Providing voices?
Civic participation opportunities
for immigrants in Portugal

João Sardinha

POLITIS – a European research project

Project information

Populations of immigrant origin are growing and changing in Europe. POLITIS explores the potential of immigrants for the development of a civically active European society, starting with foreign students' perceptions of Europe and focusing on sustained social and political activities of immigrants. POLITIS is the short title for the research project "Building Europe with New Citizens? An Inquiry into the Civic Participation of Naturalised Citizens and Foreign Residents in 25 Countries".

The study is divided into 3 parts:

- <u>Part I:</u> A comparative literature review on immigrant civic participation in 25 member states
- <u>Part II:</u> A comparative analysis of foreign students' perceptions of Europe, exploring the potential of their ideas about Europe with the help of essays and focus group discussions
- <u>Part III:</u> A comparative analysis of more than 150 qualitative interviews with civic activists of immigrant origin in the EU to identify favourable and unfavourable biographical and national conditions for active participation

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Foreword

Joao Sardinha is fourth year PhD candidate at the Sussex Centre for Migration Research in the UK. He is preparing his PhD thesis entitled Immigrant Associations, Integration and Identity: The Angolan, Brazilian and Eastern European Communities in Portugal, supported by funding of the Fundação Calouste Gulbenkian. This paper is partly based on research for his PhD-thesis. A preliminary version has been presented Sixth EUROFOR Marie-Curie Conference "From Immigration Politics to Migration Management – Changes in Migration Governance", Maratea, Italy, June 15-18, 2006.

The author has participated as an interviewer in the POLITIS project, conducting, translating and transcribing three interviews with civically active immigrants in Portugal. He took part in the two POLITIS summer school, receiving training and contributing to the research process during discussions.

The POLITIS team welcomes his contribution in the POLITIS working paper series as it makes ongoing preliminary insights from PhD-research available for discussion in the POLITIS-network and the broader research community. It is part of the project's policy to include project-related contributions by all project partners and to encourage the discussion of results that are preliminary or limited in scope.

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Abstract

With recent immigration flows to Portugal, the Portuguese State has had to react, not only to the coming of these foreign populations, but also in relation to their integration and participation in Portuguese society. Consequently, since the early part of the 1990's, significant steps have been taken towards setting up policies and institutional instruments that encourage the civic participation of immigrants, not only at the national level, but at the local level as well. These two points considered, the aims of this paper are two-fold: first, to provide insight into the complex relations between ethnic mobilisation and the set of legal and institutional frameworks developed by local and national government authorities targeted towards the incorporation of minority groups; and second, to analyse the opportunities made available to immigrant representing organisations and the lobbying tactics adapted by these institutions when it comes to decision-making and policy issues. In relation to institutional settings, two different governmental levels will be looked at: the state level and the local or municipal level. At the State level, the High Commissioner for Migration and Ethnic Minorities and the interrelated initiatives operating under the specific regulatory frameworks of this organisation will be looked at. At the local level, analysis will concentrate on a number of municipalities that have created consultative councils and municipal departments aiming at encouraging the participation and representation of interests from immigrant groups and associations in local politics.

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1. Introduction

With recent immigration flows to Portugal, the Portuguese State has had to react, not only to the coming of these foreign populations, but also in relation to their integration and participation in Portuguese society. Consequently, since the early part of the 1990's, significant steps have been taken towards setting up policies and institutional instruments that encourage the civic participation of immigrants, not only at the national level, but at the local level as well. In addition, the settlement of immigrant communities in Portugal has led to these foreign groups having taken important steps towards collective mobilisation, primarily in the form of setting up associations. These two points considered, the aims of my paper are two-fold: first, to provide insight into the complex relations between immigrant mobilisation opportunities and the set of legal and institutional frameworks developed by local and national government authorities targeted towards the incorporation of minority groups; and second, to analyse the opportunities made available to immigrant representing organisations and the lobbying tactics adapted by these institutions when it comes to decision-making and policy issues.

In relation to institutional settings, two different governmental levels will be looked at: the State level and the local or municipal level. At the State level, the High Commissioner for Migration and Ethnic Minorities and the interrelated initiatives operating under the specific regulatory frameworks of this organisation will be looked at. At the local level, analysis will concentrate on municipalities that have created municipal offices or departments and consultative councils aiming at encouraging the participation and representation of interests from immigrant groups and associations in local politics. In addition to these two spheres, the third level to be considered is that of the civil society sphere – consisting of immigrant associations and other organisations (i.e. NGO's, anti-racist organisations, labour unions, Catholic Church organisations, etc.) that aim their activities at foreign communities.

The analysis is based on a comprehensive review of studies about civic participation of immigrants in Portugal and my own investigations concerning the inner-workings of three Portuguese consultative councils: the nationally based Consultative Council for Immigrant Issues, the city of Lisbon's Municipal Council of Immigrant and Ethnic Minority Communities and the Porto municipality's Communities Municipal Council, as well as the lobbying options immigrant associations have opted for when pressuring local and national governments.

2. Immigrant representation, the nation-state and political opportunity structures

In order to satisfy the collective needs of their members, and with the goal of achieving the objectives set out, collective immigrant associations can convey their actions and demands in various manners, namely:

- negotiating with the various government levels (local, regional and national, etc.) with the goal of creating measures that will protect and promote the legal

rights of migrants (primarily in relation to health, housing, employment, education and judicial matters);

- collaborating with administrative organisms and social assistance institutions such as local councils, schools and other public institutions;

- articulating with other receiving country organisations (i.e. labour unions, political parties, religious institutions or other civil society organisms);

- participating in consultative bodies designed to represent collective interests;

- and lastly, utilising confrontational means (i.e. demonstrations, strikes, etc.) (Miller, 1989; Albuquerque *et al*, 2000).[1]

Concerning the receiving country governments, these will often not remain passive towards the collective interests of immigrants. Although they will habitually support the goals of immigrant collective representative bodies, they often will also seek to supervise and police the activities of these representative groups. Governments of receiving countries will often then set the boundaries within which immigrant representing organisations can operate. This implies that political and institutional opportunities in the host societies strongly influence immigrant organisations, resulting in these organisations being dependent on the political opportunities offered by the nation-states. Soysal (1994) defends this same argument, emphasising that it is important to note how participatory institutions often pattern the political organisation of immigrant groups. Soysal (1994: 86) points out that migrant organisations:

> "…define their goals, strategies, functions and level of operation in relation to the existing policies and resources of the host state. They advance demands and set agendas vis-à-vis state policy and discourses in order to seize institutional opportunities and further their claims. In this sense, the expression and organisation of migrant collective identity are formed by the institutionalised forms of the state's incorporation regime".

