

**WE: WOR(L)DS WHICH EXCLUDE  
JUST/2011/FRAC/AG/2716**

**WORKSTREAM 1**

**PORTUGAL NATIONAL REPORT**

**CENTRE FOR RESEARCH IN ANTHROPOLOGY (CRIA-IUL)**

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## 1. Quantitative analysis of the collected documents<sup>1</sup>

At the end of the whole process of gathering documentation, we collected in total (in both cases, national and local) **62** documents, dated from 2002 to 2013; we decided to include 2013, as in this year the National Strategy for the Integration of *Cigano* Communities<sup>2</sup> was approved.

Different methodological approaches were adopted to identify the official documents which represent the Portuguese reality concerning the aims of the project: direct and indirect (online search) collection of available and public documentation; interviews and informal conversations with institutional actors of the central government and local administration; as well as contacts with public or third sector entities that promote social intervention projects at a local level.

During the process of collecting documents, we necessarily sharpened and narrowing the research and the selection criterion of formal acts, until we reached a quite reduced number of official documents (mainly at the local level) for reasons that we will try to enhance in this Chapter.

From the beginning, we must stress two important issues – which will be resumed throughout the whole report due to their performative effectiveness – to understand, firstly, the difficulty of searching for the pertinent documents for the aim of the present

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<sup>1</sup> From the outset, it is important to clarify why we decided to adopt in the Report the Portuguese word *cigano/a* and, in its plural form, *ciganos/as*. This is the term used by Portuguese *ciganos* (Gypsies) to name themselves, as well by non-*cigano* people. The word is also officially used in the institutional documents founded and to which we refer here. Solely when we refer to documents of international nature, the term Roma, received in the international institutional context, replaces the local one.

<sup>2</sup> All documents collected for quantitative analysis are listed with their respective official classifications in the Annexes to the present report: ExcelWE\_Annex\_1\_NationalDocs; ExcelWE\_Annex2\_LisboaDocs; ExcelWE\_Annex3\_BejaDocs; ExcelWE\_Annex4\_Vidigueira\_Docs.

project, and, secondly, the typology of documents and acts collected, as well as their narrowness at the two territorial levels:

- Not every document explicitly refers to *ciganos* as a target (see Chapter 5). Albeit explicitly absent from the documents, the *ciganos* are implicitly targeted, often being intentionally “hidden” under other social categories (thus excluding the ethnic category), that point to different dimensions: vulnerability and poverty; to be a citizen/resident/tenant in a social housing neighbourhood; reference to names of specific residential contexts (popular or social housing neighbourhoods).
- Not every document follows the criterion of specificity of the contents of acts – that is, acts that concern solely the housing issue related with *ciganos*. It should be mentioned that in Portugal there are no public housing policies explicitly directed to *ciganos* and we didn’t find any official document whose funds had targeted exclusively *ciganos*<sup>3</sup>. On the other hand, all documents giving grounds for the political will to “intervene” were taken into account – social intervention programmes, in the widest sense of the term<sup>4</sup>.

Given this situation, it was exactly because, in the beginning of the research, we stuck to the most inclusive criterion for searching and selecting documents, and because we tried to cross every available data (by reading documents, successively eliminated, and interviewing technicians and hierarchical superiors in different

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<sup>3</sup> The IHRU (Institute for Housing and Urban Rehabilitation) after being contacted, states that he hasn't information aggregated on *ciganos*. IHRU is a public institute that is indirectly administered by the state. It has financial and administrative autonomy. The IHRU is responsible for granting technical support to local authorities, proposing housing policies to the government. The social dimension, namely resettlement in social housing (re-housing), is an important part of the Institute's work. The Institute is also responsible for producing the appropriate legal framework for and co-financing the re-housing projects developed by Municipalities.

<sup>4</sup> These peculiarities of the Portuguese context will be presented in greater detail in Chapters 2 and 3 of the present Report.

institutions) that we were able to reach given types of documents and formal and official acts.

Thus, from 239 documents collected and selected in a first stage<sup>5</sup>, we reached the present 62. Why and how?

From a methodological and analytical point of view there was a need to improve the criterion used to choose between the apparently numerous documents found<sup>6</sup>. In fact, many documents collected were deemed para-texts, non-formal documents, with no legislative or executive strength. However, some of them are extremely effective documents because, at the national level, they have the “power” to guide European and national institutional policies, whilst, at the local level, they translate the intentions and political positions of institutional agents who, at a given moment, perform functions or influence and guide institutional practice and its forms of intervention (see, for example, Chapter 9 concerning case-studies in Lisbon and Vidigueira).

The global view about the documentation collected shows the existence of 14 documents at the national level, and 48 documents, at the local level, taking into account the set of three municipalities included in the research, albeit with an unequal distribution between Lisbon and Vidigueira with 7 documents each, and Beja with 34 (see Graphic 1).

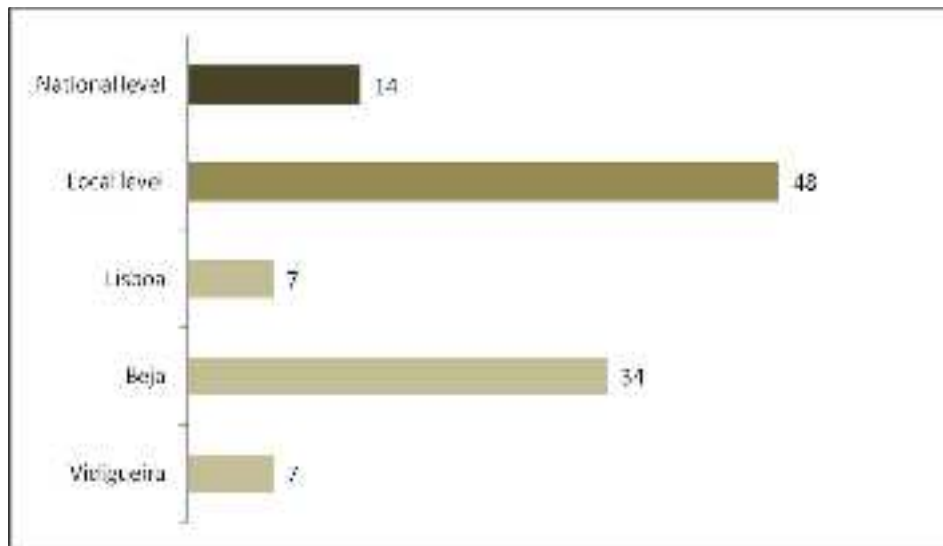
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<sup>5</sup> See the second report of the Project WE Wor(l)ds which Exclude, presented in the III Meeting in Granada on January 28-29<sup>th</sup>, 2014.

<sup>6</sup> At the national level, we collected 84 documents, most of which were successively eliminated: all the documentation of parliamentary activity, the Framework Convention for the Protection of National Minorities, the documents produced by the Committee for Equality and Against Racial Discrimination (CICDR), the ACIDI activity reports and the Report of the hearings carried out of Portuguese *ciganos* within the European Year for Intercultural Dialogue of the Parliament Committee on Ethics, Society and Culture. At the local level, as a whole, we collected 155 documents, 31% of which were not contemplated in the present analysis but are important as contextual references: minutes of Municipal Chamber meetings, plans, reports, studies, intervention projects, technical information etc.



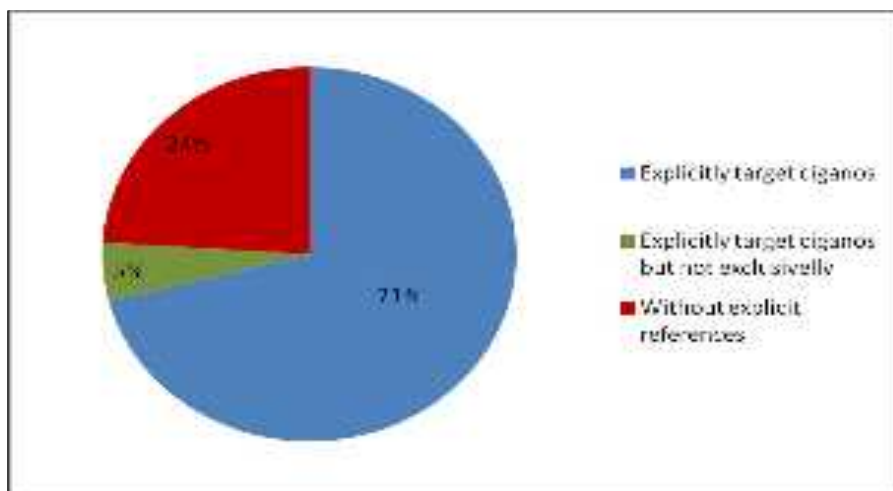
Graphic 1: Documents collected by territorial level



Source: CRIAWE Wor(l)ds which Exclude, March 2014

Of the 68 documents collected, 71% are explicitly directed to *ciganos* and 24% are completely silent in its referentiation. A residual number of documents (only 4) is explicitly directed to *ciganos*, but not exclusively.

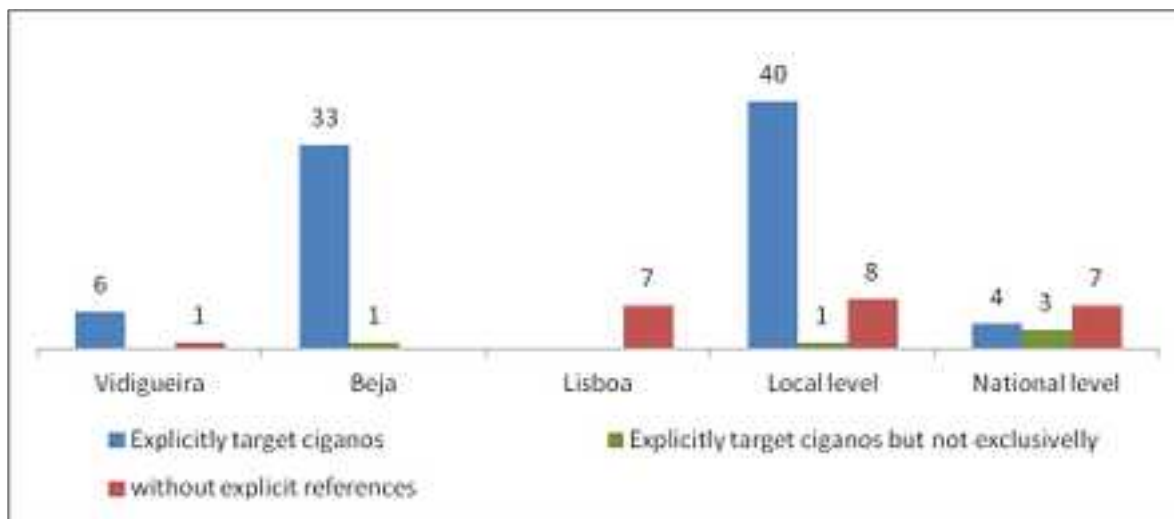
Graphic 2: Percentage of documents collected by the target



Source: CRIAWE Wor(l)ds which Exclude, March 2014

Especially at national level and in the case of Lisbon, the official documents without an explicit reference to *ciganos* assume the larger proportions (one half of the national documents and all the documents of Lisbon do not mention *ciganos*). On the contrary, in the case of Vidigueira and Beja, explicit references to *ciganos* predominate.

Graphic 3: Documents collected by the target and territorial level



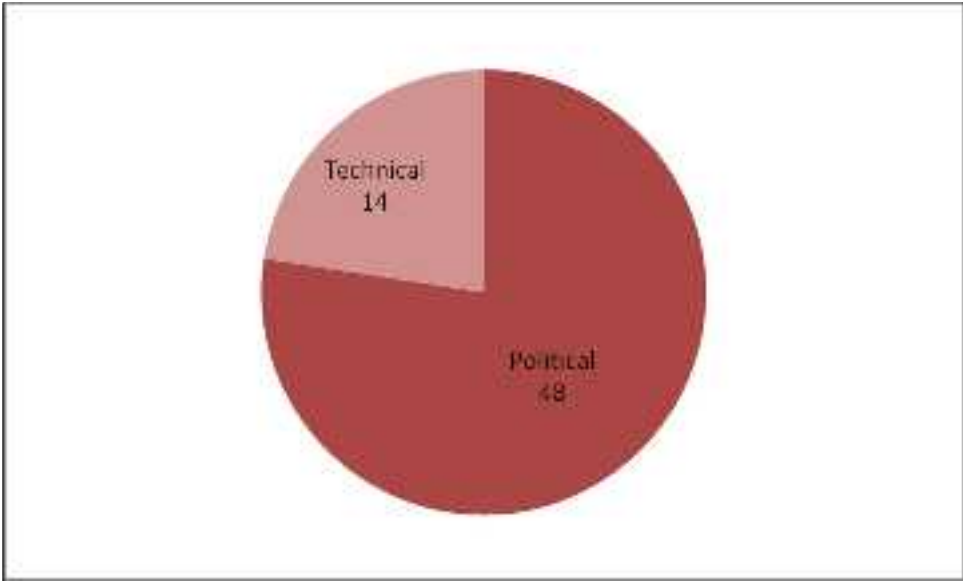
Source: CRIAWE Wor(l)ds which Exclude, March 2014

Note: We consider that all the documents collected in Beja refer explicitly and exclusively to *ciganos* because we assume that the *Bairro das Pedreiras*, the keyword used here, is a neighbourhood exclusively inhabited by *ciganos*. Depending on the specific content of each text, some of them use more explicit words like "*cigano* ethnic families" or "nomads" that reinforce our affirmation.

Of all the documents, 75.8%, are of political nature (see Graphic 4), mainly present at the national level: they are documents issued by political bodies or, at the local level, by institutional agents charged with guaranteeing the activation of the political programme (that is, Presidents of Chambers). This category includes normative texts (for example, Decree-Laws and EU Regulations), and applicative texts (for example, Ministerial Resolutions, Ministerial Decrees, Municipal Chamber and Municipal Assembly

Resolutions). The remaining 14 documents are of technical-administrative nature, insofar as they were produced by technical figures of the Municipality to inform, express binding opinions, or to regulate the operation of a housing structure, aimed at final higher dispatch and approval, or not.

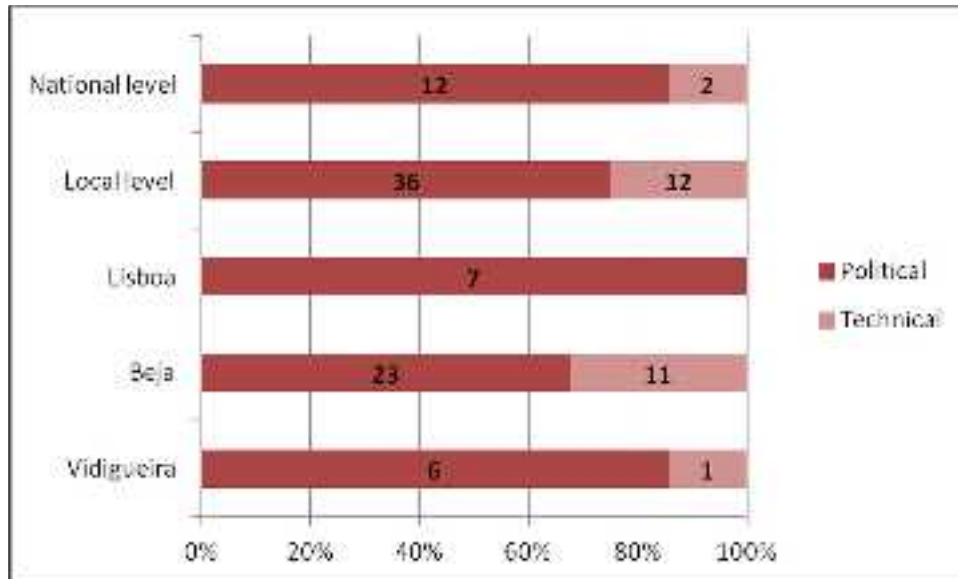
Graphic 4: Documents collected by political vs. technical/administrative nature



Source: CRIAWE Wor(l)ds which Exclude, March 2014

The technical/administrative documents are, mostly, at the local level (see Graphic 5) and, particularly, in the Municipality of Beja.

Graphic 5: Documents collected by political vs. technical/administrative nature and territorial level

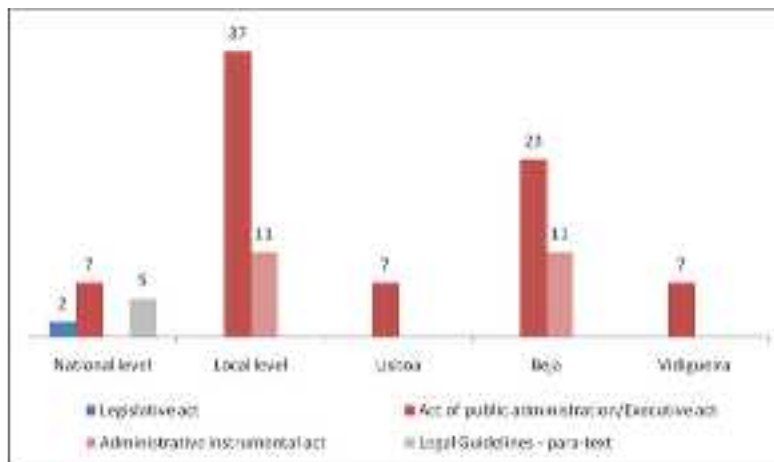


Source: CRIA/WE Wor(l)ds which Exclude, March 2014

In what concerns the typology of the collected documents (see Graphic 6), one must mention, from the start, that we included, at a national level, those that were classified as para-texts: official documents that, although they are not legally binding and directly enforceable, constitute official guidelines for European and national institutional policies. On the contrary, at the local level, these documents were all deleted; this was one of the criteria to review the documents collected, implying a drastic reduction of the number of documents taken into account in the quantitative analysis. Nevertheless, in the qualitative analysis, some of these para-texts will be resumed according to their pertinence and relevance before the recorded administrative acts.

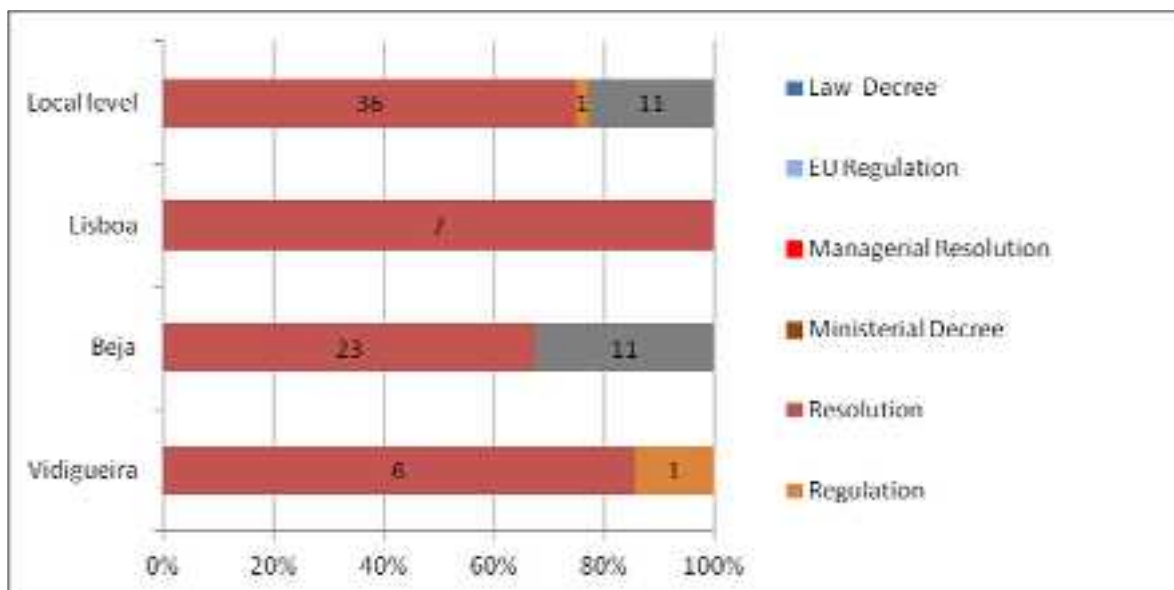
With the exception of two legislative acts, recorded at the national level (1 Decree-Law and 1 EU Regulation), the remaining formal official documents, both at the national level and at the local level, are acts of public administration with executive strength, which were differentiated between: 1) acts of public administration – that is, Ministerial Decree, Managerial Resolution, Resolution of the Municipal Chamber or Resolution of the Municipal Assembly); 2) administrative instrumental acts – that is, internal technical information or opinions with strength to bind the municipal administration, having had previous higher dispatch. The discrimination of the different acts, legislative and administrative, is shown in Graphic 7, from whence information about para-texts was gathered.

Graphic 6: Documents collected by typology and territorial level



Source: CRIA/WE Wor(l)ds which Exclude, March 2014

Graphic 7: Documents collected by acts and territorial level



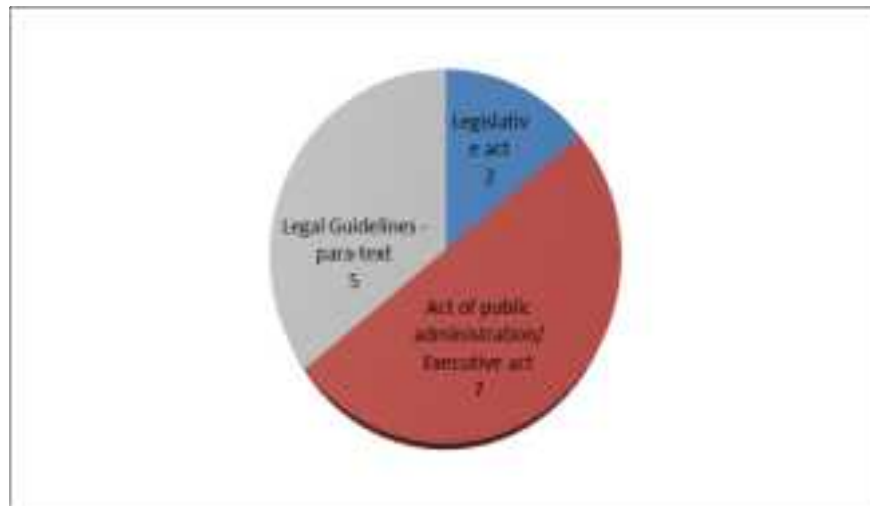
Source: CRIA/WE Wor(l)ds which Exclude, March 2014

## 1.1 National level

The national level research confirmed the presence of some sources that reveal the existence of legislative and administrative acts in force that legislate, approve and regulate institutional policy directed to *ciganos*, or, more comprehensively, to ethnical minorities and populations defined as the most vulnerable and marginalised.

Of the 14 documents collected, 9 are formal official acts (2 legislative and 7 executive) and 5 are para-texts.

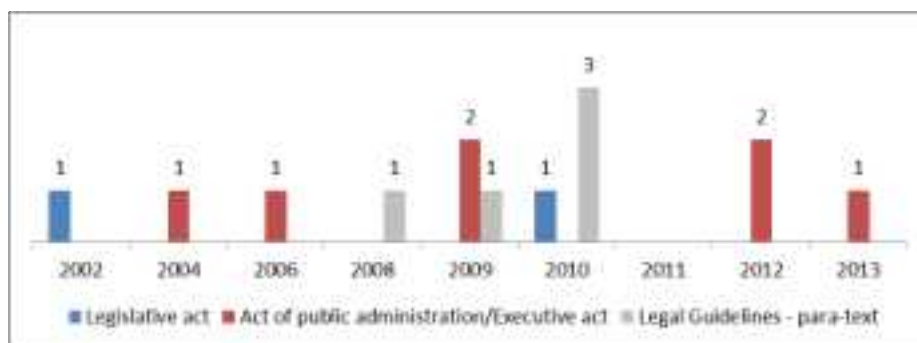
Graphic 8: Documents collected by typology



Source: CRIA/WE Wor(l)ds which Exclude, March 2014

The period in analysis reveals a quite homogeneous distribution of the collected documents, except in the 2009-2010 period, with 7 documents, although 4 of them are para-texts. This period, besides coinciding with cycles of national Plans and Programmes, such as *Plano Nacional de Ação para a Inclusão* – PNAI (National Action Plan for Inclusion) or *Programa Escolhas* (Choices Programme), also corresponds to the implementation of the Municipal Mediators Project and the complaint presented by ERRC to the European Committee of Social Rights, demanding to know the political stance of the Portuguese Government. As one can see by reading Graphic 9, the temporal distribution of acts by typology is more homogeneous in the whole period, but in 2009 there are two acts concerning the Choices Programme.

