

## Capítulo 7

# Immigrants' political rights in Portuguese democracy: Brief reflections on the Brazilian case

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Em saudososa memória de Gustavo Emmerich

## Introduction

One aim of this chapter is to analyse how the Portuguese political elite deals with the denationalisation of political citizenship at the local level. While most political actors would claim that depriving non-national residents from political citizenship serves less to demonstrate the supposed uselessness of citizenship's political dimension, than to show how that dimension still helps keeping citizenship encapsulated in the modern paradigm of nationality, there are undeniable distances between their politically correct discourses and their practices.

A second aim of this chapter is to demonstrate how the postnational logic can be seriously challenged in its noble intentions of fostering the quality of democracy as a regime of people's empowerment, by people's actual behaviours. In fact, non-nationals' practices in regard to granted political rights may contribute to reinforce conservative arguments that sustain the uselessness of granting political rights to non-nationals. Having this in mind, the chapter will thus analyse the political performance of Brazilian immigrants in Portugal, trying to grasp possible explanations for their residual presence both as voters and as elected people at the local level.

While the passive rights (rights to be elected) cannot be read without looking at the behaviour of political parties in regard to a postnational reading of local politics,<sup>1</sup> the use of active rights (the rights to vote) cannot be totally

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1 Recent data on the Portuguese political parties and their relationship with cultural

understood without looking at the Brazilian community in pursuit of answers that may help to explain its lack of participation.

## 1. Political rights of non-national residents in Portugal

Political participation can occur in two basic forms: through the formal exercise of voting rights, and through the unconventional politics of social movements and groups. Here we will take into account only the first basic form. In the gradual construction of political citizenship for non-national residents in Portugal we highlight:

- a. The consecration of immigrant associativism by Law 115/99, leading to the legitimization of immigrant associations as both *de facto* and *de jure* political actors.
- b. The access to active and passive local electoral rights, as first established by Declaration 2-A/97, updated by Declaration 10/2001, Declaration 9/2005 and Declaration 252/2009.

In 2005, the residents who could vote and be elected for local elections were the national citizens from EU member-states (including the new member-states), the national residents from Brazil, Cape-Verde, Uruguay, and Peru.

As for those who could only vote, the active electoral capacity comprehended all legal residents from EU member states, as well as from Brazil, Cape-Verde, Uruguay and Peru, Argentine, Israel, and Norway.

As residence conditions, the law established two years for Brazil, Cape-Verde; and three years for all other cases. Estonia, Venezuela and Chile had updated the list in 2001 as announced by Declaration 10/2001. By 2005, and according to the Declaration 9/2005, Iceland entered the list of active rights, while Israel was out as well as Estonia buy in this case because it is now an EU member-state.

and ethnic diversity within their internal structures may be found in a research conducted in Portugal by Carvalhais & Oliveira (2015, forthcoming) integrated in DivPol - Diversity in Political Parties' Programmes, Organization and Representation, a project co-funded by the European Commission's European Integration Fund and which gathers eight European-member states

In 2009, the Declaration 252/2009 has provided a new updated list for the 2009 local elections, with active electoral capacity granted to EU member-states citizens, Brazilians, Capeverdeans along with citizens from Argentina, Chile, Iceland, Norway, Peru, Uruguay and Venezuela, and passive electoral capacity granted to EU member-states citizens, Brazilians, Capeverdeans only, thus becoming far more restrict than previous declarations. The main reason why each local election implies the publication of a new declaration with an updated list is that under the Portuguese constitution, article 15, political rights can be granted to foreigners but only following the principle of reciprocity, which means that in the absence, or non-renewal of bilateral agreements between Portugal and other countries, their citizens will not be able to exercise political rights in their respective countries of residence.

As for residence conditions in regard to passive electoral rights, the law determines specifically four years of residence for Brazilians and Capeverdeans.

The brief description here made reveals the progressive awareness of both the State and society about the growing diversity of Portugal as a receiving country, and about the need to bring such cultural diversity as much as possible into the democratic life on equal terms of rights and responsibilities. But what seems to be a very rapid answer of the Portuguese State in a short period of time to its quite recent immigrant profile, may also have a different reading. If one considers that Portugal's immigrant profile only emerged in the 1990s, then both 1997 and 1999 would be excellent milestones in the acclamation of a first kind of postnational political citizenship.

