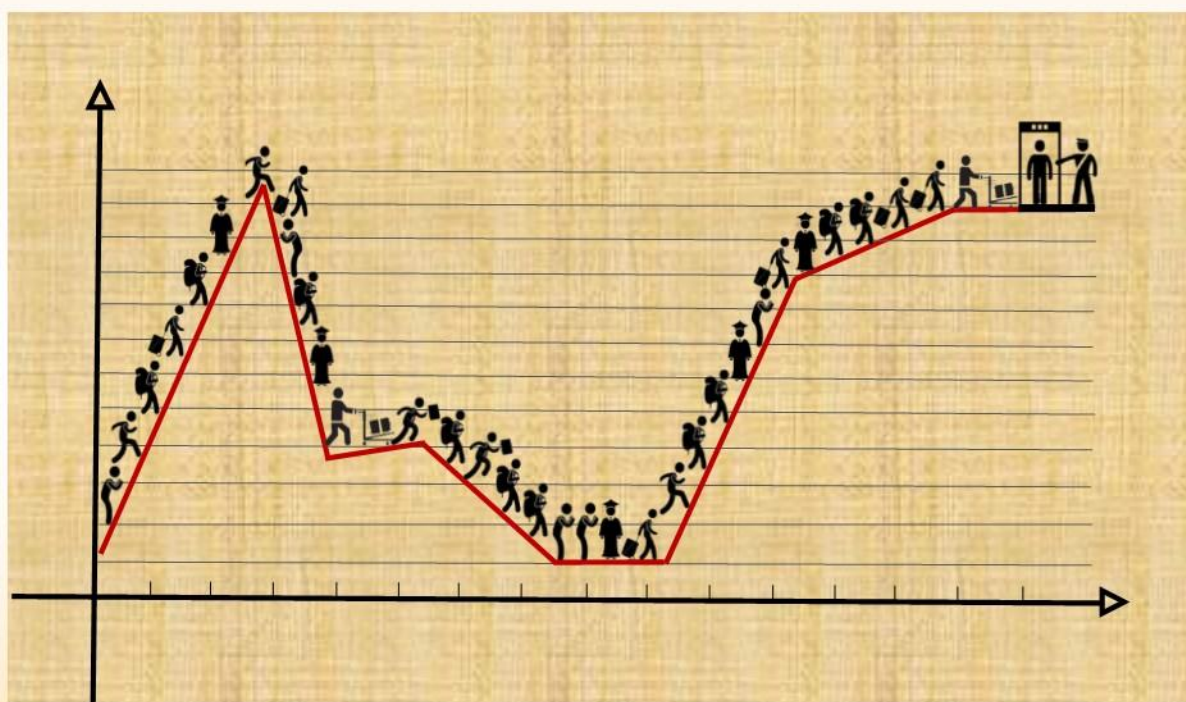


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(Coord.)

Colóquio internacional MIGRAR NA INSTABILIDADE

PRÁTICAS
DISCURSOS
REPRESENTAÇÕES



LIVRO DE RESUMOS

Lisboa
2015

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LIVRO DE RESUMOS

**Lisboa
17 e 18 de junho de 2015**

Ficha técnica:

Título: Migrar na instabilidade: práticas, discursos e representações

Coord.: Maria Fernanda Rollo, Marta Silva, Thaís Janaina Wenczenovicz, Yvette Santos

Local: Lisboa

Edição: IHC/FCSH-UNL

Ano de Edição: 2015

Colóquio Internacional

Migrar na instabilidade: práticas, discursos e representações

Os debates sobre o atual fenómeno emigratório são animados pela preocupação de tentar perceber o perfil e as motivações do emigrante de hoje e o impacto da emigração na realidade nacional. Colocam-se nos pratos da balança as vantagens e inconvenientes do fenómeno à escala individual e colectiva, do ponto de vista económico e social e no prisma das comunidades de origem e de destino. Estes questionamentos têm levado a procurar nos movimentos migratórios do passado mais expressivos, como os da *Belle Époque* e dos anos 1960 – nos quais a produção científica mais se tem debruçado –, uma âncora que permita compreender e inscrever a atual situação na História da Emigração portuguesa.

Porém, o peso quantitativo que define a emigração como fenómeno conjuntural acaba por desviar o interesse científico dos ciclos migratórios numericamente mais débeis, tais como os dos anos 1930 e 1940, que tomaram parte em contexto de crise económica, ou os da década de 90, em que parecia consumada a imagem de um Portugal como país de imigração.

Tal facto não elucida sobre a presença da emigração como uma constante estratégia individual e/ou coletiva de sobrevivência, nem sobre o seu lugar permanente na agenda política do Poder. Do mesmo modo, também não tem sido dado espaço ao aprofundamento do conhecimento acerca do significado de diferentes contextos políticos e socioeconómicos no cruzamento com a realidade migratória.

Pretende-se, neste colóquio, revisitar a emigração até à atualidade, privilegiando-se contextos de instabilidade e de processos de mudança política, económica e social, independentemente do volume de saídas e do tipo de emigração, de maneira a identificar particularidades e similitudes entre os diferentes momentos. Além das emigrações económicas e políticas, procura-se salientar a importância e o significado que tem assumido as emigrações científicas.

PROGRAMA

17 de junho de 2015

FCSH | Torre B | Piso 1, Auditório 1

9h30 – 10h00: Receção dos conferencistas

10h00 – 11h00:

L'immigré(e) et le bureaucrate au vingtième siècle

Philippe Rygiel (Université de Paris 10)

11h00-11h10: Pausa

11h10-12h40

POLÍTICAS DE IMIGRAÇÃO - I

The administrative powers on freedom of movement of foreigners in Italy from the XIX century to present constitutional framework, between «state of exception» and misuse of control policies

Francesca De Rosa e Luigi Ferrara (University of Naples Federico II)

A política brasileira de protecção e de reassentamento de imigrantes Europeus: reflexão acerca da legislação nacional brasileira

Thaís Janaina Wenczenovicz (Universidade Federal do Rio Grande do Sul) e *Matheus Felipe de Castro* (Universidade Federal de Santa Catarina)

La Repatriación de menores migrantes no acompañados de territorio español: cuando el interés superior del menor deja paso a la extranjería.

Alejandra Germán Doldán (University of Burgos)

14h30-15h40

POLÍTICAS DE IMIGRAÇÃO - II

The boundaries of Nord-pas-de-Calais: *a study on the securitization of immigration in France.*

Amanda Carolina (Université de Liège)

Culturally motivated crimes between multicultural perspectives, possible "policies of difference" and human rights. The Italian case.

Florinda Monacó (Bar Association of Naples, Italy)

15h50-17h20

(IN)STABILIDADE DAS REDES

Redes Emigratórias: perfis e abordagens.

Heloisa Paulo (CEIS20-Universidade Coimbra)

Esquemas, confiança e estratégias entre passadores e emigrantes para França.

Pedro Gomes (ICS-UL)

18 de junho de 2015

FCSH | Torre B | Piso 1, Auditório 1

10h30 – 12h00

MIGRAÇÕES, REPRESENTAÇÕES E NACIONALISMOS

Representações do imigrante brasileiro em Portugal nas narrativas portuguesas do século XXI.

Paulo Ricardo Kralik Angelini (Pontifícia Universidade Católica do Rio Grande do Sul)

“Magazine Contacto”: práticas, representações e discursos num media transnacional.

Sónia Ferreira (CRIA/ISCTE-IUL e URMIS (Paris 7))

Immigrants’ Impact on National Identity Shift: the USA Case.