Graphic 9: Documents collected by typology and year



Source: CRIAWE Wor(l)ds which Exclude, March 2014

Among legislative and executive acts we collected (see Graphic 10, from whence para-texts documents were gathered):

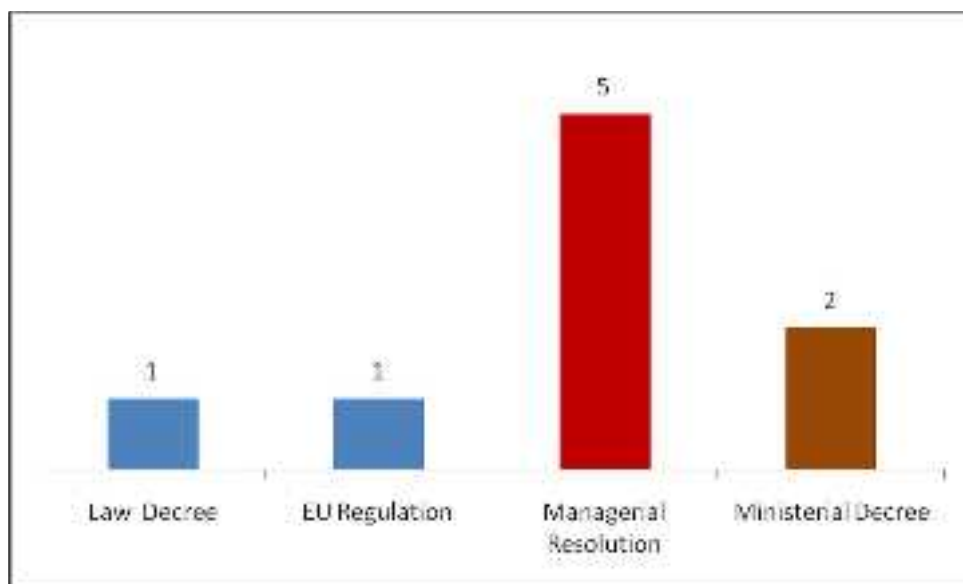
- 1 Decree Law (Law Decree n° 310/2002) assigning competences to Municipalities concerning licensing several activities, including occasional camps. This document, although a general bearing legislative act, not specific for *ciganos*, has its importance for being the sole instrument that Municipalities have to regulate occasional stationing and camping by *ciganos* (among others)<sup>7</sup>.
- 1 EU Regulation (Regulation European Regional Development Fund (ERDF) N° 437/2010) providing expansion of the acting sphere of the European Regional Development Fund to interventions in the field of housing “on behalf of marginalised communities”, among them *ciganos*.

<sup>7</sup> For this matter see the Regulation for the Rural Service of the National Republican Guard (GNR), referring to this Decree-Law.



- 5 Managerial Resolutions, 4 to approve the Choices Programme<sup>8</sup> (Resolution of the Council of Ministers n° 60/2004; Resolution of the Council of Ministers n° 80/2006; Resolution of the Council of Ministers n° 63/2009; Resolution of the Council of Ministers n° 68/2012) and 1 to approve the National Strategy for the Integration of *Cigano* Communities (Resolution of the Council of Ministers n° 25/2013);
- 2 Ministerial Decrees to regulate and define the principles, rules and procedures to be complied with in implementing the Choices Programme (Normative Dispatch n° 17/2012; Normative Dispatch n.º 17/2012).

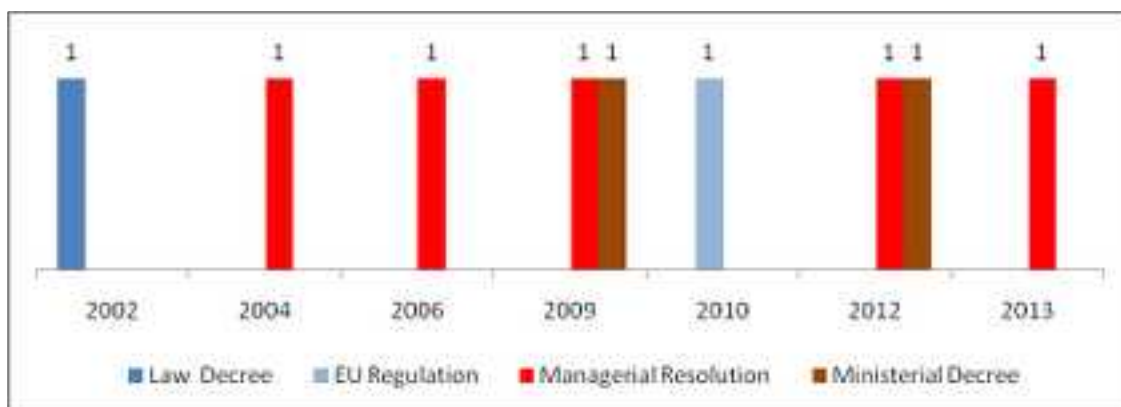
Graphic 10: Documents collected by acts



Source: CRIAWE Wor(l)ds which Exclude, March 2014

<sup>8</sup> In short, the Choices Programme is a government programme of national scope, created in 2001, with the mission of promoting social inclusion of children and youths of vulnerable socio-economic contexts, many of them located in territories where “descendants of immigrants and ethnical minorities are concentrated”.

Graphic 11: Documents collected by acts and year



Source: CRIA/WE Wor(l)ds which Exclude, March 2014

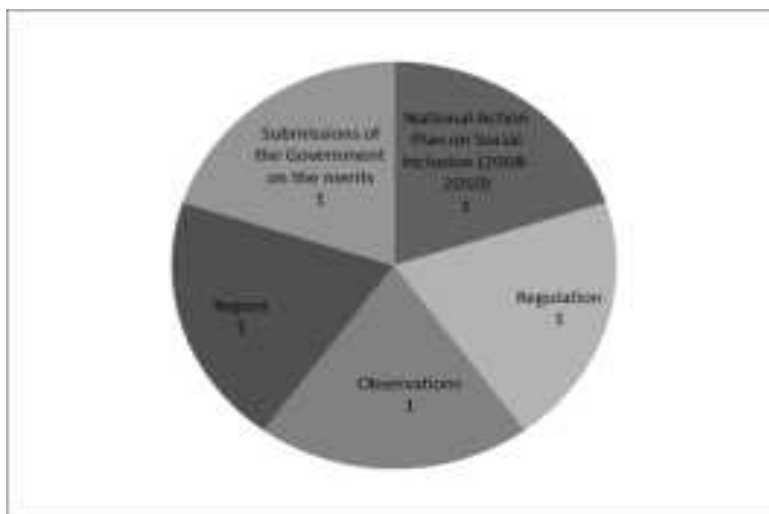
The remaining 5 documents are para-texts (see Graphic 12). Although they are not binding texts, they are reference texts when one wishes to understand the official ideological stance of the Portuguese Government about the “*cigano* issue”, and the guidelines for public policies at the national and local level, concerning the integration of *ciganos* in Portugal, where housing is always deemed one of the main necessary axes of intervention. They are:

- 1 Observation of the Portuguese Government and 1 Submission of the Portuguese Government on the Merits, affirming the political stance of the Portuguese Government to the complaint forwarded by ERRC<sup>9</sup>;
- 1 National Action Plan on Social Inclusion (PNAI) and 1 Report on the implementation and its results, drawn up by the Portuguese Social Security Institute;

<sup>9</sup> See European Roma Rights Centre (ERRC) vs. Portugal, Complaint n° 61/2010, April 29<sup>th</sup> 2010, concerning the housing rights situation of *ciganos* in Portugal, raising particular concerns regarding articles 16, 30, 31 and E of the Revised European Social Charter (RESC), entered into force with respect to Portugal on July 1<sup>st</sup> 2002.

- 1 Regulation for the Experimental Municipal Mediators Project by the High Commission for Immigration and Intercultural Dialogue (ACIDI).

Graphic 12: Documents collected by typology of legal guidelines – para-texts



Source: CRIA/WE Wor(l)ds which Exclude, March 2014

## 1.2 Local level

With the exception of the Beja case (34 documents collected), throughout the process of collecting information at the local scale (and within it, each case has its specificities), obstacles of a different nature were found concerning access and possibility of collecting formal administrative documents.

In fact, in the Municipalities of Lisbon and Vidigueira it was only possible to access 14 documents (7 in each Municipality). It is therefore necessary to make a small note, justifying the institutional silence - vs. the cacophony of political speeches -, found in the documental research at this territorial level<sup>10</sup>.

<sup>10</sup> This introductory approach will be deepened in Chapter 2, by presenting the main national laws, namely the Portuguese Constitution of 1976, the Personal Data Protection Act (Law 67/98), and the

When presenting the case-studies (Chapter 9), concrete examples will be given of these difficulties, as well as in the next pages of this Chapter, however it is possible to define, from the start, the main reasons that may justify the scarcity of documents.

In fact, the greatest obstacle found in the process of collecting documents is represented by what one can define as a formal “documental hole” between political speech and its translation in formal administrative and official procedures. Many documents found are para-texts, whose executive effectiveness is not supported, whilst the lacking documents are precisely, most of them, resolutions, or technical information and their relative dispatches by hierarchical superiors.

One must stress that, in some cases, access to administrative procedures, which produced the documents found, was denied with silence from the responsible institutions; in others, it was a more operative issue related with changes in the forms of recording the documentation in the municipal document collections, which often makes impossible to detect the procedural item of acts and their location.

### **1.2.1 Lisbon**

The case of Lisbon includes only 7 documents and none of them is explicitly addressed to the *ciganos*. They are 7 acts of public administration, and all of them are resolutions of political nature: 6 issued by the Municipality of Lisbon and 1 by the Board of Directors of GEBALIS, EEM. This institution had to be included in the analysis, as it is a firm of the local business sector, 100% of which is owned by the Municipality of Lisbon, and under its orientation, having as its object the promotion of local

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Framework Convention for the Protection of National Minorities (ratified by the Portuguese Government in 2001).

development, implementing the activity of social, patrimonial and financial management of the municipal neighbourhoods. In the case of the document issued by it, it is a Resolution of the Board of Directors approving the second stage of a project for a municipal neighbourhood (Resolution nº 68/CA/2009).

The 6 Resolutions approved by the Municipality are framed within the Lisbon Priority Intervention Neighbourhoods and Areas (BIP/ZIP) Programme, created in 2010 within the Local Housing Programme<sup>11</sup>, as an instrument of municipal public policy aimed at “enhancing partnerships and small local interventions to improve the comprehended ‘habitats’, through support to local projects contributing to reinforce socio-territorial cohesion in the municipality”<sup>12</sup>.

The 6 documents concerning this Programme are:

- 1 Resolution of the Municipality approving the Programme BIP/ZIP, in 2010 (Resolution 725/2010);
- 1 Resolution of the Municipality approving the Lisbon Priority Intervention Neighbourhoods and Areas Charter (Resolution 616/2010);
- 1 Resolution of the Municipality renewing the BIP/ZIP Programme for 2013 (Proposal 58/2013);
- 3 Resolutions of the Municipality approving a set of BIP/ZIP projects for the years 2011 (Resolution nº 317/2011), 2012 (Resolution nº 34/2012) and 2013 (Proposal 451/2013), including projects in given neighbourhoods of Lisbon with a higher presence

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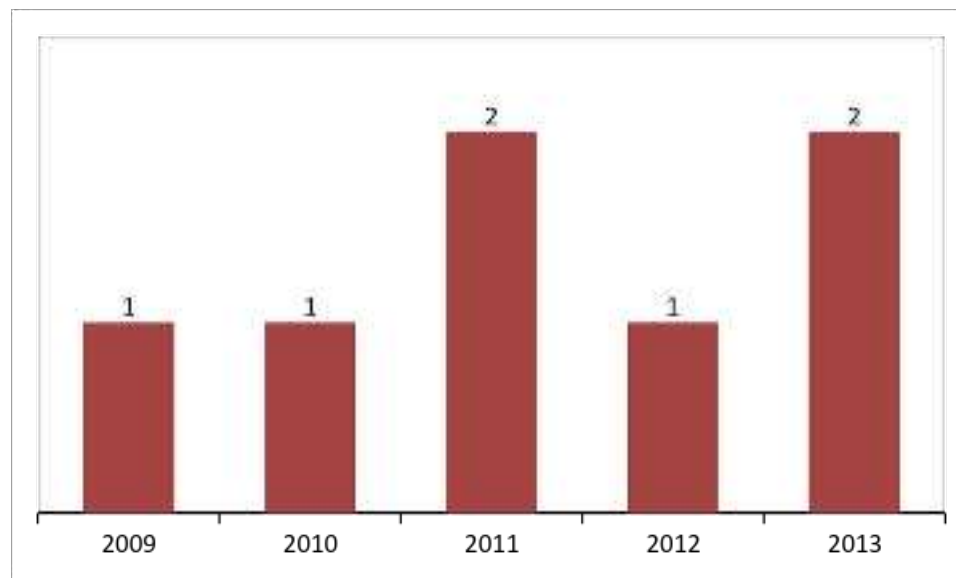
<sup>11</sup> This Programme is the result of a measure of action included in the Strategic Housing Plan (2008-2013) launched by the Ministry of Cities, Territorial Planning and Environment. It was created in 2009 and establishes, at the municipal level, a strategic vision for housing, defining the aims of the local housing policy, interlinking the different rehabilitation and urban reconversion policies, among others.

<sup>12</sup> Lisbon BIP-ZIP Programme (aims, scope, cycle and rules) available at <http://habitacao.cm-lisboa.pt/documentos/1293625086A8aYM7lx9Xw25QQ7.pdf>.

of *ciganos* (see Chapter 9)<sup>13</sup>.

Limitations concerning access to information, but also the context of the housing policy in Lisbon<sup>14</sup> thus restrict the temporal span of the documents collected to a more recent period, as can be seen in Graphic 13:

Graphic 13: Lisbon - Documents collected by year



Source: CRIA/WE Wor(l)ds which Exclude, March 2014

Given the specificity of this case, and given the scarce number of documents collected and deemed pertinent for the aims of the present project, it is of interest to account for the methodological strategy adopted the constraints raised throughout the research and the inferences that one may make about the existence of such a limited number of documents.

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<sup>13</sup> In the three application stages 169 projects were approved; it is possible to identify 8 related with issues of housing, where *ciganos* are, in a more explicit or implicit way, contemplated. However only 3 can be the object of analysis as they were promoted by public bodies. The remaining are promoted by third sector organisations, therefore they could not be contemplated in the analysis.

<sup>14</sup> See Chapter 3.

Three moments marked the strategy adopted to research and select the relevant documents for the aims of the research:

- In a first moment, through informal conversations with some technicians of GEBALIS, EEM and analysis of some technical para-textual documents - reports, intervention projects - we identified some of the interventions carried out, or on-going, in neighbourhoods inhabited by *cigano* families.

- In a second moment, we researched the minutes of the Municipal Assembly<sup>15</sup> and the Municipal Chamber<sup>16</sup> trying to find the administrative procedures justifying the previously detected institutional practices. However, it was not possible to find in those minutes any official administrative act explicitly mentioning *ciganos*. Nevertheless, this moment allowed us to reference some of the political stances about *ciganos* and housing issue in some social housing neighbourhoods. It was thus possible to identify which neighbourhoods in Lisbon were targets of particular political attention (Ameixoeira, Bom Pastor, Portugal Novo, Murtas). Among them, the neighbourhood of Ameixoeira<sup>17</sup> was of particular evidence, because it was the target of a controversial rehousing process involving some *cigano* families (see Chapter 9) and also because it accumulated a set of socio-economic indicators among the most unfavourable in the

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<sup>15</sup> A search was carried out of all minutes of the Municipal Assembly between January 2003 and 2013, and covered 3 political mandates. All references to “*ciganos*”, “ethnic” and “minority” were analysed. The terms “Vale do Forno” and “Ameixoeira” – two controversial neighbourhoods of the Lisbon Metropolitan Area – were also searched for in the period 2003 to 2005, given the rehousing of some *cigano* families, which caused political discussion at the time, without necessarily always using the term “*cigano*”. The reply to the request to have access to the minutes of two parish Assemblies (Ameixoeira and Ajuda, neighbourhoods with a strong presence of *cigano* population, that is, 35.4% of the *cigano* population rehoused in municipal neighbourhoods) was not given in time.

<sup>16</sup> The documental research of the minutes of Municipal Chamber meetings was restrained to the period from 2008 to 2013 as those were the ones available in the Municipality website.

<sup>17</sup> The information available for 2008 mentions that this neighbourhood is composed of 108 buildings, distributed in 6 housing areas, totalling 1067 dwellings and having an estimated population of around 3500 people, *ciganos* representing around 20% of the total resident population (in Projecto de Intervenção Global no Bairro da Ameixoeira - “Ameixoeira à Maneira”, Internal Ref/2008/5933, May 5<sup>th</sup> 2008, and Santos *et alii* 2008).

city, that placed it as a priority intervention neighbourhood within the aforementioned BIP/ZIP Programme<sup>18</sup>.

- In a third moment, and once these territories were identified, we contacted the public bodies acting more directly at the level of housing – GEBALIS, EEM and the office of the councillor charged with Housing and Social Development in the Municipality of Lisbon – or indirectly, such as the Lisbon Municipal Police, in order to obtain from them the administrative acts supporting some of the interventions carried out, or still on-going, in the aforementioned neighbourhoods, or legitimating some of the decisions taken. Also in this case, the great majority of documents, which could have been recorded for analysis, were not provided in time, or we could not effectively access them.

As was stressed in section 1.2 of the present Chapter, the silence of the responsible institutions was one of the causes for this situation, as well as the difficulties expressed by some technicians in accessing the document collection.

Although a significant part of the para-texts collected (more than 10)<sup>19</sup> associates some of the problems in social housing neighbourhoods to the presence of the *cigano* population and there are acts in which *ciganos* are among the targets of interventions, there is no official document prescribing intervention explicitly directed to them. One could raise the hypothesis that, in a way, there is a political trend to not officialise decisions explicitly referring the *ciganos*. In fact, a first analysis of the scarce administrative procedures collected lets us verify that the on-going interventions, or

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<sup>18</sup> One should say that of the 70 municipal neighbourhoods managed by GEBALIS, EEM, 35 are referenced to be of priority municipal intervention.

<sup>19</sup>Minutes of the Municipal Assembly, technical information and reports that were produced about some neighbourhoods of the city of Lisbon.



those already carried out, are framed within vaster umbrellas of urban policy: sustainable development, urban community development, outreach policing, local housing policy. And within these templates for intervention, based on cooperation between institutions, the public bodies become partners in local intervention projects in which they are not the direct promoters.

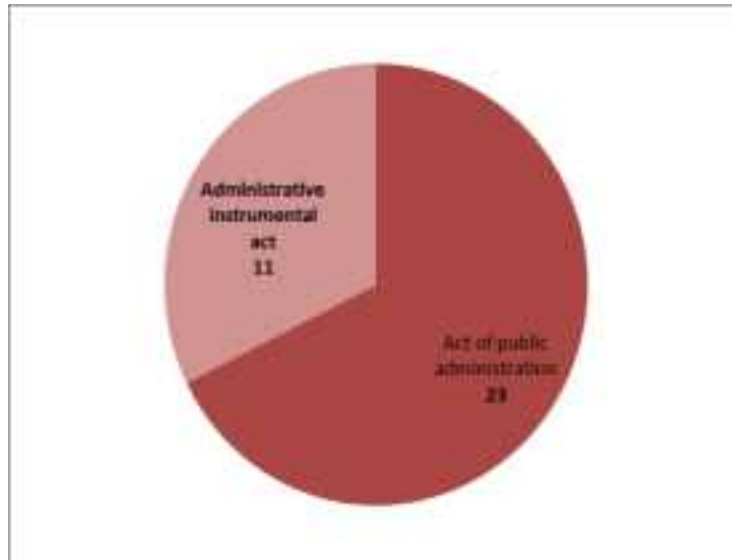
### **1.2.2 Beja**

In Beja we collected 34 administrative official acts: 23 are acts of public administration, that is, Resolutions of the Municipal Chamber and the Municipal Assembly, and 11 administrative instrumental acts, namely, internal technical information or juridical opinions (see Graphic 14 and 15)<sup>20</sup>. These two typologies of administrative acts perfectly correspond to the distinction between documents of political nature and documents of technical/administrative nature (see Graphic 16).

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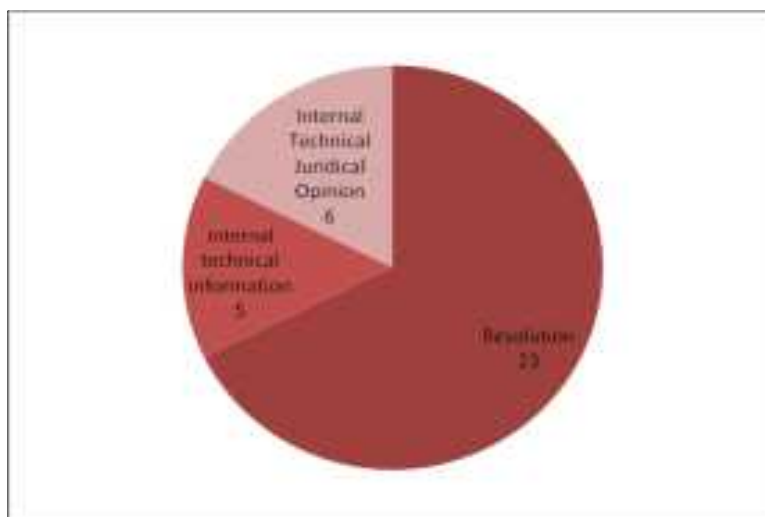
<sup>20</sup> For details about these documents see Annex ExcelWE\_Annex3\_BejaDocs.

Graphic 14: Beja - Documents collected by typology



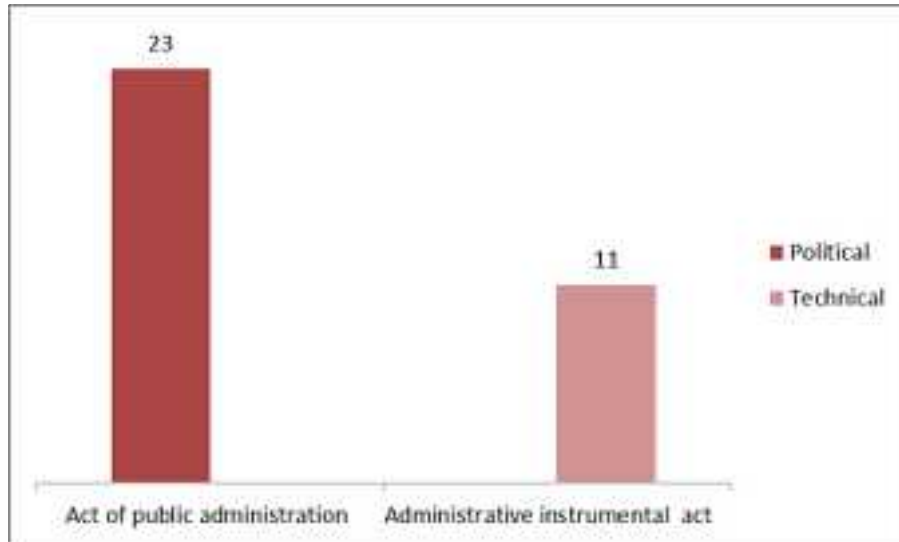
Source: CRIAWE Wor(l)ds which Exclude, March 2014

Graphic 15: Beja - Documents collected by acts



Source: CRIAWE Wor(l)ds which Exclude, March 2014

Graphic 16: Beja - Correspondence between documents collected by typology and by political vs. technical/administrative nature



Source: CRIA/WE Wor(l)ds which Exclude, March 2014

As can be seen in Graphic 17 about the time span of the recorded documents, we can in fact collect official acts beginning only in 2009, with the exception of 2 Municipal Assembly Resolutions in 2005. This limitation is based on two main reasons: 1) a great part of the documentation initially collected and concerning the 2002-2009 period, was composed almost exclusively by non-formal documents (some of them not even official, which were drafts without references, nor a final dispatch) and classified, in their extreme variety, as para-texts (reports, diagnoses, development plans, action plans, projects, political debates)<sup>21</sup>; 2) the documental research of the minutes of Municipal Chamber meetings was limited to those that were available in the Municipality website

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<sup>21</sup> For this matter see Chapter 9 with the context of the case-study.

(from 2009 to 2013), the previous ones being absent of the online archive. We were not able, meanwhile, to refer to the minutes recorded in paper in the Town Hall<sup>22</sup>.

