

The path to naturalization in Spain: old ideologies, new language testing regimes and the problem of test use

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Abstract

Spain has followed the lead of other Western countries by establishing new citizenship requirements for immigrants. In 2015, the *Real Decreto* 1004/2015 was passed, making both knowledge of culture and history of Spain and knowledge of Spanish language a requisite for immigrants wishing to become citizens. In order to fulfill this legal requirement, immigrants need to take two exams: the *Conocimientos Constitucionales y Socioculturales de España* and the *Diplomas de Español como Lengua Extranjera (DELE)*, which are both administered by the Instituto Cervantes. This paper analyses some of the discourses that surrounded the introduction of the new testing regime. Given the complex socio-political and historical context of Spain, establishing a requirement in Spanish for new citizens reinforces the subordination of other co-official languages such as Galician, Basque and Catalan. Beyond the ideological forces at play, we also highlight the monetization of compulsory tests and its

benefits for test administrators. Furthermore, we bring attention to the fact that the DELE, a language test that was originally designed for other purposes and pre-dates the new citizenship legislation, is now being employed for high-stakes immigration, subverting the original purpose of the test. We highlight the problems this causes in terms of test effect, validity and ethics. Finally, we caution that greater reflection is required regarding the need for such tests, including more research on individuals experiencing the new naturalization process.

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Keywords

Immigration

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Introduction

In the last 2 decades, we have witnessed an intensification of exclusionary political discourse and policies on immigration (Extra et al. 2009), which have tended to reinforce the fundamental link between citizenship and nationhood. In terms of policy, one of the most significant changes has been the generalization of language testing for naturalization.¹ For instance, Bauböck and Goodman (2010) documented a strong trend toward formal tests of language skills and civic knowledge in European countries; while at the end of 1998 only six of 32 countries required certificates or formal tests of language skills, in 2010 the number had increased to 18. A survey carried out in 2013 by the Council of Europe among its member states revealed that 26 of the 36 participating countries require that migrants “demonstrate a specified level of competence in a/the language of the host country in order to obtain citizenship” (Council of Europe 2014: 6). Taking into consideration the previous two surveys conducted in 2007 and 2009, it is evident that there is “a steady increase in the number of countries enacting legislation to make language proficiency a requirement for residence, citizenship, and in some cases entry” (Council of Europe 2014: iii). The same trend holds true outside Europe. As we were writing these lines, Australia announced “a major shake-up of the migration program,” including a new stand-alone English language test assessing reading,

writing and listening skills (Massola 2017). And even more recently, as we revise this article, the President of the United States have endorsed a bill that “would institute a merit-based system to determine who is admitted to the country and granted legal residency green cards, favoring applicants based on skills, education and [English] language ability” (Baker ~~2007~~2017).

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In sum, testing has become an essential part of full-fledged language policy to regulate the access to citizenship, which is increasingly seen as a privilege.² Language skills are meant to ensure integration and access to employment opportunities. Nonetheless, there has been very little research to find out whether the tests are effective in achieving these goals (Bauböck and Goodman 2010; Council of Europe 2013). In practice, language tests work as disciplining mechanisms that make citizenship more restrictive by privileging certain abilities or traits held by subjects (Turner 2014), thus acting as incentives for acquiring the demanded skills or as deterrents from applying for citizenship.

Spain has been one of the last European countries to introduce a language test requirement for naturalization. In November 2015, the law to obtain Spanish citizenship via residence was modified to include formal tests of language skills and knowledge of Spain constitutional and sociocultural principles (Real Decreto 1004/2015). The new law implied the creation of a test called *Conocimientos Constitucionales y Socioculturales de España* (CCSE). Instead of opting for a new language test as well, the law decreed the use of the *Diplomas de Español como Lengua Extranjera* (DELE) exams as instrument of immigration policy. The DELE had been created in 1988 and supplemented in 1992 as part of a series of measures taken by Spanish authorities to normalize the teaching of Spanish as a foreign language and disseminate Spanish language and culture abroad (Real Decreto 1137/2002). Later, in 2008, the exams were aligned to the Common European Framework of Reference (CEFR) (Real Decreto 264/2008).

The purpose of this article is to examine the political decision to implement a Spanish language test as part of the requirements for naturalization in Spain. We start by situating the new Spanish law in the wider context of language testing for citizenship, as well as in the context of Spain’s linguistic diversity and its political implications. We then consider the introduction and passing of the law, examining the way in which it was framed by political actors and media. Finally, we question whether the DELE exam is an appropriate and legitimate instrument of immigration policy.

From immigrant to citizen

Citizenship testing takes a clear stand against the discourse of globalization, opposing the trend towards political decentralization and power relocation to supranational levels of government. Retreating from the principles of pluralism and diversification, the ‘testing regime’ represents a new step towards the revival of identity-based nationalism and the end of an intermittent phase of political openness (Wodak 2013).

In what follows, we expose the notion of citizenship and its relation with multiculturalist and nation-building proposals. We then analyze how and why states deploy a language policy and critically examine the use of language testing to access to citizenship.

The scope of citizenship

Globalization has altered the discourse on citizenship. Since the turn of the last century, some countries have revised the rights and obligations of their own citizens and the access to citizenship for immigrants (Castles and Davidson 2000).

Simultaneously, the spread of the multicultural model throughout many Western countries has induced a different understanding of national values (Slade and Möllering 2010). The role played by the nation-state has undergone a shift and the changing concept of citizenship, an issue traditionally related to scholarly discussion, has become problematic, affecting millions of disenfranchised people and, therefore, violating central principles within the tradition of liberal political theory (Cole 2000).

The concept of citizenship, whose roots can be traced back to Ancient Greece’s political philosophy, has implications for social sciences as a whole. Most theories are built on the assumption that people are citizens of a given political community. A rights-based conception of citizenship—*jus soli* or principle of territory and *jus sanguinis* or principle of origin—was predominant among scholars until the middle of the last century, when a more active conception of citizenship arose (Mackenzie 2010). The recognition of the ‘virtuous citizenry’ (Galston 1991) bolstered the ethical ground of academic discussion. However, the question of becoming a citizen is not normally addressed (Cole 2009, 10).

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Following the distinction drew by Kymlicka and Norman (1994: 353), there are two dimensions with respect to citizenship: ‘citizenship-as-desirable-activity,’ which means “the extent and quality of one’s citizenship is a function of one’s

participation;” and ‘citizenship-as-legal-status,’ which is about ‘a full membership’ of the community in a purely legal sense.” Whereas in the latter category legality is central to naturalization and the acquisition of citizenship, this process should also include aspects of the former dimension, such as social legitimacy, cultural affiliation (Coleman and Harding 1995) and identity transformation (Parekh 2000). Therefore, acquiring citizenship through immigration is not a unidirectional procedure but a complex and varied process that exceeds the binary insider–outsider debate (Cole 2010).

Some theorists (Galston 1991; Raz 1994; Kymlicka 1995; Lenard 2007) have developed a citizenship-based advocacy to promote multiculturalism. They appeal to liberal principles such as autonomy, equality of opportunity, trust and availability of options in their defense of multicultural groups. Contrary to assimilationist policies affecting immigrants’ culture and identities, a multiculturalist stance advocates notions of integration, belonging, inclusion and differentiated citizenship (Kymlicka 2002) with discourses on hybridity, diasporas and cosmopolitanism (Kofman 2005).

Nevertheless, the relation between states and multiculturalism is often inconsistent (Turner 2006). In practice, many states tend to promote nation-building guidelines (e.g., immigration policies, national language and education) towards immigrants and minority groups, with important effects on their ethno-cultural identity. Most citizenship regulations follow the criteria set by what it is known as liberal nationalism (Tamir 1993; Miller 1995), assuming the necessity of a common national identity and a shared sentiment of nationhood for socio-political cohesion and institutional stabilization. Racial and ethnic barriers have been long questioned but, by implementing language and civic integration testing in the process of becoming citizen, states opt for the ‘dogma of homogeneity’ (Blommaert and Verschueren 1998). They deploy a mandatory rule with a restrictive understanding of citizenship based on the relation among identity reaffirmation, cultural affiliation and national language policy.

Recent worldwide political events related to refugees and economic migrants show what appears to be an involution trend that dispels the claims for a “post-national universal citizenship that will focus on immigration rights beyond the nation state to be granted by higher institutions such as the European Union or the United Nations” (Shohamy 2009: 54).

