

# **From Emigration to Immigration: Lessons from Spain for Guangzhou's Immigration Policies**

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## Abstract

In recent decades, Guangzhou (a.k.a. Canton) experiences tremendous change in population motilities from a traditionally closed society through an emigration city to currently a destination city. It attracts a diverse body of immigrants since it is the cultural and economic center of the Pearl River delta. Before citizens and policy makers fully apprehend the impacts of immigrants, they already form their own networks and change local landscape substantively. Segregation of immigrants and locals is taking shape due to the cultural gap. Media deepen the estrangement by focusing on illegal migrants, drug trafficking, illegal labor, and other migrant related problems. The absence of immigration law, systematic immigration policies, and regulatory institutions bring confusion in street level officers, immigrants, as well as local citizens. This paper contributes to the understanding of the formation of immigrant related issues and helps develop immigration policies in Guangzhou. Up to now, there is little discussion on crucial issues like immigrants' rights, integration, and their long term impact to local society. By comparing with Spain, a country experiences similar dramatic reverse flow of migrants during 1980s, the paper demonstrates the priorities of constructing immigration policies in Guangzhou. It proposes in the short term setting up an immigration office in charge of immigration issues; embracing economic principle in border control; focusing on cultural integration in settlement control; and in the long term joining the sending countries for co-development strategy.

## CHAPTER 1: INTRODUCTION

### 1.1 Brief Migration History of Guangzhou and Spain

*“Never have eye contact with them. They will propose.”*——a sales girl  
*“Almost all African passengers’ luggage is overweight. If we do not let them check in the excess, they will act shamelessly and make trouble.”*——an airport ground service staff  
*“My son has African classmates. They get on quite well. Kids are easy going.”*——a Taxi driver  
*“They always play music loud at night and slur!”*—— a news stall owner  
*“Our warehouse has many African temperate workers. They are strong and hard working. They don’t speak Chinese and I don’t speak English, but we have fun drinking together.”*—— a warehouse worker  
*“Yes, there are several stealing and robbing (committed by the Africans), but there are also many bad Chinese, right? Don’t exaggerate!”*—— a public security guard  
(Hong, 2009:37)

These citizen interviews present a vivid overview on how the locals in Guangzhou (a.k.a. Canton, capital city of Guangdong) picture outsiders, mainly the African immigrants. The answers vary from person to person, but all indicate clearly: “they” are different from “us”. Regardless of the sentiment towards immigrants, Cantonese are generally reticent and conservative in accepting the city’s new members; and segregation occurs almost instantly when migrants are seen on the streets.

Such status quo of uneasiness in getting along with immigrants has profound roots in history. Beginning with the invasion of United Kingdom in the 1840 First Opium War, China had endured more than one hundred years war time. Guangzhou, located in the southeast coastline, had always been on the frontline of resisting invasion. Part of Guangzhou became colony of Britain and France. Since the establishment of the People’s Republic of China in 1949, Guangzhou turned into a relatively closed city with little population mobility for thirty years as the rest of China. For almost 30 years, a total of 210,000 people in the whole country were allowed to go abroad for personal reasons (Zhang, 2001:22). When reform and

opening up commenced in 1978, Guangzhou again became the pilot field for market reform. Guangdong is the first province that allowed citizens to go to Hong Kong for personal purposes in 1983. Relaxed political environment also enables population mobility. The US, Japan, Australia, Germany, British, French, and Canada consulates opened/reopened in 1979, 1980, 1992, 1995, 1997, 1997, 1997 respectively in Guangzhou. Guangdong became home of emigrants, from where around 2/3 of the 30,000,000 overseas Chinese originated (Liu, 2002, 3). Development in economy and reconnection with the outside world brought in a new mixed feeling where the memory of the colonialism and admiration of the advanced material life in western welfare states induce the local's conflictive feeling between extremes of xenophobia and xenocentrism.

Since Guangzhou's continuous economic development in the 1990s, it started to attract foreign immigrants. The first wave of migrants was from the industrial countries alongside with foreign direct investment and reconnection with the outside world. Migrants of this period were of small number but mostly elites and managements working for the consulates and multinational enterprises. Later on, immigrants from the Arab, oil exporting countries and other Asian countries started to arrive due to the increasing bilateral trade. Current wave of immigrants include labors, traders, students; and many of them are from African. In 2003, Chinese government promoted a "going out" strategy, which encouraged domestic enterprises invest in overseas with special reference to Africa. China's outward foreign direct investment increased almost 7 times from 2.85 billion in 2003 to 18.77 billion US dollar in 2007 (Zheng, 2008). Information of strong economic development in China reaches ordinary citizens and working class in developing countries and brings in the immigrants who want to take advantage of this gold rush opportunity. Guangzhou is again the center of this immigration wave because of its existing connection with the outside world and higher level

of development compared with most inland cities.

In the last two decades, compositions and numbers of immigrants in Guangzhou have gone through striking change. Yet the perception of policy makers and citizens has not been following at the same pace. They still consider immigrants as transient and individual cases. Therefore, neither administrative institutions nor the society prepares for handling immigration issues such as disturbed labor market, ethnic conflict, religious conflict, international crime, and many other integration issues. Before the positive or negative impacts of mass immigrants are fully understood by the government and the citizens, small communities of immigrants and networks specialized in serving immigrants takes shape. Conflicts between immigrants and locals occur more frequently. On July 15th 2009, more than 100 Africans attacked the police station in Guangzhou in response to the accidental death of an illegal migrant when he tried to escape from patrol (Zhen, 2008). In a highly obedient society which seldom has citizen protest, this demonstration provokes aversion among locals as it is considered as disorder and trouble brought by immigrants.

Guangzhou is not alone in handling a reverse trend of population mobility. Spain went through similar process during 1980s. Historically, Spain was an emigration country. Dorantes and de la Rica stated that 3,500,000 Spaniard left for America during the 1850 to 1953; many other chose Argentina, Uruguay, Brazil, and Cuba during the same period. This trend continued but changed direction from mid 1950s to mid 1970s, 74% emigrants went to Northern Europe. Yet started from mid 1970s onward, Spain became a receiving country of substantive amount of immigrants (Dorantes and de la Rica, 2006:3). During the decade from 1998 to 2008, the immigration scale in Spain is one of the most significant in contemporary history of OECD countries (de la Rice and Ortega, 2009:2). Spain had its first

immigration law in 1985, which had been updated several times until a new legislation has similar criteria as those of other European Union members came forth in 2000 (Dorantes and de la Rica, 2004:4). Laws and regulations are stipulated rapidly in order to regulate the ever growing numbers of immigrants in Spain.

## ***1.2 Contribution and Outline of the Paper***

As a traditional emigration city, Guangzhou's policy makers and academia are mainly concerned about outward migration. The inadequate immigration study and insufficient policies create confusion in public, policy makers, street-level government officers, as well as immigrants. The paper studies the migration issues and immigration policy development in Spain and compares with those of Guangzhou. Through the comparative study, the paper identifies the unique composition of migrants, the economical structure, and social context in Guangzhou. Based on the analysis, the paper proposes institutional construction in the short term and co-development strategy with sending countries in the long term respectively. This research has three specific contributions theoretically and empirically. First, it brings attention to a serious policy issue. It advocates a proactive immigration policy at early stage of immigration trajectory. Second, the paper depicts the trends and reality of immigration situations in Guangzhou. It reviews large amount of government documents, official press release, media reports, and secondary data and sorts out characteristics of the limited existing migration policies and their possible trends of development, which could be a platform for future study. Third, by comparing with a new immigration country – Spain – the paper contrasts and identifies the priorities of Guangzhou's immigration issue. The paper argues that Guangzhou needs a multilayer immigration policy to distinguish the heterogeneous group of immigrants. Given Guangzhou's social and economic structures, typical immigrant issues, such as immigrant's impact on labor market or immigrant's rights, are not yet prime concerns

as they are in welfare states, like Spain and the US. Cultural, ethnic and religious divisions are potential threats for social stability in a highly homogeneous society like Guangzhou.

