Inmigración

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LA EDUCACIÓN DE LOS INMIGRANTES EN ESPAÑA

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I. LOS CARACTERES DE LA INMIGRACIÓN EN ESPAÑA.

España, en muy poco tiempo, ha pasado de ser un país de emigración a convertirse en un país de inmigración. Durante buena parte del siglo XX, los españoles buscaron fortuna en Latinoamérica, pero especialmente en los años sesenta -en pleno régimen autoritario del franquismo- casi dos millones de trabajadores tuvieron que emigrar a Francia, Alemania, Suiza o Bélgica, en busca de trabajo. El cambio ha sido brusco e inesperado. La emigración prácticamente ha cesado entre la recuperación de la democracia (1978) y el ingreso en la Comunidad Económica Europea (1986) y la llegada de la inmigración se hace visible al inicio de los años noventa.

La nueva inmigración económica (diferenciada del régimen de los ciudadanos comunitrios y del resto de extranjeros que vienen a la costa mediterranea como rentistas o a Madrid y Barcelona como profesionales), se inscribe en la tendencia común a los demás países de Unión Europea, provocada por el mayor nivel de vida respecto a los países limítrofes, pero presenta algunas

peculiaridades en España por el inferior desarrollo industrial, la escasa tradición democrática, la facilidad del idioma para los latinoamericanos o el ser la frontera de la UE más próxima al norte de Africa. Este último carácter proporciona un especial dramatismo a los intentos de entrada irregular mediante las pateras o en forma de polizón, pero también genera una situación muy especial en las ciudades de Ceuta y Melilla.

La inmigración en España es aún reducida. A finales de 1994, el número total de extranjeros con permiso de residencia era de 461.363 personas y representaba el 1,2% del total de la población, es decir, 12 residentes extranjeros por cada 1.000 habitantes. De los extranjeros, el 57% son comunitarios y por tanto el 43% de terceros países, pero como en el régimen comunitario entra una parte de provenientes de Africa o América Latina, y en el de terceros países una parte de EEUU y otros países desarrollados, lo que entendemos por inmigrantes del tercer mundo viene a ser la mitad, es decir 0,6% de la población. Sobre estos datos existen estudios fiables, pero los posteriores (los últimos publicados se refieren a diciembre de 1996 y sitúan la cifra en 538.948 personas), no cambian la tendencia. El volumen de la inmigración económica es por tanto muy reducido en comparación con Alemania, Bélgica, Francia o el Reino Unido.

Pero la llegada de esta inmigración es, sin embargo, muy reciente y plantea problemas nuevos. El año clave, en que aflora el nuevo fenómeno social, es 1991. La regularización de ese año dota de situación legal a 110.000 inmigrantes que hasta entonces carecían de documentación y estaban en situación irregular. Si tenemos en cuenta que la nacionalidad de origen mayoritaria de la inmigración en España es la marroquí, la secuencia siguiente nos ilustra el crecimiento reciente de la inmigración:

TOTAL   INMIGRACION

AÑO	EXTRANJEROS	MARROQUI
1978	158.207	2.072
1985	241.971	5.817
1990	278.796	16.665
1994	461.364	63.939

El aumento espectacular de trabajadores marroquíes apareció por la regularización (se triplicó desde 16.665 en 1990 a 49.513 en 1991), y aunque en menor proporción, este aumento resulta ilustrativo del aumento de inmigrantes provenientes de otros países latinoamericanos y africanos. En el momento de crecimiento económico (1986-90), la inmigración del Magreb (Marruecos, Argelia y Túnez) se duplicó.

La concentración territorial de los inmigrantes, pese a su reducido volumen, proporciona a la población una imagen diferente, porque en algunas ciudades -especialmente en algunos barrios- puede llegar al 10, 15 o 20% de la población. La tendencia a la agrupación es característica general de la inmigración, en parte originada por razones económicas (precio de la vivienda, por ejemplo) y en parte por razones psicológicas (proximidad con los compatriotas o familiares). En todo caso, es un factor esencial en los planteamientos sobre la educación de los inmigrantes.

Madrid y Barcelona reúnen un tercio del total de inmigrantes residentes, con predominio claro de trabajadores no comunitarios; en Madrid, principalmente iberoamericanos (de Perú, República Dominicana, Argentina) y en Barcelona, marroquíes y gambianos. Otros núcleos son los marroquíes en Murcia y en

Almería y los portugueses en Huelva. Si adoptamos de nuevo, como indicativa por más conocida, la inmigración magrebí (Marruecos, Argelia y Túnez), 2 de cada 3 inmigrantes magrebíes en situación regular se localizan en solo 5 CCAA: Cataluña, Comunidad Valenciana, Murcia, Andalucía y Madrid. Más exactamente, 9 provincias concentran la inmigración magrebí, destacando Barcelona y Madrid, seguidas muy de lejos por Murcia, Málaga, Tarragona, Gerona y Almería.

No hay duda, por otra parte, que los inmigrantes ocupan los empleos más penosos y peor remunerados -lo que también será importante para entender los problemas en las escuelas- con predominio del trabajador por cuenta ajena sobre los autónomos (9 de cada 10 son asalariados) y concentrados igualmente en unos pocos sectores de actividad: los servicios (hoteleros y servicio doméstico), la agricultura y la construcción, principalmente.

II. EL MODELO LEGAL VIGENTE Y SU CRISIS.

La norma principal que regula la inmigración es la Ley Orgánica 7/1985 de Extranjería; su título oficial es "de los derechos y libertades de los extranjeros en España" pero denominarla así sería un sarcasmo y todo el mundo la conoce como Ley Orgánica de Extranjería (LOE). Se elaboró en un momento en que se adivinaba el posible cambio de tendencia, de la emigración a la inmigración, pero, sobre todo, en vísperas del ingreso de España en la entonces llamada Comunidad Económica Europea, donde la inmigración sí era un fenómeno importante, que los gobiernos europeos pretendían controlar tanto en sus países como en los nuevos miembros.

El modelo de inmigración de la LOE.

La LOE estableció un sistema legal muy coherente. Su objetivo central era

reducir al mínimo la llegada de trabajadores extranjeros, admitirlos siempre por periodos cortos, que sólo se renovaban si persistían las mismas condiciones de trabajo, y no preocuparse de ningún otro aspecto diferente al trabajo y al orden público.

Según este modelo, el trabajador extranjero recibe en su país un contrato de trabajo de un empresario español (lo que prácticamente era imposible cuando no existía inmigración previa), con él obtiene el visado de la Embajada o Consulado (tras los informes favorables de los Ministerios de Trabajo e Interior, que duran muchos meses, y sólo se conceden si falta mano de obra y no hay parados españoles en aquél sector), y a continuación viene a España, donde recibe los permisos de trabajo y residencia inicialmente por un año, que puede renovarse por otro año, sólo si persisten las mismas condiciones. Cuando acaba el contrato de trabajo, o renueva los permisos o se vuelve a su país.

Los contratos son siempre por tiempo limitado. No se prevé inmigración estable, ni, por ello, la reagrupación familiar. Tampoco los grandes servicios sociales. Todos estos elementos se han introducido posteriormente, a veces mediante norma de ínfimo grado, otras empujados por la jurisprudencia de los tribunales, como el mantenimiento del permiso de trabajo mientras dura el seguro de paro.

Como se partía de que vendrían pocos inmigrantes, y además sin perspectiva de continuidad, todo el esfuerzo de la ley se dirige a distinguir entre los inmigrantes legales e ilegales, y a dar todas las facilidades para el control policial y la expulsión de éstos. Así aparecen unos conceptos muy elásticos como causas de expulsión (art. 26.1 LOE), se permite la expulsión de cualquier sospechoso de cometer un delito sin terminar el proceso judicial (21.2 y 26.3 LOE), se autoriza para detener e internar durante 40 días a los que deban ser expulsados (26.2 LOE), se convierte en utópico el recurso ante un juez contra la expulsión (35

LOE), e incluso se prohibía a los Jueces que pudieran suspender una expulsión decretada por la Administración, aunque éste y otros preceptos de la LOE fueron declarados inconstitucionales.

La quiebra del modelo legal.

En los años inmediatos, especialmente con la mejora de la situación económica, el sistema legal comienza a fallar por su presupuesto inicial, la entrada de los inmigrantes, que se había proyectado muy escasa por las difíciles condiciones que exigía la ley. Sucedió lo contrario de lo que decía la ley. Como no existían mecanismos para que los empresarios españoles pudieran enviar contratos a trabajadores extranjeros, e incluso cuando los recibían a través de parientes, como la tramitación de los permisos era larga y enojosa, tanto los empresarios como los trabajadores descartaron la vía legal. Durante estos años, el trabajador extranjero entra en España como puede, como turista, con un permiso corto para visitar a un familiar o camuflado en camiones y barcos desde el norte de Africa; busca después trabajo y finalmente intenta regularizar su situación.

Por el cambio de coyuntura económica, los cierres de empresas y la aparición de contratos de duración muy corta contribuye a incrementar el número de trabajadores irregulares, incluso cuando hubieran iniciado legalmente la estancia en España, o hubiera conseguido regularizar su situación en algún momento, porque si la renovación del permiso de trabajo debe realizarse en un período en que se encuentra sin trabajo, es imposible la renovación y se pierde también el permiso de residencia. Esta ha sido una causa permanente de generación de bolsas de irregulares, de precariedad de los inmigrantes y, por consiguiente, de dificultad para acceder a los servicios sociales elementales, entre ellos la educación.

Otras causa de la crisis del modelo LOE son de carácter jurídico. Las Sentencias del Tribunal Constitucional y del Tribunal Supremo, e indirectamente la

jurisprudencia del Tribunal Europeo de Derechos Humanos han cuestionado progresivamente las limitaciones de la ley a los derechos de los inmigrantes. La propia administración ha tenido que hacer frente a las bolsas de inmigrantes irregulares con la promulgación de varias "regularizaciones" y la previsión de los "contingentes" anuales. Al margen de la primera regularización (1986), fue decisiva la llevada a cabo en 1991, ya citada, y la última ha tenido lugar en 1996. Además, desde 1993 se vienen aprobando los contingentes anuales, que funcionan realmente como regularizaciones encubiertas. En los años 1993-95 el límite máximo fijado por el Gobierno ha sido de 20.600 inmigrantes por año. En 1993, por ejemplo, se establecieron estos cupos: peones agrícolas, 10.000; construcción, 1.100; empleadas del hogar, 6.000; otros servicios, 3.500. Se desglosaban en 10.500 para trabajo temporal y 10.100 para trabajo permanente. Se presentaron 6.000 ofertas nominativas y se resolvieron favorablemente 5.220. Por tanto, el índice de cobertura fue del 25%, y el 83% de las solicitudes correspondieron al servicio doméstico. La gran mayoría correspondieron a originarios de la R. Dominicana (30%9), Perú (26%), Marruecos (12%) y Filipinas (8%). Dentro de la misma orientación, para 1999 se ha previsto un contingente de 30.000 trabajadores extranjeros, pero se han presentado más de 94.800 solicitudes. Al actuar como una regularización encubierta, resultan positivos para la disminución de la inmigración irregular, pero resultan inútiles como política de inmigración.

Pero el factor decisivo de la crisis del modelo ha surgido de la propia realidad social, que pese a todas las dificultades ha traido a España un volumen importante de inmigrantes, muchos de ellos con voluntad de permanecer un largo período. La solidaridad de los primeros llegados, el apoyo de ONGs y la comprensión de profesionales o incluso funcionarios, ha conducido a la existencia de una población inmigrante permanente en España relativamente importante, aunque muy inferior a los países europeos más desarrollados. Ante ello, el gobierno ha

aceptado un cierto cambio de orientación, aplicando Tratados internacionales favorables (por ejemplo de protección de los niños) y regulando por normas inferiores alguno de las condiciones elementales para una población inmigrante de carácter estable, como el derecho a la reagrupación familiar, las prestaciones en situación de desempleo, etc. Por último, la propia Administración, desbordada por la situación, y obligada a respetar los principios democráticos generales (no incluidos en la LOE) se ve incapaz de aplicar el sistema legal y actúa de forma contradictoria. Así, en los últimos años, miles de expulsiones decretadas no se ejecutan por falta de medios, los inmigrantes hacinados en Ceuta y Melilla se trasladan a la península con una situación de legalidad provisional, mientras las bolsas de población en situación irregular no dejan de aumentar.

Finalmente, el gobierno se decidió a una reforma más ambiciosa, para corregir los mayores defectos del sistema y modificó el Reglamento de aplicación de la ley en frebrero de 1996, tanto por impulsos internos como por la necesidad de adecuar la normativa al Tratado de Schengen y a la legislación administrativa española. Quizás su mayor contribución radicó en disminuir la precariedad de la residencia del inmigrante con varios años en España al introducir los permisos permanentes de trabajo y residencia, a partir de los 5 años, contra el criterio fijado por la ley. Pero también resulta importante la regulación de la reagrupación familiar (también sin habilitación legal), la ampliación de los derechos de los inmigrantes respecto a los reconocidos en la LOE (lo que igualmente es materia reservada a la ley), el acceso de los menores a la educación y de la sanidad al margen de la situación legal de sus padres (fundamentada en Tratados internacionales), el reconocimiento de las prestaciones sociales de los trabajadores en paro (de hecho impuesta por Sentencias judiciales), e incluso otras menores como la necesidad de que la Administración motive todas sus resoluciones (derivada de la Ley 30/1992) y la posibilidad de trabajo parcial para los estudiantes.

Aunque son muchos los problemas pendientes, las mejoras del Reglamento de 1996 han puesto de relieve las carencias más importantes de la LOE, porque en varios supuestos el Reglamento contradice a la propia ley. Además la normativa actual carece de una línea clara para la integración del inmigrante en la sociedad de acogida y para la coordinación de las administraciones competentes, necesidades que parecen esenciales a toda política de inmigración. En esta línea, en marzo de 1999 se han presentado varios proposiciones de ley en las Cortes y se ha iniciado el proceso parlamentario de reforma de la ley, con el peligro de que no pueda culminar antes del final de la legislatura actual, muy próximo.

La inmigración de larga duración, cuasi-permanente o permanente es un fenómeno que afecta a todos los ámbitos de los poderes públicos: el trabajo, por supuesto, pero también su posible pérdida, la vivienda, la educación de los hijos, la sanidad, la cultura, la participación política... Lógicamente la regulación de estos aspectos ha de partir de la Constitución, en cuanto norma suprema del ordenamiento, y muy en concreto, del principio del Estado social y democrático de Derecho que proclama su artículo primero, y desarrolla para las capas más débiles de la sociedad el art. 9.2 CE. Uno de los aspectos fundamentales es sin duda la educación.

III. LA REGULACIÓN DE LA EDUCACION DE LOS INMIGRANTES.

No es preciso un largo razonamiento para subrayar la importancia de la educación para todos los niños de cualquier país, para conseguir el pleno desarrollo de su personalidad, para adquirir las habilidades que le permitan en el futuro un empleo adecuado y para favorecer su integración en la sociedad y, mejorar, en conjunto, una convivencia social. A la vista de estas dimensiones, la Constitución española ha reconocido el derecho a la educación como derecho fundamental (artículo 27 CE), dotándole con los máximos instrumentos de protección jurídica (artículo 53 CE), incluido el recurso de amparo ante el Tribunal Constitucional.

Todos los argumentos sobre la importancia de la educación se multiplican por mil cuando se trata de la formación de los niños inmigrantes, incluyendo los nacidos aquí de familias inmigrantes, por diversas razones: la especial dificultad de encontrarse con una lengua distinta (a menudo también con distintas ideas religiosas y culturales), el desafío superior de la integración en la sociedad, y el formar parte de una escala social baja, que unido a las demás circunstancias les coloca en una posición de salida muy retrasada respecto a los demás niños y jóvenes, incluso en las sociedades donde pueda imperar la igualdad de oportunidades. Pero la educación de los niños inmigrantes tiene aún otra función importante para la integración de la población inmigrante, porque a través de la educación los mismos padres entran en contacto con la cultura y el medio social de la sociedad receptora.

La educación de los inmigrantes se encuentra por tanto con problemas comunes a todos los jóvenes del país y con otros particulares a su condición de inmigrantes. Entre éstos debe destacarse la concentración de alumnos inmigrantes en algunas escuelas públicas (tanto por la concentración de la población inmigrante en algunos barrios como por la huida de los estudiantes autóctonos a otras escuelas), la escolarización tardía (incrementada últimamente por el proceso creciente de reagrupación familiar), la dificultad en el aprendizaje de las lenguas oficiales de Cataluña, que repercute en todos los ámbitos de la educación por el obstáculo que supone al aprendizaje de cualquier materia, la desmotivación para el estudio provocada por todas las dificultades anteriores pero también por la falta de estímulos y de autoestima para proseguir un camino difícil... Según los lugares y las propias familias pueden encontrarse aún mayores dificultades en la existencia de ciertos ambientes hostiles, marginales o xenófobos o en la propia incomprensión también respecto a la confianza en la educación que reciben.

Muchos de estos problemas no dependen sólo del sistema educativo sino de políticas generales de inmigración, que eviten la formación de guetos y persigan una integración eficaz, pero la política educativa en sí misma genera y acentúa algunas situaciones de marginalidad de los inmigrantes.

La complejidad del derecho fundamental a la educación.

El derecho a la educación, reconocido en el art. 27 de la Constitución (CE), posee un contenido complejo, razón por la cual otros países con más tradición democrática han evitado su reconocimiento constitucional dejándo su regulación a la leyes ordinarias. Pero en cambio, su reconocimiento, encuadrado en los valores del Estado democrático y social, permiten un enjuiciamiento más seguro de la normativa concreta existente.

El primer número del artículo 27 refleja ya esta complejidad al conectar el derecho a la educación y la libertad de enseñanzalo que son figuras jurídicas contrapuestas, porque la última es un derecho subjetivo de libertad mientas que la primera es un derecho social de prestación. Esta última es un tradicional derecho subjetivo de los ciudadanos frente a los poderes públicos, que les garantiza la creación de centros privados y la formación de sus hijos de acuerdo con los criterios que los padres consideren más adecuados, dentro de unas mínimas condiciones que puede imponer el Estado. El derecho subjetivo sólo requiere la no intervención de los poderes públicos, la ausencia de dirigismo, el respeto a la libre opinión de los ciudadanos respecto a la educación. En cambio, el derecho de prestación obliga a los poderes públicos a construir escuelas, formar maestros y establecer, en definitiva, los centros necesarios para que todos los niños y jóvenes que deseen formarse en el sistema público puedan hacerlo. La complejidad normativa de la Constitución aún se complica con la introducción de principios y valores como los contenidos en el 27.2 ("La educación tendrá por objeto el pleno desarrollo de la personalidad humana en el respeto a los principios democráticos

de conviviencia y a los derechos y libertades fundamentales"), con el establecimiento de un criterio general de participación de todos los afectados y por la posibilidad de exigir determinadas conductas no sólo a los poderes públicos sino también a los particulares, como pueden ser los directores de centros privados, lo que se conoce jurídicamente como la exigencia de los derechos fundamentales frente a los particulares.

El desarrollo del derecho a la educación previsto en la Constitución en sus rasgos fundamentales debe ser realizados por las leyes, que deben ser leyes órganicas del Estado, cuando regulen aspectos nucleares del derecho fundamental, pero pueden ser también leyes de las Comunidades Autónomas en otros aspectos. Ahora es imposible explicar el conjunto de elementos que configuran el desarrollo de la Constitución, pero los aspectos más importantes -dándolos por sabidos- serían:

.la existencia de tres tipos de centros docentes (públicos, privados y concertados),

.la extensión de la enseñanza básica -obligatoria y gratuita- a la educación primaria y a la secundaria obligatoria, desde los 6 años hasta los 16.

.la facultad de acceder a niveles superiores de educación en función sólo de las propias aptitudes, lo que implica un sistema de ayudas públicas para contrarrestar las deficiencias económicas y socioculturales.

La distribución de las competencias sobre educación entre el Estado y las Comunidades Autónomas.

En lo fundamental, el Estado tiene potestad para aprobar las "leyes básicas" y las Comunidades Autónomas elaboran sus propias leyes -respetando los criterios básicos del Estado- aprueban los reglamentos ejecutivos de las leyes, dictan los reglamentos organizativos y getionan todo el servicio de enseñanza. Esta es, junto con la sanidad, la más voluminosa de las competencias de las CCAA, tanto en personal como en recursos presupuestarios. Pero su importancia política no es menor, porque le corresponde elaborar las leyes y los reglamentos para su

ejecución. Además, en las CCAA con lengua propia cooficial (Cataluña, País Vasco, Galicia, Islas Baleares, Comunidad Valenciana y parcialmente Navarra), tiene una incidencia notable el establecimiento de la lengua ordinaria en la enseñanza y la fijación de la enseñanza de la lengua propia.

Además existen algunas otras normas de la Constitución y de los Estatutos que inciden también en la educación, como los referidos a la función pública (la distinción es también del tipo legislación básica/leyes de desarrollo y ejecución), y la muy particular norma contenida en el 149.1.1 CE que atribuye al Estado la regulación de las "condiciones básicas" que garanticen la igualdad de todos los ciudadanos en sus derechos y deberes constitucionales.

Estos, y algún otro punto menor de la distribución competencial, han sido concretados por las leyes del Estado (LODE, LOGSE, LOPEG) y sus normas derivadas y por leyes y, principalmente Decretos de las CCAA. También las Sentencias del Tribunal Constitucional han contribuido a clarificar el sentido de las diferentes compentencias, con relevancia especial en materia de lenguas, sobre la extensión y el rango de las normas básicas y la relación entre las leye orgánicas y las leyes ordinarias de las CCAA.

IV. LOS PROBLEMAS DE LA EDUCACIÓN QUE DIFICULTAN LA INTEGRACIÓN DE LOS INMIGRANTES.

La LOGSE contiene las primeras medidas específicas para compensar las desigualdades derivadas de las situaciones sociales, económicas, étnicas y de otra índole, y realiza la opción de no distinguir en particular a los alumnos inmigrantes sino de considerar que aquellas se aplicarán a los alumos con necesidades educativas especiales (n.e.e., en adelante). La LOPEG definte mejor este tipo de alumnos y concreta más la obligación de todos los centros sostenidos con fondos públicos, pero antes de entrar en estos problemas hay que ver rápidamente si

todos los niños de familias inmigrantes tienen derecho a la educación.

¿Son titulares del derecho a la educación los hijos de inmigrantes en situación irregular?

Ya hemos visto que los nucleos de inmigrantes en situación irregular (sin permiso de residencia) son relativamente importantes y además son variables, porque pueden depender de la pérdida del trabajo (y del permiso correspondiente) o, por el contrario de haber podido acogerse al último contingente. Existe una polémica sobre el volumen de la inmigración irregular, desde las 65.000 personas que estima el informe del Observatorio para la Inmigración de 1996 hasta cifras superiores estimadas por investigadores e incluso organismos oficiales. En todo caso, parece que una parte importante de ellos llevan varios años en España y por tanto se plantea como cuestión decisiva la posibilidad del acceso de sus hijos a la educación.

La Ley Orgánica de Extranjería de 1985 reconoce en su artículo 9 el derecho a la educación a los extranjeros *que se hallen legalmente en España* y la LODE, del mismo año, también extendía la educación a *los extranjeros residentes* en España, excluyendo por tanto en las dos leyes a los irregulares. Pero estas normas son inconstitucionales porque España ha firmado una serie de Tratados internacionales que extienden el derecho a la educación a todos los niños al margen de su situación legal, o la de sus padres, y el artículo 10.2 CE obliga a interpretar todos los derechos reconocidos en la Constitución de acuerdo con los Tratados internacionales ratificados por España.

El derecho a la educación de los niños cuyos padres se encuentren de manera irregular en España arranca de la Declaración Universal de los Derechos Humanos (ONU, 1948), sigue por el Pacto Internacional de los Derechos Económicos, Sociales y Culturales (ONU, 1966), que concreta mucho más el

contenido del derecho a la educación, es afectado directamente por la Convención de la UNESCO contra la discriminación en la esfera de la enseñanza (1960), que define el concepto de discriminación y por el Convenio relativo al Estatuto Jurídico del Trabajador Migrante (Consejo de Europa, 1997), y sobre todo resulta inequívoco en la la Convención sobre los derechos del niño (ONU, 1989), que en su artículo 28 insiste en que el derecho a la educación incluye "la enseñanza primaria obligatoria y gratuita *para todos*" y el acceso *de todos los niños* a la enseñanza general y profesional.

Ante la fuerza interpretativa de estos Tratados resulta evidente que también los niños con padres en situación irregular tienen todos los derechos a la educación que se derivan del artículo 27 CE, y así ha sido reconocido finalmente por el Reglamento de la LOE aprobado en 1996. "Los extranjero tienen derecho a la educación en las mismas condiciones que los españoles" dice su art. 2.2, corrigiendo a la Ley Orgánica de Extranjería que sigue exigiendo que se hallen "legalmente" en España. En principio esta situación es anómala, porque un reglamento nunca puede modificar a una ley, pero como la ley es inconstitucional en virtud de la interpretación del derecho a la educación de acuerdo con los Tratados internacionales, nadie ha cuestionado esta contradicción y se aplica directamente el reglamento. De todas formas, surgen algunas dudas sobre la idoneidad de esta situación, porque las CCAA no ha regulado la forma concreta en que se realiza la inscripción de niños que tienen a sus padres en situación irregular, y podrían darse contradicciones entre la administración educativa y la policía.

El volumen de los alumnos inmigrantes.
En términos absolutos el número de alumnos inmigrantes es poco significativo porque se mueve en torno al 1% según el último Informe del Foro para la Integración Social de los Inmigrantes (1997), pero esta cifra resulta engañosa

porque ya hemos visto que la concentración propia de la inmigración conduce a que la tasa resulte muy superior en algunas CCAA, provincias, ciudades y barrios. Cataluña tiene en torno al 2% y bastantes escuelas de algunos barrios de Barcelona tienen ya una mayoría de alumnos inmigrantes. Queda, sin embargo, en este punto la importante cuestión -porque tiene consecuencias cualitativas- sobre el criterio que determina la calificación de los alumnos como inmigrantes o no.

En todo caso, esta claro que en los últimos cursos se ha producido un notable incremento del número de alumnos procedentes de paises extracomunitarios. Mientras los alumnos autóctonos estan disminuyendo, la escolarización del alumnado extranjero en el curso 1995/96 en relación con el curso 1991/92 ha crecido en un 47,3%. Además de Cataluña y Madrid, el alumnado extranjero comienza a ser importante en los centros docentes de Canarias, Islas Baleares (con una tasa importante de comunitarios), Castilla y León, Andalucia y Murcia. Por su origen, el número de alumnos procedentes de Europa y Estado Unidos se mantienen mientras que se incrementan los provenientes de Latinoamérica, Africa y Asia. Entre los mismos cursos 1991/92 y 1995/96, el crecimiento del alumnado marroquí escolarizado ha sido del 128%.

Evolución del alumnado extranjero matriculado

Tipo de enseñanza	Curso 91/92	Curso 93/94	Curso 95/96
Ed. infantil/Preesc.	5.265	8.640	9.572
Ed. Primaria/EGB	26.718	32.624	38.397
Bachiller y COU	4.696	6.094	7.008
Formación profes.	2.175	2.718	2.279
TOTAL	38.854	50.076	57.256

El deber de los poderes públicos de promover la igualdad real y efectiva y su

reflejo en la política educativa: los alumnos con n.e.e y las políticas compensatorias.

El derecho de todos los niños inmigrantes a obtener una plaza en un centro escolar se mueve en el ámbito del principio de igualdad legal, sin discriminación, que reconocen todos los Tratados internacionales y se recoge en el artículo 14 CE. Pero la propia Constitución contiene un principio de igualdad distinto, de carácter económico, social y cultural, que, más allá de la igualdad legal, pretende conseguir una efectiva igualdad de oportunidades entre los ciudadanos y entre los grupos. Esta reconocido en el artículo 9.2 CE y vale la pena reproducirlo, pese a su difícil redacción, por la necesidad de su consideración en el ámbito de la inmigración.

> "Corresponde a los poderes públicos promover las condiciones para que la libertad y la igualdad del individuo y de los grupos en que se integra sean reales y efectivas; remover los obstáculos que impidan o dificulten su plenitud y facilitar la participación de todos los ciudadanos en la vida política, económica, cultural y social".

Este principio constitucional, calificado como "igualdad social", en comparación con la anterior igualdad legal del art. 14 CE, apenas es aplicable directamente a situaciones concretas porque su desarrollo y aplicación "corresponde a los poderes públicos", como dice la primera frase del precepto. Pero eso no significa que se limite a una declaración de buenas intenciones; como principio, concede un amplio margen a los poderes públicos para su desarrollo concretos, pero todos ellos deben considerar su aplicación ante las situaciones en que existan obstáculos que impidan o dificulten la libertad y la igualdad de los individuos y los grupos. Por otra parte, vincula a todos los poderes públicos, tanto al legislativo, como al gobierno y la administración y a los jueces, y obliga igual a las instituciones del Estado que a las instituciones de las Comunidades Autónomas. Normalmente el legislador desarrollará sus efectos a través de las leyes que regulan los diferentes

sectores sociales; el gobierno y la administración, lo tomarán en cuenta al concretar las leyes mediante los reglamentos; y los jueces y tribunales deben utilizarlo como criterio de interpretación de todas las normas al dictar sentencia.

Su importancia en el ámbito de la inmigración esta fuera de duda, porque generalmente el inmigrante, al menos en los primeros años, se encuentran en condiciones de inferioridad respecto al resto de ciudadanos en casi todos los aspectos de su vida (trabajo, lengua, vivienda...) y no sólo como individuo, uno a uno, sino como grupo social (marginación, xenofobia, dificultades para la participación...). Todos los poderes públicos, al elaborar y aplicar las normas, tienen pues la obligación de considerar esta situación para promover la igualdad real y efectiva de los individuos y de los colectivos de inmigrantes.

En materia educativa la mayoría de las normas no se refieren a los estudiantes inmigrantes sino que les engloban dentro de los alumnos que tienen condiciones más difíciles para proseguir con normalidad sus estudios. El art. 36.1 LOGSE, prevé la existencia de "alumnos con necesidades educativas especiales" (n.e.e.), y para procurar que también ellos alcancen los objetivos generales de la educación, establece la provisión de los recursos adicionales necesarios. La atención a este tipo de alumnado se regirá por los principios de normalización y de integración social (36.4 LOGSE), y la escolarización será en los centros generales siempre que sea posible y sólo acudirán a unidades o centros de educación especial cuando las necesidades del alumno no puedan ser atendidas por un centro ordinario.

A continuación la LOGSE introduce (arts. 63 y ss), una serie de medidas destinadas a compensar las desigualdades en la educación, habilitando a los poderes públicos para adoptar acciones específicas en favor de la igualdad ("acciones positivas" es la expresión muy significativa que utiliza la exposición

de motivos), que pueden recaer tanto sobre personas como sobre grupos o ámbitos territoriales que se encuentren en situaciones desfavorables. Estas políticas de educación compensatorias estan destinadas a evitar las desigualdades derivadas de factores sociales, económicos, culturales, geográficos, étnicos o de otra índole (donde evidentemente caben los problemas derivados de la inmigración) y tanto el Estado como las CCAA deben fijar sus objetivos principales de política compensatoria (art. 63.3 y 4).