Nadiia Bureiko (University of St Gallen, Switzerland)

14h00 – 15h30

EMIGRAÇÃO E RETORNO

A imigração portuguesa em França no entre-guerras (1919-1940)

Cristina Clímaco (Université de Paris VIII Vincennes/St Denis)

Greek migration to South Africa in the long 20th century and current state of affairs.

Migrant’s profile and motivations in different moments

Kyrillos Nikolau (Panteion University of Political Science, Greece)

Vozes da imigração feminina: o perfil das brasileiras em Londres.

Ana Paula Archando Batarce (Universidade Estadual Paulista)

15h30-15h40: Pausa

15h40-17h10

EMIGRAÇÃO E RETORNO NA EUROPA DO SUL

Quem são e o que move os profissionais altamente qualificados para fora do país? Perfis, condicionantes e motivações.

Susana Amaral e *Ana Paula Marques* (CICS.NOVA - Universidade do Minho)

Las causas de la emigración española actual.

Juan Manuel (Centro de Investigación en Migraciones-Universidad de Huelva)

El retorno de la emigración en la arena pública española a lo largo del siglo XX.

Maria José Fernandez Vicente (Université de Bretagne Occidentale-HCTI) e *Alicia Gil Lázaro* (Universidad de Sevilla),

RESUMOS

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Título da comunicação: L'immigré(e) et le bureaucrate au vingtième siècle

Resumo:

Depuis au moins la Première guerre mondiale, les états d'Europe occidentale entendent contrôler les migrations qui les affectent, ce qui souvent signifie les migrants étrangers qui se présentent à leurs frontières et ceux et celles qui vivent et travaillent sur leur territoire. Le statut de l'étranger/immigré s'enrichit peu à peu de déterminations toujours plus nombreuses. Droit au séjour, mais aussi droit au travail, droits sociaux, à la mobilité parfois, droits (ou non-droits) civiques, droits civils, sont définis par des dispositions de plus en plus nombreuses et précises cependant que se multiplient les catégories d'étrangers et de migrants. Réfugiés, travailleurs immigrés, sans papiers, étudiants étrangers, demandeurs d'asile, clandestins et bien d'autres sont pour nous aujourd'hui des vocables familiers, mais sont avant tout des catégories administratives et juridiques qui ont chacune une histoire et en un même mouvement des populations dont il s'agit d'identifier les membres et de réaliser la condition.

L'administration de ces droits et de ces statuts, des populations aussi qui leur sont soumises a nécessité la naissance et la multiplication d'une bureaucratie spécialisée qui a ses employés, ses techniques, ses objets, ses modes opératoires et dont l'histoire est rarement faite alors même que c'est par l'étude de son action que nous pouvons évaluer l'effectivité des multiples statuts qui définissent le cadre de la vie des migrants en terre étrangère. C'est en observant aussi les interactions entre bureaucrates et migrants que se lisent le mieux les interactions entre les statuts assignés aux migrants étrangers et d'autres composantes du statut social (l'âge, la race, le genre, la classe).

Nous voudrions ici, puisant largement dans des exemples issus du contexte français, proposer à la fois une périodisation possible pour une telle histoire et définir quelques uns de ses enjeux.

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Título da comunicação: The administrative powers on freedom of movement of foreigners in Italy from the XIX century to present constitutional framework, between «state of exception» and misuse of control policies.

Resumo:

1. *The «control policy». Foreigners and migrations in the Kingdom of Naples during the napoleonic decade.*

The system of administrative efficiency, created by French governors for the Reign of Naples, was stabilized with the creation of centralized apparatus intended to make the Government able to control every political, economical and social activity.

The territorial government was one of the most important objectives of the napoleonic rulers and, in this context, the need of refine the political and juridical control on the foreigners in the Reign wasn't considered unnecessary by the French legislator.

By this way the need of formulate an out and out discipline of people's mobility, that oscillated between powers of administrative control, public order and safety, came to be realized.

The coordination between public order functions, strictly connected to a mere control activity, and the Foreign Ministry, that forced foreigners to get a Passport, fully represented this necessity of monitoring every person who entered in the Reign and not only this. A first control instrument for the foreigners that came in the Reign was the «biglietto di permanenza», that is a document containing personal details and brief informations about the subject (the stranger) that sojourned in the Reign. The Law n. 127 dated 28 March 1808 instituted, instead, the «carta di ricognizione», a more complex document that was released free of charge by the Mayor, in the Districts populated by more than one thousand people, or by the parish priest, and that was useful to identify also people who were moving in the Reign from a Province to another one. After few months from the proclamation of the Law n. 127, a Decree, that submitted to control also the diplomatic and consular delegations' service agent who were sojourning or residing in the Reign, was publicised; this strictly restrictive measure immediately clarifies the guidelines that inspired the Reign's Government.

The control discipline was refined by other regulatory interventions: the Ordinances dated 11 July 1809 and 27 July 1813, ruled the sojourn of foreigners in the Reign. These norms were gradually completed, culminating in the creation of an out and out *carta di soggiorno* ideated for strangers in the Reign and for citizens of the Reign who were moving between the Provinces. It was, however, a norm of gender; it's interesting to highlight that women and children (till twelve years old) were free to circulate in the Reign and, therefore, were excluded from the discipline of the *carta di soggiorno*. This document had to be completed in two parts: a first one that contained personal details, quarter or department of sojourn, birthplace and domicile and Province of provenience,

period, location, street and street number of sojourn; in the second one were noted down characteristics useful to the personal identification; both the parts had to be subscribed by the subject and by the authority that released the document. Another later intervention completed the Ordinances of 1809 and 1813, establishing that every foreigner, within three days by his/her arrive in the Reign, was obligated to go to Minister or to the consular officer and had to obtain from them a residency permit that had to be approved by the Minister of General Public Safety. After this last reform there was a close cooperation between the Foreign Ministry and Public Safety Ministry, with the common aim to collaborate together for territorial control and safety. This documentation, kept by the «Archivio di Stato» of Naples, represents, from an historical and juridical point of view, a really important source because helps us to outline, at a juridical level, a strictly social and political Crown's interest, that was inserted in the wider plan of administrative and judiciary reform that was started by the French governors for the Neapolitan Reign.

2. *Freedom of movement and citizenship from the XIX century to the present constitutional framework, between «state of exception» and misuse of control policies.*

After the unification in Italy we can find and analyse several types of administrative restrictions to freedom of movement. In 1908, in the first Italian Treatise of Administrative Law, many administrative proceedings and orders to restrict freedom of circulation were classified. Only a group of them were established for «state of exception» situations, because of public order and security reasons. Many of them linked to personal status (foreigners, poor people, classified workers and entrepreneurs, patients) or general status (residents in underdeveloped zones, disaster zones, colonies), but the most important relief is that these restrictions were adopted in exercise of ordinary administrative powers. The motivation of most of these administrative proceedings, orders and documents was in general interests for which Public Administration ordinarily took care in the rising Bureaucratic State: economic growth, city planning, demographic control, internal security, public safety. The fascist regime incorporates and increases these administrative restrictions, mixing totalitarian public order and economic dirigisme. The economist Luigi Einaudi, first President of the new Italian Republic and influential intellectual, in 1951 wrote a pamphlet in which defined «serfdom» these restrictions.

Moving from Einaudi, scholars analysed administrative restrictions for foreigners in the perspective of «state of exception» beside the constitutional order and «biopower» (Foucault, Agamben). Other scholars today discuss in terms of *resilience* of host communities (and their local authorities) beside the migrants as *resilient persons*, which try to *rebuild* their personality and life.