Immigrant in the study is a broad definition including foreigner who manage to obtain permanent residence or nationality, short and medium term visitors, students, and short-term labor. In addition, immigrants who do not have permanent residence but live in China for decades or migrate frequently between their home countries and China are also included in the study subject.

Immigration policy in this study refers to a set of laws, regulations, and institutions “.... to regulate and control entry into the national territory and to stipulate conditions of residence of persons seeking permanent settlement, temporary work or political asylum” (Freeman, 1992:1145). This paper also considers settlement control and integration policy as indispensable parts of immigration policies.

The paper contains six chapters. The current chapter introduces briefly migration history of Guangzhou and Spain. The following chapter comments on existing literatures on immigration policies in Guangzhou and Spain respectively. The third chapter works on methodology framework of the research. It illustrates the source of data, hypothesis and causal relationships in the research. The fourth chapter is a comparative study of Guangzhou and Spain. The fifth chapters give out policy solution based on the analysis and forecast the possible limits on the policies. The final chapter concludes the cases and discusses future directions of research.

## CHAPTER 2: LITERTURE REVIEW

Despite the serious policy inertia and lack of official immigration data, a few researchers are working on China's immigration issues. The limited research works on a national level in general (Zhu, 2005; Xu, 2004; Wei, 2006). Fewer specialize in specific region or city of China, such as Guangzhou. It is noteworthy to point out that social and economic structure in different parts of China varied significantly and may have different focuses on their immigration policy. For example, Guangxi focus more on illegal entry from Vietnam, while Zhejiang pays attention to economic impacts of over ten thousand Middle East businessman. General studies are not enough for formulating practical policies.

The Chinese literature on immigration shows crucial differences in the focuses compared with those of Spain. Chinese researchers and policy makers attach more importance on public security and aim to reduce the uncertainty brought by migrants (Zhu, 2005; Ren, 2007; Xu, 2004). As a developing country does not have universal welfare system even for its own citizens, immigrants' rights and welfare are rarely discussed. Due to the serious stratification of the Chinese society, immigrants' integration to local society has yet become a prioritized policy issue. Therefore, Chinese immigrant research discusses more physical control of entry and exit, as well as residence control and detection of outlaw of immigrants.

Border control, covering methods of physical control and checking migrant status, as well as how to prevent and repatriate illegal migrants, is the most frequently discussed topic (Weng and Bi, 2006; Liu, 2008; Liu, 2008; Xu, 2004). For example, Xu researches issues like who have the authority to make administrative decision, which party should pay for the cost of repatriation, and under what circumstance local authority can impose restriction on

immigrant's freedom, property and behavior (Xu, 2004:48). Inconsistence of different regulations on border control raised concern among researchers (Ren, 2007:165). Weng and Bi examined the complicated administration process of border control and criticized the barrier in cooperation and information sharing among different government bodies and among local governments (Weng and Bi, 2006:83). These studies, however, discuss mainly practical issues at a general level. They do not consider principles underpinning these administrative actions. For example, should China have a liberal or restrictive immigration policy and why? They do not differentiate control over refugee, legal migrants, illegal migrants or legal migrants become irregular when short term visa expire either.

A few studies go beyond border control practice and study the socioeconomic impacts of immigrants. Yang's case study on Yiwu city works on migrants' positive impact on local economy (Yang, 2009). Yet, the Yiwu case only reflects those financially successful migrants, from Korea, Japan and the oil exporting countries, who are doing business in Yiwu. It provides valuable data through case study but lacks a crucial discussion on how to regulate this emerging market created by the migrants. What's more, the immigrants in Yiwu is rather homogeneous businessman and thus could not provide information on migrant's impact on labor market and related economic impact. Li *et al* conducts a cutting edge research on "the African Enclave of Guangzhou", which is by far the only research involve substantive number of direct interviews with foreign migrants and their local contacts in China (Li *et al*, 2008). It provides an insight on the active and passive causes in forming relatively separated African migrant communities in Guangzhou. Their research shows that without a proactive intervention by government policies, immigrants would probably form isolated communities where underground economy, illegal migration and employment, and cultural and religious conflicts become harder to regulate and threaten the stability of the society. Li's study

provides a sound basis for this paper in searching for principles and priorities of Guangzhou's immigration policy.

Overall, Chinese literature lags behind in understanding the current situations of the immigration. Drawing lessons from other countries might be illuminating in this situation. Spain turned from an emigration to an immigration country during 1980s. Its law and policy making shows a leapfrog development partially due to its joining in European Union. Scholars study Spanish immigration in the context of joint European policy from local, national to regional level. They concern both how Spain as a member state affects a joint European immigration policy, and how external pressures from European Union influence Spanish immigration policy (González and Lázaro, 2007; Gonzalez and Bride, 2000; Huntoon, 1998). Many researchers study labor market and economic performance under the impact the massive immigrants. Ferri *et al* analyze the influx of immigrant labors during the 1990s and conclude that both legal and illegal migrants have positive effect on GDP and employment (Ferri *et al*, 2006). The capacity of labor market in assimilating immigrant labor is also a major field of research (Fernández and Ortega, 2008; Dorantes and de la Rica, 2006; Miguélez and Recio, 2008). Others focus on welfare and rights of sub-groups of immigrants in labor market (Rubio, 2003; Carrasco, Jimeno and Ortega, 2004). Kemnitz's research shows how low-skilled immigrant benefit welfare of certain groups of the society while harms others (Kemnitz, 2003). Calavita pointed out how immigration policy constantly marginalized and irregularized immigrants in Spain (Calavita, 1998). Most recently, with the increasing total immigrants, academia starts to work on ethnic groups and their integration into Spanish society. For instance, Toasije looks into the growing racism towards African immigrants (Toasije, 2009). De la Rica and Ortega compare the economic and cultural gap of Latinos, Eastern Europeans, Moroccans and individuals from other

Muslim countries in Spain (de la Rica and Ortega, 2009). Slack explores the living conditions and identity issues of Asian immigrants in Spain (Slack, 2009). The rich Spanish literature on immigration policies raises a wide range of issues that policy makers in Guangzhou have not yet covered. In the following cases study, the paper points out how the Spanish experience provides lessons for Guangzhou in combating segregation and managing immigration flow.

## CHAPTER 3: METHODOLOGY

### *3.1 Rationale for Case Selection*

The paper suggests immigrant policies for Guangzhou through comparing the trends, existing policies, cultural gap, and economic impacts of immigrants on Guangzhou and Spain. Considering the diversification of socioeconomic conditions in China, it is too complex for this short paper to discuss immigration at national level. The paper therefore picks up the case of Guangzhou as a basis for future study on Chinese immigration policy. Guangzhou is a typical case in China which comprises many common factors of other immigration destination cities. It is the capital city of Guangdong province and a well-developed regional center of culture, politics and economy. Located at the southeast frontier of China with pleasant warm weather throughout the year, Guangzhou attracts all sorts of international immigrants from overseas student, management and professionals working for international organizations and companies, officers of embassies and consulates, to labors engage in physical intensive work. Immigrants in Guangzhou also represent diverse ethnic and religious groups. The rich body of migrants raises all kinds of issues and makes Guangzhou a microcosm of the national situation. Moreover, the city has long been a pilot city for social and political reforms and a test field for new polices. The municipal policies in Guangzhou represent the future trends of national policies.