En el nivel de educación primaria la obligación de los poderes públicos se circunscribe a garantizar un puesto escolar en el propio municipio (65.1 LOGSE), salvo en aquellas zonas rurales que aconsejen la agrupación escolar. Este es pues el mínimo del derecho a la educación y la administración cumple su deber si, en aplicación de los criterios de la ley, admite a los alumnos en algún centro escolar del municipio. Pero en el caso de niños con condiciones personales que supongan una desigualdad inicial para acceder a la educación obligatoria o para progresar en los niveles superiores (por proceder de un medio familiar de renta baja, por su origen geográfico o por cualquier otra circunstancia), la administración debe garantizar las condiciones más favorables para la escolarización (64 LOGSE), lo que puede introducir condiciones especiales en la distribución de los niños por centros.

Cuando no se trate sólo de casos individuales sino que el conjunto de un centro escolar tenga especiales dificultades para alcanzar los objetivos generales de la educación básica, debido a sus condiciones sociales, los poderes públicos le dotarán con los recursos humanos y materiales necesarios para compensar la situación. La ley añade que la organización y programación de estos centros se adaptará a las necesidades específicas del alumnado (65.3 LOGSE), lo que implica una gran libertad de opciones organizativas y de programación. El Estado puede proponer a las CCAA programas específicos para alcanzar los objetivos de

la política educativa compensatoria (67 LOGSE).

A su vez, la LO 9/1995, de 20 de noviembre, de la participación, la evaluación el gobierno de los centros docentes (LOPEG) insiste en su exposición de motivos en la escolarización de los alumnos con n.e.e. en los centros docentes sostenidos con fondos públicos y añade que para ello los centros de una misma zona deberán escolarizar a estos alumnos en igual proporción, de acuerdo con los límites y recursos que determine la administración. Más adelante, la exposición de motivos se refiere expresamente a las modificaciones que la ley introduce al régimen aplicable a los centros concertados "para que todos los centros sostenidos con fondos públicos sean de igual modo participes de las medidas que favorecen la calidad de la enseñanza y queden sometidos a equivalentes mecanismos de control social". También de modo expreso establece que se trata de normas básicas que obligan a las CCAA.

En la DA 2ª.1 LOPEG la referencia a los alumnos con n.e.e. es ya concreta en un doble sentido: garantiza su escolarización en los centros docentes sostenidos con fondos públicos, con una distribución equilibrada para conseguir su integración y realiza una definición más precisa de los alumnos con n.e.e. como los que requieran, en un período de su escolarización o lo largo de toda ella, apoyos y atenciones educativas específicas por "padecer discapacidades físicas, psíquicas o sensoriales, por manifestar transtornos graves de conducta, o por estar en situaciones sociales o culturales desfavorecidas".

El núm. 2 de la misma DA insiste en la obligación de los centros sostenidos con fondos públicos de escolarizar a los alumnos antes citados, de acuerdo con los límites que fije la administración, añadiendo que se deberá respetar una proporción de dichos alumnos por unidad en los centros docentes de cada zona, salvo en supuetos en que sea aconsejable otro criterio para garantizar una mejor

respuesta educativa a los alumnos. Insiste de nuevo en que los recursos adicionales que la administración suministre deben repartirse con los mismos criterios para todos los centros sostenidos con fondos públicos. Finalmente, para facilitar la escolarización y una mejor integración, las administraciones educativas podrán colaborar con otras administraciones, instituciones y asociaciones con responsabilidades sobre los colectivos afectados.

La concentración de alumnos inmigrantes en algunos centros públicos como peligro de conversión de algunas escuelas en guetos.

El principal problema que se esta observando en todas las ciudadaes con un alto número de alumnos inmigrantes es la concentración en algunos centros escolares, que llegan a tener una mayoría de estudiantes extranjeros como fruto de dos fenémenos totalmente diferentes; por una parte, el agrupamiento "natural" de los inmigrantes en ciertos barrios, por los precios más baratos de las viviendas, por la atracción de compatiotas o familiares que ya viven allí, etc., pero por otra parte, por la deserción de las familias autóctonas que prefieren trasladar a sus hijos a otras escuelas donde la proporción de inmigrantes no sea tan alta. Aparte del posible cambio de escuela a otro barrio, que no es significativo, o no esta detectado, el problema se presenta mayoritamente como concentración de los alumnos inmigrantes en los centros públicos y huida de los alumnos autóctonos a los centros concertados, a pesar de que en teoría las condiciones de éstos debieran ser las mismas que los anteriores. En el área competencia de la administración central ("territorio MEC"), en el curso 1997/98, el 91,4 del alumado inmigrante se concentraba en centros públicos. En Cataluña, que tiene plenas competencias en educación, en el mismo curso, los 9.000 alumnos marroquíes que cursaban estudios no universitarios se repartían así: 8.363 (93%), en centros públicos y 633 (7%) en centros concertados. En el área de Girona, en el único caso que ha llegado al Tribunal Superior de Cataluña, el reparto era éste: 105 alumnos inmigrantes en centros públicos y 2 alumnos inmigrantes en centros concertados.

Las formas de esta concentración son diversas. En ocasiones, la propia legislación de las CCAA potencian el llamado derecho a la elección de centro, que veremos enseguida; en otras ocasiones se produce por una práctica administrativa que reserva, o permite reservar, las plazas de las escuelas concertada a los alumnos autóctonos; en otros casos, se trata de prácticas de los propios centros concertados que desaniman a las familias inmigrantes para matricular a sus hijos en sus centros con muy diversos argumentos (los pagos que han de realizar por las actitividades complementarias, las ventajas de que acudan a escuelas donde encuentren compatriotas, etc.). La concentración "artificial" se produce por la decisión de muchas familias autóctonas de retirar a sus hijos de los centros escolares que alcanzan un tasa significativa de alumnos inmigrantes, especialmente cuando la propia administración promueve nuevos centros concertados, sin necesidad porque en la zona ya existen sufientes centros públicos.

Por tan diferentes caminos se esta llegando a una situación preocupante. Los alumnos inmigrantes se concentran en centros docentes públicos en una proporción muy superior a la tasa de la población inmigrante del mismo barrio, mientras que los estudiantes autóctonos se refugian en los centros concertados. Los primeros corren un grave peligro de convertirse en escuelas-guetos, aunque no tiene que ser necesariamente así.

El principal argumento de escuelas, y a veces administraciones, conservadoras en favor de esta orientación resulta particularmente farisaíco, y consiste en la invocación al derecho de los padres de elegir un centro docente para sus hijos. En realidad, tal derecho no existe en la legislación española, pero se alega con una confusión -voluntaria o no- con el derecho reconocido por la Constitución y por el Pacto Internacional de los Derechos Económicos, Sociales y Culturales de la

Hartmut Esser

Integration and Ethnic Stratification
(Translation Aline Freye)

University of Mannheim
Faculty of Social Science
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Integration and ethnic stratification

The emigration of large parts of individual populations as immigrant workers and the long duration of their tenure in countries which receive them has of late, become a worldwide and enduring phenomenon. It is a central byproduct of the globalization process and the increasing interdependence and integration of national states, and is magnified by the growing tendency within supranational associations, such as the European Union (for an overview of the European situation, cf. Fassmann and Münz 1996; for the U.S.A., Rumbaut, Foner and Gold 1999). The general direction of such migratory activity is somewhat predictable: to a large extent, it follows the course of economic prosperity, the demand for labor, and often those paths of migration resulting from the course of historical or political development, such as has been the case with Italians and Turks going to Germany, Algerians and Moroccans to France, Surinamese to the Netherlands, or West Indians and Pakistanis to Great Britain. After World War II, northwestern European countries became the major destination points (targets) for such migratory labor, while the Mediterranean area provided the major emigration countries. These countries currently report between 6 and 10% of their total populations to be members of foreign, ethnic migrant groups, whereas Switzerland is exceptionally high, right at 20%. Today even southern European countries, which once exported migrant labor on a regular basis, have become evermore the destination for immigrant workers, especially those originally from African countries or the Middle East. Greece, Italy, Spain and Portugal, meanwhile, already have foreign populations of between 1.5 and 2% - with a tendency toward more growth (cf. the survey by Münz and Seifert 1999, Table 1).

The results of this evolution are basically identical everywhere: **Individual** immigrants and their families find themselves once again, despite their initial plans, in a continually

disorienting, marginalizing and problematic situation, something to which they adapt over time. As a rule they occupy a "lower status" in the larger society and at least in the first stage, segregate themselves into highly self-contained ethnic communities and cultural enclaves. With succeeding generations, a process of **integration** sets in, including forms of assimilation into the larger society, a process which varies in terms of speed and durability, depending on the group and its patterns of social relationships. For some groups, such as the Turks in Germany or the Algerians in France, there appears such a strong ethnic segmentation and such marginalization, that basically, they belong to neither social group, but form a new, "excluded" group at the edge of all society.

The **social** consequences of this is seen especially in the **ethnic differentiation** of what was previously a relatively homogenous recipient society. Seldom, however, does it consist of a multi-ethnic society with peaceful groups living side by side. More often distinctive **ethnic stratifications** develop, in which the immigrant groups, especially those with the greatest cultural distance from the recipient society, systematically assume particular occupations and engage in specific economic activities, wherein they also usually occupy the lowest positions in terms of prestige and social mobility. Recipient societies which were once relatively homogenous ethnically, turn into societies with a kind of cultural division of labor, ones which, at first glance, not only resemble middle age feudal systems, but which actually have many similarities to a caste system. So it is not without justification that some speak of the onset of quasi-caste systems (for a closer look at this question cf. sections 3 and 5 below).

It happens practically everywhere, for example, that foreign nationals still occupy positions in predictable areas, especially in production and labor industries; and by far the largest number of those who are self-employed establish themselves mostly as

small, independent, family operated businesses marketing within specific ethnic niches. In Germany, Great Britain, France, the Netherlands, Belgium and Austria, for instance, unemployment among immigrant workers is considerably higher than among the local populations, whereby immigrants from non-European Union countries show the highest percentages. The same pattern can be seen with education among immigrant workers and the participation of their children in education programs: whereas the tendency within most indigenous populations is toward higher levels of formal education, children of foreign families remain for the most part in schools which do not lead toward advanced education (cf. also Münz and Seifert 1999, Tables 6 to 8), and this bears directly on their later professional placement and the social opportunities available to the next generation.

The background for these sociological processes lies in the fact that, as a rule, the basic requirements necessary for competing for better positions in a new society generally place immigrant groups at a considerable disadvantage, there is often a certain social distance maintained by the local population, and not infrequently, there are formal disadvantages which result from residence permit (visa) and citizenship regulations plus whatever legislation may exist regarding foreign nationals. The quite understandable segmentation that occurs within an ethnic community as a reaction to the initial phase of disorientation is intensified by the disadvantages experienced in competition, so that, not infrequently, a self-perpetuating process sets in leading to the ongoing "exclusion" of certain ethnic groups. This can become a motivation for ethnic and cultural tensions, often growing into religious or even "fundamentalist" conflicts, the frequency and explosiveness of which has increased more recently, and not without reason, even in relatively "modern" societies as well as in many other parts of the world.

The following assessment explores the problems of integration, ethnic differentiation and ethnic stratification and presents an overview of the observable, conceptual dimensions, theoretical interrelationships and empirical rules they seem to follow. The overall background is the search for those central sociological conditions and processes plus those individual actions and

efforts by which a recipient society can achieve ethnic differentiation without creating long lasting stratification and along with that, the ongoing possibility of ethnic conflicts. We approach the investigation in this sequence: moving from the problems of integration, to those of ethnic differentiation, ethnic stratification and ethnic conflict, and then at the end, we will come back to the question of what factors remain which could help prevent ethnic stratification.

1. Integration

When we speak about the individual and sociological consequences of immigration, the central question becomes the "integration" of the immigrants. Even what is depicted as the structural consequences of ethnic differentiation and of ethnic stratification are merely special constellations of that term. Despite its extreme relevance, even today this concept is not always used in an unambiguous way in sociological studies of immigration, although in the general study of sociology it actually carries a specific meaning. Therefore it is imperative from the outset to clarify the term "integration" in connection with the individual and sociological consequences of immigration, and to take into consideration recent discussions in the sociology of social heterogeneity and social differentiation.

The Concept "Integration"

At the outset, let us understand the term "integration" in general to refer to the cohesion of the parts within a "systematic" whole as distinguished from the non-structured environment generated by it, regardless of what has influenced this cohesion (on this subject more fully cf. also Esser 2000). One might also add that they must be "integral" parts, that is, not merely components resembling the whole. The opposite concept is that of the segmentation or the breakdown of a system and the

dissolution of its boundaries with respect to its environment. The integration of a system, by whatever means, is thereby defined by the existence of relationships among the units within it. And depending on the structure of those relationships, a system can be "more" or "less" integrated. The one extreme would be "behavior" marked by total dependence of the parts on one another, the other would be marked by total independence.

It is therefore at first irrelevant what kind of units are involved in relationship. Two important items must be distinguished in connection with the individual and societal consequences of migration: the relationship between the various (parts of) **systems** in the society, and the relationships which the **actors** within a social group maintain among themselves, in relation to the parts of the systems and to the society as a whole. In this regard, the British sociologist David Lockwood makes an important distinction: the distinction between **systems** integration and **social** integration. By systems integration David Lockwood speaks of "the orderly or conflictful relationships between the **parts**", while social integration refers to "the orderly or conflictful relationships between the **actors**" within a social system (Lockwood 1964, p. 245; emphasis in the original).

System Integration

Accordingly, **systems integration** refers to the formation of relationships among the parts of a social system, **independent** of any special motives or relationships between the individual actors. Often enough, this occurs even **contrary** to the intentions or interests of the actors, and it can filter in **anonymously** or show up behind their backs, so to speak, whereas social integration always deals with the actual motives, orientation and intentions of the actors. It is the integration of a social

system which goes "over the heads" of the actors, as can happen when global markets, states, or large corporative actors are involved. It is a special kind of "integration" of the (global) society, in which "natural" people are helpless, what the power of the market or the ˋjuristical˝ persons of more and more powerful corporative actors and ˋglobal player˝ do with them in the course of systems integration of the global society. Economics and organization are the two fundamental mechanisms of "anonymous" systems integration.

Social Integration

On the other hand, **social integration** describes the relationship of the **actors** to each other and to the system as a "whole". Social integration, therefore, deals with the interrelationships of the actors in the context of a social group, not only with the relatively smooth and harmonious functioning of the social group as a complete system. At least four variants of social integration can be distinguished, when defined as the social inclusion of the actors in a social group: acculturation, placement, interaction and identification.

Four Mechanisms of Social Integration

By acculturation we mean that the actors acquire the knowledge necessary and gain the particular competence required to operate within and among social groups in meaningful, understandable and successful ways.

This knowledge and competence involves the ability to codify the most important typical situations and to master whole programs of social behavior attached to them, especially as regards norms and social imperatives. Knowledge and competence become a kind of (human or even cultural) capital, in which the actors can or even must invest, if, for example, they are interested in positions of social esteem or if they want to participate in interactions and transactions of benefit to themselves. Social

integration as acculturation is especially a process of acquiring the right degree of knowledge or competence. It is a part of the socialization of people in their respective social groups, more precisely, a part of cognitive socialization. In the course of "integrating" immigrants and their offspring, this especially becomes a process of acculturation – the acquisition of knowledge and skills which enable them to deal successfully in the recipient society, especially language skills, something most often accomplished only after several generations.

By **placement** we mean the actor actually has a place in society, a particular social position. This is also a form of "incorporation" of the actor in a social group, probably even the most important form.

Placement means that actors are incorporated into an already existing social system where they can obtain a position. In more recent discussions, this course of events has also been designated "inclusion", whereas being shut out of social positions has correspondingly been called "exclusion". The most important forms of social integration through placement or inclusion are the extension of specific rights, such as citizenship and voting rights which usually accompany it, access to professions and other positions, mostly dependent on continuing a specific career for which one has already trained, plus access to social possibilities for linking up with, and for conversation in social relationships to other members of social systems. Social acceptance, the absence of prejudices, discrimination and Closures become essential conditions of placement. Social placement or inclusion is closely connected with the mechanism of acculturation mentioned above: On the one hand, actors either acquire a certain competence by being placed in specific positions, or they do not. On the other hand, acculturation is frequently an important filter for the placement of actors: Only those who possess a good school credentials can hope for an acceptable post. Those who have competence in specific areas then gain control over desirable social resources, and thereby also become a "person" of interest (or "group" in the case of aggregates of persons) to other actors in the system. Broadly speaking, this person will possess a certain power, which will also be of interest to other actors and will ultimately be recognized and accepted socially. The social integration that comes with placement is probably the most important condition for attaining usable capital in a social group, especially in the form of economic capital and so-called human capital.

Interactions are those two-way forms of social activity by which the actors orient one another concerning knowledge and symbols

and undertake mutual transactions, thus building more or less fixed relationships.

Through interaction socially integrated actors most often establish among themselves whole "networks" of relationships, in terms of who they know, what forms of communication they use, and what kinds of social relationships they maintain. The most important conditions for social integration which comes through interaction are those stated above, the results of acculturation and placement: The control of the generally desirable resources, competence in certain areas, social acceptance and possession of opportunities for connecting and establishing strong contacts. The most important result of social integration through interaction is the acquisition of so-called cultural capital, that is, those specific, highly preferred and distinctive skills which are attainable and which become usable only through interaction, plus the so-called social capital, that is, the ability to put into active use those desirable resources which result from being imbedded in a social network.

Finally, the **Identification** of an actor with a social system is that special attitude by which actors see themselves and the social structure as a unit and become "identical" with it. It is an inspiring and emotional relationship between the individual actor and the social system as a "whole" or as a "collective", which orients the actor, as for instance, with national pride or that "we" feeling with other members of the society or group. Probably the clearest example of social integration as identification is the conscious loyalty expressed toward the "society" and its leading institutions, for instance, in the form of a value base which approves of its political positions and decisions. It is the integration of the social group through distinct feelings of solidarity, the holding of certain values as absolutes, and a more or less conscious, and certainly also emotional identification of the actors with the conduct of the society **as a whole.**

The emphatic approval of a particular societal order is not the only form of socially integrating support. There are also kinds of supportive social integration in which every remnant of "integrating" orientation is missing, and which are based solely on the unique constellations of interests and possibilities of

the actors. We will designate these forms of social integration as integration through "yielding" of demands of various kinds. Thus, two forms of social integration through "yielding" can be distinguished. First, there is the giving in to "the system" by the actors caused by the complex overlapping of points of inner conflict with their identity as a result of the - inconsistencies - in the intersection of social circles. Such overlapping and inconsistencies of orientation do not lead the actor to a larger aggregation of people with similar interests nor even to a dis-integration from the system, like a alteration of the existing society, but to a kind of revolution within the existing relationship to the social group, a consolidation where everything remains - externally - calm. The struggle lies within the actor, and instead of a revolution, millions of gastric ulcers develop. This form of social integration might be designated a **linking integration**. It is typical in modern, functionally differentiated societies. With linking integration the actors actually do nothing against the integration of the system, because, in spite of all the inner conflicts, they gain much from it: prosperity, social security, and individual freedoms. And in functionally differentiated, rich societies, there have always been, and recently the numbers are increasing, those condemned of the earth, those pushed to the outside in every way, and those who belong to the lower and the lowest classes. Even they usually learn to give in to the "society", because of their experience or the despairing hopelessness of any attempt to change things. This form of yielding in social integration might also be labeled **deference integration**. It is the weakest form of "integration" through identification. For the "society" however, it is only rarely a dangerous matter. Misery and hopelessness, as we know, create apathy.

The central requirement for building the empathetic support of a system is satisfactory placement or successful allocation of status and being incorporated into the interaction and the social relationships **within** the respective social system, which for its part, is correspondingly bound by acculturation. Linking integration actually depends solely on the assignment of attractive positions and the rewards connected with them, if possible, in a complicated intersection between the inclusion of the actors in very different functioning systems with "individual" models of social situations. Only deference integration can manage this without "material" support. It feeds on the hopelessness of the situation and the helplessness of the actors. That is why it is hardly appropriate for social

integration in a modern society, because here the actors possess very much power and competence to change situations which seem unbearable - even if it might only be the power of the vote.

Marginality

Social integration of foreign ethnic minorities (and other ethnic minorities) can involve (at least) three social "systems": country of origin, recipient country and the ethnic community in the recipient country. Since the social integration of an actor must primarily involve **some** kind social group context, the question of (social) "integration" is completely independent of whether it involves the country of origin, the recipient country or the ethnic community. With this in mind, the typical case of **marginality,** where the situation involves the migration of the very first generation, is easy to categorize: it is the in-complete **social** integration of actors in **any** kind of group social context. And in accordance with the four dimensions of social integration named above, such marginality can occur with respect to acculturation, placement, interaction and identification, for example the kind where no language is properly mastered, nowhere will an acceptable position be occupied, no interaction will be undertaken, and there is no identification with any social group. The marginalized actor is an outcast, lonesome and homeless outsider, no matter where they go.

Types of Social Integration among Foreign Ethnic Immigrants

The social integration of foreign ethnic immigrants can involve completely different kinds of social group systems: in the recipient society, in an ethnic community within the recipient society or also (still) in the society of origin. Thus, when one distinguishes between the ethnic community and the society of origin on the one hand, and the recipient society on the other,

regardless of whether the actors in each case have become socially integrated or not, specific types of social integration of immigrants can be distinguished, whereby, in the meantime, the essential dimensions of acculturation, placement, interaction and identification ought no longer to be considered.

Illustration 1: Types of Social Integration among Foreign Ethnic Immigrants

		Social Integration in the Recipient Society	
		Yes	No
	Yes	Multiple Integration	Segmentation
Social Integration Society of Origin/ Ethnic Community			
	No	Assimilation	Marginality

So, logically, four types of Social Integration are found among immigrants: what is here called **Multiple Integration** as the social integration of an actor in both societies or milieus, ethnic **Segmentation** as the social integration in a inner ethnic milieu and exclusion from the sphere and milieu of the recipient society, **Assimilation** as the social integration into the recipient society as a function of social integration into ethnic relationships, and finally **Marginality** as the socially

integrative exclusion from both domains.

Assimilation

How would "integration" of an immigrant into the **recipient** society then be possible? According to the diagram, there are only two variations: multiple integration and assimilation. Multiple integration is logical, indeed possible, though in fact, it is still seldom probable. It requires extensive learning activities and opportunities which are denied to most people, and even more so for the average immigrant (- worker). At best, this type of "multicultural" social integration might come into question for the children of diplomats. Empirically, however, even this is exceptionally rare. In most cases the (social) integration of immigrants occurs predominantly in one context or another.

Social integration into the recipient society, then, as can readily be seen, is possible **only** in the form of assimilation: the acculturation within the **recipient** society with respect to knowledge and competence, placement and inclusion into the functioning spheres of the **recipient** society, inclusion into inter ethnic contacts, social relationships and reciprocating activities with local people and the emotional support - not of the society of origin, but of the **recipient** society.

The term assimilation still requires a bit more precision. To begin with, assimilation is to be understood - in very general terms - as the "adaptation" of various groups in specific characteristics, such as in speech patterns or in the professional positions they enter. This always proceeds from an adaptation to particular **distributions** of the various groups, because even the local population is not homogenous. "Assimilation" in the labor market is present, for example, when the various groups show the same patterns of inclusion and subsequently exhibit the same proportions of distribution throughout the various branches of the economy. That means: there can understandably be social inequalities even with assimilation, but these inequalities may not differ among the

ethnic groups. Usually four contents-related dimensions of assimilation are kept separate: **cultural** assimilation, the adaptation of knowledge and skills, such as in language; **structural** assimilation, the acquisition of positions in various functional systems, such as in the area of education and especially in the job market; **social** assimilation as adaptation in terms of social acceptance and patterns of relationships, such as getting married; and **emotional** assimilation, the adaptation of feelings of identification with the recipient society. As can be seen, these correspond well to the four contents-related dimensions of social integration which we distinguished above: acculturation, placement, interaction and identification.

This close relationship between social integration in the recipient society and assimilation into the relationships there is a self-evident fact (is a given) from which earlier sociology of immigration always proceeded. In the face of the notion of possible "multicultural" societies, this has become somewhat obsolete (gone into oblivion). But it cannot be denied: social integration, for instance, only in the ethnic community, the retention of social integration in the country of origin or even the marginalization of persons and groups among all chairs can certainly not be what is meant by the "integration" of immigrants. Realistically, that is why the total social integration of immigrants into the recipient society, except for a few diplomats, academic people or other sundry cosmopolitans, can hardly be understood as anything other than "assimilation".

Thus, assimilation, as a concept, can in no way mean solely "fitting in" with the recipient society. A necessary "adaptation" can also occur through it, such that all parts of the population change in such as way that the distribution of various characteristics throughout the various groups are alike. Empirically, meanwhile, it has also been observed that such all around adaptation is very rare; and when it happens, then it is more likely in peripheral areas, such as in eating habits or in leisure behavior (activities). The qualities necessary for "inclusion" into society, as regards "adaptation" remain nearly unchanged, as for example, with language or cultural skills (cf.

also illustration 5).

2. Ethnic Differentiation

An inquiry into the social integration of immigrants, with respect to acculturation, placement, interaction and identification, raises an immediate question, of course, concerning the **systemic** integration of the entire society. This must be asked especially with respect to whether systems integration of the recipient society is even conceivable **without** an assimilative social integration of the immigrants and ethnic minorities into that society, and that means: with the ethnic differentiation of the society in question. Both concepts – (systemic) integration of the recipient society and the (socially integrative) assimilation of the actors and groups and/or the ethnic differentiation and those processes bound to it – logically speaking at any rate, are independent of each other.

Thus, **systemic** integration of the entire **society** and its broader subgroups could exist, if the various groups, the local people among themselves, and the foreigners deriving from various countries and cultures, would find balanced relationships to one another which are relatively free of tension, even if not exactly "harmonious", whatever the "relations" are about.

Systemic integration involving the inclusion of immigrants and other foreign culture groups deals mainly with the relationships to various markets, commodity and labor markets especially, the orientation to generalized, symbolic media, especially to the medium of money, or to the exercise of governmental power, such as the granting of minimum rights (and duties), like residence privileges and the obligation to pay taxes. Such systemic integration then, does **not** require loyalty to the recipient country, and not even necessarily, any particular sense of cultural community or the establishing of inter-ethnic contacts. Everyone can work and pay taxes, even if they do not understand the language of the recipient country, even if they move only among countrymen within their ethnic community or still live in Turkey or Morocco emotionally.

It is abundantly clear, however, that there is no forced connection between **systemic** integration and the assimilative **social** integration of immigrants and ethnic groups, at least **not** in every respect. Accordingly, integration and assimilation and/or ethnic differentiation are conceptually and logically independent of one another, though certainly not empirically, as we shall see later.

From these two dimensions of systemic integration on the one hand and assimilation and/or ethnic differentiation on the other hand, we discover a simple typology for societies with various structural characteristics (illustration 2).

Illustration 2: The Integration of Society and the Assimilation of Immigrants

	(Systemic) Integration	
	Yes	No
Yes	Ethnically homogenous and integrated societies (e.g., Italy, Portugal, Greece, West Germany before 1967)	Class or regional conflicts in an ethnically homogenous milieu (e.g., England in the 19th Century; the U.S. during its Civil War; France, Spain, Great Britain, West Germany after The reconciliation)

Assimilation

| No | Multi-ethnic society (e.g., Switzerland, U.S.A., South Africa | Ethnic or religious conflicts (e.g., Northern Ireland, South Africa earlier, |

today, India, West   Yugoslavia, Ruanda-
Germany after 1967)   Burundi)

The left column describes (systemically) integrated societies. They "function" relatively smoothly and there are no severe or systemic conflicts among the various groups. In everyday life there may certainly be tensions and conflicts. But they are temporary and happen in changing constellations. Notably, there is not necessarily any explicit undergirding of the "systems" of society in the form of an expressive loyalty by the actors. Still, the societies hold together, especially in terms of economic and political interdependence and the systems integrative performance of the various markets. The right column, on the other hand, shows the case of long term and open conflicts between groups. Behind these, we most often find latent conflicts of interest over the fundamental "constitution" of that particular society.

Systemic integration of a society, like its counterpart, the systemic conflicts among groups within a society, is conceivable in either an ethnically homogenous or an ethnically heterogenous milieu. The Federal Republic of German after WW II until about 1967 was an example of a systemically integrated, ethnically homogenous society, as were, for example, Italy, Portugal or Spain. After 1967, the first large wave of immigrant labor set in, resulting in ethnic differentiation of an absolutely, systemically integrated Federal Republic of Germany. Other examples of ethnically heterogenous and (systemically) integrated societies are Switzerland, the U.S.A., present-day South Africa, and even India with its caste system, which gets supported by all castes (or at least gives deference to). The case of a systemically integrated, ethnically heterogenous society without assimilation of the various groups would then be designated a

multi-ethnic society. Because of its importance to the rest of our discussion, we have also emphasized it in the diagram.

So-called class conflicts are probably the most important example of systemic conflicts and the absence of systemic integration within an ethnically homogenous milieu. This includes, however, the recent increase of regional conflicts, as for example, that between East and West Germany after the so-called reconciliation, or the regional conflicts in France, Spain or Great Britain. Conflicts, such as those in Northern Ireland, or those which took place earlier in South Africa, or which are now occurring again in Yugoslavia or in Rwanda-Burundi, represent a combination of the lack of systemic integration and an ethnic differentiation of the society.

Trying to exclude systemic and long standing conflicts between the various groups in a society can only be done with systemic integration, at least for any politically justifiable concept of improvement in the relationships between immigrants and the local population. And then the question arises as to whether this ought to involve ethnic heterogeneity or homogeneity. This is a matter of integration policy, which is oriented either toward a concept of assimilation or a multi-ethnic society.

In "classic" target countries for immigration, like the U.S.A., Australia or Israel, and even Canada, the idea of assimilation was self evident for a long time, and the notion of multi-cultural groups living side by side was thought of as a transitional stage at the most. More recently, conceptualizing a form of inter-ethnic relationships in the course of immigration has changed in many places, if not everywhere. Meanwhile, in the face of the appearance of firmly established and noteworthy proportions of foreign ethnic groups and foreign language minorities, the concept of multi-ethnic societies has become point of departure for discussing many countries, and this idea

is also supported officially in politics and partially in the economy. The multi-ethnic or multi-cultural society as the peaceable coexistence of ethnic groups is an idea which, it would appear, complies with the interests of the immigrants, while it also leads to a cultural enrichment of the recipient society without negative consequences worth mentioning - especially since everyone remains free in this framework, to go the often tiresome route of ˙assimilation″ .

3. Ethnic Stratification

It is not without reason that the concept of a multi-ethnic society enjoys a certain attraction. Yet, is it completely problem free or even realistic?

In any case, the assimilation concept is certainly not an unrealistic, forced idea, or one that somehow makes exacting demands of the immigrants. Empirically, and this is indeed surprising and contrary even to many actual appearances, the processes of (social) integration of immigrants, for many proponents of a concept of multi-ethnic society, still seem rather like those provided by the old American dream of a melting pot: after a few generations practically all groups ˙assimilate″, even if at varying speeds and with varying degrees of durability (cf. also the latest findings on the situation in the U.S.A. by Alba, 1999). The appearance of long-lasting ethnic differentiation in western countries which are targets of immigration seems to have less to do with the fact that there is no (longer) any assimilation or that a long-lasting ethnic differentiation of the respective nation state has begun. Rather, it has more to do with the fact that in the course of world wide mobilization there are always new groups who become the first generation and begin what is sometimes quite a long process of assimilative ˙inclusion″ into the recipient society. And, even in the classic target countries for immigration, the process of assimilative incorporation has actually required three to four generations, and with that quite a long period of time.

