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Political Opportunity Structure in Portugal

SUPPORT FOR AND OPPOSITION TO IMMIGRATION
IN PORTUGAL IN A COMPARATIVE PERSPECTIVE

MARIANA CARMO DUARTE

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1. Introduction

The concept of political opportunity structure (POS), initially developed to understand the emergence of new social movements, is currently used as an important analytical tool to facilitate the understanding of the levels of politicization of immigration (Eisinger, 1973; McAdam, 1982; Tilly, 1978; Tarrow, 1994; Oliveira and Carvalhais, 2017: 789-791). In brief, the POS covers the external/exogenous resources capable of facilitating or restricting collective actions and the possibility of social mobilization. The main underlying argument behind this concept is based on the idea that changes in the political system can stimulate, enhance or restrict the participation of actors in contentious collective action (Tarrow, 1994). From this point of view, among other institutional factors, a political system's degree of openness to the demands of social movements, the elites' level of compactness and stability, election results, the relationships between the various political parties, and the existence of political parties which ally themselves with social movements are variables which encourage or discourage collective action and claims by social groups (Tilly and Tarrow, 2015).

This report has been produced within the scope of the research project "Support for and Opposition to Immigration in Portugal in a Comparative Perspective", which is backed by the Support and Opposition to Migration (SOM) international research network. In this report, the POS is analysed, within the context of the politicization of immigration in Portugal, in order to assess how structural features of the Portuguese political system can create opportunities for different social groups – especially anti or pro-immigration groups – to make political claims regarding immigration. In other words, this is an analysis of the influence institutional factors of the political system have on the way the various political actors can politicize the debate on immigration and make political claims in the public sphere (Hay, 2002: 89-134; Meyer, 2004: 128). Among other topics, this report discusses the characteristics of political and party systems, the barriers to entry for new parties in parliament, and the emergence of social groups with diverse views on immigration, as well as the positions of the political actors on the issues of immigration and the immigrant integration.

This study explores the Portuguese case. However, the level of analysis is not focused exclusively on the national dimension, for, at times, it references local and/or regional examples. So, for specific points, the analysis considers the potential of each

municipality and/or region regarding the salience and polarization of the issue of immigration in Portugal. In terms of timeframe, the analysis focuses primarily on the period between 1995 and 2015. However, at certain points in this report, references are made to other timeframes, as these may be useful in contextualizing, exemplifying and interpreting of the phenomenon being studied. These references range from the beginning of the transition to democracy, in 1974, to the present day.

On the assumption that the indicators analysed in this report largely relate to the party system, the parties being studied are restricted according to Sartori's criteria (1976). According to this author, "relevant parties" should be characterized according to their ability to influence the course of party competition, i.e. according to the number of parliamentary seats they hold and the potential for forming coalitions or applying leverage (Jalali, 2007; Jalali, 2017). This definition permits the identification of 5 relevant parties in the Portuguese party system between 1995 and 2015: *Partido Socialista* (PS), *Partido Social Democrata* (PSD), CDS – *Partido Popular* (CDS-PP), *Coligação Democrática Unitária* (CDU) – coalition formed by the *Partido Comunista Português* (PCP) and the *Partido Ecologista "Os Verdes"* (PEV) –, and *Bloco de Esquerda* (BE).

Since the Carnation Revolution in 1974, the Portuguese party system has been centred around two major political parties: the PS (centre-left) and the PSD (centre-right) (Freire, 2006; Lisi, 2015). Since its founding, the PS has shown a slow shift towards the centre, abandoning the Marxist legacy that characterized it during the so-called Ongoing Revolutionary Process (*Processo Revolucionário em Curso*) (PREC). Economically, it has adopted an increasingly pragmatic policy which has culminated in the formulation of a more moderate and centrist platform (Corkill, 1995: 73; Puhle, 2001: 283; Lisi, 2009). The PSD was founded under the name *Partido Popular Democrático* (PPD) and followed the principles of social democracy. However, from the late 1970s onward, this party has progressively abandoned this ideological current in favour of an increasingly liberal policy, promoting private-sector initiative and flexibilization of the labour market. In general terms, from the 1990s onward, it is possible to identify distinctive aspects of liberalism at the economic level and conservatism at the cultural level in the PSD (Manalvo, 2001; Jalali 2006; Lisi, 2011: 48; Ferreira, 2016; Monteiro, 2016).

The Portuguese party system also includes three other relevant parties. On the right, the CDS-PP has distinguished itself from its competitors due to two aspects: (1) adherence to and the upholding of catholic values (Robinson, 1996; Lisi, 2011), and (2)

ideological ambiguity/plasticity (Lisi, 2011: 35-71; Ferreira, 2016; Monteiro, 2016; Silva and Jalali, 2016). Founded in July 1974 under the name *Centro Democrático Social*, this party revealed itself to be, early on, according to Ferreira (2016: 100), an “ideological amalgam”. Until the 1990s, it held Christian-democracy as its ideology, having a platform that emphasized economic liberalism and conservatism. However, since the beginning of the new millennium, the liberalism has observably lost some ground to conservatism (Lisi, 2011: 35-71; Ferreira, 2016).

On the left, the PCP has maintained a strong cohesion and continuity in terms of ideology and platform, holding the protection of workers' interests as their main electoral motto. However, the XII Congress, held in 1988, represents a milestone in this party's history: the communist elite recognized the democratic regime, as established in Portugal by the Carnation Revolution, and removed the more revolutionary elements from the party platform (Bosco, 2001; Jalali, 2007; Jalali, 2017). Since 1987, this party has been participating in elections in coalition with the PEV. This leftist ecologist party was founded in 1982 and never ran in elections on its own, always running as part of a coalition with the PCP. Still on the left of the spectrum, the BE, founded in 1999 through the merger of three radical left-wing parties – the *União Democrática Popular* (UDP), the *Partido Socialista Revolucionário* (PSR) and the *Política XXI* (PXXI) –, has assumed similar positions to those of the PCP with regards to economic and social policy. Still, the two parties maintain their distance in the social/cultural plane, seeing as the BE introduced postmodern themes and new topics concerning citizenship, such as gender issues, racism and xenophobia, into the political debate (Lisi, 2011).

The issues of immigration control and immigrant integration do not represent a political cleavage in the Portuguese party system and seem to lack salience in the political debate in Portugal. However, among the five parties presented, the ones at the edges of the Portuguese party system – the CDS-PP and the BE – have more marked stances on the issue of immigration¹. On the one hand, the CDS-PP, despite not maintaining an anti-immigration stance, defends a more rigorous control of the immigrants entering Portugal (Carvalho, 2009: 101-104). On the other hand, the BE supports the regularization of all irregular immigrants and those lacking legal residence permits, the facilitation of family

¹ With respect to this, refer to the CDS-PP's political platform [Available at: <http://www.cds.pt/assets/programa-1993-.pdf>. Accessed on: 19 July 2017].

reunion, and the granting of Portuguese nationality to all individuals born in Portuguese territory, irrespective of their country of origin and/or the legal status of the parents².

The xenophobic and ethno-nationalist discourse has been promoted by the *Partido Nacional Renovador* (PNR), a party with no parliamentary representation and very small electoral support. This party dates back to 1999, when an extreme right-wing group took control an existing party, the *Partido Renovador Democrático* (PDR), thereby avoiding having to collect signatures for its establishment. The following year, the party was restructured, and its new name – PNR – received approval from the Constitutional Court. From then on, it has presented itself as the true protector of Portuguese values and identity, advocating for the suspension of the Schengen agreement, an end to family reunion and the repatriation of illegal immigrants³ (Marchi, 2016). Nevertheless, this party has residual electoral support, never having exceeded 0.5% of the vote, which corresponded to 27,286 votes in the 2015 legislative elections (CNE, 2015). This party's lack of electoral success should be analysed bearing in mind its fascist legacy and the constant evoking of António de Oliveira Salazar, President of the Council of Ministers (*Conselho de Ministros*) between 1932 and 1968 and the principal figure of the Portuguese fascist regime. One should also take into account the opposition to the fascist period, even among the most conservative layers of Portuguese society, as well as the small numbers of those nostalgic of that regime. Consequently, the extremely negative perception of the fascist regime in terms of public opinion is an obstacle to the emergence of extreme right-wing parties in Portugal.

This report is divided into four chapters. First, the political debate on the subject of immigration will be put into historical context. Second, the POS will be presented, in order to understand how structural factors of the Portuguese political system condition the emergence of anti and pro-immigration movements capable of politicizing the issue of immigration. Third, the role of new leaders and/or the leaders' internal challenges will be discussed, bearing in mind their potential for politicizing the topic of immigration. Fourth, other explanatory factors will be analysed which are potentially more influential

² With respect to this, refer to the BE's electoral manifesto for the 2015 elections [Available at: <http://www.bloco.org/media/manifestolegislativas2015.pdf>. Accessed on: 19 July 2017].

³ With respect to this, refer to the PNR's political platform [Available at: <http://www.pnr.pt/programa-politico/>. Accessed on: 21 June 2017].

than the POS with regards to the emergence of groups capable of politicizing the topic of immigration.

2. Historical Contextualization⁴

Political, cultural and ethnic homogeneity, as well as the isolation that was characteristic of Portuguese society during the dictatorship, inhibited the salience of the topic of immigration in the national political agenda. However, this social phenomenon began to gain some relevance after the transition to democracy, when Portugal ceased to solely be a country of emigration and also became a country of immigration (Fonseca, 2008; Carvalho, 2009: 17-40; Oliveira and Carvalhais, 2017). According to the literature, the reversal of this pattern should be analysed in light of a series of national and international events observed during that period: the start of the transition to a democratic regime in Portugal in 1974, the subsequent process of decolonisation in Africa, as well as the beginning of the process of integration into the European Economic Community (EEC) and the modernization and internationalization of the national economy (Fonseca, 2008; Carvalho, 2009: 37-39).