The new Italian Constitution protects the freedom of movement in the art. 16, linking it to citizenship.

The constitutional reform in 2001 of regional and local government confers full powers to State in addressing legal status of non-EU citizens. Regions now have full powers in matters such as housing and welfare. After the reform, some Regions and local authorities began to admit foreigners to regional welfares, in contrast with national Immigration Act. The Constitutional Court and administrative tribunals often confirmed the legitimacy of regional rules. In some cases, regional welfares provided access to public benefits even to irregular migrants. In other cases, according to austerity policies, regional/local institutions provide for stricter requirements than the national framework. Moving from case law, scholars debate about this «administrative» or «constitutional» citizenship for migrants long-term residents. Thus the paper explores the legal base of this administrative citizenship in a perspective of participatory democracy, moving from the constitutional duties. Constitutional positive deontology in the post Second War European Constitutions

shows that the fundamental human rights protection requires that public powers let all individuals in the Republic, like citizens, be able to fulfil «the fundamental duties of political, economic and social solidarity» (art. 2 Italian Constitution) and that «every citizen has the duty, according to personal potential and individual choice, to perform an activity or a function that contributes to the material or spiritual progress of society» (art. 4).

In this perspective, the legal framework for immigration established in 1998 by the Consolidated Act on Immigration (T.U.I – *Testo Unico sull’Immigrazione*, Legislative Decree no. 286/1998) seems by now to be inadequate to define a complete framework on the free of movement for migrants. On the one hand, we should compare, in EU 2020 perspective, : the EU legal framework (acts and case law) on the free movement of European workers (when accepted as paradigm for non-EU foreigners) and national and regional rules and policies about legal immigration of workers and students. On the other hand, we should analyse national and regional legal barriers for migrants to get welfare benefits (health care, social housing, education, employment services and programs). Finally, we should consider the «administrative confinements» of asylum seekers and illegal migrants.

The study of administrative controls and restrictions of freedom of movement in the XIX in Italy could aid to discuss the believability of the «state of exception» perspective to define in contemporary democracies restrictions by administrative powers of freedom of movement for foreigners (I.e. in the migration centres). Defining these measures as non-exceptional exercise of administrative powers, we can increase the strength of the legal limits for them in the light of fundamental human rights and constitutional principles.

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Título da comunicação: Brazilian policy for the protection and resettlement of European Immigrants: reflection about the Brazilian national legislation.

Resumo:

The Foreigner, particularly the immigrant who settles in another country is subject to specific legislation. The great emigration of Europeans to the American Continent coincided with the consolidation process of the National States, and consequently, produced intense debates on citizenship rights, dignity and naturalization that focuses directly in the national legislation.

Most of the resettled/immigrants were related to the continuation of armed conflicts, dictatorial political regimes that generate violations of human rights and fundamental rights of the local population in the countries of origin taking large contingent to emigrate.

The European belligerent context of XX and XXI centuries have caused that thousands of men and women emigrate to Brazil in search of protection. Immigration in Brazil has strong brands in demographics, culture and in the economy. In general, it is considered that people who entered Brazil until 1822, the year of independence, were settlers (Portuguese and Spanish). From then on, those who entered the independent nation were immigrants

Before 1870, hardly the number of immigrants exceeded two or three thousand of people a year. Immigration increased first pressured by the end of the international slave trade to Brazil, after by the expansion of the economy, especially in the period of large coffee plantations in the state of São Paulo. Counting from 1872 (year of the first census) by the year 2000, about 6 million immigrants arrived to Brazil.

Thus, the migratory movements in Brazil can be divided into six stages:

- Initial occupation made by nomadic people of Asian descent who populated the American Continent between 10 and 12 thousand years ago, known as Indians;
- Colonization, between 1500 and 1822, made practically by Portuguese and slaves from sub-Saharan Africa;
- Settlement immigration in southern Brazil, that began in 1824 by German immigrants and continued after 1875, with German immigrants, Italians, Poles and others;
- Immigration as a source of hand labor for the coffee plantations in the region of São Paulo, between the late nineteenth century and early twentieth century, with a large predominance of Italian, Portuguese, Spanish and Japanese;
- Immigration to urban centers in growth with Italian, Portuguese, Spanish, Japanese and Syrian-Lebanese, and several other nationalities;
- Latest immigration reduced and little demographic impact, that began in the 1970s.

- In this assertion the study aims to analyze the evolution of national legislation and draw a parallel for state action to resettled / European immigrants in Brazil in the XX and XXI centuries.

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Título da comunicação: Repatriation of Foreign Unaccompanied Minors from Spanish territory: when the Best Interest of a Child gives way to Foreign Affairs Norms.

Resumo:

For its strategic position and more than eight thousand kilometers of coastline, most of them few miles from Africa, besides the characteristic of being the only country in the European Union to extend its borders in Africa, Spain has one of the most difficult borders to manage. This has resulted in a country of migratory destination since the last decade of the last century. With the beginning of the so-called "economic crisis" it has been transformed mainly to transit country to the rest of Europe for certain migratory flows, mainly from sub-Saharan Africa and Francophone or Anglophone Asia.

Within these migration flows attempting to enter Fortress Europe, we found a group with its own characteristics: the Migration of Foreign Unaccompanied Minors (FUM). Since the late 90' this type of specific migration has been occurring in southern Spain and in 2003 it begins to increase the number of children arriving in "pateras" (dinghies), newer variant that became known as "the paterización" of the child migration driven by the lack of future prospects in their country. Hence, the arrival of these FUM to Spanish territory has passed from being considered a timely phenomenon to becoming a reality, legally regulated by the Spanish government and the EU.

This group has double condition, characterizing minors and immigrants. Thus, its legal regulation should be based on the laws establishing as a priority the best interests of the child and the peculiarities established by the legislation of immigration. But the elevated pressure of this immigration, together with policy decisions taken within the Union and the Spanish State, have put forward different reasons -material, economic, legal, etc. - to carry out the return of these children to their countries of origin, based on the best interests of returning with their families, those that have previously favored the migration process.

At EU level, *Directive 115/2008 on common standards and procedures in Member States for returning illegally staying third-country nationals* regulates key aspects such as the "criteria for adoption and implementation of return measures", stating that in its application it should be taken into account the nature and the strength of the family relationships in the State of return; the duration of their stay in that State; the family cultural and social ties with their country of origin; the best interests of the child if he or she were minors, etc. Nationally, the *Organic Law 2/2009 on rights and freedoms of foreigners in Spain and their social integration* incorporates the possibility of signing readmission agreements to facilitate these returns lower, giving that possibility even to the Autonomous Communities.

This gives us an overview of readmission agreements (Morocco, Romania, Senegal), governing the repatriation of minors, in which legal texts there is a clear tension character of illegal immigrants, which blurs at times minors condition. This has opened the door to a policy sanctioning the child immigration, which contradicts the pillars of the child protection system and it is reflected in the immigration policy of repatriation. The aim of this paper is to analyze the situation of helplessness and the traits of those to whom these readmission agreements are directed to, as a group with specific

characteristics and needs. Moreover, we try to determine whether the return policy is carried out at the expense of minors' infringed rights. Finally, we contrast the great political importance given to readmission agreements with effective return statistics, so we can observe whether they support a quantitatively effective policy the policies pursued in this group have so far been quantitatively ineffective and have failed to ensure that the child or adolescent has not tried to emigrate again after a while.

