

Between Discipline and Neglect: The Regulation of Asylum Accommodation in Spain

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In 2019, Spain had the third highest number of asylum applications in the European Union, after Germany and France. The number of asylum applications grew from 31,120 in 2017 to 55,668 in 2018 and 118,264 in 2019. Following this exponential increase, the number of accommodation places in the state reception system has risen almost proportionally. In this changing context, this article seeks to explain the regulation of asylum accommodation in Spain. Following critical refugee studies in the Global North and the Global South, we argue that the Spanish asylum reception system is characterized by a hybrid model that imposes forms of *discipline* and *neglect*. By using a mixed-methods approach combining document analysis of secondary data, in-depth interviews with both stakeholders and asylum seekers, and an exploratory survey to 301 asylum seekers, we analyse the implications of this hybrid model in terms of asylum seekers trajectories and eventual inclusion.

Keywords: asylum accommodation, discipline, neglect, Spain

Introduction: Spain, Country of Asylum

In 2019, Spain had the third highest number of asylum applications in the European Union, after Germany and France. From being an emigration country, in the early 2000s Spain had become a country of immigration, and since 2015 a

country of asylum. From 2,588 in 2012 and 5,947 in 2014, asylum requests increased to 14,881 in 2015, 31,120 in 2017, 55,668 in 2018 and 118,264 in 2019 (CEAR 2020). While in 2015 61% of asylum seekers in Spain were from Syria and Ukraine, in 2017 53% came from Venezuela, Colombia and other Latin American countries, a percentage that rose to 77% in 2019. This exponential increase is exceptional in the European context since 2017, and is the result of several factors. In the early years, an important cause was the closure of the Eastern and Central Mediterranean routes, following the agreements between the European Union and Turkey, on the one hand, and Italy and Libya, on the other. Since 2017, the rise in the number of asylum applications directly resulted from the crisis situation in Venezuela and the structural violence in Central America, countries and regions with historical, linguistic and cultural ties with Spain, and from the anti-immigration policies in the United States.

With this growing numbers of asylum applications, the number of accommodation places in the state reception system has risen almost proportionally: from 930 in September 2015 to 8,600 in December 2018. Nevertheless, this has occurred reactively and with no medium-term planning (see Garcés-Masareñas and Pasetti 2019). In the ministries involved (Ministry of the Interior and Ministry of Work, Migration and Social Security), temporary staff was taken on, perhaps under the impression that the ‘problem’ would go away. Outside the ministries, the exponential increase in reception places has been the exclusive responsibility of civil society organizations (CSOs), thus upsetting the earlier 50/50 balance between public places and those managed by CSOs. All of this has happened within a highly centralized governance model and with an Asylum Law (Law 12/2009) which, a decade after being passed, still lacks regulatory development. In recent years, the government has claimed that this is a prudent delay because of the coming review of European directives, but the absence since 2009 can only really be explained by the fact that it has never been a priority for the different governments.

In this context, this article seeks to explain the regulation of asylum accommodation in Spain. We start from the assumption that there are two main models of asylum accommodation. The first is in the Global North, where accommodation becomes a key space to *discipline* asylum seekers by constantly keeping them in relation to the border. The second is in the Global South, where refugees lack formal recognition and experience total *neglect* from the state, thus merging in a larger pool of both undocumented migrants and citizens seeking to make a living in informal economies. Our main argument is that in Spain asylum reception can be characterized as a hybrid model that combines both.

Drawing on the case of Barcelona—and Catalonia more generally—, this article will cast light on the complexities and challenges of this hybrid model of accommodation. By putting an emphasis on enhancing the autonomy and self-sufficiency of asylum seekers, such a model leaves space for asylum seekers’ inclusion, but also significant room for extreme vulnerability. To show this, our article uses a mixed-methods approach which combines document analysis of secondary data, in-depth interviews with both stakeholders and asylum seekers,

and an exploratory survey to 301 individuals who had applied for asylum in Spain. Before diving into the features that characterize discipline and neglect in the Spanish system, we will first discuss the literature on the regulation of asylum accommodation from a global perspective, sketch our methodology, and briefly describe the state reception system in Spain. In the conclusions we will reflect upon the implications of a hybrid model that combines both discipline and neglect.

The Regulation of Asylum Accommodation

In the last decades the story of asylum in Europe has largely been one of increasing restrictions and external and internal controls, including a wide range of means of detention, compulsory dispersal, deportation and deterrence. Already in the 1990s, the most dramatic feature of the refugee scene was ‘the globalised restriction on asylum’ (Suhrke 1998) or ‘the non-entrée’ regime (Chimmi 1998). This was combined by more fragmented and precarious forms of protection, which translated into a *de jure* and *de facto* differential incorporation of different categories of refugees. As noted by Joly (2001), conditions of reception (i.e. detention, limitation in the freedom of movement, reduced or no welfare benefits, limited rights to education or to work) were often designed adversely with the clear purpose of deterring arrivals or applications. As the state is the one that filters who is in and out, and that disciplines and regulates those considered ‘forever at the border’ (van Houtum and van Naerssen 2002), it is thus no surprise that most literature on asylum has put the state power at the centre to explore those techniques that govern the mobility and accommodation (and ultimately inclusion) of asylum seekers.