Between 1975 and 1982, the foreign population residing in Portugal increased from 31,983 to 58,667 individuals, respectively (PORDATA, 2017). This population increase was largely related to the decolonization process and the contingent of returnees from the former colonial territories in Africa (Fonseca, 2008; Carvalho, 2009). Concomitantly, with the aim of restricting access to Portuguese nationality, Decree-Law No. 308-A/75 was published. Portuguese nationality was thereby recognized only to individuals born in the metropole or born in the colonial territories and having Portuguese ancestry, as well as to former functionaries of the central administration and former members of the Portuguese Army (Pires, 2003; Fonseca, 2008; Carvalho, 2009). In the early 1980s, the Portuguese Government promulgated Decree-Law No. 264-B/81 in order to harmonise Portuguese legislation with that of the other EEC member states. This diploma governed the entry, stay and expulsion of immigrants, as well as the granting of entry visas and residence permits (Carvalho, 2009; Pinho, 2017).

⁴ Regarding the composition of immigration in Portugal, refer to the report that corresponds to this research project's WP2 – “Demographics of Immigration in Portugal” –, authored by Bárbara Borrego. Report available at: https://sompportugal.files.wordpress.com/2016/10/demographic-of-immigration-portugal_pt.pdf. Regarding the evolution of the legislation on immigration in Portugal, refer to the report that corresponds to this research project's WP3 – “Immigrants' Rights in Portugal” –, authored by Filipa Pinho. Report available at: https://sompportugal.files.wordpress.com/2016/10/wp3_pt.pdf.

The first wave of immigration in Portugal was observed from the middle of the 1980s, coinciding with the country's entry into the EEC. This wave of immigration consisting of citizens from the Portuguese-speaking African countries (PALOP) was guided by both internal causes (political stability and economic growth) and external causes (integration into the European project) (Corkill and Eaton, 1998; Carvalho, 2017). Consequently, the Portuguese Government, led by the PSD, approved Decree-Law No. 59/93, which transposed the Fortress Europe paradigm and adopted highly restrictive channels for labour immigration. This initiative was preceded by the enactment of Decree-Law No. 212/92, which included a process of extraordinary regularization and preferential treatment for foreign nationals from Lusophone countries (Baganha and Marques, 2001; Fonseca, 2008). This positive discrimination reflected Portugal's geostrategic interests in the foreign policy arena, a policy option which was maintained in the 1990s (Baganha, 2005; Carvalho, 2009; Carvalho, 2017).

1996 saw the approval of a new process of extraordinary regularization, which had the aim of legalizing the immigrants who had not been granted regular status in the previous process, as well as legalizing those recently arrived in Portugal or who had meanwhile lost their regular status (Baganha, 2005; Fonseca, 2008). According to the Minister of Internal Administration (*Administração Interna*) at the time, this initiative was “designed mainly for immigrants from Portuguese-speaking countries” (Carvalho, 2009: 63). Thus, as Fonseca argues (2008), those first years of immigration in Portugal denote the strong relationship between migration to Portugal and the country's colonial past. This historical link translated numerically to an increase in the number of foreign nationals residing in Portugal, with the number of immigrants in the mid-1990s having been 5.4 times greater than in 1975 (Baganha, 2005; Peixoto, 2007; Peixoto *et al.*, 2009).

The second wave of immigration began at the end of the 1990s and differed from the first wave in that it originated in countries without any historical, cultural or linguistic ties to Portugal. The literature describes the turn of the millennium as a point of rupture with the pattern of immigration observed since the Carnation Revolution (Peixoto, 2007). Economic growth and the dramatic expansion observed in the construction and public works sector, coupled with a high emigration rate among national unskilled workers, encouraged the migration of citizens from Eastern Europe to Portugal. Given the immense inbound migratory pressure, the Portuguese Government, through Decree-Law No. 4/2001, created the regime of residence permits for foreign citizens who had an irregular

status but were economically active at the time. Between 2001 and 2002, 174,558 authorisations were granted (Carvalho, 2009: 92). The total number of residents with foreign nationality went from 2.01% of the total population in 2000 to 3.94% in 2005 (Baganha, 2005; Peixoto, 2007; Peixoto *et al.*, 2009).

The third wave of immigration, which began in the middle of the first decade of the new millennium, coincides with the end of the major public works projects, the start of the economic recession, and a greater efficiency of the mechanisms for controlling illegal immigration (Peixoto, 2007). Starting in 2004, a stagnation of the immigrant population in Portugal was observed, resulting from the decline in the population from Eastern Europe, the stabilisation of the community of citizens from the PALOP, and the sustained migratory flows from Brazil. This pattern can be analysed in light of three events. Firstly, Decree-Law No. 34/2003 established a maximum annual ceiling for the number of labour immigrants entering the country, justified as a means of achieving a better integration of legal immigrants in Portuguese society. Secondly, also in 2003, a reciprocal-contracting agreement between Portugal and Brazil was signed, allowing for the regularization of Brazilians irregularly residing in Portugal and vice versa. Thirdly, the Enabling Decree No. 6/2004 allowed for the regularization of immigrants who were active in the labour market and who were able to prove they had paid Social Security contributions in at least the 90 days prior to the law coming into effect (Baganha, 2005; Carvalho, 2009; Peixoto *et al.*, 2009).

At the end of the first decade of the 21st century, a continuous decline in the immigrant community in Portugal was observed, a reflection of the economic crisis that befell the country. In 2009, the number of foreign citizens residing in the country was 454,191, which decreased to 388,731 by 2015 (Borrego, 2016). Ever since, labour immigration in Portugal has been characterized primarily by its seasonality, coinciding with the harvest periods of the various agricultural crops. This phenomenon is spread out across several of the country's regions, although it has greater incidence in Alentejo. For the most part, immigrants originate in Asian countries such as Bangladesh, India, Nepal and Pakistan, and also in Eastern European countries such as Bulgaria and Romania⁵.

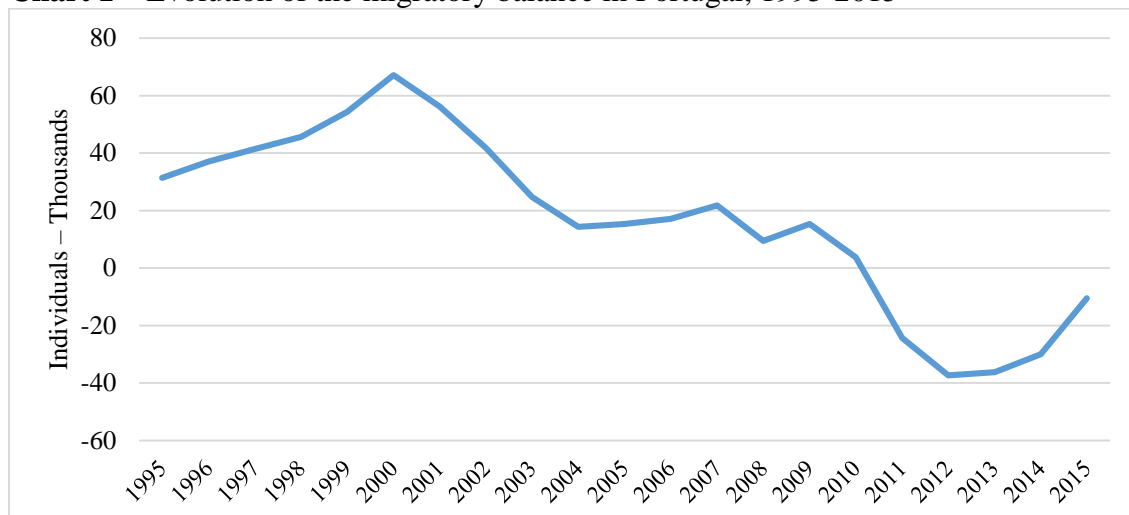
⁵ With respect to this, refer to the following articles published in the news media: <http://www.dn.pt/portugal/interior/escravatura-no-alqueva-denunciada-por-autarca-da-vidigueira-5612575.html> e <https://www.publico.pt/local-lisboa/jornal/imigracao-no-baixo-alentejo-ameaca-tornarse-um-grave-problema-social-25644075>.

In this context, the issue of immigration has not taken on a significant dimension in the Portuguese political agenda, and some preliminary conclusions can be drawn with regards to the history of immigration in this country. Firstly, compared to other European states, the number of immigrants in Portugal appears to be quite residual (Oliveira, Carvalhais and Cancela, 2014: 3). Nevertheless, this phenomenon has grown considerably since the transition to democracy. According to the latest censuses, foreigners residing in Portugal represented 3.7% of the country's total residents in 2011, compared to 2.2% in 2001, and 1.1% in 1991 (Delgado *et al.*, 2014).

As for the migratory balance⁶ between 1995 and 2015, the number of immigrants in Portugal was higher than the number of Portuguese emigrants up until 2010 (Chart 1). However, the difference between immigration and emigration remained relatively low, never exceeding 70,000 individuals. This difference was more marked at the end of the 1990s and the beginning of the new millennium, when there was a simultaneous increase in the number of immigrants from the East and the rate of emigration of unskilled workers. The reversal of this pattern in 2010 is due to both the decline in the immigrant community and the increase in Portuguese emigrants. On the one hand, the nationality law – Organic Law No. 2/2006 – which came into force with Decree-Law No. 237A/2006, boosted and encouraged the acquisition of Portuguese nationality by immigrants and children of immigrants (Healy, 2011). On the other hand, the economic crisis that befell the country in 2008 was reflected in a decline in the number of immigrants (Borrego, 2016) as well as an increase in the number of emigrants.

⁶ This refers to the difference between the number of immigrants and the number of emigrants in a given country over a given period.

Chart 1 – Evolution of the migratory balance in Portugal, 1995-2015



Source: PORDATA, 2017.

Secondly, there is a positive relationship between the changes in legislation and/or the extraordinary regularisation processes and the three phases of immigration outlined. As has been demonstrated, the production of legislation concerning the issue of immigration seems to have adapted to the various immigration flows and contexts that have been observed in Portugal's recent history (Baganha, 2005; Carvalho, 2009; Peixoto *et al.*, 2009).

Thirdly, as evidenced above, much of the legislation adopted on the issue of immigration complied with foreign policy objectives and, above all, with the needs of the labour market. The development of the legislation was related to the process of transition to democracy and/or to the incorporation of international directives into national legislation resulting from the process of European integration. Equally, the liberal policy regarding the regulation of irregular labour flows is related to the labour pressure caused by emigration of Portuguese unskilled labour. In other words, immigration into Portugal served to meet the needs of the labour market, since the immigrants came to fill the positions left by the Portuguese who made the decision to emigrate (Baganha, 2005; Carvalho, 2009: 38; Carvalho, 2017). As such, there wasn't strong labour competition between nationals and immigrants.

