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Comparing the Scottish National Party (SNP) and the Basque Nationalist Party (EAJ-PNV)'s social policies towards refugees and asylum seekers

Emily Woodruff
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Comparing the Scottish National Party (SNP) and the Basque Nationalist Party (EAJ-PNV)'s social policies towards refugees and asylum seekers.

Emily Woodruff

Independent Study Project

SIT Spain: Policy, Law, and Regional Autonomy in Europe

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Abstract:

In 2022, countries and territories across Europe experienced a sharp increase in the number of people seeking asylum, mainly due to the war in Ukraine. Over 3,5000 Ukrainians have sought refuge in the Basque Autonomous Community (BAC) and as of July 2022, over 7,000 Ukrainians have sought refuge in Scotland (“3.587 refugiados de Ucrania”, 2022 and The Scottish Government, 2022). This increase is on top of the over 250,000 foreigners living in the BAC and the thousands of refugees already resettled throughout Scotland (Ikuspegi, Observatorio Vasco de Inmigración, 2022 and “Refugee resettlement”, 2022). Given the large number of refugees and asylum seekers coming into Europe, I chose to explore nationalist-led governments’ social policies towards the refugee and asylum-seeker population. Overall, nationalist parties are viewed as accepting refugees and asylum seekers, and I used case study methods to analyze the social policies of two such nationalist-led governments. Scotland and the BAC both have a history of being ruled by nationalist parties, Scottish National Party (SNP) and Basque Nationalist Party (EAJ-PNV) respectively and have significant control over their own social policies. This paper compares the refugee and asylum-seeker social aid policies regarding the relationship with civil society, housing, adult language instruction, and legal aid that are supported by nationalist parties and passed by these parties while in power in the BAC and Scotland. Through the analysis of government documents and election manifestos and interviews with those familiar with this topic. I concluded that both parties could do more to support refugees and asylum seekers, though I believe these nationalist governments are developing “good” policy towards refugees and asylum seekers that could serve as an example for other governments. This paper ends with policy suggestions for these parties and suggestions for future research.

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Introduction

If a passerby looked up at the skies above the Glasgow Green on August 20, 2022, they would have been greeted by an unexpected site, Afghan kites dotting the skies as a sign of solidarity (“Kite-flying festival”, 2022). A passerby would be even more surprised to learn that third sector organizations, in partnership with the SNP-controlled Scottish government, organized and hosted this event (“Kite-flying festival”, 2022). Logically, a nationalist party that is pushing for an independence referendum, as the SNP is currently doing, would focus on elevating and strengthening their own historical culture, and discarding others. In practice, however, the SNP has taken the opposite approach. This welcoming approach has been reflected in other regions governed by nationalist parties, including the BAC. For example, this region was the first in Spain to open their borders to refugees and asylum-seekers through community sponsorship programs (Mackaoui, 2019). The policies of both these regions have helped welcome refugees and should be studied further.

This research seeks to determine the refugee and asylum-seeker social aid policies for housing, adult language instruction, legal aid, and the relationship with civil society organizations that are supported by nationalist parties in Scotland and the BAC that have been in power, passed by these parties in nationalist-led governments, and how they compare to each other. The objectives of this study are 1.) to determine the refugee and asylum-seeker policies supported by the SNP and EAJ-PNV, 2.) to determine what policies are enacted by these parties when they are in power, 3.) to compare how the desired policies relate to the enacted policies in Scotland and the BAC, and 4.) to compare the desired and enacted policies in the BAC to the ones in Scotland. As will be discussed more in the background section, social policy towards

refugees and asylum-seekers is an important area that nationalist parties in power must address, and it is important to study these parties' approaches to determine how the lives of countless refugees and asylum seekers are impacted by nationalist governments' policies. This research makes use of qualitative, case study methods. As will be explained further in the methods section, I conducted semi-structured interviews in the BAC and Scotland and analyzed several government documents for my research. My individual conclusions for each area are discussed more in-depth in the analysis section. Overall, I determined that both nationalist governments can serve as examples for other governments, though they could do more to support refugees and asylum seekers and fulfill their desired policies. My suggestions for future policy and future research are discussed more in detail in the implications section.

For this paper, I used the definitions of refugee and asylum seeker established at United Nation's 1951 Refugee Convention and that are still used today. "Refugees are persons who are outside their country of origin for reasons of feared persecution, conflict, generalized violence, or other circumstances that have seriously disturbed public order and, as a result, require international protection" ("Definitions", 2022). "An asylum-seeker is someone whose request for sanctuary has yet to be processed" ("Asylum-Seekers", 2022). My definitions of nationalism and nation-building come from past research and are discussed more in detail in the literature review.

Background

Refugees and Asylum Seekers in the BAC

The Basque Autonomous Community (BAC) is one of the autonomous communities in Spain. It has been governed by the EAJ-PNV since the passage of the Basque Statute of Autonomy in 1979, except for a period from 2009-2012 (Jeram, 2016). In 2003, the Basque Government released the first Basque immigration plan, and EAJ-PNV-led governments have released several more plans since then. From 1998 to 2022, the Basque Autonomous Community (BAC) has seen over a 10% in the number of foreigners living in the territory (Ikuspegi, Observatorio Vasco de Inmigración, 2022). This pattern can be seen in Table 1. While these number refer to all foreigners, many of them are asylum-seekers and refugees. Additionally, due to the conflict in Ukraine thousands of refugees have fled to various destinations across Europe, including the BAC where, as of August 23, 2022, over 3,500 Ukraine refugees had applied for refugee status ("3.587 refugiados de Ucrania", 2022). Refugees and asylum seekers are a visible, urgent problem that the BAC regional government must address.