The Spain case, on the other hand, is a similar case with Guangzhou for four reasons. First, like the trajectory of Guangzhou, Spain experienced “enormous political and economic transformation” by end of the twentieth century (Calavita, 1998:530). Rapid economic development reversed the country’s demographic mobility direction from emigration to immigration during the 1980s. The country, as the southern entrance of the European Union,

hosted mass immigration, from 500,000 in 1995 to 1,109,000 in 2001 (Ministry of Interior, cited by Pérez, 2003: 3). Second, changed international environment renders the experience in traditional immigration countries, such as the US, Canada and Australia, less comparable. Large amount of immigration after World War II was demand led due to the lost of labor during the war. It was also one direction migration from the south to the north and from developing countries to industrial welfare countries. The current flow of immigration in Spain and Guangzhou, however, is in both directions simultaneously. Globalization and modern techniques also enables more frequent short-term population mobility. Third, both Spain and Guangzhou suffered from large amount of irregular immigrants. One common reason for this is both places treat immigrants as transient and makes legal immigrants irregularized over time. Last but not least, although Spain controls issuing of Spanish visa, it cannot control entry of citizens and legal immigrants of other Schengen states. Settlement control remains a major policy tool for such immigrants. This is similar to the situation in Guangzhou which does not have boundary towards other Chinese cities but can utilize settlement control in tackling immigration issues.

### ***3.2 Hypothesis and Assumptions***

The paper hypothesizes Guangzhou will follow similar immigration trajectory as that of Spain, because they share similarities in institutional development and migration patterns in the recent history. The immigrant's economic integration challenge in present-day Spain has historical cultural and legal origins (Calavita, 1998:532). In Guangzhou, economic integration is not yet a primary concern as it is in the early stage of the immigration trend. Yet, negative impacts of cultural gaps and myopia visa policy already appear – like in Spain decades ago (Agrela, 2002: 18). The Spanish experience shows combating segregation in later stage is extremely difficult and early effort is needed for Guangzhou.

The discussion of Guangzhou's immigration policies is based on the assumption that fundamental immigration policies, such as border control, that works in Guangzhou is also implemented effectively at national level. Settlement control, however, may need to be tailored to local situations. Discussion of municipal policy in immigration is slightly different from that of a national policy because a city does not have a border control towards other cities in the countries. As immigrants could move freely within the country after they cross the border, it is impossible for local governments to control or plan the number of foreign migrants that are coming to local jurisdictions. Many migrants just "disappeared" after passing custom control. Therefore, it is crucial that local governments are obliged to cooperate with each other and information flows smoothly from local to central governments.

### **3.3 Sources of data**

Data of the two cases are from secondary sources, including official data, government documents, journal articles, news reports, and official press releases. The paper argues that due to the insufficient official data, media takes up the role of informing people and provides the platform for civil discussion. Media reports on immigrants reflect how Cantonese picture outsiders and how the two groups interact with each other in daily lives. These opinions and activities indirectly influence government to adopt a more liberal or more restrictive immigration policy in the future. If the locals express xenophobia and marginalize the immigrants intentionally, it may also require more government effort to fight against segmentation. Thus, the study examines all existing news reports related to immigrants in local main stream media and major online discussions about immigrants in Guangzhou.

The paper uses the statistics of Guangdong province as an index for Guangzhou in several

places. It is because many statistics in China are published at provincial level. Considering that Guangzhou is the capital city of Guangdong and is one of the leading cities in economic, social and political development within the province, provincial data could be representative for the city's situation. The research also uses a few primary data from interviews with locals and immigrants. The main purpose of interview is to verify the information used in local media.

## **CHAPTER 4: COMPARATIVE CASE STUDY OF GUANGZHOU AND SPAIN**

This chapter presents the two cases of Guangzhou and Spain. The first two sections discuss immigration situation and policies in the two places respectively. The third section compares the similarities and differences of the two cases.

### ***4.1 Immigration Situations and Policies of Guangzhou***

#### **4.1.1 Legal Framework and Institutional Arrangements**

The Guangzhou government formulates only domestic regulations and policies. The legal framework and institutional arrangement are determined by the central government. China has no immigration law or institution specialized in managing immigration. The pace of stipulating new law lags behind the changing environment. In December 2004, Ministry of Public Security (MPS) started to draft the Bill of the People's Republic of China on Border Control to replace the one enacted in 1986 (Liu, 2008:13). The government went through more than twenty drafts in the following 6 years and no new law had been passed up to May 2010. Besides the outdated organic laws, there is less administrative law or procedural law. For example, the implementation rule for the old border control bill stipulates punishment on illegal migrants, but does not clarify penalty on people assisting the illegal migrants (Xu, 2004:49). Deficit in laws creates difficulties in street level administration.

Responsibilities of immigrant management spread out among various government bodies with almost no communication (Weng and Bi, 2006:83). Visa into China could be issued by consulates, embassies, Ministry of Foreign Affairs (MFA) and local organs authorized by

MFA, or Ministry of Public Security (MPS) and Department of Exit and Entry (DEE), a department under local public security bureaus. Border control of immigrants is also managed by the DEE, of which the major focus and resources are devoted to the international movement of Chinese citizens. DEE covers the function of border control, immigrant's residence registration, investigating immigrant's illegal activities, dealing with foreign affairs related to immigrants (Weng and Wei, 2006:86). With the increasing volume of immigration cases, a single department does not have enough resources for handling immigration and even harder for them to specialize. Few local police can speak English; even less know Arabic, Spanish or French which are used equally frequently by immigrants in Guangzhou.

Since 2008, Guangzhou applied tightening visa strategy due to the changing composition of migrants and its own institutional constraints. The growing migrant community in Guangzhou attracts opportunistic migrants who are unskilled, even illiterate and want to grasp every single opportunity to earn money. They normally end up in pure labor intensive work within the migrant community.<sup>1</sup> By making it extremely hard to obtain a long term visa and almost impossible to get a visa extension, Guangzhou intends to differentiate migrants and keep the unskilled labor off the border. However, the strict visa policy has unintended outcome of creating a marginal society and underground economy.<sup>2</sup> It is partially due to the fact that China does not have a specific government body responsible to maintain immigrants' data. There is not specific policy in handling illegal migrants either. If the illegal migrants get caught, they could simply explain the reason of overstaying, pay the fines, and get a new short term visa for one to two weeks.<sup>3</sup> Since the outlaw behavior does not affect their future

<sup>1</sup> Information quoted from interview of Huang Shiding, head of Guangzhou Academy of Social Science, with a local magazine "Southern Window". Available on line: <http://www.nfcmag.com/articles/1648>, access on April 21, 2010

<sup>2</sup> China has tightened its visa policy since 2008 before the Olympic Game. Many migrants become illegal migrant/labor after their visa expired. These migrants are highly sensitive in contacting local media and researchers due to their illegal statuses. I tried to contact a few of migrants through a Ghanaian network but not getting much feedback. One of the Ghanaians confirmed that the migrants do not want to take interview due to their visa statuses.

<sup>3</sup> Information is from an interview with Ghanaian immigrant in China.

benefit, the opportunistic migrants have high incentive to take risk as illegal migrants.

With increasing numbers of migrants, local governments enhance checking of visa within the cities. However, due to the institutional constraints, such as lack of well maintained database and resources for repatriating, the checking might only result in imposing a fine on the illegal migrants. The great difficulties in extending visa and relative mild result of remaining illegal together give negative incentive in obliging to the law.