Perspectives on citizenship testing and language policy

Following the rationale behind ‘repressive liberalism’ (Joppke 2007), Western countries have increasingly implemented language and integration tests as a part of their immigration, asylum, naturalization and citizenship procedures. The last edition of the Migrant Integration Policy Index (MIPEX2015)³ indicates the extent to which testing has become a condition for the acquisition of nationality.⁴ On a global scale,⁵ while integration tests are mandatory in only half of the countries, there is a legislated language requirement in the majority of states. The required language levels diverge across countries (A2 in 13, B1 in 12).⁶ Although the European Union does not have a common legislation regarding the acquisition of citizenship, there are only two countries (Ireland and Sweden) without a formal language requirement.

Most of the language policies for citizenship established by European countries make reference to the *Common European Framework of Reference for Languages (CEFR)* CEFR. However, the CEFR is a guideline to describe foreign language learning progress as well as a framework to measure language competence. It seems paradoxical that an instrument developed to acknowledge and facilitate the idea of a multilingual Europe is employed as a means to legitimize monolingual policies based on the requirement of given national languages. For that reason, there is a growing concern that the CEFR is becoming an instrument to control and restrict immigration (Extra et al. 2009; Van Avermaet 2009; McNamara 2009; Fulcher 2010; Tracy 2017).

Within the field of language policy, the research on language testing and its implications for citizenship has recently taken a critical stance. This approach, known as ‘critical language testing’ (Shohamy 2001; Fulcher 2015), situates socially and historically the traditional focus on psychometrics. McNamara (2008) broadly points out that the prevalence of cognitive approaches in linguistics and the lack of a relevant social theory have hindered the discussion about the social and political functions of tests. The critical shift affects researchers, theorists and policy makers, but it particularly requires the involvement of language testers (Shohamy and McNamara 2009).

Apart from being a pedagogical tool with effects on education, language tests can also determine the social order and, therefore, have an ethical impact (Messick 1998). Language testing is then seen as a social and institutional practice (McNamara and Roever 2006). Adopting tests as part of the process to obtain citizenship has a political scope because states can use the testing process strategically, for instance to deliberately dismiss possible applicants based on their

ethno-linguistic background (Turner 2014). From this critical view, standardized tests are “a set of mechanisms which are used in subtle ways to manipulate language and create de facto language policies” (Shohamy 2006: 93). Thus, tests are considered a powerful instrument with ideological assumptions and a potential for imposing certain language practices and ideologies, such as the hegemony or exclusivity of a standard variety. Ultimately, the kind of measurement used in standardized tests could bring about “a radical reinvention of legitimizing discourses for social organization” (Heller and Duchêne 2012: 13).

A liberal perspective about the relation between the state and individuals brings another set of concerns regarding language testing. Authorities and policymakers justify language proficiency for pragmatic reasons, such as obtaining a job, understanding the functioning of the state and speeding the integration process. Whereas language testing raises a number of questions related to accessibility (costs of additional language and tests, tuitions provided, testing location, etc.; Turner 2014) and general considerations in assessment (Bachman 1990; Canagarajah 2006), it also holds a deeper significance in terms of how and to what extent the state is entitled to interfere in individuals’ autonomy. Although states must deploy some type of language policy to address their own functioning (Kymlicka 1995; Patten 2001), from a liberal standpoint tests may be considered a violation of democratic principles and individual rights like freedom of choice. From this point of view, one could question, for instance, the imperative necessity of being proficient in a mandatory language (Shorten 2010) or the legitimacy of the state to enforce a majority language (McNamara 2009).

Furthermore, greater emphasis has been placed on poststructuralist analysis of institutional practices and assessment (McNamara 2012; McNamara et al. 2015) that challenges the theoretical assumptions of the modernist paradigm typically used in citizenship testing. Research has also expanded to a micro-level focus on everyday practices and tensions, drawing attention to the complex interplay among language, immigration and citizenship (Loring and Ramanathan 2016).

Recognition and boundaries of linguistic diversity in Spain

The Spanish language has consistently maintained a privileged position in Spain as a result of historical events and political decisions. The predominant role of Spanish emerges after a long process of political and territorial organization at the end of the fifteenth century, along with the colonial enterprise. It was back then when Antonio de Nebrija conceived the Spanish language as a “companion of Empire” and

Spanish attained a universal dimension. Spain's contemporary history is one of continued progress and regression in finding a legal status for the multilingual composition of its territories. Following the 'one language, one state, one people' paradigm (Wright 2000), the past has been marked by assimilationist language policies and general apathy, legal omission and even prohibition of languages other than Spanish (Amorós-Negre 2016).

An early attempt to deal with political diversity and territorial governance was the federal model proposed by the draft of the Constitution of the First Republic in 1873. However, it did not gain sufficient parliamentary support and never entered into force. In 1931, the Constitution of the Second Republic first acknowledged regional languages, but the prevalence of Spanish as a national language was overwhelming (Doppelbauer 2008). Yet, the Statute of Autonomy of Catalonia in 1932 declared both Spanish and Catalan co-official languages in the region. This legal acknowledgement was not devoid of difficulties, however, because linguistic and cultural recognition was only a part of the claims for political devolution to the historical regions (Tornafoch ~~2008~~2004). In any case, the efforts to generate a climate of favorable public opinion conducive to state decentralization were abruptly interrupted by the 1936 coup d'état and the subsequent Civil War (1936–1939) and dictatorship (1939–1975). It was not until the Constitution of 1978 that linguistic normalization would be permanently ensured.

The current political organization in Spain is the so-called 'State of Autonomies' [Autonomous Regions]. Despite this definition, the state model is imprecise, as the Constitution of 1978 does not clarify either its federal nature or its unitary character. The term *nacionalidades* (similar to 'historical regions' but different from 'nations') is yet another deliberate inaccuracy used by the Constituent Assembly in its attempt to balance irreconcilable political positions (Peces-Barba 2002). The wording of some sensitive constitutional provisions gives an insight into the fragile circumstances surrounding the consolidation of the democratic process. Thus, even though the Constitution opens the way for widespread decentralization (Título VIII/Capítulo III), Spain cannot be considered a multinational state (Herrero de Miñón 1996).

Linguistically speaking, however, Spain is a multilingual country with an institutionalized co-official system based on the principle of territoriality, contrary to the more common policy of 'zonal monolingualism' among multilingual Western countries (Shabad and Gunther 1982). The Spanish Constitution of 1978 regulates the current linguistic model. Article 3 dictates that Castilian [Spanish] is the official

state language. It also acknowledges other languages within the country and declares their legal status, although the text refers to them as “other Spanish languages” and “Spain’s different linguistic varieties” without specifically naming them.⁷ The Constitution delegates their status to the Statute of Autonomy (legislative and regulatory competence) of the regions where these languages coexist with Spanish.

Among the languages spoken in the country, four are conferred a co-official status in their respective Autonomous Communities: Basque in the Basque Country and Navarre, Catalan in Catalonia, the Valencian Community and Balearic Islands, and Galician in Galicia. Aranese, an Occitan variety spoken in the Pyrenean enclave of Val d’Aran, has recently obtained a co-official status in Catalonia. Other languages, such as Aragonese and Asturian, are promoted by public institutions in their regions but do not enjoy full official status. Finally, foreign languages do not receive any kind of official recognition, even if the proportion of people who speak any of these languages within a territory is growing exponentially (de Miguel 2006), as in the case of Arabic and Tamazight in the autonomous cities of Ceuta and Melilla respectively.

Despite the constitutional precept that describes Spanish linguistic diversity as ‘a cultural heritage which shall be specially respected and protected,’ the notion of a single national language prevails. Regional languages do not play any significant role on a state-wide scale—except for their merely anecdotal use implemented in the Senate from 2011—and Spanish is the only valid and accepted language at the state level. Nonetheless, Spain’s multilingualism is still a source of tensions between those who see in Spanish monolingualism a guarantee of national unity, those who aspire to the accommodation of linguistic plurality within the Spanish state, and those who use regional languages as political instruments to affirm their own nationalism (Mar-Molinero 2000; Judt and Lacorne 2004). This persistent conflict is one of the main reasons why, until very recently, the process to obtain Spanish citizenship was handled discreetly and without any overt language tests (Vigers and Mar-Molinero 2009).

Acquisition of Spanish citizenship by residency: Royal Decree (*Real Decreto*) 1004/2015

In November 2015, the law to obtain Spanish citizenship via residence was modified to include a double test that assesses applicants’ ability in Spanish language and knowledge of Spain constitutional and sociocultural principles (Real Decreto 1004/2015). In practical terms, the regulation implied creating **a test called**

~~Conocimientos Constitucionales y Socioculturales de España (CCSE)~~the CCSE test. It also entailed extending the application of the ~~Diplomas de Español como Lengua Extranjera (DELE)~~DELE exams from their original academic and professional purpose⁸ to a novel gatekeeping role. Since then, applicants must take and pass both the CCSE and the DELE exams to obtain Spanish nationality.