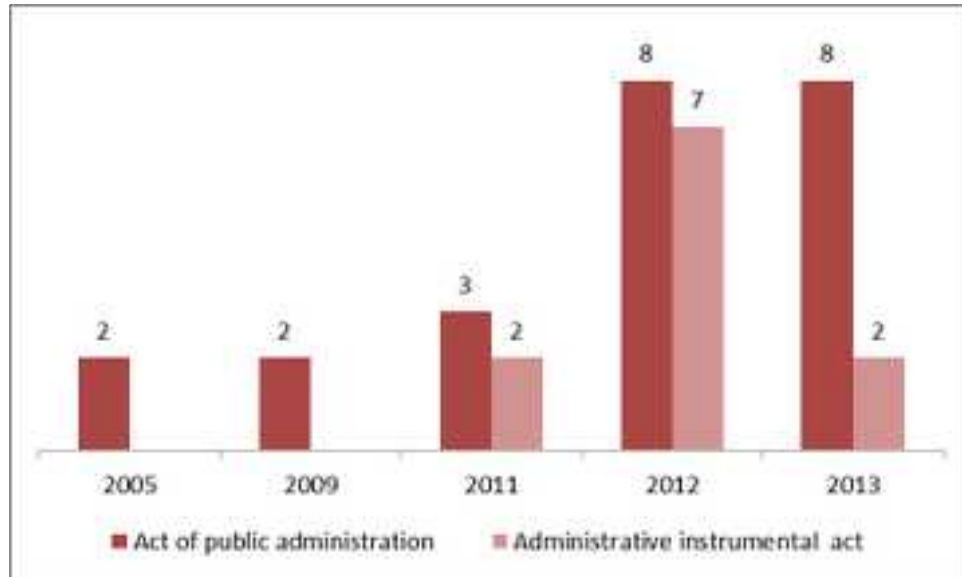
We were thus unable to cross every information available: on one hand it was unviable to search the minutes of the Municipal Chamber or the Municipal Assembly, administrative procedures supporting decisions taken in a political office, or sanctioning the official nature of some of the documents collected; on the other hand, it was impossible to fill in the documental and analytical gap, as we had no formal reference about institutional policies concerning the political mandate of CDU (Communist Party and Ecologist Party), which, as will be explained in detail in Chapter 9, are mainly focused on the issue of rehousing *cigano* families living in shanties in a social neighbourhood within the city, and about the possible construction of a Nomadic Park for them.

The case of Beja thus presents the peculiarity that all the administrative procedures collected, with a single exception, refer to the specific situation of a social neighbourhood, the *Bairro das Pedreiras*, where in 2006 the *cigano* families living in shanties in another neighbourhood in the city were rehoused. This housing change process culminates with the approval, in a Municipal Chamber meeting in 2011, of the Regulation on the Clauses of the Local Contract of Social Responsibility, aimed at regulating situations of non-compliance and debts of tenants in social housing. Hence all administrative acts of the municipal administration are based on the same procedural and thematic logic.

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<sup>22</sup> The minutes of Municipal Assembly meetings, on the contrary, were fully collected and successively selected.

Graphic 17: Beja - Documents collected by typology and year



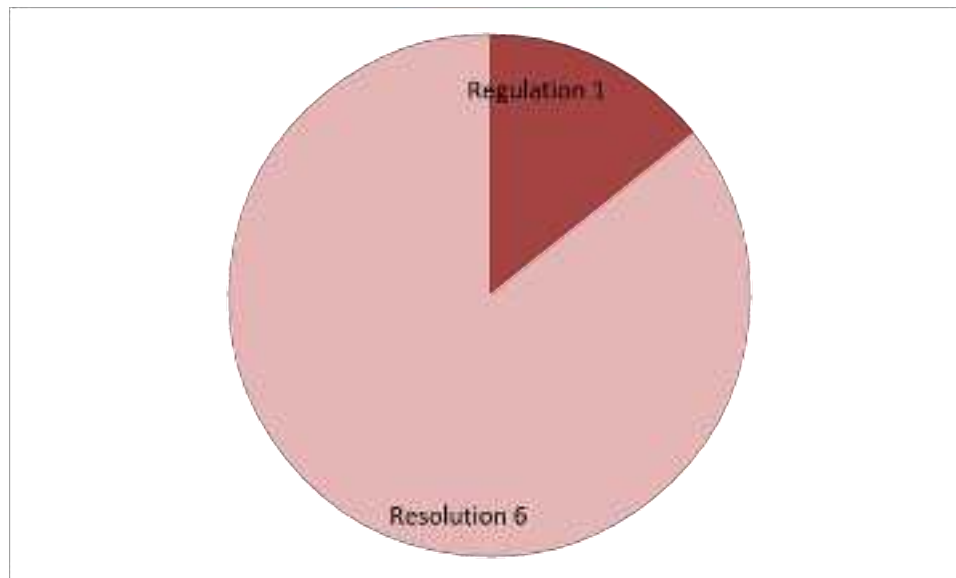
Source: CRIAWE Wor(l)ds which Exclude, March 2014

### 1.2.3 Vidigueira

In the case of Vidigueira we collected 7 documents, all of them acts of the public administration<sup>23</sup>: 6 Resolutions of the Municipal Chamber and 1 Regulation (see Graphic 18).

<sup>23</sup> We have to state an exception. In fact, the Regulation establishing the internal rules for the management of the Park Stage is the competence of a private entity, the Centro de Estudos e Formação Aquiles Estação, Sociedade Unipessoal, Lda. Minute of Municipal Chamber nº 2/2011 includes the approval of the technical partnership between the Municipality and this third private party to develop the rehousing project for *ciganos*.

Graphic 18: Vidigueira - Documents collected by acts

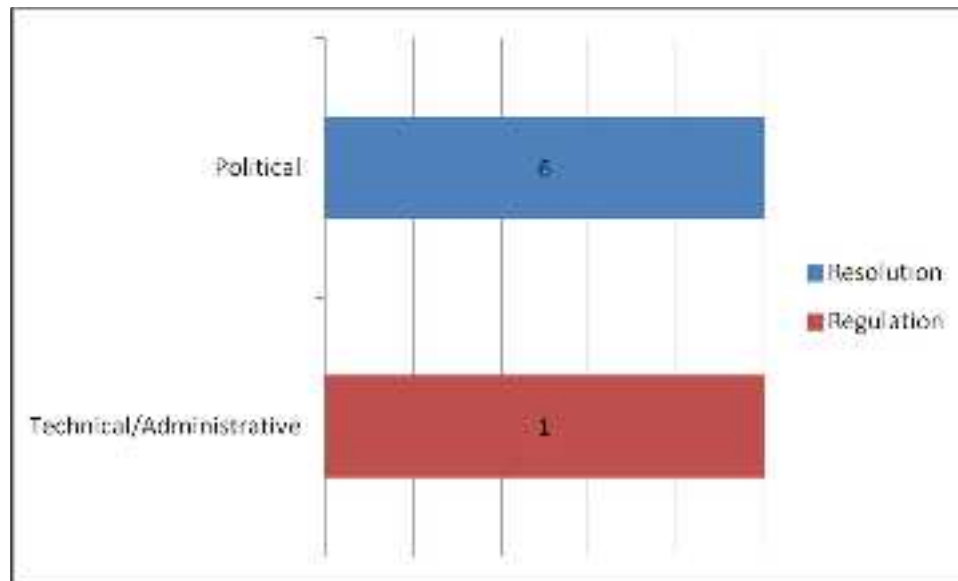


Source: CRIA/WE Wor(l)ds which Exclude, March 2014

These documents contemplate:

- 1 Regulation (the sole technical/administrative document found) establishing the internal rules for the management of the Park Stage. It is a project developed exclusively to rehouse *cigano* families;
- 6 Resolutions (political) that are explicitly or implicitly directed to the *cigano* population of the municipality and contemplate matters of a different nature: “standards to apply to the *cigano* community” (Proposal nº 10/CM/2008); decisions concerning the rehousing process (Minute of Municipal Chamber nº 15/2010; Minute of Municipal Chamber nº 2/2011; Proposal nº 30/2012, Minute of Municipal Chamber nº 17/2012) hiring a *cigano* mediator (Protocol, minute of Municipal Chamber nº 18/2009); the “Incentive Plan for Adjustment of Debts of Water” (Proposal nº - 21 /CM/2011; minute of Municipal Chamber nº 15/2011).

Graphic 19: Vidigueira - Documents collected by typology



Source: CRIAWE Wor(l)ds which Exclude, March 2014

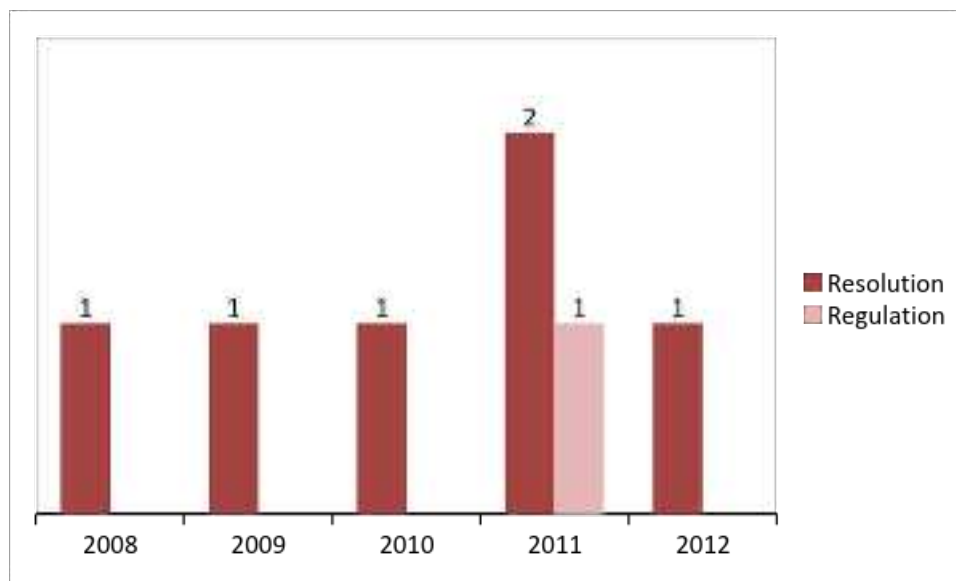
The number of documents that was ultimately counted for analysis reveals a greater discrepancy as to the number initially collected (from 50 to 7). Three main reasons justify this reduction and the temporal distribution of documents that we were able to access (see Graphic 20):

- We were only able to consult the minutes of the Municipal Chamber, published online, for the 2008-2013 period, and of the Municipal Assembly for 2005-2013.
- Although the fieldwork allowed having some informal conversations with some representatives of the municipal staff, we did not receive any reply to our request for an interview with the head of the Office of Social Work and we cannot obtain additional documentation that could be relevant for the project. The materialisation of that interview could have allowed accessing some of the official administrative acts needed

to support the political stances of the institutional representatives, as well as other documentation allowing deepening the context analysis, namely: the project description of the Park Stage; the training plan to develop with the inhabitants; the activities plan; the proposal for European Funds - PRODOR - for the Park Stage; the Local Contract for Social Development.

- There is a hiatus between the political stances expressed in Municipal Chamber meetings and the execution thereof in official administrative acts translating the measures adopted. The analysis of the local context (see Chapter 9), and crossing data by consulting minutes, clearly show how some decisions, taken by the President of the Chamber, officially communicated in Municipal Chamber and Municipal Assembly meetings, and effectively translated in practical terms, bear no correspondence to official administrative procedures supporting their action.

Graphic 20: Vidigueira - Documents collected by typology and year



Source: CRIA/WE Wor(l)ds which Exclude, March 2014



## 2. Context (territories) of the research

### 2.1. The *ciganos* in Portugal

At the national level (and for the same legislative and legal reasons, at the local level), there are no official data about the presence of *ciganos* in Portugal, given that the current Portuguese Constitution defends the principle of equality (Art. 13) according to which “race”, among other elements, must not constitute grounds for forms of discrimination, neither positive or negative, thus preventing differentiated data collection about ethnicity, race, colour (also in census). The Personal Data Protection Act (Law 67/98) also forbids treating personal data concerning “racial or ethnic origin” (Art. 7). Finally, although the Framework Convention for the Protection of National Minorities (ratified by the Government in 2001) states that *ciganos* are the only ethnic minority recognised by the Portuguese state, living in the national territory since at least 1510<sup>24</sup>, there is no law in Portugal defining, promoting and protecting the existence of ethnic or cultural minorities in the territory – rejecting by definition the existence of national minorities. Moreover, the Portuguese Government rejects the critical stance of the Advisory Committee of Council of Europe that seriously requests to the Government to take on their responsibilities and to implementing necessary and effective measures against discrimination that *ciganos*, as ethnic minorities, live in

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<sup>24</sup> The first historic references found concerning the presence of Gypsies in the Portuguese territory – a poem by Luís da Silveira, in the Garcia Resende’s *Cancioneiro*, in 1510; and successively, the play titled *A Farsa das Ciganas* (The Gypsies’ Farce) by Gil Vicente, performed in Évora in 1521, are from the XVI<sup>th</sup> century and take us to the region of Alentejo, whence it is believed they entered in Portugal for the first time, coming from the Spanish Extremadura (according to sources supplied by anthropologist Leite de Vasconcelos in his *Etnografia Portuguesa*(1956)).

Portugal.

This process of breaking down citizenship assignment starts with the promulgation of the 1<sup>st</sup> Constitution of the Portuguese Monarchy of 1822 and the subsequent Constitutional Charter of 1826, in which distinctions (and inequalities) by race are suppressed and Portuguese citizenship is acknowledged to everybody born in the national territory, including *ciganos*, as stresses Costa (1995, cit. in Casa-Nova 2009). *Ciganos* are no longer deemed foreigners and can only be persecuted if they commit crimes provided in the Penal Code, which no longer includes being a “vagabond”. Meanwhile the legislative machine produces another device to “watch” *ciganos* with administrative measures, namely, the Ordinance of April 18<sup>th</sup> 1848 and, subsequently, in 1920 the Regulation for the Rural Service of the National Republican Guard (GNR)<sup>25</sup> is approved, explicitly mentioning the need to undertake “severe vigilance over the *ciganos*, constantly watching their movements with the aim of preventing and repressing their frequent acts of pillaging” (Art. 182). It is only in 1980 that the Council of the Revolution decrees the unconstitutionality of all provisions included in this Regulation, as they violated the provisions of n<sup>o</sup> 2 of Article 13 of the Constitution of the Portuguese Republic, that is, they amount to a negative discrimination of Gypsies based on race. The new General Regulation of the Service of GNR (1985)<sup>26</sup> no longer explicitly mentions *ciganos*, finding the formula “vigilance over nomads, beggars and vagrants. Prostitution” a way to circumvent the problem of unconstitutionality and continue to act over the same individuals.

Beyond the General Regulation of GNR concerning nomad populations and other

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<sup>25</sup> Approved by Decree 6950 of September 26<sup>th</sup> 1920.

<sup>26</sup> Approved by Ordinance 722/85 of September 25<sup>th</sup>.

“undesirables”, and given the inexistence of specific standard provisions to host itinerant populations, the way found to regulate occasional camps is expressed in Decree-Law nº 310/2002, of December 18<sup>th</sup>, which curiously puts in the same bag the legal regime for licensing the performance of a set of very diverse activities<sup>27</sup>, including the settlement of occasional camps<sup>28</sup>.

Thus, at least formally, *ciganos* “disappear” from normative texts, especially concerning control and punishment instruments, letting the constitutional principle of non-discrimination has its effects. Nevertheless, it seems that the need to collect data allowing guidance of public action is among the worries of scholars and non-governmental organizations, but also of some official bodies trying to fill-in what seems to be seen as a sort of information black hole. One should mention, as an example, that the first data collection about *ciganos* was carried out within the Working Group for Equality and Inclusion of *ciganos* of the High Commission for Ethnic Minorities (ACIME) and that, more recently, this same body requests for a study of the same nature from a national research centre.

Different researches have tried to compensate for the inexistence of official sources allowing, as reliable as possible, an approach to the size of the *cigano* population, albeit obtaining very unequal and much varying results: between 25.000

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<sup>27</sup> Night-watchman; ambulant sales of lotteries; car parking aides; exploitation of automatic, mechanic, electric and electronic leisure machines; performing sport shows and public entertainment in lanes, gardens and further open-air public places; selling tickets for shows or public entertainment in agencies or sales booths; carrying out fires and burn-offs; carrying out auctions.

<sup>28</sup> In the present legislation “the settlement of occasional camps outside the proper places to practice camping and caravanning is subject to procurement of a license from the Municipality, which must be requested by the person responsible for the camp and the granting of which depends on the explicit authorisation of the landlord and the favourable opinion from the Health Delegate or the Commander of the Police of Public Security (PSP) or GNR, depending on the case. The license is granted for a given time lapse, never longer that the time lapse explicitly authorised by the landlord, and can be revoked at any moment (DL nº 310/2002, of December 18<sup>th</sup>, Article 18).

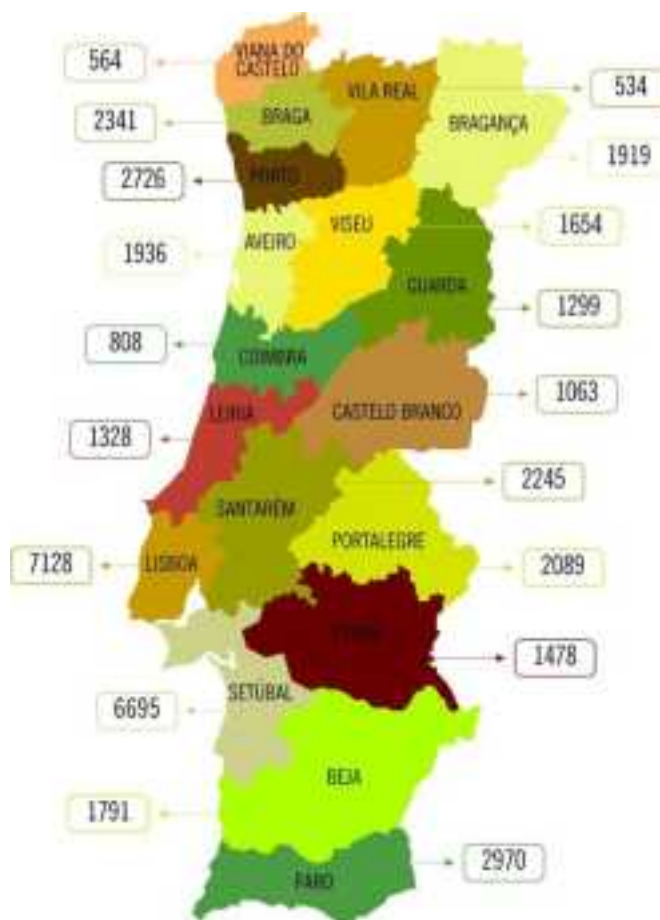
and 100.000 *ciganos* living in Portugal<sup>29</sup>. While stressing that there is no information available for about ¼ of the mainland territory and that part of the data collected cannot be deemed exhaustive, we can estimate the *cigano* population in mainland Portugal to be around 40.568 people, that is, 0.4% of the total resident population<sup>30</sup>, which is distributed in all the territory with relevant concentrations in the North of the country (Bragança and Braga districts), the South (Beja and Faro districts) and around the capital, (Lisbon and Setúbal districts), and where, in absolute terms, about one third of the resident *ciganos* are gathered (see Map 1).

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<sup>29</sup> The first one is the collection carried out in the parish Councils, in 1997, by SOS Racismo (non-profit association that exists since 1990), within the Working Group for Equality and Inclusion of *Ciganos* of the High Commission for Ethnic Minorities, counting 13.514 (SOS Racismo 2001); the second one concerns the results obtained within research projects developed by the Centre for Territorial Studies (CET-ISCTE), which, through questionnaires used with Municipalities (2005) and, afterwards, with the stations of the National Republican Guard (2006), reached a numeric estimate of 40.568 *cigano* people. In this case, the entities having, given the nature of their competences, a privileged knowledge about what happens in their jurisdiction area, the information obtained, by cross-referencing each of these instruments, allowed covering 75% of the mainland territory (cf. Castro 2012). The last and most recent collection is the survey carried out by the European Antipoverty Network (EAPN-Portugal) that identified 7.154 households in the 18 district nuclei into which it is organised, and which, taking into account an average of four elements per family, indicates the existence of little more than 30.000 people (Vicente 2009). There was also monitoring of school data done by the Coordinating Secretariat for the Multicultural Education Programmes (since 1992-93) through which one can infer that the *ciganos* living in the country are around 55.000 (Bastos 2007). One must mention that the estimates indicating higher numbers do not reveal the assumptions that led to these numbers (see, for example, ERCI 2002: 23; Machiels 2002: 11).

<sup>30</sup> The total population in mainland Portugal, according to the data of the 2011 Census, is 10.047.621.

Map 1: Distribution of the *cigano* population in mainland Portugal, by district



Source: Castro (2012)

When taking into account figures as an information source, one must be very clear, however, that, while it was certainly possible to get a more reliable approach for some municipalities, thanks to some census that have been carried out by research teams or within social intervention projects, involving *ciganos* themselves as collaborators collecting information, in other cases, we can only identify individuals who receive some kind of support and, even so, with no guarantee that these situations are fully included. That is, one can be referring to the universe of more vulnerable *ciganos*, running the risk of mistaking ethnicity for social weaknesses and unwittingly

aggravating stigmatisation (Castro 2012: 56-57).

The data collected through questionnaires addressed to municipalities and the National Republican Guard (see note 29) allow, however, taking a picture of the distribution of the presence of *ciganos* in the country and linking it with its housing condition. On one hand, *ciganos* tend to settle in the coast, an area of great demographic concentration, their presence being relevant also in municipalities that border Spain to the East and Northeast. On the other hand, one sees the existence of a Centre-North interior corridor in the country, corresponding to municipalities that have no record of Gypsy presence in their respective territories, albeit contiguous with other, generally medium, towns recording strong Gypsy presence.

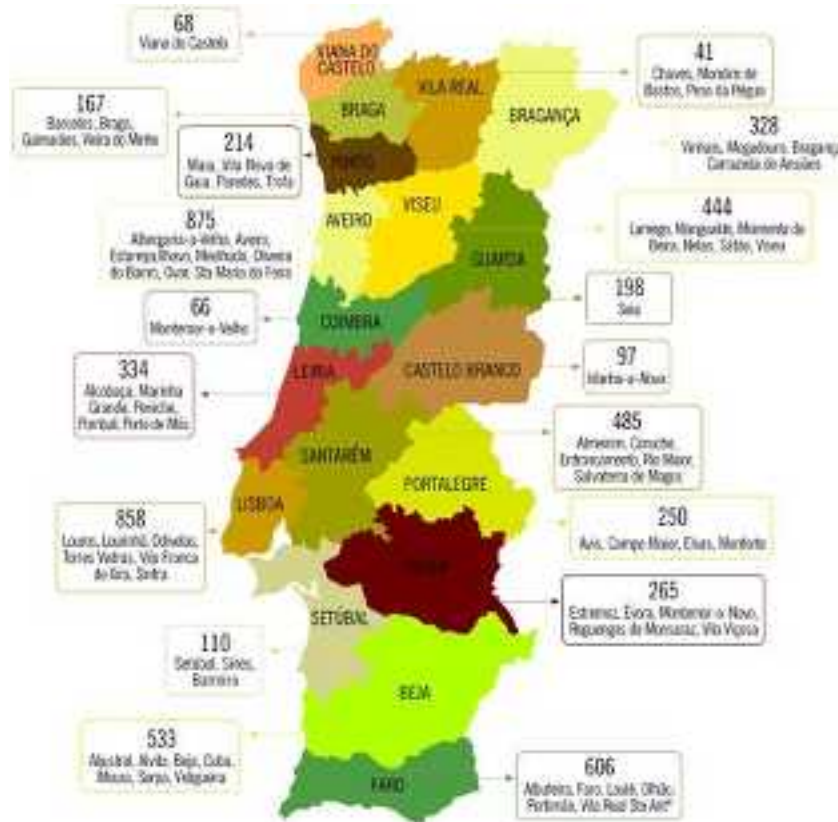
Concerning the housing situation (see Map 2) the available data point to the existence of around 9.140 *cigano* people living in non-classic lodgings<sup>31</sup>, in 74 of the 278 municipalities of mainland Portugal, concentrating mainly in the districts of Aveiro, Lisbon, Faro, Beja and Santarém, that is, territories where more than 1/3 of the Portuguese *cigano* population lives. In these 74 municipalities, *ciganos* living in this type of lodgings represent 22.5% of the total *cigano* population of the country and 11.7% of the total living in non-classic lodgings. Nevertheless, if we compare the data looking only at the information concerning the 74 municipalities, the panorama gains new proportions, revealing the expressive size of the social contrast: among the *cigano* population living in these territories, 45.7% live in non-classic lodgings and, within the universe of population living in such housing conditions, Gypsies account for 30.3%

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<sup>31</sup> According to the definition of the National Office of Statistics, non-classic lodgings include huts, rudimentary wooden, makeshift or movable houses.

(Castro 2012: 100-102)<sup>32</sup>.

Map 2: Distribution of the *cigano* population living in non-classic lodgings, by district



Source: Castro (2012)

## 2.2. Invisibility and/or political emergence

For the purposes of the present research, we thought it is necessary to offer from the start a contextualisation, albeit quick, of the way that the “*cigano* issue” was put, construed and amplified throughout the last decades in Portugal at the level of public policies.

<sup>32</sup> The comparison with national data refers to the data of the 2001 Census. If the comparison was done with the data of the 2011 Census, the proportion of *ciganos* living in this sort of lodgings would exponentially rise, because in the period between Censuses there was a variation rate of -76% in this type of lodgings, *ciganos* remaining, however, in the same housing situation in the 74 municipalities mentioned.

Within the numeric and legal framework described above, the Portuguese state considers, for all purposes, that Portuguese *cigano* citizens hold the same rights and duties. For that reason it is difficult to quantify and locate their presence in the national territory and to obtain information of different nature with the institutions capable of planning and acting in social intervention programmes.