3. Political Opportunity Structure

Taking into consideration the relationship between the POS and the potential politicization of the topic of immigration in Portugal, this section examines how the general characteristics of the national political system conditioned the actions of political actors between 1995 and 2015. I.e. this analysis deals with the way in which the POS encourages or discourages political claims-making by anti and pro-immigration groups regarding immigration. In other words, this section explores the structural characteristics of the political system which are capable of encouraging the politicization of the debate surrounding immigration and the integration of immigrants.

a. General Openness of the Political System and Significant Access Points

In Political Science, the terms “balance of power” and federalism are simultaneously used. However, in democracy, there are different degrees of federalism according to the division of powers between the central government and the other entities of regional/local government. Arend Lijphart, in his 1999 seminal work *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, classifies Portugal as a “unitary and centralized” state. Likewise, in Article 6 of the Constitution of the Portuguese Republic (CPR), the Portuguese State is defined as being unitary, based on the principles of autonomy of local authorities and the democratic decentralization of public services. Therefore, there are fewer openings in the political system conducive to the emergence of groups capable of capitalizing on and politicizing the issue of immigration.

Although Portugal is coined as a “unitary” state, some transfer of power exists between the central government and the other regional/local authorities, with these having competencies and functions of their own. At the central level, in Portugal, power is under the control of the President of the Republic, the Government and the Assembly of the Republic (*Assembleia da República*). At the regional level, it is under the control of the Legislative Assemblies (*Assembleias Legislativas*) of the autonomous regions of the Azores and Madeira, and, at the local level, it falls to the Municipal Chambers (*Câmaras Municipais*), the Municipal Assemblies (*Assembleias Municipais*) and the Parish Assemblies (*Assembleias de Freguesia*).

i. *Central Government*

In the study by Lijphart (1999), Portugal is characterized as a semi-presidential system. However, it assumes unique outlines, since the President of the Republic does not have executive powers *per se*, the Government does. When the CPR was revised in 1982, the President's powers were severely restricted (Magalhães, 2011). The President is primarily tasked with a representative role, veto power, and the authority to dissolve the Assembly of the Republic. The President of the Republic is the head of state and must guarantee national independence, the unity of the state, as well as the regular functioning of political institutions⁷. The election for this office is carried out through a two-round majority system, and the candidate that obtains more than half of the votes cast and validated in the first round is appointed. When this is not the case, a new election is held with the two most voted-for candidates from the first round. Throughout the Third Portuguese Republic, all presidents (with the exception of Ramalho Eanes – 1976-1986) had links to and received the support of the two main political parties: the PS (Mário Soares – 1986-1996 and Jorge Sampaio – 1996-2006) and the PSD (Aníbal Cavaco Silva – 2006-2016 and Marcelo Rebelo de Sousa – 2016-present).

In the presidential elections, the requirement to obtain an absolute majority encourages the election of centrist candidates. In this sense, candidates who represent more extremist stances and who prioritize immigration on their political agenda can hardly resonate with public opinion. Also, another inhibiting factor for the election of these candidates to this post is tied to the requirement for at least 7500 signatures to be collected for the candidacy to be formalized. In the case of more extremist and/or lesser-known candidates, this requirement can serve as an obstacle to their candidacy⁸. For example, José Pinto Coelho, leader of the PNR, found this requirement to collect signatures to be an obstacle to his eventual candidacy. Presidential elections are more personalized, being more focused on the candidates than on the parties that may support them, and, consequently, may benefit candidates outside the mainstream party spectrum. However, there has never been a political figure in Portugal with any chance of being elected to this office whose political agenda defended anti or pro-immigration stances.

⁷ With respect to this, refer to <http://www.presidencia.pt/comandantesupremo/?idc=301>.

⁸ With respect to this, refer to <http://www.pnr.pt/2010/12/morrer-na-praia-a-candidatura-presidencial-que-nao-se-concretizou/>.

The Government of the Portuguese Republic is the highest entity of the public administration and the executive body that conducts the country's political activity. The Prime Minister, appointed by the President of the Republic, has the power to appoint his own ministers. The Government answers to the President of the Republic and the Portuguese parliament⁹. The duties of the parliament – called Assembly of the Republic – include the role of political representation, legislative power and oversight of the executive. This legislative body must legislate, approve and ensure compliance with the fundamental laws of the Republic, as well as oversee the actions of the Government and the Administration¹⁰.

The 230 members of the Assembly of the Portuguese Republic are elected by 22 constituencies (*círculos eleitorais*), corresponding to the 18 districts of mainland Portugal, the two autonomous regions – the Azores and Madeira – and two additional constituencies, one for nationals residing in European countries, and another for those residing in foreign countries outside Europe. Votes are converted into mandates through the d'Hondt method, under the system of proportional representation in force. There is no minimum election threshold, and, as such, the electoral law does not prescribe a minimum percentage of votes for a party to be able to gain parliamentary representation (Cruz, 1995; Jalali, 2007; Freire *et al.*, 2008; Sampaio, 2009). However, the BE was able to gain entry into parliament with 2.44% and 2.81% of the votes in 1999 and 2002, respectively.

Conceived in a context of transition to democracy and after almost half a century under a dictatorial regime, the Portuguese electoral system was primarily aimed at avoiding majority control by a single party (Cruz, 1995; Jalali, 2007). Concomitantly, the Portuguese electoral system has been described as proportional, mainly due to the high average electoral magnitude of its constituencies. However, this average value hides the high disparity in the number of members elected by each constituency, whereby 47 members of parliament are elected in Lisbon compared to only 2 in Portalegre. Additionally, the d'Hondt method, being a formula that uses the highest average, allows the Portuguese electoral system to favour the large parties (Cruz, 1995; Jalali, 2007; Freire *et al.*, 2008; Sampaio, 2009).

⁹ With respect to this, refer to: <http://www.portugal.gov.pt/pt.aspx>.

¹⁰ With respect to this, refer to: <https://www.parlamento.pt/Paginas/default.aspx>.

Although it does not present the barriers identified in majority systems, the Portuguese electoral system favours the large parties. Consequently, the small parties – the parties at the fringes of the ideological spectrum – tend to be excluded and see the electoral system as one of the main barriers to their election. As shown in Table 1, the effective number of parliamentary parties between 1995 and 2015 seems to confirm the tendency expressed in the literature, that Portuguese parliamentary activity is centred around the two major parties: the PS and the PSD (Lisi, 2015; Jalali, 2007; Freire, 2006). In turn, the disproportionality index figures serve as evidence that assists in the explaining the exclusion of the small parties from parliamentary activity in Portugal (Table 1). As a term of comparison, between 1995 and 2015, the average disproportionality of the Dutch electoral system, considered one of the most proportionate systems, is set at a value of 1.01. For the same period, the average disproportionality of the British electoral system, regarded as one of the most disproportionate systems, stands at 16.53 (Gallagher, 2015).

Table 1 – The effective number of parliamentary parties (ENP) and the disproportionality of the electoral system (LSq¹¹) in the legislative elections, 1995 - 2015

Portugal	1995	1999	2002	2005	2009	2011	2015
ENP	2,55	2,61	2,5	2,56	3,13	2,93	2,86
LSq	4,60	4,90	4,64	5,75	5,63	5,68	5,65

Source: Author’s own work based on Gallagher, 2015.

The situation described above has been particularly visible in districts with lower magnitude and higher disproportionality (Jalali, 2007: 264-308). Thus, the possibility of anti or pro-immigration parties being elected differs among the various constituencies, not being the same in Lisbon and Portalegre, for example. These parties have a greater prospect of being elected in higher-magnitude constituencies, since there is a positive relationship between the magnitude of the district and the possibility of getting a member of parliament elected with a smaller number of votes. For example, the *Pessoas-Animais-Natureza* (PAN) party obtained 75,170 votes (1.39%) at the national level in the 2015 legislative elections yet managed to elect a member to the Assembly of the Republic for the Lisbon constituency, where it secured 22.628 votes (1.96%). In the constituency of Portalegre, the parliamentary coalition CDU obtained 7,184 votes (12.18%) and failed to get any member of parliament elected (CNE, 2015).

¹¹ *Least squares index.*

In the Portuguese case, the Lisbon and Porto constituencies register higher values of electoral magnitude. Consequently, the disproportionality index values are lower in these two constituencies compared to the national figures (Table 2). Lisbon, in addition to being the constituency with the highest magnitude and lowest disproportionality, is also the district where the vast majority of the immigrant population in Portugal reside and work. Therefore, in these two constituencies, but especially in the capital, there's a greater possibility for anti or pro-immigration movements capable of politicizing this issue to arise and succeed. Despite this, that has not been the case.

Table 2 – The effective number of parliamentary parties (ENP) and the disproportionality of the electoral system (LSq) in the Lisbon and Porto constituencies, 1995 - 2015

	1995	1999	2002	2005	2009	2011	2015
Lisbon							
NEPP	2,9	3,07	3,03	3,16	3,81	3,66	3,16
LSq	2,47	2,64	2	1,99	2,13	2,71	3,46
Porto							
NEPP	2,57	2,52	2,46	2,6	3,06	2,99	2,93
LSq	1,28	2,94	3,66	3,44	2,83	3,14	3,09

Source: Author's own work based on Gallagher, 2015.

ii. *Regional Government*

There are two autonomous regions in Portugal, corresponding to the two national archipelagos: the Azores and Madeira. They enjoy their own political and administrative status, as well as their own parliament and government. However, their legislative power is restricted to matters of specific interest to the region (Oliveira, Carvalhais and Cancela, 2014: 13). The Legislative Assemblies of both regions are composed of members elected to four-year terms by their constituencies through universal, direct and secret suffrage. In both regions, the system of proportional representation is in force, using the d'Hondt method, where the Portuguese citizens registered in each respective region are eligible (Table 3). The Portuguese citizens registered in the electoral census of their respective area are entitled to vote¹².