Key words: Foreign Unaccompanied Minors – Repatriation – Spain – readmission agreements

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Título da comunicação: The boundaries of Nord-pas-de-Calais: *a study on the securitization of immigration in France.*

Resumo:

This article aims to analyze the migration policies of France through the prism of securitization of immigration theory, and presenting the results of this process through a field study. This theoretical current comes from the school of critical security studies, and has as central concepts security threat, borders and boundaries. The securitization conceives the notion of insecurity as a phenomenon politically and discursively constructed (Huysmans, 2000; Buzan, 2012). The construction of threats will then justify the emergence of institutions and policies for the protection of a society that is being threatened. In the post September 11 context refugees become a source of insecurity, because security policies had as a main goal the people movement control. Securitization of immigration observes that insecurity is a political (migration policies) and discursive (speech acts) construction. When immigration is conceptualized as a source of insecurity for the political community it will produce borders and boundaries. The borders have an inclusion and exclusion function which together perform a complex dialogue, figuring an ambivalence in the sense that they are spaces of separation and contact. In this sense, "cultural boundaries" are constructed and transmitted as groups identities, and are continually redefined, these borders are erected to limit territorial and social ambiguities.

In the french case, immigration and integration policies are guided by universalist republican model, that it can be defined as nationalist and imperialist, while at the same time stressing universal political values, such as equal protection of all individuals before the law (Hollifield, 2006). The nature of this model provides a structural problem for implementing policies for minorities, that along with political speeches, against immigration, provided the increase in nationalism. About Nord-Pas-de-Calais, firstly I must clarify that the number of individuals as the ethnic composition are unknown because they have been registered in the entry country, and the migratory flow in Calais is extremely intense because their goal is to arrive in England. The field research on the situation of refugees in Nord-Pas-de-Calais allowed to identify the results of the securitization of immigration process, which France and the UK are implicated. In Calais, the borders and boundaries are erected in permanence and immigrants remain confined in the jungles and squats.

Through the field study it was possible to clarify that even humanitarian actors and activists became part of this process. This research reveals an absence of welcome context (from the government), where refugees are at the mercy of the illegal immigration market and police violence. Moreover these immigrants are living in «securitized» places that are the reflection of a movement prevention for those that are classified as undesirables, then any action that might challenge this system will be interpreted as a threat as well. The Nord-Pas-de-Calais region is a corridor of illegal immigration. Because the heavy flow of refugees in 1999, France along with the Red Cross decided to opening the Sangatte hangar. As a result of the destruction of this hangar in 2002, the refugees who were previously concentrated in this space, started to disperse through the cities of the region and building small camps, it is actually possible to find camps in seven

cities¹. These camps were called jungles. The hangar was closed to eliminate the flow, however this is still in the same measure (Akoka and Clochard, 2008). Nord-Pas-de-Calais migratory policies are peculiar in the sense that it is a passing zone, for those who wish to come to the UK, therefore there is an important bilateral migration policy that change the boundaries, as the Touquet treaty.

«Il y a beaucoup de racisme, par exemple en Libye beaucoup de personnes africaines ont été tuées. Et maintenant en Europe c'est le jeu du chat et de la souris, chaque fois qu'on voit un policier on fuit. Où est la démocratie? Qu'est-ce qu'on a fait de mal? Est-ce que c'est parce-que nous sommes illégales ou que nous sommes noires que les gens nous traitent comme ça?» (Eritrean woman, inhabitant of the jungle). The present quote highlights the inhabitants of jungle's point of view, and thus the specificity of an «insecurity community» that was developed around these people. These are effects of a protracted securitization process, where the extraordinary distinction was normalized, and so invisible.

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¹ Norrent-Fontes, Saint-Omer, Grande-Synthe, Bailleul, Cherbourg, Loon-plage and Calais.

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Título da comunicação: Culturally motivated crimes between multicultural perspectives, possible “policies of difference” and human rights. The Italian case.

Resumo:

Because of past and recent migratory waves, Italy is slowly becoming a multicultural society, as it has already happened to other European and US countries. Because of these migratory flows, increasingly, Italian courts have to deal with the so called culturally motivated crimes (or “cultural offences”). The starting point of this paper is the analysis of the different approaches which can be followed: indeed, the jurisprudence and the lawmaker try to experience possible “policies of difference” within criminal law: the ones which aim at assimilation without giving any relevance to cultural differences and the ones which aim at multiculturalism respecting identities of minorities and trying to tolerate the “cultural offences”. In most cases, as it happens in Italy for example, the two approaches coexist and there is not a general and uniform legal framework. There are several examples of cultural offences, such as female circumcision (excision), murder or violence motivated by the protection of one’s honour, witchcraft and the burning of alleged witches, and even the exploitation of young immigrants for begging and handout. Actually, the problem is that the Italian case-law about criminal offences is still not very clear and shows a lot of contradictions and it does not always recognise the same value to the cultural factor. It happens that sometimes the same fact is judged differently according to the free conviction of the judge (ex article 192 Italian Code of Criminal Procedure). The principle seems to be related to the nature and the seriousness of the offense: if it is addressed to primary goods it entails an aggravation of sanctions while in other cases it can even lead to the exclusion of criminal liability. Of course, in a legal system, like the Italian one, where the rule of law is one of the fundamental principles, it is not possible to allow this uncertainty. We should also understand if this approach is compatible with our constitutional framework, in particular with article 6 on the safeguard of linguistic minorities, article 5 on the recognition and the promotion of local autonomies and articles 2 and 3 on the protection of fundamental rights. Immigrants should not invoke a sort of “excusable ignorantia iuris” because when they come in our territory they are subject to our legal system and the cultural factor should not become a way to personalise the criminal policy. The Italian lawmaker has sometimes found assimilationist solutions, as for example for the crime of female genital mutilations introduced by article 583-bis of the Code of Criminal Law in 2006; in other cases, it has preferred a multicultural approach, as for the provisions on the slaughter of animals, as well as for the provisions of articles 42 and 43 of the Immigration Law (Legislative Decree 25 July 1998, No. 286), which respectively confer the measures of social integration of immigrants upon the State, the Regions and the local autonomies and forbid any discriminations on racial, ethnic, national or religious reasons. According to the above mentioned, an interesting perspective of analysis could be to understand, in the light of the Italian criminal law, which is the value our legal system should recognise to the conditioning deriving from the cultural belonging of an individual on the genesis and the structure of a criminal offence. We should start from the definition which is commonly shared: «a cultural offence is an act by a member of a minority culture, which is