The main problem with the concept of multi-ethnic societies is that of a third dimension of societal structuring of inter-ethnic relationships, which until now, was no longer considered: the presence of systemic, **vertical** social **disparity (inequality)**

between the various ethnic **groups** or their **uniformity** with respect to their social structures, such as with the average education, in the occupations practiced, the income, the participation in public opportunities, and especially with respect to political participation and representation, or even the systematic uniformity of all groups with one another. By this we do not mean that aspect of whether there is or is not vertical, social disparity in the respective society at all; vertical social disparity exists in **every** society. By **uniformity** we mean much more, the fact that the particular vertical, social disparity present is ultimately related to the **individual** and for that reason, the various (ethnic) groups are largely alike, as far as the above mentioned indicators of vertical, social disparity are concerned.

In the case of assimilation, however, this uniformity of the ethnic groups in the social structure of their hierarchies is, by definition, already decided, so to speak. It is the structural assimilation of the actors in that there is similar distribution in terms of the above mentioned variables of vertical, social disparity. Here there can actually be social disparity, and covariance, but not systemically with some kind of ethnic or cultural characteristics.

With the constellation systemically integrated societies and their differences according to ethnic homogeneity and ethnic heterogeneity, we must still distinguish whether there is or is not systemic, vertical, social disparity within the social groups. For that we look at the following diagram (illustration 3).

Illustration 3: Ethnic Differentiation and Vertical Social Disparity (in Systems Integration)

Vertical Social Disparity

		Yes	No
		Social Disparity in an ethnically	Social Uniformity in an ethnically heterogeneous
	Yes	homogeneous milieu ("classes", "status")	milieu ("individualization")
Assimilation/			
	No	ethnic stratification ("ethclasses")	ethnic pluralization ("multicultural society")

For the ethnically homogeneous milieu of a society, the distinction between groups according to uniformity and disparity denotes two common cases: in one case the existence of social classes or perhaps status, whereby it should not be ignored that cultural differences go along with class and status, although none which would be defined somehow as "ethnic". The other case describes the dissolution of group differences, "class" and "status" in an ethnically homogeneous milieu, such as has been made popular under the label "the individualization" of modern societies. Accompanying this is the adaptation of the actors and those groups still in existence with regard to the cultural differences which they have given up along with their class and status. Individualization as the dissolution of class and status is also always a pluralization of ways of life and life styles in an otherwise ethnically homogeneous milieu.

The lower row of the diagram shows two cases of ethnic differentiation of a society and/or two constellations of multi-ethnic societies. On the lower right is, indeed, what is always meant by the concept "multi-cultural society": those groups of equal standing, although ethnically, religiously and culturally very different, as though they had their own environment - but participating **equally** in societal resources. And on the lower left we find the constellation, ethnic stratification: the systematic covariation of ethnic groups with typical positions in the system of vertical social disparity. Milton Gordon had long ago coined a striking expression "ethclasses" for this (Gordon 1964, p. 52). It is the case of ethnic stratification.

Ethnic stratifications are, accordingly, societal systems of the systemic over- and order ethnic groups in an ethnically differentiated society (for a closer understanding, cf., Noel 1968; Schermerhorn 1970; Lieberson 1972; Esser 1980, pp. 121ff.; Esser 1991, pp. 29ff.). There are milder and more severe forms of ethnic stratification. With the milder forms, the hierarchy is always related only to a specific characteristic, the classification of people is not exclusively in the sense that affiliation with the group can also be removed, and there is no institutionalized order.
In extreme forms of stratification, the ordering of life is related, in extreme cases, to every aspect of a person's life, affiliation cannot be removed, and formally sanctioned, institutional rules apply as well as society-wide legitimation, at least of the dominant groups. Often this vertical structure goes along with a division of functions within society: the various ethnic groups undertake typical professional activities and societal functions, whereby one ethnic group often forms the political, military, spiritual, intellectual and economic elite at the same time. This becomes the structuring principle of the so-called stratigraphically differentiated society, in which peripheral groups within the population are typically relegated in a vertical way to typical societal functions. As for ethnically homogeneous relationships, the middle European feudal system was structured in a similar way. Caste systems are cases of "feudal" ethnic stratification, whereby, and this is common in feudal systems, there is a comprehensive legitimation of the system which is also strongly anchored in religion, even among the lower "castes". To this extent, when ethnic stratification sets in as a result of immigrant (labor) in modern societies, this can be understood as the creation of a kind of caste system or a return to feudalism through the systematic substratification of a local population. Because this lacks any real legitimation,

it is best to speak of a quasi-caste system or of quasi-feudalism.

By classifying both **theoretical** variants as "ethnic differentiation" versus "assimilation" as a concept for the inter-ethnic relationships in a systemically integrated society, we must now observe an important **empirical** peculiarity: all long-lasting, ethnically differentiated societies constitute, more or less, distinct ethnic strata. There is practically **no** ethnically differentiated society which would not also be an ethnically stratified society at the same time.

India, with its caste system divided up into ethnic groups is the richest example of this, while the U.S.A., at least with respect to African Americans, cannot be excluded. But even in Switzerland or Canada, the "coexistence" of four ethnic groups is rather a "one on top of the other" in the relationships to the immigrant groups, such as in France, Great Britain, Belgium, the Netherlands and German Federal Republic. And it appears that the establishment of ethnic strata cannot be prevented – as long as it does not come to assimilation of the ethnic groups and thereby, to the dissolution of ethnic differentiation in the recipient society (for this, cf., illustration 4).

The "multi-cultural society as a permanent equal coexistence of ethnic groups in a (systemically) integrated society is, for all appearances, is nothing else than a beautiful dream , in which every effort for the implementation of the multi-culturalism hardly changes anything.

4. The Formation and Establishment of Ethnic Stratification

The empirical observation, that ethnic differentiation nearly always occurs in the form of ethnic stratification, or that it quickly mutates into it, is not difficult to explain. Actually, hardly anything else would be expected. We want to sketch out some structural background factors and a few processes of formation which practically guarantee that ethnic differentiation will always mutate directly toward stratification.

Structural Background Factors

There are always structural background factors related to ethnic stratification. They exist not only as a consequence of immigration. Even the symbolic "ethnic tendencies" of groups highlighted above are a culturally determined and socially defined consequence especially of economic and political disadvantages or preferences. There are essentially two structural background factors related to the formation and hardening of ethnic stratification to be considered: regional disparities and differentiation in the labor market (cf., more fully, Hechter, 1975 or Olzak, 1983).

With **regional disparities** we are dealing with the systematic placement of certain regions of the country at a disadvantage, whether it be a different tempo in the internal development, or a consequence of a political deprioritization of that region compared to the center of the country.

Regional disparities are mostly a consequence of rise of colonialism and the creation of national states, especially in the so-called third world, but also of what occurred earlier in Europe, an which has partially lead to the rise of a system of stratified sub-nations. But they also exist in the form of a system of "internal colonialism" and "cultural divisions of labor" between regions when a distinct political, administrative and economic center of power dominates and even exploits the peripheral regions (cf., such works as Hechter, 1978; Rothermund, 1987). Variations of such regional, ethnic stratification exist in Great Britain, France, but especially in Russia today, as a consequence of conditions in the former Soviet Union.

When we speak of differentiation in the labor market, we mean the systematic apportionment of certain groups into specific branches and dividing them into separate salary groups, even while performing the same work (cf., Bonacic, 1972). Such differentiation can occur according to gender, age, but also according to ethnic criteria. Two cases of differentiation in the labor market must in turn be distinguished: a split in, and

a segmentation of the labor markets.

By a **split** in the labor market, then, one is speaking of when
there are differences in the payment of workers for the same
activity as, for example, in the form of lower pay scales. An
ethnic split exists then, if the apportionment of ˇnormal" work
ratios and lower pay scales systematically occurs along the lines
of ethnic identity. This occurs often in labor markets which are
not highly regulated, as a consequence of immigration, since
immigrants are known to be willing to accept work contracts for
lower wages. Segmentation exists in the labor market, if ethnic
groups are systematically relegated to specific branches and
activities. With immigrants and other minorities, this often
happens unintentionally when they occupy specific economic niches
which the local population and/or the dominant population no
longer occupies, for example, in the form of small businesses
operated by immigrants, some of which are directed toward the
specific needs of the immigrant population.

Long standing regional disparities and differentiation of the
labor market are important causes, not only for the formation of
ethnic stratification, but also for ethnic conflicts connected
to it (for this, see illustration 5). They are, so to speak,
the ˇbasis" upon which the stylization of ethnic, cultural and
religious differences can ultimately surface as an independent
and radicalized ˇsuper structure".

Mechanisms and Processes

Ethnic differentiations and ethnic stratifications are certainly
not ˇstable" structures, but are continually ˇreconstituted"
through ordinary activities and everyday interactions. A rough
classification exposes two mechanisms and processes in the
constitution of ethnic stratification, ones which work together
in individual cases and which can mutually reinforce one another:
social distancing between the groups and their segmentation from
one another.

Social distancing is a process of **external** demarcation (cf. the
various contributions on the subject by Barth, 1969). It shows

up in the form of distancing attitudes, as "prejudices" and as the exercise of discrimination.

Prejudices as with other attitudes, tend to match or to be in consonance with existing "belief systems" which the actors share with those around them, particularly those from one's primary support groups, where they are reinforced through interaction. For that reason alone, they are scarcely influenced by "enlightenment" or tolerance campaigns, especially not when they are a fixed element of everyday life. It has been more than demonstrated, perhaps even proved, that prejudices are rarely changed merely by contact between groups either. Only when there is contact between people of like status in situations which are troublesome for both sides, and when they share an ongoing experience of common problem solving, only then do the (negative) stereotypes subside and make room for sympathetic feelings. Most often, these sympathies are still limited to specific persons and special situations, such as with colleagues in the workplace. **Discrimination** by contrast refers to arbitrary, unequal treatment of people who belong to a different group. Not every act of unequal treatment is actually discrimination. Background information must always be taken into consideration, such as the level of education involved in the allocation of occupational positions. Feelings of distance and discriminatory treatment need not be covariants, to be sure. The problem of the extensive independence between "attitudes" and "behavior" is a case in itself. The main reason for this is that, as a rule, how one acts sometimes carries very grave consequences, whereas voicing prejudices in a closed group usually goes on with no further consequences, and there it is often expected or even rewarded. As a result, it is certainly understandable that this can lead to discrimination, even if the actors harbour sympathies for the each other's groups or persons in them. This is well known in the housing market, for example, where a neutral property owner often refuses to accept immigrants as renters, because they fear this has to decrease their property value in the minds of other tenants.

Segmentation of ethnic groups is a process of "free will" exclusion from the surrounding society as a group unites **from within**. There are three forms of segmenting activity which increase in magnitude: spatial segregation, cultural segmentation and the institutionalizing of ethnic communities.

Spatial segregation is the concentration of particular ethnic groups into specific areas or into sections of a city, whereby

for immigrants especially, segregation into the inner city is typical, and for ethnic and sub-national minorities regional concentrations are more frequent.

Of course, physical segregation into quarters of a city can be a result of discrimination, such as in the housing market. At least, certain indirect processes occur which are equally important here. One of these comes from background observations which address the question of systematic physical dispersion. For instance, immigrants can be in a position to pay only a certain level of rent, and just because of the difference between their income and that of the local population, they become indirectly concentrated in low-priced areas with the worst standards if living. A second tendency is the so-called invasion-succession-cycle: As foreign families move into a particular apartment building, which had always been the sole terrain of one culture, a cumulative process based on negative distancing can break out, and in conjunction with this, local families move away, so that their empty apartments provide the occasion for more foreign families to move in, and so on. Nonetheless, such processes of segregation can occur without negative distancing, based solely on the preference of a particular minority for members of their own group as neighbors. Schelling (1971), in a model for the dynamics of segregation, showed that with almost any arbitrary circumstances, already based on minimum ethnic preferences within a group, sharp segregation sets in, and that it does not require "negative" demarcation.

The term cultural **segmentation** refers to the opposite of cultural, social and emotional "assimilation": immigrants remain - knowingly or not - trapped in the culture of their original social group, especially with respect to language usage, everyday habits (customs), interactions and emotional identification. This tendency is typical with immigrants of the first generation, such as those originating from developing regions who move when they are older, who have limited education, limited professional qualifications and who are culturally very distant from the recipient society. These are all conditions which complicate structural assimilation especially and acquiring positions in the central institutions of the recipient society. The consequences of cultural segmentation are that structural assimilation is further hindered, and that a stronger cultural and structural

segmentation sets in for both sides.

Spatial segregation and cultural segmentation build on each other: segregation promotes cultural segmentation by structurally controlling the amount of contact among the actors, and cultural segmentation increases spatial segregation in return. Based on this tendency, it is also probable, especially among groups of immigrants whose numbers are large, that a well developed and a more or less self-contained ethnic community (or an ethnic colony) will become institutionalized (cf. also the concept "institutional completeness" by Breton, 1965). Often such ethnic communities or colonies will develop into ethnic sub-societies with their own areas of operation and their own systems of stratification. To make social contacts, to develop every day opportunities, and even to do a certain amount of social climbing, individual immigrants can remain completely within the confines of their ethnic sphere. In extreme cases, such complete segmentation of two or more independently existing groups develop within a (national) state, that the ethnic community differentiates itself from the local population as a sub-society of immigrants, and in this way it establishes a system of ethnic stratification.

Integration from within and Mobility traps

Ethnic communities develop primarily as a kid of emergency society among people who share the same fate and who need to overcome the most serious problems of the first phase of their arrival. Ethnic communities and colonies provide a kind of protective function, and through this they are also able to promote the wider process of incorporation into the recipient society. Georg Elwert calls this activity **"integration from within"**. According to this concept, immigrants leave their ethnic community however, as soon as the initial (culture) shock is overcome and when (assimilative) alternatives have opened up

by which to manage life.

Empirically, however, this rarely happens. It is more likely that with the establishment of an ethnic community or colony the tendency toward cultural and structural assimilation decreases considerably even with such actors who had all the prerequisites for assimilation, especially since staying in the ethnic community offers a sure "win", even if not a very big one, whereas leaving the ethnic community and seeking assimilative mobility carries with it highly (subjective) risks and the exit itself is highly uncertain.

In connection with this Norbert Wiley (1970) has developed an instructive model of "free will" renunciation of social climbing by immigrants and ethnic minorities. In Wiley's perspective: a member of an ethnic group must decide whether they should struggle to advance within the stratified system of one's own group or outside one's group and in the dominant society. Since one can presume (subjectively or objectively) that the chances for a carrier within are considerably higher than when one takes the difficult route of entering the foreign culture of the recipient society, this generally precipitates the decision for a carrier from within - and even more so where there is an institutionally developed ethnic community. Because, in comparison to the dominant society, ethnic communities or colonies have considerably worse positions to offer even at the top, immigrants who have enjoyed a "successful" career within their ethnic community find themselves once again in a position which is clearly worse than a comparable position in the dominant society - even if genuine social "climbing" has taken place.

Because the decision of an actor is not the result of error, but very possibly the thoroughly rational weighing of risks and potential profits, we cannot speak here of some kind of "discrimination". It is a "free will" entry into a blind alley, and the actor has even gone in with both eyes opened. It is usually too late to revise the decision: education or career building processes require a certain amount of time, and a new beginning is seldom possible. Thus Wiley also admits to a kind of **mobility trap**. This happens not only in the sphere of inter-ethnic relationships and the structural assimilation of

immigrants, but everywhere, where there are special career possibilities which are secure, even if the total return is limited, compared to risky alternatives which may be highly attractive.

Regional and spatial segregation, divisions and segmentation in the labor market, cultural, social and emotional segmentation, and the development of ethnic communities and colonies all work together in a self-reinforcing way: they complicate or hinder the structural assimilation of immigrants. This working together results in the establishment of fixed systems of ethnic stratification, which are often reinforced and marked by spacial, cultural, social and emotional segmentation.

Mutually reinforcing, cultural and structural segmentation, though paradoxically, is exactly what would be expected in a modern society with strongly differentiated functions. The reason is that the interdependence of functional systems grows ever stronger, and the functional imperatives which accompany them become ever more pointed. And because the various partial systems of modern societies with their accompanying functional differentiations **can** tolerate less and less functionally diffuse imprecision in terms of who occupies what position, acquisition of the special **functional** prerequisites for placement in key positions becomes ever more urgent. Whoever falls even a little short in this or arrives too late, will be punished for a long time by the inherent legalities of the system, often enough with total exclusion and marginalization such as with prolonged unemployment or homelessness. This is true especially for education which more and **more** has to meet the ʼnecessaryʼʼ requirements and less and less the ʼsufficientʼʼ requirements to take on positions like those in the labor market. Key **institutional** positions, however, especially in their educational requirements, are closely bound to the **cultural** standards of the **recipient** society. This is one of the reasons for the enormous and apparently increasing significance of so-called cultural capital for placement in positions in the recipient society. And so long as the key institutions of the recipient society, and with that, educational sphere once again, are organized around the **national** cultures, the required or the helpful cultural capital for placement will remain that which is held by the respective national culture – and certainly **not** that held by ethnic groups.

By remaining in one's ethnic niche, immigrants and ethnic minorities inevitably fall short or arrive too late exactly when the functional differentiation of the recipient society takes a step forward. This mechanism works longer and more smoothly to establish ethnic stratifications, the larger the ethnic group is, the more developed it is, and thereby the more self-reliant the ethnic community has become in each case. Thus it is no wonder, for example, that in Germany the Turkish population has recently developed into a kind of "sub" nation, in the strict sense of the prefix "sub".

5. Ethnic Stratification, Ethnic Conflicts and Structural Assimilation

Ethnic stratification **can** without a doubt also provide structural reasons for splits and conflicts between groups, and thereby generate a danger to the (systems) integration of the society in question: the actors find themselves in a social condition of disadvantage and immediately begin to feel no particular loyalty to the society in which they live (cf. the overview by Horowitz, 1985). Nevertheless, usually nothing happens: keep in mind that systems integration in the special situation of the very lowest "caste" in a stratified, multi-ethnic society is carried out by means of a socially integrative form, especially that of deferential integration, for which Wiley's Mobility Trap is just one special case. African Americans in the U.S.A. are probably the most intense example of this. The most important requirement for the outbreak of ethnic conflict – next to the presence of structural tensions – is the **uniformity** of the group. But that does not exist in ethnically stratified societies.

The apathy of a disadvantaged group is not necessarily reliable. Sporadically, tensions once buffered by deference can still become virulent, and occasionally this can take form in such things as spontaneous race riots or various fundamentalist

movements. And with something like politically supported "emancipation" and uniformity of the group, the probability that ethnic conflict will break forth increases even more. Therefore, one also hears it said that "true" integration means that the immigrants and minorities somehow feel "at home" in the society and from that they can eventually also develop integrative feelings of worth and emotionally toned loyalties to the society as a whole. Loyalties are a special form of orientation and validation. They arise only when other conditions become profitable, when the "cause" can be ascribed to the situation itself, and when no better alternative exists.

If there is to be integration of an ethnic group in the form of validation (or at least in the form of linking integration) as we saw above, the immigrants and members of the ethnic minorities must also have control of **"key"** resources of value to the society. And that means: they **must** also occupy those places which allow them to climb up the ladder of vertical disparity. "Integration" of immigrants and ethnic minorities then means that, alongside the usual systems integration of society as a whole, there is an ongoing "inclusion" of immigrants and minorities as actors in the society, along with their placement into **key** positions in functional spheres of influence. And those are positions with immediate access to the premier merchandise and to cultural targets made up of the prevailing **core** society.

"Integration" through achieving status comes about at first, of course, with rights with exist for all citizens, especially political rights, especially voting rights and the social rights of a welfare state. To this extent, the granting of citizenship is, without a doubt, a step toward the (social) "integration" of immigrants and ethnic minorities, indeed, by the inclusion of the actors n the special privileges of the citizenry. That is, however, only one side. Political inclusion does indeed spawn some tendencies toward (systems) "integration", because something like the vote of the foreigners carries a certain weight and the local political parties must take this into account. However, this still does not in any way guarantee placement into key positions of the functional systems. In functionally

differentiated immigrant societies of the present day, these are, as a rule, elevated **professional** positions, mostly in the service sector. And in order to get in, one must - again as a general rule - pass through an educational system, which, like all educational systems, is heavily imprinted and penetrated by the culture of the core sector of the respective society. And to make it here, especially requires enduring efforts - and by the immigrants themselves as much as anyone.

With this, however, there exists a **systemic** connection between inclusion as placement in the core sector of the recipient society and other forms of social integration: only by placement into key areas of functional influence, will immigrants and ethnic groups become interesting enough to the local population, that they can come into interesting, inter-ethnic contacts themselves, and can finally engage in emotional identification with their new homeland. Because, however, this placement is bound together with the prior acquisition of certain qualifications, skills and even "assimilative" qualities which may be functionally "peripheral" or even symbolic, but are still highly meaningful, the other dimensions of assimilation and/or social integration into the recipient society are also important: **ac**culturation in terms of knowledge and the acquisition of the kind of competence found in the recipient country and at least the acceptance of **inter**-ethnic relationships.

A certain acculturation and the maintenance of certain inter-ethnic relationships, just as with structural assimilation, become part of the social integration of immigrants as well as the stabilization of systems integration within the recipient society. On the other hand, it is somewhat different with emotional assimilation and/or with social integration as identification with the recipient country. Even this has to do with the peculiarities of **modern** society: modern, functionally differentiated societies **seem** to manage ever more **without** any kind of value laden loyalties and identification with "society" as a whole. They "function" **more** and more only as markets places

or anonymous organizations and corporative actors and they do so especially through the economic and political interdependence of their parts. In short: modern societies are such strongly integrated systems, that they do not need the identification of their members as socially integrated people.

At first glance, that might seem to be an argument **for** so-called multi-cultural society: groups live together under the organizational roof of a governmental administration, one with which they need not identify especially, and everything else is taken care of by the market and the processes of functional systems. The observation arising from the increasing importance of **systems** integrative processes in modern societies, underscores once again the argument for the absence of any connection between the structural assimilation of immigrants and their social integration; this time not only to prevent ethnic stratification, but to strengthen systems integration precisely from those societies from whose special loyalties - national or political - they have freed themselves and by which they are now influenced only by the smoother "processing" of their functional systems.

Based on the relationships between systems and social integration mentioned above, the reason for this is not difficult to understand: Systems integration, by means of interdependencies alone, presupposes the **mutual** control of interesting resources. In **every** society there are certainly **key** resources, the control of which makes actors or groups interested in other actors or groups. Only with the control of these key resources is it possible to gain power and "inter"- dependence. These resources will, in turn, only be distributed by those in possession of positions in **key** institutions, and their control presupposes an endeavor to rise socially within the recipient society. That, however, necessitates the acquisition of human capital, cultural and social capital from the recipient society, such as knowledge of the language, customs, acquaintances, tastes, ambitions, and any other quality or skill which allows limiting distinctions or which leads to discrimination.

Thus, successful placement into important positions in the recipient society has a systematic bearing on systems integration

right in modern, functionally differentiated societies. Without the inclusion of the core sector of the recipient society, immigrants and ethnic minorities control very little of what will give them power in the marketplace or bring "organizational assets". And that is primarily why actors and groups integrate themselves, yes, even "systemically" into a connected social unity.

Summary: **Structural** assimilation, inclusion in the form of placement into **key** positions of the **recipient** society is, therefore, the premise for **every** other form of social integration of immigrants and ethnic minorities into a recipient society. At the same time, it is an important and long-term, inescapable part of systems integration for that society. And all of this applies directly to relationships in modern, functionally differentiated societies. Over against the somewhat naive view of the possibility for a simple, horizontal, existence of groups, side-by-side in multi-ethnic societies and the disclaimer of any cultural adaptation, there is **no** alternative to (structural) assimilation, not if ethnic stratification is to be avoided.

"This is the "a requirement" for the social integration of immigrants and ethnic minorities in a recipient society and for systems integration, upon which much more ought to depend than on the deferential 'yielding to' the fate of the lower classes."

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Towards an Emerging *Ethclass*?
The Italian Case

Patrizia Farina, Paolo Ruspini
Fondazione Cariplo-I.S.Mu.
Milan, Italy

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Towards an Emerging *Ethclass*? The Italian Case

A. Comparative Analysis of Immigration

1. History and Groups of Immigrants

Over the past two decades, Italy has been the object of increasingly greater migratory flows. At the same time, emigration to other countries has gradually decreased to the extent of causing a surplus in the balance of immigration from abroad.

The inversion of the trend of flow has been perceived slowly in Italy and is at the origin of the delays which have occurred both regarding statistics and the organization of policies specifically oriented towards receiving immigrants. On the one hand, we are still paying for the delay in setting up general records whereby different sources of statistics, bureaucratic and institutional "traces" of the presence of foreigners, can collated, with the result that statistical information is inaccurate or even ridiculous[1]. On the other hand, the scarce awareness of the duration and characteristics of international immigration has also encouraged the development of an emergency culture in this area, the clearest expression of which is represented by the frequent amnesties of irregular and illegal situations. Only recently has a systematic law been passed which on the one hand unequivocally establishes foreigners' rights and, on the other, establishes the annual numbers of entries[2].

The diffusion of ministerial statistics on permits to stay granted to foreigners at the end of 1998 showed the presence of about one million individuals, 86.3% of whom came from non-European Community member states and 78.2% from poor countries. There is a wide variety of places of origin, although amongst the non-E.U. foreigners, 15 nationalities account for 70% of all origins. In addition, more than 75% of foreigners are concentrated in seven Italian regions (the record belongs to Latium and Lombardy with 19.3 and 21.7% respectively), only one of which, Campania, is located in the southern part of Italy[3].

The relatively recent nature of this phenomenon – which is also common to other countries in southern Europe such as Greece, Spain and Portugal – is confirmed in statistical comparisons. In 1980, the foreign population present in Italy amounted to just over 270,000 individuals whereas at the end of 1998 this figure is almost fivefold. This growth, characterized by sudden increases due to amnesties, has taken place at different times in relation to the nationality of origin. In particular, during the 1980's and 90's, we have seen the growth of "new" foreign communities which are geographically distant from Italy and which in a number of cases have replaced the "older" ones. In fact, the classifications of the largest communities have been affected by the massive arrival of North African citizens – Tunisians and Moroccans -, Asians – Filipinos, Sri Lankans and Chinese - and South Americans. Special Mention must be made of the flow of foreigners from ex Yugoslavia and Albania as in these cases exceptional situations have prevailed over more traditional ones[4].

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[1] For example, the lack of connection between civil registration offices and permits to stay causes an excess in the number of registered foreigners and holders of permits, as well as the fact that registration of minors with registry offices is independent, whereas in the records of the Ministry of the Interior, they are registered on the adult's permit.

[2] See Chapter 2.

[3] There is a detailed analysis of the regional distribution of foreigners in Chap. 3, paragraph 1.

[4] For example, in 1980 the Albanian population amounted to only 514 individuals (equal to 0.02% of all foreigners); at the end of 1998, the same community had more than 75,000 members, reaching a percentage of 7.3.

Whilst acknowledging that the migratory experience has an individual biographical character, it is nevertheless possible to identify, amongst the largest communities, highly structured and differentiated migratory patterns in the strategies of settlement. These patterns contribute to establishing the importance of the female element, which showed significant growth in the 1990's, due above all to the arrival of Filipino and Peruvian women (both accounting for more than 67% of their respective communities) and the permanent settlement of others.

Alongside the legal presence of foreigners, there is a grey area made up of the illegal or irregular foreign population. In this regard, the last official estimate put forward in April 1998 hpothesizes a total of some 200-300,000 illegal foreigners[5] present at that date, equal to one illegal foreigner for every four foreigners from developing countries or Eastern Europe [Blangiardo, 1998]. The classification of the countries of origin of illegal foreigners has Morocco in the top position, followed by Albania, Romania, Tunisia, ex Yugoslavia and China. The dimension of the phenomenon is confirmed in the applications for legalization presented at the end of 1998 and still in the process of finalization[6]. In this context, in the ranking of countries most frequently represented, in the light of the first data available on reservations, Albania is in the top position (with about 40,000 cases), followed by Romania and Morocco (both with 20-25,000) and China (with just under 20,000).

These figures are fuelled both by the expiry of permits to stay which is not followed by departure from Italy (entry granted for tourism, temporary work, visits to relatives etc.) and illegal entry through "routes" from African and East European countries also taken by citizens of other continents.

The relatively recent character of the migratory phenomenon in Italy is also reflected in the length of establishment of the foreign community. At the beginning of 1998, some 550,000 foreigners had been present in Italy for at least 5 years [Istat, 1999], equal to about half of those in Italy at the same date. Amongst these, Africans represent the largest share (38.7%). Africa keeps its top-ranking position for non-EU foreign citizens who had been present in Italy for at least 10 years, but in this case too, Africa is overtaken by Europe due to the considerable contribution of EU citizens. In the first place, we can identify two contrasting groups. The first, made up of East European citizens[7], shows a clear preponderance of recent arrivals. On the contrary, the Asian group stands out by the larger proportion of individuals who have been in the country for at least ten years.

Detailed analysis according to the nationality of origin, however, reveals other significant aspects. From the most numerous nationalities, three distinct groups would appear to emerge. The first is made up of Albanian, Romanian and Peruvian citizens who have in common the fact of their recent arrival and that only a very small number has been in Italy for more than 9 years. It is not known whether this group will translate its presence into permanent settlement or, on the contrary, it will develop above all through high turnover. At this stage however, the fact that Peruvians and above all Albanians, who first migrated in the early 90's, are characterized by a high turnover which keeps the community in the range of relatively short periods of stay, is of great significance.

Then there is a second group with nationalities (Moroccan, Senegalese, Tunisian and Filipino) which, as well as possessing in comparative terms the highest percentages of "old immigrants", are also distributed, in terms of how long they have been in Italy, more homogeneously between 0-4 and 5-9 years. This distribution could indicate a gradual "ageing in loco" of the population, fuelled at the same time by new "entries".

Lastly, the third group, made up of Sri Lankans, Chinese, Brazilians, Poles and ex Yugoslavs, seems connoted by contrasting characteristics. They present a large share of "old" and of "recent" entries, as if a consistent part of the flow of these nationalities stayed for a relatively brief period of

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[5] The applications for legalization numbered approximately 120,000 in 1986-1987, 240,000 in 1990 and 260,000 in the period between 1995 and January 1997.

[6] At the end of 1998, 88,000 applications and 312,000 simple reservations.

[7] In 1998, 40% of new entries were citizens from Eastern Europe [Istat, 1999, Ministry of the Interior, 1999].

time[8] and another, smaller, part, which tends to become radicalized. In this regard, the case of Chinese citizens is representative. Despite the internal flows that took place towards the end of the 1980s, at the end of 1997 just under 60% of the community had been present in Italy for under 5 years.

Naturally, we cannot make any further generalizations on the basis of these few elements. The data currently available, however, supports the existence of a basic consolidation of the migratory phenomenon, although in a context which still has characteristics of an emergency situation. The settlement patterns of average or long duration, characteristic of some segments of the foreign population, are becoming increasingly clear through events such as marriage and the presence of children.

2. Legal Status

- **Law no. 40 of 6 March 1998: "Control of immigration and regulations on immigrant's status"**

Law no. 40 dated 6 March 1998 aims at tackling the complex process of immigration in Italy in an organic and comprehensive way, thus going beyond mere security issues and control of migratory flows.

