

IS CITIZENSHIP ENOUGH?

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This paper tried to be a theoretical approach about the role of citizenship in obtaining true equality. The object of this theoretical research is the immigrants and their sons, the so-called second and third generation, and the objective is making an exploration about the relation between citizenship, identity and living together.

Nowadays, transnational immigration is a principal element in the globalization process and one of the most important characteristics of contemporary society. Contemporary migratory movements represent a new phenomenon due to their influence. They have reached a global dimension, affecting western to the same extent as non-western countries and people from the North and South.

The urban centres of the western countries have become one of the areas where immigration has had the strongest effect, and where the global social transformations have become most notable. In these urban areas with more or less limited space, different ethnic groups live together and interact, both native and immigrant peoples. The interactions are complex, and in many cases conflictive. (Cohen 1974, Barañano 1999, Pérez-Agote 1995).

The conflict of these relations consists mainly in the immigrants' position in the host societies, which is always inferior to that of the native population. Among the immigrants, there are groups of people who are particularly subordinated, that belong to economically less developed countries, the so-called "non-community immigration". (Santamaría 2002, Garreta 2003).

In order to subvert this position of inequality, one of the main objectives of immigrant associations and the national groups who work to change the social significance of immigration is obtaining citizenship, as a political basis of equality. (Da Silva Gomes 1994, Aramburu 1994). *Access to citizenship is the condition for obtaining all political rights (including the right to unemployment benefits reserved for certain people in financial difficulties). The condition of citizen annuls the condition of immigrant and alien, at least as far as rights are concerned – although on the symbolic level, these new citizens can still be perceived by certain sectors of the native population as aliens with regards to the national community.* (Álvarez Dorronso 1994, 223)

The integration of the immigrants comes irremediably through obtaining citizenship, although being a citizen does not guarantee the integration and the respect of the others. We must redefine the construction of nationality and citizenship.

Legal Matters

In the legal matters, citizenship presents various problems related to immigration. On one hand, there are the immigration laws in every country, and on the

other, there are the inalienable individual rights. In the case of European Union countries, there is an intermediary instance set forth in the agreements and treaties (as well as in the Constitution) that dictates the general principles on which the immigration politics of the member countries should be based. The problem is that many of these policies or immigration laws clash with other higher laws. For example, in the case of Spain, the last Immigration Law of 2003 has been an object of numerous rulings by the Constitutional Court, which give warning signs of their incompatibility with the Spanish constitution.

The same happens with the fundamental rights that establish the free movement of people, a right that is incompatible with the politics of closed frontiers of the European Union. We must not forget that aliens, no matter what their legal situation is, are protected by universal human rights laws, therefore, they have some basic rights that cannot be denied. (Solanes 2004)

These legal contradictions that appear in every country with immigration laws are very strange in our country and in the European Union countries due to the fact that the right to political participation of citizens of Member States is continually increasing, but at the same time, non-community immigrants have increasingly fewer civil rights. The European constitution establishes that a citizen of any state of the European Union¹ who has lived in another EU country for a certain amount of time has the right to vote in local and European elections, but not in the regional or the general ones, no matter how long they have lived in the country. In the case of immigrants who do not come from EU countries, the situation is very different, since their right to vote is not recognized in the EU or in Spain. Their rights to association or handicapped assistance are not recognized either.

The access to these rights is granted exclusively to citizens. In the EU and in Spain, the only requirement for obtaining citizenship is nationality. It is therefore the structure itself of the State that makes equality of rights between immigrants and natives impossible. It is only possible to obtain citizenship in all its dimensions through birth. Being born, in this case in Spain, is the essential requirement for being a Spanish citizen. In fact there are other cases as well where it is possible to obtain nationality, for example through family origin, that is to say, through the ancestors' nationality. Therefore, citizenship arises through the nation or more specifically through nationality. Thus, the geographical place of birth is more relevant than the time or activity developed in the country granting those rights.