However, if one takes the emergence of the Luso-African communities around Lisbon's urban belt in the 1960s (Esteves, 1991) as indeed the embryo of the country's immigrant profile (obviously not recognised as such by then, since such 'immigrants' were arriving still as nationals of the empire), one realises that Portugal's immigrant profile is actually much older than expected. In light of this reading, the two legal milestones of the late 1990s represent a delay in recognising the immigrant reality of the country (Carvalhais, 2006: 109-130). Neither can we ignore that among the Lusophone communities –that is, the Portuguese speaking communities– only Brazilians and the Cape-Verdeans have access to local political rights. In other words, the progresses made in regard to the openness of citizenship in Portugal to a postnational language must not be underestimated, but in parallel one must also recognise that political rights granted to non-nationals still mirror the difficult compromise that

Portuguese society tries to make between the evidence of its human diversity and its desire for minimal erosion of its old national paradigm. This is made evident by looking at the main characteristics of the Portuguese system of non-national access to political rights, characteristics which are not exclusive but common to most democratic regimes we must note (Waldrauch, 2003):

- a. preferable conditions for culturally and linguistically closer spaces;
- b. restriction of rights to local levels (although Brazilians may also vote for regional assemblies, national Parliament and President of the Republic, as well as be elected, with exception for President of the Republic, once entitled with a special status, as we shall see ahead).
- c. predominance of the principle of reciprocity (Strudel, 2003), as consecrated in article 15 of the Portuguese constitution.<sup>2</sup>

## **2. Non-national residents and the Local Elections: from 2001 to 2013**

Although the 1997 Local Elections were the first elections ever open to immigrants, there are not enough available data for that year and therefore, we will take into account only the local elections from 2001 on.

When analysing the results of the 2001 Local Elections, we found that only five individuals in 23 670 non-national residents registered to vote, had been elected for local organs. To stress that for one to be elected, he or she must be positioned in an eligible place in the lists of candidates presented by the political party or group of citizens (system of proportional representativity, with the D´Hondt formula).

In the 2005 Local Elections, the results were even less inspiring, as only three in 27 978 non-national residents were elected for local organs. Finally, in the 2009 Local Elections, and according to the lists provided by the DGAI

<sup>2</sup> Article 15 of the Constitution declares ‘rights not grant to foreigners may be granted to citizens of Portuguese Speaking Countries with permanent residence in Portugal, according to the Law and under reciprocity conditions [...]. Law may grant to foreigners residents in the national territory, under reciprocity conditions, active and passive electoral capacity for the election of local power offices. Law may also grant, under reciprocity conditions, nationals from EU-member states, residents in Portugal, the right to elect and to be elected deputies to the European Parliament.’ (Canotilho and Moreira, 2003: 16)

(*Direção Geral da Administração Interna*), two elected for local assemblies were identified as foreign born non-nationals. There were, however, several difficulties in consulting the lists, as most had not been fulfilled with absolute rigour. The lists have spaces (columns) to identify the elected members. There are list for elected members of municipal assemblies and for town halls. One of such columns is meant to indicate the place of birth, and other two columns serve to identify the elected as EU citizens or as non-EU citizens, whenever the elected is not a national citizen. The correct fulfilment of the lists is however often blurred by misinterpretations about what to write in each column. In clear cases where all elected were born in the same local town where they have been elected, the column of EU-citizen is marked, because whoever fulfilled the lists considered relevant to identify the elected also as European citizens. This cannot be said to be a mistake, but a misinterpretation that results possibly from the absence of rigorous instructions or lack of attention to instructions provided. In many cases, columns for the EU citizens or non-EU citizens are not fulfilled. In those cases, birthplaces may provide some information, but only insofar we take the necessary precautions with every single possible case, by for instance, calling directly to the people whose names and birthplaces may offer reasons to suspect we are before elected non-nationals. In most cases though, birth places refer to Portuguese citizens who were born in African ex-colonies, France, USA, Canada, Venezuela, Germany, and Australia, of Portuguese emigrant parents. In other cases, we were before elected people with double nationality (luso-brazilians, luso-capeverdeans, etc) who for the sake of our purposes could not be considered as elected ‘foreigners’ without incurring into methodological bias. We know though that in order to eliminate any possible error about the elected, we would have to go deeper into our analysis, a very much necessary effort that would nevertheless imply financial resources we did not have while conducting this study.<sup>3</sup>