Patrick Ireland (1994) advocates a very similar approach. Ireland (1994: 248) explains that *"immigrants develop participatory forms that reflect the political opportunity structures they face"*. Furthermore, this author states (1994: 259) that *"urban regimes present different templates for interest organisations (which) mould movements' political tactics and groups' collective identities and shape the terms in which they understand and couch their demands"*.

In recent literature on immigrant social movements and collective organisations, it is assumed that organised groups will have a better chance to develop and to gain entrance to the political decision-making process, if the political system provides a sufficient number of opportunities to do so (Geddes, 2000; Hooghe, 2005). This line of thinking brought about the concept of 'political opportunity structure'. Political opportunities can be described as the degree to which powerful groups, including governments, are

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[1] Although the articulation between the associations and the public institutions is of particular importance; one cannot avoid highlighting the importance of the alliances that are created between associations, with the outcome often being the creation of umbrella organisations or federations. These alliances are often created with the goal of uniting resources, with the intuition of battling the same causes, as well as to collectively negotiate with the institutions of the host society.

susceptible or sympathetic to the new demands made by groups that hold a marginal position in the political system. The model envisages that the level of organisations will strongly depend on the arrangement of political institutions and the configuration of political power in a given society (Koopman and Statham, 2000; Schrover and Vermeulen, 2005).

The governments of receiving countries, or more concretely, their policies, may stimulate, condone or forbid the development of immigrant associations or their activities (Soysal, 1994; Schrover and Vermeulen, 2005). In countries where migrants are viewed as temporary residents, immigrants are regarded as foreign nationals and the state restricts its integrating role to the basic legal procedures. Organisational activities of immigrants, in this case, may be regarded as undesirable or even menacing, and will likely be prohibited or strongly constrained. On the contrary, in countries considered to be immigrant societies, immigrants are seen as new citizens. In these countries, government policies focus on making quick use of the immigrants' potential and to stimulate integration. In these countries, immigrant associations and activities will be regarded as helpful in the process of integration; therefore financial support and access to resources are state-provided as are informal channels of participation for the immigrant population.

In relation to the incorporation of immigrant organisations in host societies, Soysal's (1994: 86-118) 'regimes of incorporation' (corporatist, individualist and statist state-centralized and mixed statist-corporatist) identifies where immigrant associations stand in relation to the host societies. Migrants' organisational forms, goals, political tactics and strategies, as well as levels of integration and participation in the host society, reflect the nature of states' incorporation policies. The differential incorporation of immigrant associations under Soysal's regimes draw upon and are conditioned by quite differing national regimes – comprised of interwoven institutional repertoires and resources, as well as predominant models and organising principles of membership. Accordingly these regimes can be described in the following manner:

1) Corporatist regimes (Sweden and the Netherlands) assume that the integration of immigrants into the host society will be better accomplished through their own associations. Immigrant organizations are consolidated by the central government and government policies are aimed at supporting the immigrants' associations. Under this regime, the political participation and representation of the associations is also encouraged, thus the functional tasks assumed by the organisations are namely interest representation and policy formulation, with the goal of promoting rights and ethnic constituency status.

2) Under individual or liberal regimes (United Kingdom and Switzerland), the process of incorporation sees the individual as being central and not the organisations that represent them. Immigrants' associations are not promoted by the state and no connections exist between the state and the immigrants' organizations. The associations, in this case, function mainly as social service and advisory organisations, rather than as interest or advocacy groups, and thus carry out tasks not performed by the central political powers.

3) Lastly, statist regimes [including mixed statist-corporatist regimes (Germany) and state-centralized regimes (France)], similar to liberal regimes, also do not support collective ethnic identity and organisation. What distinguishes statist regimes from liberal is the fact that the state does provide some financial support to migrant organisations; however there is no systematic representation of, or consultation with immigrant groups, such that it would promote a unified organisational structure. Within a centralised political structure, the immigrants control their own actions with the aim of pressuring the state. Their activities are aimed at public authorities, not to gain recognition, but instead to redefine and re-establish political categories at the national level. Additionally, in relation to state-centralized regimes the mention of ethnic categories is to a large extent absent from state policies, which refuse to recognise collective identities. The preoccupation with citizenship and nationality that shapes the predominant discourse undermines ethnic politics which are primarily determined at the national level.

With the aim of being more precise in the evaluation of migrant lobbying activity, Geddes (2000: 137-148) also delineates three potential avenues for representation of migrants' interests which the author labels as: 'technocratic' (government commissions that possess powers of proposal and implementation), 'democratic' (parliamentary or council groups which possess powers of consultation on policy development) and 'interest-based' (pro-migration lobby groups at the national, regional or local levels).

Beyond Soysal's and Geddes' differentiation of institutional and participatory forms between nation-states, policy frameworks at various political contexts – national, regional, municipal or at the neighbourhood level – have also mobilised migrants across Europe. Within and among differing nation-states, variation of such forms is exemplified by Rex and Samad's (1996) comparison of Birmingham and Bradford in the United Kingdom; Blommaert and Martiniello's (1996) study of Antwerp and Liège in Belgium; Ireland's (1994) study concerning La Courneuve and Roubaix in France and La Chaux-de-Fonds in Switzerland; as well as Bousetta's work (1997) on Moroccans in Lille in France and Utrecht in the Netherlands. These cases demonstrate ways in which various urban institutional regimes provide distinct institutional opportunities, or in other words, forms of 'institutional channelling' (Ireland, 1994; Geddes, 2000) that permit the shaping of political tactics as well as the collective identities and demands of immigrant groups.