The new law focuses three basic questions:
- the implementation of a more effective planning of incoming flows for employment reasons;
- the fight to illegal immigration;
- the introduction of measures to achieve effective integration of foreign citizens with legal residence permits.

The interdependence of these three objectives is to be outlined, since a credible and effective immigration policy depends on their joint attainment [Trucillo, 1998].

- **Legislative decree no. 286 of 25 July 1998: "Single act of the provisions on immigration laws and regulations on the status of foreigners"**

The single act on immigration laws, which was ratified by legislative decree no. 286 of 25 July 1998, assembles and co-ordinates the provisions of law no. 40 of 6 March 1998 with the provisions regarding foreigners that are included in the single act of public safety laws, the provisions of law no. 943 of 30 December 1986, and the provisions of Article 3, sub-paragraph 13 of law no. 335 of 8 August 1995. The single act on immigration laws includes therefore a comprehensive presentation of all laws and regulations currently in force regarding immigration.

These regulations apply to citizens from States that are not member of the European Union and to stateless persons, jointly referred to as foreigners. In order for said regulations to be more benign, they also apply to citizens of Member States of the European Union (art. 1, sub-paragraphs 1 and 2).

Entry into Italy and quotas of foreigners
According to the single act, entry into the Italian national territory may only take place at border passes, *force-majeure* cases excepted. Entry is allowed exclusively to foreigners provided with a valid passport or equivalent document, an entry visa - except where not required - and the necessary paperwork stating the purpose and the details of their stay and the availability of adequate means of subsistence for the whole duration of said stay, and, with the exception of entry due to employment-related reasons, for their return to their country of origin (art. 4, sub-paragraphs 1 and 3).

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[8] Naturally, not knowing the individual fates of these immigrants, the turnover cannot be broken down at this level of description between those who leave Italy and those who remain illegally.

An efficient planning of the entry flow due to employment-related reasons is achieved by establishing <u>maximum quotas of foreigners</u> to be admitted into the national territory for subordinate-employment or self-employment purposes. Said quotas should be set out annually by one or more Prime Minister's decrees based on the guidelines contained in the programme paper on immigration policies, issued every three years by Presidential decree [Mancini, 1999].

According to the "general policy document" approved on 31 July 1998, privileged quotas will be assigned first of all to countries for which European integration procedures have been commenced, and secondly to the Mediterranean sub-Saharan African countries. The decree on incoming flows for 1998[9] already envisages preferential entries for a fixed number of Albanian, Moroccan, and Tunisian citizens, considering the agreements signed with their respective countries of origin [Trucillo, 1998].

- **Article 10, sub-paragraph 3, of the Italian Constitution: "The right of asylum"**

The right of asylum is sanctioned by article 10, sub-paragraph 3, of the Constitution, which reads: *"any foreigners who are prevented, in their country, from truly exercising their democratic freedom as sanctioned by the Italian Constitution are entitled to the right of asylum within the territory of the Republic, in accordance with the conditions provided by the law"*. Said article directly grants to foreigners who find themselves in the situation outlined by the provision a veritable <u>subjective right</u>, and as such enforceable before the ordinary courts, even in the absence of a law setting out the conditions for the exercise and the methods for the enjoyment of the right itself.

The Italian system still lacks an implementing provision of the constitutional principle regarding the right of asylum. The very <u>law no. 39 of 28/12/1990</u>, though it doubtless represented a major step forward towards the protection of refugees in Italy, cannot be truly considered as a comprehensive set of rules concerning the "right of asylum". Aside from the terminology used, there is no record of the right of asylum as an autonomous body of laws grounded in the actual hindrance to the exercise of the democratic freedoms sanctioned by the Italian Constitution. In the quoted provision, the area of subjectivity is confined, precisely, to the cases identified by the Geneva Convention and, in agreement with said limitation, the jurisdiction is entrusted to the Regional Administrative Court and to the Council of State. An implementing provision of the constitutional principle is however provided for within the bill on asylum *"Regulations relating to humanitarian protection and the right of asylum"*, ratified by the Senate on 5 November 1998 and which is currently being discussed by the Commission for Constitutional Affairs of the Chamber of Deputies [Napolitano, 1999].

- **Permits of residence and of work**

According to the single act on immigration laws, <u>the residence</u> within the national territory is allowed to legally-admitted foreigners who are provided with a residence permit or with a residence card (art. 5, sub-paragraph 1). A residence permit may be issued by the police superintendent (the *questore*) of the province in which the foreigner is for the activity and for the duration stated in the entry visa. Said residence permit may be renewed for a duration shorter than twice that originally stated at the time of first issue (art. 5, sub-paragraphs 2 and 4). For purposes regarding residence within the national territory, a residence permit or equivalent document issued by another Member State of the European Union shall be valid (art. 1, sub-paragraph 1).

A residence card may be issued by the police superintendent (the *questore*) in the event that the foreigner has been residing in Italy for at least five years, holds a residence permit allowing for an indefinite number of renewals and proves to have sufficient income to support him-/herself and

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[9] "Integration" to interministerial decree dated 24 December 1997 including a planning of incoming flows for the year 1998 by non-EU foreign citizens, in the Official Gazette no. 249 dtd. 24/10/1998.

his/her family. A residence card may also be issued to the spouse and to the under-age children living with the foreigner, and it has an indefinite validity period (art. 9, sub-paragraph 1). Foreigners legally residing in Italy and who are however temporarily unable to independently provide themselves with board and lodging and, in emergency situations, foreigners who do not comply with entry and residence regulations, may stay at reception centres set up by the regional administrations (art. 40, sub-paragraph 1) [Mancini, 1998].

The employment procedure for dependent work, envisaged by the new law of immigration, is similar to the one adopted so far, i.e. through a personal appointment based on an application for authorisation to work. However, owing to the lack of success of this latter procedure, a new type of visa for "job search" (with a 1-year validity) has been devised for foreign citizens living abroad who will be allowed to enter on the basis of a guarantee to be provided by an Italian citizen or a foreign citizen with a legal residence permit.[10] This application should be submitted within 60 days from the publishing of the annual decree on quotas, and the guarantor should prove to authorities to be able to offer board, lodging and health insurance. At the end of such 60-day period, if there are available jobs within quotas, work search visas may be granted to people included in special lists which will be available at various Italian Consulates abroad. A further new element regards foreign workers who, in case they loose their job, may enter unemployment lists for the remaining period of their residence permits (excluding seasonal work permits) [Trucillo, 1998].

The single act on immigration laws was amended by legislative decree no. 113 of 13 April 1999. Said decree introduced a derogation for 1998 of the planned flow system set out by the single act by granting the issue of a residence permit for subordinate-employment and for self-employment reasons to all foreigners residing in Italy before the date of applicability of law no. 40 of 6 March 1998 who met the requirements established by decree of 16 October 1998 issued by the Prime Minister and who had filed the relevant request in compliance with the terms set out by said decree (art. 8, sub-paragraph 2) [Mancini, 1999].

- **Citizenship law**

Italian citizenship is based on law no. 91 of 5 February 1992 ("The Nationality Act") which abolished the previous law dated back to 1912. In essence, the old law favoured return migrants of Italian origin, but made the achievement of citizenship difficult for third country nationals. Thus Italian citizenship can now be obtained:

- *ius sanguinis*, i.e. by having an Italian parent, including by adoption;
- *ius soli*, but only where the parents of a child found in Italy are unknown;
- *by decree*, to a foreigner whose father or mother was an Italian citizen by birth; to an adult foreigner adopted by an Italian citizen; to a foreigner who has served for at least five years as an employee of the Italian state, or to a foreigner who engages in military service in Italy;
- *by marriage*, to an Italian citizen, after residing legally in Italy for at least 6 months, or after three years of marriage;
- *by naturalisation*, on some conditions, as service rendered to the Italian state for a period of five years, even if abroad, or through residence in Italy for ten years. The Nationality Act also reduces the required residence period to five years for refugees and stateless persons, to four years for EU citizens, to three years for descendants of former Italian nationals (mainly emigrants) and for aliens born in Italy, and, finally, to six months for persons who have been married at least three years to an Italian citizen (art. 9 of law no. 91 of 5 February 1992).

However, naturalisation, by decree of the President of the Republic, only comes into effect when loyalty has been sworn to the Republic of Italy and to its President, and is not easy to *obtain*. In

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[10] The above-mentioned "geographical preferences" for reserved quotas within planned flows will apply also for the issuing of a "job search" visa (art. 23 of the single text), for the first three-year period.

turn, citizenship can be refused in the case of a prison sentence of more than one year and for attempts to undermine the security of the Italian Republic. Italian citizenship may also be lost if a new citizenship is acquired [Apap, 1999].

3. Socio-economic Situation of Immigrants

3.1 The Labour Market

Reflecting on the work of immigrants in Italy means in the first place opening a discussion on the quality and legitimacy of the migratory phenomenon. It involves above all defining – by means of Law 40/98 – entry quotas for foreigners[11] justified in terms of the needs of the Italian economy, according to an opportunistic logic that looks at the advantages for the host country and at least has the merit of "normalizing" migratory flows, weakening the resistance of a part of the Italian population.

Having said this, the now extensive literature on the subject acknowledges that immigrants' work (just under 60% of the permits to stay recorded at the end of 1998 were issued for this reason) has an original role in the complicated and heterogeneous Italian labour market. The function of foreign labour in Italy is substantially that of fuelling both a labour market characterized by instability, harmful conditions and heavy work – according to a criterion of gradually replacing the Italian population – and that of satisfying a demand for temporary or seasonal work. It is no coincidence that the recent improvement in the Italian economic situation has rapidly been transferred to foreign employment, whereas it is having difficulty in asserting itself on native Italian employment [Ambrosini, 1998]. The demand for work structured in this way and the availability in loco of foreign labour at a low cost would appear to lead to a reduction in productivity. If this is true, the fact must nevertheless be considered that these characteristics have also encouraged the reintroduction of cultivation or production which are apparently obsolete in local productive systems and especially in some areas of southern Italy [Zanfrini, 1999].

In general, foreigners are employed according to two distinct patterns. The first pattern absorbs males in the productive system, in particular in the industrial and building sector. This type of labour demand is a prerogative of Lombardy and the north-eastern regions. The second pattern is characterized predominantly by female labour and domestic jobs and/or services for the family (looking after children and old people) and is concentrated independently of the economic-productive processes in course.

Regarding the territorial distribution of foreigners, it must be said that this presents a regional map distinguished by professional vocation: services for the family, above all regarding females, find greater expression in the large metropolitan areas (Latium and Lombardy above all), whilst in the smaller areas this characteristic appears minimized in favour of industrial and agricultural work. The latter are more widespread at regional level and, within each region, also in particular areas such as the industrial and productive districts typical of the Italian economic reality.

If we consider the type of work compared to the origin, it clearly emerges that services for the family are the prerogative of the Asian communities and, in the first place, of Filipino women, whilst there are fewer North African citizens, also due to the fact that there are few women in Italy from these countries. The feminization of domestic work undoubtedly offers greater and faster opportunities of employment for large sections of the female population. However, in the medium and long term, the risk that these women run is that of having been unable to follow any training or undergo any professional development.

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[11] The definition of entry quotas for reasons for work was also contained in previous legislative measures. What essentially is new is that appropriate criteria for planning have been established.

Overall, the trend of those who found jobs through the state employment agency in 1998 reflects a basically homogeneous qualitative image for the whole of the 1980's and therefore some details will be analysed.

In the first place, more than 80% of foreigners were specifically requested by name for employment. On the one hand, this aspect reveals the existence of some relationship previous to the employment of the candidate. On the other, this preference is consolidated by the information network of foreigners, oriented towards helping one another in circulating news on job opportunities. This characteristic is also associated with the relatively short time these individuals are on the unemployment lists as they are the protagonists in their search for work.

A second aspect of interest is represented by the level of education. Eighty-five per cent of those starting work have no educational qualifications and, on the contrary, only a paltry number of university graduates find employment through the state agency. Bearing in mind the relatively high standard of education of foreigners, it appears possible to observe that the employment agencies act mainly for the segment with the fewest cultural instruments which may, ultimately, also be instruments for individually seeking employment and in particular, self-employment, which is not taken into consideration in these statistics. On the other hand, on the supply of work, the emerging profile appears to be that of the individual for manual labour to be employed in the industrial sector, for which no particular educational level is required. This is also clearly seen by the feeble request for white collars – only 1.8% out of the total number of individuals finding employment – divided almost equally between males and females.

Lastly, special mention must be made for the main nationalities finding work. Moroccans, Albanians, ex Yugoslavs and Tunisians are the greatest beneficiaries of the state employment agencies. This is obviously due to the fact that there is a very large total number of foreigners from these countries in Italy.

The statistics diffused by Inps [National Institute for Social Security] – referred to workers reported by companies in 1998 – allow the picture of the working conditions of foreigners[12] to be completed, with the exception of domestic workers (considered independently) and illegal workers, so-called "in black" who are not included in any statistics.

In the first place, the average number of workers reported by firms in 1998 reached the figure of 171,000 individuals, equal to one-tenth of legal immigrants. Of these, more than 50% are employed in industry, 28% in trade and only 0.13% in agriculture. An accentuated regional differentiation also corresponds to the diversification of sectors of employment. In some regions, the proportion of foreigners employed in industry exceeds 50% (Lombardy, Emilia Romagna, Tuscany, Piedmont, Basilicata and Veneto), following the most important industrial areas. Of particular significance here is the proportion of foreigners finding emplyment in the Veneto region (68%), the Chinese contribution to the textile industry in Tuscany and, lastly, the performance of Basilicata, a region which for a long time was poor and which in the past decade has been going through a particularly important phase of guided economic development. At the bottom of the classification of the industrial sector we find Liguria, Lazio and Valle d'Aosta. However, all three present a considerable quota of people engaged in trade and probably this is to be correlated with the vocation for tourism in these areas and the great demand for skilled personnel in the quantitatively modest industrial panorama.

Another significant aspect of the regional map of foreigners in Italy is that of the modest proportion of agricultural workers in some southern Italian regions such as Campania, Apulia and Sicily, areas where there is now a tradition of fruit and vegetables being picked by foreign labour. This low figure seems to confirm the strong trend of recruiting illegal workers ("in black") who perhaps do

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[12] Inps provides data relative to information provided by employers who report the employment of an immigrant. Therefore, these figures may be overlapping but they do not coincide with those provided by the Ministry of the Interior which states only those finding work in the year of reference.

not even have a legal permit to stay and who find minimum resources of subsistence with this precarious and badly paid activity.

Statistics on domestic work reveal a completely different situation[13]. Apart from the unbalanced distribution as to be expected between males and females, statistics show that out of the more than 100,000 domestic workers, 55% are in two regions – Latium and Lombardy, confirming the great capacity of attraction of the metropolitan areas of these two regions for services for the family.

Unfortunately, it is not possible to consider the professional skills of the various nationalities. It nevertheless remains true to say that the privileged areas for foreigners are the more dynamic ones in economic terms so that, apart from some rare exceptions, the south of Italy probably remains the starting point of the migratory adventure, a place where precarious and under-paid conditions can be accepted for a transitory period until obtaining better working conditions elsewhere in the industrial, building and services sectors.

4. Public and Semi-public Measures for Integration

4.1 Public Measures

The single act on immigration laws introduced radical changes to favour the integration of foreign citizens with regular permits. The most important point - and also the most controversial, as regards its effectiveness - is the above-mentioned residence card. The card, by enhancing the right to residence of immigrants and linking it to a whole set of rights, paves the way - at least partially - to the acquisition of citizenship rights not linked to the possession of nationality ("denizenship"), thus aligning Italy with European immigration countries [Codagnone, 1998].

The card has no expiry date, thus enabling a foreign citizen to avoid regular controls by the police office on his or her residence permit and the reasons of its release. In this way, and thanks to other provisions, the rights to social and health care, family unity, protection of minors, education, primary and second reception[14] of legally residing citizens match those of Italian citizens. The provisions for the repression of racist and xenophobic discriminations place Italy at the same level of other European countries [Trucillo, 1998].

Family reunion is allowed under certain circumstances. Namely, family reunion may be requested by foreigners holding a residence permit for a duration of at least one year or a residence card and who can prove that they are provided with accommodation of adequate size and with an annual income not below unemployment benefits (amounting to approximately 7 million Lira), in respect of the non-judicially separated spouse, dependent under-age children, parents and relatives up to the third degree of relationship who are unable to work (art. 28, sub-paragraph 1, and art. 29, sub-paragraphs 1 and 3) [Mancini, 1999].

As regards health care, foreign citizens have equal rights and duties to Italian citizens, as they have to enter the National Health Care Service (SSN). Hospital and ambulatory care is any case guaranteed to illegal or irregular foreign citizens with no obligation to report to authorities.

Foreign minors (even illegal ones) who reside in Italy have equal rights and obligations to education. To this end, schools are expected to promote and favour their acceptance, linguistic and cultural exchanges, tolerance and mutual respect. Civil action has been envisaged, to be applied for before a magistrate against any discrimination act for racial, ethnic, national, or religious reasons [Trucillo, 1998]. Measures taken include the allocation of immigrants' children in a dispersed fashion to Italian schools, partly in order to maintain a majority of Italian children per classroom and hence prevent the development of 'immigrant ghettos' in certain neighbourhoods [Apap, 1999].

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[13] The last statistics available refer to December 1997.

[14] Passive and active right to vote for holders of a residence card had been envisaged by the original draft law by the Government, but was eventually cancelled.

At an operational level, whereas the Martelli law delegated the implementation of immigrants' integration measures to the Regions, the new law envisages that measures for "social and cultural integration" are included in the triennial planning document on migratory policies to be drawn up by the Cabinet (art. 3, par. 3 of law no. 40 of 8 March 1998). A "Commission for integration policies" has been set up at the Department for Social Affairs of the Cabinet, to draw up an annual report for the Government on the state of implementation of integration policies and make action proposals in various sectors (art. 44, par. 2). The "National Fund for Migratory Policies" has been set up again at the Cabinet (art. 43) to finance various initiatives (reception measures for exceptional and emergency situations, intercultural education, activities of the Commission for integration policies). Although the law grants wide powers to Regions and municipalities, at least on the paper, it lays the basis of a more integrated direction and co-ordination by the central power.

The law envisages two consulting bodies, at local and national level, respectively: a) Territorial Councils for immigration; b) Council on the problems of non-EU citizens and their families at "Cnel" (named "the Council" hereafter).

Over and above central and local power institutions - whose role is taking for granted - the law confirms the privileged role of the "third sector" and the trade unions, over and above a minor involvement of immigrants' associations. "National boards and associations mainly active in providing support and integration to immigrants" - this is the definition given by the law - and the trade unions should be heard before drawing up the planning document and are represented both in Territorial Councils and the Council itself. Local associations and the trade unions can actually provide guarantees to enable employment for immigrants (art. 21). Moreover, art. 40 on social integration measures envisages the setting up of a registry of associations (par.2) by which State, Regions, Provinces, and Municipalities may establish conventions to employ foreigners as intercultural mediators within their structures. Immigrants' associations, however, which are mentioned only once in the whole text of the law (art. 40, par. 3-bis) are entitled to only 6 seats within the Council over a total of 30 members. Therefore, although the text has not been fully articulated, the inspiring principle of this law seems to be that of an "interculturalist integration". Paragraph 3 of art. 3 lays down that the triennial planning document should outline measures for "social and cultural integration, in the respect of the cultural diversities and identities of people...". Such "interculturalist" approach is clear even in the measures on education (art. 36) and those generically defined as "social integration measures" (art. 40) [Codagnone, 1998].

4.2 Views of Foundations and NGOs

The analysis of the dimensions and of the peculiarities of the voluntary workers in the field of immigration is difficult due to the lack of reliable data, as it is a world where things often get done outside of official channels and everything is in constant evolution. It is possible to give some indications as regards the more structured activities, relying on a data bank that has been activated at the Italian Voluntary Services Foundation (Fondazione Italiana per il Volontariato). In fact, this organization made a survey on the entire national territory, censuring those bodies of the third sector that possessed a certain series of discriminating characteristics.[15] As far as the dimensions of the phenomenon are concerned, 1,199 voluntary service organizations helping immigrants were censured, which is equal to 12.7% of the total. Their geographical distribution is proportionate to the demographic consistency of the areas (North, Central Italy, South) that were taken into

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[15] They limited themselves to censor bodies which had the following characteristics:
- at least five operators;
- active for at least one year;
- a continuous and organic way of working;
- having at least a minimum of social visibility (office, referent, internal structure, and at least an incipient organization).

consideration, and this can also be said for all voluntary services in general. However, it is not possible to say the same thing as regards to the consistency of the foreign population on the national territory, as can be seen in the following table:

Geographic distribution of immigrants and voluntary service bodies

Geographic area	% immigrants	% voluntary service body
North	38.1	51.2
Central Italy	40.2	21.8
South	21.5	26.1

Source: Italian Foundation for Voluntary Services.

Among the peculiarities of voluntary services for immigrants the following deserve to be pointed out:
- the high degree of denominational affinities: almost two thirds (compared to just a little more than 40% of the average) of the censured organizations have catholic foundations; adding those with other denominational affinities it can be seen that about 70% of the censured bodies have religious motivations. These indications are once again confirmed by the fact that over one-third (37%) of the censured initiatives was set up by parish churches or diocesan charity and welfare institutions ("Caritas"). As it has been underlined by the very Foundation for Voluntary Services, the "prevalent catholic (or religious) foundations of the voluntary organizations working in this field stresses the persistent attention of the ecclesiastical world for the emerging forms of social exclusion and the openly favourable orientation towards ethnic and cultural pluralism of this type of social associations" [Zanfrini, 1996];
- the characteristics of the committed volunteers: there are approximately 40,000 volunteers, of whom about one-third are young adults between 18 and 29 years old, and the rest of them are between 30 and 65 years old. The characteristic that distinguishes volunteers in the field of immigration from those in other voluntary fields is that there is a larger percentage of women.

An ulterior characteristic of the voluntary services for immigration, which however cannot be easily compared to generalized voluntary services, is represented by a fragmentation of the offered services. The most consistent values are those indicated in the following table.

Percentages of organizations that offer determinate services (most consistent values)

Services offered	% of organizations
Education, formation, instruction	17.0
Civil rights – promotion and defense	16.9
Social assistance	16.5
Evaluation of personal cases	15.0
Legal assistance	14.1
Social and cultural animation	14.1

Source: Italian Foundation for Voluntary Services.

The distribution of operational structures is equally rich and fragmented:

Operational structures used by voluntary services for immigration (most consistent values)

Type of structure	% of organizations
First-time reception centers	13.3
Listening centers	11.8
Centers of temporary reception	9.1

Source: Italian Foundation for Voluntary Services

In conclusion, "the experience of different local communities -in Italy- has clearly demonstrated the capacity of volunteers not only to perform a supplementing and integrating function (in comparison with public interventions that only partially and often too late in time respond to the social rights of foreigners), but also function like a laboratory for the experimentation of ways to allocate services and to try and get an exploratory idea of the people who are using these services, keeping aware of their cultural differences; and finally to perform the fundamental actions of notifying and awakening the political and public opinion in order to affirm the individual rights and the collective rights of migrants [Zanfrini, 1996].

As far immigrants' integration in Italy, the Cariplo I.S.MU. Foundation feels that the new law is debatable as regards the residence card and permit. First of all, criticism may be levelled at the fact that the issuing of a residence card depends on certain prerequisites (namely, a sufficient income to maintain the person applying for it and his/her family). This prerequisite is somehow vague and evaluation of eligibility remains within the discretionary powers of Police Chiefs. Secondly, the law should have envisaged the irrevocability of the card, instead of laying down its issuance for a temporary period of time (no other European country has such provision). In fact, the card may be revoked if a sentence is passed, even a provisional one, for the crimes contemplated by articles 380 and 381 of the criminal code. Thirdly, as the law does not abolish the reciprocity principle explictly and without conditions, the possibility to carry out any legal activity is not complete even excluding such principle (art. 7, paragraph 4, letter b and c, the same limitation applies to equality of civil rights with Italian citizens, envisaged by art.2, par. 2). Finally, the law (art. 7, par. 4 b and d) lays down that a residence card allows to take part in local public life which right, however, will be limited as long as a new law is passed on the granting of the rights to vote at local elections.

These points, rendering immigrants' position precarious - thus posing obstacles to their full integration - are part of the regulation on residence permits. Art. 5, par. 5, lays down that a residence permit or its renovation may be refused, or revoked, if the prerequisites for entry and stay are missing (in compliance with art. 4). This condition is excessively wide and may lead to arbitrary applications. A permit can be revoked, or its renewal may be refused, for instance, if a foreigner no longer has sufficient financial means to stay or repatriate. Immigrants who legally entered the country and those who have legalised their position through an emendation remain therefore always under the threat of being sent back to illegality. Such interruption of legality status would then jeopardize the possibility of achieving a residence card, thus delaying full integration [Codagnone, 1998].

5. Trends towards an Ethnic Class Formation

5.1 Housing Segregation and Ethnic Economies in Large Cities

The variety of migratory experiences, finding jobs and economic conditions are at the basis of a demand for housing which is highly differentiated amongst foreigners: a roof for the night, a bed-sitter, low-cost and relatively flexible housing, residential space in relation to working space.

The housing issue, far from being limited to the question of accommodation, is investing cities with increasing visibility, for example through the re-use by immigrants of commercial and small business premises which otherwise are abandoned and above all through the processes of use, appropriation and re-signification of the public areas of the city, traditional spaces rediscovered and brought back to life by the new populations, the non-places of the urban space where immigrants meet with other emerging populations.

In any case, a significant insertion of the immigrant population is redefining the identity and role of a part of the city and in this regard, we can observe, with increasing frequency, how the historical centres of large cities are becoming important areas of settlement for the immigrants. In some cases,

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this localization follows areas which in the past had already housed other (internal) immigrants and in others, this comes at the conclusion of a long process of depopulation and abandon of property or following the redefinition of the preferences of location and residence of the Italian middle-upper classes.

In all cases however, we find ourselves up against the emergence of a complex process of territorialization where, alongside accommodation in highly degraded residential property and at tolerable rents at the cost of a certain overcrowding, there is a strong development of commercial enterprises and public services managed by immigrants, forming a network of meeting places and a very intense activity of re-use of public areas, used not only by immigrants who have settled in the historical centres, but also by immigrant users/consumers who live elsewhere.

Walking down the streets of an ethnically connoted neighbourhood, it is easy to see the presence of windows and signs of ethnic shops, Chinese, African or Indian restaurants which replace local cooking, artisans' workshops, supermarkets stocking international food, bookshops and video shops in the most unusual languages. These are explicit symbols of the presence of economic activities linked to ethnic entrepreneurship which, forming a mosaic with the gradual addition of new pieces, connotes the external image of the streets, now usual and familiar to even the most distracted glance of those who walk down them daily.

In these areas, single workers staying in boarding houses and dormitories, reunited families with a strong presence of minors, new arrivals who stay first with relatives and fellow countrymen and even some owner-occupied property by those who have been more successful live side by side. The high concentration of foreigners in these areas (between 10 and 30%) and their considerable visibility due to the presence of relations "in public" of these very populations, means that these areas are now perceived as ethnically connoted neighbourhoods. Are these characteristics sufficient to define these areas as ghettos? The answer to this question is controversial and Italian experiences show great contrasts [Lanzani et al, 1999].

The new immigration is significantly transforming the cities, modifying lifestyles, the forms of habitat and public relations, the identity of some neighbourhoods and some of their areas. A certain concentration of the presence of foreigners may become an opportunity for immigrants if the creation of common services is allowed and informal networks are strengthened, helping housing and work to be found and facilitating self-employment. The settlement of immigrants in historical centres can also become a resource for the whole city because it activates minimal processes of maintenance of buildings that otherwise are subject to degradation and because, by restoring a primary dimension of street and neighbourhood life and once again proposing forms of combining artisans' work, housing and traditional forms of commercial distribution, a cityscape which otherwise is undergoing worrying phenomena of banalization, simplification and sterilization is enriched. Furthermore, the formation of ethnically connoted and relatively concentrated neighbourhoods may facilitate both sides coming together, with the exchange of a right to consideration and the re-proposal of particular living habits by the immigrant with a right to "control" the dimensions of the phenomenon and tranquillity and at the limit of indifference by the traditional urban population.

All this can avoid ghettoization only if local authorities take on an active role, facilitating re-population and re-use of these spaces with a policy that encourages agreed rental contracts, provides technical and legal assistance for direct maintenance and facilitates the opening of new trade and craft businesses. A successful policy by the authorities must be commensurate with the needs of both old and new inhabitants, but also starting up or generating from scratch spaces of sociality for an original population which has undergone great transformation, without overlooking maintenance of the urban space, settling disputes over the use of public spaces and the repression of certain illegal practices.

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5.2 Deviant Behaviour among Immigrants

The analysis of immigration, through the updating of statistics and field researches, shows that deviation attributed to foreign citizens has not decreased. Apart from a decrease in the number of foreigners who have been reported to the police, the number of arrested foreigners in 1997 was more or less the same as in 1996, whereas immigrants who received expulsions notifications increased again, as did prisoners[16]. Data on crimes attributed to foreigners indicate an increase especially in crimes known as "immigration crimes", and this process seems to be linked to a situation favouring a repressive response, in Italy as well as in the whole of the European Union. Moreover, a continuous growth of the victimization of immigrants has been registered (immigrants drowing in the sea or dying during their illegal immigration journeys, murders of young prostitutes, deaths from overdose, suicides, deaths due to accidents on the working place, etc.) [Palidda, 1998]. According to a recent study on illegal foreigners by the Ministry of the Interior, only 23.6% of reported and arrested immigrants in 1996 had a regular residence permit, whereas the remaining 76.4% were "irregulars". Irregulars in 1997 amounted to 75.8% [Ministry of the Interior, 1998]. However, it should be pointed out that it is not possible to be sure that irregulars had not residence permits in the past, partly because this type of statistic calculations have been devised only now and their reliability is therefore still uncertain. Anyway, foreigners more liable to repressive-penal action are most likely irregulars, considering a *de facto* impossibility to immigrate regularly. As far data on crimes, foreigners reported and arrested in 1990 amounted to 10% of total arrested and reported individuals, and their crimes were 2.5% of total crimes reported by the Police to judiciary authorities. Such figures amounted to 10.7 and 5.6% in 1997. Arrested/reported ratio for foreigners in 1990 was 36.5, and 13.2% for Italians, and 41 for foreigners and 15 for Italians in 1997. In other words, the probability of being arrested is three times higher for foreigners than Italians. The most common crimes attributed to non-EU reported and arrested immigrants are those typical of deviants and petty criminals (drugs and thefts, which are sometimes classified as robberies), and even less serious crimes which are likely to be attributed to immigrants, in particular in the context of a hostile reality to immigration, which has become a crime as such. Such minor crimes include forgery and various offences such as those relating to the violation of the highway code [Palidda, 1998]. In conclusion, as one Italian sociologist observed: "Italy is the European country most marked by deviance and criminality attributed to immigration, in the first place due to the effect of exposure in the media exasperated by hostile reactions expressed more often by moral and political entrepreneurs than by the actual victims" [Dal Lago, 1999]. It is however probable that the mixture between Italian criminality and the deviance and delinquency of some immigrants is translated in Italy into a more apparent phenomenon than in other countries. In Italy, the area of illegality, as that of the submerged economy, is wider than in other countries and the replacement of the native by the foreigner in this area obviously emphasises the latter's role. The emphasis of criminality attributed to immigrants and an exaggerated response, which is solely one of repression, risk provoking the radicalization of the phenomenon with at times dangerous consequences as reactions opposed to the increase of victimization and self-victimization of the immigrants (increase of suicides, drug abuse, acts of self-injury in prison, outside prison and now in the centres for deportees – a phenomenon already familiar in various EU countries) [Palidda, 1999].