#### **4.1.2 Single Pillar Management**

The Guangzhou government relies mainly on residence to control immigrant's statues, which is a legacy from the planned economy era. During the closed period, there was little external or internal migration. Citizens were tightly linked with their working unit and living place through household registration system and limited opportunity to change job. Therefore, migrants were easily noted and thoroughly monitored. Reform and opening up since 1978 loosened the conditions for both internal and external migration. However, up to 1997, foreign visitors could only stay in hotels with special licenses and residence control continued to function effectively. With an ever growing number and a more diverse body of immigrants, the government allows foreigners to live in rent apartments, citizen's house or even purchase a property of their own. The local DEE, unfortunately, has not introduced new policy tools to cope with the new situation. DEE requires immigrants report their places of residence within 24 hours of arrival, which is poorly enforced. Regulators also try to direct immigrants to live in certain neighborhoods within the city to facilitate management.<sup>4</sup> In a research conducted by People's Political Consultative Conference Guangzhou Consultative Committee (PPCCGCC), researchers proposed enhancing

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<sup>4</sup> This policy is stated explicitly on the government website, online: [http://www.gzjd.gov.cn/pub/index.jsp\\_catid\\_532\\_538\\_556\\_id\\_52149.html](http://www.gzjd.gov.cn/pub/index.jsp_catid_532_538_556_id_52149.html), accessed on April 30, 2010

management of foreign migrants through controlling rental house (PPCCGCC, 2007). This proposal, interpreted here as enhancing a single pillar management, is rather problematic for several reasons.

Residence control falsely presumes that every immigrant has an identifiable residence. Unlike conventional immigration countries, such as US and Canada, which have systematic database of the migrants, China has not built up such a record by far. The government does not have effective policy instruments to ensure compulsory residential registration of immigrants. Additionally, having no residential registration does not have a negative impact on the immigrant's personal record. The policy of accommodation registration states only the time limits within which aliens should register, but does not cover what the punishments are if they fail to do so.<sup>5</sup> Besides, encouraging immigrants living in the same area creates segregation and makes it harder for immigrants to integrate to local society. Li *et al* summarized five immigrant assembling areas in Guangzhou. Two of these areas are hosting mainly African immigrants. The locals express concern when the number of immigrants sore due to language problem and life style. Many of the locals left as the number of immigrant increases, which makes a vicious circle of segregation (Li *et al*, 2008:214).

### **4.1.3 The Alien Religious and Cultural Practices**

#### **4.1.3.1 Cultural Shock and Misunderstanding**

In the mono-cultural Guangzhou, immigrants' religious and cultural practices become one of the fundamental sources of segregation and xenophobia. For example, the polygamous marriage of the Muslim migrant or Muslim woman in niqab is perceived as mysterious and scary by the local citizens. In China, majority of the locals are atheists and a few people

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<sup>5</sup> The policy is available on line: [http://www.gzjd.gov.cn/pub/index.jsp\\_catid\\_67\\_80\\_131\\_id\\_2281.html](http://www.gzjd.gov.cn/pub/index.jsp_catid_67_80_131_id_2281.html), accessed on May 1, 2010

have religious beliefs are mainly Buddhist and Daoist. One of the explanations of why migrants gather around in Xiaobei Road – one of the five immigrant concentrated habitats in Guangzhou – is that there is a Muslim restaurant on that road (Zhen, 2009). This explanation reflects how homogeneous local people's life style and religious practice are. Before the advent of large number of Muslim migrants, there is no market for halal food. There are only two mosques within the city which mainly served as sightseeing locales until recent years. At present, these two mosques and their neighborhood are over crowded by migrant Muslims every Jumah. Most of the interviewees express that they do not know the rituals and would avoid going to the neighborhood during Friday afternoon.

The conservative native culture clashes with outsider's attitude towards relationship, marriage, and family. A sales lady at Xiaobei Road frequently served African migrants through her working place. She was interviewed by a local magazine and warned the public that “do not smile at the African, they will propose” (Hong, 2009:37). Another journalist trying to interview African immigrants was harassed by one of her interviewees (Yang, 2009). This is part of the reason why people believe that there is a soaring rate of rapes involving Africans, although a local police indicated to Southern Window Magazine that immigrants did not lead to an outbreak of crimes (Zhen, 2009). The locals also feel resentful toward migrants who have families because foreigners are not obliged by the Population and Family Planning Law. The law stipulates that one Chinese family can have only one child. The immigrants, however, can have as many children as they want even if their spouses are Chinese. It makes the locals feel that public resources are occupied by immigrants without equal contribution.<sup>6</sup> It may even trigger the memory of colonialism and develop into xenophobia.

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<sup>6</sup> There are frequent discussions on how immigrants occupy public resources in many on line forums. Examples are available on line in Chinese: [http://blog.sina.com.cn/s/blog\\_56b45cb90100fa1z.html](http://blog.sina.com.cn/s/blog_56b45cb90100fa1z.html); <http://bbs.city.tianya.cn/tianyacity/Content/329/1/86742.shtml>; [http://bbs.tiexue.net/post2\\_2819872\\_1.html](http://bbs.tiexue.net/post2_2819872_1.html), accessed on May 27, 2010.

#### 4.1.3.2 Problematic Official Data and Multiplier Effect of the Media

Official data of immigrants are hard to find due to two reasons. First, there is no specific government body in charge of immigrant issue, as discussed above. Divided responsibilities of immigration management make it hard to master the overall situation. Second, officers conceal the limited available data due to the legacy of non-transparent public management especially related to foreign affair. Foreign affair has always been considered as a sensitive issue. Even though the DEE knows how many illegal immigrants have been caught, fined, or repatriated, it refuses to release the number because it believes illegal migrant may involve complicated bilateral issues. The government is still not recognizing citizens' right to information (Weng and Bi, 2006:85). Without official information, media perform the primary role in informing the public and the new media also provide platform for information sharing among citizens. An evident gap exists between the main stream media and the new media, such as online news forum and micro-blog. The former is relatively objective or neutral, while the latter is more opposed to the immigrants. Unfortunately, even main stream media focuses more on outlaw behavior of immigrants. Together, media amplify the cultural shock and create misguided fears.

Media shift attention to specific immigrant sub-group – the Africans, which have the widest distance in educational and cultural backgrounds. In their special issues on immigrants, Sina.com, Southern Metropolis Weekly, Southern Window, and many other main internet portals and main stream media, they focus mainly on African immigrants as if African immigrants represent all immigrants (Hong, 2009; Zhen, 2009; Lan, 2010). They emphasize on how different “they” are, fortifying the local’s psychological barriers toward immigrants. According to DEE of Guangdong province, up to June 2009, the top five countries of origin

of existing permanent immigrants<sup>7</sup> are Japan, Korea, US, India and Philippine (Wang, *et al*, 2009). However, media keep ignoring that four out of five top sending countries are from Asia and have much less cultural gap with China.

Certain new media are not serious in verifying their source information. Guangzhou Daily, a mainstream media, reported there were increasing swindling, robbing, stealing, smuggling and drug trafficking involving immigrants; it also indicated, however, the most serious issue was illegal entry, illegal residence and illegal employment, where 7,000 people got caught during the year 2007 in Guangdong Province (Wang and Liu, 2008). Certain online forums, on the other hand, repeatedly discuss that immigrants commit all kinds of crimes in Guangzhou and the government is not able to control them due to their foreign identities.<sup>8</sup> The same data, such as total illegal African immigrants in Guangzhou is 200,000, is quoted in many different media referring to each other without verifying the source. Many citizens choose to avoid contacting with immigrants due to the contrasts in cultural, as discussed above, and not properly informed about the real situation (Li *et al*, 2008:214).