3 In the 2009 local elections, and despite all the persisting difficulties in fulfilling correctly the lists of the elected, we noticed however a progress sin regard to previous years. For instance, until 2005, it was still frequent to find Africa *tout cours*, as birth place, or simply specific places with no further reference to the Continent/country (e.g. Luanda, Lobito, Malange, Diu). In 2009, information was much more accurate. In parallel, other problems persist. For instance, Angolan, Mozambican, Canadian, Australian, Colombian born were frequently marked as ‘Foreigners’, which was obviously a misinterpretation based on the evaluation of their place of birth, since none of these nationalities have reciprocity agreements with Portu-

As for the elected for town halls, of the five possibilities we detected (three from Brazil and two from France) we could not determine whether these were double citizenship cases or not. In all other cases of foreign birthplaces, the elected were in fact Portuguese citizens. Inconsistence in the fulfillment of the lists was thus great and did not help to a more accurate reading of available data. These of course were methodological obstacles we had to face, although in general terms they did not affect our reading substantially. Again, in 2009, the number of elected non-nationals was rather disappointing. Also not particularly remarkable was the total of non-nationals registered to vote, 26 957, translating a decrease in regard to 2005 (27 978).

As for the results of the last local elections (29 September, 2013) the  *Direcção Geral da Administração Interna* (DGAI) has not published the lists of all the elected yet, except the lists of mayors. However, it should be noted that in the lists still to be published, and according to the on-line registration forms available to be fulfilled by the elected local organs, there will be no direct reference to the nationality status of the elected, only to the birthplace which is away from being a reliable source of information for the purposes of this work. Still, in our focus groups and interviews, several participants referred to (and exemplified with names) an increase of citizens with immigrant background in the lists of candidates for the last local elections, especially in the metropolitan areas with higher concentration of immigrant residents (e.g. Sintra, Loures, Amadora, Oeiras).

Two questions must now be formulated: the first is why potential voters do not register *and* vote; the second is why only a residual number of non-nationals get elected for local organs. A series of explanations may be put forward as plausible answers for why a non-national does not register to vote when he/she is entitle to that right:

- a. the non-national resident has not met the minimum period of legal residence necessary to register;
- b. the non-national is still under eighteen;
- c. in the particular case of the 1997 local elections, the period of time given to register might have been too short, considering such rights would have been a novelty for any non-national entitled with electoral rights;

gal in regard to political citizenship. To note also, as a curiosity, that one UK born Portuguese citizen was marked as 'foreigner', not even as an EU citizen.

- d. the non-national resident may on certain occasions adopt a self-excluding behaviour, for several reasons that may go from insecurity feelings (she fears to get too exposed to authorities, even if already a legal migrant); misinformation (she might not know that registration to vote is possible in her case, or she may think she must pay fees to do so); lack of time (her life is mostly absorbed by the workplace); to simply absence of interest in (Portuguese local) politics.

This possible lack of interest may, by its turn, mean that the non-national is not immune to the attitudinal context of her receiving society. In other words, she may be influenced by a general social environment where traditionally the individual's active political participation through conventional politics is not very motivated. In parallel, this lack of political commitment may also derive from specificities inherent to her life experiences.

For example, social and economic difficulties, limitation of language skills, or even absence of previous (positive) experiences with political rights in her homeland, may turn a non-national resident into a vulnerable subject, insecure and uncertain about her value as a political actor. In the same way, certain social and cultural elitisms within migrant communities may also help to explain a non-national's low levels of political interest for the receiving society.