¹² With respect to this, refer to: <http://www.cne.pt/content/assembleias-legislativas-regionais>.

Table 3 – Electoral system in the autonomous regions of Azores and Madeira

	Azores	Madeira
Parliamentary Seats	57	47
Electoral System	Proportional	Proportional
Constituencies	9 (corresponding to each of the islands) + 1 regional constituency as compensation	1 regional constituency
Electoral Formula	D'Hondt method	D'Hondt method
Election Threshold	Non-existent	Non-existent

Source: <http://www.cne.pt/content/assembleias-legislativas-regionais>.

In the Azores¹³, the PS was the winning party in all the regional elections held between 1995 and 2015. In Madeira¹⁴, during the same period, elections have been dominated by the PSD, with this party having obtained an absolute majority in all of them. Between 1995 and 2015, none of these assemblies included nationalist parties and/or parties which might use the topic of immigration as a fundamental part of their platform. As with the electoral law in force for the election of the Assembly of the Republic, the electoral law for the election of these two regional assemblies seems to favour the large parties.

iii. Local Government

In Portugal, there are 308 municipalities, each governed by a representative collegiate body of the municipality – Municipal Chamber –, led by a President of the Chamber. The municipalities, in turn, are comprised of civil Parishes (*Freguesias*), led by the Presidents of the Parish Councils (*Juntas de Freguesia*). Local elections include the election of the following bodies: Municipal Chamber, Municipal Assembly and Parish Assembly.

The Municipal Assembly, the representative body of the municipality with deliberative powers, is composed of directly elected members and the Parish Council presidents. The number of directly elected members must be higher than the number of Parish Council presidents and must never be smaller than triple the number of members of the respective Municipal Chamber. These are elected through universal and direct suffrage by voters registered in the respective area, through the system of proportional

¹³ With respect to this, refer to: www.alra.pt.

¹⁴ With respect to this, refer to: www.alram.pt.

representation, to four-year terms. The Municipal Chamber, an executive body, is made up of a President, the first candidate on the most voted-for list of candidates, and aldermen (*vereadores*). These are elected to four-year terms through universal and direct suffrage by voters who reside and are registered in the area of the municipality, using the d'Hondt method. The number of aldermen varies depending on the number of citizens registered in the electoral roll.

The Parish Assembly is the deliberative body of the Parish. Its election to a four-year term is carried out through universal and direct suffrage by the constituents of the respective geographical area, using the d'Hondt method. As occurs with the Municipal Chamber, the number of members who make up the Parish Assembly varies depending on the number of voters. With regards to the Parish Council, the President corresponds to the first candidate on the most voted-for list of candidates in the election for the Parish Assembly. The remaining members of this executive, known as *vogais*, are elected by the Parish Assembly from among its members.

There are no Presidents of Municipal Chambers or Parish Councils from anti or pro-immigration parties or who have a background connected to immigration. However, some immigrants can be found among the members of Municipal Assemblies and Parish Assemblies. For example: Arlindo Barradas, born in Cape Verde, was elected as a member of the Oeiras Municipal Assembly. Lívio de Moraes, born in Mozambique, but, in the meantime, naturalized Portuguese, was elected President of the Cacém Parish Assembly in 2001. Manuel Correia, born in Cape Verde but with Portuguese nationality, was elected 4 times as a member of the Loures Municipal Assembly (Oliveira, Carvalhais and Cancela, 2014).

iv. European Parliament

Portugal has been part of the “European project” since 1986. The elections for the European Parliament (EP) are generally considered secondary elections, because, compared to the legislative or the presidential elections, they are considered by the voters to be less important. In general terms, the elections for this supranational parliament are characterized by low levels of electoral participation and by being favourable to protest parties or parties positioned on the side-lines of the party system. As such, voters use these elections as a way of punishing the party or parties in government (Norris, 1997; Schmitt and Teperoglou, 2015). Although, generally, the parties elected to the EP are the

same ones elected to the National Assembly, these elections, given their exceptional character, may serve as a vehicle for the election of more extremist parties or parties on the side-lines of the party system. This was the case with the *MPT-Partido da Terra*, which, with 234,788 votes (7.15%), had two members elected in 2014 (CNE, 2014). This party has never been able to get members elected to the national parliament, serving to demonstrate the protest character assumed by these elections (Freire and Santana-Pereira, 2015).

For the EP elections, an electoral system of proportional representation has been adopted¹⁵. At least theoretically, this electoral system is more favourable to small parties than the one adopted for the legislative elections. The 21 Portuguese MEPs are elected by a national plurinominal constituency, with the entire national territory constituting a single plurinominal constituency. As occurs with the other elections, with the exception of the presidential elections, the conversion of the votes into seats is carried out using to the d'Hondt method (Freire and Santana-Pereira, 2015). However, as shown in Table 4, the figures for the number of parties in parliament and the disproportionality of the electoral system are quite similar in the European and legislative elections, albeit slightly lower in the case of the former. The small number of EP seats to be filled by Portuguese members justifies the levels of disproportionality in these elections. Thus, compared to the legislative elections, the European elections do not appear to be a preferred vehicle for the election of small parties, potentially anti or pro-immigration parties capable of politicizing the issue of immigration.

Table 4 – The effective number of parliamentary parties (ENP) and the disproportionality of the electoral system (LSq) in the European elections, 1999 - 2014

Portugal	1999	2004	2009	2014
ENP	2,68	2,5	3,72	3,47
LSq	4,41	3,66	4,09	4,80

Source: Author's own work based on election results.

v. *Referendum*

Regarding referendums, Vatter (2009) differentiates between “controlled referendums”, proposed by the Government or by a majority of parliament, and

¹⁵ With respect to this, refer to: <http://www.cne.pt/content/parlamento-europeu>.

“uncontrolled referendums”, proposed by non-governmental actors or by a minority of parliament. In Portugal, both are viable and consistent with the country’s three possible modalities of referendum: national, regional and local. As for national referendums, since 1997, they can be proposed by groups of citizens, as well as by the Assembly of the Republic and the Government. The responsibility of calling them lies with the President of the Republic. To date, there have been three referendums/plebiscites: two on the decriminalization of the voluntary termination of pregnancy (1998 and 2007) and one on regionalisation (1998). None of them had a binding character, since electoral participation never reached the required 50% (Freire and Baum, 2001). As for regional referendums, these are proposed by the Regional Assembly and convened by the President of the Republic. Lastly, local referendums can be proposed by the Municipal Assembly, the Municipal Chamber, the Parish Assembly, the Parish Council, or groups of citizens registered in that area. These are called by the President of the Municipal Chamber¹⁶.

The possibility of popular initiative regarding the proposal of a referendum could eventually encourage the politicization of immigration in the public sphere. However, the requirement to collect a minimum of 75,000 signatures to call for a referendum initiative, despite corresponding to about 0.75% of the Portuguese population, can make it impossible for more extremist voices, with either anti and pro-immigration attitudes, to be able to call for referendums on matters pertaining to immigration. Consequently, the politicization of this issue, in Portugal, will unlikely be associated with referendums.

vi. *Other Significant Access Points*

In the political system, there are some significant access points through which it is possible to participate in the debates and legislative processes relating to the issue of immigration. These are considered to be a specific opening in the POS of the Portuguese case. In this respect, this subsection will deal with the analysis of the institutional structure which is responsible for immigration policy, the rights of immigrants, and the existence of mechanisms that facilitate the political integration of the foreign community.

With regards to the institutional structure responsible for the policy of flow control, the responsibility for implementing the legislation related to immigration control and asylum lies with the Immigration and Borders Service (*Serviço de Estrangeiros e*

¹⁶ With respect to this, refer to: <http://www.cne.pt/content/referendo>.

Fronteiras) (SEF)¹⁷, hierarchically subordinate to the Ministry of Internal Administration. Following the Carnation Revolution, in November 1974, the *Direção de Serviços e Estrangeiros* (DSE) was created and given administrative autonomy, having changed its name to *Serviço de Estrangeiros* (SE) in June 1976. In 1986, the SE was replaced by the SEF, which became responsible for controlling the movement of people at the Portuguese borders, as well as their stay, residence, activity and expulsion from the country.

Still on the topic of institutions, at the central governmental level, 1996 marked a decisive milestone regarding the issue of the integration of the immigrant population, as it was in that year that the post of the High Commissioner for Immigration and Ethnic Minorities (*Alto Comissário para a Imigração e Minorias Étnicas*) was introduced. In 2002, the High Commission for Immigration and Ethnic Minorities (*Alto Comissariado para a Imigração e Minorias Étnicas*) (ACIME) was created, a government entity with a greater scope and funding, whose purpose was to address the issues related to immigrant integration. In 2007, this body was replaced by the High Commission for Immigration and Intercultural Dialogue (*Alto Comissariado para a Imigração e Diálogo Intercultural*) (ACIDI), which, like the ACIME, aimed to promote dialogue between the various cultures, ethnicities and religions through public policies favourable to the integration of immigrants and ethnic minorities (Peixoto *et al.*, 2009). In 2014, the ACIDI was renamed, with the High Commission for Migrations (*Alto Comissariado para as Migrações*) (ACM)¹⁸ being established in its place, maintaining the same responsibilities.

At local level, in the 1990s, Municipal Councils (*Conselhos Municipais*) were created for communities of immigrants and ethnic minorities. Since 1993, there have been some efforts to integrate these communities on the part of several municipalities, such as Lisbon, Loures, Amadora, Santarém and Porto. These advisory bodies have exerted influence in various areas of the legislative process, notably at the socio-economic, cultural and political-legal levels (Possidónio, 2006; Dionísio, 2009).

As for the rights and duties of immigrants, these are laid out in the CPR. Article 15.1 guarantees foreigners and stateless persons residing in the country the same rights and duties as those granted to national citizens. However, according to Article 15.2,

¹⁷ SEF official website: <http://www.sef.pt/portal/v10/PT.aspx/page.aspx>.

¹⁸ ACM official website: <http://www.acm.gov.pt/inicio>.

foreigners are denied “political rights, the exercise of public roles which aren’t of a predominantly technical character and the rights and duties reserved by the Constitution and the Law solely to Portuguese citizens.”