#### **4.2 The Spanish Experience**

From 1850 to 1970, more than 3.5 million Spanish left home to Argentina, Uruguay, Brazil, Cuba and some North African countries and later to Northern Europe. In the shadow of international economics in early 1970s, a falling number of emigrants and steady increasing number of immigrants led to a reverse flow of migration in Spain (Pérez, 2003:1). Immigration only became part of policy maker's agenda in 1985 when the first immigration law – Rights and liberties of foreign residents in Spain – came forth. Spain then stipulated

<sup>7</sup> Permanent immigrant here refers to not only immigrants who obtain permanent residence in China but also long term immigrants. This is how local DEE gathers the information.

<sup>8</sup> Please see a few local forums: <http://bbs.ifeng.com/viewthread.php?tid=3819211>; <http://bbs.gd.gov.cn/redirect.php?tid=392020&goto=lastpost>; <http://bbs.huanqiu.com/zongluntianxia/thread-335277-1-1.html>; [http://bbs.tiexue.net/post2\\_3930578\\_1.html](http://bbs.tiexue.net/post2_3930578_1.html), accessed on May 16, 2010

10 organic laws and royal decree in the following 8 years mainly to revise and update the first immigration law and also covered the issue of immigration within European Union (González and Lázaro, 2007:142). From 1985 to 1991, the foreign population soared at an average annual growth rate of 7 percent, and the figure jumped to 10 percent in 1992 (Encarnación, 2004:170). Immigration became an important issue in Spain in 2000 and immigration policy was instrumentalized for electoral purpose (Bastien, 2009:669).

Meanwhile, large number of illegal immigrant and extensive underground economy become constant problems in Spain. Besides amending immigration laws, the Spanish government organized several one-off regularization campaigns in 1991, 2000, 2001 and 2005 when the number of irregular immigrants surged. Nevertheless, the frequent regulation campaigns are accompanied with increasing number of illegal immigrants. The numbers of regularized foreigners are 100,000; 243,000; 325,000; 578,000 in the four campaigns (Miguélez and Recio, 2008:592-593). The reasons for that, as per Miguélez and Recio, include both push and pull factors. The unchanged structure of the Spanish labor market demands large number of low skilled workers in the informal sector; and policy makers treat immigrants as transient and do not tackle the issue of integration (Miguélez and Recio, 2008:592-593). Calavita pointed out the same fault in immigration law early in 1998. She argued that it was the immigration law that making it impossible to maintain legal status over time. Immigrants routinely “moved in and out of legal status” (Calavita, 1998:531).

In 2007, immigrants in Spain mainly came from Latin America (38.7%), Eastern European (16%), Morocco (11%), and other Muslim African countries (4.8%) (de la Rica and Ortega, 2009:23). Thanks to the historical connections, Latinos has few difficulties in assimilate into the society. They have exclusive access to certain jobs due to their Spanish mother tongue

(Miguélez and Recio, 2008:598). They have less cultural and religious educational distance with the local as many of them have Spanish ancestors and most of them are Catholic (Nunez, 2002:230). Besides, vast majority of immigrants from within European Union are Romanians who speak Latin based language, believe in Christianity, and high similarly high level of education as that of the Spaniard (de la Rica and Ortega, 2009:2). The Latinos and Eastern Europeans are integrated well into the Spanish society, while the Africans, with low educational level and mostly Muslim, have assimilated least into the society (de la Rica and Ortega, 2009:3).

### **4.3 Comparison of Guangzhou and Spain**

A brief overview of Guangzhou and Spain reveals the trend, legal framework, policy development and major issues of the two places. This section further compares characters of specific immigration stages, government's attitude on immigrant's rights, cultural segregation and immigrant's impact on economy. This comparison presents a dynamic picture of how immigration issues change over time with composition of immigrants and social conditions change. Through contrasting the two cases, the paper identifies the urgent goal of promote cultural integration and the long term target of international co-operation in immigration management.

#### **4.3.1 A Reversed Trend within Two Decades**

Both Guangzhou and Spain went through dramatic changes from outflow to inflow migrants during the 1980s and 1990s. In 2007, the percentage of non-nationals living in Spain reached 9.93% (Miguélez and Recio, 2008:590). In Guangdong province, temperate visitors and long term migrants<sup>9</sup> has reached 1,147,000 and 57,793 in June 2009 (Wang, *et al*, 2009). Compared with Spain, immigration purposes are relatively homogeneous in Guangzhou.

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<sup>9</sup> The classification of long term and short term is according to their visa status instead of the actual residence time.

Majority of the immigrants are economic migrants attracted by the economic prosperities and only a few immigrants migrate for study or family reunification. Cases of seeking asylum are seldom heard of. Immigrants in Spain, contrarily, are more heterogeneous. Due to its accession to the European Union, there are retirement immigrants coming from within the Union. With the accumulated population of immigrants, Spain also faces growing demand for family reunification. In light of more diversified demand, immigration policies in Spain also achieved a more advanced level. Huntoon identified four stages of immigration control in Spain since 1950. The first stage (1950-1970) is characterized by low immigration with net emigration; the second stage (1970-1985) experienced first growth of immigration with no administrative reaction; the third stage (1985-) seen initial steps of government control of immigration; the final stage (1993-) is the establishment of control regime (Huntoon, 1998:427). Guangzhou has experienced a highly identical trajectory by far, even though its formulation of immigration policies lags behind.

The first stage in Spain was characterized by unenforced restrictive entry laws, low level of entry, and official and social tolerance towards immigrants (Huntoon, 1998: 427). This is similar to the situation in Guangzhou before 1978 in terms of official and social tolerance. Chinese society was a highly closed society with few internal and external migrants (Ren, 2007:164). Foreigners in Guangzhou were mainly experts and guests of the government. Temperate visitors may be businessman coming to the Canton Trade Fair which is organized twice a year. Foreigners in this period were highly welcomed and respected. This elite image of aliens still has legacy in many policies from which aliens enjoy super-national treatment. For instance, the tax threshold is 1,600 RMB and 4,000 RMB for locals and immigrants respectively.

Spain during the second stage mirrored the situation in Guangzhou from 1978 to 1985 when the extreme situation of Mao's regime was gradually changed. MPS started to change the custom control and simplified visa application procedure according to international standard (Ren, 2007:164). Yet, in Guangzhou, not major laws or immigration policies were issued during this period.

The third stage in Spain starting from 1985 is overlapping with the fourth stage. Spain during the third period was characterized by increasing border control, frequent one-off regularization campaign, and expelling unwanted refugees and illegals; the fourth period – control regime – witnessed “continuous illegal migrant, economic tolerance of low-wage immigrants, and xenophobic fears of settled, ethnically different immigrants” (Huntoon, 1998:427).

Guangzhou entered the third stage in 1985 when China issued the “Law of the People's Republic of China on Control of the Entry and Exit of Aliens” and “Law of the People's Republic of China on the Control of the Exit and Entry of Citizens” – the year Spain had its first immigration law. However, immigration policies in Guangzhou stagnated after that. This is because the overall immigration trend in China is far less strong than that in Spain. Guangzhou government could only formulate municipal regulations within the constraints of national law. For example, in order to help the integration of immigrants, Guangzhou has set up 58 official help centers in communities that host more than 200 immigrants since 2006 (Wang *et al*, 2010). However, Guangzhou has to follow the tightening visa strategy of China and issue mainly short term visa to majority of the aliens. It is hard to stipulate effective integration policy when most of the immigrants are holding short term visa.

