of Danish legislation on immigration and integration: the Aliens Act and the Integration Act. Rules for citizenship follow the principles of *jus sanguinis*; the citizenship of children following that of the parents. **Dual citizenship is not accepted in Denmark**. **Since 2002 several restrictions concerning immigration, residence and citizenship has been introduced**; major restrictions include the so-called '24-year rule' issued in 2002, raising the age from 18 to 24 for both parties involved in marriage reunification. The conditions to gain permanent residence permit and citizenship has also been restricted during the last years.

- **'Integration' as concept, process and goal stands out rather undefined** within the *integration policies*. Integration understood as **assimilation** with a **strong emphasis on equality in the sense of 'sameness' is however salient**; focus is on shared, national values and active participation in Danish society, and the benchmark of 'successful' integration seems to be 'cultural transformation'. The actual content of this transformation is, however, left open and **integration thus seems paradoxical; the 'goal' is unknown yet essential in order to be included** (e.g. by permanent residence permit or citizenship). The action plan Employment, Participation and Equal Opportunities for Everyone (2005) illustrates assimilation as central to the understanding of integration. Furthermore, **dominating discourses on gender equality (re)produce stereotypical understandings of ethnic minorities as people living by 'tradition', while Danish society is represented as a society based on values of equality, democracy and freedom**. Focus is on the barriers ethnic minorities experience due to 'their traditions and culture', whereas the action plan hardly pays any attention to the need to adjust the Danish labour market, or society in general, to diversity and multiculturalism.

- Denmark is among the European countries that has adopted **significant legislative acts against discrimination, and has a good data collection system on racist crimes**. Since 2000, the Danish government has passed a number of laws against discrimination and racism as a response to directives of the EU and UN, monitored by *The European Commission against Racism and Intolerance* (ECRI). For instance, the Danish government has established laws and boards that deal with discrimination on the labour market. **Still, today there are several potential areas within laws of immigration, asylum and integration that tend to put ethnic minorities on an unequal footing, and thus have potential discriminatory effects**. These are rules on social benefits, on spousal and family reunification, and on asylum seekers. Another continuing problem area is **the general climate of intolerance and discrimination against ethnic minorities, especially Muslims**, created by the Media and politicians, which tends to have a polarizing effect. The Cartoon affair, which in Danish public debate was strongly connected to freedom of speech as a Danish core value, illustrates the difficult task of categorising acts as racist and discriminatory in Danish society.

France

Policies of anti-discrimination and integration in France: The HALDE - the French Equal Opportunities and Anti-Discrimination Commission

Pauline Vermeren

European University Viadrina (EUV)

- The creation of the **HALDE** (**Equal Opportunities and Anti-Discrimination Commission**) in France comes in the wake of recent public policies against discrimination and for the promotion of equality and is anchored in an institutional but also scientific setting and this forms part of the interest that it has aroused. It is the result of **the development of European policies for the promotion of equality** and aims to make up for deficits in public policies as well as for the failures of the judicial institution on issues of discrimination. In so doing, it has been able to foster a **jurisprudence of discrimination**.

- The creation of the HALDE is part of **a rather complex institutional landscape** and an increasingly abundant legislative production. The large number of associations, public services and social partners that the HALDE has mobilised makes the task of centralising these actors difficult, not to mention that of unifying public policies in the fight against discrimination. Today, the institution claims that its actions have had far-reaching success; however, according to some, these actions remain insufficient.

- The HALDE undertakes to promote awareness and to educate in order to help develop practices and attitudes. It aims to identify and foster 'good practice'. **It defines the categories of discrimination prohibited by law, which in turn define the HALDE's priorities.**

- The **debate surrounding 'ethnic' statistics or statistics of diversity remains problematic in France** because **the term *ethnic* is ambiguous**. The debate also highlights the contradictions between the defence of **republican values** – which rejects any apparatus that might foster fixed categorisation and thereby fuel new forms of discrimination – and the **need to construct a more reliable tool for those who wish to be able to measure discrimination**. Hence, some researchers and even the government doubt the adequacy of the institution and question whether it has to be maintained in the same form as it has existed since 2005.