According to Vertovec (1999) perhaps the most common institution made available to immigrant associations are the consultative bodies established to create forms of liaison between local governments and immigrant communities. Although these organisms do provide a platform of participation, it is commonly argued that they do not offer full democratic participation rights. Uwe Anderson (1990: 113) is an advocate of such an argument, defending that although access to consultative bodies is similar to providing voting rights in the sense that immigrants can elect representatives to a formally constituted body which then allows them to press their views on policy makers, consultative institutions are not part of the normal democratic process, and while they

have some legitimacy, they have no power – only influence through argument and the size of their constituent groups.

Basing his analysis on a study of consultative institutions in seven European countries Anderson (1990: 119-120) points out that these institutions are often established with a very different *raison d'être*. Authorities may have set up such institutions for various reasons, namely as an alternative to voting rights, as a channel for immigrants' and ethnic minorities' opinions, as a kind of educational step towards eventual full participation, as a symbolic gesture to encourage racial harmony and combat discrimination, or to avoid alienation and resentment, or simply because it is part of that country's political culture (Anderson, 1990; Vertovec, 1999).

Other authors have also expressed criticisms towards immigrant consultative bodies. Rex and Samad (1996: 28), for example, claim that such institutions may be allowed to exist purely for the benefit of 'paternalistic white councils' utilised as an instrument of control over the minority populations, while Bjorklund (1986) argues that by co-opting ethnic leaders into state-sponsored structures, these leaders are made co-responsible for administrating state policies when in reality their role often does not go beyond an advisory position. In Ralph Grillo's (1985) observations concerning consultative bodies in Lyon, the author describes the centralising control of the French state, along with the local 'power elite' (the Church, business individuals, senior politicians, etc.) in shaping the agendas of consultative bodies, leaving immigrant communities and ethnic minorities with very little room to negotiate. This determinacy was due to the organisational nature of the consultative bodies themselves, which were either branches of the state, state-created private associations, state-financed private associations or private associations in which the prefecture was included in their governing bodies.

As well, although immigrant community representatives on consultative bodies are regularly drawn from immigrant associations, often the question of who is chosen to represent this segment of the population, in other words, who is assigned the role of 'ethnic broker' (Werbner, 1991) between the immigrant community and the powers-that-be, arises (Vertovec, 1996; 1999). Should consultative body representatives be self-selected as presidents of voluntary associations; elected from within associations, or within the ethnic minority communities; nominated by local government, or civil social organisations; or perhaps should they be co-opted by agents of political power outside or inside the so-called 'community' (Vertovec, 1999). Also, to what extent are the group's views being adequately voiced or responded to given the selection process of the immigrant community representative, especially if he/she is chosen by nomination or co-opting[2]

There are, then, various ways in which nation-states can influence, as well as possess strategic powers of control over immigrant representing associations. As discussed, co-opting minority movements and their leaderships and building them into state strategies of surveillance and control, is one such way (Castles and Davidson, 2000). However, governments may also possess control over immigrant collective movements by

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[2]   For further discussion on this topic, see Cyrus *et al.* (2006: 20-22).

providing or withholding resources from them. For example, migrant institutions are regularly offered government funding to provide services to their community. This often leads to subsidy-dependency on the part of the immigrant organisations for often public moneys are the only sources of funding available to the organisations. This being the case, governments can not only manage association movements by giving or withdrawing subsidies, they can also control the motives and activities and even the survival of the associations, as well as the demands made by the organisations, for if they are not in accordance with those of the governing institutions, their survival may be imminent, if economic resources are discontinued.

Immigrant organisations therefore need to consider whether they can achieve more through mobilisation outside the normal political structure instead of opting for inclusion in them. Dryzek (1996) argues that immigrant movements often tend to lose out through cooption, and that state inclusion only brings benefits when immigrant minority demands only correspond to some extent with basic state essentials. In Dryzek's view, immigrant associations would do better to further their goals through mobilisation in civil society, arguing that self-organisation in civil society may extract reforms and concessions from democratic states more effectively than direct participation in state organs.

A complicated relationship thus exists between nation-state interference and the maintenance of immigrant associations. Acceptance of financial support can have a positive effect on the organisational structure of the immigrant community in the way that they can strengthen their position. Moreover, conditions attached to the offer of financial support may take the wind from under the wings of immigrant organisations (Bloemraad, 2005). This may be the case if support is only given on the condition that organisations refrain from political activities. In that case, as explained by Schrover and Vermeulen (2005: 830), *"organisational activity will pacify active political activity"*, in addition to the fact that organisational structures and the functionalities of the associations will be affected under the 'controlling hands of government'.

3.   Politicising immigration and immigrant participation in Portugal

With the in-flows of migrants in recent years, the Portuguese State has not only had to react to the unannounced arrival of these individuals, but to their long-term settlement as well. The goal of this section is to discuss the political steps and to identify the institutional frameworks that have been set-up encourage immigrants' civic participation at the state, local and civil society level.

3.1. State-based integration policies and institutional settings

Up until the early part of the 1990's, immigration policies and institutional settings aimed at assisting with integration in Portugal were fragmented and almost non-existent. Immigration – understood, at the time, as a relatively continuous entry of foreigners in response to factors such as the needs of the internal labour market – was

clearly a low-priority policy issue (Fonseca *et al.*, 2002b: 44). Foreign groups were hardly visible and, in most cases, their socio-economic status enabled them to solve their own problems in terms of employment, housing or access to education and health. Additionally, the integration and participation of immigrants were seen as unimportant issues in the receiving country. As noted by Machado (1992: 132), the Portuguese State had had, up to that point, a non-interventionist attitude towards immigrants and ethnic minorities due to social and political problems being of little relevance.