Surprisingly, the new requirements introduced by the Royal Decree 1004/2015 stirred little political and social controversy. In this section we reconstruct the sequence of events that led to the new requirements to obtain Spanish citizenship via residence. We also examine how the changes to the law were framed in parliamentary debate and media, arguing that their particular framing explains the lack of social and political controversy around this issue.

The notion of *framing* has been used in communication studies to analyze social movements (Benford and Snow 2000), media representation (Benson 2013) and public deliberation (Pan and Kosicki 2001). According to Entman (1993: 52), “to frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described.” In public deliberation, political actors and media use language and other symbolic resources strategically, as a means to impose a certain frame and contest the frames of others (Pan and Kosicki 2001).

We argue that the changes to the law to obtain Spanish citizenship via residence introduced by the Royal Decree 1004/2015 were framed as a necessary reform, a significant improvement on former inconsistent procedures to evaluate whether an applicant showed “a sufficient degree of integration into Spanish society” (Ley 36/2002). Furthermore, the new requirements were introduced by the People’s Party (*Partido Popular*, PP) as part of a bill to offer instant naturalization to Sephardic Jews whose ancestors were expelled in 1492. The firm consensus around this initiative made it ideal to serve as Trojan Horse to standardize (and monetize) the naturalization process for those cases involving the concession of Spanish nationality through residence.

Standardization of Spanish naturalization process

The idea of establishing a requirement of being able to speak Spanish and proving basic knowledge of Spain’s constitutional values, history and culture was part of the PP’s electoral program for the 2011 Spanish elections. Until then, naturalization entailed a relatively simple administrative procedure: aside from providing proof of

residency, an applicant had to “display good citizenship conduct and a sufficient degree of integration into Spanish society” (Ley 36/2002). Although “good citizenship conduct” and “a sufficient degree of integration into Spanish society” were indeterminate legal concepts, in practice the main grounds to deny citizenship generally involved having criminal records, not being able to speak Spanish, or practicing polygamy (Álvarez Rodríguez 2013).

Nevertheless, the decisions made by local civil registries were inconsistent and implied a troubling degree of subjectivity (ibid.). According to the Civil Registry Law, “the Civil Registry Officer, in the case of concession of citizenship by residency, will personally hear the petitioner, especially to verify the degree of adaptation to the Spanish culture and way of life” (Reglamento de la Ley del Registro Civil, art. 221).⁹ Thus, applicants for Spanish citizenship by residency were already going through some kind of informal “oral examination,” with knowledge of the Spanish language potentially being used as shibboleth (McNamara 2012) to determine integration or lack thereof, as well as to make consequent decisions about inclusion or exclusion (Álvarez Rodríguez 2013). This was the context of the PP’s electoral promise to standardize and give “formal solemnity... to the acquisition of Spanish nationality.”¹⁰ After their victory in the 2011 elections,¹¹ this promise ended up being framed by the Ministry of Justice as a positive effort to “end the current discretionality and establish an objective and homogeneous test so that all applicants for nationality meet the same requirements” (Gutiérrez Calvo 2013).

By the end of 2014, this frame of necessity had been accepted and was being reinforced and disseminated by news outlets. The process to obtain full Spanish citizenship, which until then had been “handled in a delicate and discreet way” (Vigers and Mar-Molinero 2009: 167), received attention from mainstream media, who set to question and even ridicule the way in which civil registries determined whether an applicant was integrated into Spanish society. The following headlines and subheads, published between February 2014 and January 2015 in daily newspapers with some of the widest circulation in Spain, illustrate the framing in question¹²:

a. *[A woman of Moroccan nationality] was denied Spanish nationality for not knowing how to locate Almería.* The woman has lived in Spain since 1997. The National Court considers that the woman has not accredited her integration. (*El Mundo*, 19 February 2014)¹³

b. *The Judiciary requires standardizing the examination of nationality to immigrants.* The tests supposedly measure the immigrant's degree of integration into society. (*El País*, 26 September 2014)¹⁴

c. *Would you pass a test to obtain Spanish citizenship?* Although there is no official examination, some civil registries ask questions of general culture, politics, society and even gastronomy to prove a foreigner's integration into Spanish society. (*ABC*, 24 November 2014)¹⁵

d. *"Which river connects Barcelona and Madrid?"* Foreigners who want to obtain Spanish nationality must pass a test on general culture, state institutions, language... and 'tricky questions.' (*El País*, 28 November 2014)¹⁶

Following Entman's (1993: 52) discussion on how frames work, we see how this particular framing *defined a problem* (the informal examination to obtain Spanish citizenship is highly arbitrary; some questions are "tricky," while others are so difficult that not even Spaniards would know the answer, as implied by headline c); *diagnosed causes* ("there is no official examination"); *made moral judgments* ("there is a situation of inequality between some registries and others," *ABC*, 24 November 2014); and *suggested remedies* ("the Judiciary requires standardizing the examination of nationality to immigrants"). The way this issue was framed excluded from the beginning other alternatives, thus presupposing that it is necessary for applicants of naturalization to do more than citizens of birthright in order to prove their worth (Turner 2014). Moreover, standardizing the examination process was presented as a favorable outcome for would-be citizens, assuming it would provide them with legal security.¹⁷

Law on the concession of Spanish citizenship to Sephardic Jews

Around the same time, the possibility of granting Spanish citizenship to Sephardic Jews "who can prove their Spanish origins and a particular connection to Spain" (*Anteproyecto de Ley*) was being discussed. This initiative, perceived as an act of historic reparation to the descendants of the Jews expelled in 1492 by the Catholic monarchs Isabella and Ferdinand (see Cohen 2015; Escalera 2015), enjoyed instant support because of its symbolic significance. In fact, it was favorably covered not only by Spanish media but also by influential international newspapers like *The New York Times* and *The Guardian*.¹⁸

The first news about the bill came out in 2012, announcing an “automatic” path to naturalization for those Sephardic Jews who could prove their Spanish origins (EFE 2012). Nevertheless, the first draft (Proyecto de Ley, 23 June 2014) established the requirement of passing an “integration test” designed and administered by the Instituto Cervantes to assess applicants’ ability in Spanish language and knowledge of Spain’s constitutional and sociocultural principles. This requirement was not included in the preliminary draft from February 2014 (Anteproyecto de Ley). Nonetheless, *it was extended to all the cases of naturalization through residency* on the draft approved by the Judiciary Committee on 6 April 2015 (Proyecto de Ley, 6 April 2015, see fourth additional provision). The same document established the level A2 or higher of the DELE exam as required language proficiency.

The inclusion in the bill of the DELE A2 exam and the new CCSE, and their extension to all the cases of naturalization through residency, which clearly deviated from the original purpose of the bill, was part of the amendments proposed by the PP on 19 February 2015 (Enmiendas, see 61st amendment). This maneuver was strongly criticized by advisory bodies like the Forum for the Social Integration of Immigrants¹⁹ and encountered opposition from other parliamentary groups: some wanted to eliminate bureaucratic obstacles and questioned the validity of a test to assess integration, while others demanded that the measure be extended to other populations like Moriscos, Saharawis, and the descendants of Spanish immigrant women, whose citizenship was revoked if they married a foreigner and were unable to transmit their nationality to their descendants until 1982.²⁰ Nevertheless, no one was ready to vote against a bill that, despite its limitations, had been presented as an act of historic reparation to the Sephardic Jew community. In the end, the bill was approved *unanimously* on 19 June 2015. By shielding the new tests for citizenship within the bill to grant citizenship to the descendants of the Jews expelled from Spain in 1492, the PP managed to pass a potentially contentious measure with a relative lack of controversy, minimal political deliberation and the support of all parliamentary groups, which paved the path to the regulations implemented by Royal Decree 1004/2015.

Consequences of the new regulations

This ploy came at a cost. Experts in private international law denounced the “shameful lack of democratic quality” involved in the elaboration of the law granting citizenship to Sephardic Jews (Vargas Gómez-Urrutia 2015: 29). They also regretted that the original purpose of the law had been “poisoned” by several administrative “obstacles,” including the language examination, all of which

complicated the application process (Álvarez Rodríguez 2015; Vargas Gómez-Urrutia 2015). In fact, one year after the law came into effect, only three people had obtained a Spanish passport by the established procedure (Cervilla ~~2012~~2016).