- The departure of Louis Schweitzer, who headed the HALDE for nearly 6 years, provoked a polemic over the way he had managed the institution and today **opinions are much divided concerning the effectiveness of the HALDE**. Some think that the institution has passed its tests and proven indispensible in the fight against discrimination. Others think that it is manipulated by the government. Its future is still uncertain.

Germany

Policies of anti-discrimination and integration in Germany: The German Government Commissioner for Migration, Refugees And Integration

Hakan Tosuner

European University Viadrina (EUV)

- The integration measures introduced in the **National Integration Plan** (NIP) are **neither new nor innovative**. Basically the NIP is a compilation of integration measures and policy suggestions which have already been developed by previous Commissioners for Integration – especially in the memoranda by Heinz Kühn (1979), Cornelia Schmalz-Jacobsen (1998) or Marieluise Beck (2005) – or by the **Independent Commission for Integration** (2000) many years ago. What makes the NIP so unique is its political 'upgrading' by the Chancellor Angela Merkel who made the issue of integration a 'matter for the boss' (*Chefsache*) in 2005.

- The evolution of the NIP makes clear that **over the years 'integration' as a policy concern has successively moved from a marginal to a central position** in Germany. Integration is not left solely to market or civil society processes anymore but rather it is considered a practice that ought to be regulated by **political intervention**.

- Since the NIP was initiated in 2006, leading political authorities have repeatedly pointed out that from now on **integration** has to be understood as a *Querschnittsaufgabe* (**cross-functional task for all levels) involving a variety of actors from different social, political and cultural backgrounds**. It is this very particular approach to the issue, and not the content of the measures, which makes the NIP a unique project and spreads a spirit of optimism in the country.

- However, the NIP also exemplifies that German integration policy is characterized by its **deficit-oriented approach** on the issue of integration. The **discrimination thesis** – which states that **different forms and mechanisms of institutional or structural discrimination from the host society towards immigrants are also a central cause of existing integration problems – is not present at all in the 'integration debate' in Germany** in general, and within the NIP in particular. Indeed, only the Left Party addresses this issue. Also, migrant organizations, which were part of the development of the NIP, have not been able to include this dimension into the NIP – either due to their lack of power or their 'awareness' of the issue.

- **The word *racism* appears only once in the entire NIP**. Even this single mentioning of the word **does not problematise this phenomenon in the German context**. The word 'race' is not used even once. However, to conclude from this that racism does not appear in the NIP, and thus that racism is not an issue in Germany, would be a naïve fallacy. The absence of racism would also imply the absence of discrimination in Germany and thus, no need for anti-discrimination measures.

- In **2006**, after a long and troublesome process, **the European directives on anti-discrimination have been implemented** into the German legal system and constitute a useful tool in combating discrimination in Germany. However, there is **a huge lack of knowledge about the existence and work** of the **Federal Anti-Discrimination Agency** (ADS) and the **General Equal Treatment Act** (AGG).

- Contrary to the recommendations by the European Commission against Racism and Intolerance, the AGG does not include language and nationality as protected grounds.

- For many years the ADS was neither able to develop a public profile nor capable of setting the right priorities for its tasks as outlined in the AGG. Only after the new director took over in 2010 has the ADS started to develop a positive public profile, introducing a variety of initiatives such as the controversial pilot scheme for anonymised application procedures in Germany.

- Furthermore, **some passages of the AGG contradict its ultimate goal, namely equal treatment on the grounds granted in the document.** Additionally, **the legal system has not been successful in implementing the AGG.**

Italy

Analysis of integration and anti-discrimination policies of public State-endorsed institutions in Italy

Simona Pagano

European University Viadrina (EUV)

- Italy has always been considered a country of emigration. In the century between 1876 and 1965, 25 million Italians emigrated, an amount equivalent to the country's entire population in 1861, the year of Italian unification.