Table 1

Evolution of the Total Population and of Foreign Origin in the BAC and Historical Territories

Población total	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
CAE	2.098.628	2.100.441	2.098.596	2.101.478	2.108.281	2.112.204	2.115.279	2.124.846	2.133.684	2.141.860	2.157.112	2.172.175	2.178.339
Álava	284.595	285.748	286.497	288.793	291.860	294.360	295.905	299.957	301.926	305.459	309.635	313.819	317.352
Bizkaia	1.137.594	1.137.418	1.132.729	1.132.616	1.133.444	1.133.428	1.132.861	1.136.181	1.139.863	1.141.457	1.146.421	1.152.658	1.153.724
Gipuzkoa	676.439	677.275	679.370	680.069	682.977	684.416	686.513	688.708	691.895	694.944	701.056	705.698	707.263
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	
	2.184.606	2.193.093	2.191.682	2.188.985	2.189.257	2.189.534	2.194.158	2.199.088	2.207.776	2.220.504	2.212.561	2.207.201	
	319.227	322.557	321.417	321.932	323.648	324.126	326.574	328.868	331.549	333.940	333.521	334.304	
	1.155.772	1.158.439	1.156.447	1.151.905	1.148.775	1.147.576	1.148.302	1.149.628	1.152.651	1.159.443	1.153.362	1.148.880	
	709.607	712.097	713.818	715.148	716.834	717.832	719.282	720.592	723.576	727.121	725.678	724.017	

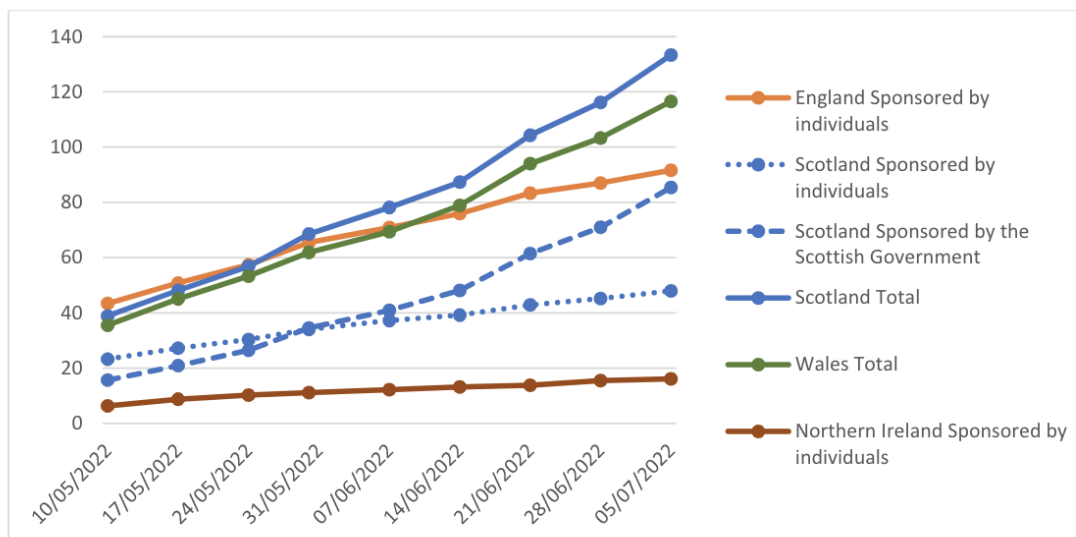
Note. Reprinted from “Evolución de la población total y de origen extranjero en la CAE y territorios históricos 1998-2022” by Ikuspegi Observatorio Vasco de Inmigración, 2022, (https://ikuspegi.eus/es/estadisticas/estadisticas_tablas.php)

Refugees and Asylum Seekers in Scotland

Scotland is a member of the United Kingdom (UK) and has a long history of accepting refugees through various programs and is also governed by a nationalist party. In 2007, the (SNP) won the most seats in the Scottish Parliament, and has been in power since then (Broughton, 2022). While being in power, the SNP has focused on welcoming refugee and asylum seekers. They have released various plans to address the large number of refugees and asylum seekers, including the Warm Scots Welcome, the New Scots Strategy, and the New Scots Refugee Integration Strategy 2018-2022. Recently, they have welcomed large numbers of Syrians. As of November 2017, Scotland had welcomed 2,000 Syrian refugees under the Syrian Vulnerable Persons Resettlement Scheme, and by 2020 there were over 3,000 refugees settled in all 32 local authorities in Scotland (“Refugee resettlement”, 2022). Scotland also experienced a spike in refugees during the fighting in Ukraine and has accepting thousands of them. As you can see in Figure 1, of all the nations in the UK, Scotland has welcomed the most Ukraine refugees. As in the BAC refugees and asylum seekers have a significant presence in Scotland, and as the governing party, the SNP must face this problem.