In not few cases, the institutional agents themselves produce speeches about the inadequacy of treating personal data in a differentiated way to avoid the effect of discriminating specific users. One sees a situation of clear communicative and performative ambivalence experienced by politicians and technicians of the social sector (an attitude formally non-justified, given that, as we saw, the legal and juridical state apparatus guarantees the right to citizenship as one of the founding principles): including the *ciganos* in the system as Portuguese citizens equal to the others, while at the same time making them an exception, requiring ad hoc measures – the discussion about the need for positive discrimination measures for *ciganos* is unending, extremely ambiguous and dangerous – because de facto *ciganos* are a distinct “ethnic group”, a social, ethnic and cultural minority, albeit not officially acknowledged by any specific national law.

It so happens that the weak focus and political interest, from the central state, to approach the relationship between ethnicity and social inequalities, contrasts with the different controversies raised by the presence of *ciganos* at the local level, in such a way that their territorial inscription becomes a public problem.

The invisibility or political emergence of the topic in the institutional and political agenda, in the social, work and economy, housing, education or health domains, puts



*ciganos*, as we shall see in detail in the qualitative analysis of documents, in a complex network of speeches and practices that either pictures them as the most poor, vulnerable, incapacitated and needy citizens, discriminated and excluded, or as delinquents, and marginalised, self-excluded, inadequate and potentially dangerous – the threshold from “social problem” to “public problem”.

One must go back to the mid-1990s<sup>33</sup>, time when the High-Commission for Immigration and Ethnic Minorities (ACIME)<sup>34</sup> was created and the Report of the Working Group for Equality and Inclusion of *ciganos* was published, to witness the creation of specific government devices to perform detailed analysis of the difficulties surrounding the insertion of *ciganos* in Portuguese society and preparing a set of proposal in order to contribute to end situations of social exclusion (Resolution of the Council of Ministers n° 175/96, October 19<sup>th</sup>). In fact, the document had little visibility and impact, namely because most proposals forwarded never came to be. After the approval of the Report, in 1997, the activity developed by the Group was not made public; we only know that from 2002, in the times of the XV Constitutional Government, the Group’s activity was suspended.

Within the four generations of National Action Plans for Inclusion – PNAI (2001-2010) -, the measures outlined for the *cigano* population were scarce, occasional or

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<sup>33</sup> It may not be totally inopportune to see here some parallels with the Portuguese ethnographic production, which, except for the classic works by Adolfo Coelho and Leite de Vasconcelos, until the 1990s was limited to the work of Olimpio Nunes (1981).

<sup>34</sup> Approved by Decree-Law n°3-A/96, of January 26<sup>th</sup>, stating that ACIME, a national entity, as a coordinating service, of inter-ministerial nature, depending on the Presidency of the Council of Ministers, has the mission of promoting consultation and dialogue with entities representing immigrants in Portugal or ethnic minorities as well as studying the issue of immigrant and ethnic minorities’ insertion (Article 2). In 2007, Decree-Law n° 167/2007, of May 3<sup>rd</sup>, during the process of administrative modernisation, creates the High-Commission for Immigration and Intercultural Dialogue (ACIDI), by merging ACIME, the technical support structure of the Choices Programme, the Mission for Dialogue with Religion Structure and the Entreculturas Secretariat.

inexistent – although the PNAI was the sole official document of national scope where the *cigano* population is mentioned - and, in the case of the last PNAI (2008-2010), the conditions were not created to fulfil some of the measures listed, among them, of interest to us, “diagnosing the experiences carried out in social housing” (Castro 2012: 76)<sup>35</sup>.

The acknowledgement, in 2008, of the need to adopt additional measures, especially oriented towards *cigano* communities (PNAI 2008-2010) does not seem to have been a peaceful process, a situation that does not surprise when the Portuguese state declines an invitation addressed by the European Initiative Decade of Roma Inclusion (2005-2015), stating that at the national level there was already a specific strategy oriented towards Portuguese *ciganos*, which actually was not approved until 2013 (Resolution of the Council of Ministers nº 25/2013).

The history of public policy in Portugal has shown some resistance in adopting differentiating measures oriented towards specific sociocultural groups, hence the insistence in stressing in several documents that *ciganos* are entitled to receive the same support as other needy Portuguese citizens - among them, the right of access to social house, the right to economic support or to the *Rendimento Social de Inserção* –

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<sup>35</sup> The inclusion of this measure was the result of a political worry evident in the intervention of the then Secretary of State for Territorial Planning and Cities, in the closing session of the international seminar “*Ciganos, Territórios e Habitat*”, in April 2008, stating: “we know very little about the relationship of the *cigano* community – housing – habitat. (...) What I think is lacking is a compared medium-term vision, capable of summarising and assessing the consequences of the interventions carried out in the last twenty years. In fact, only rigorous analyses from a technical-scientific point of view, using adequate methodologies, can stop these issues from being dominated by the issuance of judgments excessively marked by generic supposition (...) let alone mere prejudice, negative or positive. And that rigour is essential to inform efficient public policy (...).The target-communities of this seminar raise, from this point of view, a question of huge relevance: do we need policy instruments specifically formulated for *cigano* communities?” (Ferrão 2008: 203-205).

RSI (Social Integration Income)<sup>36</sup>.

Social Integration Income is assumed as a right to minimum subsistence accompanied with the counterpart of an integration contract signed by the technician, who manages the process, and by the applicant and the members of his household. This contract must include integration support and measures, and the rights and duties of the applicant and members of his household, who must be bound by it, as well as measures to follow-up compliance with the integration contract, to be carried out by the competent entities.

The measure is particularly focused on the duties concerning active job search; however, the technicians' room for manoeuvre as to defining the obligations that subjects must submit to, and failure to comply with which ultimately leads to losing the right to the allowance, is wide and debatable. Besides the fact that these obligations prove, in given situations, inadequate to the beneficiaries' profiles, they exert a tight social control over the families, at the level of their intimacy and day-to-day life. Some actions "seem" to be tailored to the *ciganos*, although that is not made explicit by the institutional agents: among them, for example, the duty to attend public baths twice a week to bathe and prove that action for those *ciganos* who live in barracks; to buy

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<sup>36</sup> Law n<sup>o</sup> 13/2003, of May 21<sup>st</sup>, revoked the Minimum Guaranteed Income and created the RSI - Social Integration Income (DL n<sup>o</sup> 283/2003, of November 8<sup>th</sup>), and was republished by Decree-Law n<sup>o</sup> 133/2012, of June 27<sup>th</sup>. The changes made do not alter the basic philosophy of the measure, rather the general granting conditions, the value of allowances, the application process, the deadline to prepare the insertion programme, and the sanction regime framework. According to data provided by the Institute for Social Security for the Report on hearings made about Portuguese *Ciganos* (Parliamentary Committee for Ethics, Society and Culture 2009: 22-23), there were, in December 2008, 5.275 *cigano* families benefiting from the Social Integration Income in mainland Portugal. According to that data, the *cigano* population represents approximately 6.4% of the beneficiaries, a figure of little expression within the universe of beneficiaries of this measure. However, within the estimated universe of Portuguese *ciganos*, this percentage represents more than half (52%), thus contrasting with the reduced weight that the set of beneficiaries of this measure had on the whole Portuguese population (only 3.3%).

alarm clocks; to not allow relatives or friends to stay in their own houses for more than three days, to attend training courses to learn how to live in a house, etc. (Brazzabeni 2012; Castro 2004; Castro 2012).

Despite the fore mentioned trend for universal public policy to comprehend Portuguese *ciganos*, there are exceptions. On the one hand, the Choices Programme, in force since 2001, whose primary target is, explicitly, “descendants of immigrants and ethnic minorities”<sup>37</sup> and more than half of the projects currently under way have the *ciganos* as target of its intervention. On the other hand, the Municipal Mediators Project, launched by ACIDI in 2009, “preferentially” meant for the *ciganos*, appears as the first political initiative launched by a public institute.

### **2.3. The territorial levels of research**

Given the Portuguese administrative specificity, the territorial and political levels taken into account for the purposes of the present project are national and local, that is, municipalities.

Mainland Portugal is presently divided territorially and administratively into districts<sup>38</sup>, municipalities (counties)<sup>39</sup> and parishes. The policy of administrative decentralisation of local authority did not implement the creation of regions with political-administrative and financial autonomy, a function that not even districts

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<sup>37</sup> It is a government programme of national scope, promoted by the Presidency of the Council of Ministers and integrated in ACIDI.

<sup>38</sup> Districts are an administrative division formed by a group of Municipalities.

<sup>39</sup> Municipalities are generally named after their biggest town, usually the seat for administrative bodies of the respective municipality. Municipalities are local governments, administered by a deliberative body (Municipal Assembly) and an executive body (Municipal Chamber), both directly elected by the citizens.

perform.

It is necessary, however, to make a brief note about the level we are calling “regional”, although we have just one document at that level - the Supra Municipal Platform of Baixo Alentejo - and we decided not to consider it in the quantitative analysis. The Platforms are instances of territorial scope<sup>40</sup> aimed at promoting orchestrated supra-municipal planning and acting as a forum for debates and analysis in the articulation between sectorial plans of national scope and the local planning instruments, concerning social problems and social inclusion measures. The Platforms were created within the Social Network Programme (of the Social Security Institute), as an administrative and organisational requirement. The Social Network is a programme that encourages public sector bodies, solidary institutions and other entities working in the field of social action to combine their efforts to prevent, mitigate or eradicate situations of poverty and exclusion and promote local social development by working in partnership. It acts through platforms to plan and coordinate social intervention at the level of parishes (Parish and/or Inter-parish Social Commissions – CSF/CSIF) and municipalities (Local Social Action Councils – CLAS).

With the national territory as a background, we direct our research (and choice of cases), at the local level, choosing some criteria able of translating the diversity of contexts where problems related with *ciganos* are raised, starting with the hypothesis that the solutions proposed or adopted for the problems identified depend precisely on the contexts in which they are produced.

In this sense, a set of four criteria guided the selection of local territories: the size

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<sup>40</sup> Equivalent to NUTs III (Nomenclature of Territorial Statistical Units), that is, statistical subdivisions with no administrative meaning, the sole purpose of which is to group contiguous municipalities, with similar problems and challenges.

of cities, the urban-rural continuum, policies in the field of housing<sup>41</sup>, visibility vs. invisibility of *ciganos*. Taking these variables into account (see Table 1, which will be analysed in detail in the Chapter 9 of the present report when we present the case-studies in depth), the chosen municipalities were: Lisbon, national capital, with a population of 547.733 inhabitants within its administrative limits, but around 3 million people living in the Great Metropolitan Area of Lisbon<sup>42</sup>; it is thus the biggest Portuguese urban area; Beja, capital of the District of Beja, in the region of Baixo Alentejo, capital of one of the biggest municipalities in Portugal (in geographic terms) with 88.725 inhabitants; and the municipality of Vidigueira, within the District of Beja, region of Baixo Alentejo, with around 5.932 inhabitants.

Table 1: Dimension considered for the three case-studies

Case study	Dimension of cities and towns	Continuum urban-rural	Politics in the housing area	Gypsies? visibility vs invisibility
Lisbon	capital	urban	Large public investment in social housing. The case of PER (Special Rehousing Programme )	Attempt to “hide” vs “protect” information about Gypsies
Beja	medium size town	urban	Large public investment in social housing. The controversial case of <i>Bairro das Pedreiras</i>	Attempt to “emphasize” vs “thin” cultural difference assigned to <i>ciganos</i>
Vidigueira	village	rural	No existence of social housing. The specific case of housing intervention for <i>ciganos</i> – Park Stage	The reference to <i>ciganos</i> in the documents are more explicit

<sup>41</sup> Although housing policies are the responsibility of the central government in what concerns conception and funding, they materialise into a great diversity of measures and programmes; in the last 20 years there was a gradual decentralisation of the execution thereof to local authorities; Municipalities can thus apply to different programmes to implement their housing policy (see chapter 3).

<sup>42</sup> The Metropolitan Area of Lisbon is a region including 18 municipalities of the Greater Lisbon and the Setúbal peninsula. It is the greatest population centre in the country, totalling around 20% of the Portuguese population and 3% of the national territory.

### 3. The context of social housing in Portugal

With no aim of doing a historical overview of social housing in Portugal, it is of interest to focus on the main landmarks of public policies in this domain, tending to translate the present housing condition of *ciganos*.

Although there is no data about the processes of *cigano* population's access to public housing, different kinds of sources allow us to understand, indirectly, that their entry into the history of social housing happens only recently, namely after April 25<sup>th</sup> 1974, when democracy was implemented.

If we take a brief look at the historic background of social housing in Portugal, it is not difficult to understand the factors of that late entry, if compared to that of other social groups. Also, by looking at the academic production on the matter, one sees that the focus of studies about *ciganos* and housing appear, mainly, during the first years of this century and present, mostly, a critical reading of the rehousing processes (Brinca 2006; Lopes 2008; Mendes 2005; Pereira *et alii.*, 2011, Santos *et alii.*, 2010),

The path of Portuguese social housing policy allows enhancing certain features that determine this late access.

Until the end of the 19th century neither the Government nor Municipalities thought that building housing was a responsibility of theirs.

It is only during the 1930s decade that public policies show up with direct intervention in the housing field; however, they do not reach considerable impact

concerning the target population (the poorest classes) and the number of dwellings built (Teixeira 1992)<sup>43</sup>.

Between 1974 and 1980, in full post-revolutionary period, several public housing policy measures arise<sup>44</sup>. In effect, during the 10 years following the post-revolutionary period, the first steps were taken to build a welfare state by channelling public investment, mainly, to social security, education and health, and less to housing, which only reached a weight over 2% as a percentage of the Gross National Product in 2000 (Guerra 2011: 43). This period is, this, marked by more generalised access of the whole population, including *ciganos*, to a set of social rights.

From 1977, however, direct intervention by the Government is in retreat and support to families is privileged to purchase an own house in the free market, through interest rates subsidised by the Government and longer amortisation periods. This model “did not have visible effects in housing production — public and private — until 1987 (date until which the average annual production was under that of the 1970s decade)”<sup>45</sup> and, once again, prevented a considerable slice of the population from having access to housing, given that those who did not meet the conditions to have access to bank loans were inevitably excluded from this sort of measures.

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<sup>43</sup> Relevant in this period is the Economic Dwellings Programme (Decree-Law nº 23052, September 1933), directly promoted by the Government and directed to middle classes, concretely civil servants or workers affiliated with national unions and sponsored by the *Estado Novo* regime, but also other programmes, also of little expression in terms of dwellings built, such as: Dwellings for Poor Families (1945), Economic Rent Dwellings (1945), Limited Rent Dwellings (1947).

<sup>44</sup> Such measures would materialise in: i) direct promotion of social housing for rental to underprivileged social strata; ii) municipal promotion of controlled costs, through “loans to municipalities”, and for social rentals, through “co-payment works”; iii) Development Contracts for Housing, to build controlled cost housing, through state/banks/private companies partnerships; iv) recovering derelict buildings by granting subsidised loans to owners; v) cooperative and associative promotion, through a new statutory regime for housing cooperatives and the SAAL Project, aimed at involving technicians and inhabitants in processes to improve their housing conditions.

<sup>45</sup> Fonseca Ferreira, A. (2011) “ANOS 1970/1980 – do Fundo de Fomento da Habitação ao Instituto Nacional de Habitação”. Available at <http://www.fonsecaferreira.net/?p=419>. Viewed on March 1<sup>st</sup> 2014.



At the end of the 1980s, with migrations of population from the interior of the country to the coast and the arrival of returnees from the former colonies (around one million), who had established themselves in the outskirts of the urban centres of Lisbon and Oporto, the panorama was not very encouraging: many shanty towns and non-licenced buildings proliferated and the overcrowding rates of dwellings was high<sup>46</sup>.

Although the more liberalising trend in housing policy was kept throughout the following years, it was accompanied, in 1982, by the transfer of competences on housing promotion from the public sector to the Municipalities; credit lines were created for that purpose, to build housing to sell, to rehouse, to purchase and land infrastructure. Hence, from 1987 one sees a significant increase in housing production, strengthened in the 1990s decade. Let us recall that Portugal enters the European Economic Community on January 1<sup>st</sup> 1986 and several community funds are thus made available.

The programmes launched by the National Housing Institute<sup>47</sup> – Collaboration Agreements, the *Programa Especial de Realojamento* – PER (Special Rehousing Programme), PER Families and PROHABITA – caused deep changes on the urban structure and social tissue, mainly in the metropolitan areas of Lisbon and Oporto and built, during the last 28 years, the planning and funding instruments at the service of local authorities to face the housing needs of a set of the population that was excluded from the private housing market. The preamble of the Decree-law that creates PER is

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<sup>46</sup> It is estimated that in the late 1980s, through surveys carried out for the Special Rehousing Programme, in the two big metropolises there were around 50.000 shanties, where more than 150.000 people lived, and that in the 1970s decade about 40% of building in Portugal was non-licenced (Guerra 2011: 45).

<sup>47</sup> In 1984 the National Institute for Housing (INH) was created, today called Institute for Housing an Urban Regeneration (IHRU), the main reason for its existence having been funding and technical framework for housing, establishing itself as the best instrument for financial intervention by the Government in the housing sector.

illustrative of this: “The eradication of shanties, an open sore in our social tissue, and the consequent rehousing of those who lived in them, requires that conditions be created allowing total extinction thereof” (Decree-Law n° 163/93, of May 7<sup>th</sup>).

Table 2: Main social housing programmes since the 1980s

N° of Dwellings Built	Programmes	Period
26.741	<b>Collaboration Agreements</b> Establishes a cooperation regime between the central and local administration for the housing programmes for rental to populations living in shanties (Decree-Law n° 226/87, of June 6 <sup>th</sup> ). Extinct with the approval of PROHABITA.	1986-2005
34.525	<b>PER - Special Rehousing Programme</b> Directed to the Metropolitan areas of Lisbon and Oporto, its main aim was to provide the comprehended municipalities with means to eradicate shanties and rehouse their inhabitants in controlled cost dwellings (Decree-Law n° 163/93, of May 7 <sup>th</sup> ) Planned to end in time, after conclusion of the general execution of adhesion agreements	1994-2005
1.877 <sup>48</sup>	<b>PER ? Families</b> Gives financial support to registered households who lived in shanties in purchasing housing in the private market (Decree-Law n° 79/96, of June 20 <sup>th</sup> ) Planned to end in time, after conclusion of the general execution of adhesion agreements	1997-2005
3.885 <sup>49</sup>	<b>PROHABITA</b> More comprehensive programme directed not only to populations living in shanties or makeshift houses, but also to any situations of serious housing needs of families living in the national territory, proposing as alternative solutions to purchasing or building new dwellings, using rentals and regeneration of the existing housing stock. In this programme, other entities can take part, besides Municipalities, such as associations of municipalities, municipal or inter-municipal companies, private social solidarity institutions, cooperatives and other non-profit public institutions. (Decree-Law n° 135/2004, of June 3 <sup>rd</sup> , and Decree-Law n° 54/2007, of March 12 <sup>th</sup> ) In force	2007 – 2008
<b>67.028</b>	<b>TOTAL</b>	1986-2008

Source: CET-ISCTE/ IRIC/A. Mateus e Associados (2008a); Observatory of Housing and Urban Regeneration (IHRU 2009)

<sup>48</sup> The use of this measure was quite short, mostly centred in 4 municipalities of the Metropolitan Area of Lisbon (Amadora, Cascais, Lisbon and Oeiras).

<sup>49</sup> Data is available for these 2 years only and concerns forecasts, because it was obtained from contracts signed in those respective years (OHRU 2009: 66).

While PER was the Programme with greatest quantitative impact in terms of building social housing (see Table 2), it was “controversial in its origins concerning aims (more focused on a housing situation – shanties – than a need), concerning its organic configuration – materialised in decentralisation to municipalities without negotiation - and also concerning its own template (concentrated and forcibly segregated neighbourhoods, initially with no equipment provided)” (CET-ISCTE/IRIC/Mateus e Associados 2008: 29).

More generalised access to social housing for *ciganos* occurred, mainly, in the late 1980s, through the implementation of these latest policies, but mainly through PER. *Bairro Bom Pastor* was the first neighbourhood conceived and promoted by the Municipality of Lisbon within the Special Rehousing Programme: it started in 1993 and ended in 2001. This neighbourhood is located in a peripheral area of the city of Lisbon. The land where it was built is a residual area, isolated from the surroundings by the railway and local traffic lanes with no continuity with the surrounding urban structure. Eleven lots were built, composed by 99 dwellings and two shops. In 1998 the project was rewarded by the National Housing Institute, being deemed an example of good practice according to criteria of «architectural quality» and «social adequacy» (Coelho 2006: 202). This “project to rehouse ethnical minorities” (CML- DCH 1995) aimed to respond ‘ways of dwelling’ of the *cigano* population: “This typology aims, as a priority, at rehousing the *cigano* ethnicity, given that it was developed according to indicators provided by sociological analysis of that group. (...) As to the organisation of housing, the main aim was to spatially favour the social spaces of the house.» (INH, 1998: 9).

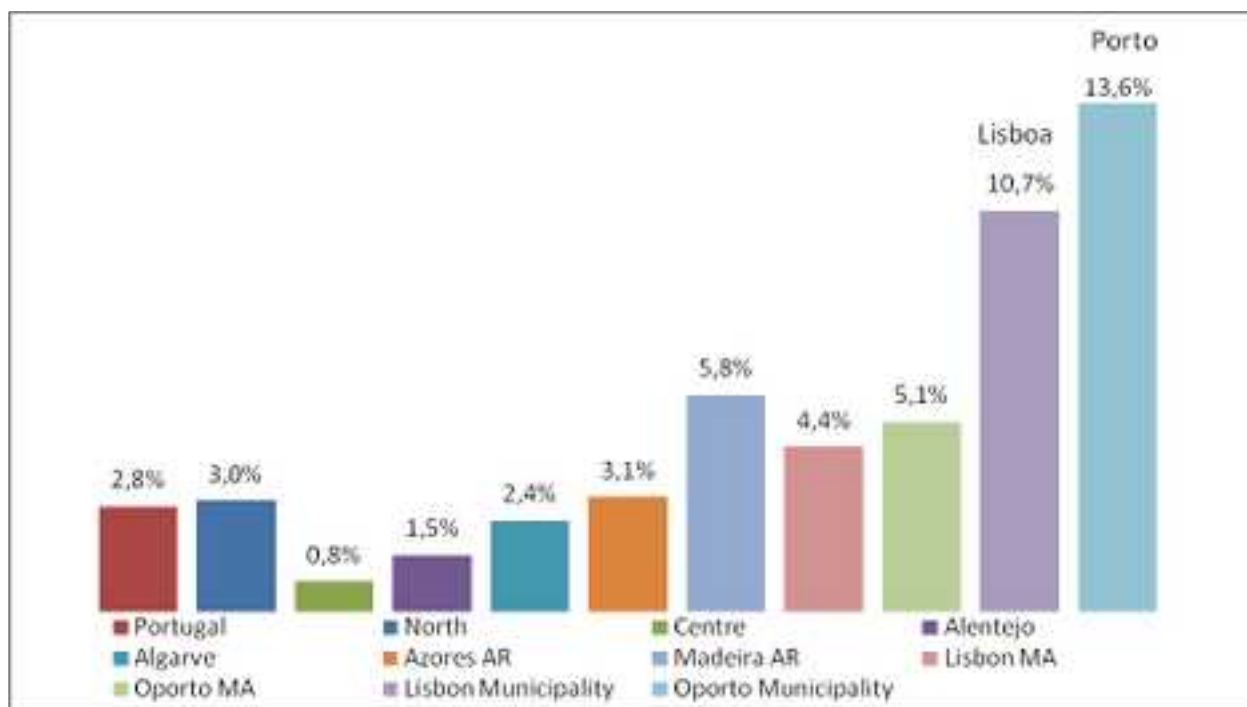
The rehousing done in some urban contexts of larger size, such as Lisbon, Oporto and Coimbra, resulted in greater public visibility for *ciganos* in public spaces and brought about “a generalised and simplifying labelling process of certain features of some elements of the *cigano* population, where the situation of precariousness was rarely confined to its class status, rather to its ethnicity” (Castro 2010: 13). This process cannot be dissociated from the type of housing contexts implemented. Deep down, the quantitative need for housing that characterised and still characterises the Portuguese reality tends to put in second plan some of the qualitative issues that some European countries already faced, insisting on building high-density social housing estates (Guerra 2011: 66).

In short, housing policy is presently a responsibility of the central Government in terms of conception and funding, Municipalities having executive competences therein. These policies materialise in a great diversity of measures and programmes, resting essentially on supporting production: i) public direct intervention (policies to build social housing estates or regenerating the existing stock and policies to subsidise families); ii) indirect (support to purchasing and tax benefits, such as the subsidised loan regime or real estate tax exemption/reduction to purchase first housing).

In comparison with other European countries, Portugal shows a feeble weight of social housing in the total family accommodation of habitual residence: it represents 3% and is composed of around 119,000 dwellings. The greatest concentration is within the metropolises of Lisbon (11.4% in the municipality of Lisbon and 4.6% in its Metropolitan Area) and Oporto (14.4% in the municipality do Oporto and 5.3% in its Metropolitan

Area). In the sum of the 5 territorial regions, Alentejo (where two of the case-studies are centred) has a reduced portion of the population living in social housing (1.5%).