- Before the 1990s, Italy lacked both tight immigration legislation (making immigration relatively 'easy') and anti-discrimination legislation. This has radically changed within the past decade with the passing of the **Legge Turco-Napolitano** (1998) and **Bossi-Fini laws** (2002). The first introduced the *Centro Identificazione ed Espulsione* (CIE, **Identification and Expulsion Centre**), formerly known as *Centro Permanenza Temporanea* (CPT, T**emporary Detention Centre)** in which 'illegal' immigrants are detained before their expulsion. The latter law tightens earlier measures with severer laws and pursues **the criminalisation of 'illegal' migration**. Finally in 2009 the *Pacchetto sicurezza* ('**security package**') was passed, deeming 'irregular' entry and stay on Italian territory a **criminal offence**, which can be penalised with imprisonment. The package also allows for the detention of immigrants in the CIE for up to 18 months and penalizes those who help 'illegal' immigrants.

- In 2004, in accordance with European Directive 43/2000, the *Ufficio Nazionale Antidiscriminazione Razziale* (UNAR, **National Office against Racial Discrimination**) was established. UNAR is the first institution of this kind in Italy, focusing on the guarantee of equal treatment of every human regardless of its origin, gender, nationality or religion. An analysis of UNAR's discourse shows that **anti-racist policies are equated to the promotion of equal opportunities**, **which in fact misses the point of the nature and current configurations of racism**. The document seldom speaks of racism, referring instead to 'racial or ethnic discrimination.' Nonetheless, UNAR is a public institution supposed to promote equal treatment and presumed to counter potential institutional and/or structural discriminatory practices.

- The anti-discrimination office seeks to gather incident reports of racism and to develop apposite measures in order to counteract racism, a kind of 'tool-kit' against 'racial discrimination', consisting of awareness campaigns, support for the victims and promotion of 'positive discrimination' actions. **Racism is equated to discrimination based on race and ethnic origin and mostly used in the titles of various awareness campaigns.** The report employs the term *razza* ('race')*, underlining that this does not imply the recognition of the existence of human races,

but the acknowledgement that the categories of '**race' and ethnicity** are socially constructed. Nevertheless, the term is used to subsume discriminations of any kind, including discrimination based on culture, language, religion and so forth.

- **Equality** – regarded as a fundamental principle of European societies and considered the counterpart to discrimination – must be guaranteed. The connection between antidiscrimination policies and promotion of equality resulted in the establishment of the UNAR in the Ministry of Equal Opportunities.

- UNAR's '**positive discrimination**' approach seems **to target not the victim of the discriminatory behaviour but instead its potential perpetrator**. Accordingly, UNAR organises seminars and trainings on 'diversity competence' in the workplace and education arena.

- UNAR's location within this Ministry leads to **an emphasis on women and discrimination**. Although it recognizes the different impacts on both genders, UNAR fails in the first instance to offer a deep analysis of gendered racism and remains vague on proposing effective counteracting measures, which makes their involvement with this phenomenon implausible. **A recent report discussing the situation of migrant women subjected them to 'othering' and victimization discourse, revealing UNAR as showing an *occidentalist* attitude.**

- Although self-declared as an anti-discrimination and anti-racist institution, **the UNAR's approach to 'immigration' and 'integration' echoes racist discourses. Throughout the document 'immigrants' are excluded from the national body by emphasizing, for example, their 'different cultural origins' in folkloristic manners. Moreover, immigrants are made responsible for their 'failed' integration.** Through **constant repetition of dichotomous terms such as 'our country' and 'their homelands,'** the report widens the gap between the 'Italian' population and the country's immigrants, **underlining their status as non-belonging to the *Italian society*.**

- In sum, the Italian anti-discrimination office, representing the official voice on issues of racism and discrimination, offers **poor initiatives for the elimination of structural and institutional racism and reiterates – willingly or not – racist discourses**, abandoning its objective of leading the population towards a 'culture of mutual respect and understanding'.