Guangzhou needs to foresee more complex issues ahead from the Spanish trajectory. For example, pressure on public service will increase with continuous influx of immigrants and birth of second generation immigrants. There will be demand for schooling and welfare for second generation immigrants who born in Guangzhou. Public attitude could also develop from xenophobia to racism with a growing number of immigrants (Toasije, 2009:352). Cultural estrangement and segregation will lead to economic separation at later stage.

#### **4.3.2 Rights of Migrants**

In Spain, many NGOs, trade unions, researchers, policy makers endeavor to protect immigrant's rights in social benefit, working condition and equal treatment. These kinds of immigrant rights, however, will not become the major concern of policymakers in Guangzhou in the near future due to several reasons. First, the immigration right is twofold: on the one hand, the right to immigrate for the reason of seeking asylum or family reunification. In industrial countries, the right to immigrate even serves as a remedial right for third world immigrants as compensation for colonial evils (Gans, 1998:166). On the other hand, immigrants have the social rights in the host country (Miguélez and Recio, 2008:600). Even though the flow of immigrants in Guangzhou increased rapidly, the stock is still small. Plus, majority of the migrants are short and medium term. Therefore, there is limited request for family reunification. Second, Chinese policymakers are confronting a more pressing issue of equal rights for internal migrants. Right for foreign migrants, who are considered to be enjoying super-national treatment in many aspects, is not a prioritized policy issue. Finally, China is not a welfare country yet. There is not much social welfare that will contrast the treatment between locals and migrants. For example, the Spanish Law for Foreigners protects legal and illegal migrants by granting the right to different level of free medical care for different age groups without checking their immigration statuses (Gonzalez and Bride,

2000:171). In China, however, there is no free medical treatment even for local residents and the medical system always offers fee-for-service for foreigners without asking for immigration status.

Although Guangzhou is not providing the same kind of rights in welfare to immigrants, it still needs to define immigrants' rights in terms of legal duties and entitlements. The absence of definition of immigrant rights leads to two extreme stereotypes of migrants and biased starting point of policy assumptions. In Guangzhou DEE's website, there is an information reminding migrants to go to residence registration with unreasonable soft tone and innocence presumes. The following are quotes from this website:

We kindly remind our foreign friends to obey the Chinese laws and regulations. Please bring your passport with you when going out. You should register residence when settle down; go to relevant government offices to register your job; and extend visa when it is expired. .... We will try out best to remind foreigners whose visa(s) are about to expire to come to our office in case they forget due to busy business.<sup>10</sup>

Another extreme of presumption of guilt exists in many media reports and certain street level public servants. Local news paper reported increasing drug smuggling in 2006 without specific information but with reference to local police (Chen *et al*, 2007). No government body has never confirmed or updated the number of migrants in Guangzhou. Scholar of Guangzhou Academic of Social Science stated that according to his research, legal migrants from African are around 2000 in 2009 (Zhen, 2009). However, most of the non-official sources believe that the number is 200,000 including illegal migrants in 2010. It reflected that the public tend to believe that almost all the African migrants are illegal. Zhang in his research of illegal employment of migrants use mainly harsh wordings and did not differentiate delinquency and crime committed by immigrants. He suggested a presumption

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<sup>10</sup> Information is available on line in Chinese: [http://www.gzjd.gov.cn/pub/index\\_jsp\\_catid\\_11\\_21\\_id\\_48948.html](http://www.gzjd.gov.cn/pub/index_jsp_catid_11_21_id_48948.html), accessed on May 5, 2010

of guilt and the burden of proof lies in the criminal suspect (Zhang, 2004:59).

Guangzhou needs a neutral definition of immigrant rights in order to underpin fair and impartial administrative actions. These regulations should be transparent towards both the public and the immigrants. The gesture of government policy would also help eliminate xenophobia among the public and encourage immigrants to oblige to local regulations.

#### **4.3.3 Citizen and Policy Makers' Bias and Segregation**

Many scholars noted that the word “immigrants” in Spain is reserved for poor, Third World foreigners and they are constantly considered as outsiders regardless their immigration statuses (Calavita, 2003:400; Gonzalez and Bride, 2000:181). Similar perception exists in citizens of Guangzhou. An online survey conducted by a mainstream media shows that 85.6% of people believe that they are friendly towards foreigners<sup>11</sup>. However, when local citizens were asked whether they accept living in the same neighborhood with African migrants, 82.9% gave out negative answers. Moreover, 54.3% locals express that they would consider moving to a new place if the number of African migrants continue to increase in their neighborhood (Li *et al*, 2008:214). This interesting contrast is also a linguistic phenomenon reflecting the citizens' bias. In Cantonese, the word foreigner is referring to mainly westerners. People use “black foreigner” when they mention African immigrants. There are several reasons why African immigrants are linked with negative images.

Similar to the case of Spain, African immigrants display the widest cultural and educational gap with Cantonese. They are also most visible not only because of their appearance, but also because of their occupations in Guangzhou. African immigrants have low average

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<sup>11</sup> Resulte of the survey are available online: <http://survey.news.ifeng.com/result.php?surveyId=1635>, accessed on May 1, 2010

education level and most of them are traders (Li *et al*, 2008:211). They are regular customers of the local wholesale market and therefore interact more with locals than the professional immigrants who works in the office buildings. Many locals complain that African immigrants have weak awareness of following rules (Hong, 2009; Yang, 2009). For example, they force taxi driver to overload; they turn the apartment into a restaurant; they barging hours to agree on a contract but do not show up for the settlement. Lacking further assistance in knowing domestic customs and regulations worsen the situation. The percentage of African immigrants said they rarely or never communicated with locals was 67.4% and 14% respectively (Li *et al*, 2008:214).

In Spain, NGOs and religious groups help to bridge the gap in the cultures and reduce misunderstanding. Unfortunately, there are few NGOs in Guangzhou and even less specialized in helping immigrants. International NGOs have great difficulties in establishing branches in Guangzhou due to the local political environment (Howell, 1995; Hsia and White, 2002). Immigrants are not able to meet the locals in Mosque neither, because few locals are Muslims. Besides lack of bottom up effort, local government fails to take initiative in helping the integration of migrants either. As discussed in the last section, policy makers restrain their own integration policy because they incline to issue short term visa regardless the visiting purposes.

#### **4.3.4 Migrants, labor market, and Informal Economy**

Spanish labor market has a demand for unskilled labor, which is very different from situation in Guangzhou. One of the key immigration policy targets of Spain is to maintain the balance between a moderate inflow of immigrants to avoid xenophobia while have a stable supply of low-cost labor (Freeman, 1995:896). The trade union in Spain believes that immigration in

Spain is both a supply-led and demand-led process, where influx of unskilled worker reinforce the Spanish economic model based on low-productivity, low-paid jobs (Miguélez and Recio, 2008:600). Spanish government carried out several regularization campaigns to include illegal migrants in order to manage informal economy. These legalization programs are contingent on whether the foreign worker has a work contract or not (Calavita, 2003:404). This is contradicting to the incentive which employers employ illegal workers at the first place. Due to their illegal status, they are more vulnerable and not subject to protection of labor union, do not have social insurance, and receive lower salary for the same job. Therefore, employers are unwilling to provide necessary contracts for their legalization (Calavita, 2003). It not only undermines the effectiveness of the regularization campaigns at the time they implemented, but also makes the outcome of the campaign disappear as time goes by when working contracts expired. In Guangzhou's labor market, however, there is abundant supply of labor at various levels from within China. Plus, Guangzhou is not known as an industrial center of the region. Instead, it has advanced financial market, service industry, high tech industry and many other industries that have limited demand for low skilled labor. Due to the defectiveness of the social security network and absence of a strong trade union, considerable percentage of internal migrants from rural areas work with low salary and no social insurance. Therefore, there is no incentive for employers to seek unskilled workers from international market or to riskily hire illegal migrant.

