

The institutional discourses and the policies of immigration in Portugal

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Take into account the following assertions:

- Political structures as opportunities to stimulate or hinder the participation of immigrants (Koopmans, 2004);
- The role of the institutional and political opportunities of the host countries as a strong influence on the participation of immigrants (Teixeira and Albuquerque, 2005; Sardinha, 2007).

Our objective is to:



Analyse the Immigration Policies in Portugal contrasting the legal framework with the institutional discourses.

In short, the objective is:

- To contrast a macro analysis, which refers to immigration policies implemented, with a more micro analysis, which draws on the experiences and perceptions of people who interpret the policies (texts) and follow them or resist them.

For this purpose we:

- adopt the 'Advocacy Coalition Framework' (ACF) (Sabatier, 2005) as an explanatory framework to analyse the immigration policies.

Because:



*"In short, **the synthesis adopts the bottom-uppers' unite of analysis [MICRO ANALYSIS]- a whole variety of public and private actors involved with a policy problem [...]** It then combines this starting point **with 'top-downers' concerns** with the manner in which socio-economic conditions and legal instruments constraints behaviour [MACRO ANALYSIS]" (p. 26)*

...

Data from *MICRO LEVEL*:

Interviews with associations' leaders on the topic of civic and political participation of young immigrants (PIDOP project):

- Immigrant Solidarity Association (Associação Solidariedade Imigrante);
- International Solidarity Association (Associação solidariedade Internacional);
- Amnesty International (Amnistia Internacional);
- SOS Racism (SOS Racismo);
- Exaequo network (Rede Exaequo).

Data from *MACRO LEVEL*:

- Immigration Law in general, i.e. Nationality Laws, regularisations processes and other policy measures ***that regulate the entry, stay and departure of foreigners in Portugal*** (e.g.: Law-Decree n°4/2001 and Law n°23/2007), with a view to meeting the strategic interests of national policy in certain periods of migration.

MICRO LEVEL analysis:

The discourse of the associations leaders emphasized mainly 3 perspectives:

- Welfare perspective about immigration;
- The perspective of immigrant as a victim; and
- Critical perspective on the immigration policies at national and European level.

Welfare perspective about immigration

- “Two of the more general aims, therefore, of the ASI mission are precisely the intervention on the **inclusion of disadvantaged people** and ethnic minorities or social minorities (...) Then when the immigrant participates in the project and comes here to the service, we use, in the treatment, the strategy of **empowerment** (...)” - **ASInternacional (association leader)**

The perspective of immigrant as a victim

- “**There is no half citizens** with more or less rights. Rights are not divisible: if the immigrants are citizens they should have all the rights” – ***SOS Racism (association leader)***
- Carry stigmas that affect its effective participation. There are special programs for immigrants that stigmatize them. **They are looked not as people but as immigrants.** Attitudes are conditioned (...) the welfare constrains the immigrants' participation, because fosters dependency rather than autonomy” – **Solidarity Immigrant Association (association leader)**

Critical perspective on the immigration policies at national and European level

- “The European Union knows that immigrants are important, yet they also know they have to do 'realpolitik', because they have to pacify the spirits of those who think we are being invaded by immigrants (...) makes no sense to politicians wielding titles residence to children who were born here. It's short-sighted policy ” – ***SOS Racism (Association Leader)***
- “Modern slavery still exists. The government encourages illegal work, to the extent that people are only possible to legalize if they have employment contracts” – ***Solidarity Immigrant Association (association leader)***

MACRO LEVEL analysis:

In a previous work we focused on 4 levels to analyse the immigration policies with the migratory flows (Ribeiro, Neves & Menezes, forthcoming):

- The historical level, with prominence to the process of decolonization;
- Regulation of illegal immigration of the 90s, with emphasis on the 1992/93 and 1996 Extraordinary Regularizations;
- Labour market demands;
- and, finally, the stage of the decline of the labour market, which is accompanied by less restrictive immigration policies.

MACRO LEVEL analysis:

analysis:

- a clear predominance of the market over the immigration policies;
- the idea that immigration policies tend, above all, to reflect the economic interests, reinforcing the thesis that there is a ***structural dependence*** of countries in relation to labour immigration (Castles, 2004). In other words, immigration policies tend to be determined by factors other than ideological ones;
- and the final conclusion that Portuguese immigration policies have systematically presented a position of reaction to the market needs.

Contrasting the Micro and Macro level analysis...

- There seems to be in both analysis the identification of political concern to respond to the labour market demands, instead of the improvement of civic and political rights of immigrants.
- From this analysis emerges the idea of immigrant as a instrument of the labour market, corroborating the institutional discourse, which complains the encouragement of illegal work, the stigmas carried by them that affect its effective participation, the 'realpolitik to calm down the spirits' (e.g.: They are looked not as people but as immigrants), and their status of quasi-citizens (e.g.: there is no half citizens).

Contrasting the Micro and Macro level analysis...

- There seems to be also in both discourses, though with less emphasis, the idea of **immigrant as a concern**.
- The institutional discourse considers that the immigrants and other minorities groups are **disadvantaged people** who need interventions for being included and empowered.

Contrasting the Micro and Macro level analysis...

- In turn, immigration policies have been, in recent years, less restrictive (e.g.: **Organic Law 2/2006** of April 17, which introduces a less restrictive policy of nationality, by increasing the odds of attaining Portuguese nationality; **Plan for the Immigrants Integration** (Ministers Council Resolution n.º 63-A/2007); and **Law 23/2007** of July 4 which objectives were to expedite and ease the regularization process, allowing the immigrants to stay legally in Portugal.

Contrasting the Micro and Macro level analysis...

- Despite the less restrictive policies (*reports of the United Nations Program for Development (2009) and the International Organization for Migrations (2010) highlight, for example, the policies adopted by Portugal for the reception and integration of immigrants*) **the institutional discourse still presents a negative perception of social and political conditions of immigrants.**

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Thank you for your attention

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