The new naturalization tests have drawn criticism from political groups and citizen organizations that claim that the tests discriminate against speakers of Catalan and other ‘Spanish’ languages, are costly and are not adapted to the needs of those who are vulnerable because of their lack of formal education.²¹

Finally, it is important to examine the role of the Instituto Cervantes in the monetization of the procedure to acquire Spanish nationality through residency. Although testing for citizenship has little or nothing to do with the declared goals of the Instituto Cervantes,²² this new gatekeeper role is seen positively by those in charge of the institution, who seem perfectly aware of the commercial opportunities presented by the new regulations:

[The approved law] entrusts the Instituto Cervantes with ‘new functions’ and grants it ‘a recognition like it never had before’ ... For Rafael Rodríguez-Ponga [Secretary General of Instituto Cervantes], these new norms will make the Instituto Cervantes a fundamental piece of ‘an administrative procedure with legal consequences for hundreds of thousands of people.’ And by extension, the new norms will also benefit multiple private entities related to the teaching of Spanish as a second language: publishers, teachers, universities and other educational centers, etc. New opportunities, he said, are opening up to all of them, which demonstrates the desirability of the continuing collaboration between the public and the private sectors.²³

The business angle of the new testing apparatus is considerable. In 2015, the Instituto Cervantes reported profits of € 1,729,155 (of which € 109.535 were liquidated to the centers that administered the exams) *only from the CCSE exam*, which has a flat registration fee of € 85.²⁴ Besides, the registration for the DELE A2 exams increased 255% in 2015–2016.²⁵

The DELE as instrument of immigration policy

DELE and retrofitting

As stated earlier, there are currently two language exams for naturalization in Spain, the CSSE and the DELE, both administered by the Instituto Cervantes. Both exams differ greatly in their design and test effect (Fulcher and Davidson 2009).

The CSSE was specifically designed with the naturalization process in mind. The test consists of five tasks covering 25 questions. Fifteen correct answers are required to pass. The test construct is the legal requirement; thus, testing functions as an extension of law (Khan and McNamara 2017). A construct is defined as “a proficiency, ability, or characteristic of an individual that has been inferred from observed behavioral consistencies and that can be meaningfully interpreted” (Chappelle et al. 2008: 3). In other words, the construct is what the test is measuring for subsequent inferences. The test design and purpose appear relatively straightforward for CSSE in that the architecture of the test design had the cultural and constitutional knowledge requirement for naturalization specifically in mind, much in the same way as the Life in the UK test operates in the UK.

The issue of using the DELE for immigration purposes is more complex. Immigrants are required to gain an A2 level of the DELE, which involves four exams: reading comprehension, writing, listening comprehension and speaking (DELE 2017).²⁶ In contrast to the CSSE, which was designed specifically for naturalization, the DELE pre-dates its usage as an exigency for naturalization. The exams had been created in 1988 and supplemented in 1992 as part of a series of measures taken by the Spanish authorities to disseminate Spanish language and culture abroad (Real Decreto 1137/2002). Later, in 2008, the DELE were aligned to the levels and descriptors established by the CEFR (Real Decreto 264/2008). Since the DELE was not designed specifically to be a test for naturalization, the legal requirement was not the test construct at the time it was created; instead, the DELE incorporated the naturalization purpose, which complicates its legitimacy for this particular use (Fulcher and Davidson 2009).

The construct of the DELE exam is never made explicitly clear. The test repertoire of linguistic contents follows the Curricular Plan of the Instituto Cervantes (CPIC), which in turn is based on the CEFR descriptors.²⁷ Thus, it is safe to assume we are dealing with a CEFR-based construct. Moreover, both the CEFR and the CPIC are invoked in Royal Decree 1004/2015 to guarantee the objectivity and legitimacy of the new testing practice:

It is thus ensured that the test is based on objective criteria, so that any possible difference in interpretation can be overcome, as well as

the test's adaptation to the language policy set out by the Council of Europe in the Common European Framework of Reference and developed in the Curricular Plan of the Instituto Cervantes. (Real Decreto 1004/2015: 105524)

Fulcher warns about the proclivity to reduce the issue of test validity to “linking or mapping a test to the external standard put in place by a policy-making authority” (2015: 97). He contends that “frequently the content and purpose of a test is irrelevant once it is mapped to a standards document. For the mapping is the meaning, and the test purpose is whatever the policy makers use the documents for” (Fulcher 2015: 103). Here then an exam so intimately linked to the CEFR becomes a tool for immigration, which in the current climate remains one of the most widely-debated political issues.

Concerns have previously been raised about the usage of the CEFR. The CEFR “does not appear to discuss test effect. It does not detail ... particular contexts in which it would be used, and so lacks the necessary detail on which to build test specifications” (Davidson and Fulcher 2007: 232). Test effect relates to “the effect that test is intended to have in the real world” (Fulcher and Davidson 2009: 124). Davidson and Fulcher (2007), Fulcher and Davidson (2009) have argued persuasively for the test effect to be built into the test design. They state that “test design needs to be closely aligned to the types of decisions made” (Fulcher and Davidson 2009: 124). If the test has changed in the purpose, then it requires a commensurate ‘retrofit’ in order to retrospectively adapt to its new uses and effects, much in the same way the design of a building must be adjusted in relation to how it will be used (Fulcher and Davidson 2009). It is not clear how the DELE has undergone the necessary retrofit, if at all.

DELE, CEFR and immigration

The multi-purpose nature of the DELE paints a murky picture of its effect in many respects. On the one hand, the test can be used for lower stakes matters such as learning Spanish as a hobby. On the other, the DELE can be used as an evidential basis for immigration and settlement purposes. This juxtaposition of the use of high and low stakes lies at the heart of why using it as an evidential basis is worrying. Issues are likely to arise when a test originally used for general purposes is placed into the highly political context of immigrant language education (Cooke and Simpson 2008).

One of the reasons for aligning the test design, purpose and effect lies in a principal aim of language testing: validity. Test validity “refers not just to the accuracy of score inferences but also to evaluation of the appropriateness, meaningfulness, and usefulness of score inferences, which involve judgments not only of truth but of worth” (Messick 1998: 41). Thus, test scores will make inferences about the real world, and those inferences must be built on a sound basis. The information generated from the DELE test score is used for a variety of reasons and purposes, but has only now incorporated immigration.

The fact that the purpose of immigration and settlement is not clearly stated within the design of the DELE may lead to “validity chaos” (Fulcher and Davidson 2009). In other words, the vague nature of the test purpose cannot provide a robust basis for the validity claims made. Viewed this way, if the test design does not factor in the use of the DELE for immigration, it cannot make the claim that the test scores represent something that was outside of its intended scope (Fulcher 2009). The coherence in the test architecture is thus out of sync.

The counter to the argument above is that the law stipulates a perceived threshold to be a citizen and that the test is simply establishing an objective procedure for migrants to become citizens. However, Shohamy (2007) highlights that language tests do not necessarily measure the quality of ‘being a good citizen.’ Moreover, McNamara and Roever (2006) and Van Avermaet (2009) note how the levels set across countries are largely arbitrary. Derrida (1998) refers to such impositions of law and language as forms of violence and force which function by the punitive power of their ‘enforceability.’ In other words, the threat of being excluded from the national community and full citizenship rights looms for non-compliance. Once a government sets a perceived level, the tests function in accordance with the legal requirement and the threat of exclusion that this entails.

The application of CEFR standards in immigration policy does not warrant objectivity and fairness; quite the contrary, it raises serious issues that require rigorous analysis. As Fulcher argues, “There is nothing intrinsically wrong with standard setting if the intention is to arrive at cut scores on a test that has already undergone validation for the stated policy and decision-making purposes for which the standards were developed ... Any other standard setting activity subverts validation theory and results in unsound inferences ... *Standard setting is not validation*” (italics in the original; 2015: 102). Thus, the post hoc nature of applying the DELE for immigration purposes creates the possibilities for inferences which are lacking robustness in relation to validity.

Krumm (2007) also captures some of the tensions around using the CEFR for immigration purposes. He argues that “the very heterogeneous groups of migrants are totally different from the learners originally targeted by the CEFR” (Krumm 2007: 668). He goes on to say that the CEFR may be legitimate for more orthodox language learning contexts, but the migrants have different linguistic needs and highly distinct biographies. Krumm’s assertion about the unique linguistic profiles of immigrants are substantiated by a great deal of literature in this area (Cooke and Simpson 2008; Busch 2009; Baynham and Simpson 2010).