In Article 15.3 of the CPR, citizens of foreign states where Portuguese is the official language, who are permanently residing in Portugal and who fall under conditions of reciprocity, are guaranteed rights not conferred to foreigners of other origins. These rights concern political rights, specifically the right to vote in local elections¹⁹. However, as far as political rights are concerned, these citizens are excluded from access to the posts of President of the Republic, President of the Assembly of the Republic, Prime Minister, President of the supreme courts, and from serving in the Armed Forces and in diplomatic careers. The relevance of historical ties and the colonial past is expressed in this article, as there is positive discrimination towards the Lusophone communities (Oliveira and Carvalhais, 2017: 793-796).

The opportunities for foreign citizens to participate in national elections are restricted. Due to legal constraints²⁰, they can only vote and compete in local elections under a regime of reciprocity²¹ (Table 5). Currently, Portugal has reciprocity agreements with the following countries: Brazil, Cape Verde, Argentina, Chile, Colombia, Iceland, Norway, New Zealand, Peru, Uruguay and Venezuela. However, there are differences between the rights recognised to foreign nationals from Portuguese-speaking countries and those from the other countries covered by the reciprocity regime. Foreign nationals from Portuguese-speaking countries can vote after two years of residing in the country and run for offices in Parish Councils and/or Municipal Chambers after four years. For citizens from the other countries covered by the reciprocity regime, it takes three and five years to vote and run, respectively (Zobel and Barbosa, 2011; Oliveira, Carvalhais and Cancela, 2014; Oliveira and Carvalhais, 2017).

Following the Treaty of Friendship, Cooperation and Consultation (*Tratado de Amizade, Cooperação e Consulta*) between the Portuguese Republic and the Federative Republic of Brazil, signed in 2000, Brazilian citizens residing in Portugal have their

¹⁹ With respect to this, refer to the report that corresponds to this research project’s WP3 – “Immigrants’ Rights in Portugal” –, authored by Filipa Pinho. Report available at: https://sompportugal.files.wordpress.com/2016/10/wp3_pt.pdf.

²⁰ With respect to this, refer to Article 15.4 of the CPR.

²¹ The right to vote is granted to foreigners from a given country on the condition that the same right is granted to Portuguese citizens residing in that country.

political rights broadened, including the right to cast votes in all elections (Pinho, 2017). Through this bilateral agreement, those who request the “special status of equal political rights” can vote in the Portuguese presidential elections, although they cannot be candidates for President, and can vote and run for the Assembly of the Republic (Table 5). Consequently, Brazilians who voluntarily request this special status have their equivalent Brazilian political rights temporarily suspended (Oliveira, Carvalhais and Cancela, 2014: 15-20).

Table 5 – Access and election to public offices in the Portuguese political system

		Who can vote?	Who can run as a candidate?
Presidential Elections	President of the Republic	Portuguese citizens and Brazilian citizens who have requested the special status of equal political rights	Portuguese citizens over the age of 35
Legislative Elections	Members of the Assembly of the Republic	Portuguese citizens and Brazilian citizens who have requested the special status of equal political rights	Portuguese citizens and Brazilian citizens who have requested the special status of equal political rights
	Ministers	Appointed by the Prime Minister	Portuguese citizens and Brazilian citizens who have requested the special status of equal political rights
Local Elections	President of the Municipal Chamber, Members of the Municipal Assembly and	Portuguese citizens, EU citizens and citizens of countries with which Portugal has treaties (Brazil, Cape Verde, Argentina, Chile, Colombia, Iceland, Norway, New	Portuguese citizens, EU citizens and citizens of countries with which Portugal has treaties (Brazil, Cape Verde, Argentina, Chile, Colombia, Iceland, Norway, New Zealand,

	President of the Parish Council	Zealand, Peru, Uruguay and Venezuela)	Peru, Uruguay and Venezuela)
European Elections	Member of the European Parliament	Portuguese citizens, Brazilian citizens who have requested the special status of equal political rights and EU citizens	Portuguese citizens, Brazilian citizens who have requested the special status of equal political rights and EU citizens

Source: Author's own work based on Oliveira, Carvalhais and Cancela, 2014: 14; Oliveira and Carvalhais, 2017; Pinho, 2017.

As for the existence of mechanisms to facilitate the political integration of the foreign community in Portugal, political parties, as central actors in the relationship between civil society and the State, constitute a vehicle capable of promoting the political participation of immigrants. With the exception of the PCP and the PEV, all other relevant parties in the Portuguese party system make mention of the formal and legal requirements for the admission of foreigners as members. In general terms, all foreigners in possession of their electoral and political rights can be affiliated with the Portuguese parties PSD, CDS-PP, PS and BE. In the case of the PCP and the PEV, ideology is the sole criterion for affiliation, i.e. its members must agree with the parties' electoral platforms (Oliveira, Carvalhais and Cancela, 2014: 20-23; Oliveira and Carvalhais, 2017: 796-799).

b. Allies and Support

As mentioned above, in Portugal, there is no relevant party with explicit anti-immigration positions. However, the main Portuguese political parties are political actors which, depending on their ideological background and electoral weight, can take on the role of allies of anti or pro-immigration movements. That is to say, they can create ties with these movements and bring their concerns to the parliamentary debate, influencing the legislative process. Equally, the civil society movements, depending on their structure and social implementation, can exert influence on the institutions of power and on the legislative process. This section analyses the political parties (according to their presence in parliament and/or in the Government) and the civil society movements in Portugal, considering their potential contribution to the emergence of groups capable of politicizing the issue of immigration.

i. Parliament

By reading Table 6 and Chart 2, we can conclude that the Portuguese Parliament was mainly composed of left-wing parties between 1995 and 2015. Percentagewise, the left held a majority in the Assembly of the Republic for more years and, between 2005 and 2009, held the highest percentage of parliamentary seats (62.2%) ever recorded by either of the two political camps. Given this evidence, investigation is required of the weight of the small parties in the legislative process, as well as their ability to influence political activity. On the right side of the ideological spectrum, the CDS-PP has been able to exert its influence, as it has formed part, along with the PSD, of two majority governments. On the left, the CDU party coalition and the BE, together, had a parliamentary representation of around 8% in 1999 and 15% in 2015. Although these two parties have never formed part of a government, they have political and parliamentary room to politicize, among other issues, the issue of immigration. This assumption is particularly valid in the case of the BE, as this party delves into post-modern and citizenship-related issues.

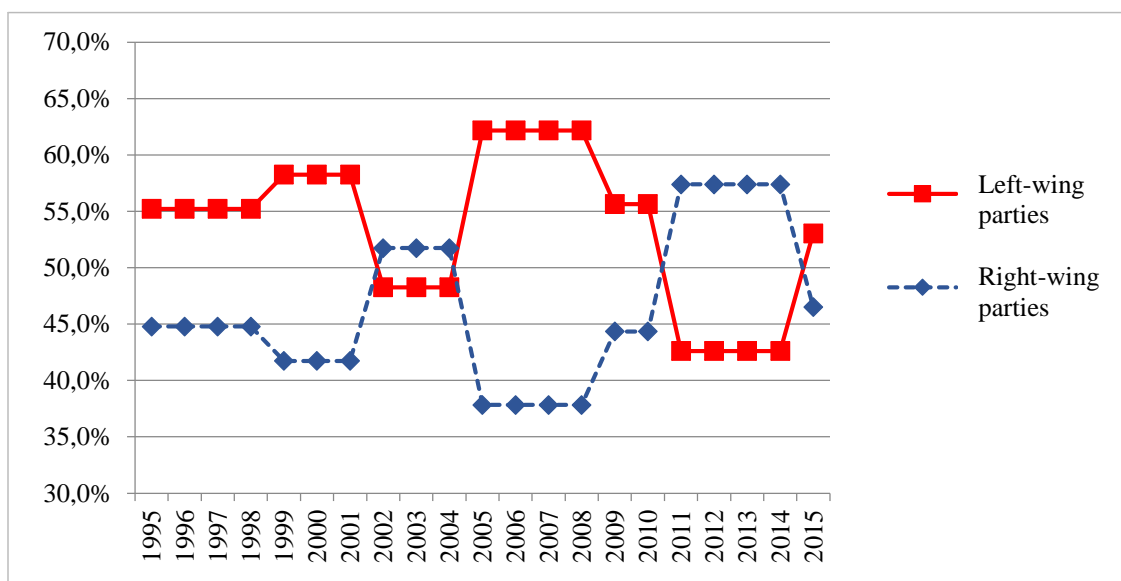
Table 6 – Number and percentage of parliamentary seats by party, 1995-2015

	1995	1999	2002	2005	2009	2011	2015
PS	112 (49%)	115 (50%)	96 (42%)	121 (53%)	97 (42%)	74 (32%)	86 (37%)
PSD	88 (38%)	81 (35%)	105 (46%)	75 (33%)	81 (35%)	108 (47%)	107 (47%)*
CSD-PP	15 (7%)	15 (7%)	14 (6%)	12 (5%)	21 (9%)	24 (10%)	
CDU (party coalition)	15 (7%)	17 (7%)	12 (5%)	14 (6%)	15 (7%)	16 (7%)	17 (7%)
BE	-	2 (1%)	3 (1%)	8 (3%)	16 (7%)	8 (3%)	19 (8%)

Source: Author's own work with recourse to national election results.

*: PàF (Portugal à Frente).

Chart 2 – Percentage of seats in parliament for left-wing and right-wing parties, 1995-2015



Source: Author’s own work with recourse to national election results.

Members of parliament may also act as representatives or allies of certain specific groups within society. In this sense, those who are immigrants or who have a family background linked to immigration may be a vehicle for boosting the politicization of these issues, just as they may be the representatives of these issues in the political arena. However, and as previously pointed out, the foreign population, with the aforementioned Brazilian exception, can only cast votes and run in local elections, as provided for in Article 15.4 of the CPR.