This brief set of plausible explanations may help to understand the absence of registration to vote among non-nationals. However, they do not bring any extra information on why those who care to register and to get actively engaged with local politics, are elected in such residual numbers. One major explanation for this, stays in the very limitations of the legal frame. Indeed, for most non-national residents, political participation is not possible at all. To this, one must add the kind of interpretation that political parties make of the value held by non-national residents in the country's public life.

### **3. Portuguese political parties and non-national residents' political participation**

Previous work (Carvalhais, 2007a), and recent field work (Carvalhais & Oliveira, 2015), have helped to set a profile on the Portuguese political elite's sensitivity to the idea of opening political citizenship to denationalisation. In

the making of such profile, we came across with two persisting trends: one was a fragmented and sequential interpretation of the relation between political citizenship and social citizenship; another one was the persistence of the idea of political citizenship as *national citizenship*.

The first trend reveals a tendency to deny citizenship as an integrated status of rights, while separating political rights from social rights, put in sequential order as T.H. Marshall would do, but this time with two differences. One is that the order appears here inverted in regard to Marshall's historical narrative (that is, the ulterior arrival of political rights in the case of immigrants, is seen as the 'natural order of things'); the other one is that the relationship between social and political rights is seen as contingent and negotiable, that is, political rights for non-nationals may or may not become a reality, while that does not have to compromise the experience of citizenship in general.

Meanwhile, in recent years, political parties (especially those with national parliamentary seat) have all been tuning their discourses, bringing them closer to concerns about political integration of non-nationals, about the need to make their action programmes more sensitive to the presence of diversity, and about the need to open their internal structures to non-nationals. Despite all the possible criticisms to parties' actual internal behaviours, there is in fact an effort to honour this compromise, as evidenced for instance in the statuses of the major political parties.

Until recently, the Social Democrats (PSD), considered for matters of admission only '...citizens... that hold total capacity over their political rights', in a clear reference to national citizens as these are the sole citizens with complete capacity over political rights (chapter II, article 5). The Social Democrat Youth was more explicit referring clearly to 'Portuguese citizens' in chapter III, article 10 of the statuses. This revealed clearly the understanding of political citizenship as *national citizenship*. However, the statuses of the PSD have been recently altered (also March 2012) with the party now allowing for legal immigrants residing in Portugal to engage actively in the party's internal life, as long as they are entitled with political rights in accordance with the constitutional principle of reciprocity (paragraph 2, article 5 of the new statuses).

By the same token, the Socialist Party (PS) proclaimed in article 1, paragraph 2 of the statuses, the possibility of admitting as militants any non-national citizen from the Lusophone space, a formulation that has been recently changed (March 2012) to become more inclusive. According to paragraph 2 of article 6



of the new statuses, any non-national legally residing in Portugal may enrol in the Party. The end of the positive discrimination in regard to the lusophone communities may be interpreted as a way of becoming closer to the spirit of the European Convention on Nationality and of captivating also a wider set of communities with political rights, since the lusophone communities with political rights are so far restricted to Brazil and Cape-Verde.

But, in general terms, the predominant understanding about political citizenship still regards it as mostly *national* citizenship. This is quite visible, we think, in the reluctance that most parties (with exception of the Left Bloc) from right to left, have about admitting the possibility of opening the legislative and presidential levels to non-national legal residents. In this context, the local level seems the less dangerous level to accommodate a demand for the denationalisation of political citizenship.

So far, the Portuguese political elites seem to linger between a reading of citizenship as sequential and fragmented, and also as a national matter; and a reading of citizenship as an integrated set of rights that must be open to individuals regardless of national belonging, for the sake of stronger and more responsible democracy.

The first reading, common among more conservative political actors (right-wing parties, more conservative sectors of civil society), is sustained by the argument that political rights are less utile for the non-nationals' struggle for social well-being. *To note that another strong argument against the utility of opening political rights to non-national residents, is the weak adherence of non-nationals to granted political rights.*

The second reading, common among more liberal political actors (left-wing parties, immigrant associations, human rights associations, NGOs, Churches, trade unions) is sustained by the argument of citizenship as an integrated set of social and political rights, that must not be separated and must be open to the residents of the state. It is worth noting that under this reading, it is not simply the access of non-nationals to wider forms of citizenship that is at stake. It is above all the uprising of citizenship as a status of people empowerment, being its denationalisation a step among others in the battle for stronger and better democracy.