considered an offence by the legal system of the dominant culture. That same act is nevertheless, within the cultural group of the offender, condoned, accepted as normal behaviour and approved or even endorsed and promoted in the given situation» (as J. Van Broeck wrote in the European Journal of Crime, Criminal law and Criminal Justice, starting from the definition given by the Dutch legal anthropologist F. Strijbosch). This definition starts from differentiating the dominant and the minority culture. Of course defining a dominant culture and a minority culture is not easy and when we think about the legal and moral norms of a member of a minority group, we should not only analyse the official law of the country of origin of this group, but we should necessarily study the legal and moral rules of his/her group, because most cases of cultural offences are very complex and show how cultural and religious differences can be taken into consideration from different points of view. In these cases we should not forget the importance of customary laws or practices to understand better the phenomenon. Definitively, to define a dominant or a minority culture we should not use a quantitative approach, but we should take into consideration what can be called the cultural and ideological background or basis of the “legal system”. «A dominant culture is considered the culture which provides the ideological basis of the penal law or the penal rule on which the defendant is tried. The minority culture denotes the cultural background of the defendant’s group that does not share the same cultural norms and values as the dominant culture with respect to certain issues» (Van Broeck). Also defining a cultural group is not easy, because a lot of factors need to be considered and culture is neither monolithic nor static, but is an ever evolving and very diversified reality. And we should consider that within each culture, differences can exist because of age, gender, education and other factors. From this point of view, it could be interesting to analyse the problem of acculturation, meant as a complex cultural process in which values are rearranged and changed when one is confronted with another culture. Finally, we should understand if the protection of fundamental rights fails in the face of cultural offences. We should think about a core of human rights as a limit to the tolerance of cultural offences. As the same European Union affirmed, there is a limit to the integration which is the respect of the fundamental values of the European Union. In this sense we should also analyse the relevance of “cultural defences” which refer to a wide range of ways in which evidence about a defendant’s cultural upbringing or practices could influence legal judgment about his guilt or responsibility. Of course, the recognition of the cultural defence is the expression of a compromise between the need to repress criminal conducts and the promotion of cultural differences as a means of enhancement, but we should never forget those fundamental principles of every civilized and democratic organisation.

Keywords: multiculturalism, cultural offences, criminal law, human rights, cultural defences.

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Título da Comunicação: Redes Emigratórias: perfis e abordagens

Resumo:

One of the main characteristics of the 20th century was the existence of large migrations of people who, for economical, political and social reasons left their places of origin. In the host countries, emigrants, political exiles and refugees get together to set up associations. They publish newspapers, organize commemorations and promote sociability tools which make them stand out as a group having a national identity with strong political views. In this context, it is possible to draw a map of the interaction networks between different groups. They establish internal networks, create societies, and develop industries and trade. Thus are created the foundations which will support the political exiles and ensure their economic survival, inside or outside the host countries. Often, the intellectual and local political elite are also part of these networks. Likewise, the networks created by political exiles and emigrants extend beyond the territorial borders of the host countries to wherever they are other exiled groups. Constructed in exile such networks mirror the fragility of the ties of the exiles in the host countries. Just as the economic instability leads to emigration or causes the return to the country of origin, political instability reinforces or destroys ties contracted in exile. The study of exile networks reveals the evident fragility of the exiled situation in host countries. Hence the permanent need to consider the "history of the exile", while taking into account their transnational and transcultural.

The study of these networks is fundamental to build a "" which also takes into account its transnational and transcultural historical dimension. The objective of this article is to encourage the debate about this double dimension, taking as an example the network forged by the Group of Buddhas in Spain, between 1931 and 1938. We will analyze the profile of the political exiles, as workers within the Spanish society, the signs of acculturation which are part of their political discourse and the political ties that they establish.

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Título da comunicação: Esquemas, confiança e estratégias entre passadores e emigrantes para França.

Resumo:

Através da análise do perfil, das estratégias, tipologias e atividade das redes de emigração clandestina pretende-se, na esteira de outros estudos, ampliar à escala nacional o olhar sobre a emigração clandestina para França. Procura-se, mais estritamente, uma leitura da tipologia e operacionalidade das redes a partir de contextos sociopolíticos locais, nos quais coabitavam, não raramente, práticas sociais ambíguas com políticas fortemente repressivas. Esta tarefa encerra: descrever a estrutura, organização, práticas e estratégias invocadas pelos auxiliares e emigrantes; refletir sobre como se correlacionavam as motivações individuais dos primeiros com as estratégias grupais dos segundos; neste ponto, procura-se compreender os seus modos de interação e de cooperação com a finalidade de se evadirem à vigilância das forças de segurança dos dois países ibéricos – nomeadamente a PIDE, Guarda Fiscal, GNR e Guarda Civil espanhola; por fim, analisar a configuração das redes a partir das trajetórias geográficas dos passadores e dos emigrantes, e das suas narrativas sobre desempenhos, significados e (precárias) relações de confiança constituídas entre, justamente, entre eles e dentre os membros das redes.

A proposta de constituição de tipificações e de um mapa de atividade das redes de emigração clandestina pretende, assim, contribuir para os estudos sobre a questão da emigração irregular, ancorando o olhar face a este objeto nos contextos políticos e socioeconómicos locais onde o grosso da emigração se desenrolava. Fá-lo, portanto, recorrendo ao cruzamento de fontes orais e arquivísticas diversas, em detrimento de abordagens centradas em exclusivo na historiografia das fontes documentais do Poder Central. Esta abordagem é também uma das premissas metodológicas do Projeto “Além do fracasso e do maquiavelismo. A emigração irregular portuguesa para a França, 1957-1974”², do qual este artigo emana. Além disso, interessa interpretar novos dados, tratados empiricamente, para tentar perceber a dinâmica das relações de poder que, a propósito da emigração irregular, se produziam no seio de sociedades rurais e de fronteira, num período instável ao nível económico e social.

O território considerado foi o de Portugal Continental, situado a norte do Rio Tejo, com enfoque nas zonas mais próximas da raia portuguesa. Aqui ocupar-nos-emos, sobretudo, dos distritos de Lisboa, Leiria, Castelo Branco e Trás-os-Montes.

² Levado a cabo pelo Instituto de História Contemporânea da Faculdade de Ciências Sociais e Humanas da Universidade Nova de Lisboa e coordenado pelo Doutor Victor Pereira. Projeto (PTDC/HIS-HIS/103810/2008) financiado pela Fundação para a Ciência e Tecnologia.

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Título da comunicação: Representações do imigrante brasileiro em Portugal nas narrativas portuguesas do século XXI.

Resumo:

Sensual, preguiçoso, falso, não confiável, alegre. Esses são alguns rótulos, mais negativos do que positivos, que podem ser afixados junto à imagem do brasileiro construída nas narrativas portuguesas do século XXI. Num estudo de fôlego sobre a emigração brasileira, a antropóloga norte-americana Maxine L. Margolis, na obra *Goodbye, Brazil: emigrantes brasileiros no mundo*, investiga a invisibilidade do brasileiro em lugares como os Estados Unidos, e afirma o que parece ser regra: “Saber muito pouco sobre o Brasil e estereotipar o pouco que se sabe” (225). Ocorre que em Portugal o brasileiro não é invisível. Pelo contrário, ele sofre de um excesso de visibilidade. Isso porque em Portugal o Brasil é um dos países líderes no número absoluto de imigrantes, e todas as mazelas, a julgar pelo resultado de algumas pesquisas, muitas vezes são relacionadas à presença excessiva e, diríamos, quase intrusiva de brasileiros. Margolis, na obra citada, afirma que frequentemente o desconhecimento de uma cultura é o caminho direto para a construção do estereótipo. Contudo, poderíamos supor, em oposição, que duas nações de alguma forma irmanadas, com uma herança linguística e cultural conhecidas e aproximadas, não entrariam neste campo da caricatura, como outras estrangeiras fazem de nós. Mas quando pensamos nas cicatrizes de nosso processo colonial, entendemos as formas como somos estigmatizados, a forma como brasileiros e portugueses estereotipam-se mutuamente.

Esta comunicação, pois, será estruturada a partir dos ecos advindos das narrativas do século XXI da literatura portuguesa, investigadas no projeto de pesquisa “O Brasil dos outros: Imagens de Brasil nas literaturas em Língua Portuguesa do século XXI”, que procura identificar e analisar quaisquer referências, implícitas ou explícitas, sobre o Brasil nas narrativas publicadas a partir do ano 2000. São ainda incipientes os resultados desta pesquisa, e a varredura das obras continua.