Spain (Basque Country)

The management of 'otherness' under the crisis of the State: integration policies and inclusive citizenship as a government paradigm in the Basque Country

Gabriel Gatti, Daniel Muriel

Collective Identity Researh Centre, University of the Basque Country (CEIC/UPV)

- The Basque immigration policy is constructed according to the following sequence: first, it is asserted that the Basque Country is administratively singular; second, it is recognised that its institutions do not have legal powers in the government of *alienage*; third, nonetheless, it is asserted that they do have full legitimacy for the government of situations associated to **the management of poverty and the fight against social exclusion;** fourth, **the problem of immigration is situated in the field of 'social vulnerability'.**

- The institutions of **the Basque government approach the 'other' from places absolutely foreign to questions of 'race', ethnic group or nationality**. They do so by avoiding the question of alienage and making the immigrant into a question (i) of the **integration** of '**socially excluded' subjects** and, (ii) manageable from **the construction of an 'intercultural society'**.

- The 'other' to whom the Basque immigration plans are directed is **a foreign immigrant from outside the European Union**, with **scarce resources** and '**at risk' of exclusion**. Nothing in these plans constructs *the foreigner* as related to 'race', ethnic group or minorities; similarly, the discourse about immigrants is never related to racism, xenophobia or the 'rejection' of immigrants. **Everything is related to their social, personal and economic status, which is always 'precarious'.**

The Basque immigration policy rests on basic axes: first, **globalisation**, a context in which the national states lose sovereignty and where **administrations at the local or regional level – like the Basque government – acquire greater importance;** second, **the proposal of an 'inclusive' conception of citizenship** that grants citizens' rights to everyone who resides in the Basque Country. In a post-national situation, entities other than the state must govern what was formerly governed by the latter, including citizenship and *alienage*. *De facto* residency therefore replaces not only nationality but also any other traditional element from the identity field – ethnic group, race, language, community – that might exclude immigrants from obtaining the category of citizen.

- **This policy gives rise to some paradoxes**: it governs a population upon which it has no actual power; it 'manages' immigration and its consequences by removing it from the terrain of the citizen as conceived of in terms of the national-state, in order

to propose rethinking the link between immigration and citizenship: **it provides documents that grant citizenship to subjects from whom citizenship is withheld by state-endorsed legislation**.

Spain (Andalusia)

Critical discourse analysis of the comprehensive plans for immigration of the autonomous government of Andalusia

Ángeles Castaño Madroñal, Fernando Martínez Cabezudo, José María Manjavacas Ruíz

Research Group for the Study of Sociocultural Identities in Andalusia, University of Seville (GEISA/US)

- In relation with the conceptual field that we are exploring, we need to take into account the contradictions of the Spanish nation-state and its challenge regarding **peripheral ethno-nationalism**. The Spanish state has unilaterally considered the peripheral ethno-nationalist, having different receptiveness in relation to its internal diversity and limiting the idea of cultural diversity to the idea of 'a differentiated people'. The Spanish state has also **limited the idea of interaction to that one taking place between the *autochthonous* population and the 'others' *allochthonous*, categorized as 'immigrants'.** For the last two decades, **the *deactivation* of the ethnic Andalusian identity** has converged with an approach to **cultural diversity referred, almost exclusively, to the 'otherness' of the non-national immigrant**.

- Scientific debate on the Spanish plural national state has prioritised **the concept of *ethnicity*** from a dynamic and procedural perspective, **avoiding the use of 'race'.** Some sectors of the Andalusian anthropology have inserted 'ethnicity' within an identitarian matrix structure, consisting on **ethnicity, labour culture and gender**.

- The genealogy of the semantics of 'race' and racism as an ideological construction is interrelated to the context of European colonial empires and to the institutionalization of social sciences. It is possible to explore the origin of this genealogy in Europe according to the logic of '**purity of blood**' in early modern Spain, by considering **the processes of construction of exclusive boundaries in relation to 'otherness'.**

- The location of the discourse and the semantics in this field (ethnicity, identity, cultural diversity and racism) has pointed to **the management of multiculturalism as emerging from the recent migration process in Andalusia**. Since 1990s, **expert discourse** has been developed within this subject, swinging from its **legislative approach** to the *attitudes* and *perceptions* towards **a phenomenon that is considered as a 'problem'**.

- Scientific production has been framed in relation to specific turning point events and political decisions: the **racist attacks in *El Ejido* (2000)** that increased the concern about racism, although from very different points of view; the **Greco Plan (2000-2004),** making policies of *development cooperation* conditional to immigration policies (fluxes and border control, the encouragement of migrants' return to their countries of 'origin', deportations); and the attacks of the **11 March 2004 in Madrid** that fuelled ***Islamophobia***.