However, two sets of factors – one external, the other internal – brought about the emergence of immigrant integration as a relevant issue in Portuguese politics. First, from an external perspective, Portugal's positioning as a full member of EU influenced the actions of the Portuguese authorities. The start of the 1990's brought a new era of European border control – as expressed in the idea of Fortress Europe – which had, as its main intention, the restriction of immigration flows and combating illegal migration. Portugal's adherence to the Schengen Agreement forced the Portuguese government to tighten control over the entry, presence and exit of third-country nationals in Portuguese territory. At the same time, the EU had, as a primary goal, the promotion of immigrant integration policies, assuming that a better integration of those immigrant communities already present would be better accomplished by tightening the entry for new incoming migrants.

From an internal perspective, the Portuguese State was confronted with a number of issues associated with the presence and integration of foreign residents, including (Rocha-Trindade, 1995; Fonseca, 1998; Fonseca *et al.*, 2002b):

1) the significant numerical growth of the foreign population, primarily during the second half of the 1980's, most of whom originated from the PALOP[3] countries;

2) the increasing number of foreigners who remained in the country without proper legal authorisation;

3) instability brought about by the social marginalisation (poverty, poor housing conditions, clandestine labour) in which many immigrants now found themselves;

4) growing inter-racial tensions, as well as racist and xenophobic manifestations;

5) the emergence of organisations (namely immigrants' associations, NGOs and political parties) aimed at promoting immigrant rights and lobbying government and civil society for a more pro-active attitude towards foreign populations (Machado, 1993).

For the first time, immigrant concerns enter the political arena as immigrant associations start turning to political lobbying in order to enlarge the citizenship rights of their communities. As well, the gap between immigrants' expectations and the hostile reception of Portuguese society, are crucial conditions for the progressive reinforcement

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[3] The PALOP countries are: Angola, Cape Verde, Guinea Bissau, Mozambique, and São Tomé and Príncipe, the former Portuguese colonies in Africa.

of the immigrant association movements, as the radicalisation of the associative discourse, in accusing the government of institutional racism, and the investment on political claiming, are counter-attacks against a more and more restrictive immigration policy which does not foster measures to tackle the roots of discrimination (Teixeira and Albuquerque, 2005). The immigrant representing organisations thus start to openly confront the State with one overarching demand: the regularisation of illegal immigrants, considered to be the first step to overcoming a complex cycle of exclusion.

As a result, and in complying with EU frameworks addressing the human and social issues brought by irregular immigration status, the Portuguese State organises the first special period of regularisation of undocumented immigrants from October 13th of 1992 to March 5th of 1993 (Decree-Law 212/92 of October 12th, 1992). Due to the ever-growing presence of immigrant associations on the political scene, the State constitutes these organisations?, as well as other civil society institutions (i.e. labour unions), as partners in the regularisation processes. This is done under the creation of the Coordinating Secretariat for Legalisation Action (*Secretariado Coordenador das Acções de Legalização* – SCAL), an advisory body under the mediation of the Catholic Church organisation Catholic Missions for Migration (*Obra Católica para as Migrações* – OCM)[4]. Beyond this first special period of legalisation, SCAL would go on to coordinate a second special period between March 31st and December 11th of 1996 (Law 17/96 of May 24th, 1996).

Going hand-and-hand with the creation of SCAL, the institutionalisation of dialogue between the government and the immigrant representing associations also makes itself present in parliamentary sessions, as for the first time, an immigrant community representative – Fernando Ká, president of the Guinean Social Solidarity Association (Associação Guineense de Solidariedade Social) – enters the political ring in 1991. He is then followed by the former president the Capeverdean Association (Associação Caboverdeana), Celeste Correia in 1995 and 1999.

Building on the integration aims initiated until this point and with the aim of bringing further awareness to the issues of immigrants and ethnic minorities, the government creates in November of 1995 (restructured in 2003 in order to extend its initial roles), a specific government body to handle these matters – the High Commission for Immigrant and Ethnic Minorities (*Alto Comissário para a Imigração e Minorias Étnicas* – ACIME) (Decree-Law 3-A/96 of January 26th, 1996). The primary aim of ACIME is:

1) to promote the integration of immigrants and ethnic minorities in Portugal,

2) to co-ordinate the participation and collaboration of the different representatives of immigrants' interests – namely, NGO's, immigrant associations, municipalities, various government bodies and other civil society organisations

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[4] OCM is a branch of the Catholic Church in Portugal created in the early part of the 1960's to assist the problems of Portuguese emigrants abroad. Although this population is still their concern, since the 1980's the organisation has also taken on the task of assisting immigrant communities and ethnic minorities in Portugal, providing social, legal and spiritual help.

– in determining the policies promoting social integration and eradicating social exclusion,

3) to oversee the application of legal tools aimed at preventing discrimination and eliminating xenophobia, and

4) to collaborate with various public offices, namely the Foreigners and Borders Service[5], in the control and surveillance of immigration flows in Portugal, and to suggest and promote policies that aim at supporting immigrants and ethnic minorities (Albuquerque *et al.*, 2000; Teixeira and Albuquerque, 2005; Santos, 2004).

One of the ideas behind ACIME is thus to assure the participation of immigrant communities through their associations, permitting them to become social and institutional partners in delineating integration policies and in combating exclusion. While ACIME is the political mediator between the government and the immigrant associations, immigrant associations are the mediators between public administration offices and the diverse immigrant groups (Albuquerque *et al.*, 2000). In order for this to be further accomplished, ACIME created in 1998 a semi-autonomous council known as the Consultative Council for Immigrant Issues (*Conselho Consultivo para os Assuntos da Imigração* – COCAI) (Decree-Law 39/98 of February 27th, 1998). In total, 26 individuals make up the COCAI, including: representatives of immigrant associations (five representatives of the Portuguese-speaking immigrant communities and three representatives from the three largest non Portuguese-speaking immigrant communities[6]), two representatives of institutions that work with immigrants, two labour union representatives, two business association representatives, two Catholic Church institution representatives, two honorary members of merit and eight representatives of various regional and national government bodies.