5.3 Violence against Immigrants

A survey undertaken by 'La Sapienza' University in Rome indicated that, in 1996, 11 immigrants died in Italy from assault - an average of almost one every three days - although it could not be

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[16] In 1997, immigrant arrests' rate and the relative difference to Italians have decreased because their common factor has increased (namely, residence permits). However, foreigners have been arrested 8 times as much as Italians.

determined how many of these acts of aggression were unequivocally motivated by xenophobia. In 1994, there were 91 such deaths, in 1995, 99. Women were more often victims of violence than men. Rome clearly emerged as the most violent city for immigrants, with 23.8% of attacks, followed by Milan (7.2%) and Turin (5.6%). The data were obtained from the local news pages of 18 daily newspapers in Italy's 20 regions, and are therefore almost certainly an underestimate, given that news reports would not necessarily cover deaths which occured several days after an attack [Jamieson and Silj, 1999]. Although the survey was based on press reports rather than hard data, the results are consistent with official figures from the ONX (National Observatory on Xenophobia), which gave a total of 405 attacks against immigrants in 1996. ONX data also confirm the geographic distribution: Latium is the most violent region (107 cases in Rome alone) with 39 percent of charged incidents as compared to 34 percent for the central and northern regions, respectively, and 27 for the south. The percentage of victims from Africa is decreasing, while there are more and more attacks against immigrants from Eastern Europe [Jamieson and Silj, 1999].

5.4 Immigrants' Representation in the National Media, Political Organisations, Trade Unions

As far immigrants' representation in the national media, if, during the '80, the information concerning immigration were subject to a great degree of variability, starting from the beginning of the '90 the daily press devotes a constant and growing attention to this issue. It's an attention greatly concentrated on negative news, which convey an image of immigration as a "serious" social problem: for example, on 824 articles concerning immigrants published on 7 national newspapers in the years 1992/1993, the 47% report on crimes committed by immigrants or measures of law and order concerning them, but only the 8% report on episodes of racism and xenophobia. However, more than the quantitative predominance of the negative information, the migrants' image as "problem", "scourge" or "threat" is built and transmitted by the media through the constant use of "sensational" headlines and stylistic choices which seem thought to cause an "objective" disgust in the readers. Starting from the beginning of the '90, immigration is almost exclusively defined in terms of illegality and decline, while the preferred source of news is made of a new social actor, the citizen who protests against the urban decline, that is against the immigration [Dal Lago, 1999].

As far political participation, the Italian Law states that foreign citizens enjoy neither the active nor the passive election rights (the right to vote and the right to stand for elections). Considering the exceedingly low number of naturalisation processes, immigrants will basically remain outside the electoral procedures, in spite of the issue being a politically very sensitive issue and the weight it carries in one way or another in many of the party political manifestos.

There are very few data concerning the syndacalist affiliation of immigrants. At a local level, trade unions aren't even able to know the national origin of their foreigners members. Generally, speaking, they are 523 in the UIL, 9,817 in the CISL, but there are no data concerning CGIL, the major Italian trade union. Anyway, independently by the number of foreign members, trade unions have been playing a crucial role in order to guarantee immigrants rights, particularly -but not only- in the labour market. In the major Italian cities, already in the early '80 unions promoted public campaigns, along with an intense lobbying, aimed to change regional and local immigration policies. In the same period, some specific dispositions were inserted in the collective agreements and some immigrants were employed by the unions. In November 1989, an agreement was signed between Cgil-Cisl-Uil and the local association of small and medium entrepreneurs (API): it stated the hiring of at least 10% of immigrants in the new work-force and specific training and counselling for them. But this agreement was never honoured. Nevertheless, there are a lot of immigrants who address themselves to the unions every day, asking for counselling and legal protection: so, it can be said that in this way immigrants are granted access to 'intermediate political rights'[Zanfrini, 1998].

5.5 Applications for Naturalization in Recent Years

Applications for naturalization are considered an important sign of the insertion and integration of the foreign population. In Italy, this phenomenon is objectively recent because the foreign presence is also relatively new. Current laws, moreover, allow acquisition of nationality after at least ten years of constant and verifiable presence. Therefore, it will be possible to fully assess this phenomenon only in the future.

At present, it can only be noted that naturalizations increased by 82% between 1991 and 1995. However, in 1991, as in 1995, the proportion of naturalizations due to marriage was dominant (more than 92%).

Application for citizenship for a reason other than marriage seems to be influenced by an initially refugee status or on how long the foreigner has been in Italy. Romanians, Vietnamese, Iranians and stateless individuals belong to the first group, whilst Chinese, Ethiopians and Egyptians belong to the second group. Naturalization through marriage, on the other hand, was the prerogative in 1995 of South Americans (with a high proportion of women) and East Europeans (with the exception of Romanians), Filipinos and Thais amongst the Asians and Tunisians and Moroccans in the African context.

It appears obvious that, overall, the naturalization of foreigners is still a phenomenon of scarce importance in Italy and takes on a prominent position only in correspondence with a number of specific nationalities. This fact is certainly due to Italy's brief experience as a country of immigration, but also to a specific political choice whereby naturalization is not an instrument to encourage social integration. Rather, it represents a sort of recognition granted when insertion has been completed to a great extent.

5.6 Traces of Integration: the Birth of Foreign Children, Inter-ethnic Marriages and School Attendance by Minors

- Inter-ethnic marriages

Since 1986[17], the number of marriages in which at least one member of the couple is a foreigner has grown at a steady rate. These marriages have more than doubled, reaching, in 1995, approximately 4% of the marriages celebrated in Italy. In this context, mixed marriages take on particular importance.

40% of the foreign women who married Italians in 1995 came from Eastern Europe, in particular Romania and Poland. A second large area of the origin of foreign brides is South America, with a percentage of about 22% of all marriages with Italians.

Italian women, on the other hand, show a preference for other ethnic groups compared to Italian men. The percentage marrying East European men is greatly inferior (about 13%) but above all the presence of Africans and in particular Moroccans and, to a lesser extent, Tunisians and Egyptians is different.

A further element of interest of mixed couples is that of the marital status of the couples on marriage. The foreign women are more frequently marrying for the first time compared to foreign men. In addition, the quota of Italian widowers is fairly conspicuous (5.7% in 1994), especially when marrying East European women. Amongst couples with an African and East European partner, Italian women are more often at their second marriage.

In general, the percentage of new couples who have a previous marriage behind them is higher than for Italians – men and women – who marry a foreigner rather than for the total of marriages that are

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[17] Statistics on marriages between foreigners and mixed marriages have been available only since 1986.

celebrated in Italy (77.9% of single men and 89.9% of single women have married a foreigner against 94.4% and 96% respectively of Italian men and women married to Italians).

All things considered, precisely due to the specific characteristics of Italian immigration and in particular for the temporal rhythm of the phenomenon, mixed marriages are reasonably oriented towards future growth, to an even greater extent than during the 1990's.

This trend, significant above all in the north and centre of Italy, may contribute to the estimate of the level of integration reached by immigrants present, in the sense that this increase may be a sign of the consolidation of relations between Italians and foreigners. However, this supposition could also be inaccurate and would have to be scaled down if, as it would seem to appear from local research, marriages sometimes imply situations of reciprocal advantage. By way of example, a foreigner only has to be married to an Italian citizen for three years to obtain citizenship, whereas ordinary naturalization requires ten years of legal residence in the country.

- Births

The numerical growth of foreign minors is rightly considered an indicator of the extent to which foreigners take root in the country, not only because normally they live with at least one adult but above all because their transfer from their home country (or their birth in the host country) is an act that implies medium- or long-term migratory strategies and the formation or re-formation of the immigrant family. In this regard, statistics recently published by Istat (again referring to 1995, the last available official data), show a growth of 36% in the births of children with at least one foreign parent between 1992 and 1995. Furthermore, the fact that over 55% of births in 1995 have foreign parents of the same nationality is significant, whilst 37% are born to a foreign mother and an Italian father. This figure assumes a fairly high frequency of mixed couples, even if the analysis according to the nationality of the mother shows an outstanding heterogeneity of this phenomenon. Whilst East European women, and to a lesser extent South American women too, more frequently have children by Italian partners, African and Asian women have children almost exclusively within their own ethnic group, in view of the modest proportion of children they have by Italians or by foreigners of other nationalities. This differentiation would seem to bring out more integrated patterns of relations between European and Italian communities and confirms the outstanding preference of the Asian and African communities to live within their own communities as well as their relative lack of communication with the outside environment.

Regarding the presence of minors, it is interesting to note another aspect which is apparently contradictory, when evaluating the information taken from permits to stay with reference to the main nationalities. According to this source processed by Istat [Istat, 1999], at the beginning of 1997, 46.8% of foreigners legally resident in Italy were married and only 11.6% had dependent minors. It is comprehensible that the proportion of people with dependent minors is relatively low for some nationalities (for example Romanians and Senegalese, the former who are recent immigrants and relatively young, the latter characterized by migratory plans which rarely contemplate family reunification) and assumes intermediate values in the Moroccan population. Equally comprehensible is the high proportion of legal residents with dependent minors amongst the Chinese and ex Yugoslavians. On the other hand, what is surprising is the modest quota of dependent minors amongst Filipinos, a community that is predominantly female, half of whom are married and with the lowest proportion of illegal residents. The reasons for this can be found in the difficulty of combining the roles of mother and worker at the service of the Italian population. This, for example, does not happen to Chinese women, who, working for the most part in the domestic environment or in the context of ethnic economy, manage to fulfil their tasks as mother and worker more easily. Thus, whilst Filipino couples postpone plans for motherhood or entrust the minors, even if they have been born in Italy, to the family members still in the home country, Chinese women keep them with them and consequently they appear more frequently in services for infancy.

- School attendance

The increase of minors is also shown by the growth of school enrolments. Whilst in 1983/84, the total of pupils attending state-run and non-state-run schools in Italy amounted to just over 6000 units, in 1997/97, the foreign pupils enrolled rose to 37,000[18], thus reaching a proportion equal to 0.76% of the total school population. This proportion, objectively modest if compared with that of European countries with a greater tradition of immigration, is however significant as it clearly shows the stage of transition of Italy in this context. Because of the recent nature of the phenomenon, it is not yet possible to ascertain whether the scarce presence of this young generation of foreigners in secondary schools is a result of their age or whether it is an experience which has not been contemplated by the families who are not interested in specialized and medium-high level education for their children. At present, it appears clear that the largest school attendance is at primary and lower-middle school level and this is definitely determined by the young age of the foreign minors. This is the case of many nationalities which, although in relative terms are numerically consistent (Moroccans, Albanians), have a very insignificant number of pupils of the same nationality in secondary schools.

On the other hand, as far as the insertion of young foreigners in schools and any prejudice/discrimination against them is concerned, current research seems to provide comforting answers, perhaps induced by the relatively limited quantitative dimension [Giovannini, 1996]. They appear to converge towards the identification of a favourable attitude to the construction of a positive inter-culture, perhaps produced more by the realism of the teachers than by the efficiency of the scholastic institutions. While being unable to foresee the future, it appears plausible that schools themselves – although not very qualified in general – could become agents of socialization and the training environment which may play a positive role in recognizing the multiple cultural horizons which are becoming asserted and in drawing up educational strategies and pedagogical options to show the way to an open and welcoming attitude, thus abandoning the ethnocentric and conservative view of Italian society.

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[18] According to these figures, there are foreign pupils in 34% of Italian schools. The percentage rises to 49% in the North-west and is at a minimum level in the South (13.1%) [Ministry of Public Education, 1998].

B. Specific Country Topic

Chinese Immigration: an Emblematic Case

The Chinese community today appears, in the eyes of the Italians, a compact block of individuals coming from the same country. In actual fact, it is characterized by a fragmentation which has its origins in the period of arrival, opportunities of life and work offered at that time, the length of stay and the migratory project. The first Chinese arrivals, coming from the region of Zhejiang, date back to the 1920's but it was only from the 1930's onwards that a first nucleus of male immigrants settled down in Milan on a permanent basis in the streets which limit the perimeter of the area emphatically – and erroneously – called Chinatown. As Chinese immigrants settled in other Italian regions and especially in Latium and in Tuscany only from the mid-1960s, the history of the Chinese in Italy was long identified with the history of the Milanese community. From the very start, this community was able to carve out areas of activity for itself through self-employment, first in the leather goods sector, then in restaurants, textiles and lastly services mainly for foreigners. This capacity has depended on keeping the values of their culture of origin, an entrepreneurial vocation and the organization of work based on the family. These characteristics, still predominant today, are at the origin both of the economic success of this community and in the manifestation of an "ethnic trap".

The phases of Chinese immigration to Italy: from pioneers to illegal immigrants

The first small group of Chinese which arrived in Milan in the 1920's is currently the least visible today, not only because of the very low number of survivors, but also due to the fact that their children are indistinguishable from Italians of their own age because, as they are the result of mixed marriages between Chinese men and Italian women, they have matured individual interests and aspirations which have put them at a distance from their paternal culture and Chinese community practices in adulthood.

Seen from this point of view, the Chinese population could have died out in a short time if it had not been for the fathers themselves maintaining close bonds with other Chinese in Milan and with the family which had stayed in China, transferring to some of them prosperous activities which were not wanted by their children, or welcoming them disinterestedly on their request, as long as they were connected in one way or another with the family of origin.

The pioneers of Chinese immigration to Italy opened a migratory chain offering their fellow countrymen the advantage of joining a stable group, which was economically solid and inserted into the Italian reality, acting, in a certain sense, as a reception centre which offered them the possibility of leading a decorous life and rapidly finding work in the context of fruitful relations of solidarity.

This second flow of immigrants was also characterized by males. However, the Chinese who arrived at that time began to send for their wives and the first children – born in China or in Italy – appeared, giving rise to wholly Chinese families. within which relationships and hierarchies based on the traditional family pattern were reproduced. Conversely, mixed couples literally disappeared in those years.

If it were possible to fix in a snap-shot the Chinese community as it was at the end of the 1970's, we would see a compact, settled, quantitatively significant national group, made up of wholly Chinese family nuclei, and having relations with Italians principally according to economic convenience and opportunity. In this sense, we can state that, between the end of the Second World War and the early 1980's, a crucial passage was made in relations between Italians and Chinese. The curious and open attitude of the pioneers, their readiness to have relations with the Italian population, have been replaced by less open and more opportunistic behaviour. This is probably to be set in relation to the fact that this group of immigrants perceived their stay in Italy as a parenthesis, although not short,

which did not entail efforts of integration and comprehension beyond those made to achieve their own projects, focused mainly on achieving economic success.

Since the end of the 1970's – coinciding with the opening of China to the outside world – immigration from China has taken on considerable dimensions. The trickle of the initial immigrant population which became a stream in the second half of the 1970's, has become a good-sized river over the last two decades.

Some of the particular characteristics of the population arriving more recently are the same as those of the preceding Chinese population. These are nuclei of relatively contained dimensions and oriented towards the same economic specialisation. However, the differences are far more consistent, starting from how they arrived and settled. On the one hand, they have entailed a different relationship with the rest of the community which, precisely for this reason has been transformed compared to the prevailing relations during the previous decades.

In addition, this population is internally differentiated: alongside the legal immigrants who arrived in Italy to be reunited with their families or for highly specialized work[19], there is a second group, which most probably today forms the majority, consisting of immigrants who have arrived in Lombardy, Tuscany and Latium illegally. Not all of these immigrants have strong family relationships with those living permanently in Italy. On the contrary, during the 1990's, an increasing number of Chinese immigrants arrived without any certain protection and without the sold family network as, unlike the past, thrust factors generated by the country of origin had a greater effect than factors of attraction of fellow countrymen resident in the host country.

Belonging to one or other of these segments of population is a strong element of differentiation between today's Chinese immigrants. Being illegal but with protection offered by the family or being an illegal immigrant without links – the so-called *wuming*, nameless – defines acceptable living conditions or those which are at the limit of survival and negotiable or not. In general, the majority of immigrants of the 1980's and above all 1990's arrived in a community which is less able to welcome them; they look for work amongst other Chinese but it is hard to find or they find precarious and temporary jobs which are not remunerative enough to speed up the passage from being employees to becoming self-employed; they have to wait for several years before they can be joined by their closest family members and, when they are reunited, they often live in very bad conditions.

The 1980's, therefore, mark the rise of a clear social and economic stratification within the Chinese communities in Lombardy and Latium, although less intense in the latter. This stratification has in part changed the type of relations between the Chinese: those prevalent during the so-called "golden age" have made way for those more oriented to fulfilling the interest of the nucleus, by means of alliances aimed at maximizing reciprocal advantages.

Since then, moreover, the Chinese presence has become visible in Tuscany and in particular in Florence, Prato and some neighbouring towns where Chinese firms and workers have replaced Italian firms in the depressed textile area. This replacement has taken place in a context of inequality. The Chinese entrepreneurs who have achieved varying levels of security depend on a flexible and not infrequently illegal Chinese labour force. The latter, in turn, depend on the entrepreneurs not only for work but also because they are the guarantors with the Italian authorities, find them accommodation or impose living together.

A successful economy

As underlined on several occasions, the Chinese migratory model is hinged on the figure of the entrepreneur. From the very start, the self-employed component has taken on considerable

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[19] This does not exclude that, to accelerate the entry procedures, this population also had recourse in China to criminal organizations capable of organizing an "all-inclusive" journey.

dimensions, to the extent that today the percentage of permits to stay granted for self-employment is not to be found in any other foreign population.

The entrepreneurial vocation of this community has been decisive in its economic development: first of all oriented towards peddling odds and ends, then to the production of silk ties and lastly, manufacturing leather goods and clothing. From the very start, an ethnic economy contains a number of elements which also distinguish its subsequent development: in particular, the loan on trust granted to new arrivals, the exploitation of weaker fellow countrymen (which allows costs to be contained) and the social cohesion of the ethnic productive system. All things considered, from the beginning a productive pattern is formed which is developed thanks to ethnic solidarity with the entrepreneur as the protagonist. This pattern also became consolidated after the 1950's when the peddler took on more "sedentary" activities and trades and specialized in the production of leather or fabric bags, belts or wallets. In a first phase, Italians controlled the sale of these products but very soon the more enterprising Chinese understood the advantages of independently controlling sales in the economic cycle and they succeeded in controlling the whole productive process. The relationship between the employer and his employee was and has remained very different from that characterizing the two Italian sides by virtues of bonds which, on the one hand develop internal cohesion and, on the other, consolidate relationships of exploitation and dependence.

Since the early 1960's, the ethnic economy ha been enriched by another activity: restaurants. The relative saturation of the leather goods sector, the relative cheapness of investment and appreciation by Italians encouraged the development of this activity, at first in the large metropolitan cities (Milan, Rome and Florence) and today its capillary diffusion even in small towns.

A restaurant implies the need for stocking ingredients that are fundamental for Chinese cooking. To meet this demand, Chinese restaurateurs resumed and consolidated relations within the Diaspora in Europe and Asia to obtain from traditional Chinese distributors goods that nobody was yet able to supply in Italy. It is only in recent years that some more affluent Chinese have created supermarkets of considerable size and import-export companies of Chinese products and in general products for Asians and Africans.

These developments have taken place amongst a relatively small number of Chinese. It is only thanks to the adoption of a policy of openness together with the closure of the traditional channels of emigration (such as the Netherlands and France), that the migratory flow has grown, especially in Lombardy, Tuscany, Latium, Piedmont and Emilia Romagna, all regions which were affected to a different extent in previous flows.

The typical itinerary of the Chinese immigrant in the 1980's and 1990's.

The life of the Chinese immigrant revolves around work, six days a week, with working hours that vary according to the sector of activity. After a few years, and when he has legalized his position and has the money required to make an investment, the immigrant starts up an independent business, normally of modest dimensions, within the family-firm. He is subsequently joined by his family who are required to take part in the effort to reach the goals of the "dream of gold". These mechanisms of upward social and economic mobility ground to a halt during the 1990's due to the sudden growth of the community and the crisis that hit the privileged productive sectors.

Some phases of passage last longer than others (emerging from illegality, finding the necessary funds, setting up one's own business) and paradoxically it is above all immigrants who have left situations that were definitely more favourable compared to those of their fellow countrymen who preceded them in their country of origin, who are affected.

Many families have been unable to reach an advanced phase of their migratory career, remaining stuck in small workshops exposed to the demands of the Italian market and mediators of orders.

Chinese immigration to Italy: resources and problems

There are important reasons to focus on the women, children and families in the debate on the presence of Chinese immigrants in Italy. The families are the sum of the women and children and hold the key to understanding many issues around Chinese immigration to Italy.

The female presence and the growth of minors has rapidly altered the demographic structure of the Chinese population in Italy. Moreover, the central role of family networks in the migratory system as a whole, both from the economic point of view and regarding the organization of flows and relations within the community, is well known.

We may well ask whether the context of the community can still guarantee conditions that are adequate for the realization of projects that are not doomed to failure for new subjects. In this case, the consequences could be serious and mainly have repercussions on the weak subjects – women and children – the former because they cannot have equal access to the economic and strategic resources in a culture that shows a high preference for males; the latter due to the major risks to which they are exposed, linked mainly to the continuous comparison with the Italian cultural model and social organization they have learnt at school as the mark of success and to the frustration arising from comparison with their real conditions and possibilities.

It is certain that the subjects most exposed to the risk of losing their capacities of being in control of their sense of ethnic and cultural belonging are the children who, often arriving in Italy under or just over school age, have not even had time to learn their mother tongue. Learning the language therefore, or keeping it, represents one of the keystones that can support the Diaspora-type migratory system of the Chinese.

This objective is also wished for from the point of view of society and the economy as a whole, since "successful" immigration always means, and in particular in the Chinese case which presents a strong tendency towards entrepreneurship, an input of considerable economic, cultural and strategic resources. Besides, in a phase such as the present, where the Chinese community is showing clear signs of crumbling and "jamming" of the social mechanisms that hitherto had characterized it, other forms of socialization may find wide space for action: above all in schools, which record a fairly high rate of attendance. Experience in recent years in schools with large numbers of Chinese children (in particular in Bologna, Prato and Milan) have given positive results in this direction, recording a strong trend towards positive school careers for the children, only to realize that the absence of a wider project, involving all the scholastic levels on the one hand and all the family and social subjects on the other, systematically leads to the interruption of schooling as soon as a minimal level is reached.

In order to avoid these traps, it would be useful to go from an experimental and fragmentary approach to a truly global project, which sets the twofold objective of increasing the educational level of the Chinese population, as a factor of integration and strategic factor for the valorization of the immigration resource, and promoting the specific ethnic-cultural identity, as an essential element to achieve successful migratory projects.

It is clear that the families play an important role in all this. The typical family-based business organization involves the children from a very early age, passing on to them roles and functions that often take on the characteristics of really contributing with their work to the family business. Working, in short, is a relatively normal thing and nevertheless it is clear that in families generally absorbed by the aim of business it is not easy to find space where school can invest and intervene. Children's time is therefore a resource disputed by three subjects: the family, school and the children themselves.

But perhaps the current phase of crisis of the Chinese migratory model, this phase of "loss", could open the door to a more systematic and less instrumental interaction with the autochthonous society. Schools could thus seize upon the opportunity to promote social insertion focused more on exchange and integration and not only, as has been the case to date, on a parallel itinerary in a sort of voluntary "apartheid", albeit successful. It could also encourage a better appropriation of the

cultural instruments necessary to co-ordinate the passage from an exclusively community model to a multitude of more open and complex models, all the more so today at a time when communities are undergoing major transformations in the direction of a differentiation and more fluid articulation of their social structures. Lastly, it could guarantee the survival of a specific cultural identity, taken as a twofold resource for the immigrant and for society, where the traditional community processes of assertion and transmission of cultural models are now seen to be insufficient.

Similar considerations affect the women more directly, exposed as they are to a clearly discriminatory social condition on the traditional cultural level but also on the level of daily family organization. The isolation and dependence which characterize them are to be looked for firstly in a condition of need: the need for work, the need to look after children, the "need" to cover a residual role of dependence by those who have the instruments for interaction with the exterior.

However, even if they have greater difficulty in relating with the external context, Chinese women have greater contacts with the public structures (health authorities, social services, family planning clinics, schools). Therefore they could play a bridging role, be instrumental in opening up communication and exchange which would bring important benefits to their individual condition but would also contribute to enriching families and the entire Chinese population as a whole with strategic resources.

The central nucleus of the Chinese Diaspora remains work, and specifically self-employed business, with the aim of high economic affluence. Overlooking this aspect would mean grossly misrepresenting the sense of the migratory experience of this community. Focusing on the problems of a cultural, relational character or the problems linked to the structure of migratory flows and patterns, leaving aside the role played by the reality of work and the complex economic organization of Chinese communities overseas, would be an error with grave consequences on the level of comprehension and capacity of intervention.

The daily life of an immigrant Chinese family is truly permeated by the objective of work, economic gain and reaching independence which finds expression in entrepreneurial activity. These very strong incentives of values lie at the basis of the complex ethnic economies of the whole of the Chinese Diaspora in the West, including the Italian case. However, even this surprising "economic machine" shows signs of wear and tear today, and perhaps of excessive expansion, which brings about considerable consequences. Ethnic Chinese economy is today reckoning with a community that, on the other hand, is losing these fundamental prerogatives, with the result of a growing difficulty in interaction with the autochthonous society and economy and perhaps also of a loosening of the internal bonds of solidarity and co-operation that represented some of the resources for success until a few years ago. Chinese communities today are folding in on themselves, in parallel with the emergence of a coming apart between the social structures, centres, functions of guidance, representative institutions, including informal ones, and the Chinese population.

And yet the still considerable economic potential that the community can develop leads to considering the need to act at institutional level to resume an open dialogue founded on concrete aims and programmes. Moreover, there are objective reasons to hope for this objective, encouraging an open attitude by the Chinese population towards working for Italian employees.

For example, the crucial topic which involves not only the economic profile but also ethical aspects of the promotion of real rights cannot be neglected. The Chinese economy, in fact, if it is true that it is based on a Diaspora model strongly characterized by solidarity, as well as on a strong spirit of enterprise, in actual fact also has its roots in a family system which counts on forms of employment which often verge on exploitation, or, at any rate, working conditions which are far from those considered acceptable by Italian society.

The issue is complex because the mechanisms governing the migratory flows from China act mainly on a family basis and the relationships of dependency after arrival in Italy are subject to specific agreements of mutual exchange. Those who work at times even without pay for a number of years general do so to "pay back" a relation who has offered them an opportunity, in the end

being able to rely on the family's help to undertake at last their own career as a free – and independent – Chinese immigrant.

This is perhaps a surprising mechanism for western culture but which has allowed many Chinese Diasporas to prosper and offer real opportunities to all. Besides, although this is not normally perceived as a form of exploitation, in actual fact the working conditions and imbalance of the relations of force between the employer and the worker are often unacceptable. This raises a question that is difficult to solve and which certainly will not be neglected for long. Also because alongside this family model which is "official" so to speak, and which in any case guarantees some form of minimal protection for the new arrivals,. there is however a quota, difficult to quantify but nevertheless considerable, of illegal immigration which moves outside family networks and which is therefore lacking in any guarantee and cannot rely on any bond of solidarity.

These are the illegal immigrants who easily submit to the blackmail of the Chinese criminal organizations or who are in any case forced to support the worst living and working conditions and for whom we are fully entitled to speak of in terms of exploitation, because they are forced to live and work in total segregation. These immigrants will have to wait for a number of years in order to pay back the debt contracted when they arrived in Italy with the organizations that control the illegal "passages" and even after the debt has been paid back, they will nevertheless find themselves again alone, without help and without being able to find better living and working conditions outside their ethnic economy.