A história dos movimentos migratórios brasileiros para Portugal apresenta diferentes ciclos, e a forma como o brasileiro é percebido pelo português, também. Parte da boa imagem conquistada, de início, devia-se aos *brasileiros de torna-viagem*, que na verdade eram portugueses em retorno de uma vida, em geral, frutífera no Brasil. Essas pessoas ganharam destaque na sociedade da época, viraram personagens imortalizados por autores como Júlio Dinis, Camilo Castelo Branco e Eça de Queirós, e o Brasil e o brasileiro nativo entraram no imaginário afetivo lusitano. Entretanto, a partir da Revolução dos Cravos, especialmente nos anos 80 e 90, Portugal começa a receber, paulatinamente, menos brasileiros oriundos da classe média e mais das classes menos privilegiadas, que chegam à Europa em busca de melhores oportunidades. Há uma explosão de imigrantes brasileiros, muitos graças às instabilidades políticas e econômicas vividas no Brasil, pós abertura democrática e durante a era Collor e seus sucessores. De acordo com dados do Ministério das Relações Exteriores, em 2011 havia perto de 140 mil brasileiros em Portugal. O que muitos teóricos apontam, entretanto, é uma mudança nessa percepção do brasileiro pelo português. De acordo com a historiadora Ana Scott,

passamos de “povo irmão, alegre e simpático” para o estereótipo de pessoas inconvenientes, malandras, aproveitadoras, sedutoras.

Esta relação ambígua e contraditória, de amor e ódio, aparece traçada nas obras portuguesas contemporâneas. De forma geral, o brasileiro desenhado nestas narrativas ocupa posições de subempregos, o que na economia japonesa se conhece como os 3 k, recuperados por Maxine Margolis, kitui (árduo), kitanai (sujo) e kiken (perigoso) (Margolis, 2013). O universo da prostituição parece ser ainda o favorito, mas há também registros que ligam os brasileiros aos serviços de restauração, da televisão e do futebol. De qualquer forma, são em geral, usurpadores, violentos, desonestos. O que esta comunicação, portanto, intenta, é mostrar como os perfis desenhados pelos autores portugueses nas obras do século XXI, apoiados em algumas teorizações sobre estigmatização, estereótipo e identidade, vão ao encontro do senso comum (via pesquisas) e das manifestações exploradas também pela mídia.

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Título da comunicação: “Magazine Contacto”: practices, representations and discourses in a transnational media

Resumo:

Since 2003, RTPI (International Portuguese Radiotelevision) promotes a Tv show called “Magazine Contacto”, a multi-sited production directed from the countries and regions where we can find a great concentration of Portuguese migrants and focused explicitly in the promotion of a so called “Portuguese culture and identity in the diaspora”. This focus in a national culture, associated with an identifiable production centre, Portugal, promotes contents that privilege that matrix building both speeches as visual representations of Portugality. These discourses and representations are not however tight, building up often by relationship or opposition to the reality of the country of arrival, the places where the testimonials, the images and the sounds used in the Tv show are collected. In this sense, what we find in this Tv show is the view of complex processes of identity and cultural bricolage, by producing content that define, sometimes essentializing, a culture and identity of belonging. But also one of hosting, allowing us to discuss the construction of “nationalism at distance”, “banal” nationalism and their daily practice in various migrant geographies as well as their hybridization in construction, definition and integration in another cultural environment. This presentation shall discuss these issues from the example of three segments of this Tv show - Canada, France and Brazil.

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Título da comunicação: Immigrants' Impact on National Identity Shift: the USA Case.

Resumo:

The paper presents a research of the immigration role in the process of American nation formation and immigrants' impact on the ethno-racial recomposition of the contemporary American nation.

The presentation is structured as follows:

1 - Phenomenon of **identity** and its scientific rethinking.

2 - The main **political and ideological factors of national identity establishment and development in the USA** and the main features of American nation (political unity, novelty, openness, orientation for the future) (Encyclopedia of American Immigration, 2001, V. I – IV).

3 - The place of **immigration** within the mentioned factors and its significant impact on American nation – the nation of nations, the nation of immigrants – regardless the dominating concept used for explanation of the nature of American national character (like melting pot or cultural pluralism).

4 - US immigration process liberalization after 1965 Immigration and Nationality Act was adopted; increasing of immigrants' flows in general and changing of their ethnic component in particular as a result of US immigration process liberalization (see table 1). Thus, 1965 Immigration and Nationality Act did not consider these changes. Using qualitative data the author argues that such changes of the immigrants' ethnic composition henceforth affected the demographic situation. Consequently, it led to the rethinking of the peculiarities of ethnic and national development of the USA as an ethnic pluralistic society, the nature of the national identity and peculiarities of the American nation further development.

Conclusions.

	1961-1970	1971-1980	1981-1990	1991-2000	2001-2008
Together	3 321 000	4 493 000	7 328 000	9 95 000	8 328 000
Europe	1 123 000	800 000	762 000	1 360 000	1 070 000
Asia	478 000	1 588 000	2 738 000	2 295 000	2 949 000
America (without Canada), incl. Canada	1 303 000, 413 000	1 812 000, 170 000	3 458 000, 157 000	4 295 000, 192 000	3 470 000, 139 000
Africa	29 000	80 000	177 000	355 000	632 000
Oceania	25 000	41 000	45 000	56 000	47 000
Others*	29	12	1 000	42 000	000

* Region was not specified.

Source: 2009 Yearbook of Immigration Statistics. – Washington, D.C. : US Government Printing Office, 2010. – P. 12; Statistical Yearbook of the Immigration and Naturalization Service, 2000. – Washington, D.C. : U.S. Government Printing Office, 2002. – P. 20-24.

Key words: immigration process, the USA immigration policy, immigration, immigrants, liberalization, restructuring, national identity, American nation, ethnic and race recomposition.

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Título da comunicação: A imigração portuguesa em França no entre-guerras (1919-1940)

Resumo:

Pretende-se com a esta proposta de comunicação chamar a atenção para um período tido como pouco significativo na historia da emigração portuguesa para França, numa altura em que os destinos eram preferencialmente transatlânticos. Nos inícios do século XX, o numero de portugueses em França não ia além do milhar de indivíduos; a evolução numérica inicia-se com a 1^o guerra, quando em 1916 um primeiro acordo franco-português encaminha para França as primeiras levas de contratados portugueses destinados a suprir a falta de mão-de-obra francesa. As pesadas perdas humanas sofridas pela França durante o conflito mundial, provoca no pós-guerra o recurso imperioso a uma mão-de-obra estrangeira para relançar a produção, abrindo-se assim um novo destino para os fluxos portugueses. Em 1919, a França tenta ainda negociar um novo acordo de mão-de-obra com Portugal; o fracasso das negociações abre a porta a uma emigração clandestina, traço maior da imigração portuguesa durante todo o período, tomando o passo a uma emigração legal, de trabalhadores que atravessam a fronteira munidos de um contrato de trabalho. O numero de imigrantes portugueses aumenta rapidamente ao longo dos anos 20, para atingir um auge de 49 mil no recenseamento de 1931, data a partir da qual os efectivos regridem.