To tackle the informal economy, in 2001, Spain introduced Global Programme for the Regulation and Coordination of Foreign Residents and Immigration (the GRECO plan), which has specific measurements in co-development with sending countries (González and Lázaro, 2007:142-143). These measurements include knowledge training, policy facilitation, micro credit and technical assistance for the migrants and their countries of origin (González

and Lázaro, 2007:143).

Scholars like Lacomba and Boni question the GRECO Plan outcome in managing migration for two main reasons. Firstly, they criticized the policy because it lacks genuine effort to help developing migrants' countries of origin, in their case Morocco, and focuses more on promoting Spanish culture and helping Spanish companies in the emigrant country. Secondly, they criticized the presumption that "a country's economic development will end emigration from that state" (Lacomba and Boni, 2008:127,132, 138). Their critiques mistake the purpose of co-development, which is to manage instead of slow down migration flows. It means, ideally, immigration flows could attain balance with both the economic structure and social development of countries of origin and country of destination. Therefore, migrants could better integrate to host country during migration and could transfer back the skills and investments when they return to home country.

Spanish experience sheds light on possibility to cooperate with sending countries to manage immigration. The co-development plan is also expected to combat segregation in Spain through economy integration as immigrant separation in Spain is large result of informal economy. The economic structure and labor component in Guangzhou can not accommodate plenty of low skilled labors. Therefore, for Guangzhou, co-development strategy would benefit local economic and social stability when keeping unwanted low-skill immigrants off border. This strategy, however, could not combat segregation in Guangzhou as it is supposed in Spain, because cultural factors have a more fundamental role in causing segregation.

## **CHAPTER 5: PROPOSED IMMIGRATION POLICY**

This chapter proposes setting up an immigration office in charge of both border control and settlement control. Border control has to differentiate various sub-groups of migrants and grant them with relevant type of visa according to their qualification, visiting purposes and the ability of local society to host the immigrants. Immigration office should also maintain a permanent database for the information. In settlement control, policies should focus on alleviating ethnic, cultural and religious conflicts. Immigration office should perform the role of information dissemination and culture promotion. Data of immigrants should be announced regularly at aggregate level, such as total number and unemployment rate. These proposals are based on the analysis of chapter 4, which reveals immigration segregation in Guangzhou is caused by cultural gap, and widened by government's oversimplified assumption that immigrant is transient and lack of reliable information. Spanish experience also shows segregation would lead to further problems in social and economic integration and thus need proactive policies.

### ***5.1 Basic Principles and Instruments for Immigration Policy***

#### **5.1.1 Institution Set Up and Transparency of Statistics**

A responsible government body and transparent administration process is the starting point of immigration management. Divided management and traditional concept of public management together lead to lack of reliable information. Without authoritative data, misunderstanding and spreading of rumor aggravate the estrangement between the locals and the aliens. Media worsens the situation by focusing on extreme cases in order to attract audience. Guangzhou urgently needs an immigration office assemble the immigrant management functions. Immigration office should cover issuing of immigration documents;

facilitating entry, exit and stay of immigrants; conducting patrols and necessary follow up measure, such as apprehension and expulsion; law and regulation awareness campaign; and promotion of local investment, tourist, and culture. These functions is currently spreading out among various official bodies and creating barriers for collecting statistics. Centralize immigration management functions in one single office reduces communication and cooperation cost and improves efficiency. The government would be able to plan and budget the investment in immigration management according to immigrant scale. The public and immigrants could hold immigration office responsible for information and assistance. The government needs to realize access to information is the basic right of citizens, especially immigrant information that affects their daily life. Transparent process could also facilitate law making and institutionalization and reduce discretion.

Immigration office and immigration policy should maintain a neutral point of view towards the immigrants. In the new globalised environment, the public administration should change the traditional concept that all matters related to foreign country and foreigner is important, as Ren rightly points out (Ren, 2007:166). Immigration management should become part of routine public management and super-national treatment towards the foreigners should be abandoned. Guilty assumption of certain immigrant groups should also be rejected. Immigration policies should be precautionary in order to protect national and public security. Yet, the caution should be proportional. Immigration office should make the local and immigrants aware of their equality in front of law. Therefore dispel the fears and misunderstanding among the locals and promote mutual understanding and integration.

## **5.1.2 Border Control and Settlement Control**

Based on the principle of transparency, immigration office should divide their work into two main sections: border control and settlement control. There are specific principles and policy instruments in the two immigration control stages.

### **5.1.2.1 Before They Cross the Border: Differentiated Treatments**

Border control is the basis for future economic integration. By selecting migrants based on knowledge, skill and financial strength and granting them with relevant visa types, border control lets in migrants who have higher possibility to be assimilated by local economy in the short term and long term. Guangzhou needs to keep the low-skilled immigrants off the border because local economy is not able to assimilate these alien workers. For non-economic immigrants, immigration office should also consider the capacity of local public service to host these aliens. The old method of relying on short term visa to keep low-skilled workers away needs to be refined. The Spanish experience demonstrated that treating the immigrants indistinguishably as transient creates long term problem that hard to be tackled. Immigration office should require more evidence on the purpose of traveling and keep track of the documents. Providing false information and overstate should have negative impact on the individual's future application.

A strengthened border control helps simplify the process of settlement control. In Spain, for instance, tourists and short term visitors are required to provide information of residence when they apply to visa rather than register after arrival. Loosen the residence registration for short term visitor saves significant amount of resource and thus enable immigration office to focus more on long term immigrants. New policy tools, such as random tracking and patrol can be introduced to manage short term visitors.

Differentiate treatments not only applies to foreigners, but also to return migrants. As the Chinese economy develops, many overseas Chinese and their descendants may want to immigrate back to China. Currently, China only encourages young emigrants return to China, but do not have specific policies on middle-aged or retired emigrants. Immigration office should try to differentiate return emigrants' application with those of the foreigners' and provide assistance for their reintegration.

#### **5.1.2.2 After Arrival: Assisting Integration and Development**

Border control embraces the mainly economic consideration; settlement control needs to focus more on social and cultural factors. Settlement control should endeavor to help immigrants integrated with local society socially and culturally. Immigration office needs more preventive functions than detective functions. Different from the economic separation in Spain, segregation in Guangzhou has its roots in cultural barriers. Immigration office needs to help immigrants integrate to local culture and help them appreciate local code of conduct. For example, immigration office could facilitate culture orientation in the community and organize culture campaign. It can also subsidized language course for immigrants as the Catalan government does in Spain.

Social integration of immigrants could start from institution inclusion. Chinese laws and regulations need to define, grant and protect rights to the immigrants as Spanish law trying to achieve since 1985. Officials should take immigrants into account when planning their routine work, such as social security system and public transportation. Super-national treatment in taxation has to be abolished. It is not only meaningful to the local in providing sense of fairness, but also important to the immigrant in offering a sense of equal contribution and belonging.

Settlement control includes maintaining a permanent database of immigrants, including criminal record, employment information, tax record and so forth. Database should be reconciled with border control record regularly to identify infringement. Immigration office can also provide data analysis on how well immigrants integrate to the society and provides basis for border control adjustment.