As for the regulation of mobility, this literature has shown that migration control is not only about organizing circulation and ‘securing borders’, but also about classifying, ordering and placing people. Darling (2011) uses the term *domopolitics* to refer to a highly specialized «rationality of government», or mode of governmentality, that governs through mechanisms and techniques of security. The central concerns and underlying narratives of domopolitics are confluences of nationhood, homeliness and threatening otherness. It is well-known that migration policies—from border enforcement to citizenship tests and ceremonies—are fed by desires to secure and contain the nation as a place of belonging by, and for, particular groups. In this production of difference, categories or ‘case types’ are discursively constructed based on differentiated claims. In the field of asylum, these are basically reduced to the dichotomy between ‘genuine’ refugees to be offered sanctuary, and ‘bogus’ asylum seekers to be immediately turned around. This process of classification, ordering and placing brings associated different degrees of rights (*vis-à-vis* entry and stay) and welfare entitlements.

As for the regulation of accommodation, Giorgio Agamben’s influential work on the ‘figure of the refugee’ has led critical refugee studies to pay particular attention to those state techniques that govern refugees lives and facilitate an infinite expansion of disciplinary coercion and biopolitical control (among others, Edkins and Pin-Fat 2005; Schinkel 2009; Klein and Williams 2012). This strand of

research highlights refugees' lack of rights (or Hannah Arendt's 'right to have rights') and sees them as the ultimate 'biopolitical' subjects, thus those who can be regulated and governed at the level of population in a permanent 'state of exception' outside the normal legal framework (Owens 2009). From this perspective, accommodation, in its discursive construction and practice, draws discipline and security under several forms: from enforced mobility to the threat of destitution. Coming back to Darling (2011: 269), the 'performance of accommodation and its varied modes of limitation, restriction and discipline is thus bound tightly to, and helps to perform, the border practices of domopolitics'.

However, in recent years several studies have nuanced the omnipotence of the state power. The first argument is that the life of asylum seekers cannot be reduced to the power of the sovereign, as this would mean to reject any notion of immanent resistance: from struggles to block deportations or campaigns to reverse discriminatory immigration rules, to day-to-day practices by asylum seekers and committed citizens (Darling 2009; 2017; Owens 2009; Mountz 2011; Ramadan 2013). The second argument points to the need to acknowledge that the state power is expressed through the actions and interactions of multiple agencies, some closely aligned with state agendas and others in direct opposition to them (Hirschler 2015; Papoutsis 2019). This tension does not always pit formal law against informal practices. While the practices of street-level bureaucrats may indeed be more inclusive than formal laws and policies (e.g. in accessing health care and education), this tension is also located within law itself. In this regard, Boswell (2007) argued that the state faces contradictory imperatives in the field of migration. In a recent article, Chauvin and Garcés-Mascreñas (2020) refer once more to this tension by stressing that governmentality and sovereignty may be going in different directions. While governmentality and the need to embrace the whole population (for structural concerns in public education, public health, public order, road safety, economic and urban planning) would favour inclusion, sovereignty would be more concerned with regulating the boundary between members and non-members.

Contrary to the premises of critical refugee studies, these tensions imply that asylum seekers (but also irregular immigrants) are not absolute noncitizens or—using Agamben's words—instances of *homo sacer*. Beyond informal incorporation, they face an original type of formalized and normalized civic precariousness or subordinated inclusion. It is not a static condition but a dynamic space in which migrant civic deservingness is being continuously assessed (Chauvin and Garcés-Mascreñas 2012, 2014). As for irregular immigrants, this assessment is done on the basis of their capacity to accumulate traces of durable formal, bureaucratic and economic integration. As for asylum seekers, though in principle their deservingness relies on their capacity to demonstrate vulnerability, in practice the recognition of their claims is often experienced as a reward for enduring complex and lengthy procedures, as well as adverse accommodation conditions. Indeed, those who are prepared to go through a temporary period of hardship (with compulsory dispersal, removal from mainstream society, restrictions to work, fewer social

rights, limited expending through a system of vouchers) are often more likely to be seen as genuine (in contrast to bogus) refugees.

As argued by [Darling \(2011\)](#), while discomfort is the final product of domopolitics placing asylum seekers at the limits of the nation, it can also be seen as the *de facto* condition (almost a rite of passage) for crossing them. Although these more recent studies nuance the omnipotence of state power, they continue placing the state at the centre, either as the object that is being resisted by the day-to-day practices of street-level bureaucrats, asylum seekers and citizens at large, or as a heterogeneous actor that draws a border full of holes, gaps and internal contradictions.

In contrast, research on urban refugees in the Global South turns off the link between governmental regulation and asylum reception. Indeed, the lack of formal recognition of refugee status or citizenship afforded to urban refugees has led researchers to shift the focus from discipline to neglect. The question is not so much how the state governs mobility and accommodation and how refugees respond to it, but rather how the lack of state protection forces refugees to merge into a larger pool of both undocumented migrants and citizens seeking to make a living in informal economies (among others, [Bernstein and Okello 2007](#); [Dryden-Peterson 2006](#); [Belvedere 2007](#); [Rugunanan and Smit 2011](#); [Crisp et al. 2012](#)). Interestingly, the lack of regulation leaves a space for both inclusion and extreme vulnerability.