Figure 1

Weekly number of arrivals per 100,000 of the population, UK nations



Note. Reprinted from “Scotland’s support for displaced people from Ukraine” by the Scottish government, 2022, (<https://www.gov.scot/publications/scotlands-support-displaced-people-ukraine/documents/>)

Competencies:

The current competences of the Spanish government and the BAC government stem from the 1978 Spanish constitution and the 1979 Statute of Autonomy of the Basque Country. According to article 149 of the 1978 Spanish Constitution, “the [s]tate holds exclusive competence” regarding “nationality, immigration, emigration, status of aliens, and right to asylum”.¹ While the Spanish state still retains exclusive control over this area, the 1979 Statute of Autonomy of the Basque Country gives many competences, especially those related with social policy and welfare, back to the BAC.² Control over their social policy means that “the Basque Government has sufficient policy capacity to shape specific expectations of cultural and social adaption for immigrants”, including refugees and asylum-seekers (Jeram and Adam 2015, p. 247).

¹ Spanish Constitution. art. 49.

² The Statute of Autonomy of the Basque Country, 1979.

Like the BAC, Scotland has a great deal of political autonomy. “Since 1999 the Scottish Parliament has the power to make laws on a wide range of issues”, “known as devolved matters” (“About the Scottish Parliament”, 2022, Devolved and reserved power section). Issues that the UK Parliament has the competency for are known as reserved powers (“About the Scottish Parliament”, 2022). “Immigration, asylum, and visas” are a reserved power (“About the Scottish Parliament”, 2022, What can the Scottish Parliament decide section). Like the BAC, however, Scotland still has the power to make laws concerning several areas including “education and training”, “equality legislation (some aspects)”, “health and social services”, “housing”, “justice and policing”, and “planning” (“About the Scottish Parliament”, 2022, What can the Scottish Parliament decide section). It is important to note, however, that there are still some gray areas regarding refugees and asylum seekers. For example, housing for asylum seekers is a responsibility handled by the UK government even though housing is a devolved matter (The Scottish Government, 2018, p. 23 and “About the Scottish Parliament”, 2022). However, the Scottish government still has established significant control of several social policy sectors which allows them to have the capacity to pass policies regarding refugees and asylum-seekers.

Literature Review

To understand the response of nationalist parties in Scotland and the BAC towards refugees and asylum-seekers, it is important to first consider the ideas behind nationalism/nation-building concerning refugees and asylum seekers. Nationalism and nation-building is a process where elites seek to build a homogenous nation (Zabalo et al., 2013). Building on this idea, it can be argued that logically nationalist parties will reject refugees and asylum seekers or adopt exclusionary attitudes “to protect the cultural homogeneity needed to legitimize claims for independence or autonomy” (Jeram and Adam, 2015, p. 241). It is interesting to see then, how many nationalist parties have acted contrary to this idea and have adopted multicultural policies and worked “to make diversity a new marker of national identity” (Jeram, 2014, p. 225). This acceptance of foreign-born people highlights a shift in nationalist movements from ethnic to civic nationalism (Zabalo et al., 2013). Two nationalist parties that have embraced refugees and asylum seekers are the EAJ-PNV and the SNP.

There has been a great deal of research exploring how the EAJ-PNV approaches immigration. Most of this research has been focused on explaining why the EAJ-PNV has adopted policies that embrace multiculturalism. These reasons include increasing their party’s

support, resisting the policies of the Spanish central government, and because of the common bond of oppression that the Basque people feel with refugees and asylum-seekers (Jeram, 2014 and Jeram, 2016). There has also been discussion how the EAJ-PNV incorporates nationalism into their nation-building ideals despite the anti-immigrant rhetoric and beliefs of their founder Sabino Arana (Jeram, 2016 and Zabalo et al., 2013).

Likewise, there have been many papers and studies focusing on refugee and asylum-seeker policy in Scotland, mostly focusing on the SNP's discourse regarding this policy area and discussion of why the SNP is so welcoming to refugees and asylum seekers. Existing research argues that "diversity and migration were portrayed as something essential to strengthen the nation; a part of creating the future for Scotland" (Berggren, E., 2021, p. 64). Current research has offered many reasons for SNP's support including, keeping population numbers steady, strengthening international legitimacy, decreasing ethnic divides, providing an additional way for Scotland to distinguish themselves from the rest of the UK, and benefiting the labor market (Arrighi, 2019 and Berggren, E., 2021). An additional important reason that is highlighted by much of the research, is the SNP's desire to define themselves by "an inclusive nationalism" more similar to civic nationalism than ethnic nationalism (Phipps, 2017, p. 1). There has been very little research, however, that compares the social policies of nationalist governments that welcome refugees and asylum seekers. In order to add to the understanding of how nationalist parties approach refugees and asylum-seekers, it is necessary to compare the SNP and EAJ-PNV's approaches for various social policy areas.

Methods

This paper uses case studies, semi-structured interviews, and qualitative methods to explore the social policies towards refugees and asylum-seekers that governing nationalist parties in the BAC and Scotland support. I drew my data for this project from many sources. To learn about the asylum seeker and refugee situation in the BAC I analyzed information from Ikuspegi, the Basque Immigration Observatory, and several academic papers. I analyzed several documents, including several Basque Government immigration plans from the years EAJ-PNV was in power and the 2019-2023 election manifesto of the EAJ-PNV to discover their position on the selected social policy areas. While these documents addressed all immigrants, they were used because the Basque government does not have separate plans for refugees. To learn about the actions EAJ-PNV has taken in the selected social policy areas, I conducted a semi-structured

interview with a professional in the BAC who is versed in the field of refugees and asylum-seekers. I then synthesized this information and compared the EAJ-PNV's desired policies to their enacted policies.