- The studies on immigration and their contribution to the semantics of (anti-)racism are inseparable from the analysis of globalisation, glocalisation and transnational processes. Globalisation and globalism, as a derived ideological discourse, **fall into a neo-racism that is clearly visible in the New World Order and in the ossified Western racist discourse**. This neo-racism is embedded in the **discourses addressing an essentialist culturalism regarding the 'non-integrationability' of certain cultures,** thus, implying a biological concept of culture. These trends have been called 'cultural fundamentalism'.

- In relation with the **ongoing debate on *integration* vs. *assimilation*** in the Andalusian 'host' society, we address the relevance of 'social inclusion' as the concept that focuses on the local integration processes that are developed by immigrant groups. The 'welcoming' process presupposes an active attitude by the destination society, while **downplaying the collective action of immigrant networks.**

- A current debate within institutional sectors and civil society organisations **relates racism in Andalusia to the difficult living conditions of immigrants**, and thus poverty as a result of a deficient interaction with/integration in the 'host' society. **This position denies social and institutional racism and blames intolerance and inter-ethnic clashes on the 'autochthonous' society's social rejection of marginalisation and poverty** as exclusionary stigmas.

- From our point of view, the main distinction between racism and xenophobia lies in the importance of the structural position of the individuals establishing a relationship of power. There are different ways of exercising power in relation to the variables of **gender, ethnicity and labour culture**. These are irreducible variables forming the identity matrix of individuals, thus racism is expressed in various ways, and it affects in a different way to the members of an ethnic group according to their gender and according to their position in the social relations of production.

- Since the 1990s the central role of **demographic fluxes control** shows the increasing transnationalisation of immigration policies and borders control, **drawing geographic areas and armoured territories within a reproductive logic of the centre-periphery relationship embedded in the contemporary geo-strategy**.

- We base our proposal of rethinking citizenship, yet anchored in old keys of belonging to the nation-state, on these analysis and studies about ethnicity and

feminism that show the endogenous diversity of the national-State itself. Therefore, we propose a more inclusive understanding of citizenship based on the individual roots and on the own will to be/belong, **beyond the traditional bases of the *ius soli* and the *ius sanguinis* of Western modern states**.

- **The Immigration Policies for social Integration in Spain are competence of the Autonomous Communities**, although these regional policies are framed by the state-endorsed Organic Law 2/2009 for the Integration of Foreigners. This Organic Law is primarily focused on controlling migration fluxes. Local and regional policies are also shaped by the **Strategic Plan for Citizenship and Integration 2007-2010** (Plan Estratégico de Ciudadanía e Integración 2007-2010) developed by the PSOE (Socialist Party). The political framework for immigration in Spain is embedded within the provisions of the **EU directives and EU summits**. In the end, regional and local policies are adaptations and responses to social processes regulated by political frameworks of transnational intervention. **The general opinion among the experts on this subject is that there is not a national model/plan for diversity/multicultural policies in Spain**, **but the coexistence of local and regional models arising from different perspectives and institutional arrangements, resulting from the interaction of historical, political, social and cultural factors.**

- The Andalusian immigration policy has been developed within the framework established by the **Comprehensive Plan for Immigration in Andalusia through its successive formulations (2001-2004) and (2005-2009**). The development of these policies in the current decade must be understood in relation to a diverse framework of action and with juxtaposed levels of action and discourse. In this sense, the institutional discourse generated should be interpreted in the issuer/recipient double meaning, as it refers us to other external discourses.

- The main difference between the 'I Plan' and the 'II Plan' is that while the former was a **reactive intervention policy** to the immigration process and to its local effects (the paradigmatic example would be *El Ejido*), the second Plan is an **adaptive proposal** to the evaluation of the I Plan and to the EU's dynamics, semantics and discourses. The 'I Plan' included measures of awareness and intervention in relation to immigrant population; the 'II Plan' comprises actions targeting different social groups, both, immigrants and autochthonous social groups.