These two readings of citizenship, pillared on quite different theoretical and ideological grounds, follow different paradigms of the State's role in regard to the management of individual and collective rights.

Meanwhile, the economic crisis the country is going through, came to interrupt any possibility that the liberal reading might have of becoming the dominant political reading. Now that far more urgent matters are at stake, discussing the roles of non-nationals' political integration in the country's democracy, seems the least of concerns. Ironically, the elimination of immigrants' rights in general and political ones in particular, from the national political agenda, tells a lot about the place where domestic political elites think such matters belong: *outside* the national citizens' agenda of priorities. In the end, it is still a matter of 'us vs them'.

#### **4. Political rights of Brazilians in Portuguese politics**

The possible explanations we enounced for the 2001, 2005 and 2009 results in regard to the residual numbers of non-nationals elected for local organs, have somehow put too much burden on political traditional actors (mostly political parties), while the low rates of electoral registration relied on a combination of variables that made non-nationals' behaviour ultimately forgivable and not totally self-responsible.

Our next step in this communication is to look at the Brazilian case and try to go a bit beyond those initial explanations. Before we proceed, it is important that we retain a few demographic details on the Brazilian presence in Portugal.<sup>4</sup>

The amount of legal Brazilians was in 2007 of 66 354 individuals, 55 665 holding residence titles. This was by then the second biggest immigrant community in Portugal, right after the Capeverdeans. In 435 712 legal immigrants, 15 per cent were Brazilians, and in 401 612 long-term immigrants with residence titles, 13,8 per cent were Brazilians. In the mean term, the Brazilian community met an extraordinary increase in 2008, escalating from 66 354

<sup>4</sup> When we say 'Brazilian community' we are using a rather simplified expression with little sensitivity to the sociological specificities that exist in a universe of thousands of people. Brazilians in Portugal are though very far from being a homogeneous group. Individuals come from different parts of Brazil, with different social, economic and regional backgrounds, different professions, and of course, different expectations in regard to this receiving society. For the sole purposes of this chapter we will nevertheless use the broad term 'Brazilian community'.

legal residents to 106 961, becoming thus the biggest foreign community with 24 per cent of the total of foreign population in the country.<sup>5</sup> Presently, in 2014, it remains the first immigrant community, with a share of 25,3%, in 2012 (latest available statistics) corresponding to 111 445 legal residents.

## 5. The special status (Estatuto Especial) of Brazilians in Portugal

Following the Convention of Brasilia of 1972, and more recently the Treaty of Friendship and Cooperation signed in the year 2000 between Portugal and Brazil, citizens from both countries may be entitled, upon voluntary expression, with the *special regime of rights and duties of Brazilian residents in Portugal and Portuguese residents in Brazil*. The special regime is responsible for a special status (*estatuto especial*) of citizenship rights and duties that functions in accordance to very specific legal rules and under the principle of reciprocity.

The regime of equality of rights and duties of Brazilians and Portuguese is a specific legal figure that allows, under reciprocity, the expansion of citizenship rights only for those Brazilian residents who consider that their bound to this country justifies that they acquire higher and wider political rights, such as

5 In 2003, in the context of a visit to Portugal of the Brazilian president, Lula da Silva, the two countries celebrated the Lula Agreement, which foresaw the extraordinary regularisation of all Brazilians with valid labour contracts who had come to Portugal until the date of the agreement's celebration, 11 July 2003. The total of individuals in this situation was then estimated in 30 thousand. The agreement helped to regularise only 18 thousand individuals, which lead to several critiques from the Brazilian migrant associations in the country. In 2006, the Portuguese government lead by prime minister (PM) José Sócrates refused to go on with the extraordinary legalisation of the community under the Lula Agreement after it would expire in 2008, arguing that it would be unfair to keep this positive discrimination in regard to other communities in the country that were facing similar conditions to the Brazilian community. This did not prevent however the announcement by the Portuguese PM during an official visit to Brasilia, of more 6 500 permits of temporary residence to Brazilians that were still in the country with pending applications and no labour contracts. The interest in keeping good relations with the brother country (*país irmão*) was also evident during the first EU-Brazil Summit in 4 July 2007, with the symbolic announcement of the new Portuguese immigration law (Law 23/2007 of 4 July), presented as a law designed to make regularisation faster and easier. The PM Sócrates stressed then that according to the new law, applications for visas no longer needed to be supported on labour contracts, being sufficient to possess a declaration of intent of an employer to offer a job.