C. Statistical Appendix

Table 1 Immigration of foreigners to Italy since 1980

Year	Total Immigrants	Countries							
		Morocco	Albania	Philippines	Tunisia	Ex Yugoslavia	Senegal	Romania	China
1980	272,163	829	514	3,676	1,488	11,192	134	2,120	463
1985	422,904	2,364	923	7,622	4,352	13,862	316	5,380	1,618
1990	781,158	77,971	1,853	34,328	41,234	29,790	25,107	7,494	18,665
1995	991,419	94,237	34,706	43,421	40,454	51,973	23,953	24,513	21,507
1996	1,095,622	119,481	63,967	57,071	44,821	44,259	31,870	31,673	29,073
1997	1,072,596	131,406	83,807	61,285	48,909	44,370	34,831	38,138	37,838
1998	1,033,235	120,531	75,650	55,846	39,059	33,759	30,673	29,667	31,436

Source: Ministry of Interior, 1999

Table 2 Births with at least one foreign parent, 1992-1995

Year	Male	Female	Total
1992	8,158	7,707	15,865
1993	8,900	8,297	17,197
1994	10,392	9,620	20,012
1995	11,165	10,447	21,612

Source: Istat, 1998

Table 3 Births with at least one foreign parent by geographic area, 1995

Mother's nationality	Father's nationality				
	Italian	Foreign		Father	Total
Country/Area		Same	other	unknown	
EUROPE*	**3,565**	**3,024**	**398**	**355**	**7,342**
E.U.	1,830	280	163	42	2,315
Central-Eastern Europe	1,600	2,728	225	309	4,862
Of which					
Ex Yugoslavia	187	1,445	82	164	1,878
Albania	240	897	22	38	1,197
Poland	373	201	79	58	711
Romania	286	89	12	13	400
Russia	156	10	1	11	178
AFRICA	**510**	**4,507**	**231**	**189**	**5,437**
Of which					
Morocco	146	1,925	63	30	2,164
Tunisia	59	646	15	26	746
Ghana	4	454	13	19	490
Egypt	15	449	3	1	468
Nigeria	45	223	27	35	330
Senegal	27	157	4	6	194
Somalia	27	109	15	6	157
Cape Verde	36	55	6	21	118
Mauritius	12	87	4	2	105
Ethiopia	26	49	5	8	88
Ivory Coast	11	76	8	5	100
ASIA	**368**	**2,705**	**89**	**154**	**3,316**
Of which					
Philippines	109	1,063	35	88	1,295
China	24	647	10	59	740
Sri Lanka	8	317	1	3	329
India	7	226	1	1	235
Pakistan	2	99	1	-	102
AMERICA	**1,550**	**995**	**135**	**184**	**2,864**
Of which					
Brazil	404	29	15	23	471
Dominican Rep.	205	55	5	36	301
Peru	130	193	24	34	381
Colombia	127	19	11	29	186
Argentina	96	30	10	2	138
OCEANIA	**35**	**-**	**5**	**-**	**40**
Stateless	-	2	2	-	4
Total births with foreign mothers	6.028	11.233	860	882	19.003
ITALY	**-**	**-**	**2,375**	**-**	**2,375**
mother unknown	-	-	121	-	121
TOTAL	**6,028**	**11,233**	**3,356**	**882**	**21,499**

*Excluding Italian mothers

Source:Istat,1998

Table 4. Marriages between foreigners, 1992-1995

Man's nationality	Year			
	1992	1993	1994	1995
Europe	755	582	701	829
Africa	176	189	225	238
Asia	64	90	126	196
America	355	319	342	378
Oceania	15	21	19	24
Stateless	-	1	2	-
Total	1,365	1,202	1,415	1,665

Woman's nationality	Year			
	1992	1993	1994	1995
Europe	776	624	753	906
Africa	165	156	174	162
Asia	65	81	121	182
America	345	317	345	390
Oceania	14	23	22	25
Stateless	-	1	-	-
Total	1,365	1,202	1,415	1,665

Source,Istat,1999

Table 5 Marriages with al least one foreigner 1986, 1995

	Year		Increase
	1986	1995	(%)
Italian man/Foreign woman	3,012	7,416	146.2
Foreign man /Italian woman	1,924	3,248	68.8
Foreign man /Foreign woman	634	1,665	162.6
Total	5,570	12,329	121.3

Source, Istat, 1999

Table 6 Marriages between Italian men and foreign women, 1992, 1995

	Italian man			
	Year		Increase	%
	1992	1995	92/95	(1995)
Woman's nationality				
EUROPE	3,115	4,220	35.5	211.5
Of which				
Albania	82	229	179.3	11.5
Ex Yugoslavia	212	304	43.4	15.2
Ex USSR	303	568	87.5	28.5
Poland	305	639	109.5	32.0
Romania	427	742	73.8	37.2
AFRICA	641	541	-15.6	27.1
Of which				
Egypt	8	11	37.5	0.6
Morocco	194	194	0.0	9.7
Tunisia	35	33	-5.7	1.7
ASIA	342	453	32.5	22.7
Of which				
Philippines	84	112	33.3	5.6
AMERICA	1,871	2,173	16.1	108.9
Of which				
Brazil	504	656	30.2	32.9
Colombia	144	198	37.5	9.9
Peru	138	206	49.3	10.3
Dominican Rep.	373	375	0.5	18.8
OCEANIA	28	28	0.0	1.4
Stateless	3	1	-66.7	0.1
Total	6,000	7,416	23.6	371.7

Table 6a Marriages between Italian women and foreign men, 1992, 1995

Man's nationality	Italian woman			
	Year		Increase	%
	1992	1995	92/95	(1995)
EUROPE	1,068	1,287	20.5	196.2
Of which				
Albania	46	148	221.7	22.6
Ex Yugoslavia	72	103	43.1	15.7
Ex USSR	19	36	89.5	5.5
Poland	22	34	54.5	5.2
Romania	40	67	67.5	10.2
AFRICA	907	1,200	32.3	182.9
Of which				
Egypt	104	147	41.3	22.4
Morocco	386	568	47.2	86.6
Tunisia	253	249	-1.6	38.0
ASIA	199	238	19.6	36.3
Of which				
Philippines	0	3		0.5
AMERICA	433	497	14.8	75.8
Of which				
Brazil	43	76	76.7	11.6
Colombia	11	12	9.1	1.8
Peru	21	32	52.4	4.9
Dominican Rep.	6	16	166.7	2.4
OCEANIA	26	23	-11.5	3.5
Stateless	1	3	200.0	0.5
Total	2,634	3,248	23.3	495.1

Table 7 Naturalized foreigners by country of origin and type of naturalization, 1991 and 1995

| | 1991 | | | | | 1995 | | | | | |
| | Absolute number | | | | | Absolute number | | | | | Increase 91-95 (%) |
	by marriage	by other procedure	Total	% Female	% other procedure	by marriage	By legal procedure	Total	%Female	% other procedure	
EUROPE	1,715	101	1,816	73.7	5.6	3,219	163	3,382	78.1	4.8	86.2
Of which:											
Albania	1		1	100.0	0.0	109		109	74.3	100.0	10800.0
Ex Yugoslavia	247	12	259	74.9	4.6	379	33	412	69.4	8.0	59.1
Ex USSR	106		106	90.6	0.0	430		430	93.7	0.0	305.7
Poland	196	13	209	89.5	6.2	303	12	315	93.3	3.8	50.7
Romania	91	19	110	80.9	17.3	582	25	607	94.6	4.1	451.8
AFRICA	661	39	700	38.0	5.6	1,064	146	1,210	43.3	12.1	72.9
Of which:											
Egypt	198	10	208	9.1	4.8	153	42	195	11.3	21.5	-6.3
Morocco	128	1	129	31.8	0.8	335	16	351	45.0	4.6	172.1
Tunisia	72	2	74	21.6	2.7	124	10	134	27.6	7.5	81.1
Ethiopia	56	10	66	77.3	15.2	51	23	74	70.3	31.1	12.1
ASIA	608	151	759	48.9	19.9	729	349	1,078	54.6	32.4	42.0
Of which:											
Jordan	52	3	55	5.5	5.5	40	8	48	10.4	16.7	-12.7
Iran	86	18	104	20.2	17.3	75	42	117	28.2	35.9	12.5
Israel	48	7	55	27.3	12.7	65	9	74	31.1	12.2	34.5
Lebanon	63	7	70	22.9	10.0	76	11	87	36.8	12.6	24.3
China	17	7	24	62.5	29.2	49	26	75	69.3	34.7	212.5
Philippines	137	7	144	97.2	4.9	170	18	188	96.3	9.6	30.6
Thailand	46		46	100.0	0.0	97		97	99.0	0.0	110.9
Vietnam	14	67	81	38.3	82.7	31	147	178	44.4	82.6	119.8
AMERICA	823	32	855	69.9	3.7	1,570	81	1,651	77.4	4.9	93.1
Of which:											
Argentina	233	3	236	46.6	1.3	295	15	310	52.9	4.8	31.4
Brazil	96	3	99	84.8	3.0	195	9	204	87.3	4.4	106.1
Dominican Rep.	88		88	98.9	0.0	364	0	364	97.5	0.0	313.6
Peru	63	2	65	87.7	3.1	131	4	135	81.5	3.0	107.7
OCEANIA	11		11	45.5	0.0	4	1	5	60.0	20.0	-54.5
Stateless	13	4	17	52.9	23.5	1	3	4	25.0	75.0	-76.5
TOTAL	3,831	327	4,158	62.2	7.9	6,587	743	7,330	68.7	10.1	76.3

Source: Istat, 1998

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Table 8 Employment of non-E.U. citizens during 1998 by waiting time, level of education, sector of activity, qualification

Waiting time	Absolute numbers			%		
	Male	Female	Total	Male	Female	Total
< 3 months	79,113	17,396	96,509	54.4	49.0	53.4
3-12 months	34,374	9,136	43,510	23.6	25.7	24.1
> 12 months	31,870	8,985	40,855	21.9	25.3	22.6
Total	145,357	35,517	180,874	100.0	100.0	100.0

	Absolute numbers			%		
Level of education	Male	Female	Total	Male	Female	Total
No education	125,537	28,145	153,682	86.4	79.2	85.0
Primary	17,046	5,912	22,958	11.7	16.6	12.7
Secondary	2,290	1,211	3,501	1.6	3.4	1.9
University	484	249	733	0.3	0.7	0.4
Total	145,357	35,517	180,874	100.0	100.0	100.0

	Absolute numbers			%		
Sector of activity	Male	Female	Total	Male	Female	Total
Agriculture	36,003	5,445	41,448	24.8	15.3	22.9
Industry	66,162	8,609	74,771	45.5	24.2	41.3
Tertiary	43,192	21,463	64,655	29.7	60.4	35.7
of which:						
Domestic	3,979	5,678	9,657	2.7	16.0	5.3
Public	12,641	6,771	19,412	8.7	19.1	10.7
Total	145,357	35,517	180,874	100.0	100.0	100.0

	Absolute numbers			%		
Qualification	Male	Female	Total	Male	Female	Total
Unskilled labourer	113,813	26,128	139,941	78.3	73.6	77.4
Skilled worker	29,761	7,968	37,729	20.5	22.4	20.9
White collar	1,783	1,421	3,204	1.2	4.0	1.8
Total	145,357	35,517	180,874	100.0	100.0	100.0

Table 8a Employment of non-E.U. citizens during 1998 by country of origin

Country	Absolute numbers			%		
	Male	Female	Total	Male	Female	Total
Morocco	31,243	4,431	35,674	21.5	12.5	19.7
Albania	20,096	3,737	23,833	13.8	10.5	13.2
Ex Yugoslav	15,763	4,516	20,279	10.8	12.7	11.2
Tunisia	13,373	1,042	14,415	9.2	2.9	8.0
Senegal	9,818	424	10,242	6.8	1.2	5.7
China	4,668	2,323	6,991	3.2	6.5	3.9
India	5,164	209	5,373	3.6	0.6	3.0
Egypt	4,919	170	5,089	3.4	0.5	2.8
Ghana	3,162	1,401	4,563	2.2	3.9	2.5
Algeria	3,435	159	3,594	2.4	0.4	2.0
Nigeria	1,909	1,474	3,383	1.3	4.2	1.9
Poland	1,882	1,465	3,347	1.3	4.1	1.9
Philippines	1,692	1,572	3,264	1.2	4.4	1.8
Pakistan	2,917	103	3,020	2.0	0.3	1.7
Sri Lanka	1,890	543	2,433	1.3	1.5	1.3
Turkey	1,650	232	1,882	1.1	0.7	1.0
Somalia	1,020	378	1,398	0.7	1.1	0.8
Brazil	381	1,002	1,383	0.3	2.8	0.8
Mauritius	454	326	780	0.3	0.9	0.4
Ethiopia	279	357	636	0.2	1.0	0.4
Argentina	333	286	619	0.2	0.8	0.3
Chile	295	152	447	0.2	0.4	0.2
Iran	341	63	404	0.2	0.2	0.2
Lebanon	348	51	399	0.2	0.1	0.2
Cape Verde	27	124	151	0.0	0.3	0.1
Other	18,298	8,977	27,275	12.6	25.3	15.1
Total	145,357	35,517	180,874	100.0	100.0	100.0

Ministry of Labour, 1999

Table 9 Number of non-E.U. workers, 1991-1995

Year	Workers
1991	79,584
1992	91,324
1993	88,499
1994	95,686
1995	112,304

Source: Istat, 1999

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Table 10 Number of non-E.U. workers by sector* and Italian region, 1998

Region	Agriculture	Industry				Trade	Other	Total	% Industry
		Mechanical	Textile	Chemical	Building				
Valle D'Aosta	2	31	-	3	104	190	64	394	18.27
Piedmont	15	4,105	789	668	2,520	3,362	2,672	14,131	50.47
Lombardy	22	12,918	3,005	3,893	4,141	13,634	7,627	45,240	52.21
Trentino A.A.	17	788	131	225	919	4,106	1,599	7,785	26.38
Veneto	20	9,206	1,988	6,232	3,541	4,698	7,336	33,021	68.27
Friuli V.G.	2	1,370	151	158	904	1,633	2,113	6,331	50.36
Liguria	3	222	14	28	651	1,167	363	2,448	16.87
Emilia R.	24	8,164	1,076	1,368	3,033	6,362	5,695	25,722	55.47
Tuscany	41	1,215	2,542	1,445	1,648	3,531	1,477	11,899	51.74
Umbria	48	383	114	46	731	453	488	2,263	37.69
The Marches	16	1,529	225	1,870	746	1,040	1,460	6,886	67.31
Latium	9	493	105	91	1,076	5,890	1,166	8,830	14.86
Abruzzo	4	212	112	66	328	544	458	1,724	33.18
Molise	-	10	3	2	6	20	12	53	43.40
Campania	4	115	203	70	95	605	245	1,337	42.18
Basilicata	-	35	4	-	16	25	14	94	50.00
Apulia	1	136	78	160	87	459	263	1,184	47.72
Calabria	-	25	10	4	33	119	85	276	31.16
Sicily	1	117	13	33	69	826	217	1,276	23.67
Sardinia	-	25	1	4	22	131	46	229	27.95
Italy	229	41,099	10,564	16,366	20,670	48,795	33,400	171,123	51.70

*Excluding domestic services

Source: Inps,1999

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Luso-American
Development Foundation

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Investigation and workshop on an emerging ethclass in Europe

Portuguese Report

For the Luso-American Development Foundation

Research Coordinator

MARIA IOANNIS BAGANHA

UNIVERSITY OF COIMBRA

<u>Researchers:</u>
JOSÉ CARLOS L. MARQUES
GRAÇA MARIA DA FONSECA

CONTENTS

1. Introduction

All Southern European countries have a long-standing tradition of emigration and a quite recent history of immigration. It is a well-known fact that new developments require adaptation and adaptation requires time, which essentially means that societal processes of adaptation to the existence of significant and visible foreign minorities are still in the making in all Southern European countries.

Given the extremely different economic and political contexts in which the in-flows to Southern Europe are taking place, the political handling of immigration by Southern European countries has been substantially different from the migration policies endorsed by the Northern European countries during the "thirty glorious years" following the Second World War. It is, thus, reasonable to presume that this difference in contexts will produce different outcomes both in terms of domestic societies' responses to the presence of foreigners in their midst, and of immigrants' processes of integration into their respective host societies.

The main objective of the present report is to describe the recent Portuguese immigratory experience according to a standardized framework of items to be followed by all the countries involved in the project. The report also includes a section that focuses on the economic incorporation of immigrants into the Portuguese informal economy.

Given the overall research design and the methodological approach that were proposed for this project some methodological clarification needs to be done, in order to insure the greatest possible accuracy in interpreting and handling the information contained in the present report.

This clarification is of utmost relevance when we consider the content of the three basic concepts that guided all the data collected and subsequent analysis, namely: immigrants, ethnic minorities and ethnic class.

The concept of immigrants was defined in the "Model for Country Report" as follows: "all people from a foreign origin living and working in the country, including non-working family members". The present report has adopted this definition.

The concept of ethnic minorities was defined as "descendants of immigrants who have the country's citizenship but who suffer from discrimination due to their origin". This concept, however, raises serious questions of accuracy with regard to its objective and in its subjective components. First it is more than debatable that in Portugal "foreign" ethnic minorities are the outcome of previous processes of immigration. In fact, the existence of ethnic minorities of non-European origin is, in the case of Portugal, largely the outcome of a process of de-colonization that, contrary to the rest of Europe, only took place during the mid 1970's, after the Revolution of 1974. The disorganized transfer of political power to the former African Colonies entailed the forced return to the mainland of about half a million people, a substantial part of whom retroactively lost their Portuguese nationality on account of their African ancestry. In light of Portuguese history, to consider "some" of the children of these returnees as "descendants of immigrants" is, in our opinion, unacceptable.

Second, the definition of ethnic minorities mentioned above also involves a value judgment regarding the existence or non existence of "discrimination due to their origin". As it stands, this value judgment introduces an extremely high level of subjectivity into the project, since each national team may eventually adopt different types of measurements to

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evaluate discrimination, seriously undermining future prospects of comparability on this topic.

Given that no further operationalization of the concept was done to insure comparability of results, we have defined the content of the term "ethnic minorities" as follows: first, we restricted the content of the term ethnic minorities and excluded from the analysis a substantial domestic ethnic minority, the Gypsies. Second, we consider ethnic minorities to be those groups of people who, owing to their visibility and spatial concentration in run-down suburban areas, are referred to as ethnic minorities in the media, in academic works, and included in a number of public and semi-public programs aimed at social inclusion. These are Portuguese or foreign citizens of African ancestry and their descendants, from Portugal's former African colonies, who inhabit or have inhabited downgraded suburban areas. This definition (and it is the only possible definition to adopt, given the secondary sources available on this topic) imposes specific limitations on the interpretation of results that need to be taken into consideration. First, the term overlaps with the concept of immigrant, since the definition is based on African ancestry (independently of legal status and of date of arrival) and poor living conditions (regardless of the roots of their present social exclusion). Consequently, the content of the term adopted in the present report will probably address a different population than the one targeted under the same concept by the other national reports. Second, the definition of the term "ethnic minorities" that has been adopted implies that our assessment on the emergence or non-emergence of an ethnic class will be based on the aforementioned definition.

Finally, the content of the last basic term "ethnic class" also presents problems, since the definition proposed specifically states that "an ethnic class is the outcome of a process of ethnic stratification, which means a systematic and stable combination of material class positions at lower levels with specific cultural characteristics". Given the novelty of the presence of sizable and visible minorities of African ancestry in Portugal, the first problem the definition raises is how long is "long enough" for a social process to be considered stable? Is less than one generation a long enough span of time when intergenerational stability is crucial to the definition? The second problem has to do with the empirical evidence available to verify the condition "only a systematic and stable social exclusion due to origin is to be considered the basis for an ethnic class". In fact, to our knowledge, in the case of Portugal, there is no empirical evidence that can reliably be used to determine causation for social exclusion. Due to the above-mentioned conceptual problems and empirical limitations, our reflection on the emergence or non emergence of an ethnic class will probably be based on different assumptions than the reflections on these topics presented in the other national reports.

2

PART A – General Descriptive Overview

2. History and Groups of Immigrants

Until the mid-1970's, the number of foreigners residing in Portugal was of small relevance numerically. The Census of 1960 registered 29,000 foreign residents in Portugal of which 67 percent were from Europe, 1.5 percent from Africa, and 22 percent from Brazil[1]. Fifteen years later, the number of resident foreigners was still only 32,000 (INE, Estatísticas Demográficas, 1995)[2].

After the revolution of 1974, and due to the process of de-colonization that ensued (1975-1980), the foreign population grew at an annual average rate of 12,7 percent and progressively changed in composition to the extent that it was primarily composed of African citizens, largely from Portugal's former colonies[3] (in 1980 there were 58,000 foreign residents, of whom 48 percent were from Africa, 31 percent from Europe and 11 percent from South America). During the next 10 years, the number of foreign residents increased at an annual rate of 6.4 percent, and became more diversified, due particularly to a renewed in-flow from Brazil.

Finally, in the past seven years, the growth of the foreign population has intensified, increasing at an average of 7.2 percent per year, while becoming more heterogeneous in composition.. In 1997, of the 175,000 legally registered foreigners, 47 percent were from Africa, 28 percent from Europe, 14 percent from South America and 6 percent from North America. It is important to note that during de 1990's, two drives to legalize the status of the foreign population took place. The first, in 1992, was aimed to legalize the status of approximately 39,000 foreign individuals, while the second drive in 1996, took in 35,000 immigrants. This means, in essence, that the growth observed in the legal foreign population during this period was essentially more the result of these two general amnesties than of new inflows (Table 2).

For analytical purposes, the resident foreign population was divided into three numerically significant sub-groups: citizens from Portugal's former colonies in Africa (from now on referred to as citizens from the PALOP[4]), citizens from other European countries, and citizens from Brazil. The following description of the main characteristics of legal foreign residents, based on the past seven years, takes these three sub-groups specifically into consideration.

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[1] In Esteves, 1991:161. Note that, at that point in time all natives from any of the former Portuguese colonies in Africa were Portuguese nationals.

[2] On the characteristics of the resident foreign population in Portugal several summaries are available, like Esteves et. al. (1991), Malheiros (1996), Baganha (1996, 1998a, 1998b), Pires (1993, 1999), Baganha and Gois (1999), Baganha, and Ferrão et al., 1998.

[3] "The growth of immigration in Portugal during this period can be attributed to: 1) entrance and permanence in the country of Portuguese nationals of African origin and permanence of Portuguese nationals of African origin previously residing in Portugal, who lost their Portuguese nationality (D.L. 308-A/75): 2. entrance of relatives that joined them between 1976 and 1981" (Baganha and Góis, 1999: 259).

2.1. Patterns of Settlement - 1990-1997[5]

At the aggregated level, the resident foreign population in Portugal reveals a pattern of settlement similar to the one expected for low skilled economic migrants. This is, a population with a marked tendency towards that segment made up of males of working age, highly concentrated in the suburban areas of the capital city[6]. However, when the data is broken down into the three above-mentioned analytical sub-groups (citizens from the PALOP, Europe, and Brazil), we find three different patterns of settlement, indicating different migratory motivations and objectives. Thus, while the percentage of immigrants from the PALOP that in 1990-1997 inhabited the MAL ranges between 72 percent for citizens from Guinea to 90 percent for citizens from São Tomé, for Europeans the corresponding figure is 50 percent, and for Brazilians, 43 percent. In table 3, we show the regional distribution by districts for some selected nationalities.

Looking at the areas of preferred settlement for Europeans, the Algarve, a tourist region with a mild climate, stands out, while Brazilians present a more diffuse pattern of settlement. The diversity of these three sub-groups becomes even clearer if we look at their sociodemographic characteristics.

2.2. Sociodemographic characterization - 1990-1997

As expected, when compared to the national distribution for the Portuguese mainland at the time of the last census, in 1991 all the foreign groups present an age structure biased toward the active age cohort (15 to 64 years of age) and lower dependency rates. The gap is, however, narrower for the European group than it is for the other two groups, the PALOP and Brazil.

The most interesting fact with regard to the age distribution of foreigners is that the foreign population aged 65 years or older is practically twice as large as the group composed of individuals 14 years of age or younger (Table 4). This pattern of age structure is obviously the result of very diverse migratory flows. European citizens have a share of 16 percent of elderly people (age group 65 or older) and 1 percent of young people (0 to 14 years of age), while citizens from the PALOP exhibit a similar share (5 percent) in both groups. Brazilian citizens display the largest share of youngsters (9 percent) and the smallest of elderly individuals (2 percent). Overall, we may say that the immigrant communities from the PALOP and Brazil have lower dependency rates then the immigrants from Europe. It is, however, important to note that the numbers of youngsters among citizens from the PALOP may be highly under-represented. In fact, and even taking into consideration that under similar headings sources target quite different populations, it is remarkable that while the statistics of SEF indicate, between 1990 and 1992, the existence of approximately 820 young immigrants from the PALOP (between 0 and 14 years), the

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[4] The term PALOP means Africans Countries having Portuguese as their Official Language.

[5] Throughout the next sections we will use national averages for the mainland, obtained in the 1991 Censuses or in the Employment Surveys of 1992-1997 as the control group. We will refer to these national averages as the Portuguese population, the domestic or the national population. No major distortion is introduced in the analysis by the slightly different time spans of the data, because no significant structural changes occurred in this period.

[6] 64 percent of the immigrant community lives in the Metropolitan Area of Lisbon (from now one referred as MAL) where, in 1991, they represented approximately 5 percent of the resident population.

[7] The information available on ages stops at 1992.

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numbers presented by 'EntreCulturas' indicate that in 1997, 30,638 students whose parents were from the PALOP[8] were enrolled in compulsory primary school (normally with ages between 6 and 16) (Table12). Also relevant is the fact that in 1996 a substantial number of children where legalized. The two most frequent situations were children living in Reception Institutions and children born in Portugal but never legally registered.

The current age structure of the foreign population from the PALOP seems to be the outcome of a very specific migratory story. Consider, for example, the case of the population from Cape Verde, the largest group. The 1981 Census registered the fact that the Cape Verdean population residing in Portugal had a very young population structure, with 18.7 percent of that population in the age bracket of 0-14 (Census of 1981. Vol.1, pag.207), while in 1990, SEF data registered less than 1 percent in the same age bracket .

In our opinion (and regardless of possible errors in both sources), the huge gap observed between the age structures between 1981 and the early 1990s is essentially the outcome of two different migratory waves. The first wave, which took place between 1975 and 1980, during the process of independence of the former colonies, often entailed the displacement of the family unit. The second wave began to take shape after the mid-1980's and was essentially made up of economic migrants who usually do not bring their families with them, in the first phase of their migratory experience.

Given the weight of the age cohort 65 and over in the age structure of the European resident population, it would be reasonable to expect this group to have the highest inactivity rate of all the foreign groups. Furthermore, it is 'common knowledge' that this group is essentially composed of retired people from Great Britain, Germany, and Scandinavian countries who are looking for a region with a mild climate in which to spend the "twilight years" of their lives. As we so often see, the stereotypes are not borne out by reality. In fact, Europeans register lower inactivity rates then the ones observed for the domestic population[9] (the national inactivity rate for the mainland Portugal averaged 51 percent between 1992-1997) (Table 5).

In comparison with the domestic inactive population, the foreign population is over-represented in the domestic, and student categories, and under-represented in the retired and others categories (Table 6). The gap between the share of the national and of the foreign population in the domestic category is particularly interesting because it is known that this category is essentially made up of women, and, as is also known, female immigrants tend to have higher activity rates than native females. In *A comunidade Cabo Verdiana em Portugal* (França et al., 1992) the low inactivity rates of Cape Verdean women is attributed to three main causes: low level of qualifications, low level of language proficiency; and the preponderance of the young population in Cape Verdean families[10]. Of the three suggested

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[8] As stated ahead 'EntreCulturas' adopts an ethnic concept where the parents nacionality is more important than the nationality of the children.

[9] The two other immigrant groups that register lower inactivity rates than national average of 51 percent are Cape Verdeans and Guine.

[10] A serious methodological problem arises when we try to compare or consider results obtained for the Cape Verdean or any other 'ethnic' community in Portugal (e.g. Costa et al., 1991). First of all, given the historical context in which these communities from the PALOP were formed, it is highly debatable that we can speak about immigrants. It is difficult to argue that someone who has been a Portuguese citizen all his/her life is an immigrant, and this was the case of the overwhelming majority from the PALOP that arrived in Portugal before 1981: and it is even more difficult to contend

reasons for the low inactivity rates observed for Cape Verdean women, none seems particularly convincing, especially if we consider that several female immigrant populations in similar situations (e.g. the Portuguese female immigrants in Switzerland and France), do show, as a rule, higher activity rates than the activity rates of the domestic female population of the receiving country. In our opinion, if a comparative historical perspective is taken on this topic, other factors such as employment opportunities and different cultural values regarding labor must be affecting the behavior of the female populations from the PALOP.

As the data on Table 7 shows, the average sex distribution of the foreign population in Portugal between 1990 and 1997 is biased towards male immigrants. They represent, in fact, 58 percent of the total foreign population. Given that the national average distribution in the 1991 Census was 48 percent for males and 52 percent for females, the conclusion to be drawn from the findings on inactivity and on the sex distribution of the foreign population is as follows: relative to the domestic population, immigrant women are, as expected, under-represented in the total foreign population but they are, surprisingly, extremely over-represented in the inactive population.

that he/she is an immigrant if the skin colour is black, but he/she is Portuguese if the skin colour is white, regardless of the date of arrival, and for how many generations the family lived in a PALOP country (Baganha and Gois, 1999).

3. Legal status

The legal status of immigrants will be analyzed on three different levels: the entry, residence and expulsion of immigrants within national territory; the possibilities of acquiring citizenship and naturalization; and, finally, the access to social and political citizenship.

3.1. Legal Framework on Entry, Residence and Expulsion

The Portuguese legal framework on immigration has gone through several reforms in the present decade. This process started with the revision of the Law regulating the entry, residence and expulsion of foreigners - Law 37/81 of October, 1981 - which was replaced by Law 59/93 of March, 1993. This new legal framework was the natural consequence of Portugal's joining the European Community in 1986, and later becoming part of the Schengen zone, which required harmonization with other member states concerning certain legal provisions, such as visa typology.[11] Recently, a new Law – 244/98 of August 1998 - was enacted which introduced relevant changes, especially with regard to the right to family reunification. This new legal framework will be briefly described.

In order for nationals from a Third Country to enter Portuguese territory, a number of general conditions must be met. One must have an in-out journey title, be able to prove sufficient economic means of support; not be listed on the Schengen or national lists of non-admissible persons, and have a visa suitable for entry purpose.

The Portuguese consulate is the entity responsible for issuing mandatory visas[12] According to Law 244/98, the types and duration of valid visas are:

    a.   The stop over visa only grants permission to stay on international territory in order to make a travel connection;

    b.   The transit visa, grants permission to stay on Portuguese territory, for a maximum of 5 days, in order to go to a third country;

    c.   The short duration visa, grants permission to stay up to three months;

    d.   The residence visa, grants permission to stay up to six months, allowing the holder to request a residence permit;[13]

    e.   The Student Visa, grants permission to stay up to one year for study purposes;

    f.   The work visa, grants permission to stay up to one year.[14] There are four types of work visas, according to the activity the individual is to carry out on Portuguese territory: 1. Sports activities; 2. Show business; 3. Independent Work; 4. Dependent work;

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[11] Thus, for example, the uniform visa, a short term visa valid in all the member countries, formerly not included in Portuguese legislation, was introduced in 1993 (Law n. 59/93 of March, 1993).

[12] The kind of visa most commonly used for entry in Portugal is a short duration visa. The reasons given for asking for this type of visa are various, from visiting family members to tourism. After this, many just stay on beyond the 90 day validity of the visa; some just overstay, others "hand in their documents" for a residence permit, others just do not bother.

[13] Law 59/93 stipulated a maximum period of 90 days for this type of visa

[14] Law 59/93stipulated a maximum period of 90 days for this type of visa

g.　　　　The short-term stay visa grants permission to stay up to one year for medical treatment to patients themselves and accompanying family members. This visa is also granted under other special circumstances.[15]

Prior application to the Department of Foreigners and Borders must be made before the following visas are granted: short term stay; residence and work visas for independent or dependent workers (Law 244/98 article 40). Furthermore, Law 244/98 prescribes specific conditions for granting a work and residence visas:

-　　　　The work visa is contingent upon authorization from the Ministry of Labor, and should favor E.U workers and workers from Third Countries with legal residence in Portugal. It can be refused on grounds of unemployment in the economic sector for which the foreigner has been contracted.

-　　　　When considering a residence request, authorities have to pay particular attention to the objective declared for establishing residence in Portuguese territory, namely family reunion, and the existence, or not, of housing and working conditions for those requesting the visa.

In special cases, at the moment of entry of a Third Country national, the Department of Foreigners and Borders may issue, whenever the person does not possess a valid visa, one of three types of permits: transit, short duration or special visa. The first two are contingent upon the general conditions stipulated by law, and have a time limit of 5 or 15 days. Special visas may be granted for humanitarian reasons or reasons that serve national interests. Special visas are not contingent upon the general conditions usually required for entry and allow the bearer to remain on Portuguese territory on a temporary basis.

After a visa expires, it may be extended or changed to a residence permit. If a residence permit is authorized a residence card is issued. The types and duration of these cards are, according to Law 244/98, as follows:

a.　　　　Temporary residence card, valid for two years and eligible for renewal;

b.　　　　Permanent residence card, granted to foreigners legally residing in Portuguese territory for the past ten years.[16]

In exceptional cases, when humanitarian issues or national interests are involved, a temporary residence card can be granted. According to article 88° of Law 244/98, this card does not require the fulfillment of legal conditions. A previous law, - 59/93 – allowed for the granting of a similar residence card only for reasons of national interest. Art. 88° of Law 244/98 is considered, by the NGOs working in the immigration field, to be a very important legal mechanism, since it affords the chance to stay to many persons, who under other circumstances, would not have been able to remain in the country.

It is not possible, at this point, to fully evaluate the impact of this new mechanism of requesting residence, considering that we only have statistical results regarding 1998, and

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[15] Law 59/93 did not take in this type of visa, instead, there was a uniform visa that was a transit or short duration visa granting the possibility to stay within European Community borders up to three months.

[16] Law 59/93 established a maximum period of five years for a temporary residence card and a minimum of twenty years of legal residence for issuing a permanent residence card. There was also an annual card.