Legislation passed in 1999 (Law 115/99 of August 3rd, regulated by Decree-Law 75/2000 of May 9th) requires that immigrant associations to be legally recognised by ACIME under the advisement of COCAI. Such recognition must first be granted before any association representative is to have the right to participate in the council. This formal acknowledgment requires, first and foremost, several formalities on the part of the associations (elected social bodies, published statutes, registration in the National Registry of Collective Bodies and having as their primary goal the promotion of immigrant rights)[7]. Once these requirements are met and an association is recognised as

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[5]   The Foreigners and Borders Service is a State organism, under the orientation of the Ministry of Interior Administration, that works from various perspectives: 1) managing immigration flows; 2) implementing immigration policies,; 3) combating illegal migration and criminal activity related to human trafficking (i.e. falsification of documents, mafias, etc.); 4) managing and controlling boarders, 5) dealing with refuge and asylum seekers; 6) documentation and document renovation.

[6]   As of December 2005, the five Portuguese-speaking country representatives were from Angola, Cape Verde, Guinea Bissau, São Tomé e Principe and Brazil, while the three largest non Portuguese-speaking immigrant community representatives were from China, Romania and a representative of Eastern European (representing Ukraine, Russia and Moldavia).

[7]   As of March 2006, 96 associations had been recognised by ACIME.

legitimate representative of the immigrant group, that association is entitled to participate in 1) the definition of immigration policy, 2) the regulatory processes concerning migration, 3) the consultative councils and other organisations, and 4) the public process assigning broadcasting time on public television and radio, among others.

If the associations are not recognised by ACIME, however, as stipulated in Law 115/99 of August 3rd and Decree-Law 75/2000 of May 9th, they still possess a number of rights equal to those associations that are given 'recognition of representation, namely: the right to access information and documents that permit the accompaniment of immigration regulatory processes, to intervene publicly as representatives of immigrant rights, to participate in the definition and execution of local-level migration policies, and to benefit from technical and financial support from the State[8].

This considered, taking these similar rights into consideration, indifferent of recognition or not, the aim of approving the legal regime of immigrant associations is to provide exceptional participation rights to the associations; a way to provide greater visibility of these organisations as political partners and legitimate representatives of the interests of immigrant groups in the public arena.

Beyond the utilisation of COCAI, in order to have concerns and recommendations reach the powers-that-be, immigrant associations along with other host-society organisations have also consolidated their ties, organising inter-organisational lobby groups with the intent of pressuring the State. As Teixeira and Albuquerque (2005) defend, the existence of inter-organisational platforms in the immigrant associative movement is a signal of a higher level of organisation and structure, facilitating the associations' roles as political interlocutors and representatives of the immigrant groups vis-a-vis the political powers. Thus, SCAL can be considered the first inter-organisational structure of this kind in Portugal; however, it was dissolved after the second special legalisation process.

More recently, other examples have surfaced. For example, in 2002, under the coordination of the Brazilian association the House of Brazil of Lisbon (*Casa do Brasil de Lisboa*), the Coordinating Secretariat of Immigrant Associations (*Secretariado Coordenador das Associações de Imigrantes* – SCAI) was formed with the goal of uniting and empowering immigrant associations and with the aim of lobbying governments. This attempt by the associations to organise themselves, however, would see itself demise less then one year later due to lack of interest and coordination difficulties.

The Platform of Immigrant Organisations for Regularisation and Integration (*Plataforma de Organizações de Imigrantes pela Regularização e Integração*), created in 2005, was the latest attempt at bringing together various immigrant, anti-racist and

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[8]   Financial candidacy is done through the Immigrant and Ethnic Minority Association Technical Support Office (GATAIME). According to the ACIME activities report, 2002 to 2005, from July 2002 to February 2005, 88 financial requests were granted (43 of which were one-off, while the remaining 45 were annual) to 44 immigrant associations, adding up to a total sum of 962 million euros being distributed (ACIME, 2005a).

human rights associations, labour unions, religious organisations, social movements and civil society organisations. Under this umbrella organisation the associations, in conjunction with the other civil society organisations (e.g. labour unions, human rights movements and anti-racist organisations) lobbied government, demanding changes to four lines of immigration policy: 1) legalisation of all undocumented immigrants; 2) altering the Nationality Law (from *jus sanguinis* to *jus soli*); 3) calling for social integration policies; and 4) alterations to the current legal immigration framework. The current amendments being made to the Portuguese Nationality Law could be seen as one positive result brought about by the pressuring and lobbying tactics of these inter-organisational structures and their collective schemes. However, in analysing the activities of the Platform of Immigrant Organisations for Regularisation and Integration, it seems that the institutions involved prepared themselves for a one-off protest march which took place on the 20th of March of 2005, having since that time not mobilised themselves for any further lobbying activities.

The 'First National Forum of Immigrant Representative Structures' held on the 7th and 8th of April of 2006, on the island of São Miguel, Azores brought together 64 immigrant associations to discuss recommended changes to immigration and immigrant integration policy. The result was that of the *Azores Agenda*, a document that recommends policy changes to four different intervention realms dealing with immigration and labour market, immigrant associations, local and regional level changes (i.e. improved relations between associations and local level political organisms, changes to housing and re-housing policies), and lastly, the Nationality Law. It is the intention of the Forum to host an annual meeting to discuss strategies and recommend changes. Also, having grown out of the Azores meeting has been the creation of another platform group know as the Platform of Representative Structures of Immigrant Communities in Portugal (PERCIP), created in September of 2006.

Lastly, to fortify lobbying tactics, umbrella organisations created on the basis of a shared ethnicity have been created to lobby governments with the aim of better integrating and bettering the living conditions of their respective groups. Such has been the case of the Federation of Capeverdean Associations in Portugal (*Federação das Associações Caboverdianas em Portugal*) and the Federation of Angolan Associations and Friends of Angola (*Federação de Associações Angolanas e Amigos de Angola*). The aim behind the unification of the various associations under an ethnic banner lies in the goal of bringing together resources and knowledge in order to be able to fortify the demands made by the respective groups.