Graphic 21: Percentage of population in social housing dwellings in total resident population (2011)



Source: Guerra e Pinto (2013), based upon INE, Housings Statistics (2012)

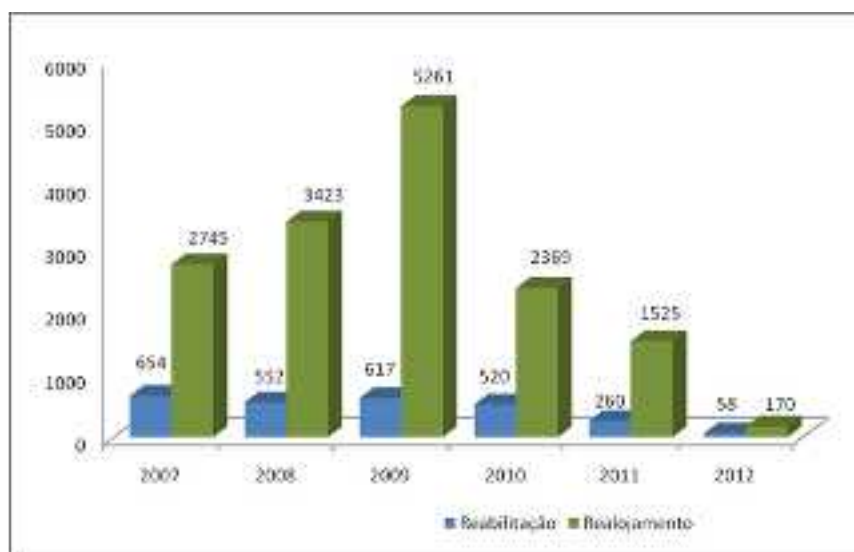
Housing needs and lack of conditions in dwellings are even steeper and, in the present economic context, these needs tend to increase, causing a greater unbalance between offer and demand of accommodation. The most recent data is not encouraging: in 2012, Portugal had a portion of its population at risk of poverty or social exclusion of 27.4%, corresponding to more than 2.5 million people and tending to aggravation in the last years<sup>50</sup>. Also, as was seen in the previous Chapter, the weight of

<sup>50</sup> Survey of Living Conditions and Income (EU-SILC), carried out in 2013, <http://www.ine.pt/>. Accessed on March 24<sup>th</sup> 2014. The indicator population at risk of poverty or social exclusion combines the concepts of risk of relative poverty (individuals with annual income per equivalent adult under the poverty threshold) and of a situation of severe material deprivation (proportion of the population living at least 4 of the 9

*ciganos* living in non-classical dwellings is still very expressive (22.5% of the total *cigano* population in the country).

This scenario of increase in vulnerability to the risk of poverty concerning the Portuguese population and the persistence of situations of great housing precariousness among the *ciganos* does not seem to receive the necessary response from the system. Due to government financial restrictions to control public finance, on sees a considerable reduction of public investment available to build and regenerate the public housing stock.

Graphic 22: Number of dwellings built or regenerated for social housing (2007-2012)



Source: Observatory of Housing and Urban Regeneration (IHRU 2013)

As we have had the chance to stress, there is no data concerning access to housing for the *cigano* population, namely the public housing stock. Besides the

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difficulties defining the rate of material deprivation), with the concept of much reduced labour intensity per capita (people under 60 years old who, in the reference period for income, lived in households in which adults from 18 to 59 worked, on average, less than 20% of the possible working time).

absence of data, the national legal framework also includes no official documents with directives guiding and/or regulating access to housing for the *cigano* population<sup>51</sup>.

The most consistent document, specifically addressing the Portuguese *ciganos*, is the National Strategy for the Integration of *Cigano* Communities (ENICC 2013-2020)<sup>52</sup>, contemplating the housing axis as one of the priority areas requiring intervention. It is an official plan and guidelines of no legal binding nature, limited to establishing priorities and goals to achieve (at the level of central and local government), according to guidance included in the Council Recommendation, as the first EU legal instrument for Roma inclusion addressed to the Member States.

The document emphasises that the inexistence of “specific responses” results from the “principle of the universal right of access to housing programmes, in equal circumstances, for all communities and ethnicities”<sup>53</sup>. This conception of generalist policies, by the central government, ultimately gives a margin of freedom to those who execute housing policies at the local level, mostly municipalities. And it seems to be in this sense that it is stated in ENICC that “practices were created or reinforced that best implement public policies concerning those communities”.

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<sup>51</sup> The criteria established to regulate the access to social housing are different for each Municipality. However they have one common thread: the compulsory residence in the county for a number of years. When resettling *ciganos*, some Municipalities, outside the existing regulatory legal framework, established distinctions between *ciganos* and use the "nomadic" category as a cultural trait that prevents any possibility to declare the autochthony of these people and to grant them the status of resident (Brazzabeni 2012; Castro 2012).

<sup>52</sup> Approved by the Resolution of the Council of Ministers nº 25/2013, the National Strategy was prepared by ACIDI, I.P., under the coordination of the Office of the Assistant Secretary of State to the Assistant and Parliament Affairs Minister. It was prepared with input from 8 ministries, civil society organisations and elements from *cigano* communities, who gave their contribution in different moments.

<sup>53</sup> See the Article 65 of the current Portuguese Constitution that states: “Everyone has the right to a house, both for himself or herself and for his or her family, of adequate size that meets satisfactory standards of hygiene and comfort and preserves personal intimacy and family privacy”.

This lack of coincidence between the central and local levels reveals the ambiguity between producing measures and negotiating responsibilities and assignments to implement them. In fact, there is a hiatus between decentralising responsibilities and political-administrative competences and decentralising technical and financial resources, as well as a lack of coincidence between legal and explicit competences and assumed or implied competences (Mucha 2004)<sup>54</sup>.

As an example, let us mention the case of the *Centro de Estágio Habitacional* – CEH (Centre of Housing Training) - built in 2002, an initiative of the Municipality of Coimbra, given the need to rehouse 11 *cigano* families and finding differentiated solutions, in housing terms, given the constancy of problems in some social housing estates with great concentrations of unfavoured population. The centre is composed by prefabricated dwellings and a Social Support Centre, so as to allow development of diverse activities with the dwellers and allow future ingress in a dwelling of adequate typology, dispersed within the city's housing stock. However, this operational measure was not eligible for state funding, as it was equipment for temporary accommodation.

Among the many obstacles raised against the implementation of existing social policy measures, or the implementation of ENICC, the financial problem appears of particular acuteness: in the Resolution of the Council of Ministers (2013) that enshrines ENICC, the implementation of the Strategy depends “on the existence of funding available from the competent public entities” (nº 2 of the Introduction). And, in fact, there

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<sup>54</sup> Some of the documents found concerning Parliament activity, namely questions made to the Government and the latter's replies, are equally illustrating of the controversy in this matter – that is, competences of the Government vs. competences of Municipalities: who must promote building at the local level, where, and what type of housing templates to implement within the municipal space. See for example: Request to Government 144/IX (2ª) AC; Answer to request - 144/IX (2ª) AC, DR- II Series B - Nº 14; Request to Government 145/IX (2ª) AC; Answer to request - 145/IX (2ª) AC and 249/IX (2ª) AC, DR- II Series B - Nº 16.



is no official document with a budget allocated to ENICC; the media mentioned some numbers indicating the existence of almost 332 million euro for the housing sector<sup>55</sup>. This situation is somewhat paradoxical when one has the “qualification of dwellings”, one of the measures inscribed in ENICC, depend on the 2010 Regulation of the European Regional Development Fund (FEDER)<sup>56</sup>. This regulation provides the extension of its use to interventions in the housing sector “in favour of marginalised communities”, however, the Portuguese state, unlike what happened in Spain or France, did not regulate this directive, thus preventing it from having a funding source for the established measure.

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<sup>55</sup> “EU approves the first legal document for the integration of Roma”, Newspaper *Público* of December 9<sup>th</sup> 2013.

<sup>56</sup> Regulation (EU) N. 437/2010 of the European Parliament and the Council, of May 19<sup>th</sup> 2010. Official Journal of the European Union (29.05.2010), extending the scope of the European Regional Development Fund FEDER. Let us recall that FEDER was instituted in 1975 with the great aim of financing structural aid through regional development programmes directed to less developed regions, acting as a function of a global strategy integrated with the remaining structural funds.

## **4. Overall presentation of the institutions involved, acts and their authorities, in the national juridical frame**

### **4.1. Legislative and government public administration**

In the Portuguese juridical frame, the competent bodies entrusted to adopt legal norms are the Assembly of the Republic, the Government, the Governments and the Legislative Assemblies of the Autonomous Regions of the Azores and Madeira, the Municipalities and other administrative entities.

In the present study, at the superior level of the public administration, the institutions responsible for the enactment of the formal acts gathered are: the Government and its specific ministries; and two indirect administration bodies of the state<sup>57</sup> that is, the Institute of Social Security<sup>58</sup>, and the High-Commission for Immigration and Intercultural Dialogue (ACIDI)<sup>59</sup>.

It was also considered the EU Parliament and Council, as a supranational body directly operating within the member-states.

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<sup>57</sup> See the Law n° 3/2004, of January 15<sup>th</sup> that approves the Framework Law for Public Institutes.

<sup>58</sup> The Institute of Social Security, I.P. (ISS) is a government institute, in special regime under the law that is part of the Portuguese state's indirect administration; this entity is financially and administratively autonomous and holds its own assets. It exercises the power and the duties of the Ministry of Solidarity, Employment and Social Security, under supervision and guidance of the respective minister.

<sup>59</sup> The ACIDI, I.P. is a government institute that is part of the Portuguese state's indirect administration; this entity is administratively autonomous. It exercises the duties of the Presidency of the Council of Ministers, under supervision and guidance of the First Minister or the other member of the Government, part of the Presidency of the Council of Ministers. Its mission, and the competences of the High-Commissioner as Under-Secretary of State, is written into the Law Decree n° 167/2007 of May 3<sup>rd</sup>. At February 27<sup>th</sup> 2014, the Presidency of the Council of Ministers passes the Law Decree n° 31/2014 to rename the ACIDI into High Commission for Migrations (ACM). It is administratively and financially autonomous and it holds its own assets.

In Table 3 is explained the relationship between the institutions involved (and their ministries or offices), the acts and their authority.

Table 3: National level - Correspondence among institutions involved (their offices and ministries), acts and their authority

Institution/Body	Office/Ministry	Act	Authority
European Parliament and Council (Supranational body)		External source Regulation European Regional Development Fund (ERDF) N° 437/2010	Legislative  Act self-executing in all member-states
Government		Observations of the Government on the admissibility Case document n°. 2 - European Roma Rights Centre (ERRC) vs. Portugal - Complaint n° 61/2010	Advisory  Official guidelines
		Submissions of the Government on the merits Case document n°. 3 - European Roma Rights Centre (ERRC) vs. Portugal - Complaint n° 61/2010	Advisory  Official guidelines
Government	Ministry for Cities, Territorial Planning and the Environment	Law Decree n° 310/2002	Legislative  Act with statutory force, expression of the legislative power of Government
Government	Council of Ministers	Managerial Resolution	Executive
Government	Presidency of the Council of Ministers	Ministerial Decree Normative Dispatch	Executive  Regulations for execution of statutory acts. In Portugal they are legal texts addressed only to the Ministers applied only within the respective Ministry
Social Security Institute	Ministry of Solidarity, Employment and Social Security	National Action Plan on Social Inclusion	Advisory  Official guidelines
		Report on the implementation and results of PNAI	Advisory  Official guidelines
High Commission for Immigration and Intercultural Dialogue (ACIDI)	Presidency of the Council of Ministers	Regulation for Experimental Project for Municipal Mediator	Executive

Source: CRIA/WE Wor(l)ds which Exclude, March 2014

## **4.2. Local (municipal) public administration**

At the local level, the institutions with normative powers are the Municipalities, which exercise their legislative power through the Municipal Assemblies and the executive one through the Municipal Chambers. The two entities may enact resolutions, that is, normative administrative acts, directly enforceable. Their organic structures predict the existence of offices with different skills and areas of expertise, dependent directly of the President of the Municipal Chamber. The technicians' offices can draw up opinions that, if approved by hierarchical superiors by orders, have binding force for the adoption of proposals in the meeting of the Municipal Chamber.

In Table 4 is explained the relationship between the institutions involved (and their ministries or offices), the acts and their authority.

Table 4: Local level - Correspondence among institutions involved (their offices), acts and their authority

Institution/Body	Office	Acts	Authority
Lisbon Municipal Chamber	Housing and Social Development	Resolution	Executive
GEBALIS, EEM <sup>60</sup>	Management Board	Resolution	Executive
Beja Municipal Chamber		Resolution	Executive
	Social Development	Internal Technical Information <sup>61</sup>	Executive
	Juridical	Internal Juridical Opinion	Executive
Beja Municipal Assembly		Assembly Resolution	Executive
Vidigueira Municipal Chamber		Resolution	Executive

<sup>60</sup> It is a municipal undertaking, with legal personality and financial autonomy, created in 1995 to ensure the management of neighbourhoods of Lisbon City, assigned by the Municipal Chamber. The Resolution N° 112/CM/2013, adopted in the Municipal Assembly meeting in Lisbon at May 21<sup>st</sup> 2013, approves the amendment to the statutes of the entity and their publication in the Bulletin Municipal of the Municipality of Lisbon, Ano XX, n° 1006, of May 30<sup>th</sup> 2013.

<sup>61</sup> We did not find any case, in the corpus of official documents of Municipality of Beja, in which the information and opinions of the technical offices had come into conflict with the decisions of higher authority (except in a case where the negative decision was subsequently amended).

## 5. Keywords concerning the target group of the documents

The analysis of institutional documents reveals differences in the use of keywords concerning the target mentioned in the texts<sup>62</sup>. The main differences are linked mainly to 3 variables: the territorial level of the documents, that is, national or local (municipal); the features of the three case-studies (which in turn present other dimensions, as, for example, the temporal dimension) and the types of documents, their specific contents and the main aims.

The gathered documents allow us to identify an ambiguous “politics of recognition” regarding the process of naming the target of public policies, when *ciganos* are concerned. This process oscillates between two extremes: their omission of documents (24%) and their explicit reference (71%). In fact, this is a kind of a continuum of identity categories, where, depending on the circumstances, *ciganos* are “attached” to other groups of persons, generally extremely poor<sup>63</sup>, excluded, disadvantaged and deprived, highlighting how public policies and policy makers construct their targets, sometimes with the intention of avoiding an explicit reference to *ciganos*.

### 5.1 National level

At the national level, the choice and use of keywords depend mainly on the type

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<sup>62</sup> We have to recall that at the national level para-texts were also included in the analysis.

<sup>63</sup> It is interesting to note that their poverty is frequently implicitly described as structural and not cyclical.

of document and its contents. The most recurring categories are<sup>64</sup>:

- “*ciganos*”, “*cigano* community(ies)”, “Portuguese *cigano* community(ies)”, “*cigano* families” and “*cigano* population”;
- “Ethnic minorities”; “minorities and migrants”; “descendants of immigrants and ethnic minorities”;
- “Roma”, “Roma community (ies)”, “Roma minority”, “Roma people”;
- Expressions concerning the vulnerability of socio-economic contexts, social exclusion and poverty: for example, “vulnerable groups: people and groups in situations of poverty and exclusion” and “more vulnerable communities”;
- a specific category associating the age dimension of the target to the original socio-economic context, which, once again, is seen as disadvantaged, problematic and vulnerable: “youths stemmed from most unfavourable and problematic socio-economic contexts”, and “children and young people from vulnerable socio-economic contexts”.

We must still mention two specific and single examples:

- The generic reference to the “person responsible for the camp” in the case of Decree-law 310/2002, representing a *sui generis* document given the comprehensiveness of the aimed target. This document represents a case of implicit and non-said in the act itself of naming the subjects that are the target of the legal instrument. If we had no access to the more articulate and complex context of relationships between state, *cigano* population and regulation of residence and circulation practices, we could not say that this document also aims to affect *cigano* families, deemed nomadic (among other subjects), decentralising competences to

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<sup>64</sup> It is pertinent to explain that when we speak about recurrence we do not refer to detailed counting of the uses of words within each document.

Municipalities that can create specific standards about ways of living and remaining in the territory.

- The para-textual Regulation for the Experimental Project for Municipal Mediator (ACIDI), which represents the only case, for obvious reasons of content, in which the password *cigano* mediator is quoted.

Generally speaking, one sees that all the institutional documents considered – with the exception of the aforementioned Decree-Law – refer to the target using the ethnic name “*cigano*”, together with the words “community”, or in plural, “communities”, “population”, or yet, “families”.

Keywords referring to the concept of ethnic minority are not present in all documents, but are used deliberately, in particular, in 4 Managerial Resolutions and in 2 Ministerial Decrees, the aim of which is to renew the Choices Programme, and which, instead of explaining the target using the word “*cigano*”, prefers to use the more generic terms “minorities and migrants” and “descendants of immigrants and ethnic minorities”. Those are also used in the para-text National Action Plan for Social Inclusion (2008-2010), and the related Report on the implementation and results, produced by the Institute for Social Security, as well as in Managerial Resolution 25/2013 that approves the National Strategy for the Integration of *Cigano* Communities.

It is however visible that in Portugal, when speaking about ethnical minorities, a reference is done to *ciganos* and the Choices Programme is, indeed, directed to migrants and *ciganos*<sup>65</sup>, as is emphasised in the Resolution of the Council of Ministers

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<sup>65</sup> In the 3<sup>rd</sup> Generation Choices Project, of 120 projects, 6 were addressed at *ciganos*; in the 4<sup>th</sup> Generation, of 140, there were 70 projects and finally, in the 5<sup>th</sup> Generation, of 110 projects, 85 work with *cigano* communities.



n.º 25/2013, approving the National Strategy for the Integration of *Cigano* Communities.

In the acts concerning the approval of the Choices Programme, beyond the ethnical categories, the keywords “young stemmed from most unfavourable and problematic socio-economic contexts”, and “children and young people from vulnerable socio-economic contexts” are also recorded. Although it is a category that only shows in this type of documents, given that they are the documents consistent in numeric terms, it is strong due to its repetition. Again, there is no explicit reference to *ciganos*, rather to a generic target population (youths and children), to which the supposed original socio-economic context is associated, deemed problematic, disadvantaged and vulnerable.

With the exception of one of the Managerial Resolutions (nº 60/2004), in these documents, these keywords are articulated with others already mentioned (“descendants of migrants and ethnical minorities”), and one can infer that in fact the Portuguese Government considers the binomial – disadvantaged, problematic and vulnerable neighbourhoods vs. migrants and ethnic minorities – an extremely susceptible binomial concerning the risk and danger of social and cultural exclusion of the subjects in question.

The use of the words “Roma” and derivations thereof (“Roma community”, “Roma minority”, “Roma people”) is justified with the international nature of the documents taken into account, namely the institutional stances taken by the Portuguese Government as to the complaint by ERRC, where the word “*cigano*” is replaced with the name “Roma”, received in international documents.

## 5.2 Local level

### 5.2.1 Lisbon

The 7 Resolutions of the Lisbon case, as pointed out in Chapter 1, have the peculiarity that none of them explicitly refers to *ciganos*.

In the case of the Resolution of the Board of Directors of GEBALIS, EEM, approving the second stage of the Project “Ameixoeira à Maneira” (see Chapter 9) there is only a reference to “population” and “dwellers”. However, a document of para-textual nature reveals that the main problems that this project aims to solve arise from the presence of “families of *cigano* ethnicity” concentrated in one same building, the “most critical areas in the neighbourhood”, being those with “a greater percentage of families coming from the Vale do Forno neighbourhood”<sup>66</sup> (that is, *cigano* families, as described in Chapter 9).

The annexes to the Resolution approving the BIP/ZIP Projects for 2013 includes another project, promoted by the parish Council of Ameixoeira – Community Mediators, Ref. 068 –, where the keywords refer to the dimension of social vulnerability of the resident population: “excluded social groups” and “deeply socially and territorially uprooted”.

Also in 2013, this Resolution approves another project – *Cigano* Project [Ciganos], Ref. 019 – for the *Bairro Bom Pastor* (see Chapter 9), promoted by the parish Council of Benfica and explicitly referring to “*cigano* ethnicity” or “*cigano* community”.

These keywords, however, disappear in another project planned for the same neighbourhood – “Casa do Bom Pastor”, Ref. 10 -, approved in the Municipal Chamber

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<sup>66</sup> This document – Global Intervention Project in the Neighbourhood of Ameixoeira – Ameixoeira à Maneira”, Internal Ref./2008/5933, of May 5<sup>th</sup> 2008 – was signed by the different intermediate structures of GEBALIS, EEM (Neighbourhood Office, Area Coordination (North-West), Studies and Planning Office).

Resolution of 2011, referring only to the dimension of social vulnerability - “excluded social groups” - or simply “residents”.

While the Resolutions approving these specific projects do not mention any specific target, the remaining 3 Resolutions about the BIP/ZIP Programme (that approve the whole BIP/ZIP Programme, in 2010, or its renewal for 2013 and the Priority Intervention Neighbourhoods and Areas Charter for Lisbon) indicate very generic categories: the name “community” is transversal to the three documents, while “population(s)” and “dwellers” appear in two of these resolutions.

The analysis of the target mentioned in these acts of public administration reinforces the trend, already mentioned in Chapter 1, of the case of Lisbon: *ciganos* are absent from official documents and appear included in very generic categories.

### **5.2.2 Beja**

The documental panorama of the Municipality of Beja is quite specific, as we point out in Chapter 1, and this peculiarity is necessarily mirrored in the choice and use of keywords to name a target audience.

It is thus emphasised that in every administrative act keywords appear referring to the generic dimension of citizen/dweller/tenant in a social housing neighbourhood. However, when in this case it is the *Bairro das Pedreiras*, inhabited only by *cigano* families, the explicit reference to the neighbourhood, in the object of the procedure, clearly reveals the identity of the subjects as well as the institutional stance as to the issued debated in the documents.

It can be seen, therefore, that the mere mention of the name of a particular neighborhood produces a direct correlation to the presence of *ciganos*, not only

because they are the only inhabitants, but also because the problems of certain neighborhoods are presented as the result and a consequence of the fact that *ciganos* are living there.

Systematically, the internal technical juridical opinions refer to the ethnical dimension of the subjects - “*cigano* community(ies)”, “*cigano* population”, “*cigano* families”, “*cigano* ethnic group/family/population”. The legal experts of the Municipality, asked about the processes of violation or non-compliance with rules established in the Regulation on the Clauses of the Local Contract of Social Responsibility, use this argumentative space to write small “specialist” digressions on the supposed main features of “*cigano* culture”.

There are still some internal technical information, although they are a minority, proving the use of the word “nomad”. This expression is used in two ways by municipal technicians: on one hand, to assign to some *cigano* families the condition of nomads, on the other hand, to reproduce the language of *cigano* dwellers, in their relationships with municipal servants.

### **5.2.3 Vidigueira**

In Vidigueira, of the 6 Resolutions and one Regulation, only one Resolution does not explicitly mention the ethnic dimension. It is the “Plan of incentives to settle water debts” for “municipality dwellers” (approved on 20.07.2011), referring to the difficulty for “households with evident economic needs” to be able to sign payment agreements in facilities. In this sense, the payment proposal by doing “work for the community” is a possibility of settling the debt and we understand that the sanctions provided are

implicitly directed to *ciganos*, given that failure to comply with this plan deprives them of the right of “integration in the Park Stage”, a housing response specifically addressed to them (see Chapter 9).

This absence of an explicit reference can be explained with the specificity of the context experienced at the time in the municipality: water cuts done by the municipality in the shantytown inhabited by *ciganos* and the letter sent to the President of the Chamber by the European Roma Right Centre (ERRC), on February 8<sup>th</sup> 2011, requesting “to immediately restore the water supplies”. All in all, the fact that the local authority’s action was the target of particular attention from the ERRC may have led this omission.

All remaining 5 Resolutions and 1 Regulation refer to the ethnic dimension: “*cigano* community(ies)”, “*cigano* population”, “community of ethnic *ciganos*” (3 concerning the Park Stage, 1 about “standards to apply to the *cigano* community”; 1 about the municipal *cigano* mediator and 1 about the change to the municipal budget, planned for 2010, due to the postponement of the construction of the “Nomadic Park”).

Among these Resolutions, 2 also use the word “nomad”, either to refer to the rehousing project present in the municipal budget (“Nomadic Park”), or to establish distinctions between *ciganos* as to the places where they can settle temporarily: the “*cigano* community born and living in the municipality” and the “nomad population” are, thus, two specific targets.

## **6. Analysis of explicit topic and keywords used (or not) in the documents collected**

In this Chapter we intend to present and analyze a set of topics, keywords and expressions used recurrent and explicitly throughout the different documental corpora gathered, in an effort to deconstruct the underlying intrinsic meaning and in parallel, the type of social reality they aim to create. However, the performative force of enunciations - what they do and what they generate on and for the target subjects – also works when keywords are purposely not employed by institutional actors.