Finally, there are also ethical concerns about using exams such as the DELE for immigration purposes. The first relates to the misuse of tests. Fulcher (2009) argues that taking into account test effects allows for the minimization of post hoc test use beyond its original purposes. This is exactly what we see in the case of the DELE. Transparency is required in demonstrating how testers have adjusted their tests for new purposes, especially when a greater uptake of an established test is encouraged (Fulcher and Davidson 2009).

The second inter-related ethical concern regards ‘fitness for purpose’ of a test. Fulcher and Davidson posit

... testing agencies sometimes imply that the [new] test is appropriate for its new use without giving any consideration at all to the potential impact upon the test takers, or alternatively, they report the alternative uses of their tests ... Commercial considerations can over-ride the ethical requirement to make both buildings and tests fit for use. (2009: 136)

It is the responsibility of the tester and testing agency to ensure that tests are adequate for their purposes. As we have argued above, the DELE was not created to be used as instrument of immigration policy and it is not clear what retrofitting has taken place to adjust the exams to their new use.

The third ethical concern lies in how tests relate to migrants directly. As Krumm warns, “testing people who are unequal in all aspects of their linguistic and cultural abilities and competences with one and the same test and also expecting the same level of proficiency from them in all areas cannot possibly be a way to demonstrate equality in society” (2007: 668). Thus, we can see how exams such as DELE contain the possibilities to discriminate against migrants by assimilating their

distinct needs and capabilities into more general forms of language learning and testing.

It is worth relating this use of tests to broader arguments around justice in language testing. Such arguments question whether individuals should be tested at all (McNamara and Ryan 2011). There has been a broad strand of literature taking the approach that citizenship tests are fundamentally unjust, since they entail testing an individual in a language that is not his/her own as a precondition for the right to be equal to other citizens (Blackledge 2005; Shohamy 2006; Extra et al. 2009). From that viewpoint, it could be argued that any test for citizenship is unjust.

The purpose of this section is not to argue for a 'better' test. Within the context of an unjust testing regime, we have highlighted the problematic nature of adapting multi-purpose tests beyond their intended uses. The relative lack of debate around the new Spanish language requirement for naturalization is puzzling; to begin with, deeper analysis is necessary as to why a test was required and why the DELE was part of the requirements. Undoubtedly, the effects will be felt by immigrant test takers who see the tests as high-stakes situations. Within a potentially marginalized group, those with less formal education may be further discriminated against (McNamara and Roever 2006).²⁸ More research is required to challenge top-down accounts of migration processes and how they are experienced (Blackledge 2005; Basaran and Guild 2017).

Conclusions

Our study of the new language requirement for the acquisition of Spanish citizenship confirms the trend toward more restrictive requirements for naturalization documented by the Council of Europe (2013, 2014; see also Tracy 2017), as well as the centrality of language in the conception of such requirements (Blackledge 2009; Extra et al. 2009; Van Avermaet and Pulinx 2014). By introducing the new tests of language skills and knowledge of Spain constitutional and sociocultural principles, Spain is shifting from a discretionary examination process that already considered knowledge of Spanish language as a proof of integration (similar to those in place in Hungary, Italy, Malta, Romania and Slovakia) to a more explicit examination process. The CEFR threshold of proficiency established by the Royal Decree 1004/2015, A2, situates Spain in the low end of the range of language skills required in European countries, which goes from A2 (Belgium, Bulgaria, Cyprus, Lithuania, Luxembourg, Netherlands, Portugal, and Slovenia) to B1 (Austria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Latvia, Poland, and United Kingdom).²⁹

Nonetheless, there is a concern that the standards of attainment required in most European countries are unrealistic, in that they go beyond what is reasonably attainable by many immigrants, particularly those with low levels of literacy and education or those with other difficulties, such as the elderly and refugees. As noted in a report elaborated by the COE Committee on Migration, Refugees and Displaced Persons,

The language levels be not set too high and that they be differentiated with regard to what is expected in terms of speaking and listening ability (not going beyond the A2 level of the Council of Europe “Common European Framework of Reference for Languages: Learning, Teaching, Assessment” (CEFR)), and writing and reading ability (remaining at the basic A1 level of the CEFR). (COE 2013)

The new law passed by the Spanish Parliament is yet another reason for the growing concern that language requirements and tests are being used as instruments of a restrictive and selective immigration policy (Shohamy 2009; Van Avermaet 2009; Van Avermaet and Pulinx 2014). One of the contributions of our study to the literature on language policy is the description of the role played by Spanish news media in framing the law and the political maneuvers to circumvent opposition and avoid legislative debate. This suggest that, at least in part, the success of restrictive immigration policies hinges on controlling public discourse, which opens a very productive space for language policy research combining critical language testing and critical discourse analysis to examine issues of language ideology, linguistic hegemony, ideologies of national identity, and legal mechanisms for the discrimination and exclusion of immigrant subjects (for instance, see Wodak 2013).

In fact, if we think in terms of language policy and ideologies of national identity, the introduction of a Spanish language requirement for citizenship represents a significant change in the path to naturalization in Spain. Citizenship is a major issue of strategic concern for the state and, consequently, the national language is privileged, relegating co-official languages to their regional domain. Language testing becomes a nationalizing filter that promotes assimilation (Kostakopoulou 2006). The fact that Spanish is the only language taken into account in terms of citizenship policies is not surprising. Nevertheless, it is necessary to acknowledge that it does not seem to contribute to the common aim of linguistic normalization.

The regulatory decision affects indistinctly any of the prospective candidates for Spanish citizenship, even those individuals who plan to settle in a bilingual region, spend their daily life in more than one official language or are more proficient in any of the other recognized languages spoken in the country. Accordingly, this regulation might produce contradictory effects, and in fact it accurately reflects a situation where “official administrative belonging—being a citizen of a state—is a poor indicator of sociolinguistic belonging, let alone of language behavior in general” (Blommaert 2006: 238).

Questions arise of just how indicative the Spanish language test is of “integration into Spanish society,” which, of course, includes the autonomous regions with other co-official languages. Löwenheim and Grazioplene (2009) argue that citizenship tests inevitably become indicators of how the state views itself or wishes to project itself on an ideological level. In the case of Spain, the image is clear: to be a citizen of Spain entails speaking Spanish—and *preferably* Spanish. That a state institution such as the Instituto Cervantes is entrusted with administering the test demonstrates the crucial repositioning of language-policy agencies within high-stakes testing for immigration, as well as the monetization of naturalization processes.

By privileging Spanish in citizenship testing, the “tragic economy” (Derrida 1998: 30) of competing languages in Spain is reinforced.³⁰ The privileging of Spanish comes at the expense of the other co-official languages: the dominant language is promoted and the presence and officiality of other languages are symbolically challenged. In a moment when there have been calls for independence such as those in Catalonia, citizenship testing becomes one way of reimposing a social, political and linguistic order in a country whose unity is being pulled apart at the seams (Delgado 2014).

Finally, we question the use of the DELE beyond its original purposes. Once repositioned within immigration, the test is now imbued with greater sociopolitical significance. There are a number of concerns which relate to the post hoc nature of using language tests, particularly those rooted in the CEFR standards, for high-stakes testing (Fulcher and Davidson 2009; Fulcher 2015). We have highlighted the implications which require greater consideration.

At the beginning of a new chapter of immigration and language testing in Spain, it is important to chart the political nature of citizenship testing and the surrounding discourses. What is significant in the Spanish case is not only *who* is being included/excluded but also *how* and *why*. We have highlighted some concerns about

the nature of language testing that require further research to elucidate the roles and experiences of those close to the process, from test administrators to language teachers. Most crucially, we need accounts of the citizenship test process by immigrants who have experienced it, so that we can more accurately reveal some of the ‘hidden’ discriminative effects in the lives of individuals (McNamara and Roever 2006).

References

Álvarez Rodríguez, A. (2013). Acceso a la nacionalidad por parte de los inmigrantes: perspectiva jurídica. In E. Aja, J. Arango, & J. Oliver Alonso (Eds.), *Inmigración y crisis: entre la continuidad y el cambio. Anuario de la inmigración en España. Edición 2012* (pp. 130–158). Barcelona: Cidob, Diputació Barcelona, Fundació Acsar y Fundació Ortega-Marañón.

AQ4

Álvarez Rodríguez, A. (2015). Los sefardíes originarios de España y su eventual acceso a la nacionalidad española por la vía prevista en la ley 12/2015. *La notaria*, 2, 116–125.

Amorós-Negre, C. (2016). Different paradigms in the history of Spanish language policy and planning. *Journal of Multilingual and Multicultural Development*, 38(1), 1–14.