I used similar methods to assemble data about Scotland's refugee and asylum-seeker situation and policies. I gathered information about the current refugee and asylum seeker from sources published by the Scottish government under their New Scots program and from the Convention of Scottish Local Authorities (COSLA)'s Migration, Population, and Diversity Team. To learn about the SNP's desired social policies towards refugees and asylum seekers, I analyzed information from the SNP's 2022 and 2021 election manifestos and government documents from years they were in power, including The English for Speakers of Other Languages (ESOL) Strategy for Adults in Scotland 2015, the New Scots: Integrating Refugees in Scotland's Communities Plan 2014-2017, and the New Scots: Refugee Integration Strategy 2018-2022. To gather more information about the social policies towards refugee and asylum seekers the SNP has adopted, I conducted semi-structured interviews with professionals from the academic and civil society sectors in Scotland. I then analyzed this information, synthesized it, and compared the desired and enacted policies in Scotland. I compared my research from Scotland to my research from the BAC to draw conclusions about the different policies and create suggestions for the future.

Scotland and the BAC were chosen because they are both autonomous regions that enjoy wide latitude over their internal social policy. They also are both currently governed by nationalist parties and have a history of being governed by nationalist parties. These characteristics make them good examples in which to study the social policies that nationalist parties support and implement for refugees and asylum seekers. I studied housing, adult language instruction, legal aid, and relationship with civil society as a sampling of all social policies. These areas were chosen because they reflect various stages of the integration process and its implementation.

Like all research work, there are limitations to this study. Given my time constraints and budget, I could only interview a small sampling of participants. Additionally, my evidence is based on their experiences and knowledge, so my conclusions are biased towards the opinions and experiences the people I interviewed. Despite its shortcomings, this method allowed me to learn about how and if government policies are being implemented. I believe this method

provides a more accurate and complete picture of the SNP and EAJ-PNV's refugee and asylum seeker policies in Scotland and the BAC.

Social Policies Towards Refugees and Asylum Seekers in the BAC and Scotland

This section analyzes the asylum-seeker and refugee integration work promised and performed by nationalist-led governments in the BAC and Scotland. The first section discusses how the BAC and Scottish government use the private-public relationship to carry out refugee and asylum-seeker integration work. The next three sections discuss the specific policy areas housing, adult language instruction, and legal aid to refugees and asylum seekers. This section analyzes the EAJ-PNV and SNP's desired policies, the policies they adopted, how these policies compare to each other, and how the policies in Scotland compare to the policies in the BAC.

Relationship with Civil Society

An important component of the BAC's nationalist-led government's response to refugees and asylum-seekers is working with and supporting civil society organizations that work in this sphere. In the 2019-2023 EAJ-PNV manifesto, the party states that they believe social integration of immigrants must be done "with the participation and responsibility of civil society and its organizers" (Basque Nationalist Party, 2019, p. 29). The EAJ-PNV's supported policy towards civil society can be divided into two areas, 1.) economic support and 2.) inclusion or promotion of these groups among immigrant communities. The first Basque immigration plan from 2003 includes a strategy of "disseminat[ing]" information about "the functioning of the social service system and of the different institutions organizations and resources, both public and private" (Gobierno Vasco, 2004, pp. 91-92). In the 2007 Basque Immigration Plan, one of the coordination principles involves "guaranteeing adequate communication and coordination channels" "[b]etween the various public spheres and social groups involved" with immigrants (Gobierno Vasco, 2007, p. 90). In the 2022-2025 Intercultural Plan for Citizenship, Immigration, and Asylum, the Basque Government, controlled by the EAJ-PNV, states that they plan to financially support "entities and organizations that work with groups of people of foreign origin and/or nationality in a uniquely problematic and/or vulnerable situation" (Gobierno Vasco, 2022, p. 33). Overall, the EAJ-PNV claims to want to support civil society through promotion and economic aid.

The Basque government does provides economic assistance to civil society organizations that work with refugees and asylum-seekers, including special provisions for organizations that

work with refugees from Ukraine. One interviewee stated that the Basque government provides special economic help outside of the funding given by the Spanish government. An interviewee also stated that there is “special financialization” or “economic help” for “organizations just to receive Ukrainian refugees”.³ In the Spanish program, civil society is given assistance to provide specialized community support to refugees and asylum-seekers outside of the official government program. Overall, there is evidence that supports the EAJ-PNV fulfills its goal of economically supporting civil society organizations that assist refugees and asylum-seekers, though the evidence suggests that most of the promotion of these groups is handled by the Spanish government, despite the EAJ-PNV’s supported policies.

Assistance and partnership with civil society is the backbone of the Scottish Government’s refugee and asylum seeker policies, and they strongly support continuing and improving these partnerships. The basis of the SNP’s approach to refugee integration, the New Scots approach, is the collaboration and coordination “efforts of organizations and community groups across Scotland involved in supporting refugees and asylum seekers” (The Scottish Government, 2018, p.13). The Scottish government’s support includes promoting civil society’s services to refugees and funding for many organizations that work with refugees and asylum seekers (The Scottish Government, 2013 and The Scottish Government, 2018 and “Refugees and asylum seekers”, 2022). The Scottish governments wants to continue working with partners across various areas of social policy including housing, education, health, and cultural integration (The Scottish Government, 2013 and The Scottish Government, 2018). These examples demonstrate a strong desire by the SNP to continue working with and supporting many members of civil society that assist refugees and asylum seekers.