### **6.2 The resident in the Responsibility Agreement?**

In order to manage the access and management regime of social housing, Municipalities have the legal capacity to redact regulations that legally frame the abstract and theoretical figure of the municipal housing resident that rests in the prevailing ideology of the conflict between rights and obligations of the common citizen.

This profile is overlapped by another type of document which is the “Responsibility Agreement”<sup>67</sup> between tenants and Municipalities, specifically created for a special kind of tenant: that who commits different types of violations – repeated lack of rent payment, lack of utilities payment, lack of socially acceptable behavior, lack of maintenance of private and public spaces and acts of vandalism – and those who lack the necessary skills.

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<sup>67</sup> In Lisbon it is the “Agreement Ameixoeira à Maneira”; in Beja it’s the “Regulation on the Clauses of the Local Contract of Social Responsibility”; in Vidigueira it is the “Internal Regulation for the Park Stage”.

Despite the fact that the contents of these agreements refer to the same kind of clauses stipulated in the Regulations, the tonic in the first case rests in the logic of formal and official social commitment by the tenant regarding the demanded duties, being a *conditio sine qua non* to have access to basic benefits, as can be improvement work both in the houses as in commons spaces.

The establishment of “Responsibility Agreements” marks the existence of a power asymmetry through which local authorities have administrative and political leeway in order to “discipline” and educate via the “*do ut des*” pedagogy to create a new kind of tenant in his social and living “*modus vivendi*”. What is said in the document is that “the established relationships under this agreement [...] follow the principles of equality, justice and impartiality, aiming towards an efficient, effective and rational management of said agreement”. What remains to say is that, if on one side there is order, efficiency and rationality, on the other, we have default, disorder, incompetence and irrationality.

We cannot state that the agreements are elaborated locally in order to educate and control exclusively *cigano* families; however, the fact is that in the three cases under consideration, in different time periods and under left wing governments (PS, CDU), despite some differences, that is exactly what happens.

In the “Internal Regulation for the Park Stage” in Vidigueira Municipality example, *cigano* families are defined as “trainees” (Art. 2, section 1), *ergo* deficient. Due to the vulnerability, poverty and social exclusion condition “recorded in the *cigano* population” (Art. 2, section 2), it is necessary to develop “personal, social and professional skills [...] for future definitive relocation into society – a fundamental condition for their inclusion” through temporary housing” (Art. 2, section 3). The elements are placed in a growing

order to automate the passage between the conditionality of public policy and the poor's merit.

The admission right to the Park Stage, when compared to social housing, is in itself regulated by other parallel measures that comply with the same rules of commitment, obligation and entailment. It is the case of administrative act nº 21 /CM/2011<sup>68</sup> that bars access to rehousing to water consumers in default on their bills: "When in default [...], debtors will not have access to housing improvement process, nor will they be integrated in the Park Stage. There are also foreseen agreements with Social Security that might include exclusion from RSI - Social Integration Income? (pg. 5).

In Lisbon, in the "Ameixoeira à Maneira" project (Resolution nº 68/CA/2009)<sup>69</sup>, promoted by Ameixoeira's Community Group<sup>70</sup>, where GEBALIS, EEM is a core partner, the idea that "working closely with residents involves the establishment of an 'Agreement' whereby both parties undertake to comply with a set of actions aimed at the organization/upkeep of buildings, and carrying out repairs to or improvement of the building" is reinforced. The "agreement's" concept reveals its prescriptive and performative force, based on the principle of conditionality: if the organization/upkeep of

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<sup>68</sup> Proposal for the approval of the arrangement to clear the water utility debt, in minute of Municipal Chamber, nº 15/2011.

<sup>69</sup> Two para-textual documents were also referred to, specifically: Global Intervention Project in the Neighbourhood of Ameixoeira – Ameixoeira à Maneira", Internal Ref./2008/5933, of May 5<sup>th</sup> GEBALIS EEM (Neighbourhood Office, Area Coordination (North-West), Studies and Planning Office and Activity Report (2008-2012), "O Bairro está mais à Maneira", April 2012, produced by Grupo Comunitário da Ameixoeira.

<sup>70</sup> This Group was constituted in 2006 and aimed to adopt and integrated perspective of the intervention, define and implement a territorial development plan, (re)create innovative answers with the community, promote lobby and advocacy actions. This group is composed by over 40 institutions, 10 of them belonging to the Government, and it is organized in three workforces: employability, schooling and safety.



buildings is achieved, interventions to repair or improvement the buildings will be carrying out.

In 2011, Beja's Municipality approved the Regulation on the Clauses of the Local Contract of Social Responsibility<sup>71</sup> for all families renting social housing belonging to the council – but especially for *Bairro das Pedreiras*<sup>72</sup> residents (that is, *ciganos*).

For this date on, research in minutes of the Municipal Chamber meetings highlighted the presence of a specific sub-corpus of administrative acts: Resolutions that approved matters related to the awarding of new lease contracts, the application of rent controlled regimes and their value revision, rental or facilities debts, within the scope of the said contract. These administrative procedures are set into motion when the Municipality discovers illegal situations with *Bairro das Pedreiras* residents, namely the occupation/transfer of housing, without previous municipal authorization, and usually follow the same *iter*, as well as a repeated formal discursive structure: technical information / legal advice / technical information / final prescriptive act.

The 26 technical information's, that formalize the decision act of the Municipality, use an aseptic bureaucratic and legalistic terminology - that apparently portrays a "neutral" reality - which refers to the assessment of generic social indicators, such as

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<sup>71</sup> Resolution nº 458, in minute nº 13 of Municipal Chamber, of June 15<sup>th</sup> 2011.

<sup>72</sup> In the minute of the Municipal Chamber nº 24, of October 6<sup>th</sup> 2010, the President of the Chamber states that the Contract was initially thought for *cigano* families but that its target might be broadened to non *cigano* families, considering that it would be a more correct practice. It is also interesting to note that until the end of 2013, in the Beja Municipality website, this Regulation was put in the section: Ethnic Minorities, although it has been thought and presented to include the whole population living in Social Housing and, especially, that in payment default. In January 2014, we came back to the site that meanwhile was updated: the ethnic minorities disappeared, and the Regulation was put in the Social Action area. In fact, at the end of September 2013, there were municipal elections and the political class changed from Socialist Party (PS) to the previous CDU (Communist Party and Ecological Party).

household composition, receiving or not the Social Integration Income, living in the municipality or having moved, having debts to pay.

The 6 legal opinions (all the same), by contrast, are "marked" by a "culturalistic" language - "The *cigano* family is based on extended family," "respect for *cigano* law applied by an internal tribunal" – which, appealing to positive discrimination measures - "being acceptable for the transfer of leasing to obey as well the customs and *Cigano* Law', which means that a joint procedure should be adopted with the *cigano* community [...]" - in fact, translates into an additional instrument to the assertion of legality: compliance with contractual obligations, including the payment of rent and debts. Stereotypes<sup>73</sup> contained therein, reify the deviance from normality - appealing to common sense by which "commonplaces become social facts" (Faso 2008: 53) - and the difference of the target subjects, characteristics that can however be overcome by debt payment<sup>74</sup>.

## 6.2 Degradation and insecurity

Exclusively at a local level, in many gathered documents, the association between the presence of *ciganos* in certain places (near, visible, experiential) and the degradation and depreciation of said spaces in an esthetic, patrimonial and social point

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<sup>73</sup> For example: "It is also common knowledge that the *cigano* community's housing situation is very precarious and hard to solve due to factors such as: low income of the community" (i.e.: structural poverty); "lack of community living capabilities" (i.e.: needed people) "and the inability to live by social standards different than their own" (i.e.: dangerous people).

<sup>74</sup> The order of the President of the Chamber relating to legal advice reads as follows: "Celebrate a new contract provided that the debt is settled. If it does not happen, eviction should follow."

of view is inlaid: It is necessary to remove *ciganos* in order to be able to revitalize a neighbourhood; it is mandatory to clean a neighborhood where *ciganos* live because the fact is that they ruin it.

The prejudice regarding *ciganos* and space uses the semantic slippage to remind of images of dirt, neglect, destruction, insecurity, disorder, through a process of growing discriminatory categorization, where the physical becomes social and cultural<sup>75</sup>.

The performative power of language used in the texts of local government acts on the making of a certain "spatial order" (Lussault 2009) which involves the removal of Gypsies, making them as invisible as possible, or their domestication, because their presence prevents neighbourhood improvement projects, and also prevents any "good neighbour" and "social cohesion" relationships.

The term "degradation" appears explicitly in the documents found in Lisbon, regarding neighbourhoods of Ameixoeira e Bom Pastor, when it states that "the

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<sup>75</sup> On this regard, the Project "Ameixoeira à Maneira", despite the fact that, as we have stated before, it isn't a *cigano* families exclusive project, is a redundant texts regarding the lexical and argumentative persistence on: "abusive occupations, space vandalism, high levels of unhealthiness, impunity, recurrent house occupation, illegal water and electricity tapings, keeping common spaces in good hygiene and conservations conditions, incorrect ownership of spaces and equipment, public littering, public health hazard, presence of rice and non-vaccinated dogs."

In this regard, the Report (2010), requested by the National Association of Portuguese Municipalities, within the Framework for the Convention for the Protection of National Minorities in Portugal, and the response to the complaint from Amnesty International and the Bar Association (2010), produced by the Higher Technical Board of the Office of Social Development of Beja are not official documents; they are sketches still subject to higher approval, regarding which we did not obtain information. However, we know, at least, in the case of the second text, that it has been approved and forwarded to the bodies that requested it, according to the words the President of the Chamber reported in a minute. Therefore they were not considered in the analysis. However the text is rich in descriptions that reinforce the binomial relationship within *ciganos* and space like as: dirty = thug = dangerous. Examples of institutional discourse are: "they spoil clothes drying on the drying cords; dirty water runs down the windows; the fear of other neighbours to go inside in the dark because the lights, switches and elevators are broken in the building; they do not respect the quiet hours stipulated by law, the designated places for garbage, the cleanliness of common areas; they threaten and beat and live in their own world; employee cars are scratched and vandalized; there are human excretions at the main building entrance; mattresses leaning against the side of the building; vans clogging up the circulation; people sleeping on the floor next to the main entrance because that's where the shadow hits in that hour", among others.

resettlement of deeply excluded groups, social and territorially uprooted, without guidance, degraded the social environment and hindered the ownership of the new reality"<sup>76</sup> The transition from degradation to lack of security (by the feeling they convey) is easily constructed and settles in the speech: "Given the deteriorating security situation, aggravated by the current crisis situation, [...] a Security Group was constituted to address the identified problems"<sup>77</sup>. It is clear how this conceptual passage results of a social construction from the institutional speech itself, mongering new social facts.

The fact that there are many *ciganos* ("joint relocation of an excessive amount of *cigano* families") in the same neighbourhood increases the perception that the environment is suffering a social and physical deterioration process. It's concrete translation is proven by the accounting, by institutions, of the "social, material and financial losses", "the intra and inter-ethnic conflicts" and "the increased difficulty of neighbourhood management" that create "unease" in the population (i.e.: non-*cigano* population, it doesn't mention *ciganos* as a part of the population).

The cultural nature of *ciganos*, crystallized in traits that reveal their "resistance to change", explain why, even after years of institutional intervention in neighbourhoods and housing lots, they continue "without cleaning of the exterior spaces," and have a "bad image and bad hygiene"<sup>78</sup>.

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<sup>76</sup> We consulted the para-textual document: the Global Intervention Project in the Neighbourhood of Ameixoeira – Ameixoeira à Maneira", Internal Ref./2008/5933, of May 5<sup>th</sup>, (Neighbourhood Office, Area Coordination (North-West), Studies and Planning Office (p. 3). The official reference that justifies the inclusion of this para-text is the Resolution n° 68/CA/2009.

<sup>77</sup> Annex to the Resolution (Proposal 58/2013, 30.01.2013) approving the BIP/ZIP Projects for 2013: Community mediators, Ref. 068.

<sup>78</sup> Annex to the Resolution (Proposal 58/2013, 30.01.2013) approving the BIP/ZIP Projects for 2013: *Cigano* Project [Ciga-nos], Ref. 019, p. 4.

Other official texts allow us to observe how the production hygienist-aesthetic-security discussion relies on the use of linguistic markers (Mortara Garavelli 2001) that clearly produce the relation of consequence assumed by stated facts.

Therefore, in order to requalify and revitalize the urban neighbourhood in Beja and to build a new residential neighbourhood it is previously necessary to “put an end”, “exterminate” the resident (*ciganos*) slums and permanently relocate them:

“There might be some resistance regarding the acquisition of houses in the fore mentioned area, that is, *Bairro da Esperança*, which, as you all know, has serious social issues, and an investment in that area for a company to build 200 houses is risky, putting ourselves in her position, the entrepreneur personally believes that after the *cigano* community is relocated in the Nomad Park, after beginning to sketch what will become the urban aspect of that area that the problem will be solved, in any case it isn't the criteria definition that worries us [...], it is making sure that in due time, 200 families will fully occupy the residential area and that those same people may contribute in order to requalify the neighbourhood with their presence”<sup>79</sup>.

Implicitly, by omitting the second element of the relationship, it is possible to deduce that the new families appear as legitimate residents of the new space to be created, while, on the other hand, *ciganos* are undesired and have to be removed. With this preoccupation regarding the necessity of the “presence of new families” incentives are being created for housing access (possibility to buy “a house for a third of its market value”) and feelings of insecurity are being dimed, carefully avoiding the collision

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<sup>79</sup> Councillor of CDU, in minute of Extraordinary Municipal Assembly, of March 21<sup>st</sup> 2005, p. 2, 5.

between the entrance of the residential neighbourhood and the space linked to the *cigano* presence<sup>80</sup>.

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<sup>80</sup> President of the Chamber (CDU), in minute of Municipal Assembly, June 27<sup>th</sup> 2005, p.5.

## **7. Analysis of the implicit metaphors in the documents collected**

The implicit meaning, what isn't explicitly said, operates in institutional documents using metaphoric analogies that, in the case of the analyzed texts, are closely linked to ongoing public housing policies, or with the kind of interventions that they are trying to deploy in certain areas to cope with the presence of "others", whether they are ethnically (*ciganos*), or socially (those vulnerable, marginalized, excluded, poor) connoted, or both.

If, on one hand, the use of explicit keywords indicates the type of metaphorical expression that is being mobilized to map, and afterwards, act on the world; on the other hand, it is through government actions that we are able to unveil the categorization processes and the underlying models.

### **7.1 The territory: The military, urban-environmental and medical-sanitary metaphors**

The way space and territory are described supports the processes of identification and construction of stereotyped and crystallized identities – finally disquieting -, and the intervention paradigms, without the need to appeal to the explicit use of ethnical categories who are by themselves performative.

The use of linguistic metaphors, coming from the military context, is associated to the use of the urban-environmental and medical-sanitary ones that, together, construct the concept of the territory in which to act.

The spaces and their inhabitants are represented as an enemy territory. A Resolution by Beja's Municipal Assembly<sup>81</sup> approves a Protocol between Beja Municipality and the Social, Cultural and Recreative Center of *Bairro da Esperança* in order to create a joint intervention towards the resolution of the *cigano* problem and the requalification of a stigmatized neighbourhood: "exterminating the slums" is depicted as a joyful event because it eliminates in one movement the concentrated *cigano* presence in a low density neighbourhood.

The northern area of *Bairro Bom Pastor* in Lisbon receives the same analogic treatment: faced with the periodical abandonment of the area of the neighbourhood where *ciganos* live, a situation that wasn't resolved with prior interventions, Benfica's Municipality decided to train and mobilize "cleaning patrols" (activity 1: Clean the neighbourhood)<sup>82</sup>, composed by residents in order to improve cleanliness and hygiene in the neighbourhood, providing 5.000 Euros for this purpose. If etymologically "patrolling" means watching, and if a patrol's mission is to make rounds or recognize enemy positions, here what seems to be behind this practice is a moralizing ideology of the other, who is considered unclean.

In the neighbourhood of Ameixoeira the patrol – the escort, monitoring and evaluation of the populations behaviour – is incarnated in the "godfathering" figure, assumed by every partner in the Project "Ameixoeira à Maneira": "each partner must sponsor a certain number of plots in order to insure the escort, monitoring and behavioral evaluation, but it is important to have at least one resident representative for each plot, who will assume a caretaker role and promote the relational balance between

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<sup>81</sup> In minute of Extraordinary Municipal Assembly, of March 21<sup>st</sup> 2005, p. 5.

<sup>82</sup> Annex to the Resolution (Proposal 58/2013, 30.01.2013) approving the BIP/ZIP Projects for 2013: *Cigano* Project [Ciga-nos], Ref. 019, p. 4.



neighbours”<sup>83</sup>. Once again the space, where dirty and dangerous inhabitants live, who represent a kind of “socio-territorial fracture”<sup>84</sup>, justifies a sanitary and security vigilance approach, clearly reminding us of Mary Douglas’s categories of purity and danger.

We must note that the medical-sanitary metaphor, used to refer to marginal and “critical” housing situations in the territory, made its first institutional appearance in the Law-Decree nº 163/93 where the slum reality in metropolitan areas is presented as an “open wound in our social fabric, and therefore rehousing of those who live there impose the creation of conditions that allow their full extinction”<sup>85</sup>.

Environmental-urban metaphors act in the same manner, since they use words like “degradation”- to indicate lack of esthetics, organization and proper use of space, as well as territory in the broader sense of the word – and expressions like “recycling urbanism”<sup>86</sup> – when interventions in areas called “uncontrolled” are intended<sup>87</sup> that need “urban regeneration”<sup>88</sup>.

## **7.2 The difference and the metaphor of the territorial mosaic**

The way difference is thought of and crystalized in institutional texts, in terms of cultural relativism and right to difference – but to the point where she doesn’t put into question national and constitutional values – allows us to push the hypothesis that the

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<sup>83</sup> The Global Intervention Project in the Neighbourhood of Ameixoeira “Ameixoeira à Maneira”, Internal Ref./2008/5933, May 5<sup>th</sup> 2008, p. 9.

<sup>84</sup> Resolution 616/2010 - Proposal 616/2010 - Approval Charter BIP/ZIP.

<sup>85</sup> It establishes the Rehousing Special Programme (PER) in the Metropolitan Area of Lisbon and Oporto.

<sup>86</sup> Resolution 616/2010 - Proposal 616/2010 - Approval Charter BIP/ZIP.

<sup>87</sup> Resolution 616/2010 - Proposal 616/2010 - Approval Charter BIP/ZIP;

<sup>88</sup> Resolution 725/2010 - Proposal 725/2010 - Programme BIP-ZIP; Resolution 616/2010 - Proposal 616/2010 - Approval Charter BIP/ZIP;

difference itself can be a big implicit metaphor that supports the programs, interventions and political decisions regarding *ciganos*, ethnic minorities, spaces and housing.

In what way do public policies, that aim to regulate the difference, organize these social actors in the urban territories and, therefore, what kind of urban democracy do they plan to create through this reorganization of territory and people? (Sierra 2005). The use of the other's cultural difference and ethnicity acts like an instrument that was supposed to be to respect it, but, in fact, it separates, segregates limits, hides. The success of the "mosaic metaphor" as mentioned by Joseph (2008), lies on the "naturalization of segregation" and has its own dynamics which lead the liberal and relativist's discourse to have a troubling double speech about segregation"— they are different and they need adequate answers about their differences.<sup>89</sup>.

We found this approach in projects approved in the studied Municipalities, in which the *ciganos'* difference has to be assigned to a specific and different space that ends up being stigmatized by being declared and made visible as such: "to each one its own space" (Joseph 2008), so to avoid malfunctioning in a homogeneous environment, that is supposed to be cohesive and harmonious. Space is considered a "value resource" (Lussault 2007), as if it were traded in a "social stock market", that is defined by the perception and social images that build it. (Freitas and Menezes 1996: 98).

In Vidigueira, a "Park Stage" is being built in order to localize in space *ciganos* "trainees" with a view to their future integration in the city. A Protocol is being

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<sup>89</sup> This expression is a summary of political representatives during CDU's term in Beja until 2009, taken from para-textual documents, not considered for the analysis, kept only for the contextual presentation.

established in Beja that stipulates the creation of a *cigano* specific neighbourhood<sup>90</sup>, after having failed the idea of building a Nomadic Park (see Chapter 9).

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<sup>90</sup> Resolution in minute of Extraordinary Municipal Assembly, of March 21<sup>st</sup> 2005; and Resolution in minute of the Municipal Assembly, of June 27<sup>th</sup> 2005.

## **8. Analysis of the decisions adopted by the collected documents and their devices (instruments and practices)**

The deep analysis of the documents gathered, as well as the information obtained through the fieldwork, allow us to assume that the “*cigano* issue” in Portugal, as a whole, and, somewhat related to the housing problem, is directly connected to the concern of territory management, along with the public policies of social housing.

According to the topics presented in Chapter 6 and 7, it can be inferred that the order establishment and its management, as well as the domestication/discipline of the “other” are recurrent elements and redundant within all documentation found, in an implicit or explicit manner.

John Ploger (2008) organizes urban planning accordingly to three analysis levels that seem interesting to us, regarding this Chapter’s target on devices/*dispositif*/apparatus, in the sense given by Foucault.

“Urban planning concerns the relation between the articulated and the visible; the discourse and the material. Second, urban planning is predetermined on relations and connections between the said (plans, texts, communications) and the unsaid (strategies, intentions with regard to effect and affect, prejudices and so on). Third, urban planning is, due to its public activity, truly dependent on relations between the ensemble of lived discourses, institutionalized discourses and architectural discourses, which are all dimensions of the spatialization of a population’s ‘living together’ with planning’s regulatory decision (plan), scientific statements (on the effect and affect of

'things'), and (not least), the institutionalization of the public participatory planning process" (p. 52).

Thus, we have evidence of three levels of *dispositif*: territorial, social and individual that clearly refer, in a circular way, to the explicit topics and implicit metaphors we analysed in the previous Chapters.

## **8.1 Territorial order**

As we had the opportunity to analyse in the previous sections, we found three types of territorial devices that bring us back to the idea that when the public administration identifies a gap within spatial order, it seeks to re-establish it with combined different forms of action.

1) Allocate specific places for *ciganos* to live.

In the Beja and Vidigueira cases, the space previously inhabited by the *ciganos* lost their peripheral feature within the structure of the urban order and consequently ceased to remain outside the local Government's power. When the proximity and distance criteria change, it becomes necessary to unleash procedures that determine and qualify those differences and their effects, in order to be able to limit and control them (Lussault 2007).

Regarding this matter, we should recall the decisions taken within the Municipal Chamber, where four ghetto-like devices were approved by resolution: the "Park Stage" in Vidigueira and its Regulation, which has its management delegated to the third

sector<sup>91</sup>; the *cigano* families resettlement in the *Bairro das Pedreiras* in Beja - complemented with the presence of a “security” wall<sup>92</sup> – and the “Responsibility Contract” that once in force, will be an extremely binding institutional instrument, at least in what the formal view is concerned, considering the redundant administrative acts associated to it, gathered in the Beja Municipality.

Both solutions found for the reallocation had been previously formulated as proposals for construction of a Nomadic Park, and in the Vidigueira case this housing solution was even registered in the municipal budget<sup>93</sup>.

2) Regulate occasional camps and, turning legitimate eventual institutional tightening regarding vigilance and expelling.

In what nationwide is concerned, we must recall the Decree-Law N° 310/2002 which legally regulates the occasional camps along with a group of different activities that were licensed to carry out, providing the Municipality with the competence to apply them in a discretionary way.

Locally in Vidigueira, the Resolution N° 6/2008 approves the “Rules to apply to the *cigano* community”. This document defines without unquestionable doubt, the places where *ciganos* may stay according to whether they are “nomads” or “born and resident” in the municipal area:

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<sup>91</sup> Minute of Municipal Chamber n° 2/2011 (technical partnership between the Municipality and the Center for Studies and Training Aquiles Estaço, Sociedade Unipessoal, Lda. to develop the rehousing project for *ciganos*) and Internal Regulation of the "Park Stage".

<sup>92</sup> The wall around the *Bairro das Pedreiras* was justified by the President of the Chamber of Beja as a security measure to protect inhabitants and specially children, from the busy road that limits the neighbourhood. In fact this decision was influenced by the pressure coming from the owner of a company sited next to the neighborhood in order to prevent property violation. This ambivalence about the construction of the “barrier” for people clearly sends us to the bio-politics concept: segregate vs. protect dangerous vs threatened people.

<sup>93</sup> Minute of Municipal Chamber n° 15/2010, of July 7<sup>th</sup> 2010.

“From this date onwards, the temporary establishment of the born and resident *cigano* community may only be carried out within the lands that are property of the Municipality – agricultural lands 528 and 530, section D, in S. João (nearby to the Forest Park) and 2012, close to the Castle, parish of Vidigueira; the nomad population may stay within the site in S. João for a period of 24 hours and must for this effect, register with the GNR (Republican National Guard)<sup>94</sup>.

Confining the *ciganos* to certain spaces makes vigilance easier and tighter. In fact, according to the para-textual documents that were consulted, the approval of these rules made it legal to allow the intervention of GNR in view of the moral panic felt - “see new *cigano* faces every day”<sup>95</sup>.