Law 244/98 was only enacted in September of 1998. Its importance becomes clear, however, when we consider that in 1998, the Department of Foreigners and Borders received 1,873 requests for residence on the basis of national interest reasons and logically, in smaller numbers, for humanitarian reasons. In 1999, only until August, and according to one of our NGOs' key-informant, that Department had already received over 5,000 requests for residence on the basis of humanitarian reasons. In general, immigrants who request this type of visa state two kinds of motives. The first deals with illness and the need for medical attention and treatment that is not available in their country of origin. The second is family-related. For example, it is frequent for immigrants who, during the last legalization process did not legalize their children born on Portuguese territory, to try to effect this legalization under art. 88° of Law 244/98.[17]

Law 244/98 is considerably open to family reunification, regarded as a fundamental right of foreign citizens. It expressly recognizes the right to family reunification in Portuguese territory and requires that the petitioner be residing in Portugal legally and that he or she present proof of housing and sufficient economic means to support the family. Moreover, Law 244/98 confers upon all foreign family members of Portuguese citizens the same rights as those granted to relatives of an EU citizen, namely the right to stay as a permanent resident. Under the same law, children born on Portuguese territory to parents who are legal residents, have the right to be covered by the same residence card granted to the parents, provided the parents file a request within six months of the child's birth.

Finally, it is important to mention the legal conditions under which a foreigner can be expelled from Portuguese territory. Law 244/98 establishes that, besides those circumstances related to violation of constitutional and criminal law, illegal entry and sojourn within national borders constitutes sufficient motive for expulsion. Regarding this matter, we should make a short reference to the legalization processes that have occurred this decade.[18]

Two special processes for legalizing the status of illegal immigrants were launched, in 1992 and 1996 respectively, with the stated objective of bringing out in the open the growing number of immigrants that, from 1985 onwards, had entered or remained in the country illegally. In both processes, a similar number of candidates applied to legalize their residential status. Thirty nine thousand persons filed applications in 1992 and 36 thousand in 1996. Both processes specifically targeted illegal immigrants from Portuguese speaking countries (this is both included positive discriminatory articles that specifically favour this group).

Thus, for example, the title conditions governing how an immigrant could apply to legalize his or her residential status under Law 17/96 (May 1996) stated the intention to legalize "citizens from countries in which Portuguese is an official language (i.e.; PALOP and Brazil) who entered the country on or before December 31 of 1995, have remained, and who have the minimum economic conditions to care for themselves, namely by exercising

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[17] Note that immigrants could also invoke, in this case, the right of family reunification, established in article 56° of Law 244/98.

[18] The simple occurrence of these legalization processes points to the existence of a political will to include those who are illegally in the country. In fact not only was the launching of the last legalization process unanimously approved, but the political will was never questioned during the preceding debates that took place on the Portuguese parliament.

an economic activity".[19] This possibility was also extended to all citizens from other countries who, under these same conditions, entered the country on or before March 25, 1995.[20]

The requests were to be filed on an individual basis, so every member of a foreign family living in national territory had to fill out one application, including the children. Those who were admitted received a residence permit valid for one year, renewable up to a three year, period after which it can be converted into a permanent residence permit.

3.2. Legal Framework on Nationality

Portuguese migratory policy, after 1974, is first of all marked by the legal framework produced on nationality, which was rendered urgently necessary by the end of the Portuguese colonial empire and the subsequent accession to independence of the former African colonies.[21]

The law in force in 1974, Law 2098 of July 29, 1959, stated, "All infants born on Portuguese territory are Portuguese", except when the parents are foreign representatives of another state. In other words, anyone born in the former colonies was legally entitled to Portuguese nationality. In 1975, the government limited the maintenance of Portuguese nationality held by residents in the former African colonies, by revising the law of nationality to include only those persons born in Portugal, or of Portuguese parentage. [22] Still, Law 308-A/75 (June 24) allowed for the possibility of extending or maintaining Portuguese nationality to those persons born in the former colonies who had a "special connection with Portugal or showed an undeniable wish" to become Portuguese.

It was only in 1981 that a legal framework aimed at regulating the acquisition of nationality (Law n. 37/81) was enacted. The great novelty of Law 37/81 on nationality is that it abandons the dominance the *jus soli* tradition that marked Portuguese legislation on nationality for more than a century, in favor of the *jus sanguini* principle[23]. In 1994, the Law on Nationality was revised, introducing positive discriminatory rules for foreigners from Portuguese-speaking countries.

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[19] Immigrants who were in the country before June 1 of 1986 did not need to prove means of subsistence.

[20] Excluded were those foreigners who had been judicially condemned to prison sentences of periods over one year; those who had pending decisions of expulsion for other causes than unlawful entry and/or permanence in the country; and those who in the Schengen System of Information are indicated as non-admissible.

[21] During the process of independence of the former African colonies, more than half a million persons returned or came to Portugal. Although the composition of the so called 'returnees' (retornados) was overwhelmingly made up of persons born in Portugal (68 % of the returnees that in 1981 were over 15 years of age were born in Portugal, in Esteves (ed.), 1991: 16), a significant share was not.

[22] This new legal provision on nationality created legislatively, with retroactive effect, the largest "immigrant" community in Portugal. This immigrant population was composed mainly of persons of African ancestry already in the country and of 'returnees' of African ancestry that entered Portugal when the former African colonies became independent states

[23] The interviews conducted during a previous project, the MIGRINF, showed that the *jus soli* principle was considered still in effect by many immigrants. In fact, we were told that many children of illegal parents, who were born in Portugal, did not become legalised because it was assumed by the parents that a child born in Portugal was automatically Portuguese (Baganha, 1998).The recognition of this situation is being addressed by the government under a special legal provision that allows later requests for authorization to stay in the country.

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Within the Portuguese legal framework, one can be Portuguese by origin or by acquisition of nationality, through marriage, adoption or naturalization.

Nationality by birth can be either automatic or by declaration of will:

- Automatic nationality by virtue of birth is reserved for those who are born on national territory of Portuguese parentage;

- Persons of Portuguese parentage who are born in a foreign country are considered Portuguese provided they make an official declaration of their will to that effect ;

- Those who are born on national territory may be considered Portuguese if their parents are foreigners who have been legally residing in Portuguese territory for at least six years if from a Portuguese speaking country , or ten years if from other countries, provided they make an official declaration of their will to that effect;

- Those who are born on national territory, and have no other nationality, are also considered Portuguese by origin.

The acquisition of Portuguese nationality through marriage may occur after three years of marriage with a Portuguese citizen, provided the person files a declaration of will.

The acquisition of Portuguese nationality is automatic for those who are adopted by Portuguese nationals.

Finally, one can acquire Portuguese nationality through the process of naturalization. Furthermore, children of foreign parentage may acquire Portuguese nationality if their parents have become Portuguese nationals, and if they declare the will to naturalize their children.

In order to be naturalized the petitioner must:

a.   Be of legal age;

b.   Have maintained legal residence in Portuguese territory for at least six years if from a Portuguese speaking country, or ten years in other cases;

c.   Be sufficiently fluent in the Portuguese language;

d.   Prove an effective connection to the Portuguese national community;

e.   Have civic integrity;

f.   Have the ability to take care of oneself.

3.3. Social Citizenship: Legal Rights

According to articles 13° and 15° of the Portuguese Constitution, except for political citizenship rights, all other citizenship rights - civil, social and economic - are granted to foreign nationals legally settled in the country, which means that everyone has the same social dignity and is equal before the law. Furthermore, Portugal has signed all major international instruments on human rights and migrant worker protection and has established several bilateral treaties extending social and various political rights to the main extra-Community immigrant groups in Portugal, namely the Brazilians and the immigrants from the Portuguese speaking African countries (PALOP).

However, while the guarantee of civil rights is universal, social and economic rights, although separate from nationality, are linked to residence status and to the social mode of economic incorporation. In fact, those social rights specified in the Constitution

only pertain to legal residents, and the entitlement to several relevant social security benefits (e.g. unemployment benefits, or retirement pension) are directly dependent on formal employment.

In sum, the existing legal framework bars access to full social citizenship to all immigrant workers and their dependents who do not have lawful residency status and to all those who, regardless of their residency status, are incorporated into Portuguese society in the informal economy. Or, in other words, from the legal-institutional point of view, we may say that the degree of exclusion from social rights is a function legal residential status and of the level of economic informality exhibited by the foreign population in the country.[24]

Several legal instruments serve to illustrate this. Law 19-A/96 on the minimum wage establishes that access to this important mechanism of social inclusion depends on having legal residence in Portugal and not having sufficient income to provide for the needs of oneself or the one's family. Law 20/98, regulating the working conditions of foreigners in Portuguese territory, states that foreigners with legal residence or permanence in Portugal, are entitled to the same working conditions as nationals. Law 48/90, regulating the National Health Service, says that citizens from third countries legally residing in Portugal have access to the national health services in conditions of reciprocity. The national policy for the re-location of individuals living in run-down areas, has been guided by the principle of undifferentiated access to housing conditions for all resident citizens and, thus, only depends on the legal status of the immigrant.

3.4. Political Citizenship: Legal Rights

1997 marked the first year in which foreigners were allowed to participate in local elections. Law 50/96 of September 4 allows EU nationals, citizens from Portuguese speaking countries with legal residence for more than two years, and other foreigners with legal residence for more than three years to vote in local elections. According to that same law, nationals from Portuguese-speaking countries and other foreigners can run in municipal elections, provided they have four and five years of legal residence in the country, respectively. However, the right to vote and to run for office hinges on reciprocity, that is, only if Portuguese nationals have the same rights in those countries. At present, aside from EU citizens, only those from Norway, Cape Verde, Argentina, Brazil, Peru, Uruguay and Israel are entitled to vote and run for office.

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[24] The content of the term informal economy that we will be using is: the informal economy comprises economic actions that bypass the costs and are excluded from the protection of laws and administrative rules covering 'property relationships, commercial licensing, labor contracts, torts, financing credit, and social security systems"(in Feige 1990:990-992).

4. The Socio-economic Situation of Immigrants

4.1. "Ethnic" Differentiation in the Labor Market

Three indicators will be used to evaluate ethnic differentiation in the labor market: professional status, occupational distribution and unemployment of the foreign population.

The professional status of the foreign population between 1990 and 1997 was on average, when compared to the domestic population, slightly biased in favor of wage earners (77 percent for the foreign population and 74 percent for the domestic population[25]) (Table 10). If we analyze the distribution by professional status and nationality, it becomes evident that the share of the domestic employed population (on average 26 percent for 1992-1997) in the categories employer and self-employed is much lower than the share of these categories among resident Europeans (43%) and Brazilians (31%).

Conversely, the percentage of employed domestic population in these categories is much higher than that registered for the PALOP (varying from 1 percent for Cape Verdeans to 15 percent for citizens of Mozambique). This singular result for the citizens from Mozambique may be partially attributed to the bearing that persons of Hindu extraction have on the population from Mozambique in Portugal. This group has been consistently found to be overwhelmingly connected to trade activities (e.g., Bastos, 1990, Freitas e Castro, 1993 and Malheiros, 1996). In sum, the Portuguese population presents a distribution by professional status-between the distribution registered for Europeans and Brazilians and that observed for the PALOP. The explanation for these findings is partially found in the analysis of the occupational structure of foreign groups, to which we turn now.

Both Brazilians and Europeans present an occupational distribution strongly biased towards professional, technical, and managerial occupations (occupation codes 0/1 and 2). The percentage of these occupations in total employment ranges from 51 percent for Brazilians to 56 percent for Europeans. Between 1992 and 1997, the corresponding figure for this set of occupations was, for the domestic employed population, approximately 27 percent[26]. Table 11 shows the available information on the occupational structure of the foreign population.

The relative distribution of the employed population from the PALOP by occupation is, compared with the national average, over-represented in the blue-collar occupations (occupation codes 7/8/9) and under-represented in all the white-collar occupations (occupation codes 0/1 to 5), with one exception. The percentage of employed persons from Mozambique with occupations connected to trade (occupation code 4) is well above the mainland average, and may be linked to the fact that, among the employed from

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[25] The data is for 1992 to 1997 and includes unpaid family workers to make both figures comparable.

[26] We can not be rigorous, since the occupational data in the Employment Surveys (INE. IE, 1992-1997) for the domestic population is not fully comparable to the groups used by the SEF.

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the PALOP, citizens from Mozambique register the highest share of employer and self-employed and the lowest of blue-collar workers.

In sum, the occupational structure of the foreign population is, when compared to the occupational structure of the domestic population, biased both towards the top (Brazilian and European occupational structure) and towards the bottom (PALOP occupational structure) of the occupational ladder.

The growing inflow from Brazil and from some European countries can be partially attributed to the labor needs of the most modern tertiary activities, namely finance, insurance and business services, political marketing, and so on, that have increased considerably. The remaining growth, particularly that observed for the PALOP, has been mainly determined by the labor opportunities promoted by a market growth of construction and public work in the past few years (Baganha, Ferrão and Malheiros, 1998) and by the special processes of legalization of 1992 and 1996 that helped bring to light a large number of immigrants formerly submerged in the underground economy.

As a recent study concluded, "foreign workers in Portugal are largely complementary to the Portuguese active population mainly in professional areas where skilled labor is required (marketing, design and others). In specific qualified sectors such as dentistry and medical practice and in unqualified professions such as construction and personal and domestic services where Portuguese applicants are fewer and fewer, they are apparently substituting the domestic population" (Baganha, Ferrão e Malheiros, 1998)

In Portugal, there are two main sources for official statistics on unemployment: the *National Employment Survey* carried out yearly by the National Institute of Statistics (INE); and the *Register of the Unemployed* of the National Employment Institute (IEFP). The first source is of little use for the present topic because, on matters concerning the attributes of the foreign population, the survey registers sampling errors of unacceptable magnitude.

We will thus, base the following reflection on the register of foreigners as unemployed individuals in the files of the National Employment Institute[27]. Since registration is not compulsory, the numbers leave out those who consider registration unnecessary because they aren't eligible for unemployment benefits and/or believe that it cannot aid them in finding employment. On the other hand, it includes foreign workers who were unemployed at the time of registration but did not annul their registration when they started working again[28].

The first and indeed most puzzling fact revealed by the evolution of the unemployment registers, is that Brazilians, Europeans and Cape Verdeans have consistently a much lower tendency to be registered as unemployed than the remaining foreigners and the domestic population. Even though this result is to be expected in the case of Brazilians and Europeans who, due to their general high level of qualification, could be seen as less prone to unemployment; the case of the Cape Verdeans is surprising, since it is a very

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[27] It would also be possible to use unpublished data from the employment survey conducted by the National Statistical Institute, however this source has, in regard to figures on immigrants, sampling errors that are usually above 25 percent for the pertinent attributes.

[28] For example, the National Employment Survey carried out by INE indicates that in 1997 313,100 people were unemployed, while the register of the National Employment Institute indicates that there were 405,964.

poorly qualified population that should be at least as prone to unemployment as the domestic population. Their under-representation on the IEFP registers may indeed be an indirect indicator of the strength of this "ethnic" network and of their privileged position in the construction and public building sector, where members of this community dominate the intermediary level of recruitment (this is sub-contractors to construction firms).

The second remarkable feature is the greater tendency to become unemployed exhibited by workers from São Tome which stands out for being higher than the domestic rate in all the three observations. Finally, it is interesting to note that a comparison of the behavior of the national ratio of the registered unemployed and active population with the ratio for the PALOP seems to indicate a systematic worsening of the position of the latter group in the Portuguese labor market. This is a particularly interesting result. Unfortunately, since we only have observations over a three-year period, we cannot make any sound inferences from the fact, that undoubtly deserves future attention.

4.2. "Ethnic" Differentiation in the Educational System

Since the creation, in 1991, of a database on students enrolled in public schools, managed by the task group 'EntreCulturas' (Cordeiro, 1997: 17), it is possible to make some considerations on "ethnic" differentiation in the educational system, based on two indicators: school leavers and success rates.

It should be noted that 'EntreCulturas' adopts an ethnic concept in which the nationality of the parents assumes greater importance than that of the children. This concept diverges from the concept of immigrant that has been followed in this report and also from the concept of ethnic minorities proposed, since "EntreCulturas" ascribes ethnicity according to parents' nationality.

In 1997, children of foreign parentage represented 4,7 percent of the whole student population on mainland Portugal [29]. As can be expected, due to the immigrants' geographical distribution, the students of foreign parentage are concentrated, above all, in the districts of Lisbon and Setúbal where they represent 10.5 percent of the school population. In decreasing order, the most highly represented geographical areas of origin of students of foreign parentage were: Angola, Cape Verde, Europe (only the European Union), Mozambique, Brazil, Guinea and São Tome. Together they represented 82 percent of the total number of students of foreign parentage (Table 12). If we break down these numbers by school levels, we notice that the weight of the different groups varies with each school level. Thus, while at compulsory primary school the students from PALOP represent 63 percent against 14 percent from Europe and 5 percent from Brazil, at the secondary school level, the percentages were respectively, 47 percent, 24 percent, and 9 percent.

Let us now turn to some indicators of foreign parentage in relation to students' school performance. As we can see from table 13, the success rates of students of foreign

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[29] It is important to note the huge discrepancy that exists between the numbers presented by 'EntreCulturas' and the ones presented by SEF. For this last source in 1997 there were 33.825 foreign students, while for the first source there were 60,539. A great part of this difference can be due to the use of different concepts by the two sources (see footnote n° 8). Another part of the difference can be attributed to the reasons pointed out above (see point 1. b).

parentage are, in general (except for Brazil), lower than the national average. Cape Verde reveals a success rate that lags far behind that of children with parentage of other nationalities. If we take a closer look at table 13 and figure 1 and 2, we detect two different situations. During compulsory primary school, the Cape Verdians and the São Tomense exhibit success rates that are lower than those displayed by the rest of the school population, while at secondary school these two groups exhibit success rates that almost attain or even surpass (as in the case of students from São Tome) the national average. The justification for that is, according to the coordinator of the 'EntreCulturas' database, that there are few immigrant children who succeed in entering secondary school, but those who do, perform at a level that is slightly higher than the national average (*Público*, 26/07/99).

The low success rate of Cape Verdians and São Tomense in compulsory primary school seems to be directly related to their high drop-out rates during this school level. Table 14 shows that the percentages of school leavers during compulsory primary school are much higher for these two groups. This negative picture changes at secondary school where these two groups are among those with the lowest drop-out rates, while in 'compensation' all other nationalities register a sharp increase in drop-outs. These figures substantiate the statement of a key NGO -informant who evaluated the situation as follows:

"... at the primary school level, here, initially 80% of the kids are Africans, who by the end of the secondary level, in the final year, have been whittled down to 12%". (Interview, cit. in Baganha, 1998).

The percentage of school waivers (Table 15), that is, students who leave school during the academic year, shows that a high percentage of students of foreign parentage do not complete the academic year. In general, this percentage is at least three times higher than the national average and affects all students of foreign parentage. When observing the two school levels, we can see that the number of school waivers is much higher than the average in both school levels under observation. If we take this percentage as an indicator of school failure, it is significant that at secondary school, almost one third of students of foreign parentage did not finish the academic year for which they enrolled.

The difference observed point to the existence of a highly divergent pattern of behavior between the foreign and the domestic populations, the determinants of which need to be further researched since they may be due to an extremely higher degree of mobility of the foreign population or/and to a earlier entry in the job market of the foreign youth or/and to a definitive abandonment by this group of the Portuguese school system.

In conclusion, we may say that there are a number of signs of ethnic differentiation in the educational system. The fact is that, the children of foreign parentage, especially those from the PALOP, generally have lower success rates than the average. They also have a high percentage of students who do not finish the school year and a significantly high proportion of school leavers. But it would be fallacious to conclude from these observations that the lower performance of the children of immigrants in the educational system is due to ethnic discrimination. Other variables such as the socio-professional status of the parents and the living conditions of the children, play an important role in how children perform at school, regardless of their backgrounds. All these factors were

considered by the task force to be of great relevance when trying to understand the school performance of children of African parentage enrolled in primary schools.

Consequently, a special program on 'Intercultural Education' coordinated by the task force 'EntreCulturas' was launched in 1993. The program was aimed at promoting the integration within schools of students belonging to minority groups and the creation of harmonious and constructive relationships between the school and the community (Alaiz, 1998: 17). The program coordinators soon realized that some of the causes behind the lack of integration lay in the very poor living conditions of some of the children (Público, 14/08/99). Thus, a substantial part of the efforts of the program were aimed at 'feeding children' (Alaiz, 1998: 40). This means that the primary objectives of the program were not fully attained, because some of the most basic pre-conditions, such as adequate nutrition, had not been guaranteed. Even so, the evaluators of this four-year program affirm that there has been an improvement in the success rates of children of immigrant parentage in most of the schools taken in by the program (Alaiz, 1998: 47-54). Unfortunately no measurement of such an improvement is given in the evaluation report.

5. Public and Semi-public Measures for Integration

Integration policies in Portugal will be analyzed with reference to social policies, social labor policies and educational policies. Two different levels will be considered: the non-discrimination level and the positive discrimination level

5.1. The Portuguese Legal Framework on Non-discrimination

Portuguese Constitutional Law establishes the principle of equality as one of its fundamental precepts,. As mentioned before, article 13 of the Constitution states that a person can not be discriminated against for reasons of sex, race, language, nationality, religion, political or ideological ideas, and economic or social status. Furthermore, article 15 states that all foreigners, while on Portuguese territory, enjoy the same rights (except political rights) and are bound by the same duties as Portuguese citizens,. Under Portuguese constitutional law, people coming from Portuguese speaking countries may enjoy extended citizenship rights. (see legal status)

In 1996 the Portuguese Government institutionalized the office of High Commissioner for Immigrants and Ethnic Minorities. The High Commissioner operates within the Office of the President of the Council of Ministers and answers directly to the Prime Minister. The High Commissioner is responsible for promoting, in permanent dialogue with private and public institutions working on migration issues, the improvement of the living conditions of immigrants and ethnic minorities and their inclusion in Portuguese society, while respecting their identity and culture. Aside from its activities at the political level, the Office of the High Commissioner also works directly with immigrants and members of ethnic minorities, providing counseling services that deal primarily with legal and bureaucratic problems (Law no. 3-A/96).

In August of 1999, the Legislative Assembly passed an anti-discrimination law (134/99) prohibiting discriminatory practices based on race. color, nationality and ethnic origin. Article 1 states that the objective of the law is to prevent and prohibit racial discrimination in all its forms and sanction all acts that violate a person's basic rights or impede the exercise of economic, social or cultural rights for reasons such as nationality, color, race or ethnic origin. Some examples of discriminatory practices are specifically addressed, with special attention being given to discrimination in economic activities and labor relations, health, education and social rights in general. As examples, Law 134/99 considers discriminatory practices to be those that involve refusing or limiting access to health services and to public or private educational institutions. It also bans all advertisements for labor recruitment that may directly or indirectly indicate any kind of preference regarding race.

Law 134/99 also provides for an Advisory Committee for Equality and Against Racial Discrimination, working within the governmental framework for Immigration and Ethnic Minorities. The Committee is responsible for promoting studies on equality and racial discrimination, supervising enforcement of the law, and making legislative proposals considered suitable for the prevention of all forms of discrimination.

Restriction of certain rights, taken in by constitutional law, and acts of positive discrimination are not prohibited within this legal framework. Positive discrimination is considered an important instrument in guaranteeing equal access to social, economic and cultural rights by members of underprivileged groups such as immigrants and ethnic minorities.

5.2. Positive Discrimination: Public Measures for Social Inclusion

As far as public measures for the social inclusion of immigrant communities and ethnic minorities is concerned, two types of programs are worthy of mention. The first comprises programs designed to include all those excluded from social benefits, employment, health care, the educational system, housing, etc. Given that a significant number of the immigrants living in Portugal qualify to be included, they benefit from several programs designed to eradicate social exclusion in all its forms. Besides these programs, there are specific actions and programs targeting immigrants and ethnic communities, which are designed to respond to the specific needs of this population. The most relevant examples of public programs and actions for social integration will be mentioned, with reference to social and employment policies (in the case of Portugal, these two areas are dealt with by the same ministry) and educational policies.

A. Social and Labor Inclusion of Immigrants and Ethnic Minorities.
Under the national policy for the eradication of social exclusion and poverty, several specific programs have been implemented. All these programs come under the Ministry of Labor and Social Solidarity and are implemented with two main principles in mind: the creation of institutional networks and the utilization of a multi-disciplinarily approach. This means that the programs are designed to be developed by several institutions, namely central and local authorities, NGOs and other private partners, and include joint actions to eradicate the main causes of social exclusion, such as problems involving the minimum wage, employment, housing, health, and social education. In the following paragraphs, mention will be made of the programs that are of particular relevance to immigrants and ethnic minorities.

1. Guaranteed Minimum Income
The Minimum Income (Law 19-A/96) was instituted in 1996 as a multi-level instrument designed to combat exclusion and poverty. In addition to the monetary benefit itself, it includes an insertion program that can only be implemented with the agreement of the beneficiaries. The insertion programs, in place since 1996, focuses primarily on six areas of intervention:

A. Social actions, namely parenting support, nurseries, support for the elderly, leisure time activities, etc.;

B. Health initiatives, namely vaccination, birth control and programs for persons with problems of drug and alcohol abuse;

C. Educational initiatives for children and adults;

D. Employment services that provide users with access to the labor market, professional counseling and self-employment support;

E. Housing support services to allow participants to purchase housing accommodations or improve their current living conditions;

F. Opportunities for professional qualification.

The percentage of individuals from Portuguese- speaking countries in Africa enrolled in the minimum income system corresponds roughly to their ratio in the total resident population[30]. Until June 1999, and since January 1997 when this program started, 304,022 requests were made to receive the minimum income, of which 54% were approved and 31% were rejected (the remaining is still being evaluated). If we isolate, from these totals, the numbers corresponding to requests coming from persons of African origin, we see that 1.5% of the requests approved and 2% of the requests rejected were filed by individuals coming from a Portuguese-speaking African country. When looking at the number of families that, in June 1999, were still receiving this benefit and those who had already left the minimum income system, we see that 1.6% and 1%, respectively, were from an African country.

Number of Requests to Sign Up for the Minimum Income Program

	Total	PALOP	
		Total	In Percentage
Approved	164592	2535	1.5
Non-approved	95945	1962	2.0
Finished	29974	310	1.0
In progress	134618	2225	1.6

Source: Social Development Institute, Ministry of Labor and Solidarity.

The main reasons for non-approval were, for the African population, having incomes above the threshold (63%), not providing the required documents (23.2%) and not having a valid residence permit (10.7%). In the total population, those who had incomes above the limit came to 85.7%. Among the non-approvals, those who did not have a valid residence permit came to 1.6% and those not able to provide necessary documentation, 8.6%.

When looking at the cases that led to being taken off the program, 58.3% of the cases were due to a change in the household income, 8.3% of the cases involved non-fulfillment of insertion actions planned, and 6.1% were caused by suspension of the holder's residence permit.

The minimum income is attributed to the household, which means that all the members of the family benefit from the program and that different types of insertion actions may be designated for each member of the family. If we consider the number of individuals

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[30] The Ministery only has data broken down for people coming from the PALOP who correspond to 1.5 – 1.6 percent of their total resident population

who, in June of 1999, were included in the program, we have a total of 405,777, of which 5,463 or 1.3% were from an African country. Within this last group, 36.2% were from Angola and 33% from Cape Verde. If we bear in mind that, among the African population residing in Portugal, the share of individuals from Cape Verde is much higher than that of Angola, we see that the Angola group displays a clear tendency toward greater social exclusion.

The numbers of persons receiving minimum income among the African population is quite similar to that of the total population: within the African population we have 14% of women living alone and 6.5% of men living alone, and among the total population, we have 14.4% of women living alone and 9.7% of men living alone (Ministry of Employment and Social Security, unpublished data).

The make-up of families benefiting from minimum income, however, is different when we compare the total population and the African population. While the total population shows 36.8% of nuclear families with children and 21% of single mothers with children, the African population shows 48% of single mothers with children and 20.8% of nuclear families with children (Ministry of Employment and Social Security, unpublished data). Since this is the very first time that this source has been the object of academic evaluation, we can only raise several exploratory hypotheses for the huge discrepancy observed:

1.   Three factors inter or not inter-related must be of crucial relevance in explaining the discrepancies observed: cultural norms, the marriage market and social support networks.

2.   The fact that PALOP nuclear families seem to be less prone to fall below the poverty line than Portuguese nuclear families, may also be linked to easier access to some segments of the labor market by PALOP breadwinners. We would also tend to advance the hypothesis that the higher tendency shown by PALOP single mothers to fall bellow the poverty line may be due to less support from immediate family, other relatives, and neighbors.

Looking at the sex and age of the individuals receiving the minimum income, we see that 32% are men and 68% are women; 43.9% are 18 years old or under, 25.8% are between 25 and 44 years of age. The individuals least represented are those aged between 19 and 24 (7.1%) and those aged 65 years or older (5.9%). Within the African population, 64.1% are women and 35.8% are men; 36.7 % of this population is 18 years old or under and 34.5% is between 25 and 44 years of age. Those individuals who are least represented in the total population are those aged between 19 and 24 (8.7%) and those aged 65 or more (6.1%) (Ministry of Employment and Social Security, unpublished data).

With regard to the types of insertion programs attended by the individuals while in the minimum income system, we only have data concerning the total population. So, in June 1999, 126,482 insertion actions had taken place, 31.9% of which dealt with the social action area, 21.6% with health, 19.5% with education, 12.7% with employment, 10.8% with housing and 3.5% with professional qualification. No real evaluation of the impact of these actions is available (Ministry of Employment and Social Security, unpublished data).

2. Northern and Southern Commissioners for the Eradication of Poverty[31]

This institution was created in 1990 (Resolução do Conselho de Ministros n°8/90) to support and implement projects designed to promote the inclusion of socially excluded groups, namely children and young people at risk and ethnic minorities. In 1999, about 20 projects specifically geared toward immigrant communities were approved for financial backing.[32] Intervention under these projects has been centered on urban qualification, parental education and development of family competence, economic inclusion through professional qualification, and support of self-employment, support of self-organization and group self-sufficiency.

3. The Integrar Program [33]

This program was launched to promote the social and economic inclusion of groups that are socially excluded or at risk of being excluded[34]. It has five specific sub-programs. As far as immigrants and ethnic minorities goes, it is important to mention sub-program four, conceived to promote labor inclusion as a way of becoming integrated into society, namely trough professional qualification/orientation initiatives. Its target population are groups with specific needs, namely long-term unemployed individuals, drug addicts, ex-convicts and members of ethnic minorities.

Sub-program four subsidizes two types of projects, presented and implemented by local authorities/private associations and NGOs: projects designed to promote professional qualification through subsidized courses; and projects to facilitate, in general terms, social and labor inclusion, namely information/orientation initiatives and projects to promote self-employment.

In 1998, individuals from ethnic minorities represented the most significant share of persons who had taken subsidized courses for professional qualification – 1,685 individuals or 31.1% - followed by young people at risk of social exclusion, a group which we may assume includes second generation immigrants. In 1998, individuals from ethnic minorities represented the third beneficiary group in the second type of projects – 1,120 individuals or 12.8%. However, the number has been growing faster in the last two years.

4. Social Employment Market

In 1996, recognizing the growing number of individuals excluded from the labor market, particularly those identified with socially vulnerable groups such as ethnic minorities, young people or long-term unemployed, the government launched a program known as the "Social Employment Market" (Resolução do Conselho de Ministros n°104/96 from July 1996 and Portaria n° 348-A/98 from June 1998). This integration policy utilizes

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[31] It manages the National Program for the Eradication of Poverty, which is chiefly supported by governmental funding.