Anteproyecto de ley en materia de concesión de la nacionalidad Española a los sefardíes que justifiquen tal condición y su especial vinculación con España y por el que se modifica el artículo 23 del código civil, 7 February 2014.

Bachman, L. F. (1990). *Fundamental considerations in language testing*. Oxford: Oxford University Press.

Baker, P. (2017, 2 August). Trump supports plan to cut legal immigration by half. *The New York Times*.

<https://www.nytimes.com/2017/08/02/us/politics/trump-immigration.html>.

Accessed August 4, 2017.

Basaran, T., & Guild, E. (2017). Mobilities, ruptures, transitions. In T. Basaran, D. Bigo, E.-P. Guittet, & R. B. J. Walker (Eds.), *International political sociology*

(pp. 271–285). Abingdon: Routledge.

Bauböck, R., & Goodman, S. W. (2010). Naturalisation. *EUDO Citizenship Policy Brief 2*. http://eudo-citizenship.eu/docs/policy-brief-naturalisation_revised.pdf. Accessed April 26, 2017.

Baynham, M., & Simpson, J. (2010). Onward and upwards: Space, place and liminality in adult ESOL classes. *TESOL Quarterly*, 44(3), 420–440.

Benford, R. D., & Snow, D. A. (2000). Framing processes and social movements: An overview and assessment. *Annual Review of Sociology*, 26, 611–639.

Benson, R. (2013). *Shaping immigration news: A French-American comparison*. Cambridge: Cambridge University Press.

Blackledge, A. (2005). *Discourse and power in a multilingual world*. Amsterdam: John Benjamins Publishing.

Blackledge, A. (2009). “As a country we do expect”: The further extension of language testing regimes in the United Kingdom. *Language Assessment Quarterly*, 6(1), 6–16.

Blommaert, J. (2006). Language policy and national identity. In T. Ricento (Ed.), *An introduction to language policy: Theory and method* (pp. 238–255). Oxford: Blackwell.

Blommaert, J., & Verschueren, J. (1998). The role of language in European nationalist ideologies. In B. Schieffelin, K. Woolard, & P. Kroskrity (Eds.), *Language ideologies: Practice and theory* (pp. 189–210). New York: Oxford University Press.

Busch, B. (2009). Local actors in multilingualism. In G. Hogan-Brun, C. Mar-Molinero, & P. Stevenson (Eds.), *Discourse on language and integration* (pp. 129–153). Amsterdam: John Benjamins Publishing.

Canagarajah, S. (2006). Changing communicative needs: Revised assessment objectives, testing English as an International language. *Language Assessment Quarterly*, 3(3), 229–242.

Castles, S., & Davidson, A. (2000). *Citizenship and migration: Globalization and the politics of belonging*. Hove: Psychology Press.

Cervilla, P. (2016, 8 October). Adquirir la nacionalidad española, el último obstáculo de los judíos sefardíes. *ABC*. http://www.abc.es/sociedad/abci-adquirir-nacionalidad-espanola-ultimo-obstaculo-judios-sefardies-201610082021_noticia.html. Accessed February 24, 2017.

Chappelle, C. A., Enright, M. K., & Jamieson, J. M. (2008). Test score, interpretation and use. In C. A. Chappelle, M. K. Enright, & J. M. Jamieson (Eds.), *Building a validity argument for the Test of English as a Foreign Language* (pp. 1–26). Abingdon: Routledge.

Cohen, E. (2015, 25 June). El camino de España para reparar la relación con “sus judíos.” *El Confidencial*. http://blogs.elconfidencial.com/mundo/tajles/2015-06-25/el-camino-de-espana-para-reparar-la-relacion-con-sus-judios_901393/. Accessed February 23, 2017.

Cole, P. (2000). *Philosophies of exclusion: Liberal political theory and immigration*. Edinburgh: Edinburgh University Press.

Cole, P. (2010). Introduction: ‘Border crossings’—The dimensions of membership. In G. Calder, P. Cole, & J. Seglow (Eds.), *Citizenship acquisition and national belonging* (pp. 1–23). Hampshire: Palgrave Macmillan.

Coleman, J. L., & Harding, S. K. (1995). Citizenship, the demands of justice, and the moral relevance of political borders. In W. F. Schwarz (Ed.), *Justice in immigration* (pp. 18–62). Cambridge: Cambridge University Press.

Cooke, M., & Simpson, J. (2008). *ESOL: A critical guide*. Oxford: Oxford University Press.

Council of Europe. (2013). Integration tests: helping or hindering integration? Report. Committee on Migration, Refugees and Displaced Persons. <http://www.assembly.coe.int/nw/xml/XRef/Xref-DocDetails-EN.asp?FileID=19772&Lang=EN>. Accessed August 5, 2017.

Council of Europe. (2014). Linguistic integration of adult migrants: Final report on the 3rd Council of Europe Survey. Language Policy Unit, Strasbourg. Project LIAM: www.coe.int/lang-migrants. Accessed August 6, 2017.

Davidson, F., & Fulcher, G. (2007). The common European framework of reference (CEFR) and the design of language tests: A matter of effect. *Language Teaching*, 40, 231–241.

De Miguel, E. (2006). La cuestión lingüística en la España del siglo XXI. In E. de Miguel (Ed.), *Las lenguas españolas: un enfoque filológico* (pp. 7–35). Madrid: Ministerio de Educación y Ciencia de España.

Delgado, E. (2014). *La nación singular: Fantasías de la normalidad democrática española*. Madrid: Siglo XXI.

Derrida, J. (1998). *Monolingualism of the other: Or, the prosthesis of origin* (P. Mensah, Trans.). Stanford, CA: Stanford University Press.

Doppelbauer, M. (2008). La Constitución y las lenguas españolas. In M. Doppelbauer & P. Cichon (Eds.), *La España multilingüe* (pp. 21–30). Vienna: Praesens Verlag.

EFE. (2012, 22 November). La condición de sefardí dará derecho automático a la nacionalidad española. *El País*.
http://politica.elpais.com/politica/2012/11/22/actualidad/1353599231_756068.html. Accessed February 23, 2017.

Entman, R. M. (1993). Framing: Toward clarification of a fractured paradigm. *Journal of Communication*, 43(4), 51–58.

Enmiendas e índice de enmiendas al articulado. *BOGC*, 19 February 2015.

Escalera, A. (2015, 31 May). Joaquín Ramírez: “La ley para dar la nacionalidad a los sefardíes nos reconcilia con el pasado.” *Sur*.
<http://www.diariosur.es/malaga/201505/20/joaquin-ramirez-para-nacionalidad-20150519194935.html>. Accessed February 23, 2017.

Extra, G., Spotti, M., & Van Avermaet, P. (2009). Testing regimes for newcomers. In F. Extra, M. Spotti, & P. Van Avermaet (Eds.), *Language testing*,

migration and citizenship: Cross-national perspectives on integration regimes (pp. 3–33). London: Continuum.

Fulcher, G. (2009). Test use and political philosophy. *Annual Review of Applied Linguistics*, 29, 3–20.

Fulcher, G. (2010). The reification of the common European framework of reference (CEFR) and effect-driven testing. In *Advances in research on language acquisition and teaching. Selected papers*. Retrieved from <http://www.enl.auth.gr/gala/14th/Papers/Invited%20Speakers/Fulcher.pdf>. Accessed January 25, 2017.

Fulcher, G. (2015). *Re-examining language testing: A philosophical and social inquiry*. Abingdon: Routledge.

Fulcher, G., & Davidson, F. (2009). Test architecture, test retrofit. *Language Testing*, 26(1), 123–144.

Galston, W. (1991). *Liberal purposes: Goods, virtues, and diversity in the liberal state*. Cambridge: Cambridge University Press.

Gutiérrez Calvo, V. (2013, March 28). Los extranjeros que pidan la nacionalidad pasarán un test de español e “integración.” *El País*. http://politica.elpais.com/politica/2013/03/28/actualidad/1364498021_107921.html. Accessed February 21, 2017.

Heller, M., & Duchêne, A. (2012). Pride and profit: Changing discourses of language capital and nation-state. In A. Duchêne & M. Heller (Eds.), *Language in late capitalism: Pride and profit* (pp. 1–21). London: Routledge.

Herrero de Miñón, M. (1996). Nacionalismos y Estado plurinacional en España. *Política Exterior*, 10(51), 7–16.

~~Hobsbawm, E. J. (1992). *Nations and nationalism since 1780: Programme, myth, reality*. Cambridge: Cambridge University Press.~~

AQ5

Joppke, C. (2007). Beyond national models: Civic integration policies for immigrants in Western Europe. *West European Politics*, 30(1), 1–22.