3.2. Municipal institutional settings and initiatives

Relationships between the local authorities and immigrant representing associations will differ according to the municipalities' attitude and openness. Fonseca and her colleagues (2002a), for example, outline four types of relations:

1) *Pro-active municipalities* – the municipalities that have the most active attitude and that encourage participation on the part of immigrant associations;

2) *Reactive municipalities* – the municipalities that welcome participation, albeit, it is usually the immigrant associations that initiate contact with the local authorities;

3) *Non-preponderant municipalities* – the municipalities that set up an interactive relationship in which the associations and the local authorities consult each other;

4) *Occasional municipalities* – contacts between the municipalities and the associations are rare with neither one being very active.

Worth noting is the fact that these differences, in terms of procedures, are not only due to the willingness and capacity of the local governments, but also to the actual number, strength and leadership capacity of the immigrant associations. In the municipalities in which there is thriving associative movement, the local authorities have trust in the associations and enable them to play a more active role in the in decision-making processes. However, some local authorities do not want associations as equal and constant partners, preferring to submit an invitation to participate as partners, following an exchange of ideas and opinions about the initiatives set out. Yet other municipalities prefer to keep contacts between the two parts of a sporadic nature.

Despite their limited policy obligations towards immigrants and ethnic minorities, Portuguese municipalities have developed their own sets of initiatives aimed directly or indirectly at the immigrant population (Silva, 1999). This has particularly been the case with the municipalities of the Lisbon Metropolitan Area (LMA)[9]; the first to undertake such initiatives due to the fact that these have historically been municipalities possessing greater ethnic minority concentrations and where social and ethnic tensions have been more pronounced (Silva, 1999; Malheiros, 2000).

The main actions carried out by local municipalities or parishes[10], are often geared towards bettering the living conditions of the local populations. Drawing on data from a study of measures and actions implemented by 13 local municipalities of the LMA, carried out by Fonseca *et al.* (2002a), it is revealed that policies are aimed primarily at issues dealing with *housing, education* and *social service provision*.

In relation to the housing issue, the limitations of the market along with the social and relational ties created among ethnic community members led numerous immigrants to settle in shantytown neighbourhoods throughout the 1980's. In the early 1990's, with the hope of bringing about changes to the housing situation and solving the problem of these shanty quarters, a series of initiatives was launched by various civil society institutions (opposition parties, NGO's, the Catholic Church). Following the initiatives of these social movements, as well as that of the National Programme Against Poverty –

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[9] The Metropolitan Area of Lisbon is made up of 18 municipalities located on both banks of the Tejo River; ten on the north bank (Amadora, Cascais, Lisbon, Loures, Mafra, Odivelas, Oeiras, Sintra and Vila Franca de Xira) and nine on the south bank (Alcochete, Almada, Barreiro, Moita, Montijo, Palmela, Seixal, Sesimbra and Setúbal).

[10] The parish (*freguesia*) is a second tier of government at the municipal level in Portugal.

underway since 1991 – the government, in 1993, launched a programme known as the Special Re-housing Programme (*Programa Especial de Realojamento* – PER) aimed at re-housing all the people (irrespective of their nationality) who lived in shantytowns in the municipalities located in the Lisbon and Porto Metropolitan Areas (Decree-Law 163/93 of May 7th, 1993). This PER programme was expanded on three years later with an upgraded version known as PER Families (Decree-Law 79/96 of June 20th, 1996). With the ultimate goal of eradicating all the shantytowns in the two metropolitan areas by 2001 [11], the PER programmes established partnerships between the central administration and various municipalities. In some cases, NGO's were also included under the condition that they proved capable of promoting the creation and/or construction of housing (Guerra, 1997/98; Fonseca *et al.*, 2002b: 47-48). Although the programme was not exclusively designed for the foreign population, it did reach many underprivileged immigrants and ethnic minorities, especially those originating from the PALOP countries, living in highly segregated shantytown neighbourhoods.

Identical to the PER programmes, EU's URBAN programme – which has as its main objective immigrant and ethnic minority community development and social and employment inclusion through the creation of local-level education and training programmes – calls for a coordinated approach between local authorities and immigrant bodies (Gomes, 1999). In the case of specific neighbourhoods, where there is an over-representation of immigrants and ethnic minorities, various municipalities in the LMA have undertaken and financed specific integration measures under the URBAN flagship (Fonseca *et al.*, 2002a; Fonseca *et al.*, 2002b). The majority of these initiatives, namely in the areas of social support and education, have been developed in order to eradicate or minimise social, economic and cultural exclusion, as well as to prevent situations of marginality and segregation. Also in relation to education and training, local governments and schools work with the Entreculturas Secretariat's Intercultural Education Programme, with the aim of promoting multicultural education and combating racism in schools. Various projects of this nature are primarily carried out in the municipalities where schools are multiculturally diverse.

In the field of social care, worthy of note are the social measures such as day-care and pre-school centres, recreation and workshop facilities for the youth population and senior citizen day centres. As well, various municipalities, within the ambit of the INTEGRAR (Inclusion) initiative[12] and the EQUAL Programme[13], have put into action specific social initiatives such as leisure spaces and centres, often done so in

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[11]   To this date, of the 32 municipalities that constitute the LMA and the PMA, only four have completed the PER programme (Instituto Nacional de Habitação, 2005, cited in the article "Programa de Realojamento está por concluir 13 anos depois", *Dinheiro Digital*, February 1st, 2006).

[12]   Subsidised by the European Social Fund, the INTEGRAR initiative has as its main goals the bettering of professional integration conditions, promoting entrepreneurship and reinforcing equal opportunity policies for immigrants and ethnic communities.

[13]   Co-financed by the European Social Fund, the EQUAL Programme develops initiatives in the area of employment, development and human resources. Its primary beneficiaries are those who suffer discrimination or unequal treatment, be it based on race, ethnic origin, religion, deficiency, sexual orientation or age.

collaboration with immigrant associations, NGO's and State institutions (Silva, 1999), and which entail projects primarily aimed at the second and third-generation immigrant descendents.