### 3) Limit quarters/zones that accumulate several disadvantages.

In the Lisbon case, the Priority Intervention Neighbourhoods and Areas Programme, were created in 2010 within the Local Housing Programme, as an instrument of municipal public policy aimed at “enhancing partnerships and small local interventions to improve the comprehended ‘habitats’, through support to local projects contributing to reinforce socio-territorial cohesion in the Municipality”<sup>96</sup>. Under this program were delimited 67 Priority Intervention Neighbourhoods and Areas included in the Lisbon BIP/ZIP Charter<sup>97</sup>: “areas that needed a different treatment from the rest of the city”, corresponding mostly to areas where rehousing processes took place since the 1970s. These areas will be subject to “appropriate programs of urban regeneration”,

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<sup>94</sup> Proposal nº 10/CM/2008, in minute of Municipal Chamber nº 6/2008, p. 8.

<sup>95</sup> City councillor in minute of Municipal Assembly nº 1/2009, of February 27<sup>th</sup> 2009, p. 10.

<sup>96</sup> Resolution 725/2010, Municipal Chamber, of December 22<sup>nd</sup> 2010.

<sup>97</sup> Resolution 616/2010 and Proposal 363/2010, Municipal Chamber meeting, of March 1<sup>st</sup> 2011.

namely through "proximity, intercultural and inclusive management, promoting good environmental practices" (p.1).

This device makes it viable, on one hand, to channel social and economic resources to the city areas that are accumulating a group of vulnerabilities (social, urban and environmental), on the other hand, it reveals the incidence and inexistence of the urban area limits that present a level of criticism and that condition "social and territorial cohesion".

## **8.2 Social order**

We think there are two types of devices.

The first device – present in the BIP/ZIP Programme and in all project documents found in Lisbon – is the environmental and social requalification of housing space.

If we wanted to identify a document at national level, that ratifies in ideological terms all institutional decisions and actions that have been implemented, according to the gathered documents, since 2008 on this issue, this would be the Strategy for Integration of the *Cigano* Communities. This document contains the guidelines that should bring orientation to the intervention within the housing area, as being one of the main priorities<sup>98</sup>, as well as the orientation on a specific priority "qualify the image, housing and the *cigano's* community borough's infra-structures" (Regulation of the Council of Ministers N° 25/2013, p.2224).

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<sup>98</sup> Housing is assumed not as only as lodging, but a whole including equally the community environment and the space of the neighbourhood that it is part of, with the access conditions, infra-structures, facilities and public space quality and the way all is experienced. Also to consider the way these territories are seen by the rest of the population: the place to live may be the first exclusion and stigmatization factor" (p.2223).



The European Regional Development Fund (ERDF) N° 437/2010 is quoted as one of the available legal and financial instruments for the fostering of intervention within housing areas, “in an integrated approach scope”, in favour of “marginalized communities” among which we may find the *cigano* community<sup>99</sup>.

In fact, in 2010, according to the Lisbon Housing Local Policy (PLH) the BIP/ZIP Programme was created with the aim of “contributing to a positive image of these spaces, in order to allow and reinforce its harmonious integration in the city without discrimination regarding access to products and services that are available for all<sup>100</sup>”.

“Neighbourhoods cleaning”, in its widest expression, is the main instrument for the fulfilment of this device, underlined by strong implicit processes of social and identity categorization and essentialization, as we have evidenced in the previous Chapter.

This way, we find an approved budget (Resolution N° 68/CA/2009) for the execution of the interventions regarding Project “Ameixoeira à Maneira” which includes building improvements, garbage removal, pest control and domestic animals vaccination.

In Vidigueira the approval of Proposal N° 10/CM/2008 – Rules to apply to the *cigano* Community – obliges all *ciganos* that are established in the sites determined by the Municipality to:

- Pay for all damage caused to materials and equipment: “all damage that occurs in

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<sup>99</sup> However, it is good to notice that the Portuguese Government has not adapted the last change to the Regulation. See Chapter 3.

<sup>100</sup> Among the aims of the Strategic Proposal of the PLH, approved by the Lisbon Municipality and the Municipal Assembly in 2009, there was the aim 2 – “Improve life quality of urban life and territorial cohesion.” To carry out this aim the PLH included the Action Plan “Neighbourhoods Requalification and Regeneration” with an action sub-programme entitled “Priority Intervention for NeighborhoodsRegeneration” considering several measures such as measure 5.B.7 – “Identification of the neighbourhoods in need of Priority Intervention and the fulfilment of adequate urban regeneration programmes”. Regeneration should be carried out as the PLH refers, “with proximity management, inclusive and multicultural, regarding the environmental good practice”.

equipment and materials in the neighbourhood, unless proven otherwise, will be charged to those who are established in those sites and will be held responsible for the damages”;

- Fulfil the legal standards in force, regarding animals: “the animals in their custody shall fulfil the legal standards in force, namely dogs – that are to be registered in the parish council – and equines.

The second device is mediation and the mediator figure, which is common to all the case-studies, although not recurring within the textual analysis: this device has the function of improving the *cigano* community to access local equipment and services, but also to facilitate communication among groups of different cultures, interpret interaction contents, prevent and manage conflicts”, as is settled in the Regulation for the Experimental Project for Municipal Mediator of the ACIDI (2009).

In practical terms, the mediator’s figure is activated by the institutions to guarantee that the users comply with the rules regarding social commitment.

In the “Ameixoeira à Maneira” Project (2008), the informal mediators are the “opinion leaders”, the “main role players” – side by side with the “responsible and zealous residents” – and the “*cigano* pastors of the Philadelphia Evangelic Church”, who have the role to help the administrators of the borough’s plot in the fulfilment of the housing rules.

Regarding Project BIP/ZIP “Community Mediators” (2013), mediators are formally contracted to “help the Community Police force, this project is promoted by the Municipality Police and developed by the Security Community Group of Galinheiras and Ameixoeira” (p. 8).

In the Municipalities of Vidigueira and Beja, two Resolutions approved the municipal *cigano* mediator figure, regarding its acting form within the municipal area<sup>101</sup>. According to some para-textual documents, at least in Beja, the mediator was explicitly contracted to implement the administrative measures of the “Responsibility Contract” for the residents of the *Bairro das Pedreiras*.

### **8.3 Individual order**

Personal training and empowerment is the device that focuses on the will to establish an individual order, for instance, shape and domesticate the individual towards the majority’s values, with the aim to turn people responsible towards the changing process and of “active citizenship” through the development of personal, social and relational skills.

Almost all documents collected, whether national, local, formal or informally resort to this device considering it a fundamental instrument for “equal opportunities and social cohesion”<sup>102</sup>, along with social integration.

Personal training is the *conditio sine qua non* for the individuals to feel themselves more citizens – which is, to acknowledge their rights and fulfil their duties in an involved and conscious way.

The 4 Managerial Resolutions the 2 Ministerial Decrees that approve, finance and regulate the Choice Programme<sup>103</sup>, are a clear example.

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<sup>101</sup> The proposal’s approval for the allocation of a municipal mediator regarding the Protocol ACIDI\_CMV\_AHBVV, in minute of Municipal Chamber n<sup>o</sup> 18/2009, of August 26<sup>th</sup> 2009; Resolution n<sup>o</sup> 899 in minute of the Municipal Chamber, of October 14<sup>th</sup> 2009.

<sup>102</sup> Once again the Strategy for the Integration of *Cigano* Communities, as a national official guideline, confirms priority and importance given to these measures.

In fact, the Choice Programme represents in itself a great device: it is targeted to a specific class of individuals – children and youths coming from more vulnerable socio-economic contexts, namely immigrant descendants and ethnic minorities – it focuses exclusively on the personal training and achieving skills instrument regarding several strategic areas that correspond to operational measures (school inclusion, non-formal education, professional training and employability, community and citizenship development, digital inclusion and entrepreneur and empowerment).

In local terms, the project documents associated to the Programme BIP/ZIP<sup>104</sup>, resort to references of training courses (for example, specially car mechanics training and domestic repair services for *ciganos* men) that are responsible for the empowerment process of the target population.

The “Park Stage” in Vidigueira is a clear example of how the idea of training in *sensu lato*, as a linking instrument for a full insertion – in this case of trainees *ciganos* – combines in one only device the will to regulate people’s lives including their body, and limit their access to social and territorial “integration”.

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<sup>103</sup> Resolution of the Council of Ministers nº 60/2004; Resolution of the Council of Ministers nº 80/2006; Resolution of the Council of Ministers nº 63/2009; Normative Dispatch nº 17/2012; Resolution of the Council of Ministers nº 68/2012; Normative Dispatch nº 17/2012.

<sup>104</sup> Annex to the Resolution (Proposal 58/2013, 30.01.2013) approving the BIP/ZIP Projects for 2013: *Cigano* Project [Ciga-nos], Ref. 019

## 9. Brief context of the three case studies addressed in the project

### 9.1 Lisbon case-study

Over the last three decades, significant changes have taken place within national policy-making for the promotion of public housing in Portugal, resulting in both qualitative and quantitative transformation of public housing stock and urban infrastructure (see Chapter 3), largely concentrated in the Metropolitan Areas of Lisbon and Porto. In the case of Lisbon, this transformation had a particular impact on the *cigano* population, since most *ciganos* were living in very precarious housing conditions prior to the mass rehousing that took place (Machado 1994; ONPC 2007).

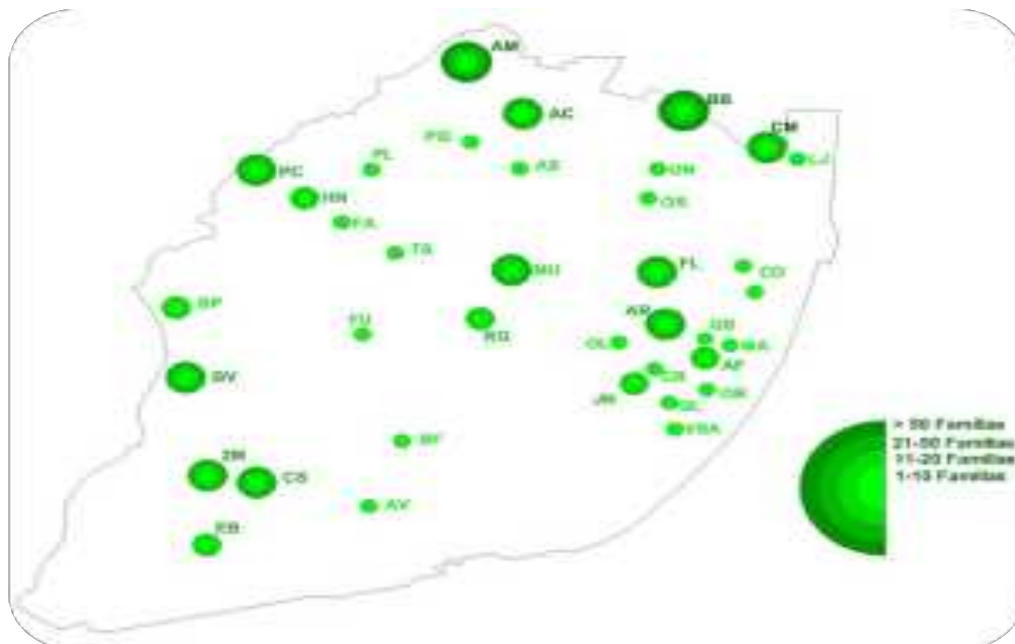
*Ciganos* constitute a minority population (4.3%) in the municipal areas of Lisbon, living in 38 residential areas, out of a total of 64. A survey conducted by GEBALIS, EEM<sup>105</sup> identified 760 *cigano* families consisting of 3,296 individuals. However, this population is not evenly distributed amongst public housing areas in Lisbon. Despite this apparent dispersion of the population, and in the light of the housing supply available, the recent allocation of housing resulted in the concentration of many *cigano* families (1/3) in just 2 municipal areas (Ameixoeira and Alfredo Bensaúde, see Map 3). Moreover, it should be noted that the proportion of *cigano* population relative to total residents is more than 10% in a total of 5 neighbourhoods, and, in the case of one of them - the neighbourhood of Murtas (see Map 3) - is as high as 34%<sup>106</sup>.

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<sup>105</sup>Created in 1995, by Lisbon Municipality, GEBALIS, EEM insures integrated management policies of the city social housing administration.

<sup>106</sup>The data presented here on *cigano* residents in Lisbon city neighbourhoods are drawn from a survey conducted by GEBALIS, EEM in 2008 which produced a socio-demographic overview of *cigano*

Map 3: Distribution of *cigano* families in Lisbon social neighbourhoods managed by GEBALIS, EEM



Source: Santos *et alii* (2008)

The rehousing of the *cigano* population took place fairly late: the allotment of municipal housing to *cigano* families occurred widely between 2000 and 2007 (68.7%). The slow rehousing process of *cigano* families has attained greater importance over recent years<sup>107</sup>. And maybe in order to resolve this problem, in 2002 GEBALIS, EEM hired two *cigano* mediators, although there are not documents justifying this causal relationship (at least we were not able to obtain any such document about that); in fact the only reference we found emerges in the GEBALIS, EEM Annual Report of 2007 where the mediator appears as the figure who can warn “potential culture shock”.

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populations in the city areas managed by this municipal company. Some of the results of this survey were published in Santos *et alii* (2008).

<sup>107</sup> The recent interest shown by GEBALIS, EEM regarding this issue is partly demonstrated by the promotion of two initiatives: the census of *cigano* residents living in neighbourhoods (2008), and the organization of a discussion group amongst GEBALIS staff responsible for social intervention (2008).

A motion presented by the Socialist Party to the Municipal Chamber of Lisbon in 2003 discloses one of the barriers that were set by this time regarding the access to housing: the pressure exerted by other non-*cigano* residents to avoid having *ciganos* as neighbours<sup>108</sup>.

Indeed, particularly in Lisbon, although there is a wide range of laws, official communications and regulations in the social housing arena, which together make up a complex legal conundrum (CET-ISCTE/IRIC/A. Mateus e Associados 2008), no explicit policy guidance exists regarding the targeting of interventions in neighbourhoods in relation to specific groups.

For example, recently, in 2012, the Municipal Chamber approved a Regulation for the Management of Housing Stock which unified, within one document, the criteria and procedures for the management of the municipal housing stock<sup>109</sup>. Although this Regulation outlines detailed administrative criteria and practices, it fails, at least in a legal sense, to provide guidance for tackling the sociocultural diversity of local neighbourhoods.

The analysis of the documented collected allows us to underline that the existence of different models of institutional interventions depend on how the problem is

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<sup>108</sup> In this motion, it is referred the discrimination case, that targeted 18 *cigano* families, living in shacks, in a relocation process; there were 300 empty homes, available for the resettling in the municipality, but these families were not rehoused. The deputy, responsible for the presentation of the motion, introduces the position of a council woman who would have recognized “that the relocation was not made because some residents did not accept the presence of those families” (Municipal Assembly, minute nº 39, of October 21<sup>st</sup> 2003, p.18). In an informal conversation with a municipal employee, we became aware that these families were rehoused in the same parish in two buildings exclusively inhabited by *cigano* families (December 2013).

<sup>109</sup> Regulation for the Management of Housing Stock in Lisbon, ratified at March 14<sup>th</sup> 2012 and published in Boletim Municipal nº 943, of March 15<sup>th</sup> 2012. Available in <http://habitacao.cm-lisboa.pt/index.htm?no=4045001>.

formulated and on the arbitrariness of those who have the decision-making power. Moreover some problems are associated exclusively to the *ciganos*.

Despite the absence of explicit reference to *ciganos*, housing managers and technicians adopt measures that try to meet the specific requests expressed by *cigano* families. An example of that is the priority given to housing transfer in cases of intra-ethnic conflict, both informally and through the ambiguities and loopholes of this legal “framework”. If we take a look at the institutional responses to *cigano* families’ requests for housing transfer up until 2008, we could have a good illustration of that phenomenon. Most transfer requests (61%) were approved. But, while requests motivated by generic conflicts with neighbours were, for the most part, rejected (62% were refused) (Santos *et alii* 2008: 158), requests motivated by intra-ethnic conflicts were accepted in most cases (approximately 70%). A positive response to requests for housing transfer and the selection of rehousing destination by household applicants are institutional practices, whose direction, although not explicit, formalized or regulated in the regulation, demonstrates how existing norms are applied in a discretionary way, and adapted to the needs of a specific group, in this case, the *cigano* population.

The conclusions of a group analysis methodology which involved 8 technicians from the GEBALIS, EEM staff, provide a synthesis of the constraints identified in the dynamics of local interventions, considering subjective perceptions about the management of cultural diversity within neighbourhoods, and the existing guidelines available for orienting intervention<sup>110</sup>. The document reveals the varying positions of professionals working in the field who, in the absence of explicit action models,

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<sup>110</sup> Working document – Report: Group analysis on the theme Local Management and *Ciganos* in Lisbon city neighbourhoods, GEBALIS, EEM (2008).



influence decision-making on an individual basis. The dissonance revealed in the staff discourses partly reflects different, strategic and conflicting understanding of what the concept of integration means, and of which are the impacts on institutional practice. For example, to what extent is considered an ethical, equitable or (positively) discriminatory accept the justification of “cultural traits” for the housing transfer practice, face the presence of intra-ethnic conflicts in social neighbourhood, or for adapting the physical infrastructure to their professional occupation (that is, sellers in markets). On one hand, the intercultural discourse pictures the co-existence of different cultures as a resource and not as a problem; on the other hand, the assimilation discourse affirms that the recognition of difference is exploited by *ciganos* to obtain power, creating problems of equity, therefore a process of normalization – cultural control/assimilation is necessary.

Besides the discretionary character of institutional local interventions, the political treatment of this issue has been rather veiled and unclear. A review of the minutes of the Municipal Assembly over the past ten years reveals only 10 references to the *cigano* population in relation to public housing. Many of the discourses produced by city councillors link the resettlement of the *cigano* population to security issues, such as the case of the rehousing of the *cigano* population of Vale do Forno neighbourhood to Ameixoeira - which was carried out under the PER – Special Rehousing Programme.

Thus, regarding this relocation process, between 2003 and 2005, security issues increasingly emerge: that is, the promotion of policing and social care interventions in the new residential contexts. Between 2005 and 2010, questions relating especially to urban community development, public health and management of the buildings justified

the projects centred on these issues; and finally, in 2013, the focus is placed again on security issues.

Moreover, it matters contextualize, though briefly, some of the issues that made "complicated" the process of resettlement of the *cigano* families, who resided in the Vale do Forno neighbourhood.

This neighbourhood was located on the outskirts of the parish of Carnide (See Map 4, number 7). It was formally the site of military installations, converted to housing by the Expo Park 98 S.A.<sup>111</sup> to 'provisionally' host families who, since the 1960s, had had an unstable residential history, characterized by successive movement to different locations within the Lisbon Metropolitan Area (see Map 4)<sup>112</sup>. The rehousing took place at the end of 2003 and the most families were rehoused in Ameixoeira neighbourhood<sup>113</sup>. The event generated considerable media attention and stimulated local political debates, highlighting certain key problems, as well as the various positions taken in relation to the rehousing programme, even without explicit reference to *ciganos*.

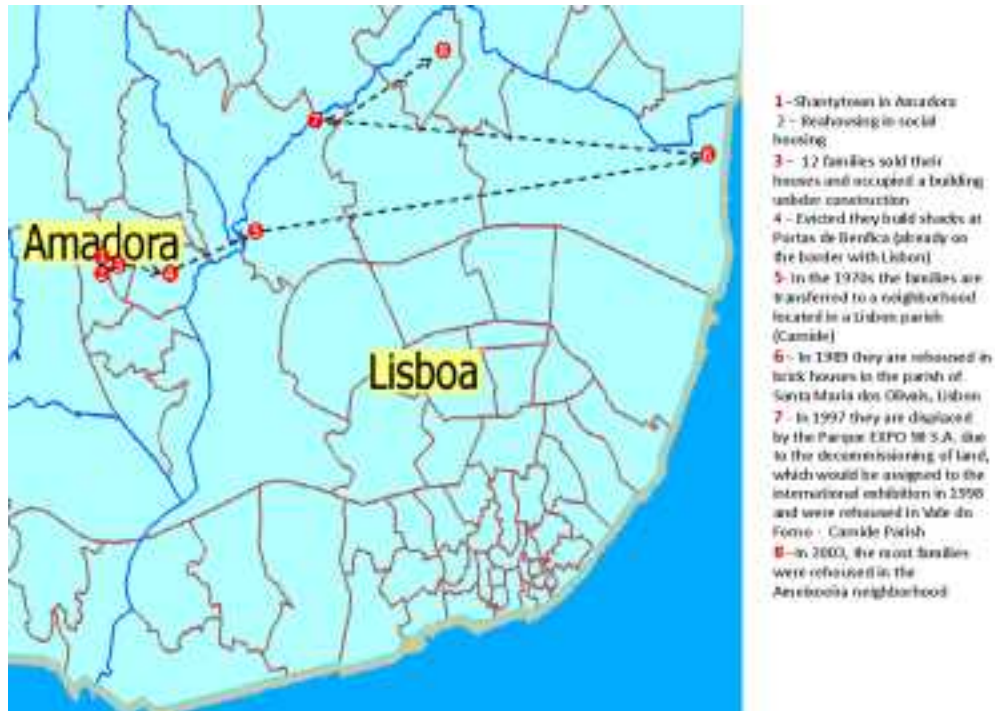
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<sup>111</sup> The Expo Parque 98 S.A is a state business company, holding only public capital. It was set up in 1993 with the aim of promoting the design, construction, operation and dismantling of the exhibition/EXPO 1998, as well as the design and implementation of urban redevelopment project in the EXPO '98 area, today known as *Parque das Nações*.

<sup>112</sup> The residential trajectory of these families was reconstructed by Dias, Isabel (2004) "Realojamento da Comunidade Cigana do Vale do Forno: a Partilha de Uma Experiência" in [www.apdemografia.pt/ficheiros\\_comunicacoes/1166261086](http://www.apdemografia.pt/ficheiros_comunicacoes/1166261086).

<sup>113</sup> In 2008, the Ameixoeira neighbourhood concentrated the largest number of *cigano* families of the municipal neighbourhoods (161). It represents 16.1%, compared to the total of households residing in Ameixoeira (Santos *et alii* 2008: 152-153).

Map 4: The residential trajectory of some *cigano* families and the controversial of the rehousing process



Source: based on Dias (2004)

The minutes of the Municipal Assembly in the period 2003-2005 illustrate the main issues concerning this rehousing process. In 2003, for the President of Ameixoeira Parish, the rehousing of *ciganos* in this territory is assumed to be a "poisoned chalice" and the periphery of Lisbon was seen as a "dustbin"<sup>114</sup>. The discourse of a city councillor of the Socialist Party evokes explicitly the "successive deterioration in issues of security"<sup>115</sup>, while another deputy from the Social-Democrat Party refers that "the main focus of insecurity, albeit not exclusive, lies in the *cigano* families who were displaced to Vale do Forno"<sup>116</sup>. In 2005, several strategies are referred in the

<sup>114</sup> President of Ameixoeira Parish, in Municipal Assembly, minute n° 56, of May 4<sup>th</sup> 2004, p.46.

<sup>115</sup> Socialist Party city councillor, in Municipal Assembly, minute n° 45, of November 18<sup>th</sup> 2003, pp. 19-20.

<sup>116</sup> Social-Democrat Party city councillor, in Municipal Assembly, minute n° 91, of June 21<sup>st</sup> 2005, pp. 33-36.

documents, because the problem “can’t be solved only with policing”: the creation of equipment and services in the neighbourhood (shops, police station, health center and a home for ex-prisoners); the surveillance of the Social Integration Income beneficiaries’; the inclusion of squatting, as a public crime in the Code of Criminal Procedure are some of the devices enunciated<sup>117</sup>.

The approach taken towards the rehousing process in issues of security shifted to a focus in social issues. The urban community development was the approach to the implementation, in 2004, of the project “K’Cidade” (“Capacidade e Cidade”, means Empowerment and City), promoted by the Aga Khan Foundation<sup>118</sup>, in partnership with the Municipality, the Ministry of Labour and Social Solidarity, and other organizations from the civil society with one of them – Santa Casa da Misericórdia de Lisboa<sup>119</sup> – implement the action. The goal of the project is “to empower excluded urban communities to improve their quality of life”<sup>120</sup>, through a range of intervention strategies, some of them explicit but not exclusively target to the *ciganos*, mainly in the areas of education, recreation and sport.

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<sup>117</sup> *Idem*.

<sup>118</sup> Through the protocol established between the Portuguese Government and Imamat Ismaili via the Aga Khan Foundation for Developments (Decree-Law n<sup>o</sup> 11/2006, of March 15<sup>th</sup>), this foundation selected as one of the areas of intervention the Urban Community Development in three neighbourhoods of the Lisbon Metropolitan Area, two of them within the city of Lisbon: Ameixoeira e Alta de Lisboa, two contiguous urban areas. The choice of these neighbourhoods resulted from the fact that “phenomena of poverty and social exclusion, underused local dynamism and also potential for local development initiatives – namely because they were the object of interventions under the Special Rehousing Programme (PER)” were there identified. For more details of the project see [http://www.akdn.org/publications/2008\\_portugal\\_kcidade.pdf](http://www.akdn.org/publications/2008_portugal_kcidade.pdf). Accessed in March 25<sup>th</sup> 2014.