Because of this situation, there are individuals who have lived many years in Spain, paying their direct and indirect taxes and thus favouring the development of the State, but they do not have the right to vote and decide on a future they also are building. This means that our legal system is promoting a separation between citizens and non-citizens, between natives and immigrants. This differentiation that according to writers such as Presno (2004), would be equal to the distinction between citizens and subjects, is the legal base on which discrimination is founded, that later on would be symbolically built through prejudices and social stereotypes. On the other hand, as

¹ In "The Letter of Fundamental Rights in the EU," approved in Niza Summit (8-10 December, 2000), are included (arts. 37 and 38) the rights of every EU citizen to be an elector and to be eligible in the European parliament elections, and in the municipal elections in the same conditions as the native residents of the country. These rights have also been incorporated in the EU constitution (arts. 39 and 40 of Part II).

this same writer reminds us, not only is the immigrant being degraded by this differentiation, but our own democracy is being discredited as well, since the base of the democratic system is participation, that is, the legal possibility to decide on private matters (that affect me), and general matters (that affect mine - my fellow citizens) under conditions of liberty and equality.

In order to avoid all those situations, citizenship should be granted through residency and not through geographical or ethnic criteria (that come exclusively through birth). Citizenship implies that the individual, the citizen, is a member of a social and legal system where his interests converge, and in which he can, therefore, freely under conditions of equality gain access to the obtaining of those interests.

Identity Matters

The identity matters have also become another key dimension in the globalization process. Contemporary sociological theory is wondering about the transformation of the individual and collective identities, that is behind current social changes (Pérez-Agote 1992). The subject - the object of classical sociology, has no longer clear references to find its social position, to identify himself and others, or his surroundings. This lack of reference points presents a problem to sociology, which has to rethink its paradigms, and for individuals immersed in situations of anomie and in personal and social conflicts. Although, on the other hand, these identity transformations not only take on a sense of conflict, but many times are vehicles to channel social change.²

In the same way immigration is part of these identity transformations. Immigration implies transformations and redefinitions in the collective identity of both immigrants and natives. The individuals and groups of people immersed in these processes and spaces develop and articulate genuine speeches with the goal of (re)positioning themselves, (re)defining and (re)thinking themselves in a foreign context (the natives also develop feelings of alienation in their immediate surroundings), but also, in the case of immigrants, with the intention of maintaining and recreating their culture, their imaginarium, and their traditional identity. The inter-ethnic conflicts have, therefore, a strong relation to collective identities.

From this point on, we are going to concentrate our analysis on the identity transformations of immigrants in Spanish context. We are going to show how citizenship, besides supposing legal equality for immigrants, is the path by means of which real integration is obtained (understood as active participation in the host society), and to the co-existence of various ethnic groups that live together in the city, who respect their distinct traditions, cultures and life-styles.

Undoubtedly, the Moroccan ethnic group³ is one of the most socially active

² Alfonso Pérez-Agote talks about the strategic identities in situations of social injustice, rivalry or conflict. We believe that from the conflictive and discriminative situations that immigrants experience, collective identities could emerge, which would make the individuals more conscious about their realities and more active in their transformation.

³ The term "marroquí" has caused endless debates in the European social sciences, especially in France and Spain, since it has always appeared together in official discourse (political, mass media, academic) with other terms such as "Maghrebies," Islamic immigrants, and Muslims. There are a lot of papers that analyse the social effects of this undifferentiated usage of these terms and in the social representation of

groups in these changes, with their presence and visibility in the Spanish and international socio-political and sociological contexts being especially relevant.

There are many factors that attract Moroccan immigrants to Spain. In the first place, the number of their fellow citizens that settled in our country, about one million in the last decade, but there are also aspects related to the Spanish lifestyle, such as football and fashion, that makes us a particular type of western people (Selgas 2002).

The first identity transformation for Moroccan immigrants comes directly from the traumatic experience that immigration signifies. They not only abandon their native land, but they also put themselves in real danger by crossing the Strait of Gibraltar in a boat.

The second identity transformation happens when all their expectations clash with reality. The immigrants wake up from a dream about a better life when many people and institutions make them feel like strangers or like conflictive elements in society. It is very difficult for them to get a good job, and be able to raise up the social Spanish scale. At the same time, they are not able to express freely their culture and customs. The reconfiguring of their identities tends to have reactive expressions: the immigrants isolate themselves, and living together with another ethnic group creates conflicts. An identity that is not accepted, ignored or unappreciated, could lead to these individuals' developing behaviour that affirms their identity, behaviour which, generally, is reactionary (Pérez-Agote 1995).