Taking cues from these different strands of research, our hypothesis is that in Spain, and possibly in Southern Europe, asylum seekers are object of both *discipline* and *neglect*. As we will see in the next sections, while being put into a rather rigid state reception system (including compulsory dispersal and limited expending through a system of vouchers), in 6 months asylum seekers are supposed to be ‘autonomous’. In contrast to their situation in Northern Europe, this creates opportunities for asylum seekers to access accommodation as any other resident in the country, but also generates a high risk of exploitation and marginalization. As has happened for economic migrants, ultimate inclusion (including basic material needs) depends on markets. In periods of economic crisis, with rather closed labour and housing markets, autonomy after 6 months is a pure illusion. In consequence, what could be an opportunity for housing integration turns into high degrees of exclusion to the extreme that asylum seekers may get protection without paradoxically having a home.

Methodology

The findings in this paper are based on two projects on the reception conditions for refugees and asylum seekers in Spain. The first is the H2020 Project ‘CEASEVAL’ (Evaluation of the Common European Asylum System), which was conducted in 2018 and aimed to understand the multilevel governance of reception policies from a comparative perspective. The second is a RecerCaixa Project titled ‘Our home, your home?’, funded by ‘la Caixa’ Foundation and the Catalan Association of Public Universities (ACUP). Carried out between 2018

and 2020, this project aimed to generate novel data on the accommodation conditions of asylum seekers and refugees in Catalonia, as well as to understand the factors that facilitate and hinder their access to housing.

In order to analyse the complexities and challenges of the Spanish reception system and its implications for asylum seekers, we employ a mixed-methods approach which combines document analysis, in-depth interviews with stakeholders and asylum seekers, and an exploratory survey to 301 asylum seekers in Catalonia. Firstly, to examine the overall legal and regulatory framework of the Spanish asylum regime, we used content analysis of relevant legal and policy documents. These comprised of immigration and asylum laws, EU Directives, reception and integration policies, and different management handbooks (*Manual de Gestión del Sistema de Acogida de Protección Internacional*), issued regularly by the Spanish Ministry of Inclusion, Social Security and Migration.

Secondly, we employed in-depth interviews with both stakeholders and asylum seekers. The stakeholder interviews consisted of 28 key informants belonging to two main categories: legislators and civil servants at different administrative levels, including local, regional and national (14 interviews), and representatives of CSOs and other social organizations, mostly in Barcelona (14 interviews). In this case, we paid particular attention to their different, and occasionally contrasting, perspectives on the asylum reception system and to understanding how the regulation of asylum accommodation works in practice. The asylum seeker interviews consisted of 40 individuals at different stages of their application for international protection. These interviews followed a semi-structured approach and covered a range of topics including the type and quality of their accommodation at the time, their housing trajectories and moves, the barriers encountered in the search for housing, and the main actors that helped them throughout the process.

Thirdly and finally, we conducted an exploratory survey to 301 applicants for international protection. All survey participants had made asylum claims in Spain in the last 3 years or were waiting for the formalization of their claims. The lack of complete statistical information about our target population meant that a purely random sample could not be guaranteed. Due to this lack of sampling frame, we used a two-stage cluster sampling technique in which CSOs and social services from the Barcelona City Council were used as primary sampling units, and their users (stratified by sex) were the secondary sampling units. The survey involved participants with a range of demographic characteristics, and its results were analysed using the STATA Software Version 12. By combining the quantitative data produced from this survey with qualitative in-depth interviews, we develop a more nuanced understanding of diverse accommodation experiences of asylum seekers, as well as the meanings and interpretations attributed to these experiences.

The Spanish Reception System

The Spanish reception programme consists of two phases. Before the first one, there is a prior initial stage, lasting a maximum of 30 days, in which temporary

accommodation is provided in hostels and specific facilities for the most vulnerable cases still waiting to request asylum. Once the request has been made, the first (or ‘reception’) phase starts, which lasts 6 months and can be extended to nine depending on the level of vulnerability. In this phase, asylum seekers are housed in one of the government’s refugee reception centres (CAR, in their Spanish initials) or in centres and apartments managed by CSOs with public funding. While before 2015 reception places were equally distributed between the publicly and privately managed centres, in the last years more than 90% of the reception centres are in the hands of CSOs. These centres are located throughout the country and the person seeking asylum must go where space is available. Therefore, territorial distribution depends on availability of places. As well as accommodation, asylum seekers are given social and psychological assistance, and language and employability courses.

In the second (or ‘integration’) phase, which lasts 12 months and can be extended to 18 depending on vulnerability, asylum seekers continue with accompaniment programmes provided by the CSOs, but are expected to live independently with rent and maintenance assistance. Rent assistance ranges from €376 for a single person to €717 for a family unit of four, and €870 for a family of nine or more. Maintenance support ranges from €350 for a single person to €620 for a family unit of four, and €820 for a family of nine or more. This phase coincides with the granting of the authorization to work from the sixth month onwards. Given the complexity of the housing market, in recent years CSOs also assist vulnerable cases in finding a house.