<sup>119</sup> Santa Casa da Misericórdia de Lisboa is a legal person of private right and administrative public utility. Tutorship is exerted by the Government official supervising the area of Social Security. It comprehends, beyond the powers provided in the Statutes, the definition of general management guidelines, auditing the activity of Misericórdia de Lisboa and its coordination with the Government owned or dependent bodies. For more details of this institution, see: <http://www.scml.pt/>

<sup>120</sup> *Idem*.

Also the GEBALIS, EEM, in 2008, focus her attention on problems of public health and the management of the buildings by the residents. This was the motto for the community intervention promoted by the GEBALIS, EEM and the Community Group of Galinheiras and Ameixoeira in the “Ameixoeira Way” project<sup>121</sup>. The document, that presents the project, transmits the idea that active social policies are necessary. It emphasizes a pedagogical approach as *modus operandi* (“raising awareness and encouraging” people to fulfill their duties; “group training on hygiene and public health”) and it sets up agreements between the recipients of the actions and their promoters, revealing the principle of conditionality of the intervention: if it is achieved “organization/upkeep of buildings”, it will be carrying out interventions to “repair or improvement the buildings”<sup>122</sup>.

Having begun in 2008, this project would ultimately be suspended in 2010. According to an interview given by the coordinator of the Office of the neighbourhood of Ameixoeira, of GEBALIS, EEM<sup>123</sup>, the necessary conditions were not met for the rehabilitation process to be viable, the main cause suggested being the theft of building materials and vandalism over real estate. In this sense, one verified that there was a need to develop actions of awareness with the population. Through the Security Group, integrated in the Galinheiras and Ameixoeira Community Group, it was suggested to the President of the Chamber of Lisbon that the “best strategies” be found to guarantee “sufficient policing and confidence of the population when forwarding

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<sup>121</sup>For more details of this Global intervention project in the Ameixoeira neighbourhood - "Ameixoeira à Maneira", nº 2008/5993 and Grupo Comunitário da Ameixoeira, Activity Report, 2008-2010.

<sup>122</sup> *Idem*.

<sup>123</sup> This interview was given on February 11<sup>th</sup> 2014.

complaints/charges with the authorities”<sup>124</sup>. In June 2012, the partners of the Galinheiras and Ameixoeira Community Group felt the need to integrate in their territory a strategy of community policing and, in February 2013, this strategy began, and its official presentation is scheduled for April 2014<sup>125</sup>. This type of initiatives was already on-going in other neighbourhoods of the city of Lisbon, namely Alta de Lisboa, comprehending a territory contiguous to Ameixoeira<sup>126</sup>.

The parish Council of Ameixoeira presented in March 2013 a community mediation project within the Lisbon Priority Intervention Neighbourhoods and Areas Programme<sup>127</sup> – which would be approved in September of that year – and that aims to create a “mediation network and the empowerment of the community mediators group” to increase safety in the neighbourhood and its surroundings<sup>128</sup>.

The history of this neighbourhood and of the public intervention, that concern it, reveal the various options which are being pursued by the institutions, and the way in which problems are being constructed with reference to *ciganos*. Nothing is explicitly and officially written in decrees, norms or manuals, but can be discerned through the history and content of public and institutional action.

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<sup>124</sup> This Information was provided in the context of the interview, given on February 11<sup>th</sup> 2014 by the coordinator of the Neighbourhood Office of GEBALIS, EEM; we were merely received a non-official version of this administrative act.

<sup>125</sup> This Information was obtained from the Head of the Strategic Development Nucleus of the Lisbon Municipal Police, in a telephone interview done in February 2014.

<sup>126</sup> This project is fostered by the Municipal Police and aims “to influence and achieve active citizens’ participation in security issues (...) with the goal of contributing to increase the feeling of safety and general sense of well-being of citizens” in European Forum for Urban Security, Community Policing “Safer Alta de Lisboa”, Lisbon Municipal Police, Municipality of Lisbon, 2009/2014.

<sup>127</sup> Resolution 725/2010 - Proposal 725/2010 - Programme BIP-ZIP.

<sup>128</sup> Project BIP/ZIP, Community mediators, Ref. 068, 2013.

## 9.2 Beja case-study

Beja is the capital of the district of the same name, in the Alentejo region. In 2011 it had approximately 36.000 inhabitants and 14.000 families. Social housing represented 2.35% of total accommodation, that is, there were 329 social houses, in which 826 people and 326 families were estimated to live<sup>129</sup>. According to the information provided by the Municipality, there are actually 76 *cigano* households rehoused in social housing (approximately 380 people), which represents 23.3% of all families living in social housing<sup>130</sup>.

According to technical reports by the Social Development Office of the Municipality of Beja, that quickly track the history of practices in the Social Housing sector, *cigano* families have been rehoused in Social Housing apartments since 1984<sup>131</sup>, together with other citizens. One such report mentions that “integration projects” were never successful. The reason given is the attitude of *cigano* families as to compliance with coexistence rules established for all, generating conflicts among neighbours<sup>132</sup>.

On the other hand, there was another housing situation that dragged on for over 40 years, that is, the existence of a slum, about 2 km from the city– the so-called *Bairro da Esperança* – where *ciganos* and non-*ciganos* have lived together<sup>133</sup>.

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<sup>129</sup> Data from the National Office of Statistics concerning the Survey to Characterise Social Housing (last update on July 18<sup>th</sup> 2012).

<sup>130</sup> We have no data about the total number of *cigano* families living in the municipality.

<sup>131</sup> These are Social Neighbourhood Beja 1, the Social Neighbourhood João Barbeiro and the Rua da Lavoura Neighbourhood, within the urban fabric.

<sup>132</sup> It is a draft opinion written in 2010 by a Higher Technician of the Social Development Office of the Municipality of Beja after a request made by the Portuguese National Municipalities Association to that Municipality, about the Draft Resolution to implement the Framework Convention for the Protection of National Minorities. We do not know whether it was approved by the President of the Chamber.

<sup>133</sup> In 2002 there were 773 non-*cigano* people living there; the *ciganos* were 225, and 51 *cigano* families in total. To those families we must add another 15 *cigano* families, considered nomadic.

A municipal Technical Local Office operated in the neighbourhood from 1999 to 2001, when the Office selected and analysed 81 cases of families living in *Bairro da Esperança*, where there was extreme housing shortage (51 of them were *cigano* households – inferring that all *cigano* families were affected by the analysis – and 30 were non-*ciganos*). This diagnostic produced the Detailed Plan of the *Bairro da Esperança*<sup>134</sup>, where the Office proposed that *cigano* families living in the neighbourhood for over 20 years should be rehoused within its boundaries and that urban reorganization and rehabilitation of the neighbourhood were required.

Between 2002 and 2005 the Municipality, together with the Social, Cultural and Recreation Centre in *Bairro da Esperança* tried hard to “implement the most comprehensive and ambitious attempt to integrate housing, socio-cultural and educational resident and nomadic *ciganos* from all over the country. [...] In this initial project, typologies of houses were planned according to models obtained from studies conducted in other countries, taking into account the way of life of the *ciganos*, the existence of ample space for outdoor living, spaces to perform events for the community, trying to maintain rooted cultural traditions, combining the fixed habitation with rearing animals for selling activity that was one of the sources of income of the community”<sup>135</sup>.

The two partners, mentioned above, twice applied to the European Interreg Programme with the aim of implementing the construction of the “Nomadic Park” but

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<sup>134</sup> It is the document for social and economic characterisation of *Bairro da Esperança*, made by the Municipal Local Office in 2001, through private attention and hearings to *cigano* and non-*cigano* families, of each household, taking into account the history of each family, so as to collect the necessary information to list the rehousing priorities.

<sup>135</sup> It is the draft history of municipal intervention with the *cigano* community of Beja, done in 2010 by a Higher Technician of the Social Development Office, in response to a complaint by Amnesty International and the Bar Association, of which we have no official documentation.



these applications were never selected<sup>136</sup>. The Nomadic Park planned the construction of 50 dwellings and another area for the nomadic people, equipped with the entire basic infrastructure, including spaces for animals, showers and washing areas, as well as a multipurpose space for socio-cultural and educational intervention. The Nomadic Park was never built in this fashion; in fact, the project proposal, as well as the proposal for the regulation management of the Park, never came to the meetings of the Municipality for approval. Actually, this idea was not completely abandoned, though the facts tell us that municipal interventions followed another path. At least the discussion about the generic project for building a Nomadic Park lived on until 2008, when the Municipality took to the consideration of the Working Group for Ethnic Minorities of the Supra Municipal Platform of Baixo Alentejo the idea of a Nomadic Park in order to solve problems related to the *cigano* population's housing conditions. The representatives of the different institutions involved, as well as *cigano* mediator figures, in fact, suggested stopping to talk about Nomadic Park for answering to the housing needs of *cigano* families. Instead it would be proper to think in Centres of Housing Training, as the case of Coimbra.

What effectively happened was that, in 2005, the Municipality decided to proceed with the subdivision of a portion of the space of *Bairro da Esperança*, in order to build 200 private apartments; and finally, in 2006, it took a decision regarding the rehousing process of 50 *cigano* families, identified as “sedentary”, residing in *Bairro da Esperança*, who were transferred to a different neighbourhood, specially built for that effect, named *Bairro das Pedreiras*. It is the most recent social housing development in Beja, where

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<sup>136</sup>It is the application for funding in the III Interreg Programme ARNARÓ - SUBPROGRAMME: Algarve/Alentejo/Andalucia; AXIS: 4; MEASURE: 4.1.

the *cigano* population amounts to 250 people. It comprises 50 dwellings, spatially distributed in five streets, which all have the same structure of 2 bedrooms and a living room<sup>137</sup>. Unfortunately, the neighbourhood became famous for the controversial wall that was simultaneously built around it, after intense negotiations with the owner of a company located just adjacent to the neighbourhood<sup>138</sup>.

Figure 1: Aerial images of *Bairro das Pedreiras* in Beja



Source: Google Earth

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<sup>137</sup> This revamped version of the project was also denied any kind of funding, namely by the Programme for Inclusion and Development (PROGRIDE) of the Social Security Institute, to which the Municipality had meanwhile applied.

<sup>138</sup> The case was denounced in the national press and received the special attention of Amnesty International, who dedicated a section of its magazine to the issue (Katya Delimbeuf, 2013, "Rights of Roma communities. Here. Now", in *Agir pelos Direitos Humanos*, April/May/June, Series VII, n° 3, pp.6-14) and filed a complaint, together with the Bar Association, against the Municipality of Beja. The case was also quoted in the complaint by the European Roma Rights Centre (ERRC) against Portugal. For the matter, see the document Complaint n. ° 61/2010. Case Document n° 1, available at [http://www.coe.int/t/dghl/monitoring/socialcharter/Complaints/CC61CaseDoc1\\_en.pdf](http://www.coe.int/t/dghl/monitoring/socialcharter/Complaints/CC61CaseDoc1_en.pdf).

Figure 2: The wall of *Bairro das Pedreiras* in Beja.



Source: Sérgio Aires (2010)

From the beginning, the project of rehousing *cigano* families in *Bairro das Pedreiras* counted on the partnership of several institutional agents<sup>139</sup> who promoted simultaneous initiatives and projects to encourage access to citizenship for these families: among them we recall the Project “Inclusion through Art”, funded by the Choices Programme since 2007, and the Pilot-Project Municipal Mediators, in partnership with the High Commission for Immigration and Intercultural Dialogue (ACIDI), through a protocol signed in September 2009. One must stress that the figure of the *cigano* mediator had a particularly important role in stimulating the measures

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<sup>139</sup> The Municipality, the Health Centre, the Educative Coordination of Beja, the Institute for Employment and Professional Training, the Social, Cultural and Recreative Centre of *Bairro da Esperança*, the parish Council of Santa Maria da Feira, the National Republican Guard and the Institute for Solidarity and Social Security.

included in the Regulation of the Clauses of the Local Contract on Social Responsibility for Social housing dwellers in non-compliant situations<sup>140</sup>.

This Regulation represents, in a way, the dividing line between two political periods and orientations: from 2003 to 2009, the ruling party was CDU (a political alliance between the Communist Party and the Ecologist one); from October 2009 to 2013, the ruling party was PS (Socialist Party)<sup>141</sup>.

None of the documents we collected regarding this first period were taken into account by the quantitative analysis, because they are not official administrative acts. However, analysing their contents shows us that almost all the documents were dedicated to the problem “*Bairro da Esperança*”: destroy the shacks of *cigano* families; rehouse separately *cigano* families; restyle *Bairro da Esperança*; build the Nomadic Park; resettle the *ciganos* in *Bairro das Pedreiras*. The issue is framed using a pseudo-scientific discourse that appeals to the profound diversity of *cigano* families – where nomadism or itinerancy concepts seem to justify diversity, although not always explicitly mentioned –, the respect that the Municipality has for this diversity, and the need for special treatment of said diversity (especially concerning the housing issue).

In 2009, the Municipality approved the controversial Regulation of the Clauses of the Local Contract on Social Responsibility<sup>142</sup>, which officially promotes the “citizenship discourse”: we are all Portuguese citizens, also *ciganos*; as Portuguese citizens we all have rights, but also we have duties to perform – that is, the binomial right/duty gains ideological strength.

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<sup>140</sup> Meanwhile the Protocol to hire mediators ended but the mediator still works in the neighbourhood.

<sup>141</sup> It is worth noting that CDU was elected again in the last municipal elections in 2013.

<sup>142</sup> This Regulation was originally conceived just for *cigano* families, but the official version hides the specific target.

### 9.3 Vidigueira case-study

Vidigueira is a municipality in Beja's district, belonging to the Alentejo region. In 2011, there were approximately 6.000 inhabitants. In December 2010, 154 *ciganos* were living in the county and in three out of the four parishes within the municipality, 128 *ciganos* were in precarious housing. It is noted that there is no social housing in the municipality.

Table 5: Number of *cigano* households and individuals living in the Vidigueira parish

	Vidigueira	Vila de Frades	Pedrógão	Total
<b>N.º of households</b>	17	13	7	37
<b>N.º of individuals</b>	73	53	28	154

Source: Municipal Chamber of Vidigueira. Characterization of the *cigano* community in the county of Vidigueira (December 2010)

Since the 1970s, the Municipal Chamber was led by the Communist Party, except for the period between 2001 and 2005, led by the Socialist Party. The President of the Chamber runs the municipality since 2005 and he won the last municipal elections in September 2013.

The presence of the *cigano* families, currently living in the county, goes back to the 1970s, when they lived in the town centre<sup>143</sup>. The successive relocation of these *cigano* families, until the last resettlement in the Park Stage (in October 2012), reflects the progressive removal of these families from the town and reveals that, behind this mobility, was a set of several and different factors, among them:

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<sup>143</sup> After the 1974 Revolution, some families occupied empty houses in the town; in the 1980s they lived in houses ceded by two non-*cigano* owners. Then they moved to the municipal slaughterhouse.

- The land interests associated to the spaces previously occupied by these families. This is the case of the old municipal slaughterhouse that was occupied by some families, and then sold for the construction of private housing. The same type of intervention occurred in a central area, where 15 families lived in barracks, between February 1996 and October 2012<sup>144</sup>. Although, already in 2007, there were records of the intention of the Municipality to buy a plot, away from the center, “to build in that space a nomadic park for the *ciganos*”, and, although the President of the Chamber would still strengthen the idea that the space was illegally occupied, the relocation of these families only occurred in 2012<sup>145</sup>.

- The pressures, carried out by non *cigano* residents, hamper other solutions, normally welcomed by *ciganos*, such as the scattering of *cigano* families within the urban area. In some of the minutes of the Municipal Chamber meetings, the discourses of the intervention of the audience show the depreciation of the land value due to the presence of *ciganos* in certain places of the municipality<sup>146</sup>.

- The Municipality triggered some efforts to promote the future dispersion of families in the town centre: in February 2010, the negotiations with banks started in order to support the purchase of houses, and, in June 2010, a Regulation, to support poor families to rent houses in the private market<sup>147</sup>, was published. Only three *cigano*

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<sup>144</sup> To one of these *cigano* families was granted a formal authorization from the President of the Chamber to remain in this place, yet in inadequate housing.

<sup>145</sup> President of the Chamber, in minute of Municipal Assembly, nº 2, of April 27<sup>th</sup> 2007.

<sup>146</sup> See the minutes of the Municipal Chamber meetings nº 25/2011, of December 7<sup>th</sup> 2011 and nº 3/2012, of June 28<sup>th</sup> 2012. It may arise as a hypothesis that, as suggested Vitale (2009: 66), these mobilizations are never spontaneous, but "organized by 'entrepreneurs'", in which local stakeholders raise issues and make them public, interacting with local authorities and public policies and pursuing one or more shared goals".

<sup>147</sup> According to the Regulation, this support shall cover people who live permanently in the municipality area for at least three years, and where they are registered. The maximum amount of the aid shall not exceed 50% of the monthly rental, e.g. €300. In case of award of the grant, and in return, the applicant or

families benefited temporarily from the rental support: one abandoned the dwelling because it could not meet the required community work, and the other two families have been subject to pawn to its owner, for the rented homes (information gathered from an interview with an ex-worker of the Municipality in 2010).

These last solutions ended up being not feasible: on one hand, the Municipality didn't find the means to rent houses and sublet them to *cigano* families; on the other hand, there were a few families who met the conditions to benefit from the support to the rent promoted by the Municipality. This situation seems to have given strength to the option of the Park Stage<sup>148</sup>.

Over the various policy mandates, since 2001 until 2013, it is possible to distinguish different policy strategies to address the problem of the resettlement of the *cigano* families living in the county:

– In the period between 2001-2005, when the Socialist Party was in power, the Municipal Chamber proposed the implementation of a rehousing project through an agreement with IHRU to build 40 social housing dwellings. Although this agreement was approved, the project would never materialise<sup>149</sup>.

– In 2007, during the Communist Party administration, the current President of the Chamber forwarded a proposal to purchase a parcel of land to build a Nomadic Park<sup>150</sup>.

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a member of the household, since >16 years, will provide work for the community, in a proportion of 3.80/hour, up to the monthly financial support awarded. If the beneficiary has been previously living in a tent, he/she is subject to state under oath that he/she authorizes the municipal services to demolish it (in Regulation to support rent for the most disadvantaged families in Vidigueira Municipality, 2009).

<sup>148</sup> The data presented so far were collected within the PhD project of Alexandra Castro between 2006 and 2009. See Castro (2012).

<sup>149</sup> This information is available in some of the collected documents (minute of the Municipal Assembly, n<sup>o</sup> 4/2006, June 30<sup>th</sup> 2006, and technical information to the town councillor responsible for social action, May 19<sup>th</sup> 2011).

<sup>150</sup> Minute of Municipal Assembly, n<sup>o</sup> 2/2007, April 27<sup>th</sup> 2007.

Due to budget restrictions, the project was postponed<sup>151</sup>.

– Meanwhile, apparently, in a minute of the Municipal Assembly of April 2008<sup>152</sup>, the issue of the *ciganos*' housing conditions seems to require a more comprehensive strategy involving other entities (Health Centre, Social Security Institute and Republican National Guard) besides the Municipality. The emphasis of political debate is now focused on issues of public health.

– In 2011, the “Park Stage project - an integrated response” is firstly introduced at a meeting of the Municipal Chamber in January 2011 and in late February 2011 at the Municipal Assembly<sup>153</sup>. Coordination and management of the Park Stage project was delegated to Centro de Estudos e Formação Aquiles Estação, Sociedade Unipessoal, Lda. (CEFAE); the legality of the administrative procedure, leading to transfer competences and powers to the tertiary sector, is questioned by one citizen during the Municipal Assembly in which the project was presented, as the responsible entity had the Municipality itself as its sole associate.

The coordinator of the project and the President of the Chamber, seeking to clarify the city councillors, reinforced the impossibility of choice to scatter the dwellings, the need to promote a set of personal and social skills, and the involvement of other partners - such as GNR and the local authority - which could bring a good surveillance and an adequate monitoring of the social process:

“There is no intention to build a ghetto, and the idea of spending €100.000 to buy or help the rental of independent dwellings would be another problem; nobody would

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<sup>151</sup> Minute of the Municipality, n° 15/2010, July 7<sup>th</sup> 2010.

<sup>152</sup> Minute of Municipal Assembly, n° 2/2008, April 23<sup>rd</sup> 2008.

<sup>153</sup> Minute of the Municipal Assembly, n° 1/2011, of February 25th 2011 and Minute of the Municipal Chamber, n° 2/201, of January 19<sup>th</sup> 2011.



rent houses to *ciganos*, because they do not have such skills, they do not know how to wash the house, they do not represent a good neighbour. The aim is to integrate them in the community through dwelling, but to do so we must to provide them with skills so that they can be live in these houses, we have to teach them. The idea of ghetto is reduced as much as possible, so there will be technical staff to help them, and there will be another partner which is the GNR"<sup>154</sup>.

In 2012, the Park Stage had its construction started to provide the infrastructure for the resettlement of 15 *cigano* families who lived in barracks in Vidigueira parish. On site, an existing warehoused was used to build the "houses": the space was divided into small units, without bathroom and kitchen, since there was neither piped water, nor a sewerage system. The various fractions do not have any type of finishing - the floor was made of concrete, the walls were in plastered brick and the roof consisted of a metal plate. The toilets were located outside the houses and for collective use. The water came from a borehole, and the required analyses were not made, rendering it unfit for consumption.

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<sup>154</sup> Project Coordinator, minute of Municipal Assembly, nº 1/2011, of February 25<sup>th</sup> 2011.

Figure 3: Aerial images of Stage Park in Vidigueira



Figure 4: Images of the Park Stage in Vidigueira



Source: Alexandra Castro (July 2012: February 2014)

The solution to the resettlement of these 15 families must be contextualized by the events that have occurred between 2010 and 2012. In fact, this period marks a turning point in the institutional activities of the Municipality, reinforcing attitudes increasingly repressive:

– Non-renewal of the employment contract of the *cigano* municipal mediator, in office since September 2009, although contrary to the technical opinion of the mediator municipal coordinator<sup>155</sup>;

- Water cut due to non-payment of service by *cigano* families living in barracks<sup>156</sup>;
- Collaboration with the Republican National Guard for police operations<sup>157</sup>;
- Demolition of barracks, confiscation of animals (namely equines)<sup>158</sup>.

From 2010 onwards, there has been a movement towards the rejection of the difference. The pressure exerted by the European Roma Rights Centre (ERRC) and the visit to the Municipality of the euro-deputy, Ana Gomes, reinforced, at the level of discourse, the position of a more universalistic vision, but in practice tended to a style of public action that identifies particularities and recommends specific solutions for social integration. Some statements of the President of the Chamber reveal that the *ciganos* make use of their ethnicity to access resources or to refuse to comply with the rules and

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<sup>155</sup> This project is framed within the invitation launched by ACIDI to all national Municipalities. The Municipality of Vidigueira enrolled in the initiative (Resolution in minute of the Municipality, nº 18/2009, August 26<sup>th</sup> 2009). For further details on the non-continuity of the project, see Castro e Santos (2013).

<sup>156</sup> Even when the families were in the barracks, the Municipality cut the water due to non-payment. On the February 8<sup>th</sup> 2011, an official letter was sent to the President of the Chamber by the European Roma Right Centre (ERRC), requesting “to immediately restore the water supplies and urgently relocate the [*cigano*] community in dwellings built in accordance to the obligations in force in Portugal regarding the international law of the right to adequate housing”. Available at <http://www.errc.org/article/errc-appeals-to-portuguese-authorities-to-restore-water-in-romani-community/3812>. As to the problem of water cut, the solution found by the Municipality was to approve, in a Municipal Meeting in July 2011, an incentive plan to settle the debt of water.

<sup>157</sup> The presumption of drug trafficking and the widespread insecurity felt in the municipality is attributed to the *ciganos*. Regarding some of these problems the Municipality charged the Ministry of Home Affairs and Justice for failing to gather sufficient resources so that their intervention could be more effective (see the minutes of Municipal Assembly, nº 5/2010, of September 24<sup>th</sup> 2010 and nº 2/2012, of April 27<sup>th</sup> 2012).

<sup>158</sup> In several meetings of the Municipal Assembly the problem of non-authenticated horses that invade properties is raised (27.02.2009, 31.03.2010, 28.07.2012, 04.26.2013) and during an Municipal Chamber meeting an amendment proposal is approved regarding the regulation on livestock production (minute nº 13/2012, of June 20<sup>th</sup> 2012). The amendment of article 12 (Abandoned Animals) reinforces the powers of the Municipality and the municipal authorities towards the apprehension of these animals, as well as the arbitrariness of decisions.

for that reason “with the money - which belongs to everybody – they [the houses] will not be made”<sup>159</sup>.

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<sup>159</sup> President of the Chamber, in minute Municipal of Assembly n° 3/2011, of June 22<sup>nd</sup> 2011.

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