The Scottish government provides extensive organizational and financial support to civil society, or the third sector. One of the most unique aspects of Scotland’s response to refugees has been their work with the third sector, including charities and academics. They are part of a larger system that includes many sectors of government and works to help integrate refugees and asylum seekers to Scotland. “[I]t would be quite rare for a government housing representative to sit in the same group as a housing association, and then as a charity that works in housing”, but this is the situation in Scotland one interviewee explained.⁴ Through the New Scots Strategy, the

³ Interview done by the author to interviewee 3 in person in Bilbao, November 22

⁴ Interview done by the author to interviewee 2 over Zoom in Edinburgh, November 16

SNP, through the Scottish government “has created something very positive, which has been interagency between statutory [government] and voluntary [third] sectors” the interviewee also commented.⁵ This work has taken place through forums, policy suggestions, comment periods from the third sector on government plans, and funding that is given to the Scottish Refugee Council and then distributed to various charities.⁶ Through the established system with the third sector the Scottish government is able to use them to deliver services and additional support that constitutionally they may not be able to provide. This leads to enhanced support for refugees and asylum seekers in Scotland. This evidence also suggests that the Scottish government does fulfill their desired social policies regarding economic and organizational assistance to civil society.

Both the EAJ-PNV and the SNP advocate for supporting civil society organizations, though their strategies differ slightly. This conclusion is supported by the evidence presented in their election manifestos and government strategic plans. Through evidence gathering, it can be concluded that both parties do economically support third sector groups that work with refugees and asylum-seekers. This conclusion is evidenced with statements made by interviewees affirming this assistance. The assistance in Scotland, however, is much more substantial than the assistance in the BAC. As can be concluded from the evidence, the Scottish government has much stronger organizational and economic partnerships with civil society. They use these organizations to help support refugees and do much of their social aid work. The Basque government offers specialized aid but does not have as developed partnerships as the Scottish government does.

Housing

The EAJ-PNV’s desired social policies towards housing can be split into three areas, 1.) assurance of equal rights through the dissemination of information that supports this goal and the desired creation of policies to ensure this equality, 2.) financing of apartments for people at risk of social exclusion, and 3.) policies designed to avoid housing segregation, especially in neighborhoods. In the 2003-2005 Basque Immigration Plan, the government calls for developing “initiatives that facilitate full access and under equal conditions” to housing and housing aid, along with the promotion of “formulas for the access of immigrants to rental housing and the

⁵ Interview done by the author to interviewee 2 over Zoom in Edinburgh, November 16

⁶ Interviews done by the author to interviewee 2 over Zoom and interviewee 1 in person in Edinburgh, November 16

guarantee of adequate living conditions” (Gobierno Vasco, 2004, p. 91). The desire for equal rights is echoed in subsequent Basque Immigration Plans produced by an EAJ-PNV-led government (Gobierno Vasco, 2004, Gobierno Vasco, 2007, Gobierno Vasco, 2018, and Gobierno Vasco, 2022). In the second Basque Immigration plan special treatment is given to foreign-born people to “ensure their positive discrimination situations of special need or of true exclusion” (Gobierno Vasco, 2007, p. 114). This plan called for initiatives to make housing easier to access, such as making a passport and a registration certificate the only documents required to access housing lists (Gobierno Vasco, 2007). In this plan, the government also called for “[f]inancing of reception apartments for immigrant families at risk of social exclusion” (Gobierno Vasco, 2007, p. 115). Many of these initiatives are repeated in the following EAJ-PNV-led government plans. A final important policy is “avoid[ing] residential concentrations and segregation in promotions and/or social buildings promoted by the Basque administration” (Gobierno Vasco, 2018, p. 49). These examples demonstrate that the EAJ-PNV calls for inclusive housing opportunities for all refugees and asylum-seekers and supports giving assistance to certain groups that are at risk of social exclusion.

The Basque government does not offer extensive, well-known housing assistance to refugees and asylum-seekers. When asylum-seekers arrive in Spain, they are placed in a program administered by the Spanish state. In the first phase, the welcoming phase, they are given free housing in various areas of Spain. After this phase, however, they may be moved to another area. For example, one interviewee stated that some asylum-seekers and refugees that were in Bilbao had to move to “Madrid”, “Barcelona”, and “Seville”, because “they [had] to move if they want[ed] to continue in the program”.⁷ Based on the collected evidence, it appears that most of the assistance offered to refugees and asylum-seekers in the BAC comes from the Spanish government, and the EAJ-PNV’s desired policies are not enacted or not well advertised.

The SNP supports safe housing for refugees and asylum seekers as a basic social right, and wants to use partnerships to address housing issues, especially homelessness, and disseminate information to refugees and asylum seekers. The 2018 Refugee Integration Strategy states that “[t]he Scottish Government’s vision for housing is that all people in Scotland live in high quality sustainable homes that they can afford and that meet their needs” (The Scottish

⁷ Interview done by the author to interviewee 3 in person in Bilbao, November 22

Government, 2018, p. 40). While the UK's "Home Office provides accommodation to people seeking asylum in a number of areas across the UK" including in Scotland, once an asylum request is granted, a refugee then must access housing through the Scottish process (The Scottish Government, 2013, p. 49). Because of this system, the Scottish government plans to support refugee housing needs by making accommodations and information about existing resources and aid more accessible. SNP supports accomplishing this goal through many ways, including establishing and nurturing partnerships with "third sector and community" groups and local authorities, "ensuring that Housing Hubs make housing options information easily accessible to refugees", and developing ways for refugees and asylum seekers to access "support from the third sector and community, to help with settling and orientation" (The Scottish Government, 2013, p. 48 and The Scottish Government, 2018, p. 43). The Scottish government also advocates for ending homelessness for refugees and plans to act on the recommendations of the Homelessness and Rough Sleeping Action Group (The Scottish Government, 2018). The SNP mainly plans to address housing issues with refugees and asylum seeker by working with community and other government partners to provide easily accessible information, so refugees and asylum seekers know how to access the vast housing resources Scotland already provides.