When asking to representatives of CSOs and regional and local administrations, the criticism of the state reception programme is three-pronged. There is a broad consensus that the first phase is excessively rigid: asylum seekers must go wherever a place is available, whether in one of the four state centres (two in Madrid, one in Seville and one in Valencia) or one of the centres or apartments managed by CSOs. If the waiting time before entering the first phase increases (in recent years it may take more than 12 months to formalize the asylum request), then entering this phase may involve a change of province. Although the presence of friends and relatives ought to be a factor when allocating a place, in practice they are distributed based on availability—all the more so given the overloading of recent years. If the members of a single family unit arrive at different times, this may mean their dispersal across the country.

The second criticism relates to the second phase. In contrast to the rigidity of the first phase, within the space of just 6 months (only very vulnerable cases are granted more) subjects are expected to be living ‘autonomously’, and by 18 this ‘autonomy’ is expected to be total (without maintenance and rent assistance). That is when, as one technician at a social entity explained, autonomy becomes complete solitude (interview in Madrid, 7 February 2017). This supposed integration, promoted from day one, often ends up depending on the conditions of the labour and housing markets (for an analysis of the effects of labour market conditions on the socio-economic integration of asylum seekers in Spain, see [Arcarons 2016](#)). At present, with high unemployment rates, tremendously

precarious contracts and extremely high rental prices (especially in the large cities, where most asylum seekers are located), the chances of being effectively 'autonomous' are extraordinarily small. Even those still receiving maintenance and rent assistance have great difficulty surviving (see Iglesias-Martínez and Estrada 2018).

The third criticism is that, with more applications than reception places, since 2015 the Spanish government has made the criteria for entering the reception system more stringent. This has been a common practice, done by changing the management handbook and without prior discussion with, or later notification to, the main actors involved. Since January 2015, entering the state reception system was limited to those who had already formalized their asylum applications with the first interview. In other words, the desire to seek asylum (expressed in the interview request) was no longer enough. In July 2017, the government once again restricted the entry criteria. Asylum seekers who had spent more than 6 months in Spanish territory, more than 2 years in the European Union or who were not categorized as vulnerable, had to live by their own means until their asylum application was accepted for processing. As a result, immediate access to the reception programme was only given to those who had just arrived and were in a situation of extreme vulnerability.

That is how the system has progressively left out growing numbers of asylum seekers. Firstly, those who have yet to formalize their asylum applications are left out, and have to bear the costs of the state's delays of up to 5 or 6 months. Secondly, those who did not want to go to the designated centre in the first 6 months are left out, as they can no longer continue with the subsequent phases of the reception programme. Thirdly, those who are unable to find work or housing, and cannot survive with the assistance provided in the second phase, are left out. Finally, those who 'should be autonomous' after 18 or 24 months in the state reception system, but are not, are also left out. That is precisely where local and regional administrations have been working, along with non-governmental organizations and civil society.

Discipline

Discipline is one of the key features emerging from our analysis of the Spanish reception programme, and takes different forms in the lives of asylum seekers: forced mobility of place of living, forced mobility of spaces of living, forced immobility, and strict rules.

Forced Mobility of Place of Living

The first form taken by the disciplinary management that appears from our data is the production of a forced mobility towards the asylum seekers. Concerning the place of living, the large majority of the interviewees remark that they had to move several times during their first period in Spain, due to moving between programme phases and the availability of accommodations. As our interviewees reported, these changes in accommodation often occur all over the Spanish geography:

[XP] The fact of living in Barcelona and suddenly being sent to Galicia is an emotional shock. You've been here in Barcelona for a while, and you get used to the city, you start to understand it and such. And then they take you to another one... (E28)

For asylum seekers arriving in Spain by sea or crossing the border in Ceuta and Melilla—mainly people from Sub-Saharan countries—this situation can be more extreme:

Firstly, we arrived at Málaga through the sea, on a boat. I spent there something like 3 days in a confinement place, like a cell. [...] It's ok, a little bit, because we were given food for 3 days, 3 times a day, you know? We did some interviews and all that. Then they dispatched us to a place called Mérida, I was there for 9 days with a lot of people. They also dispatched us from there in groups, they sent us to different cities. I was sent to Madrid, to a place called Medina del Campo. I was in Medina del Campo for like a month and a half to 2 months. I think from Mérida we were split to different organisations, as far as I understand. [...] Then] they sent me to another city very close to Madrid called Lacoma. I was in Lacoma for another 2 months, still with interviews, and I took a little bit of classes. Then they sent me to another place called Sierra de Guadalupe, and there I stayed in a hotel called [Hostel] Welcome. I spent there another 3 weeks. So now they dispatched me to Barcelona, in a city called Granollers-Palou. [...] I was assigned to come here. At the moment, I have no option (E05)

This high rate of forced mobility underlined by the qualitative data confirms the results of our exploratory survey, which discovered that, on average, the participants had lived in 3.3 accommodations and 2.4 municipalities per year since they arrived to Spain. The situation was even less stable for those who had arrived more recently. Among those who had arrived in the last year, the average increases to 4.7 accommodations and 3.6 municipalities. Furthermore, 62.4% of those who had already gone through the reception programme had changed locations when shifting between programme phases.

The logistic constraints leading the disciplinary management of accommodation often split groups of friends and disperse them to different locations along the different phases of the programme. As one interviewee explains: 'We are friends, we know each other from our country, since we were little. So we asked if we could be together in the same flat and they wouldn't let us'. (E03) Concerning families, the dispersal seems to be less frequent, and mostly related to family members arriving to Spain or entering the programme at different times.