With regards to the composition of the Portuguese parliament, in the current legislature, only Helder Amaral, a member of parliament for the CDS-PP since 2002, has foreign ancestry, specifically Angolan. However, the parliamentary activity of this member has not focused on issues related to immigration or racism. Other than that, it was Celeste Correia, a member of parliament for the PS of Cape Verdean descent, who carried the immigration torch between 1995 and 2015. During the years that she was active in parliament, she was involved in the elaboration and passage of important policies for the integration of immigrants in Portugal, such as the legislation pertaining to the financial assistance of immigrant associations, the reform of the citizenship legislation and the creation of the ACIDI (Oliveira, Carvalhais and Cancela, 2014).

ii. Government

In the analysed timeframe (1995-2015), there were seven legislative elections in Portugal. These ballots resulted in five PS governments and two formed by a PSD/CDS-PP coalition. From these elections, and according to Table 7, we can infer patterns for the period 1995-2015. Firstly, most governments were formed by the PS. With the exception of José Socrates' majority government (2005-2009), these were minority governments²². Secondly, in the two terms led by right-wing governments, those governments were both formed by a coalition between the two right-wing parties with parliamentary representation in Portugal, the PSD and the CDS-PP. Contrary to what happened with the left-wing governments, neither of the two PSD/CDS-PP coalition governments was a minority government, both of them having held an absolute majority in Parliament.

Table 7 represents the percentage of seats in government by party, including and excluding independent ministers. A first analysis of these data leads us to conclude, as has been broadly outlined in the literature, that political activity in Portugal centres around strong competition between the two main parties, the PS and the PSD (Freire, 2006; Jalali, 2007; Lisi, 2015). However, two patterns should be highlighted, as they can serve as access points for the politicization of other issues. First, minority governments in Portugal are not associated with major instability in governance. All of them completed their four-year term, with the exception of the second PS Governments led by António Guterres (1999-2002) and José Socrates (2009-2011). In both these cases, the Assembly of the Republic was dissolved after the Prime Minister resigned, and new elections were called. While it is difficult for small parties to gain representation in the Government, these are able to influence political activity because the Government needs their votes in the parliament. Second, independent ministers, as political actors, can bring new topics to the public discussion, becoming responsible for their politicization. In the Portuguese

²² The current Government, led by António Costa, takes on peculiar contours. For the first time in the history of Portuguese democracy, the party/coalition that won the elections did not form a government. After a four-year term as a coalition government, the PSD and the CDS-PP ran as a coalition in the 2015 legislative elections under the name PàF. This coalition won the election with 36.86% of the vote (CNE, 2015). However, its government platform was not approved by the parliament, where the left-wing parties hold the majority of parliamentary seats. Thereupon, the right-wing Government was dissolved, and a minority PS Government was formed. This new Government has the parliamentary support of all the parties on the left (the PS, the CDU coalition and the BE), which is unprecedented in Portugal (Jalali, 2017).

governmental spectrum, between 1995 and 2015, the PS governments had more independent ministers than the PSD/CDS-PP governments (Table 7).

Table 7 – Percentage of seats in Government by party, including and excluding independent ministers, 1995-2015

	1995	1999	2002	2005	2009	2011	2015
PS	66% (96%) Minority Government	69% (100%) Minority Government	0% (0%)	48% (100%) Majority Government	47% (100%) Minority Government	0% (0%)	61% (100%) Minority Government
PSD	3% (4%)	0% (0%)	75% (87%) Governing coalition	0% (0%)	0% (0%)	45% (61%) Governing coalition	0% (0%)
CSD-PP	0% (0%)	0% (0%)	11% (13%) Governing coalition	0% (0%)	0% (0%)	29% (39%) Governing coalition	0% (0%)
CDU (party coalition)	0% (0%)	0% (0%)	0% (0%)	0% (0%)	0% (0%)	0% (0%)	0% (0%) Parliamentary support
BE	-	0% (0%)	0% (0%)	0% (0%)	0% (0%)	0% (0%)	0% (0%) Parliamentary support
Indep.	31%	31%	14%	52%	53%	26%	39%

Source: Author's own work.

Note: The percentages in between parentheses correspond to the percentage of seats in Government held by each party, excluding independent ministers.

At the Government level, António Costa, current Prime Minister and former President of the Municipal Chamber of Lisbon, has Indian ancestry. Also part of the current executive is Francisca Van Dunen, the Minister of Justice, who is of Angolan descent and who, at the start of the new millennium, was the Portuguese representative on the administration of the European Monitoring Centre on Racism and Xenophobia. However, these two members of the current government have not distinguished themselves by their interest and/or influence in the politicization of immigration.

iii. Civil Society

Aside from the political parties, there are some groups in civil society that can make political claims in the public sphere regarding immigration and encourage the emergence of politicization around this topic. The immigrant associations in Portugal are characterized mainly as being spaces of belonging and the preservation of the emotional connections with the country of origin. Likewise, they are a platform in the process of

integration of the immigrant community. These organisations also take on the role of defenders and promoters of the rights of immigrants, namely with regards to the acquisition of citizenship rights (Cabral and Ferreira, 2009).

The evolution of immigrant associations in Portugal is related to the evolution of the patterns of immigration in the country and can be split into three phases (Albuquerque *et al.*, 2000; Sardinha, 2009). The first phase took place between the mid-1970s and the late 1980s and concerns emergency intervention. During this period, the associations that emerged assumed an informal character, and meeting the basic needs of immigrants was their main objective. Most of these associations were the initiative of groups of Portuguese citizens who were moved by immigrants' poor living conditions. The second phase took place during the first half of the 1990s and refers to the promotion of the social, economic and political integration of immigrants, abandoning the previous pattern of providing assistance and seeking to satisfy basic needs. Consequently, there was a significant increase in the number of associations, accompanied by greater political and social intervention by them, particularly in claims-making regarding the rights of immigrants (Albuquerque *et al.*, 2000; Cabral and Ferreira, 2009; Mendes, 2010)

The third phase began in the second half of the 1990s and has lasted until the present. This concerns the period in which the immigrant associations began to reach a level of greater professionalism and maturity, gaining recognition as social and political actors (Sardinha, 2009). At the turn of the millennium, the legal framework for immigrant associations was approved through Law No. 155/99. This reinforced the visibility of the associations as potential political partners and as representatives of the interests of the immigrant groups (Albuquerque *et al.*, 2000). As legitimate representatives of the various immigrant groups, immigrant associations are guaranteed certain rights. These include the chance to participate in the definition of immigration policy and its legislative processes, as well as airtime on public television and radio (Cabral and Ferreira, 2009; Mendes, 2010).

Currently, there are roughly 120 immigrant associations in Portugal, representing the various countries of origin²³. Most numerous are the associations of African communities, namely Cape-Verdean (the *Associação Unidos de Cabo Verde*²⁴, for

²³ With respect to this, refer to: <http://www.acm.gov.pt/-/o-que-sao-as-associacoes-de-imigrantes-e-o-que-fazem-?inheritRedirect=true>.

²⁴ With respect to this, refer to: <http://aucv.blogspot.pt/>.

example). However, greater associative dynamism has been promoted by associations representing the communities of Eastern European and Brazilian origin (Sardinha, 2009; Mendes, 2010; Rocha-Trindade, 2010). These movements include, by way of example, the *Casa do Brasil*²⁵, an organization which was very involved in the 2003 agreement regarding reciprocal contracting (*Acordo de Contratação Recíproca*) between Portugal and Brazil. Although other organizations for the protection and promotion of immigrants can be highlighted, in this area, civil society has not politicized the debate surrounding the issue of immigration in Portugal (Cabral and Ferreira, 2009). However, immigrant associations, as vehicles of influence over the legislative process, may also be responsible for political claims on immigration and, consequently, be a vehicle for the politicization of this issue.

c. The Fractioning of the Elite and the Stability of Political Alignment

With recourse to Sartori's typology (1976), Jalali (2007) categorizes the Portuguese partisan system, from 1985 onward, as "moderate pluralism". Of the characteristics listed by Sartori (1976), there are two that reflect the Portuguese reality. Firstly, there is an alternation with a bipolar configuration, seeing as the PS-led governments have succeeded governments spearheaded by the PSD, in a constant alternation between the centre-left and the centre-right in Portugal's governance. Secondly, the period 1995-2015 is notable for the occurrence of centripetal competition, since the two major political parties competed for the same centrist and volatile electorate (Jalali, 2007; Jalali, 2017).

In the Portuguese party system, there are other characteristics of a "moderate pluralism". These, however, present some oscillations. Firstly, Sartori (1976) predicts the inexistence of relevant anti-system parties, which is something that does not seem to fully apply in the context of the Portuguese party system. The CDU party coalition has been increasingly less perceived as a coalition that wants to change the form of government, given the greater moderation of its current positions and its recent parliamentary support of the PS Government. Yet, this coalition should not be considered a promoter of maintaining the *status quo* of the Portuguese political system.

²⁵ With respect to this, refer to: <http://www.casadobrasil.info/>.

Secondly, the absence of bilateral oppositions²⁶ is another characteristic which seems not to have entirely been the case in Portugal between 1995 and 2015. It does, however, take on peculiar outlines. Over the course of the selected timeframe, PS governments have always faced bilateral opposition: the PSD and the CDS-PP on the right, and the CDU party coalition and the BE on the left. During the same period, right-wing governments, seeing as they were formed by a coalition between the PSD and the CDS-PP, did not face bilateral opposition, only unilateral opposition from the left of the political spectrum.

Thirdly, in Portugal, high levels of polarization of the party system are observable. The ideological gap between the two most extreme parties of the party system – the CDS-PP and the CDU coalition – has become increasingly acute. However, the ideological distance between the two main parties – the PS and the PSD – has been decreasing (Jalali, 2007; Lisi, 2011; Jalali, 2017).