The Scottish government offers housing assistance, but this system is currently stressed and experiences difficulties because it is also controlled by the UK's Home Office. Currently, asylum seekers are given housing during the asylum process by the UK government, usually in bed and breakfasts or hotels. But these dwellings can sometimes be in very poor condition. After asylum seekers have their claims approved, also referred to as receive leave to remain, they must vacate the provided housing. They can then apply for social housing or a house from the Scottish Refugee Council, but this process can take many years. For example, one interviewee explained that "in Edinburgh" "starting on that list [housing list] to getting a house can take three years"⁸. This system leads to many refugees becoming homeless during this period. This timeframe is also when many charities will get involved with refugees and help them find housing. There is also housing support offered through the Universal Credit system, but only for those with refugee status and not asylum seekers. Overall, there is not significant, speedy, and safe housing

⁸ Interview done by the author to interviewee 1 in person in Edinburgh, November 16

guaranteed for refugees and asylum seekers directly by the Scottish government, despite the SNP's plans to address housing issues for refugees and asylum-seekers.

Both the SNP and the EAJ-PNV believe that housing is a human right, but their policy strategies differ. In government plans, the SNP has advocated for spreading information about housing and resources through the third sector/civil society. In their official government plans, the EAJ-PNV has focused on calling for more equality in housing and attempting to stop segregation in housing for all foreign people, including special financing for housing for those at risk of social exclusion. Field work interviews, however, revealed that neither government does enough to ensure that all refugees and asylum seekers have safe, quality housing. The Spanish government provides housing in their program for asylum-seekers, and there is not well-advertised or well-utilized housing assistance for refugees and asylum seekers provided by the Basque government. The Scottish Refugee Council, which receives funds from the Scottish government offers housing for refugees after they complete the asylum process and must vacate UK-provided housing. Evidence revealed, though, that the process to get housing for the council can take years and leave refugees homeless. Evidence also revealed that civil society organizations that receive funding from the Scottish government help refugees that are homeless. Overall, however, in practice both the EAJ-PNV and the SNP could do more to fulfill their promises regarding housing aid for refugees and asylum seekers outside of the housing system offered by the national government.

Adult Language Instruction

The BAC has two official languages, Basque and Spanish (Rijk and Michelena, 2022). The EAJ-PNV's policy towards adult refugees and asylum seekers that need to learn these languages is supporting adult education as a right, supporting ways to make language qualifications easier, and supporting the offering of Basque and Spanish classes and resources, though mainly resources for learning Basque. The 2007 Basque Immigration Plan recognizes education, including adult education, as a basic cultural right of all foreigners in the BAC (Gobierno Vasco, 2007). In several plans there is support for streamlining the process of receiving official language qualifications or working groups that will study how to streamline this process. The EAJ-PNV has also supported "pomot[ing] the teaching Basque and Spanish languages for foreign immigrants from educational centers" in their 2007 Basque Immigration Plan (Gobierno Vasco, 2007, p. 121). Additionally, they have continued to support language-

learning resources, such as “the dissemination of the Basque self-learning app” (Gobierno Vasco, 2022, p. 42). The examples demonstrate that the EAJ-PNV supports promoting the Basque language and making learning the language more accessible.

In practice, there are some resources for refugees and asylum-seekers to learn Basque, but not as many as the EAJ-PNV advocate for. In the program administered by the Spanish state, there is no Basque language classes. One interviewee stated, “inside the program”, “there’s not Basque” and “it’s a problem”.⁹ Refugees and asylum-seekers are given Spanish classes in the program including some that are specialized for certain professions. In the BAC, refugees and asylum-seekers who want to learn Basque usually go to private schools to learn it. Even having access to classes can present challenges, according to one interviewee, many people struggle to learn the language. Additionally, some refugees and asylum-seekers, however, do not wish to learn Basque, and this causes difficulties. An interviewee explained, “there are some people, Latinos, that didn’t want to learn Basque”; however, in the BAC knowing Basque is an important skill and can help a person secure a higher-paying job.¹⁰ Given the evidence, it can be concluded that the Basque government does not provide enough of the promised free language learning classes to refugees and asylum seekers and does not advocate enough for the importance of learning Basque.

SNP supports refugees and asylum-seekers learning English, but also advocates for them to maintain their native languages. In the 2014-2017 New Scots: Integrating Refugees in Scotland’s Communities plan, the Scottish government expressed support for “[r]efugee and asylum seekers” “achiev[ing] the English Language skills they need to successfully integrate with Scotland’s communities” (The Scottish Government, 2013, p. 56). The Scottish government currently offers and advocates for publicly funded English for speakers of other language (ESOL) classes for “settled communities, refugees, asylum seekers, migrants” and others” (The Scottish Government, 2015, p. 5). In the 2018-2022 New Scots Refugee Integration Strategy, the government expressed support for finding ways of overcoming barriers and creating better modes of delivery for these ESOL classes including “explor[ing] how digital technology could be used to increase access to ESOL” (The Scottish Government, 2018, p. 54). The Scottish government also wants to support the refugees “shar[ing] their language and culture with their

⁹ Interview done by the author to interviewee 3 in person in Bilbao, November 22

¹⁰ Interview done by the author to interviewee 3 in person in Bilbao, November 22

local communities” and advocates for refugees maintaining their native languages at home (The Scottish Government, 2018, p. 8). The main language used in Scotland is English, though Scots and Gaelic are also both official languages (Languages, 2022). SNP does not advocate for offering language classes for refugees to learn these languages. The above examples demonstrate how the SNP supports refugees learning English and wants to make this process more accessible.