- The semantics and the core discourse of the Plans for Immigration in Andalusia do not fulfil the terms of equality expected within an institutional approach of such a nature. **The Plan's discourse continuously represents the 'autochthonous' society and the political representatives in a clear asymmetrical power relation regarding *the immigran*t**, locating social awareness policies within the semantics of 'normalization of ethnic minorities'; the 'tolerance exercised by the host society'; the production of the 'immigrant imaginary' through the notion of 'second-generation immigrants', etc.

There are some interventions emerging from these policies which are worthy of being pinpointed: **the specific *training programmes on diversity* for experts in cultural**

mediation and for public servants (cultural mediators and FORINTER); the universal health care service based on the general access to the 'health card'; the broad perspective on the policy of awareness that affects society as a whole through its provisions; the incorporation measures to 'adapt' administrative proceedings and increase their efficiency, resulting from an external evaluation process, even if this assessment does not consider the social effects of this policy. The several levels of political intervention (legislation, policy planning and institutional public discourses), do not consider (anti-)racism.

- The historicity of the transnational penetration of discursive intervention to control migration into the local level shows the ways in which intervention policies – developed and expressed in the public discourse by political elites –draw a *de facto* non-negotiable situation, not suitable of being subjected to public participation.

- The structural weakness of Andalusia within the Spanish State and its socio-economic peripheral status in the European level is observable in the political dialectic regarding the management of the Andalusian identity. It is also observable in the 'I and II Plans', the discursive and semantic ambiguity in relation to diversity; this is a sign of **assimilation** and a sign of a non-guaranteed socio-cultural reproduction. **The *interculturalism* proposed must be challenged: we cannot interpret it as an interaction on equal footing between different 'groups', but as a kind of 'temporary state' and as a 'natural' adjustment between generations.**

United Kingdom

Analysis of integration policies and public State-endorsed institutions at national/regional levels: Equality and Human Rights Commission (EHRC)

Salman Sayyid, Ian Law, Katy Sian

Centre for Ethnicity and Racism Studies, University of Leeds (CERS/ULeeds)

- The **Equality and Human Rights Commission** (EHRC) was set up following the **2006 Equalities Act** and launched on 1 October 2007. The EHRC is a non-departmental public body operating in **England, Scotland and Wales** and is responsible for improving and developing policy surrounding equality and discrimination.

- The EHRC **replaced the three previous commissions** which individually dealt with race, gender and disability; these were the **Commission for Racial Equality** (CRE), the **Equal Opportunities Commission** (EOC) and the **Disability Rights Commission** (DRC). As such, the EHRC acts as one body to tackle multiple discriminations and aims to represent all vulnerable groups discriminated against.

- As well as protecting race, gender (including gender reassignment) and disability equality, the EHRC is also responsible for sexual orientation, age and religion and belief. With the added component of **human rights legislation** the EHRC assures the basic rights and freedoms for everyone within a variety of social contexts.

- The EHRC is able to intervene in three key areas, which include in **the law**, **shaping public policy** and **ensuring the promotion of 'good practice'**. The commission is able to **inaugurate legal cases and process legal action on behalf of individuals** who have been discriminated against and where the Human Rights Act has been contravened.

- Throughout the EHRC's **strategic plan 2009-2012** we are able to identify that **the main social/political concern is the notion that the previous single identity group bodies are no longer relevant or made little impact compared to what the EHRC can achieve.**

- Previous anti-discrimination legislation had been widely criticised for being outdated, fragmented and inadequate and was reformed under the last Labour Government (1997-2010) with the development of the EHRC and the implementation of Single Equalities Act which aims to establish 'harmonisation, simplification, and modernisation of equality law.'

- The implications of this shift towards **single provider bodies** for the representation of ethnically marked communities suffering racial discrimination are significant and go hand in hand with **the current hegemonic 'post-racial' discourse** prevalent throughout the west which signals an end of racism or denies its existence.