Forced Mobility of Spaces of Living

Even if asylum seekers stay in the same locality or area, they are often forced to frequently change their accommodation. One of the interviewees, for instance, explained his six different accommodations over a period of about one year, all in the metropolitan area of Barcelona but in very different spaces: an apartment, a homeless facility, a first reception centre, another reception facility, a hostel, and

again an apartment in the reception programme (E26). This frequent change in living spaces, determined by CSOs and other institutions, can thus move asylum seekers quickly between different types of accommodation, with very different levels of intimacy or promiscuity. These can include different combinations of a cheap and decadent pension room, a large reception centre, a big 4 star hotel in a large city, a mid-size reception centre in the mountain, a police station, a CETI (Centre of Temporary Stay for Immigrants), a shared room, a shared apartment, the street, and a homeless facility.

The forced and frequent changes in geographical and housing spaces, and the impact on social networks that this has, is often psychologically demanding for asylum seekers, many of whom have a background of traumatic experiences (E16). It also affects families with children, which can interrupt schooling processes. This is a deep concern for many asylum seekers, as their children struggle to adapt again to a new school and a different context (E02, E25).

The scarce availability of accommodation places, compared to the numbers of asylum seekers in the programme, may determine very complex situations for families or people with special needs. This was the case for one mother whose daughter needed constant treatment in a Barcelona hospital:

My daughter and I stayed 8 months at a hostel in Sarrià de Ter (Girona) with the Red Cross, until we were assigned a place in Olot (Girona). They tried to find us something in Barcelona because she needs attention from the Vall d'Hebrón Hospital, but it was not possible, the closest thing was here [Olot]. (E11)

Forced Immobility and Strict Rules

The disciplinary dimension of the reception programme also generates other types of strict obligations affecting the lives of asylum seekers. Paradoxically, it obliges forced immobility within a province, sometimes combined with a high mobility rate in terms of housing or location. This immobility results from the obligation to complete the entire integration itinerary in the same province where the reception place in the first phase is obtained. As in the case of forced mobility, forced immobility is also a condition for receiving financial aid and other services. This is a *de facto* limitation of the right to freedom of movement of the applicants and beneficiaries of international protection. It can also produce negative consequences in a population that already suffers from a high degree of job and residential precariousness (Ribera-Almandoz, Delclós and Garcés-Mascreñas 2020).

Other obligations configuring the disciplinary dimension are related to the rigid system of rule asylum seekers often have to follow while living in certain accommodations. In general terms, asylum seekers welcome clear rules allowing a smooth coexistence in their living spaces, whether they be centres or shared apartments (E23). However, in some cases rules related to the very strict time management of their lives are questioned. For instance, hostels and facilities often require their guests to leave the premises for significant periods of the day (E26), while

dinning times can be incompatible with religious commitments, such as Ramadan (E27).

The disciplinary dimension appears also in the rules concerning the money that asylum seekers receive during the second phase of the reception programme. The asylum seekers have to prove their expenses for accommodation through rent contracts; however, it is not always easy to sign a contract when subletting or sharing a room. Likewise, asylum seekers have to provide detailed invoices of their purchases, and there are products and services that cannot be refunded by the programme. This is often burdensome on the asylum seekers, as one of our interviewees explained:

The truth is that having to provide invoices [for every purchase] is tiresome, and you have to keep good expense management to know what you can spend and what you can't spend. Besides that, if you had some spare money at the end of the month, you couldn't keep it, you had to spend it. (E27)

Apart from putting an additional burden on their shoulders, these strict obligations and rules also display an attitude of distrust on behalf of the programme towards the asylum seekers and their capability for financial management. Moreover, many of the asylum seekers interviewed would like to save some of the money they receive in phase two for when they leave the programme, or to send some to their families, but the programme does not allow this.

Neglect

In combination with these disciplinary measures, our research also shows important forms of neglect. This neglect mainly translates into uncertainty for the future, documentary/legal precariousness, and housing adequacy, instability and destitution.

Uncertainty for the Future

Certain parts of the reception process are significantly affected by unpredictability and vagueness. Very often the asylum seekers lack clear information about the different stages of the programme, such as when they will move between these phases or the criteria for doing so. But it is not only a question of knowledge. Frequently the time it will take to process asylum claims is unknowable in advance, and claimants have to wait for long periods of time while the administration processes their application. This starts when they schedule their first appointment with the relevant authorities, which itself involves a long waiting process going from 2 to 14 months (E03, E08, E26). These first steps of the process are faster if the asylum claim is done at the airport, but this 'fast track' implies higher risks of being deported directly from there (E03).

Further waiting is also experienced at the entrance to phase one of the programme (E24). This may have serious consequences in terms of accommodation. For instance, this was the case for one woman who was 8-month pregnant when

she arrived with her partner. They were evicted from the flat they were subletting, with a 3 days advance notice, and were forced to move to an unheated flat in the middle of winter (E11). Particularly for those arriving to Spain by sea, which is often the case for people coming from Sub-Saharan and MENA countries and/or crossing the border in Ceuta and Melilla, there is an absolute neglect after arrival, with hotels and hostels only available for the most vulnerable. This leads to severe housing exclusion and precariousness that affects their future settlement trajectories and experiences (E27).