the right to vote on regional, legislative and presidential elections, or the right to candidate to public organs (except the organ of President of the Republic). This implies in return that individuals abdicate of exercising those same rights in their home country (Brazil).

The *estatuto de igualdad de derechos e deveres* has its roots in five hundred years of common History, and more recently in the 1972 Brasilia Convention. This convention required no constitutional up-grading or adjustment, since in the Portuguese case for instance, the Constitution proclaims in article 15, number three, the possibility of expanding citizenship to other Portuguese speaking non-national residents, in light of the reciprocity principle.

Meanwhile, in 2000, following the celebration of the five hundred years over the arrival of Portuguese to Brazil, a new treaty was signed in Porto Seguro (*Tratado de Amizade, Cooperação e Consulta entre Brasil e Portugal*). Along with some innovations, the treaty came to integrate international legal devices that were already bilaterally established but still unenforced between the two states. This treaty is presently responsible for regulating the access of Brazilian residents to higher and wider political rights in Portugal (article 17). To access such rights, citizens must be legally capable, hold no criminal background, and have at least three years of legal residence (and not five as it was the case until 2000). This access is only possible if the individual presents a written requirement making his/her intentions clearly explicit. This means that we are not before an automatic concession, but one that must result from an act of initiative of the individual. By doing so, the individual is also agreeing on suspending her corresponding rights in her home country. Presently, and according to the Brazilian Electoral High Court (*Tribunal Superior Eleitoral*) only 296 Brazilians residing in Portugal are under this special regime by their own initiative, with suspended political rights in Brazil by voluntary will.

This legal frame here briefly summarised has therefore no relation to the political citizenship at the local level that Brazilians may access since 1997, similarly to other communities as seen above. This special statute is simply a parallel mechanism that helps to deepen, under voluntary will, the intensity and quality of social and political integration of a specific foreign community, but which does not have any determinant reading upon the acquisition of full political rights at the local level.

From here, we are now ready to go to the second goal of the chapter, which is to show how the real practices of individuals may contribute to reinforce

conservative arguments that sustain the uselessness of grating political rights to non-nationals. We will do so by stepping forward the question: what is that Brazilians do with the political rights at the local level, which they have been entitled with since 1997?

In July 2008, the total foreign population with political capacity and registered to vote was of 20 582 individuals, of whom 3 180 were Brazilians. By then, as we remember, this community represented already 24 per cent of the total immigrant population, being the biggest immigrant community in the country.

If we look at the 2006 statistics, there were 42 319 Brazilians with resident permits living in Portugal. If we extract from that total, the 7 876 individuals that were still under 18, and that by 2008 would not meet the minimum age required for electoral registration yet, we end up with a total of 34 443 legal residents in 2008, at least, that would be by then able to register to vote. And yet, only 3 180 Brazilian residents were registered to vote in that year. The scenario didn't change much since then. By 31 December 2011, the total of Brazilians registered to vote was of 4 308 individuals only, in a total of 26 657 registered individuals (DGAI, 2012).

Table 1  
Registered to vote by Nationality – European Union

Austria	93
Belgium	499
Bulgaria	151
Check Republic	9
Cyprus	1
Denmark	89
Estonia	3
Finland	65
France	1.186
Germany	2.109
Greece	11
Hungary	8

Ireland	102
Italy	585
Lithuania	14
Latvia	7
Luxembourg	33
Poland	17
Romania	400
Slovakia	5
Slovenia	1
Spain	1.905
Sweden	116
The Netherlands	1.136
United Kingdom	2.756
<b>TOTAL EU's =</b>	<b>11.301</b>

Original Source of data: DGAI, 2012. (as provided under written request)