English language classes for adults are part of the integration process in Scotland and are organizationally and financially supported by the Scottish government. English classes are managed at the local council level and free ones are offered by local colleges. Most refugees want to get into English courses, but this system is also plagued by issues. One interviewee stated that it “can be difficult, depending on when you’re applying where you’re living, and what local colleges have to offer”.¹¹ Some areas, such as the Scottish Highlands, are not used to accepting refugees and struggle to provide the required services. Nongovernmental organizations also provide informal learning classes and conversation groups, that can be funded by the Scottish government. Overall, the Scottish government works to provide free English classes, but struggles due to high numbers of refugees and a lack of resources to completely deliver what they promise.

The biggest difference between the approach that the EAJ-PNV and the SNP take to adult language learning, is that the EAJ-PNV has advocated for more resources to teach their regional language, Basque, while the SNP has not focused on teaching refugees and asylum seekers their regional languages, Scots and Gaelic. These differences are evidenced by calls for more accessible Basque language resources in the Basque government’s plan, and the lack of any information about Gaelic and Scots in the Scottish government’s plan. The data collected highlights that the Scottish government does more to fulfill their plans and offer free language classes and publicize these efforts. Interviews revealed that there are not well-known free, public Basque classes or resources provided in the BAC and the Spanish classes are not administered by the Basque government. In Scotland, however, there are many free English classes supported by the Scottish government. Both parties, however, share a similar strategy of working to provide additional language-learning resources. The evidence demonstrates that there are large

¹¹ Interview done by the author to interviewee 2 over Zoom in Edinburgh, November 16

differences in the SNP and the EAJ-PNV's supported and enacted policies towards adult language learning in Scotland and the BAC.

Legal Aid for Refugees and Asylum-seekers

EAJ-PNV has called for free legal aid for all foreigners, including on criminal matters, and supports funding organizations to carry out this work. A repeated promise in the Basque Immigration Plans, authored by an EAJ-PNV government, is free legal assistance to all foreigners in the BAC (Gobierno Vasco, 2004, Gobierno Vasco, 2007, Gobierno Vasco, 2018, and Gobierno Vasco, 2022). They have also supported the creation and maintenance of structures to complete this work. The BAC government created Legal Service and Social Care for Immigrants (HELDU), an organization devoted to helping foreign-born people access free legal services, in 2002 (Madrazo 2010). The organization had great success and in the eight years it existed, it “processed approximately 34,000 files” (Madrazo 2010). In 2010, however, a non-nationalist led government closed HELDU, a move the EAJ-PNV opposed (Madrazo 2010). After they returned to power, EAJ-PNV supported policies that would maintain the legal services offered by the government organizations that help integrate refugees, through the organizations Biltzen and Aholku-Sarea (Gobierno Vasco, 2018 and Gobierno Vasco, 2022). These examples show that EAJ-PNV promotes the principle of free legal aid and promises to keep funding government services that fulfill this goal.

For refugees and asylum-seekers in the BAC, the Spanish government's program offers legal assistance with the asylum processes, but the evidence did not suggest that the Basque government provides well known or accessible legal assistance for refugees and asylum seekers. One interviewee explained that inside the Spanish program, there is free legal assistance “to prepare for the [asylum] interview” and to help with “the documents” and “to prepare the forms they have to make”.¹² They also stated that “[n]ormally it is” just “for the asylum process”.¹³ This evidence suggests that the Basque government does not provide or advertise well enough the legal services they advocate for and have worked to fund.

Similar to housing for asylum-seekers, “[t]he Home Office also funds an independent advice service to assist people in the asylum process” including with “assistance in accessing legal representation” (The Scottish Government, 2018, p. 77). The Scottish government

¹² Interview done by the author to interviewee 3 in person in Bilbao, November 22

¹³ Interview done by the author to interviewee 3 in person in Bilbao, November 22

advocates for all refugees to fully understand and access legal services, but beyond this, the SNP has not called for extensive legal aid support (The Scottish Government, 2013, p. 37).

Basic legal aid for the asylum process is given to refugees and asylum seekers and free legal aid is available to everyone in Scotland, through support for it has been decreasing. One interviewee explained, there is a “Citizens Advice Bureau” that offers not “just legal advice” but also “just kind of general advice for anybody”.¹⁴ There is also legal aid offered that anyone can apply for. Another interviewee explained that there is “Scottish legal aid provision for asylum cases” that offers “better availability of qualified legal advice [and] better quality legal advice”.¹⁵ Like many of the social services provided by the Scottish government, however, the Scottish legal aid system has recently experienced cutbacks in resources. This evidence suggests that the Scottish government offers basic legal assistance, but does not have an extensive, well-known Scottish-run legal aid system for refugees and asylum seekers. This lack of a system could prevent refugees and asylum-seekers in Scotland from accessing much-needed legal advice and understanding the law, a situation which goes against what the SNP advocates for.