The long periods of waiting experienced by asylum seekers, without a previously established deadline, produces insecurity and perceptions of arbitrariness among asylum seekers. 'This is like a roulette', explained one interviewee (E23). Concern, anxiety, and fear are common feelings in the narratives of the asylum seekers, related to the unpredictability of what will happen in the next phases, what their new destination will be, and about their future accommodations in terms of living conditions and levels of intimacy (E29, E14). A woman from Venezuela explained very clearly her feelings towards a change of accommodation:

In the first phase, they assigned me [a reception place in] Olot and I didn't want to come because I was suffering a lot, I had a very strong depression and my daughter too. My daughter's hair was falling out and I didn't want to come. And just before coming to Olot, they told us we were going to stay at a hostel. I looked at the pictures of the hostel on the Internet and they were terrible. You know that at a hostel everything is shared, and when I saw that we were going to have to stay there together with I don't know how many people in one room, it was difficult. But when they told me: 'it's either this or nothing, you have to sign up for this or you are going to lose the place, because there are people waiting' [...], then I signed and said 'come what may'. And I collected my things, and at 5pm that same afternoon I arrived here in Olot. (E10)

Documentary and Legal Precariousness

Asylum seekers also experience another form of neglect related with their identification documents, including the 'red card' they receive from the state during the processing of their asylum request. The red card is not known at all by the society, and too often also by public institutions. This fact generates several difficulties related to the rental of an accommodation (E29), or to the opening of a bank account, among others:

Do you know how many times I went to the bank and had to explain what the red card is? [...] At the bank, with the red card, they couldn't open me an account; they had to do it with my passport. (E07)

Moreover, there is very often a mismatch between the participation in the reception programme and the processing of the asylum request. This often means ending the reception programme before receiving their application outcome, which has a huge impact on the life of asylum seekers. The importance of a

good synchronicity between the reception programme and the asylum procedure is underlined by this interviewee, who also stresses how quickly the situation may turn Kafkaesque:

Our admission at the reception programme precisely coincided with the issuing of our first red card. That was sort of an advantage because it meant that we could properly enter the reception programme and the phases would be well timed, that our transition to the second phase would coincide with the issuing of the work permit, and this would make things easier for us. This is not the case for most people. If you apply for asylum as soon as you arrive, you face the problem of having to wait for the interview, and during that time you don't get financial aid. And even if you do have financial aid, you'll find yourself in an impasse at the end of the reception programme, because your financial aid will have finished but you won't be able to get a job either, since you won't have the work permit yet. (E02)

After the end of the reception programme, or if the asylum request is finally denied, the support is withdrawn and the asylum seeker has to find a solution by his/her own means, often in a very short period of time.

My asylum claim was denied when I was still in the second phase. On September 22 they told me: that's it. Then they give you your passport back and they tell you: 'there you go, we give you 15 days to leave the country'. So I made an appeal in Madrid 2 years ago, and I'm still waiting for my appeal to be resolved by the Supreme Court. They already warned me that it may also be denied, and that later on you receive a last letter where they give you the deportation order and tell you that you have to leave the country. That's going to take 1 or 2 more years at least. But all this means that between 2017 and 2019 I had to cover all my expenses. I only receive a small social aid from the Red Cross, but with what they are giving me every month, I can't get anywhere. (E23)

This moment is particularly difficult for all asylum seekers due to material and legal reasons, but is even more difficult for older people or those who are not able to work (E14).

Housing Adequacy, Housing Instability and Destitution

Forms of neglect linked to housing adequacy already appear during the first phase, as accommodation in public or CSO-led facilities do not create a sense of home. As previously mentioned, promiscuity and its corollary of lack of intimacy, is often very problematic. This is underlined by one interviewee (E09); 'Before, we were 5, then 7, then a number of problems arose and more people came, and now we are 10 people living in a 3-room apartment'. Another asylum seeker explains a similar story in respect to the difficulties of raising children under such conditions (E06). Promiscuity is even greater in shelters, where spaces for intimacy are extremely limited or almost absent:

But it was very difficult there [at a hostel in Hostafrancs, Barcelona] because there were many people, many things going on, lots of noise. . . There were young people, and also older people. I think 100 people sleeping together; there was a corridor and

a very large bedroom. [...] But it was very difficult, there I had no wardrobe or anything, I kept everything in a box. I was there for 3 weeks. It was very difficult. (E21)

Another form of neglect linked to housing happens when asylum seekers have to deal with the private housing market. This is particularly noticeable at the passage from the first to the second phase, when the required conditions to access rented accommodation (e.g. secure employment contract with a sufficient salary to cover rent payments and deposits, and/or a local guarantor) are often impossible to meet for asylum seekers (E04, E12). Affordability of accommodation is also a problematic issue. According to the data provided by the exploratory survey, almost 8 out of 10 people spend more than 40% of their income on housing, and are therefore overburdened by housing costs.