**Table 2**  
**Registered to vote by nationality –**  
**other resident foreign citizens.**

Norway	42
Iceland	1
Cape Verde	11.067
Argentina	60
Brazil	4.308
Peru	15
Uruguay	9
Venezuela	141
Chile	13
<b>TOTAL ER's=</b>	<b>15.656</b>

Original Source: DGAI, 2012 (as provided under written request)

How can the low rates of registration among Brazilians be explained? It is important to underline that none of these political rights implies suspension of equivalent rights in Brazil, being thus an *expansion* of citizenship that the individual obtains simply by complying with a short list of legal requirements such as a minimum time of legal residence. Preliminary data (Carvalhois, 2007a), found mostly on the basis of semi-structured interviews (a qualitative approach that limited the possibility of major generalisations) have signalled:

- a. General lack, of good information strategies by immigrant associations as well as public organs, designed to approach different migrant groups in accordance to the specificities of their demographic profiles.
- b. Political discourses and political practices are not coincidental when it comes to assess the presence of non-nationals in the internal structures of the political parties.
- c. Brazilian residents who did not have positive experiences in regard to their political citizenship in the past, seemed to be reproducing in Portugal the same mistrust and disenchanted attitude about politics in general.
- d. The obligation of voting in Brazil, in contrast with the freedom of choice enjoyed in Portuguese politics, worked in some cases as push/pull factor translated in the act of choosing not to vote.

A first limitation with the previous frame is that it needs further verification.

A second limitation is that it tends to over-exempt the citizen from her share of responsibilities.

A third limitation is that it seeks to find a general explanation for Brazilians' behaviour which nevertheless does not tell us much about why registration to vote is also significantly low among other communities of non-national residents.

A fourth limitation is that none of the advanced explanations helps to determine what defines stronger or weaker commitments with public affairs and political citizenship. Non-nationals who register to vote, and who actually exercise that right (which is quite another step in the ladder of democratic participation) are neither individuals with easier lives and lighter working days, nor people with a naïve reading about political elites as good promise

keepers. So, why do they care to register and to vote? And because they are normal individuals, it is of great pertinence, we believe, to try to understand their ultimate motivation to exercise political citizenship.

Meanwhile, recent work conducted by Ribeiro (2012) and that we have supervised, on Brazilian women living in Portugal, brings some interesting clues about Brazilians' behaviour in regard to electoral participation in the receiving society. This qualitative study has a limited capacity for model construction, because it is based on a limited number of in-depth interviews and it cannot provide information on the correlation between gender and electoral behaviour, since it has interviewed women only. Still, it is worth mentioning a few data. According to the study, 16,6 per cent of the interviewed women (in a total of 36 in-depth interviews) were not only registered but also politically active. These women were all graduated, and were performing jobs close to their professional expertise or at least as socially and financially rewarding as the previous jobs they held in Brazil. They had no doubt about evaluating their social integration in Portuguese society as a success story. In parallel, another 16,6 per cent of women were neither registered to vote, nor wanted to have any kind of political involvement with local society. In common they all had a superior degree but none was performing a profession compatible with their academic training or that was financially rewarding. As for the justifications these women presented for not wanting to be politically involved, there was the sentiment of dislike against politics and the wish of returning to Brazil. In the words of one of the interviewees, she felt as *chuva passageira* (light rain) (Ribeiro, 2012: 72). As for 49,8 per cent of women that also revealed lack of political interest, none was registered to vote although legally they could (the minimum period of legal residence and age were met). In common, they had medium to low levels of school education; were performing low-skilled or non-skilled jobs, and expressed much more complaints about their integration process in the country. To note also that another 16,6 per cent were women who were not registered to vote although they could legally do so, and were very enthusiastic about the relevance of voting. While declaring they were even considering registering, none presented reasons for why they had not yet taken that step.

According to this study, the levels of education and labour integration (which in turn seem heavily influenced by the level of education) emerged as the strongest variables in explaining the satisfaction of women about their



own integration process, the level of commitment with local politics, the quality of their information about political rights granted in Portugal, as well as the shorter or longer distance between their attitudes and concrete behaviours.