Desta corrente migratória dos anos 20 e 30 transcende a imagem de uma emigração essencialmente masculina e iletrada, trabalhando sobretudo na indústria e na construção civil, subsidiariamente na agricultura, implantada na região de Paris, nos departamentos do sul e no Nord-Pas de Calais, pouco politizada e marcada já pela clandestinidade. No entanto, a documentação emanada das autoridades consulados põe em causa esta visão sensaborona e uniforme do período, descortinando-se nela três fases maiores, cuja dinâmica repousa na luta pela melhoria de condições de trabalho e de vida dos imigrantes portugueses. A primeira phase (1919-1931) estrutura-se à volta da falta de protecção dos acidentados de trabalho e das respectivas famílias; a segunda (1931-1937) é marcada pela crise do emprego e pela luta pela extensão aos imigrantes portugueses do direito ao subsidio de desemprego; a terceira (1937-1940) corresponde à agudização da crise económica com a subida da direita a marcar o compasso político, e que se traduz pelo aumento exponencial do numero de expulsões de trabalhadores portugueses e o regime de arbitrariedade da administração francesa na gestão da presença estrangeira em França. Em pano de fundo, e transversal ao período, coloca-se a questão da protecção jurídica da imigração portuguesa em França, desesperadamente procurada através da negociação de um acordo de reciprocidade em matéria de direitos sociais por quem dele necessitava para melhorar as condições de vida em França. Procura que, face ao autismo do Estado português, é capaz de gerar mobilização sindical e política no seio da comunidade. Paradoxalmente, o acordo luso-francês acaba por entrar em obtido em 30 de Abril de 1940, numa data em que a II Guerra, e sobretudo a ocupação pelos alemães de uma parte do território francês, estruturará a colónia portuguesa em França e em que as preocupações dominantes são doravante de outra natureza.

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Título da comunicação: Greek migration to South Africa in the long 20th century and current state of affairs. Migrant's profile and motivations in different moments

Resumo:

One important migratory movement during the late 19th and 20th centuries were the mass migrations that took place from the Greek speaking areas of the Eastern Mediterranean to the South Africa following either the indirect ancient route of the Nile and the Grand Lakes or the direct way.

My purpose is to revisit the emigration of the Greeks from the late 19th century until nowadays taking as example of the Greek migrations the waves to the South Africa in order to identify differences, peculiarities and similarities between different periods and moments [end of the 19th century, Balkan Wars, 1923, 1940s, 1960s, and the recent economic crisis, but also the 1990s when the image of immigration country seemed to fit Greece – as Portugal and other Southern European countries as well - .]

Especially I will focus in the profile and the motivations of the emigrants. In this paper I wish also to examine the complexity of their experience in the group's collective consciousness.

Furthermore, a parallel target is also to see the manner of integration and the cultural, economic and ideological relations of the group to this society and the relation with the 'homelands'.

With my proposal, I will try to give some answers related to the Greek migration, using the case of the Greeks in South Africa and providing some new information from my recent research and experience in the Greek communities of Johannesburg and Cape Town. So my proposal explores also how certain ideas regarding the phenomenon of migration could have an impact upon the reading of 'reading' of national history.

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Título da comunicação: Voices of women's immigration: the profile of Brazilian in London

Resumo:

The migration flow of Brazilians to other countries becomes perceptible from the 1980s. Studies show that by the time the main target of Brazilian migrants was on countries of North America, Paraguay, Japan and some European countries such as Portugal, Spain, Germany, France and England.

Although there are specific investigations related to Brazilian migration to North America, Japan and Europe since the beginning of these flows, research on the Brazilian presence in England is scarce.

This work aims to outline the profile of the demographic woman workers in London (UK) and to explore the reasons for this migration. For that, it presents empirical research data collected in London (2014) through quantitative and qualitative methods. The first results of our sample shows 72.7% of white women, 30 to 40 years old, 53.7% have children, 40.3% have complete higher education, the main place where they came from, in Brazil, is the city of São Paulo, the majority were single when left Brazil and in 2014 were married. Among the married women in our sample, 49.3% were married to Brazilian, 13.6% married with Portuguese and the remaining married to other nationalities, and 4.6% had not the necessary Visa documents to stay in UK.

In addition to the demographic issues will also be presented "voices" of individual women expressing the reasons why they came to be part of the international migratory flow. The fragments below shows experiences of Sônia, Maria e Helena³ respectively:

"My daughter was quite young, less than one year old. Even I worked a lot in Brazil, but everyone knows, one is not well paid. It demands too much of one... I decided to come [to UK] because what I earned was not enough to maintain my family... I wanted more for us, want more, that's why I decided to leave everything there, my parents, my family, my mom... my parents were the ones who supported me ... (verbal information)"

"... I had a cousin who lived here, he migrated over here, he lived with me at the time in Goiania and then he decided to come here ... I came in 2002 and then he was here, you know.. I had a nice and then I started having problems in Brazil with housing, I lived in this periphery. It was a dangerous place and my mother lived next to me but she moved and I was alone with my son ... when my mother moved, I started having a lot of problems, thief on my doors everyday threatening me, you know, and then this cousin inviting me to come over, I decided like a crazy so I decided ... (verbal information)"

"Because there had been four years I had a dream, no one could take that out my head... moved out... for four years was night and day... I am moving out... I am moving out... and I was. I got to make friends abroad, in America, and ended up here (verbal information)"

³ Fictitious names of the interviewees.

Understanding who these women are and why they use migration as a survival strategy will contribute to the deepening the issue of the migration situation of Brazilian women living in London-UK.

Key - words. International migration. Women. Brazil. London.

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Título da comunicação: Who they are and what moves highly skilled professionals out of the country? Profiles, factors and motivations

Resumo:

No contexto de crise económica e financeira português, as migrações de profissionais altamente qualificados (detentores de diplomas do Ensino Superior) assumem particular incidência no quadro dos mercados de trabalho (trans)nacionais e apresentam configurações diversas e diferenciadoras face a um passado recente. Com efeito, Portugal tem vindo a ser palco de expressivos fluxos de saída de profissionais que procuram/encontram alternativas de emprego noutros países. Também os jovens-adultos mais qualificados estão a ser afetados por esta situação de falta de oportunidades e de bloqueio à concretização das suas aspirações socioprofissionais, levando-os a procurar alternativas no exterior, mais aliciantes do ponto de vista salarial e de progressão na carreira. Esta é uma tendência cada vez mais evidente, mas cujos contornos estão, ainda, por clarificar.

Representando cerca de 10% do total do movimento migratório, a população com qualificação superior está, cada vez mais, implicada nestes fluxos, apresentando a maior subida da última década: 87,5%. O significativo aumento das qualificações e as expectativas dos ativos portugueses encontram estrangulamentos no mercado de trabalho nacional, ainda assente num padrão de especialização produtivo tradicional e em modelos empresariais/ organizacionais pouco inovadores, que dificultam a competitividade da economia, conduzindo a processos desqualificantes e ao desperdício de capital humano. Além disso, as modalidades privilegiadas de gestão desta mão-de-obra têm vindo a acentuar evidentes traços de insegurança laboral (e.g. contratos de duração limitada, salários baixos, amputação de direitos laborais), assistindo-se, por conseguinte, à generalização de uma maior exposição à precariedade laboral e (ao risco de) desemprego, bem como à suspensão ou adiamento de projetos familiares/ pessoais e profissionais mais consistentes.

Quem são e o que move esta população altamente qualificada para fora do país? Partindo das respostas a um questionário *on line* aplicado a ativos portugueses, com grau de ensino superior, residentes no estrangeiro, propomos uma análise qualitativa do fenómeno. Nesta análise, privilegia-se quer a compreensão das condicionantes - tanto dos fatores de atração da sociedade de destino, como dos de repulsão da sociedade de origem - quer o conhecimento das características, motivações, trajetórias, estratégias e modos de vida deste perfil de emigrantes.