Judt, T., & Lacorne, D. (2004). The politics of language. In T. Judt & D. Lacorne (Eds.), *Language, nation and state: Identity politics in a multilingual age* (pp. 1–16). Hampshire: Palgrave Macmillan.

Khan, K., & McNamara, T. (2017). Citizenship, immigration laws, and language. In S. Canagarajah (Ed.), *The Routledge handbook of language and migration* (pp. 451–467). Abingdon; New York: Routledge.

Kofman, E. (2005). Migration, citizenship and the reassertion of the nation-state in Europe. *Citizenship Studies*, 9(6), 453–467.

Kostakopoulou, T. (2006). Thick, thin, thinner patriotisms: Is that all there is? *Oxford Journal of Legal Studies*, 26(1), 73–106.

Krumm, H.-J. (2007). Profiles instead of levels: The CEFR and its (mis)abuses in the context of immigration. *The Modern Language Journal*, 91, 667–669.

Kymlicka, W. (1995). *Multicultural citizenship: A liberal theory of minority rights*. Oxford: Oxford University Press.

Kymlicka, W. (2002). *Contemporary political philosophy: An introduction*. Oxford: Oxford University Press.

Kymlicka, W., & Norman, W. (1994). Return of the citizen: A survey of recent work on citizenship theory. *Ethics*, 104, 352–381.

Lenard, P. (2007). Shared public culture: A reliable source of trust. *Contemporary Political Theory*, 6(4), 385–404.

Ley 36/2002, de 8 de octubre, de modificación del Código Civil en materia de nacionalidad, *BOE* 242, 35638–35640.

Loring, A., & Ramanathan, V. (Eds.). (2016). *Language, immigration and naturalization: Legal and linguistic issues*. Bristol: Multilingual Matters.

Löwenheim, O., & Grazit, O. (2009). Power and examination: A critique of citizenship tests. *Security Dialogue*, 40(2), 145–167.

Mackenzie, C. (2010). Citizenship, identity, and immigration: contemporary philosophical perspectives. In C. Slade & M. Mollering (Eds.), *From migrant to citizen* (pp. 191–216). London: Palgrave Macmillan.

Mar-Molinero, C. (2000). *The politics of language in the Spanish-speaking world: From colonization to globalization*. London: Routledge.

Massola, J. (2017, 20 April). Malcolm Turnbull reveals tough new citizenship crackdown. *The Sydney Morning Herald*. <http://www.smh.com.au/federal-politics/political-news/speak-english-respect-our-values-malcolm-turnbulls-next-citizenship-crackdown-20170419-gvnq0y.html>. Accessed April 26, 2017.

McNamara, T. (2008). The socio-political and power dimensions of tests. In E. Shohamy & N. H. Hornberger (Eds.), *Encyclopedia of language and education: Language testing and assessment* (pp. 415–428). New York: Springer.

McNamara, T. (2009). Language tests and social policy: A commentary. In G. Hogan-Brun, C. Mar-Molinero, & P. Stevenson (Eds.), *Discourses on language and integration: Critical perspectives on language testing regimes in Europe* (pp. 153–163). Amsterdam: John Benjamin.

McNamara, T. (2012). Language assessments as shibboleths: A poststructuralist perspective. *Applied Linguistics*, 33(5), 564–581.

McNamara, T., Khan, K., & Frost, K. (2015). Language tests for residency and citizenship and the conferring of individuality. In B. Spolsky, O. Inbar-Lourie, & M. Tannenbaum (Eds.), *Challenges for language education and policy: Making space for people* (pp. 11–22). New York, NY: Routledge.

McNamara, T., & Roever, C. (2006). *Language testing: The social dimension*. Oxford: Blackwell.

McNamara, T., & Ryan, K. (2011). Fairness versus justice in language testing: The place of English literacy in the Australian citizenship test. *Language Assessment Quarterly*, 8(2), 161–178.

Messick, S. (1998). Validity. In R. L. Linn (Ed.), *Educational measurement* (pp. 13–103). Washington: The American Council on Education and the National Council on Measurement in Education.

Miller, D. (1995). *On nationality*. Oxford: Oxford University Press.

Moreno Cabrera, J. C. (2008). *El nacionalismo lingüístico. Una ideología destructiva*. Barcelona: Península.

Pan, Z., & Kosicki, G. M. (2001). Framing as a strategic action in public deliberation. In S. D. Reese, O. H. Gandy Jr., & A. E. Grant (Eds.), *Framing public life: Perspectives on media and our understanding of the social world* (pp. 35–66). Mahwah, NJ: Lawrence Erlbaum Associates.

Parekh, B. (2000). *Rethinking multiculturalism: Cultural diversity and political theory*. London: Palgrave Macmillan.

Partido Popular. (2011). *Programa electoral Partido Popular 2011: Más sociedad, mejor gobierno*. <http://www.pp.es/sites/default/files/documentos/5751-20111101123811.pdf>. Accessed February 21, 2017.

Patten, A. (2001). The rights of internal linguistic minorities. In A. Eisenberg & J. Spinner-Halev (Eds.), *Minorities within minorities: Equality, rights and diversity* (pp. 135–154). Cambridge: Cambridge University Press.

Peces-Barba, G. (2002). Una lectura de la Constitución Española. In A. Cucó, J. Romero, & J. Farinós (Eds.), *La organización territorial del Estado. España en Europa: Un análisis comparado* (pp. 67–80). Valencia: Universitat de Valencia.

Proyecto de Ley en materia de concesión de la nacionalidad española a los sefardíes originarios de España que justifiquen tal condición y su especial vinculación con España, por la que se modifica el artículo 23 del Código Civil y por la que se regula el procedimiento para la adquisición de la nacionalidad española por residencia, *BOGC*, 6 April 2015.

Proyecto de Ley en materia de concesión de la nacionalidad española a los sefardíes originarios de España que justifiquen tal condición y su especial vinculación con España, por la que se modifica el artículo 23 del Código Civil y se establece una tasa para determinados procedimientos de adquisición de la nacionalidad española, *BOGC*, 23 June 2014.

Raz, J. (1994). Multiculturalism: A liberal perspective. In J. Raz (Ed.), *Ethics in the public domain: Essays in the morality of law and politics* (pp. 155–176).

Oxford: Clarendon Press.

Real Decreto 1004/2015, de 6 de noviembre, por el que se aprueba el Reglamento por el que se regula el procedimiento para la adquisición de la nacionalidad española por residencia, *BOE* 267, Section I, 105523–105535.

Real Decreto 1137/2002, de 31 de octubre, por el que se regulan los “diplomas de español como lengua extranjera (DELE)”, *BOE* 268, 39489–39491.

Real Decreto 264/2008, de 22 de febrero, por el que se modifica el Real Decreto 1137/2002, de 31 de octubre, por el que se regulan los diplomas de español como lengua extranjera, *BOE* 62, 14694–14696.

Reglamento de la Ley del Registro Civil. *BOE* 296, December 11, 1958, *BOE-A-1958-18486*.

Shabad, G., & Gunther, R. (1982). Language, nationalism, and political conflict in Spain. *Comparative Politics*, 14(4), 443–477.

Shohamy, E. (2001). *The power of tests: A critical perspective on the uses of language tests*. London: Pearson.

Shohamy, E. (2006). *Language policy: Hidden agenda and new approaches*. London: Routledge.

Shohamy, E. (2007). Language tests as language policy tools. *Assessment in Education*, 14(1), 117–130.

Shohamy, E. (2009). Why language? Why tests? Why citizenship? In G. Hogan-Brun, C. Mar-Molinero, & P. Stevenson (Eds.), *Discourses on language and integration: Critical perspectives on language testing regimes in Europe* (pp. 45–59). Amsterdam: John Benjamins.

Shohamy, E., & McNamara, T. (2009). Language tests for citizenship, immigration, and asylum. *Language Assessment Quarterly*, 6(1), 1–5.

Shorten, A. (2010). Linguistic competence and citizenship acquisition. In G. Calder, P. Cole, & J. Seglow (Eds.), *Citizenship acquisition and national belonging* (pp. 105–122). Hampshire: Palgrave Macmillan.

Slade, C., & Möllering, M. (2010). Foreword. In C. Slade & M. Möllering (Eds.), *From migrant to citizen: Testing language, testing culture* (pp. 8–15). Basingstoke: Palgrave Macmillan.

Tamir, Y. (1993). *Liberal nationalism*. Princeton: Princeton University Press.

Tornafoch, X. (2004). Los debates del Estatuto de Autonomía de Cataluña en las cortes republicanas (mayo-agosto de 1932). El idioma catalán y el sistema escolar. *Historia Actual Online*, 4, 35–42.