A second plausible explanation for the low rates of electoral registration among Brazilians, may be related not to the condition of Brazilians as immigrants, but precisely the opposite: their condition as new Portuguese citizens. Indeed, since 2006, the new Law of Nationality (Law 2/2006) has fostered an increasing number of naturalisations (Carvalhais, 2010).<sup>6</sup> The last data available as provided in April 2012 by the *Conservatória dos Registos Centrais*, the entity under the Ministry of Justice responsible for receiving and deciding over the applications for access to Portuguese nationality, indicated that 15 052 out of 18 744 new applications for naturalisation had been positively answered during 2010. In 2011, 15 579 new requests for Portuguese naturalisation entered. In total, 17 195 were positively deferred, a number higher than the entries in that year because pending cases were also responded. Unfortunately, this entity did not provide data discriminated by nationality of origin, and for that reason we can only assume that among those new Portuguese citizens, some will also be Brazilians of origin. The expectation of becoming soon a Portuguese citizen may, paradoxically, result in a lack of interest in taking advantage of rights reserved to the non-national condition. We say 'paradoxically' because one would assume that the willingness to become a citizen of a new country would imply a corresponding interest in becoming politically more engaged with it.

6 To have an exact idea of what these amounts of applications represent in the context of the new law, it is important to stress under the legal frame of the previous law of nationality, Law 37/81, the amount of requests for acquisition of nationality by naturalisation were quite low and constant. Indeed, here was a constant balance between the amount of positive and negative answers emanated from the SEF, with very few exceptions. However, the entrance into force of the new law of nationality in 2006 brought a substantial increase in the amount of requests for naturalisation. According to the SEF's 2008 Report on Immigration, Borders and Asylum, 34 326 applications for acquisition of nationality through naturalisation received assenting opinions (*pareceres*) by this service (SEF, 2008: 80). These new numbers seem clearly the result of less administrative bureaucracy but most importantly of the substantial reform of the requirements for the acquisition of nationality by naturalisation that lead to an increase of the total of foreign people eligible (Carvalhais, 2010).

## Conclusion

Portugal has met significant progress in building a policy of integration for its immigrant communities, composed of several legal instruments, combining access to social rights, protection of minority rights, access to political rights, and access to nationality that has been made particularly easier since Law 2/2006.

In parallel to this, political elites still linger between opting for a more liberal, open and postnational reading of citizenship and for a more conservative, exclusionary and national reading of citizenship, the ideological opposition being stronger when it comes to discuss access to political rights.

Since the 2001 local elections (considering that in the 1997 local elections, many immigrants still unaware of the new political rights didn't register or weren't legally able to do so yet), and until 2009, the presence of immigrants as elected officers is but residual. Brazilians are almost absent, except for the double nationality cases which we did not consider for the purposes of our study. This is in part a consequence of the lack of commitment of political parties in bringing non-national citizens into local politics. But, as we tried to show in the last part of this chapter, the absence from local politics is Janus-faced. Brazilians are the biggest immigrant community in the country and one of the two lusophone communities with broad access to political local rights. However, looking at the rates of those registered to vote one would not suspect of such demographic relevance. The lack of interest in registering to vote is far from being a sole characteristic of the Brazilian community, hence, generalist explanations must be avoided.

In the particular case of Brazilians, the lack of interest seems to rest on many reasons enfolded in each person's life experiences, as much as on the quality of the individual's social integration, and on her/his level of education, which in turn will determine the variety and quality of her/his labour, social, and economic opportunities. Should this mean that selection of highly qualified immigrants should go one being encouraged as the best way to successful integration and stronger political interest among immigrants?

That is not our argument. We argue instead that if education is one major variable in determining the quality of the non-national resident with his/her postnational citizenship, the receiving country must be profoundly committed with the quality of education of *all* its residents, as this will prove to be

beneficial for the entire society, for the social cohesion of the state and for the quality of its democratic regime. Of course, education is no panacea. It is still to be proved that highly-qualified immigrants are better citizens once they access citizenship in receiving society. Still also to prove is that only conventional forms of political participation can serve to measure the levels of the individual's interest in and commitment to politics.

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