Começamos por fazer um breve enquadramento do tema, salientando a informação estatística disponível e a recente evolução da questão da emigração, em geral, e da altamente qualificada, em particular, nas diversas agendas - política, mediática e científica -, destacando os aspetos mais relevantes dessas abordagens. Num segundo momento,

focamo-nos na análise descritiva dos resultados do inquérito por questionário a uma amostra dos agentes envolvidos nestes processos - profissionais altamente qualificados a residir fora de Portugal - que saíram do país antes e após 2011, ano crítico associado à crise que marca o início da aplicação do programa de ajustamento económico. Apresentaremos o seu perfil sociodemográfico, a sua trajetória profissional (pré e pós saída), a trajetória migratória, a relação com o país de origem, as dinâmicas de integração no país de acolhimento, os seus projetos e perspectivas de futuro, bem como os eventuais condicionalismos para a sua realização e um balanço da experiência de emigração. Analisaremos, também, os condicionalismos individuais e estruturais que influenciaram a saída, nas suas vertentes atração/ repulsão. A partir desta análise, retomamos o objetivo geral da pesquisa: compreender as reconfigurações da mais recente emigração de diplomados portugueses, salientando o que aproxima e/ ou distingue estes agentes e processos migratórios da anterior mobilidade transnacional qualificada, emergente nos anos 80/90, fruto da internacionalização da nossa economia e das políticas de incentivo à mobilidade, com particular destaque para os programas de fomento da mobilidade académica intraeuropeia, assim como o grau de aproximação dos fatores que a condicionam, relativamente às tradicionais “determinantes” da emigração estrutural portuguesa.

Em suma, com esta apresentação, visamos atualizar o conhecimento sociológico sobre a temática da emigração, centrando a análise nos profissionais altamente qualificados, na evolução das suas motivações/condicionantes, nas modalidades e processos deste tipo de mobilidade, bem como nas suas expectativas e perspectivas, de modo a conjeturar potenciais implicações futuras no processo de recuperação económica e no desenvolvimento português. Esta análise, ainda preliminar, sugere que se, por um lado, existem desequilíbrios geo-socioeconómicos que condicionam o fenómeno em análise, ele é, simultaneamente, suportado por predisposições sociais, interiorizadas e incorporadas em modos de vida dos indivíduos ao longo da história, bem como por redes de apoio que impulsionam e facilitam a sua concretização. A articulação da análise das estruturas com a das lógicas e estratégias dos agentes envolvidos nestes processos permite uma melhor compreensão do fenómeno, posicionando-o na heterogeneidade e complexidade das mobilidades profissionais transnacionais contemporâneas. A partir desta análise, recoloca-se a centralidade do trabalho e da realização e desenvolvimento pessoal e profissional, bem como as transformações recentes dos mercados profissionais (trans)nacionais como dimensões fundamentais das dinâmicas de mobilidade destes profissionais, constituindo-se pontos de partida para futuros aprofundamentos da investigação.

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Título da comunicação: the causes of the present spanish emigration

Resumo:

According to the Spanish migratory statistics, from year 2002 to 2013 they have taken place something more than 400 thousand exits of Spaniards to reside abroad. The evolution of this flow has not been uniform during this period. In the 2003 and 2004 flow experiences a slight reduction, to initiate as of 2005 a footpath of growth practically continued until the present time. Between the 2005 and 2010 flow it maintains a rate of constant growth, although at relatively moderate levels. The data indicate that it is mainly as of 2011 when an important growth of the volume of exits takes place that reach this year numbers (something more than 50 thousands) that were not registered from mid the decade of the 70 of the last century. In the last years, the flow has continued growing surpassing in 2013 the 70 thousand exits, number that more likely is surpassed in 2014 in accordance with the data published by the INE referred to the first semester of this year. This growth of the Spanish emigration years, in the last more likely superior to which indicate the previous numbers due to the remarkable consular subregistry (Romero and Hidalgo, 2014), has provoked an important social preoccupation and mediatic attention, being associated to the effects of the economic crisis and the governmental policies of austerity and cuts of the public cost. This important flow is also associated almost exclusively when coming out of young people, born and formed in Spain, with a high qualification (the generation better formed of our history), which would be giving rise to an authentic demographic drain and flight of brains.

Against this background, it is possible to ask itself: So that the Spaniards emigrate at the moment? Which are the causes and reasons that it? To what extent is influencing the economic crisis in the growth of this emigration? So that, in any case, this emigration comes growing from mid the last decade agreeing with the moment from greater economic bonanza and reduction of the unemployment of the history ours of country? This work must as objective try to offer answers to these questions and with it to contribute, throwing a little more light, to improve the knowledge and compression of this subject.

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Título da comunicação: El retorno de la emigración en la arena pública española a lo largo del siglo XX / Return migration in the Spanish public sphere throughout the twentieth century

Resumo:

Return migration to the place of origin was — and continues to be — among the political concerns of governments, in parliamentary debates and under the gaze of critics, opponents and scholars of migration in the social sciences, in the instruments of expression of journalists, and, of course, among the prospects and desires of emigrants themselves and citizens in general.

This proposal intends to take a long-term look at public discourses in Spain dealing with the return of emigrants to their place of origin during the twentieth century. Our main sources of information come from the written press, reports on parliamentary debates and the writings of scholars of this phenomenon, as well as the correspondence of emigrants themselves with Spanish Consulates abroad, especially those who asked to be repatriated by the state. In this analysis, our starting point is that Spanish emigration, first to the Americas and then to Europe, was a circular process and not a linear one.

Our chronology, therefore, includes various different migration cycles: a first great wave that took place approximately from 1880 to the 1930s; a second wave during the Franco era, especially in the 1960s and 70s, whose return went on until well into the 1980s; and a third and last more recently, arising from current Spanish return migration.

From the start of the first great migration wave, the Spanish state started to interfere in the process. The measures inciting return migration established by the first Emigration Act (1907) were almost entirely conserved and integrated into further implemented legal measures, until the 1960s. Those measures were used by the successive governments to assist Spanish expatriates in periods of economic crisis when the employment rate and the living conditions of the immigrants became worse.

However, as we intend to explain, the state intervention in the migratory process — including outward and inward movements — was not specific to Spain. From the end of the XIXth century, the European liberal states facing the emigration issue gradually modified their traditional policies of laissez-faire and progressively and voluntarily intervened in and assisted outward and inward migration movements. Spain followed the policies implemented in Europe, and more specifically in Italy, whose legal apparatus was highly influential to Spanish politicians.

During the Second World War, the Francoist state took up the traditional system of selective repatriation of economic immigrants, which had been set up in the period of massive emigration. Nonetheless, no systematic regulation of the returns was organized. The 1971 Emigration Act introduced a few measures protecting returned migrants, but no

policy of incitement or systematic help was implemented during the nearly forty years of dictatorship. It constituted a major issue during the crisis in the 1970s when thousands of Spanish natives lost their jobs abroad and were compelled to return home. It was only with the arrival of democracy towards the mid-1970s that a real policy of assistance was designed.

In view of the above, the main objective of this study is to analyse the evolution of varying public perceptions of Spanish return migration in the different periods and compare them, emphasising the changes and continuities in the discourses, the importance given to this matter by the state and the political class and how it was communicated to the media and the public.

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