Tracy, R. (2017). Language testing in the context of migration. In J.-C. Beacco, H.-J. Krumm, D. Little, & P. Thalgott (Eds.), *The linguistic integration of adult migrants. Some lessons from research* (pp. 45–56). Berlin: De Gruyter Mouton.

Turner, B. (2006). Citizenship and the crisis of multiculturalism. Review article. *Citizenship Studies*, 10(5), 607–618.

Turner, J. (2014). Testing the liberal subject: (In)security, responsibility and “self-improvement” in the UK citizenship test. *Citizenship Studies*, 18(3–4), 332–348.

Van Avermaet, P. (2009). Fortress Europe? Language policy regimes for immigration and citizenship. In G. Hogan-Burn, C. Mar-Molinero, & P. Stevenson (Eds.), *Discourses on language and integration* (pp. 15–43). Amsterdam: Benjamins.

Van Avermaet, P., & Pulinx, R. (2014). Language testing for immigration to Europe. In A. J. Kunnan (Ed.), *The companion to language assessment* (Vol. I, pp. 376–389)., Abilities, contexts, and learners Malden, MA: Wiley-Blackwell.

Vargas Gómez-Urrutia, M. (2015). Shalom Sefarad: una “erensya” envenenada. La Ley 12/2015, de 24 de junio, en materia de concesión de la nacionalidad española a los sefardíes originarios de España. *Bitácora Millenium DIPr*, 2, 1–11; 24–35.

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Vigers, D., & Mar-Molinero, C. (2009). Spanish language ideologies in managing immigration and citizenship. In G. Extra, M. Spotti, & P. Van

Avermaet (Eds.), *Language testing, migration and citizenship: Cross-national perspectives on integration regimes* (pp. 167–188). London: Routledge.

Wodak, R. (2013). Dis-citizenship and migration: A critical discourse-analytical perspective. *Journal of Language, Identity & Education*, 12(3), 173–178.

Wright, S. (2000). *Community and communication: The role of language in nation state building and European integration*. Clevedon: Multilingual Matters.

¹ “Naturalization is one of three ways that citizenship can be bestowed on an individual; the other two are through the principles of *jus soli* (birth within a country’s borders) and *jus sanguinis* (blood descent).” (Loring and Ramanathan 2016: 8)

² As politicians and policymakers proudly declare. For instance, see Australian Prime Minister’s statement: “Membership of the Australian family is a privilege and should be afforded to those who support our values, respect our laws and want to work hard by integrating and contributing to an even better Australia. We must ensure that our citizenship program is conducted in our national interest.” (Massola 2017)

³ See <http://www.mipex.eu/>. Accessed 23 February 2017.

⁴ See Extra et al. (2009) for a discussion of the methodology used in this report.

⁵ MIPEX2015 includes information about the following countries: all EU Member States, Australia, Canada, Iceland, Japan, South Korea, New Zealand, Norway, Switzerland, Turkey and the USA.

⁶ Levels of the *Common European Framework of Reference for Languages*.

⁷ See <http://www.congreso.es/consti/constitucion/indice/titulos/articulos.jsp?ini=3&tipo=2>. Accessed 27 April 2017. See Moreno Cabrera (2008) for a critic of the linguistic terminology used in the Spanish Constitution.

⁸ “The ‘diplomas of Spanish as a foreign language (DELE)’ will be considered sufficient accreditation of competence in Spanish for any professional or academic activity in Spain for which the corresponding level of competence is required” (Real Decreto 264/2008: 14695).

⁹ All the quotations from institutional documents have been translated from Spanish.

¹⁰ “We will require knowledge of the fundamental values contemplated in the Constitution that are the basis of our society, and sufficient knowledge of Spanish language, history and culture to obtain nationality. A formal solemnity will be given to the acquisition of Spanish nationality.” (Partido Popular 2011: 125).

¹¹ The PP won 186 seats in the Congress of Deputies, which guaranteed 53% of any ballot in congress. Mariano Rajoy was elected Prime Minister by the Congress of Deputies on 21 December 2011.

¹² All the headlines and subheads have been translated from Spanish.

¹³ See <http://www.elmundo.es/andalucia/2014/02/19/5304a2e1268e3eb24c8b456c.html>. Accessed 13 March 2017.

- ¹⁴ See http://politica.elpais.com/politica/2014/09/26/actualidad/1411731489_748893.html. Accessed 23 February 2017.
- ¹⁵ See <http://www.abc.es/sociedad/20141124/abci-test-nacionalidad-espanola-201411212218.html>. Accessed 23 February 2017.
- ¹⁶ See http://ccaa.elpais.com/ccaa/2014/11/27/catalunya/1417119414_780223.html. Accessed 23 February 2017.
- ¹⁷ As literally argued in a clip from *LaSexta News* also on January 2015. See <https://www.youtube.com/watch?v=JAeTzPKJwnk>. Accessed 23 February 2017.
- ¹⁸ See <https://www.nytimes.com/2015/06/12/world/europe/spain-approves-citizenship-path-for-sephardic-jews.html>. See also <https://www.theguardian.com/world/2015/jun/11/spain-law-citizenship-jews>. Both accessed 23 February 2017.
- ¹⁹ See http://www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Dictámenes/informe_RDnacionalidadxresidencia.pdf. Accessed 23 February 2017.
- ²⁰ See the veto proposals put forward by different parliamentary groups on 24 April 2015: 11–13. http://www.congreso.es/public_oficiales/L10/SEN/BOCG/2015/BOCG_D_10_509_3410.PDF. See also http://www.elconfidencial.com/ultima-hora-en-vivo/2015-07-03/el-psoe-ve-arbitrario-e-injusto-un-nuevo-examen-para-obtener-la-nacionalidad_625454/. Both accessed 23 February 2017.
- ²¹ See http://www.govern.cat/pres_gov/AppJava/govern/notespremsa/292376/govern-demana-derogacio-decret-regula-laccess-nacionalitat-espanyola.html. See also <http://xdsgirona.cat/index.php/2016/06/06/la-nacionalitat-un-dret-no-un-privilegi/>. With respect to the discrimination against illiterate applicants, see the ombudsman’s recommendation on 16 March 2016: <https://www.defensordelpueblo.es/resoluciones/instrucciones-para-establecer-los-apoyos-necesarios-y-los-metodos-adaptados-a-las-personas-que-padecen-analfabetismo-en-todas-las-pruebas-exigibles-para-la-adquisicion-de-la-nacionalidad-espanola-por/>. All accessed 24 February 2017.
- ²² “Promote universally the teaching, study and use of Spanish and contribute to the spread of Hispanic cultures abroad.” See more at http://www.cervantes.es/sobre_instituto_cervantes/informacion.htm. Accessed 24 February 2017.
- ²³ See http://www.cervantes.es/sobre_instituto_cervantes/prensa/2015/noticias/ponga-clausura-cursos-verano.htm. Accessed 24 February 2017.
- ²⁴ See <https://www.boe.es/boe/dias/2016/12/10/pdfs/BOE-A-2016-11778.pdf>. Accessed 10 March 2017.
- ²⁵ See <http://www.cronicasde laemigracion.com/articulo/cronicas/certificacion-gran-apuesta-frentes-dele-siele-y-examenes-nacionalidad/20161012135057075786.html>. Accessed 10 March 2017.
- ²⁶ See <http://www.dele.org/?page=dele/level-a2>. Accessed 11 April 2017.
- ²⁷ See https://exámenes.cervantes.es/sites/default/files/instituto_cervantes_elaboracion_dele.pdf. Accessed 16 April 2017.

²⁸ For testimonies of test administrators raising issues of fairness, see <https://profesorenapuros.es/2016/03/15/los-nuevos-requisitos-para-la-nacionalidad-de-le-a2-y-ccse/> and <http://reall.es/la-igualdad-de-oportunidades-en-las-pruebas-de-certificacion-linguistica/>. Both accessed 28 April 2017.

²⁹ See MIPEX2015. <http://www.mipex.eu/>. Accessed 12 August 2017.

³⁰ Tribunals also contribute to this political bickering. For instance, the Spanish Constitutional Court has recently reversed the article 9 (5) of the Catalan Law 10/2010, which made the access to training in Spanish offered to some immigrants conditional on the acquisition of basic skills in Catalan. See <http://www.europapress.es/nacional/noticia-tc-anula-parcialmente-preceptos-ley-cine-catalan-otras-tres-normas-lengua-20170704173513.html>. Accessed 18 August 2017.