### **5.1.3 Long Tem Policy: A Global Perspective in Immigration Policies**

Simply rejecting the undesired immigrants is not enough to manage immigration flow in the globalised era. The Spanish co-development strategy shed light on a new direction in immigration management. Immigration policy is not completely a domestic policy. The policy outcomes would be improved if countries can cooperate with each other. Compared with Spain, China has more resources and existing channels in applying co-development strategy. This is because migrants in China are not only attracted by Chinese economic development, but also the result of the booming bilateral economic activities between China and many other countries in Middle East, Southern Asian, and especially Africa (See Appendix). Majority of these bilateral economic activities are led by State-Owned Enterprises (SOE). By end of 2008, 69.6% of China's outward foreign direct investment stock is owned by SOEs (Ministry of Commerce of People's Republic of China, 2009:14). SOEs would implement government policies more thoroughly as they are controlled by the government. China can reduce unnecessary human mobility by linking the economic activities with immigration policies. For example, set up barriers for exporting labor service of unskilled workers to developing countries and encourage companies to hire local workers. The governments could also negotiate at state level that if the companies create job opportunities and skill training for local workers instead of importing workers, the companies could get tax rebate.

Besides setting up threshold and providing technical assistance on state level, co-development strategy could also offer reintegration assistance at individual level when immigrants choose to return to their home countries. The Spanish strategy could offer valuable lesson on this. Their measures include “training of immigrants to act as development agents when back in their countries of origin; aid for reintegration of immigrants in their countries of origin; advise for productive investment of immigrants’ savings in their countries of origin; allocation of micro-credits in countries of origin to finance productive activities” (González and Lázaro, 2007:143). Through the overseas SOEs, the government acquires knowledge of local economy which could be utilized to help return migrants.

## **5.2 Limits/ Obstacles**

### **5.2.1 Investment of Human Resource and Financial Resource**

International migration becomes a pressing issue in Guangzhou nowadays. Yet, it is a long term process to train up or recruit a team of experts for an immigration office. The officers need to be bilingual, familiar with migration policies, and international migration law. Institutional restructure may also go through debates and arguments before implemented. As the Spanish experience shows, once segregation occurs, it is hard to combat at later stage. Therefore, settlement control need to be in place regardless there is an immigration office or not. The government may consider lowering the entering threshold of international NGOs and utilize their experience to fill up the gap in the short term.

### **5.2.2 Domestic and International Legal Framework**

Besides cultural gap, xenophobia also comes from the ambiguous law standards. As discussed above, many citizens believe that aliens receive super-national treatment and it is harder to punish aliens when they commit crime. Many fundamental concepts and principles

of domestic laws are considered as violation of human rights by western countries. For example, China still imposes death penalty on certain serious crimes and it applies also to immigrants violate certain laws in China. It almost developed into a diplomatic crisis when China executed the British drug smuggler Akmal Shaikh in December 2009. Nevertheless, Shaikh's case is not typical. Most of the time, DEE could simply repatriate the immigrant. For instance, an illegal immigrant Yuan from Vietnam was arrested by local police twice in June 30, 2006 and May 12, 2007 due to robbing and stealing. DEE repatriated Yuan twice but he kept entering China illegally. Guangzhou DEE finally sued him when he got caught in November 23, 2007 (Wang and Liu, 2008). Policymakers must reconcile the demand of citizens to be treated equally and the gap between domestic and international legal framework.

## CHAPTER 6: CONCLUSION

The study has tackled key areas in Guangzhou's immigration management by summarizing the limited existing information and comparing it with Spain. Guangzhou needs to establish an immigration office responsible for border control and settlement control. This government agency has to have the authorization to differentiate immigrants according to two criteria: their qualifications and local socioeconomic capability in hosting them. Border control would benefit settlement control if granting immigrants proper types of visa in accordance with their visiting purposes and issuing long term visa only to immigrants who have higher probability to integrate into local society. In settlement control, immigration office is in charge of assisting immigrants integrating in both culture and social aspects. The cultural differences and religious gaps have led to early separation among the locals and the aliens. Immigration policies should help to bridge the cultural gap and mobilize civil society in doing so. In the long term, immigration office could cooperate with sending countries to manage immigration flow and introduce co-development strategy in the benefit of sending country, receiving country and the immigrants.

The Spanish trajectory of immigration shows that Guangzhou is still in the early stage of immigration trend. Despite the striking influx of migrants, immigrant's issues could be solved at much less cost and effort at this early stage. By verifying the validity of the available data, the paper contributes to the social construction of immigrant's image by the media, which might have long term impact on local citizens' attitudes towards outsiders. It also provides a platform for early policy action by identifying cultural roots of immigrant's issues.

The research has been limited from lack of data. In the absence of official data, it is extremely hard to get an unbiased overview of the situation. News reports and personal interviews may help in getting an insight of partial facts but this understanding could not be readily generalized to the overall situation. Future studies could be enhanced from introducing the public administrative law perspective as local policy makers need to reconcile the gap between domestic and international legal framework.

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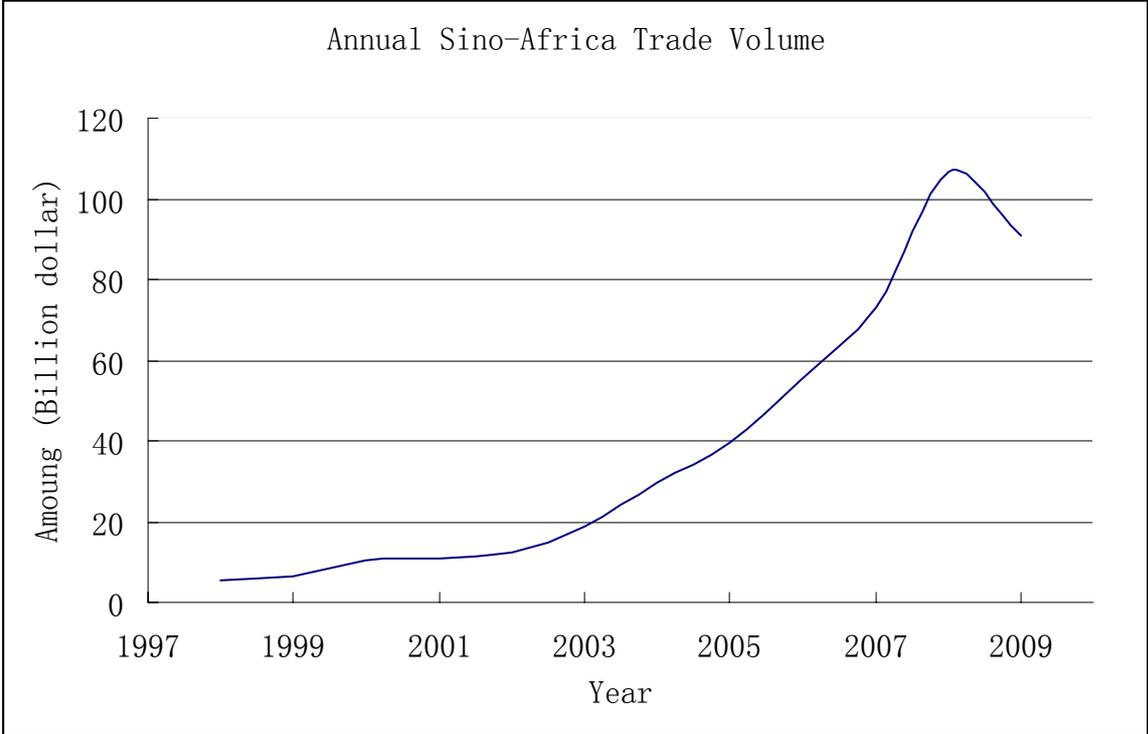
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# Appendix

## Annual Sino-African Trade Volume



(Source: Statistics from Ministry of Commerce of the People’s Republic of China, Department of Eastern Asia and African Affairs, available online: <http://xyf.mofcom.gov.cn/date/date.html>, accessed on May 7, 2010)