It is above all in these fields of intervention and in collaboration with local and national institutions, that immigrant representing associations are consulted and invited to participate in the implementation and management of such projects. Being that the associations are often 'the experts' when it comes to the immigrant communities, local municipalities and parishes will search them out in order to have them help with service delivery. As well, for the local authorities, the associations can play a pivotal role in conveying information to the immigrant population, thus serving as a link between the powers-that-be and the immigrant populations. On the other hand, partnership agreements between the municipalities and immigrant organisations can also be of great benefit to the associations in the sense that the municipalities can be a support unit, providing financial resources and material goods that will permit their own social projects to be carried out, this in addition to local governments providing physical spaces for the associations to set up clubhouses or headquarters. Thus, a mutual dependency frequently exists between the associations and the municipalities.

Nonetheless, local authorities also established a number of municipal organisms to carry out initiatives aimed at the local immigrant and ethnic minority population,. These local-level initiatives aim at the integration and higher involvement of immigrants in local structures and in the life of the municipality. In defining these organisms, two different structures are identified:

1) *support offices or departments* specifically address matters concerning ethnic and immigrant groups, providing information and support to the local immigrant populations and working with the associations that represent them;

2) *municipal councils* aim to involve the biggest? immigration groups in local policies related to immigrants' social integration, defence of immigrant rights, as well as racism and xenophobic prevention, providing them with a forum where they can voice their opinions and recommend changes.

The first municipal support office was set up by the municipality of Loures 1993. This LMA municipality that neighbours the City of Lisbon, founded the Office for Religious and Social Issues (*Gabinete de Assuntos Religiosos e Sociais Específicos* – GARSE) with the aim of facilitating communication between immigrant communities and local offices, and to offer technical and logistic support for immigrant initiatives. During the same year, the Municipal Council of Immigrant and Ethnic Minority Communities (*Conselho Municipal das Comunidades Imigrantes e das Minorias Étnicas* – CMCIME) was developed within the Department of Social Action in the municipality of Lisbon, with the aim of involving immigrant groups in policy-making decisions on issues related to immigrant social integration, citizenship rights, racism and xenophobia, among others.

These two structures inspired other LMA municipalities to develop similar organisms and thus by the second half of the 1990's, the municipalities of Amadora and Seixal

followed suit with their own local immigrant structures. Amadora followed the example of Lisbon, creating its own Municipal Council for Ethnic and Immigrant Communities (*Conselho Municipal das Comunidades Étnicas e Imigrantes* – CMCEI) in 1995, while in 1997, the municipality of Seixal instituted the Cooperation Office (*Gabinete de Cooperação*) with the aim of coordinating working relations with the immigrant population resident in that town.

The turn of the century, however, brought with it a boom in the creation of these municipal organisms as a result of growing immigrant populations now extending to other regions outside of the LMA. Some of the newer and most active institutions include: the Municipality of Santarém's Immigrants and Ethnic Minorities Support Office (*Gabinete de Apoio ao Imigrante e Minorias Étnicas*) established in 2002; Setúbal, Ethnicities and Imigration Office (*Setúbal, Etnias e Imigração* – SEI) set up within the Social Inclusion Division of Setúbal City Hall in 2004; and the Communities Municipal Council of Porto (*Conselho Municipal das Comunidades do Porto* - CMCP) established within the City of Porto's Social Development Foundation (Foundação para o Desenvolvimento Social) in 2005, just to name a few.

Local-level relations between immigrant associations and the local power authorities are in most cases more common then those at the national level, because most immigrant associations are locally based and the fact that many of the issues and problems are to be taken up with local authorities. Both support offices and municipal councils are thus important when it comes to immigrant communities/political authority relations. However, when it comes to political participation and legitimate representation of the interests of immigrant groups at the local level, very few outlets exist that allow immigrants to participate in the formal structuring of policies that relate to them.

In total, three local immigrant municipal councils are accounted for (as named above), however only one (the Communities Municipal Council of Porto) currently functions on a regular basis. In relation to Amadora's Municipal Council for Ethnic and Immigrant Communities although not formally defunct as of yet, this council has not been active for nearly half-a-decade, while in a similar fashion, Lisbon's Municipal Council of Immigrant and Ethnic Minority Communities has also been less active due to lack of consensus and disorganisation on the part of both the municipal leaders as well as the associations[14]. Thus these two councils find themselves paralysed.

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[14] In an interview with the coordinator of Lisbon's Municipal Council for Ethnic and Immigrant Communities, the body's leader explains the down fall of the council in the following manner: *…the problem is I can't sit at a table and discuss things with an association that holds its meetings in a café or at a bench in the park. So what we (the City) agreed on is that we'd first find spaces for the associations, help them get organised, provide conditions and then we'd start dialoguing. I think that's what's most important, and I know this for a fact because I am also director of an association. I do the field work and I know the importance of a physical space for an association. In the past, we'd call the associations for meetings; there'd be food and coffee, tea but conclusions – zero. So now I ask the directors of the associations if this is what's needed. I don't think so. What exists here is a clash of objectives and interests between City Hall and the immigrant associations. I am not in favour of holding meetings where objectives are not defined and conclusions are not reached* (interview, Lisbon's Municipal Council for Ethnic and Immigrant Communities municipal co-

The Communities Municipal Council of the city of Porto, on the other hand, is a newly formed council coming to existence in June of 2005. It is currently the only active local immigrant council in Portugal. It is made up of 13 immigrant associations (no more the two per community permitted), four members of Porto Municipal Council, an ACIME representative, a representative of the Porto Council Association and two citizens of recognised merit designated by the Porto City Council. This council meets regularly every six months and extraordinarily whenever called for by the Council president or its members. It's objectives are outlined as follows: 1) improving immigrant community integration dynamics and encouraging active participation in the life of the broader community; 2) contributing towards the reunion of interests and the promotion of mutual respect and knowledge of foreign communities and their respective organisations; 3) promoting and encouraging associations and community collective dynamics; 4) promoting the institutional, public and private dialogue between all immigrant representing organisations with the goal of uniting knowledge and resources in the realisation of projects and actions.