Some difficulties are also signalled concerning racism and xenophobia, as well as the aforementioned unawareness of the asylum seekers' documentation and support measures. The timing of the transition from the first to the second phase is largely considered too short, taking into account the very complex situation of the Spanish housing market:

The programme is generally fine until you reach this moment between the first and the second phase, because to find a flat you have to be searching for 4 or 5 months. So you have to enter the first phase and start looking already, and this doesn't seem normal to me. (E19)

These difficulties in accessing the housing market often translate into high levels of housing precariousness and instability, which can ultimately debilitate the processes of inclusion that the reception system tries to promote. The results of the survey show that the low quality of housing is a frequent problem among asylum seekers in the second phase. The most significant issue is inadequate housing temperature during the winter months, which affects 28% of the sample, followed by excessive noise (17%), structural damages, such as leaks, drips and humidity (13%), and overcrowded accommodation (8%). Regarding contractual security, 67% of respondents in this phase have rental contracts of one year or less in duration, of which half are of only up to 6 months.

The most worrying trend, however, is related to the most severe forms of housing exclusion. Of the 301 survey participants, 26.6% had at some point slept in the street since they arrived to Spain, a percentage that rises to 36.5% among those who did not have a support network in the country before their arrival. Rough sleeping is also significantly more common for those asylum seekers coming from Sub-Saharan countries (40.5%) and MENA countries (31.3%), than for those coming from Central America (22.5%) and Venezuela (9.1%).

Navigating between Discipline and Neglect

While the state reception system produces dichotomous forms of discipline and neglect, there remains still some space for the agency of asylum seekers. Their

main reaction to the disciplinary management is voluntary abandonment of the programme. Leaving or remaining out of the programme allows them to avoid the imposed geographic mobility and the frequent changes of accommodation. At the same time, as it is an ‘all or nothing’ situation, staying out also means renouncing any kind of support. As a consequence, this means that the right to leave the programme is only available to those asylum seekers with the necessary economic means and/or very effective personal networks:

Later on, when we met more Venezuelans that live here, they told us about SAIER. Then we were informed that the reception programme existed, but we also knew that if we were assigned a place by the Ministry, they could send us to any other place in the Spanish territory. So we left that option as a last resort in case we ended up in a really emergency situation, and we stuck to our decision to continue on our own and see how far we could go. (E28)

The different forms of neglect seem to result in two opposite trajectories of asylum seekers: a more fluid and rapid process of accommodation to the new society, or a very serious situation of destitution, deprivation and marginalization. People with a higher education, a mid socio-economic status, fluency in Spanish, and a large access to personal and support networks may find in this neglect the possibility of a quicker and more fluid path towards accommodation and integration. This type of asylum seeker tends to develop a narrative emphasizing their agency and autonomy in overcoming obstacles related to their inclusion. Deservingness and vulnerability on the other hand, rarely appear in the interviews, and when they do, it mainly relates to the context of origin and causes of displacement.

In contrast, for asylum seekers who lack these resources it is very difficult to access adequate accommodation and find a decent job that provides them with the means of survival. Asylum seekers with scarce access to personal networks, a low socio-economic status, and limited fluency in Spanish tend to find themselves more often sleeping rough or using emergency services for homeless people. It is only in these cases that the narratives of asylum seekers focus, in more or less explicit ways, on deservingness and vulnerability. This is in relation to both their origin and destination contexts, and to confirm the legitimacy of their asylum request. For this group, agency and autonomy are not central aspects of their narratives.

Beyond asylum seekers’ personal characteristics, CSOs play a key role in supporting the accommodation process—providing hospitality, knowledge and contacts to rent a room or an apartment—as well as social and psychological assistance. In this sense, 44.9% of the participants in the survey have found their current accommodation through CSOs and other social organizations, a percentage that increases to 57.23% for those who lacked a support network before their arrival. Relevant differences can also be found depending on the respondents’ region of origin. Whereas people from Venezuela and from Eastern European and Central Asian countries are more likely to access housing directly through the private market, this is not a common option for people from Sub-Saharan

countries. 66.7% of those from these latter countries had to rely on the help of social entities and public administrations to find accommodation.

Conclusion

The Spanish asylum reception system imposes strict *forms of discipline* on the lives of asylum seekers: from forced mobility of places and spaces of living, to paradoxically forced immobility within the contours of a province, to strict rules concerning their accommodation and daily spending. At the same time, after 6 months, asylum seekers are expected to be ‘autonomous’, which means that they are allowed to work and have to arrange their own accommodation. The emphasis on enhancing the self-sufficiency of asylum seekers in such a short period of time leaves some space for inclusion—particularly when compared to those reception systems that keep asylum seekers as isolated as possible until the resolution of their asylum procedures—but also results in important *forms of neglect*, including uncertainty for the future, documentary/legal precariousness, and housing instability and destitution. In this article, we have identified these different forms of discipline and neglect, and analysed their main implications.

Following critical refugee studies, the various forms of discipline imposed on asylum seekers lives classify, order and place them at the border. They also generate discomfort, which according to Darling (2011) is the final product of domopolitics. Both discipline and discomfort accompany, in fact, the ambiguity of a presence never fully accepted but not yet able to be rejected. This politics of discomfort seeks to have a deterrent effect, not only for those that may consider to apply for asylum, but also for those asylum seekers already in the country that may decide to stay out of the state reception system. In the Spanish case, however, not everything is about ordering mobility, differentiating claims and assigning fixed spaces of accommodation and control. As we have seen, while being closely controlled and disciplined, asylum seekers are often left on their own. Six months after entering the asylum reception program, the state seems to partially retract. Interestingly, while this means that asylum seekers partially cease to be subject of the sovereign power, this *laissez-faire* self-governance ends up reinforcing the same politics of discomfort. In this second phase, discomfort is not produced by forms of discipline and control but rather by forms of neglect that generate a lack of protection and, in extreme cases, destitution.