Both the EAJ-PNV and the SNP see legal aid as important, but the EAJ-PNV, through the Basque government, has called for and advocated for better funded legal aid. Government plans from the Basque government called more strongly for free legal services, while the Scottish plans delegated this issue to the UK’s Home Office. As evidenced through interviews, neither the BAC nor Scotland have very well-known highly accessed legal aid system for refugees and asylum seekers. The Spanish and UK refugee and asylum seeker programs both provide legal aid for the asylum process. Both regions, however, lack their own extensive, accessible free legal aid systems for asylum-seekers and refugees.

Implications and Conclusion

Based on my research, I believe that important changes should be made to social policy towards refugees and asylum seekers in the BAC and in Scotland. I believe that the BAC should create relationships with civil society modeled after the ones in Scotland. The SNP uses civil society organizations to carry out much work related to refugee integration, and I believe that these policies could be adapted for the BAC. Funding and working with civil society would allow the EAJ-PNV to fulfill many of their desired outcomes for refugees and asylum-seekers,

¹⁴ Interview done by the author to interviewee 1 in person in Edinburgh, November 16

¹⁵ Interview done by the author to interviewee 2 over Zoom in Edinburgh, November 16

even if they cannot personally legislate in that area. These relationships in Scotland have also caused a better flow of information between the government and civil society, and I believe this pattern could be repeated in the BAC. I believe that the SNP should work to establish a better legal aid system for refugees and asylum seekers that is separate from the UK one. Legal issues plague refugees, and of all the social policy areas I analyzed, I feel that the SNP's position on legal aid for refugees and asylum seekers is its weakest. The SNP is very supportive of refugees and asylum seekers, and I believe a free legal aid system will help refugees and asylum-seekers better resolve any legal issues and have an easier time integrating to Scotland. While all areas of social policy towards refugees and asylum-seekers could be improved, I have selected the above areas because I believe reforms in these areas should be done first and could be the most impactful. Furthermore, I believe that both parties should push their respective national governments for more control and more competencies over refugees and asylum seekers in their territories. The EAJ-PNV and SNP have beneficial ideas regarding refugees and asylum-seekers in the BAC and Scotland, respectively. They also have legal backing for taking more power from their national governments to use in their own territories. Based my research, I believe that the EAJ-PNV and SNP could better enact their desired policies if they had more control transferred to them from their national governments. Based on the evidence presented, I also believe that the social policies of Scotland and the BAC can be models for other governments. Many nationalist governments and parties, especially, are very welcoming of refugees and asylum-seekers and adopting policies similar to those of the SNP and the EAJ-PNV could benefit refugees and asylum seeker in these territories. This research also supports past research by demonstrating that nationalist parties are very welcoming and accepting of refugees and asylum seekers.

I believe researchers should continue studying nationalist parties' social policies towards refugees and asylum-seekers. In the future I would further analyze and compare the social policies of the EAJ-PNV and the SNP and nationalist-led governments in the BAC and Scotland to the social policies of other nationalist parties, such as the nationalist parties in Catalonia. I would also suggest looking at the topics of devolution and regional autonomy through a lens of refugee and asylum policy. During my research, I came across many constitutional questions regarding what social policies the Basque government and Scottish government can or cannot enact. I believe this viewpoint would provide a unique look at how these governments are able to approach refugees and asylum seekers and would provide a better study of what they can do

verses what they are actually doing. In general, I would encourage further analysis of nationalist parties' social policies towards refugees and asylum-seekers to better understand what the parties actually do compared to what they say they want to do.

In this paper, I analyzed several areas of social policy regarding refugee and asylum seekers that the EAJ-PNV and SNP support and have enacted. I conducted this research to determine the refugee and asylum-seeker social aid policies for the relationship with civil society, housing, language instruction, and legal aid nationalist parties that have or are in power in the BAC and Scotland support and enact and how these policies compare to each other. Through my analysis I concluded that the SNP and EAJ-PNV advocate for many social aid policies that would assist refugees and asylum-seekers with integration. In practice, however, I discovered that these desired policies are not always implemented or are not well-publicized. Based on the SNP and EAJ-PNV's positive discourse towards refugees and asylum seekers, I believed that I would draw a more positive conclusion. Nevertheless, I still believe both these parties support and enact "good" policy and can serve as examples for other political parties and governments. Based on the results of my research, I made several policy suggestions for the EAJ-PNV and SNP. I also concluded that this topic should be studied more in-depth and made suggestions about the direction this research should take.

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Footnotes

Spanish Constitution. art. 49.

² The Statute of Autonomy of the Basque Country, 1979.

³ Interview done by the author to interviewee 3 in person in Bilbao, November 22

⁴ Interview done by the author to interviewee 1 in person in Edinburgh, November 16

⁵ Interview done by the author to interviewee 3 in person in Bilbao, November 22

⁶ Interview done by the author to interviewee 3 in person in Bilbao, November 22

⁷ Interview done by the author to interviewee 2 over Zoom in Edinburgh, November 16

⁸ Interview done by the author to interviewee 3 in person in Bilbao, November 22

⁹ Interview done by the author to interviewee 3 in person in Bilbao, November 22

¹⁰ Interview done by the author to interviewee 1 in person in Edinburgh, November 16

¹¹ Interview done by the author to interviewee 2 over Zoom in Edinburgh, November 16

¹² Interview done by the author to interviewee 3 in person in Bilbao, November 22

¹³ Interview done by the author to interviewee 2 over Zoom in Edinburgh, November 16

¹⁴ Interview done by the author to interviewee 2 over Zoom in Edinburgh, November 16

¹⁵ Interviews done by the author to interviewee 2 over Zoom and interviewee 1 in person in Edinburgh, November 16