- **This denial of the significance of racism and its unique trajectory feeds into the contemporary 'post-racial', liberal logic which attempts to mask, hide and dismiss the prominence of racism which is constructed as a thing of the past, no longer important or relevant.** The relationship between race and power and how racism operates structurally throughout society is instead overshadowed by a cloud of (neo-) liberalism which suppresses race to the extent that European societies are able to state that they are not racist.

- The EHRC and their support for the Single Equalities Act clearly partake in reinforcing **the 'post-racial' liberal discourse in which different intersections are treated as 'one'** thus the differences between ethnically marked populations, disabled populations, transgender populations, elderly populations and so on become equivalent and mainstreamed.

- The danger is that this **simplification of equality laws** and **the 'joining up' of the distinct equality strands enables Britain to construct itself as a progressive, 'post-racial' liberal society**, thus racism becomes invisible and is instead understood as a human rights issue. The bringing together of all groups and dispensing with single issue bodies such as the CRE, sustains and **strengthens the notion that 'we are all the same' and as such reinforces the discourse of**

colour blindness, universalism and unification which masks the persistence of structural inequalities that remain embedded within contemporary Britain.

- The **European Fundamental Rights Agency** (FRA) in its most recent Annual Report (2010) makes reference to a number of both positive and negative aspects of current equalities UK policy and practice. Firstly, it notes that only the UK (and Sweden and Finland) of the 27 EU member states regularly collect and publish data on racist crime. Secondly, it confirms the significance of the establishment of a new House of Commons committee with the task of producing recommendations for rectifying the under-representation of women, ethnic minorities and disabled people in the House of Commons. Thirdly, despite only a third of EU citizens believing they know their rights related to non-discrimination or harassment, knowledge of these rights is highest in the UK, Finland, Sweden, and Malta at the top with more than 40 per cent awareness and this has level has increased by 6-8% over the last two years. Fourthly, the formal commitment of the UK to the 21 key UN and Council of Europe conventions in this field is not however complete, unlike Spain for example. It is also the worst EU member state in terms of its level of formal commitment to the various provisions of the European Social Charter.

- **The level of legal activity on casework and formal investigations in the racial discrimination field has substantially reduced with the transition from the CRE to the EHRC**. During this period the EHRC launched only one formal investigation related to racial equality which focussed on racial discrimination in the construction industry. This inquiry reported in 2009 and found that a negative image of the industry and poor recruitment practices contributed to low numbers of ethnic minorities entering the sector.

- It is possible to identify **five key developments in the elite political discourse** which facilitated the establishment of the EHRC by changing the hegemonic views of racism and strategies for prevention:
    1. The **Stephen Lawrence case** which diluted prevailing conceptions of racism.
    2. New Labour's conception of **multiracial Britain** with **racism being of less significance.**
    3. The shift towards **intersectionality** which **undermined the focus on group specific antiracist and racial/ethnic equality demands.**
    4. The move towards administrative and bureaucratic simplification which provided **a managerial rationale** for a separate focus on racism and racial equality.
    5. The current equalities regime did not cover all forms of discrimination which facilitated the mobilisation of support from **Muslim groups** concerned about **religious discrimination** for **the move away from a racial equality focus**.

- In the early stages when the EHRC was being set up and the Single Equalities Act was in its Bill stages there was much discussion in **Parliament** from those who supported its implementation and those who opposed it. The majority supported the move towards a Single Equalities Commission and the subsequent Single Equalities Bill (which has now been passed as an Act). The CRE, EOC and the DRC

embraced this move. Those in opposition to the Equality Law suggested it was 'in itself too interventionist' and failed to achieve its objectives.

- Many BME third sector organizations also express their concerns with the move towards single equalities as it is suggested that it fails to take into account specific issues of certain groups.

- **The idea that 'race' is simply one of the ways in which individuals comport themselves finds its analogue in the notion of an integrated human subject** who can suffer multiple forms of discrimination and these multiple forms are axiomatically equivalent: so that racism is similar to sexism which is similar to discrimination on the grounds of disability or sexual orientation. **Such an approach de-historicises racism and fundamentally disempowers anti-racist struggles.**

- The establishment of the EHRC was both a contribution and the culmination of a process by which **the post-racial logic became hegemonic in organising the semantics of tolerance and anti-racism.**