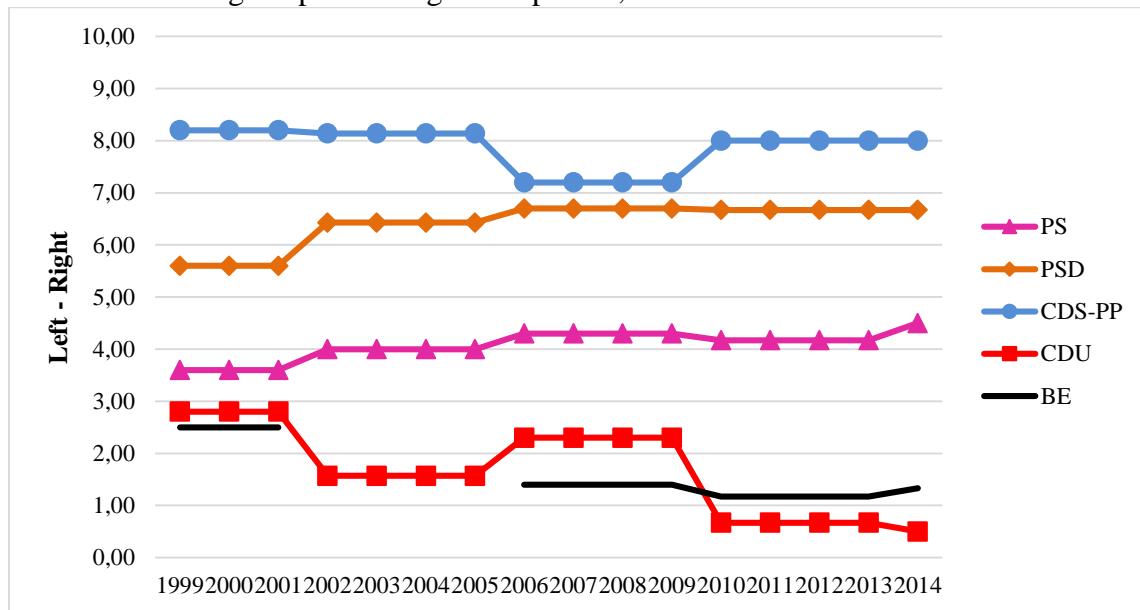
Chart 3 traces the evolution of the ideological positions of the relevant parties of the Portuguese party system based on data from Chapel Hill expert surveys carried out between 1997 and 2014. Regarding this evolution, there are some patterns and trends that can be highlighted. Firstly, the political parties being analysed populate all fields of the ideological spectrum with the exception of the far right, where a party capable of politicizing anti-immigration issues could emerge. However, the lack of parliamentary representation indicates the poor expression and social implementation of this political current.

Secondly, over the years, we have seen a deepening of the ideological differences between parties from the edges of the spectrum, mainly due to the radicalization of the two left-wing parties: the BE and the CDU coalition. Analysis of these data should take into account that they only cover a period up to 2014. As mentioned above, with the signing of the parliamentary agreements with the PS after the 2015 legislative elections, the parties to the left of the PS, especially the CDU coalition, began to adopt a more moderate posture.

²⁶ “Bilateral opposition” refers to the existence of two oppositions to the Government which are mutually exclusive and, therefore, cannot enter into a coalition and form an alternative to the Government. In the case of a “unilateral opposition”, irrespective of the number of parties, these can band together and constitute themselves as an alternative to the Government (Sartori, 1976).

Thirdly, in an analysis of each individual political camp, it has become apparent that, on the right, the PSD and the CDS-PP have become closer ideologically. On the left, in the selected timeframe, ideologically, the PS has distanced itself from the CDU coalition and the BE. This increasing distance is due to both the radicalization of the CDU coalition and the BE and to the ideological moderation of the PS, which has moved increasingly close to the centre of the political spectrum. Again, this analysis ends in the year 2014, before the parliamentary agreements between the left-wing parties.

Chart 3 – Ideological positioning of the parties, 1997-2014



Source: Author's own work with recourse to *Chapel Hill expert surveys*.

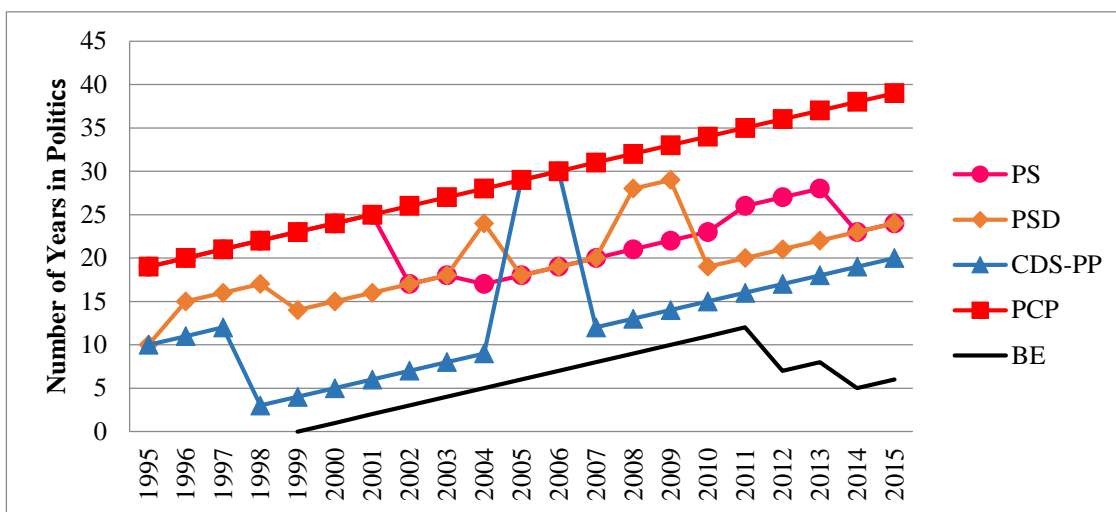
Note: 0 = far left e 10 = far right

4. New Leaders

In this section, the new party leaders are analysed according to their potential for introducing new topics to the political agenda and for making political claims regarding the issue of immigration. The political strategies of the new party leaders depend on the length of their terms, their presence in terms of national political activity and the age of their party. On the one hand, following a from-the-outside-in logic, it may be easier for new party leaders with little or no political experience to politicize the topic of immigration, since they do not carry the weight of not having brought this issue to the political debate up until that point. On the other hand, this debate could more easily be politicized with a change in party leadership, regardless of the number of years the “new leader” has been active in national politics. According to this argument, the election of a new leader can translate into the articulation of a new political agenda which prioritizes the issue of immigration as being fundamental to the interests of the country.

The Portuguese political elite, alongside the party system, seems to not be very permeable to change. Since 1995, there have been few cases of “new leaders” in national politics. The two most significant ones are Francisco Louçã and Catarina Martins, both from the BE. As Chart 4 shows, Francisco Louçã entered national politics in the same year the party under his leadership entered parliament (1999). Catarina Martins, the BE's current coordinator, began her political activity in 2009, when she was elected to the national parliament for the first time. As for the remaining party leaders, although they may have held the office for a short period time, they have a vast political past, as shown in Chart 4. Currently, the most singular case is that of the current secretary-general of the PCP, Jerónimo de Sousa, who has been politically active for more than 40 years. Thus, there seems to be a positive relationship between the political experience of the party leaders and the longevity of their party. The PCP, the oldest of all the parties, was founded in 1921. By contrast, the BE, the youngest party, was founded in 1999.

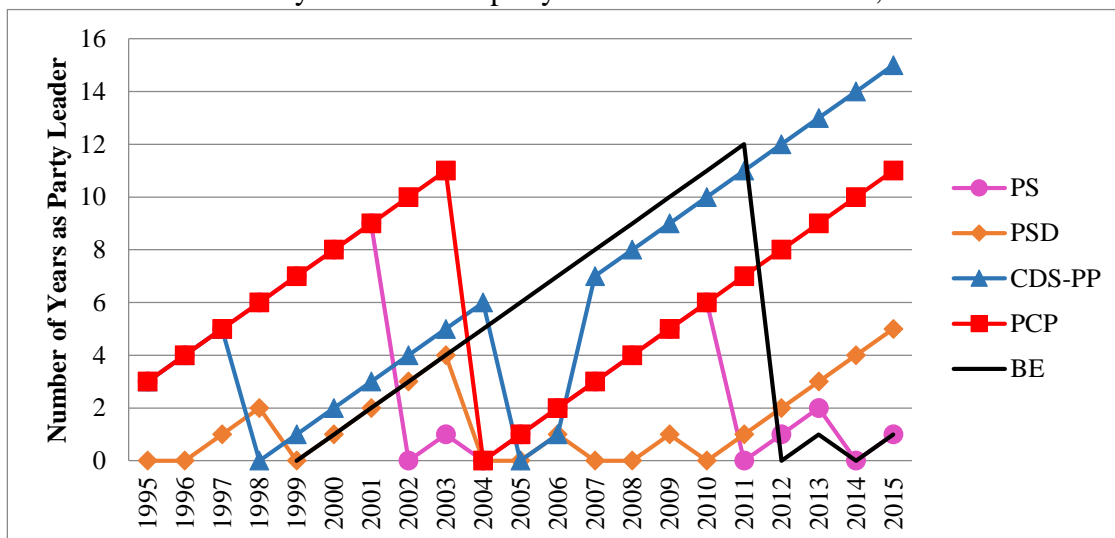
Chart 4 – Number of years that the party leader has been involved in national politics, 1995-2015



Source: Author’s own work.

When analysing the duration/longevity of the party leaders’ terms (Chart 5), the PCP once again stands out as the most singular case. Between 1995 and 2015, this party only had two secretaries-general: Carlos Carvalhas and Jerónimo de Sousa. Similarly, the CDS-PP seems to present itself as a party which, over the last 20 years, has maintained a fairly stable leadership. Paulo Portas took over as leader of the party in 1998 and only moved away from political life in 2016. However, this period of almost 20 years leading the party was interrupted for two years – 2005 and 2006 – when Portas were replaced by José Ribeiro e Castro. In the BE, Louçã’s leadership lasted more than 10 years. However, the leadership solutions adopted since 2012 – the bicephalic leadership of Catarina Martins and João Semedo (2012) and the Standing Committee composed of 6 members, with Catarina Martins as spokesperson (2014) – involve a decentralization of the party leadership and have shown themselves to be more permeable to the advocacy and politicization of various interests such as immigration. In the two major parties – the PS and the PSD – the leadership has been more unstable and volatile.

Chart 5 – Number of years since the party leader assumed that role, 1995-2015



Source: Author's own work.