[32] There are no statistics on the number of immigrants covered under these projects. Our Key-informers estimate that, in Lisbon, where 4 projects have been approved involving about 4.000 immigrants.

[33] Program financed by European Funds.

[34] Documents of the Alto Comissário para a Imigração e Minorias Étnicas, Informação n° 12 e 24 of August 1997 and August 1998 respectively

several action-instruments such as "insertion businesses". For a maximum of two years, individuals work in certain small, private businesses, while their wages are paid out of program funds. There is no data concerning the number of individuals from ethnic minorities covered by the Social Employment Market.

5. Specific Measures for Promoting the Labor Integration of Third Country Nationals

5.1. Labor Policies

Decree 60/97 approved an agreement between the Portuguese and Cape Verde Governments aimed at facilitating the access of citizens from Cape Verde, with no residence in Portugal, to the Portuguese labor market. It also establishes mechanisms for the recruitment of Cape Verdeans workers.

In January 1999, the Portuguese Institute of Employment and Professional Training (IEFP) established an agreement with the High-Commissioner for Immigration and Ethnic Minorities for cooperation in joint actions concerning professional qualification, access to the labor market and the social inclusion of immigrants and ethnic minorities.

5.2. Educational Policies

In 1991, the government created the Coordinating Secretariat for Multicultural Education Programs.[35] This governmental body was empowered to coordinate and promote, within the educational system, programs designed to encourage tolerance and respect for different people, ethnic groups and cultures.

One of the most important projects implemented and coordinated by the Secretariat was the "Inter-Cultural Education Program", launched in 1993[36]. Within this program, a number of schools were selected. These schools choosen had a great number of students from ethnic minorities in the student body, they were selected to be the recipients of information and training on issues of intercultural education. The aim was to ease the inclusion of these students into the Portuguese educational system.

The launching of this program marked the beginning of a new educational policy that aims to be more aware of problems of inter-cultural relations and multicultural education. Within the Multicultural Secretariat, five areas of action have been developed in the last few years: knowledge and diagnosis of the multicultural characteristics to be found in Portuguese schools, research and intervention in schools that are characterized as being multicultural, elaboration of specific teaching manuals and books, training and education with an inter-cultural outlook, inter-cultural relations and citizenship.

Within those five areas, several projects were implemented, always in partnership with schools, immigrants' associations and other NGOs, and municipal authorities. As examples, there are programs sponsoring the activities of immigrant associations in the

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[35] Directly under of the Ministry of Education
[36] See Despacho 170/ME/93

areas of inter-cultural education and information. There are projects of inter-cultural education in the kindergarten system as well as projects to improve the language skills of children of foreign parentage in order to combat learning difficulties.

This policy is still in its early stages. Willingness to develop the inter-cultural dimension within the educational system exists but, according to our key-informants, this dimension has not yet become a basic and important feature of the educational system. In other words, it is still in the target project phase and is not yet governed by an institutionalized general policy. For instance, key-informants have stressed the absence of support measures such as special classes for helping children of foreign parentage to learn the Portuguese language. This kind of institutionalized measure is, in their informed opinion, necessary, as the use of the language of origin by children of foreign parentage is common and widespread in the schools where they are placed.

As public educational policies are taking shape, a private teachers' association is also working specifically on inter-cultural education. This NGO promotes programs and actions aimed at fostering understanding of different cultures. The organization has established a training center for teachers dealing with children from ethnic minorities[37].

5.3. Non-Governmental Organizations

There is an extensive list of Portuguese Non-Governmental Organizations working in the area of immigration. The most significant share of these organizations are located within the more problematic areas and neighborhoods, where the percentage of immigrants is particularly high. The organizations concentrate on the specific problems felt by those communities. There are other NGOs that work on a national scale and function as pressure groups, promoting immigrant rights and combating racism and discrimination.

The activities of the local non-governmental organizations may be divided into a few key-areas, according to the group those associations target. Some deal primarily with the problems of youth and their activities focus mainly on helping young people overcome school failure and social exclusion through cultural activities, sports and professional qualification courses. Some have day and night shelters for impoverished and homeless persons. Other associations chiefly promote professional and educational qualification courses for adults and function, in some cases, as employment centers. In general, all these NGOs have as their main goal to promote the integration of immigrants into Portuguese society. For this reason, they are taken in by the public integration projects mentioned above and receive backing from project funds.

At the national level, we may identify three different types of NGOs. The first group works on immigrants' rights in general and focuses on specific types of rights. An example of this is the Obra Católica das Migrações (a Catholic charity institution) that deals primarily with social rights of immigrants. Trade Unions, which target immigrants' labor rights are another example. The second type of NGO includes those organizations that deal with the rights of the main immigrant communities living in Portugal. Examples are the

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[37] For instance, between December and November of 1999 a specialized course will be given on how to teach the Portuguese language to children of Cape Vertian parentage.

Cape Verde Association, the Guinea Association and the *Casa do Brasil*. The third type of organization aims to promote equality and combat discrimination against certain groups of individuals and these groups often include members of the immigrant population. Examples are the SOS racism and 'Olho Vivo'

Before the last government drive to legalize the status of illegal immigrants a number of NGOs formed a group called the Coordinating Secretariat of Associations for Legalization. The aim was to join forces to ensure that the legalization process was successful, while pressuring the Government to promote immigrants' rights. The involvement of the immigrants' associations which disseminated information, helped applicants to fill out forms, as well as their presence at the reception points, contributed largely to the success of the 1996 legalization process. The Coordinating Secretariat still plays a very important role in immigration policy, namely in the enactment of legal reforms. The initiatives of the Secretariat were very important in the adoption of the new Law on entry and residence – 244/98 – and other legal instruments recently published.

To end this section on a positive note, a special reference will be made to the work of the *Associação Cultural e Juvenil BATOTO YETU – Portugal*. Batoto Yetu is a non-profit organization that was established in New York City's Harlem District in 1990. Since the organization was founded, Batoto Yetu and its dance group have worked with hundreds of young people between the ages of 7 and 17. It came to Portugal six years later, sponsored by the Luso-American Development Foundation. Batoto Yetu's cultural program is geared toward disadvantaged children and adolescents of African descent. It was developed with the idea that through the beauty of dances, songs and legends, and involvement in them, the participants could be in contact with their roots and at the same time develop self-esteem, perseverance, and discipline. One of the basic requirements for being a member of the "Batoto Yetu family" is that the participant maintain a good academic record. Because of this, many children have achieved a level of both artistic skill and personal success that might not have been possible without their participation in the project.

The reason the work of this Association has been singled out by the researchers is that, in our opinion, it is a paradigm of the type of effective initiatives that can be called "best practices". In other words, it is a program designed both to preserve and promote public recognition of the groups African cultural identity. At the same time, it positively reinforces that same African identity by bringing it into the performing arts mainstream, thus developing the self-confidence and self-esteem of the group's members and highlighting them and their African culture as positive elements of an emerging, multicultural society.

6. Trends Towards an Ethnic Class Formation

6.1. Residential Segregation and Living Conditions

As was mentioned earlier in this report, a large majority of immigrant communities (in particular those from PALOP) are concentrated in the Metropolitan Area of Lisbon, with a higher incidence in the outskirts of the city of Lisbon (Baganha, 1998). The general tendency is a concentration of "islands" in run-down parts of Lisbon and/or adjacent districts like Loures, Oeiras, Amadora, Almada and Seixal.

The living conditions in these areas of spatial concentration of immigrants are frequently extremely poor, not only on account of housing conditions, but also on account of the lack of social infra-structures, of public amenities, and difficulty in access to public transportation that is frequently associated with illegal construction. In 1991 at the national level, 6.4 percent of the resident foreign population inhabited shanties or non-classic dwellings (Table 17). The percentage of immigrants living in these conditions was particularly high for those from the PALOP (16 percent), although there was great variation among the several nationalities involved. Thus, while 22 percent of the immigrants from Cape Verde lived in this type of dwelling, only 6 percent from Angola did. Immigrants from Brazil and Europe register a percentage of persons living in non-classic lodgings (0.2 percent) well below the national average of 0.6 percent. In the Metropolitan Area of Lisbon where, as was said, the majority of immigrants reside, the percentage of immigrants from the PALOP living in shanties or non-classic dwellings increases considerably (Table 18). Those most affected continue to be the immigrants from the PALOP (20 percent), especially those from Guinea (27 percent), Cape Verde (23 percent) and São Tome (23 percent). The European and Brazilian immigrants maintain a percentage well below the national average of 1.3 percent.

In sum, when compared to the rest of the resident population, immigrants from the PALOP represent an overwhelmingly larger number of those inhabiting shanties or non-classic dwellings. Furthermore, the distribution by type of dwelling and nationality reflects the same pattern that was identified for the labor market. In fact, Brazilians and Europeans show an upper privileged position with regard to housing, followed by the Portuguese, who in turn are followed by the citizens from the PALOP. In other words, as in the labor market, the housing market reflects a bias towards the top in favor of Europeans and Brazilians and a even more greater bias towards the bottom against the citizens from the PALOP.

The equipment of classic dwellings is another indicator available on housing conditions. In 1991, almost 14 percent of the resident foreigners in Portugal lived in dwellings without or with only partial basic amenities (toilet, running water, bathroom and electricity) (Table 19). Again, the percentage was far higher for the immigrants from the PALOP (22 percent), and especially for Cape Verdians (31 percent), and far lower for emigrants from Brazil (7 percent) and from Europe (11 percent) than the national average of 19 percent. This reinforces the picture of a biased placement in the social structure that the PALOP population holds at the bottom and that the Brazilians and Europeans hold at the top.

Percentage of Population Inhabiting Shanties or Non-classic Dwellings, 1991 – selected nationalities

Nationality	Portugal	Lisbon and Setubal Districts
Cape Verde	22.3	24.3
Angola	5.5	9.6
Mozambique	2.1	3.1
S. Tome	20.8	23.2
Guinea	24.2	27.1
Brazil	0.2	0.4
Europe	0.2	0.6
Total Foreigners	6.3	12.4
Total Population	0.6	1.3

Source: Table 17 and 18

The information resulting from a survey on urban ethnic minorities (Costa et al., 1991) conducted in 1990 (Table 21) reveals a similar picture of housing conditions. Regardless of the *de facto* poor housing conditions, 66.5 percent of the respondents to this survey declared they liked the place where they lived. Perhaps even more revealing is the fact that in a survey conducted in 1986 on the Cape Verdean community, 54 percent of the respondents living in run-down quarters declared that their current dwellings were better than the lodgings they inhabited in their native countries (França, 1992: 148).

In other words, using these sundry indicators, we may say that a very sizable part of the population from the PALOP, immigrants or Portuguese, seems to have extremely low expectations when it comes to housing conditions. This is partly because their current lodgings are seen as being better than their previous homes, and partly because the housing market of the region where they are concentrated overtly discriminates against all low-income segments of the population, regardless of place of birth. The reasons for this situation lie in distortions arising from decades of rent control, and a social housing policy that has not yet been able to have full impact on the decayed housing conditions of a very sizable part of the poor population inhabiting the Lisbon Metropolitan Area.

6.2. Deviant Behavior and Criminality

Several surveys on criminality have consistently pointed out that the Portuguese associate crime essentially with drugs, unemployment and poverty. Furthermore, in public opinion surveys and their respective analyses and comments that we may assume reflect and have the highest impact on the formation of public opinion, no direct connection was made between crime, drugs and immigrants. In fact, and contrary to what seems to be a major trend in other European countries, there is no evidence of the existence in Portugal of a social image of immigrants as potential delinquents or as potential drug dealers. In Portuguese public opinion, immigrants come to Portugal from the PALOP, contracted by

immigrants or nationals from their own countries, to work without contracts and without rights in the major public works that are under construction.

However, some recent studies have shown that foreigners tend to be over-represented in crime statistics. The research conducted, in 1996, on immigrants' insertion in the informal economy (Baganha, 1996), concluded that, although the growth rate of the foreign population accused of being involved in criminal activities and in jail is growing more slowly than the corresponding rate for the Portuguese population, the foreign population is still over-represented in all the categories related to legal proceedings, considering their weight in the resident population.

Analyzing the numbers of foreigners among the resident population and in legal proceedings related to criminal activities, and looking at the annual average growth rates of the foreign population (See Table 23), we can conclude that:

a.   Foreigners tend to be in jail more than the Portuguese;

b.   Foreigners tend to be accused and convicted more than the Portuguese;

c.   Foreigners tend to be over-represented in the accused, convicted and prison population.

According to another research study, conducted specifically on the involvement of foreigners in criminal activities (Seabra, 1999), the number of immigrants and descendants of immigrants in the Portuguese prison system is constantly growing. This study concludes that, in 1998, foreigners represented about 11% of the total population in the prison system, a value too high for the percentage they represent in the population residing in Portuguese territory. Of this 11%, more than 60% were from an African country (PALOP).

In sum, foreigners show a higher probability of being accused, convicted and sentenced to jail than the Portuguese population. Two hypotheses may be put forward to explain the these tendencies. The first attributes the results obtained so far to the type of crimes committed by foreigners and the respective control and legal punishment. The second attributes the results to institutional discrimination (police and judicial system) against foreigners.

If we look at the involvement of foreigners by type of crime, we see that the first four main crimes of the accused population are common to both the domestic population and foreign population, although the ranking is different (Table 24). Marked divergence occurs in the relative weights of activities related to illicit drugs, where the involvement of foreigners is double the total score. This involvement is severely punished by the justice system and may correspond, according to the Portuguese Penal Code, to three types of crime, from the most severely punished to the least severely punished by law: 1. Trafficking, 2. Trafficking and consumption; 3. Consumption.

Analyzing the involvement of the Portuguese and the foreign population in legal proceedings related to drugs by type of crime (summarized in table 25 for the period 1983-1995), we may conclude that foreigners tend to be much more involved in the crime of trafficking than in the other two types, whereas the domestic population tends to be much more involved in consumption or in trafficking and consumption. For the year 1997, we see that foreigners are over-represented in the crime of trafficking and that, within this group, Africans are predominant.

Involvement of Foreigners in Drug-Related Crimes, 1997

1997		Total	Consumption %	Trafficking and consumption %	Trafficking %
	Total	4.292	52.1	4.2	43.6
Foreigners		542	36.3	2.2	61.4
	African	192	20.8	2.1	77.1

Source: Statistical information summaries, in Seabra (1999:14)

In sum, it seems that the fact that foreigners tend to be more involved in the most severely punished crimes related to drugs, may explain their over-representation in the accused, convicted and prison population. However, since drug trafficking is an organized international business and we cannot determine whether the foreigners involved were immigrants or transient individuals, we need to further our research to confirm our hypothesis.

The other hypothesis points to institutional discrimination against foreigners and it is based on the assumption that if Justice is blind, there should be no difference between the rate of convictions, by type of crime, when comparing the foreign population to the Portuguese population (Table 26). The comparison of these two indicators shows, however, that the rates of conviction are always lower for Portuguese, which lends some support to the hypothesis of institutional discrimination against foreigners, at least by the judiciary.

In sum, although we cannot fully analyze the growing criminal involvement of foreigners, we are of the opinion that the over-representation of foreigners in the accused, convicted and imprisoned population may be linked to these two hypotheses. On the one hand, there is a growing social awareness of drug problems and the control and punishment of related crimes is increasingly tighter police efforts to eradicate and control drug dealing are specially concentrated in certain run-down areas, where most of the African immigrant population in Portugal lives, rendering this population more vulnerable to arrest. In the Portuguese judiciary system, crimes related with drugs are severely punished and the percentage of non-conviction and non-application of prison sentences is extremely low. Given that the probability of being convicted is higher for foreigners than for the Portuguese, one might predict that institutional discrimination also goes hand in hand with the major type of crimes committed by foreigners.

6.3. Violence Against Immigrants

The Portuguese show low levels of acceptance of "others" in their private lives, yet in their public lives they tend to adopt forms of conduct and to express values that they consider to be socially correct. According to recent studies on racism, Portugal may constitute an example of a society that is formally anti-racist but in which racist attitudes

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persist.[38] This paradox is explained through the different concepts of racism that stem from the position one assumes towards the anti-racist social norm that has progressively developed in Western societies since the Second-World War and which condemns expressions of traditional racism (Pettigrew and Meertens, 1995). A concept of prejudice or flagrant racism is shown as different from subtle racism. While the first rejects the anti-racist social norm and openly expresses traditional racism, the second accepts that norm but is an expression of new forms of racism, forms that are not condemned by the anti-racist norm. That is to say, those who are subtly racist accept the anti-racist norm as a way of being socially correct and not being punished for their actions in public life. However, they do not, and cannot, internalize a norm that is not congruent with their values and belief system. So, the authors conceive the non-racist as one who internalizes the norm as part of a value system based on equality, and who rejects all forms of racism, including those that are socially accepted.

The studies mentioned before, point to the conclusion that, in Portugal, as in the rest of Europe, the anti-racist social norm exists only for flagrant racism not for subtle racism. This conclusion is consistent with some of the findings of the 1996 report on immigrants' insertion in Portuguese society. In point five, on the values and attitudes of the Portuguese towards immigrants, it is clear that the Portuguese show low levels of acceptance of "others" in their private lives but in public life, they tend to adopt forms of conduct and to express values that they consider to be socially correct.[39] Rather than racist, a sizable share of the Portuguese population seems to be discriminatory.

We could say that, in Portugal, not only is racism not an assumed attitude, but also militant racism is extremely rare.[40] 'Skinhead groups have never had any social support or numerical relevance compared with similar groups in other European countries. However, we may list a number of violent racist incidents involving groups of skinheads, directed mainly towards the black population, that have occurred in the last ten years. In 1995, for instance, five persons were killed and fifty others were injured in 30 racist incidents. The most serious case, known as the Bairro Alto incident, occurred in June of 1995, when a group of skinheads caused eleven injuries and the death of a Cape Verde citizen aged 25.

So, regardless of their reduced numerical significance, skinheads are a clear sign that militant racism does exist in Portugal. However, in the last few years, these groups have been much less active, possibly as a result of the Public Prosecutor's proposing the charge of genocide for the skinheads involved in the incident mentioned above.

6.4. Exclusion from Social and Political Rights

According to the High-Commissioner for Immigrants and Ethnic Minorities, "the overwhelming majority of those who live in poverty are, in our context, immigrants and

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[38] Several studies published in Vala (1999). See also Pais (1998)

[39] This study was mainly supported by the results of a European Survey on Values (1990) and several national surveys conducted on this issue over the past few years.

[40] Public opinion and public authorities have firmly and widely condemned all racists incidents occurred in the last decade.

members of ethnic minorities; to fight poverty implies, thus, that everybody is entitled to benefit from the social policies designed to eradicate poverty and build social citizenship for all." (public speech, 1997). Numerically speaking, the High-Commissioner's statement is not totally accurate (see table 22), but his prescription for fighting poverty is beyond dispute.

As has already been mentioned, economic and social rights are linked to residence status and to the mode of economic incorporation, which means that the level of social exclusion is a function of the level of irregular permanence and economic informality within the immigrant community. Being illegal and working in an irregular labor market influences other factors like access to council housing, health, education, mechanisms of social protection, in other words, full access to social citizenship.

When the 1996 drive to legalize immigrants was launched, one of its main objectives was to stop the perverse effects of illegality. Although no evaluation of the legalization drive has been made, it seems indisputable that it allowed the bonding and settling of an important immigrant community. Especially important among these were the persons from Portuguese-speaking African countries, whom the government, local authorities, trade unions, NGOs and society as a whole, are trying to integrate both socially and economically.

Although having legal residence constitutes a necessary condition, it is not sufficient to insure access to full citizenship. In fact, all the programs, projects and institutions mentioned as active actors in an inclusion policy targeting immigrants and ethnic minorities, were set up to respond to the widespread social exclusion which some of these groups were, and still are, experiencing. The problems faced by immigrants in Portugal are varied. Perhaps the most determinant are those related to housing and employment for the older generations and/or unsuccessful schooling or integration difficulties for the younger generations.

The insufficient and poor living conditions in run-down areas plays an important role in immigrant integration problems, as they are easily identified with the idea of exclusion and marginal living. The very fact that the majority of immigrants live in areas associated with high crime rates may, as asserted by members of several NGOs, influence other aspects of their lives, such as access to the labor market and types of work where they can be employed. The national re-housing program was planned as part of the solution for this problem (Baganha, 1998a, 1998b).

On the other hand, unemployment and precarious working conditions are rendering immigrants particularly vulnerable to social exclusion. A recent survey on active immigrants in Portugal revealed that 47 percent of the men and 21 percent of the women worked without any type of contract, and that the percentage of males working without contract in the construction and building sector attained the astonishing value of 74% (Baganha, Ferrão, and Malheiros et al., 1998). The high level of non-contractual work and the absence of social contributions, either to the tax department or to social security, explain the low percentage of non-nationals registered in the social security system.

According to the Employment Survey for 1992 to 1995, immigrants from the PALOP are consistently and substantially more excluded from social security than the rest

of the immigrants.[41] The same source also indicates that the share of the female immigrant population, particularly from the PALOP, with permanent contracts and registered with the social security authorities is much larger than the corresponding male share. In 1995, for example, the proportion of male immigrants from the PALOP with permanent contracts was 56%, the corresponding figure for females was 70%; and the proportion registered in social security was 70% for males against 94% for females (INE, Inquérito ao Emprego, 1992-1995).

As it was mentioned previously, the Employment Survey has errors of measurement on the attributes of the foreign population that are extremely high.

The unpublished data of the Social Security System points to a much lower inclusion in the system than the one estimated by the Employment Survey. For 1995 the rate of registration observed in the Social Security System was 38.6 percent.

Foreigners Registered in the Portuguese Social Security System

	1995
Foreigners registered in Social Security System	32566
Active Foreigners	84383
Registeration rate	38.6

Source: Social Security System (unpublished data)

In a previous study, the situation of exclusion from social citizenship of a sizable number of immigrants was attributed to the following reasons:

1.   Immigrants, mainly of rural origin, in the prime years of their active lives tend to attribute very little or no value to the possible benefits that having a lawful permanence and belonging to the formal labor market may entitled them;

2.   Since their economic incorporation in the labor market essentially takes place in the informal economy, it prevents them from entering the social security system;

3.   A sizable share is illegally in the country which automatically excludes them from several relevant social rights;

4.   The diffuse future costs implicit in the present situation do not generate sufficient societal pressure to lead the government to change the existing situation, which has clear short-term benefits to the economy (Baganha, 1998a, 1998b).

The new evidence specifically collected for the present report lends further support to the above-mentioned conclusions.

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[41] Although data contained on the Employment Survey for 1992 to 1995 presents an extremely poor coverage of the population of interest, and very low reliability of the estimators for almost all of the categories considered, it can still provide us with some important indicators.

6.4.1. Political Participation

There is not much information available on the participation foreigners in Portuguese local elections, since no relevant studies have been done on this issue. Furthermore, information on participation numbers in Portuguese local elections by nationality is denied to the public under the Personal Data Secrecy Act.

However, there is some data on the numbers of foreigners who registered to vote which is summarized in this next table

Foreigners registered to vote in local elections

Country	Norway	Cape Verde	Argentina	Brazil	Peru	Uruguay	Israel	E.U	Total
1997	9	9,572	30	732	8	13	2	3,158	1,524
1998	14	11,645	40	1,132	12	14	2	4,089	16,948

Source: STAP –Ministry of the Interior

With regard to the right to be elected, the Department of Foreigners and Borders registered 16 requests of foreigners who intended to be local candidates in the 1997 elections.[42]

Thus, if we examine the numbers of foreigners from Third Countries living in Portugal (Table 1), only an extremely low percentage of those entitled to political rights did, in fact, exercise their political citizenship. One reason may be related to the fact that Law 50/96 conditioned the entitlement of political rights to the principle of reciprocity, thus excluding some important immigrant communities such as those coming from Angola. It is our conviction, however, that the main reason resides in the fact that immigrants from Cape Verde and Brazil could only vote if they had been legally residing in Portugal for two years, and run for office if legally residing in the country for at least four years. When we consider that the last, and most important, legalization process occurred only in 1996 and that the local elections were in 1997, we may assume that a sizable share of the foreigners with legal residence in Portugal was not entitled to vote, since they had only been legally residing in the country for a year.

Other Forms of Political Participation

An institutional framework has been in the making for these past few years, in order to insure that immigrants and ethnic minorities participate in Portuguese society, both at the national and local levels.

At the Municipal level, 1993 saw the creation of the Municipal Council for Immigrants in Lisbon. This Council is headed by a member of the City Council and includes representatives of several immigrants' associations, members of the City Council itself, and two persons chosen by the former group. Its objectives are to support projects

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[42] This number refers only to those without dual citizenship

designed to respond to the specific needs of immigrant communities living in Lisbon. More recently, the City Council of Amadora, where a very significant part of the immigrant community lives, decided to institutionalize a similar structure.

At the national level, there is the Office of the High Commissioner for Immigrants and Ethnic Minorities and, the recently-created Commission for Equality and Against Racial Discrimination (see non-discrimination legal framework). The Office of the High Commissioner is a Government body established to promote consultation and dialogue with all the associations representing immigrants' rights and all public authorities involved in this area. The High Commissioner heads the Commission for Equality for Immigrants and Ethnic Minorities which includes both representatives from the government and legislative assembly and representatives of immigrants' associations, anti-racist associations, human rights associations and trade unions.

6.4.2. Immigrants and Naturalization

The total number of acquisitions of nationality observed between 1994 and 1997 (Table 28), never came to more than 0.8 percent of the resident foreign population for the given year. Clearly, Brazilians show a much higher tendency to become Portuguese than any other foreign group [43]. Even so, the highest percentage of Brazilians that acquired Portuguese nationality was 1.5 percent in 1997.

The rate of naturalization observed is extremely low when compared to the rate of naturalization observed in other countries. In fact, the rate of naturalizations observed for Portugal (1994-1997) is only lower than that of Luxembourg, according to a survey for the years 1988-1995, that included 16 OECD countries (Sopemi Report 1996, OECD, 1997:60). Furthermore at this rate, it would take between 20 to 50 years for one third of the present members of a given foreign group to become Portuguese. This can also be considered extremely slow if we take into account the rate of naturalization observed for non-European immigrants who arrived after the mid-1980s in countries like France (Tribalat, 1995).

6.4.3. Inter-Marriages Between Portuguese and Foreign Nationals

Between 1990 and 1994 the number of marriages among Portuguese nationals decreased substantially while the number of marriages of Portuguese nationals to foreign nationals increased steadily and substantially (Table 29)[44]. Unfortunately, Portuguese official statistics only classify persons according to their nationality, which means that the increase observed in the volume of marriages of Portuguese nationals to nationals from a PALOP country may either be the result of an increase in inter-ethnic marriages, or an increase in intra-ethnic marriages, since all PALOP communities include a substantial number of Portuguese nationals.

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[43] Even more so after Brazilian law was changed, in 1994, to allow for dual citizenship (Marques et. Al., 1999).

[44] Here we consider as inter-ethnic marriage only marriages between a Portuguese nationals and foreigners. Marriages between foreigners of other nationalities have been left out

Between 1995-1996, marriages of Portuguese nationals to foreigners followed the same downward trend that was noted for marriages overall. However, in 1997, both groups (marriages among Portuguese nationals and marriages of Portuguese nationals to foreign nationals) registered a slight increase.

From 1990-1994[45] Portuguese nationals married in the first place, other European citizens (it must be recalled that not all of these marriages were between a Portuguese and an immigrant, in fact, many of these marriages are between a Portuguese emigrant and a national of the country of immigration, very frequently of Portuguese ancestry). In second place were citizens from the PALOP, while citizens from Brazil came third.

Only in-depth studies, in the future, will be able to determine if mixed marriages involving Portuguese and PALOP citizens can be categorized as an "inter-ethnic" marriages. If they can, then the available evidence may be considered a positive indicator of a tendency toward integration of the immigrant population.

6.4.4. Cultural Diversity

Cape Verdean, Brazilian, and other ethnic restaurants, discos, art galleries and other ethnic businesses now dot the city of Lisbon. Some of these businesses are in ethnic neighborhoods, while others are in the high income residential and commercial areas of the capital.

The evidence points to these cultural transferences as being welcome and easily accepted by the Portuguese. There are visible signs that the city is becoming increasingly diversified culturally. These external signs go hand in hand with other less visible indicators that point in the same direction. In fact, a comparison of the expressed religious beliefs of the resident population, both domestic and foreign, in 1981 and 1991, (Table 29) allows us to draw two preliminary generalizations based on the numerically small fringe of people who do not belong to the Catholic faith. According to the figures, the number of Muslims has more than doubled, while the number of those who profess the Christian Orthodox faith has more than quadrupled. These figures may point to an increase in cultural diversity at least when measured by the evolution of the indicator of self-ascribed religious belief.

As was said in the introduction to this report, adaptation to new developments requires time, but as far as can be gleaned from the scanty evidence available, the Portuguese seem to be adapting well to the loss of their long-standing tradition of cultural homogeneity.

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[45] Information about the nationality of the ones that get married stops in 1994.

7. Recommendation for best practices

In terms of human capital and access to social amenities, the Portuguese clearly fall in between two foreign groups. Above them is a group essentially made up of Europeans and Brazilians, and below them is a group made up overwhelmingly of citizens from the PALOP. No matter what indicator we choose to look at, the socio-ecomonic ranking of these three groups is clear: Europeans and Brazilians followed by the Portuguese, who in turn are followed by the citizens of the PALOP. Furthermore, the magnitude of the differences between the three groups is the cornerstone of the hypothesis that both foreign groups are segregated from Portuguese mainstream society, albeit by extremely different types of segregation.

The gap between the first and the second group (Europeans and Brazilians / Portuguese) may be attributed to differences in human capital between the two groups which are well-expressed by the differences observed in the professional status and occupational structure of these two groups[46]. This differentiation, when associated with higher incomes, private social and cultural infra-structures (such as private international schools, hospitals, medical doctors, clubs, associations, newspapers, and closed residential condominiums) has promoted the auto-segregation of a significant number of members of the first group from direct interaction with mainstream Portuguese society.

Some of the differentiation between the second and the third group (Portuguese / citizens from the PALOP) may also be attributed to differences in human capital. However, other factors must be at play as well, since the majority of the indicators reveal that, on average, the latter group exhibits a consistently higher propensity to be in disadvantageous social and economic positions than the Portuguese population, even when populations observed in both groups show no major differences in human capital. The existence of systematic inequalities between the Portuguese and the citizens from the PALOP cannot be simplistically taken as firm evidence of discrimination on the part of Portuguese society towards citizens from the PALOP because of their African ancestry. Rather, it can and should be considered a clear symptom of undesired social segregation.

The process of social segregation of immigrant communities usually arises from multiple causes, where factors like human capital, social capital, cultural norms and values, labour market positioning and opportunities, access to public social amenities (for example, public transportation) and the social security system interact within different social contexts of either predominant acceptance or rejection of the "other". The respective weight of each one of these factors in determining the observed outcome varies considerably, and along with it, the ranking of the explanatory variables in the available expert literature on this topic[47].

Unfortunately, the indicators available for Portugal are too scant and rudimentary to make any attempt to rank the numerous factors that evidence shows play an important role

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[46] Human capital differences, although probably the most powerful determinant are, however, not the only factor concurring to the observed differences. As the works of Peixoto (1999) indicate, a sizable number of the members of this group are directly linked to international strategies of international and transnational corporations, who offer very special and rewarding employment packages to their employees and families to move to Portugal for a given period.

[47] For a very recent example of what is being said see, for example, Portes and MacLeod, 1999.