The participatory opportunity model foresees that the level of organisation will closely depend on the strength of the structure of political institutions and the configuration of political power within that structure (Schrover and Vermeulen, 2005). Two different degrees of willingness to allow immigrant associations to participate in issues pertinent to their community have been shown in the three above examples. In the Amadora and Lisbon case, the participation of immigrant associations in the consultative councils of those cities is weakened due to organisational weaknesses and lack of coordination and disinterest on both the side of the powers-that-be and the immigrant representing associations. In the case of Porto's municipal council, on the other hand, the aim has been to encourage participation at all levels and to get immigrant associations, involved in dialogue. The importance of the political opportunity structures is thus confirmed, however, due to the embryonic stage this council finds itself at, it is still an open question whether factors specific to immigrant communities will also impact on the functioning of councils[15]. Clearly, the municipality of Porto shows signs of being a *pro-active municipality*, but it will also be interesting to see if it becomes a *non-preponderant* municipality, encouraging strong interactive relationships and the exchange of ideas and information with the associations.

4. Concluding discussion

As it's been debated in this paper, the politicisation of immigration issues in Portugal did not come to the forefront until the first half of the 1990's. It was also during that period that immigrants, through their associations, started to actively participate in

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ordinador, 16.3.05). The associations, on the other hand, consider the council a 'great failure', accusing the CMCIME of ignoring the associations.

[15] In many of the interviewees carried out with associations possessing a seat on the municipality of Porto's Communities Municipal Council took a cautious view in relation to the future of this council, often taking a 'wait and see' attitude.

political issues relevant to them. The Coordinating Secretariat for Legalisation Action was the first organism to be set up with the aim of bridging immigrant communities and the national political powers.

These embryonic steps lead to the creation of ACIME and its Consultative Council for Immigrant Affairs in the second half of the 1990's. Immigrant communities now possess an official forum where concerns and recommendations can be voiced at the national level. As well, through ACIME's legal regime of immigrant associations, the organisations are viewed as political partners and legitimate representatives of the interests of immigrant groups in the public arena. However, as a *statist* regime, according to Soysal's typology, or a *democratic* administration according to Geddes' differentiation of institutional and participatory forms, although Portugal may provide financial and resource assistance to recognised immigrant organisations, their political demands are not systematic. COCAI may provide a platform for debate, however, within government-immigrant partnership, the immigrant associations possess no decision-making powers. Given this scenario, Anderson's (1990: 113) argument that consultative institutions are not part of the normal democratic process, given that they have no command over the implementation of policy – only influence through argument – is confirmed.

Moreover, although consultative councils, such as COCAI, provides immigrants with a platform to voice their collective concerns through the association representatives that compose the organism, similar to Ralph Grilo's (1985) conclusions concerning the immigrant consultative council in the city of Lyon, COCAI also leaves immigrant communities and ethnic minorities with very little room to negotiate, given that immigrant community representatives are eight of 26 participants. Thus it is important to question to which extent community representatives can influence or make a difference when it comes to recommending changes. Also parallel to Grilo's findings, is that fact that the organisational nature of COCAI is state coordinated, made up primarily of individuals representative of state institutions, and even those private immigrant associations are state-financed.

This leads into another field of analyses discussed in this paper – autonomy vs. financial dependency. As was pointed out, associations can compete for technical support and grants through ACIME. The decision-making process of who is granted financial support and who is not is a decision made by the COCAI board. Given this scenario, to what extent will an association that competes for financial subsidies from a government institution (such as ACIME), whose consultative council is primarily made up of what Grilo (1985) would call a 'power elite', be free to express itself against the powers-that-be, and at the same time, compete on equal footing for available financial resources. If the project candidacy is well organised and of merit to the respective communities, and, at the same time, duly separated from the association's critical positions, there is no reason why one action should impede the other. Likewise, it is essential that the grant-providing public institution do away with bureaucratic barriers, inconsistencies and intransparencies in application processes.

Autonomy is thus an issue that should be contemplated by the immigrant associations. The reality of the situation is that in resorting to State goodwill associations will become dependent on that goodwill. Thus it is also important that these organisations develop other forms of resource and financial acquisition that will permit them to maintain their lobbying positions free of what may be government influences.

At the local level, although various organisms have been developed through out Portugal, these have focused on providing assistance to the immigrant communities that reside in the municipalities. When it comes to developing immigrant participation strategies in the form of participation councils, on the other hand, very little has been developed, and what has been carried out has failed. This failure is blamed on the lack of interest and coordination, however, it is also important to consider that lack of pressure on the part of the associations in demanding that these municipal councils maintain active. Being that both the municipal authorities are not capable are coordinating such an organism, while at the same time, the associations do not pressure to have these councils readily available in order to be able to express their concerns, one must questions to which extent the immigrant communities really want to participate in matters that concern them.

Conclusively, the diversity of institutions that operate in the field – from national to local governments to immigrant associations to other civil society organisations – has come to reflect the diversity of Portuguese society itself, which is not always in agreement – in fact quite the contrary, often in confliction and uncooperative. It is thus not surprising that there are difficulties in reaching a compromise. However, beyond the obstacles, the evolution of immigrant communities depends on the dialogue between the various actors involved in the integration processes of foreign populations in Portugal. The capacity of immigrant associations to maintain a balance between the demands of the communities they represent and those of the political institutions depends on their openness to dialogue, on mutual support and on the strength of coordination. Only through a cooperative investment of this nature will the immigrant organisations, civil society institutions and political organisms work together on mutual causes with the goal of reach a consensus on issues that above all concern immigrants. This considered, it is thus imperative that the State maintains an openness to dialogue with its partners and take note of demands being made – often crucial to the well-being of immigrants.

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