Between 1995 and 2015, Paulo Portas was the only leader who came closer to being able to politicize the topic of immigration. In the electoral campaign for the 2002 legislative elections, the then leader of the CDS-PP related the high levels of unemployment among the Portuguese community with large immigration flows. In 2003, in the speech marking his return to politics, Portas expressly addressed the issue of immigration in Portugal. In a patriotic speech that maximized the interests of the Portuguese, he once again focused on the relationship between the high levels of unemployment among the Portuguese community and the vast flows of immigrants (Carvalho, 2009: 101-104). However, the intense criticism of that speech by the main partner in the government coalition – the PSD –, as well as the public defence of the benefits of immigration by then Prime Minister Durão Barroso, forced the CDS-PP to abandon the anti-immigration discourse. Moreover, the leaders of the main Portuguese parties have demonstrated a particular perception of immigration, as demonstrated by the appointment of the former socialist Prime Minister António Guterres as the United Nations High Commissioner for Refugees (2005-2015) or by the conflict between Durão Barroso as President of the European Commission and French President Nicolas Sarkozy regarding the deportation of European citizens from French territory in 2010²⁷.

²⁷ With respect to this, refer to the following news article: <https://www.euractiv.com/section/justice-home-affairs/news/summit-sees-sarkozy-barroso-clash-in-bitter-roma-row/>.

Portuguese politics centre heavily around political parties, and the weight of leaders is not significant as actors with the ability to politicize certain issues. However, it would not be surprising if the BE were to take on the defence of immigrants' rights as one of their key electoral issues if the situation so required. In other words, in the Portuguese political landscape, the BE holds a greater potential for representing the interests of immigrants and for allying itself with pro-immigration movements, since their ties to some civil society movements that deal with these issues are already known.

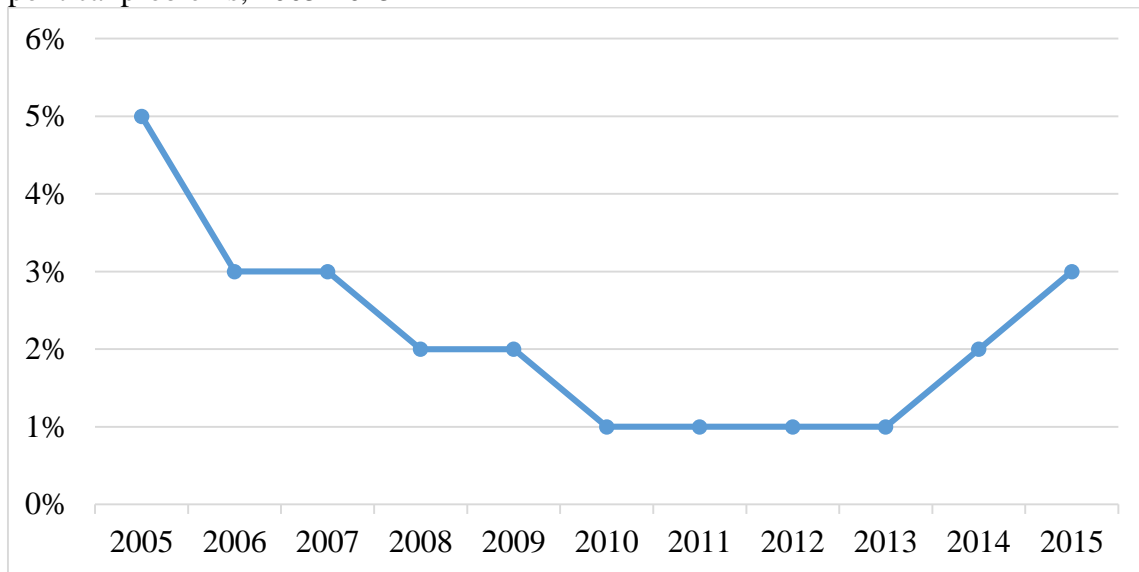
The constant changes in the leadership of the two main Portuguese parties were not accompanied by shifts in the political orientation of these parties with regards to the issue of immigration. Similarly, the stability of the party leadership of both the CDS-PP and the PCP also does not seem to have promoted the politicization of this issue. In the Portuguese case, changes in party leadership and the emergence of “new leaders”, whether these have much or little experience, do not seem to be determinant to the salience of the issue of immigration in the national political agenda.

5. Beyond the Political Opportunity Structure

In this section, we consider other factors that, not being strictly related to the POS, may encourage the politicization of immigration in Portugal. Several data show that the issues of immigration and immigrant integration have not had any particular salience in public opinion, in the period between 1995 and 2015. According to Eurobarometer data, only 4% of Portuguese respondents mention the issue of immigration when questioned about the European Parliament's main priorities in 1995 (EB, 43). Between 2005 and 2015, the highest percentage of respondents who considered the issue of immigration one of the main national political problems was 5% in 2005 (EB, 63). The minimum value for this percentage – 1% – was recorded between the years of 2010 and 2013, despite the economic crisis that plagued the country (EB, 73/75/77/79). This figure stands at 3% for 2015 (EB, 83), when Europe found itself in the middle of a refugee crisis concerning refugees mostly from Syria. Nonetheless, when asked about the main problems facing the European Union, 16% of Portuguese respondents pointed to immigration (EB, 83). So, Portuguese public opinion perceives immigration as more of a priority at the European level than at the national level.

As is evident in Chart 6, immigration is of no particular relevance to Portuguese public opinion. The analysis of the lack of salience of the issue of immigration should take the number of immigrants into particular consideration. As has been advocated throughout this report, compared to the other European countries, Portugal has a lower percentage of immigrants. Paradoxically, it is one of the countries in the world with the most favourable legislation towards immigrants. As such, the low immigration numbers contribute to this not being a political issue and, consequently, justify the residual electoral expression of the only Portuguese party that presents immigration as a key electoral issue: the extreme right-wing party, PNR.

Chart 6 – Percentage of respondents that consider immigration one of the main national political problems, 2005-2015



Source: Author's own work with recourse to Eurobarometer 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83.

Another factor concerns the structure of the media in Portugal. Considering that the media are a determinant vehicle for the formulation of a political and social identity, the absence of tabloids or a highly sensationalist press can help in understanding the weak salience of the immigration issue. As maintained by Costa (2010), an effort has been made on the part of the national press to not have immigrants discriminated against, and, in some cases, there has been a willingness to convey a positive image of them.

6. Conclusions

The aim of this report was to analyse the POS in the Portuguese political system in the context of the politicization of the issue of immigration between 1995 and 2015. In other words, the intention was to evaluate the way in which the structural characteristics of the Portuguese political system encourage or discourage the participation in the public sphere and the making of political claims regarding immigration by the different social groups. For this report, the analysis of the political system was central to the understanding of incentives and disincentives to the emergence of social movements capable of politicizing the issue of immigration. In general terms, in the Portuguese political system, there are both institutional and political constraints and incentives to the emergence of groups capable of politicizing the issue of immigration. Among the former are the centralizing and unitary structure of the Portuguese State, the resilience of the party system, and the electoral systems in the presidential and European elections. Among the latter are the regime of political rights of immigrants, civil society and immigrant associations, some characteristics of the electoral system in the legislative elections, and the local elections.

In terms of the national political structure, the main political functions reside with the Government, the Assembly of the Republic and the President of the Republic. Despite the existence of two autonomous regions and the transfer of powers between the central and local government, the centralized and unitary structure of the Portuguese State restricts the number and density of access channels for the emergence of groups interested in politicizing the issue of immigration. In turn, the Portuguese party system has shown itself to be quite resilient, seeing as the parties that were relevant during the period of transition to democracy continued to dominate in terms of parliamentary representation between 1995 and 2015 (with the exception of the parliamentary rise of the BE). The issue of immigration and immigrant integration was not part of the main political issues for the parties with seats in parliament during that period. The xenophobic and ethno-nationalist discourse has been spearheaded by the PNR, but this party has a residual electoral expression. Therefore, the rigidity of the Portuguese party system appears to be an obstacle to the emergence and consolidation of new political parties interested in politicizing the issue of immigration.

With respect to the government, Portuguese democratic political activity has conformed to an alternation in governance between the centre-left and the centre-right, while the two main political parties compete for the same centrist and volatile electorate (Jalali, 2007; Lisi, 2011; Jalali, 2017). Therefore, the turnover in governance, dominated by the PS and the PSD, as well as the political consensus between these two parties with regards to immigration, seems to inhibit the emergence of a window of opportunity for other social groups to be able to politicize the topic of immigration. The electoral system used in the presidential elections does not favour the emergence of groups with anti or pro-immigration stances interested in politicizing this topic, since these elections require an absolute majority for a candidate to be elected and encourage centripetal interparty competition. The European elections exhibit a similar level of electoral disproportionality to those of the legislative elections, but the electoral map for the former is made up of a single constituency. Consequently, the European elections do not present themselves as a favourable access route for the emergence of groups with anti or pro-immigration stances in mainstream national politics.

Among the factors that can encourage the emergence of social groups interested in politicizing the topic of immigration is the regime of rights and duties granted to immigrants, which is laid out in the CPR and establishes equality of rights and duties for both national and foreign citizens (with the exception of political rights). Also expressed in the CPR is the importance of the historical ties and the colonial past, with there being a positive discrimination towards the Lusophone communities (Oliveira and Carvalhais, 2017: 793-796). There are also roughly 120 immigrant associations registered in Portugal which may become a vehicle for the future politicization of this issue, although this was not the trend observed in the selected period, according to the available literature.

The Portuguese electoral system, despite being proportional, tends to favour the large parties. However, the variations in the magnitude of the various electoral constituencies in the legislative elections favour the politicisation of the topic of immigration in various ways. In the Portuguese case, small parties benefit from better opportunities of achieving parliamentary representation in the Lisbon and Porto constituencies than in the remaining constituencies, given the high proportionality of the former versus the latter. Taking into account this pattern and the high concentration of foreign population in the Lisbon region, the political emergence of small political parties that may be interested in politicizing the issue of immigration is more likely to be

observed in this region than in the others. Local elections provide greater opportunities for immigrants and/or anti or pro-immigration parties to obtain representation in local government bodies – Municipal Assembly, Municipal Chamber and Parish Assembly.

In summary, this study concludes that the Portuguese political system contains important constraints for the emergence of social groups interested in politicizing the issue of immigration. However, there are specific access points that could minimize these obstacles, but which do not seem to have been capitalized on by these social groups to date.

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