These forms of discipline and neglect result from a multiplicity of factors. First, as already said, the reception system seeks not to make accommodation too attractive, either for those aiming to come to Spain or for those aiming to enter the reception system after having applied for international protection. Second, the exponential growth of asylum applications since 2017 also plays an important role. The saturation of the system and the improvisation and lack of planning are also behind forms of discipline and neglect. Third, the dysfunctional governance of the asylum reception system, with a high degree of centralization and a lack of coordination between different administrative levels, add to the system’s deficiencies. Furthermore, while CSOs have been in charge of managing the majority of

the new reception places, their role has been solely to carry out the implementation of state policy with little influence over its content (see [Garcés-Mascareñas and Moreno-Amador, forth](#)). Finally, neglect is also part and parcel of a range of structural factors. These include a labour market with high unemployment rates, a growing mismatch between salaries and housing prices (particularly in big cities) and a welfare system that does not provide for those in need. Other key factors, from gender and discrimination to a faulty Spanish migration regime, lead to a system which clearly privileges some while leaving others systematically out.

In this article the voices of asylum seekers also make evident that the asylum reception system is experienced as a safety net (particularly for those without their own means and social networks) but also as a probationary period of hardship. While the good candidate for asylum has seemingly become the one who would have preferred not to migrate but has been pushed to for exceptional circumstances associated with vulnerability, in practice recognition of international protection is also experienced as a reward for having gone through all these adversities. From being a right, protection and legal recognition is thus often experienced as a prize. From this perspective, the practices and logics of discipline and neglect are not necessarily opposed but interact with one another: neglect can operate as a means of discipline and, when discipline results from a lack of coordination and resources, it can also be experienced as a sort of neglect.

In this obstacle race, individual capacity to integrate successfully (finding their own place in society, starting with accommodation and work) becomes fundamental not only to survive on the way but also to perform success, which at the end will be key for proving migrants' deservingness. Indeed, most asylum seekers in Spain will see their asylum applications denied after a couple of years and therefore will apply for regularization (the so-called *arraigo social*) after 3 years of residence (proved by registration in the municipal census) and a (formal full-time) job offer. This period of discipline and neglect thus also serves to accumulate all those traces needed to demonstrate their integration and contributions as residents, which at the end will be the final and definitive proof to access legal residence. In this race, as for asylum applications, not all asylum seekers are in an equal position. As we have seen, people with higher education, a mid socio-economic status, fluency in Spanish and more social capital have more chances to succeed.

However, successful performance does not only depend on the individual characteristics of asylum seekers, but also on the capacity of the labour and housing markets to absorb them. As (almost) all depends on having a job offer and being able to find a house, in periods of economic growth immigration and asylum policies work in practice in a quite inclusive manner. In contrast, in periods of economic crisis, when finding a formal job and therefore achieving the key condition to deserve legal recognition becomes almost impossible, these same policies turn into a trap (see [Garcés-Mascareñas 2012](#)). It is true that applying for asylum allows asylum seekers to 'buy time' and gives them access to the state reception system, which despite its forms of discipline and neglect functions as a safety net that guarantees (or should guarantee) accommodation and basic material needs.

But this is only temporary. As the majority will not receive international protection, at the end their chances to be recognized as legal residents will depend on their capacity to perform successfully, particularly in economic (but also cultural) terms.

In early 2021, when writing the last draft of this article, the Spanish government announced a restructuring of the reception system. Though it is still under discussion, this reform may consist of keeping asylum seekers in the first phase, which up to now was only for the first 6 months, while leaving the integration phase only for those finally recognized as holders of (international or humanitarian) protection. This has a double implication for our argument. First, discipline more than neglect may become the dominant feature of the Spanish reception regime as the autonomy of asylum seekers (which is the other side of neglect but also may give some space for inclusion) will no longer be fostered from the beginning. Second, implicit to this announcement of reform is the plan to evaluate asylum applications much faster, namely in only 6 months. In 2020, 116,614 asylum applications were processed, which doubled those evaluated in 2019. Express asylum procedures would shorten the period of hardship but for the same reason also the probationary period needed to perform civic and socioeconomic integration, which at the end is the criterion under which most migrants' deservingness is finally assessed.

Last but not least, it is also fundamental to recall that while discipline keeps asylum seekers at the border, neglect is not exclusive to asylum seekers alone. Uncertainty for the future and documentary/legal precariousness only applies to asylum seekers and migrants in general, making a clear-cut distinction between citizens and non-citizens. In contrast, housing instability and destitution affect citizens as well as non-citizens. In this regard, this kind of exclusion is not necessarily the product of *domopolitics* but rather, as argued by the literature on refugees in the Global South, the result of their incorporation into a larger pool of immigrants and citizens trying to make a living in adverse conditions. The socio-economic crisis resulting from the current Covid-19 pandemic will aggravate the consequences of this state neglect affecting citizens and non-citizens alike. The main difference between them, however, is that in the case of asylum seekers (and undocumented immigrants) the consequences of this neglect will tighten even more the limits of the nation, reducing even more the possibility to cross them.

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