In order to avoid these reactionary identifications, we should create a framework, which on the basis of legal equality would satisfy the identity needs of immigrants (expression of culture, religion, and ideology). Citizenship fulfils both aspects.

For many authors (Habermas, Hébert, Pateman), civic participation (obtained through legal equality) creates civic identity (Folgueiras 2004). Participation gives rise to civic links between individuals, as well as between them and the community they are participating in. Therefore, following these writers, we can claim that dynamics of participation generate a type of civic identity that is not based on belonging to any nationality or nation (understood as a pre-political community and a basis for building a state). It is rather based on a dialogue and an exchange of opinions among people participating in the same living space. Civic participation, understood as a basic element of citizenship, creates a sense of belonging (to feel like a member) of a community.

This participation, understood as a way to fight against the exclusion of citizenship, should be based on the assumption of the actors implied in these processes of their active role in the transformation of their own reality. Through empowerment, the immigrants would become the people truly responsible for the terms in which their

the social image of immigrant (Santamaría 2002, Van Dijk 1997 and 2003, Bourdieu 1999 and 2000). The majority of the authors agree on the suitability of the term "Maghrebi," since it more faithful to the geographical origin of the immigrant. However, because of the fact that the origin of the immigrants who come to Spain from the ancient Maghreb are mostly Moroccan, we refer to them as Moroccan immigrants. We believe that the term "Maghrebi" is more useful when we talk about immigrants coming from the countries that make up the Maghreb in international arenas (the Mediterranean, Europe), or in countries such as France, where although the majority of the Maghrebi immigrants are Algerian, there is an notable presence of Moroccans, and there is, to some degree, a notion of having an origin in common, the Maghreb.

integration will be carried out. Participation, understood as empowerment creates opportunities to train all the members of the community so that they can contribute actively and influence the processes of development and the search for equality (Folgueiras 2004).

We think that the situation of immigrants in other neighbouring countries such as France is different from the case of Spain, thanks to citizenship. In spite of the fact that there are many social and identity problems in France (especially with second and third generations), the immigrants and their children are French, with the same rights as other citizens and with another culture and imaginary.

When we talk about France, as an example where immigrants access political equality through citizenship, we realize that the true comparison between natives and immigrants is not made in these contexts either, not even in second or third generations. We also keep in mind all the debates that the Republican model of integration (Poutignat 1995, 182) is giving rise to, as well as the ethnic and cultural conflicts produced consistently in France (racial outbreaks, the religious symbols at schools, the rise of the extreme right, etc.). However, we believe that all these situations are more due to the economical and social French systems (international as well), and symbolic conditions (aspects related to inter-ethnic relations, and to the generalized usage of social stereotypes and the image of the other), rather than to the rise of immigrants in society.

The conflicts produced as a result of the transformation in contemporary social relationships, are also present in Spain, where the immigrants are not only symbolically degraded, but where they do not even have the capacity to be active participants in the debates and policies which they are the object of. Any change in their current situation, even when it is positive, is given to them, imposed on them. The mechanisms that immigrants have to influence the political decisions concerning them are insufficient in the face of the large number of intermediaries they need to go through. We believe that through equality of civic rights, the immigrants who represent a large group in our society could influence political decisions in a greater way.

Nevertheless we do not want to obviate that cultural questions play a transcendental role in the social integration of the immigrants, there are aspects relative to the identity and subjective construction of the individual and the collective, that being ignored or unaccepted, it produce conflicts that can emerge several generations after the arrival of the first immigrants. This is, no doubt, a question of huge social and sociological relevancy, a theoretical and social debate that is being developed in our western societies that must be dealt with as much prudence, seriousness and depth as possible. What we are trying to justify in this text is that this debate must begin from the equality of the subjects involved; we cannot discuss the integration model that we are looking for, the life together model, the social model that we want, if one of the participants is conditioned, silenced or degraded.

The social intermediaries play a fundamental role in the integration of immigrants, especially in the local area. However, immigrants need to be the key element of their integration. Citizenship grants them civic equality, thus allowing them to intervene in public life, and that empowerment is the tool that allows for their beliefs, traditions, feelings, customs, and realities to not only be respected, but also

accepted as a part of cultural and social diversity in the western societies they reside in.

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