

# Portuguese (Post-)Imperial Migrations: Race, Citizenship, and Labour

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## Abstract

This article examines the connected histories of (post)colonial migration and labour within the scope of the Portuguese empire and its aftermath. Presenting a long-term analysis, ranging from the abolition of slavery in the first half of the nineteenth century until today's debates over the Portuguese nationality law, it focuses on the many continuities between the colonial past and the postcolonial present, in particular with respect to citizenship rights and the racialised boundaries of the Portuguese national community. Through its focus on the less well-known case of Portugal, the article highlights the processes of ethno-homogenisation and the related exclusions woven by Western European (post-)imperial nation states, which, until this day, fail to recognise full citizenship rights for millions of racialised people living within Europe's borders.

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## Keywords

(Post-)imperial migrations – labour – race – citizenship – Portugal

## Introduction

Large numbers of people, whether enslaved, indentured or from personal choice, moved from place to place during imperial expansion, since part of the *raison d'être* of European empires lay in the constant movement of peoples to and from different parts of the world.<sup>1</sup> This not only impacted non-European populations; it is estimated that colonialism also prompted more than 60 million Europeans to migrate overseas.<sup>2</sup> Decolonisation also encouraged millions to migrate. Altogether, between five and seven million people were repatriated to Europe over 35 years in the wake of decolonisation.<sup>3</sup> Along with this inflow of former settlers from the empire, decolonisation also drove millions of refugees and migrant workers from former colonies to move to Europe;<sup>4</sup> many of them entered Europe as guestworkers to meet the labour demands needed to sustain the postwar economic boom.<sup>5</sup>

Postwar Europe was thus demographically, culturally, and economically remade via multiple waves of migration, turning former imperial metropolises into multicultural, post-imperial European nations. This had several consequences for the functioning and dynamics of a multicultural Europe and the status of postcolonial subjects within its borders. The persistence of forms of labour exploitation, racial segregation, social immobility, poor housing conditions, and/or citizenship disqualification inherited from the colonial experience, is undoubtedly one of the most important consequences. Colonial repatriates and immigrants from former colonies were dealt with within the assimilationist model inherited from the colonial past. Both groups

1 Michel Cahen and Eric Morier-Genoud, *Imperial migrations: colonial communities and diaspora in the Portuguese world* (New York 2013).

2 Pieter C. Emmer and Leo Lucassen, 'Migration from the colonies to Western Europe since 1800', *EGO. European History Online*, 13 November 2012, <http://ieg-ego.eu/en/threads/europe-on-the-road/economic-migration/pieter-c-emmer-leo-lucassen-migration-from-the-colonies-to-western-europe-since-1800> (29 May 2016).

3 A.L. Smith, *Europe's invisible migrants* (Amsterdam 2003).

4 Panikos Panayi and Pippa Virdee, *Refugees and the end of empire, imperial collapse and forced migration in the twentieth century* (New York 2011).

5 J.F. Hollifield, *Immigrants, markets, and states: political economy of postwar Europe* (Cambridge, MA 1992).

experienced discrimination of various kinds, even though to different degrees. Nationality laws were often approved to integrate colonial repatriates into the national community so that they would not be regarded as ‘immigrants’, but rather as ‘internal migrants’ within empires, thus setting these migrations within the framework of European nation states. Even so, and despite the citizenship rights granted to them, these former settlers arriving from the empire were racialised, even though they were white.<sup>6</sup> In many instances, the attitude of metropolitan populations towards them could not be distinguished from the classic anti-immigration positioning: they were often regarded as ‘internal strangers’.<sup>7</sup> Nevertheless, white colonial repatriates were far better off than racialised non-Europeans, as racism and discrimination were mainly predicated on colour or cultural difference. The material structures of inequality that characterised colonial society, clearly seen in the racial and social segregation of colonial cities, that were separated – materially and symbolically – into a city of ‘whites’ and a city of the indigenous workers, continued to be unequivocally present in European cities, where the working classes and marginalised peoples inhabit a heavily racialised and segregated urban space.<sup>8</sup> Moreover, citizenship rights granted to post-imperial repatriates or postimperial migrants were predicated upon previous discriminatory legal measures enacted in colonial times.<sup>9</sup> The ‘world of the whites’, despite its internal social diversity, remained privileged in relation to the ‘world of the blacks’, with several consequences for the integration of millions of racialised people living within the borders of post-imperial nation states.<sup>10</sup>

By studying these intersecting histories of (post)colonial migration through a focus on the lesser-known case of Portugal, we intend to highlight the many entanglements produced by the empire and its aftermath, particularly concerning citizenship rights and the boundaries of states and national communities. As happened elsewhere in post-imperial Western Europe, the building of the welfare state in postrevolutionary Portugal was accompanied by a reimagining of the nation out of several continuities with previous classifications

6 E. Buettner, *Europe after empire: decolonization, society, and culture* (Cambridge 2016).

7 Stephen C. Lubkemann, ‘Race, class and kin in the negotiation of “internal strangerhood” among Portuguese *retornados*, 1975–2000’, in: Andrea L. Smith (ed.), *Europe’s invisible migrants* (Amsterdam 2003) 75–93.

8 A.D. King, *Postcolonial cities* (New York 2009).

9 Maria Conceição Neto, ‘A república no seu estado colonial: combater a escravatura, estabelecer o “indigenato”’, *Ler História* 59 (2010) 205–225.

10 Elizabeth Buettner, ‘European entanglements’, *ECHOES: European Colonial Heritage Modalities in Entangled Cities*, 2018, <https://keywordsechoes.com/european-entanglements> (22 January 2019).

that had put racialised colonial subjects outside the boundaries of citizenship. To properly analyse these processes of ethno-homogenisation and racial exclusion that underpinned the legal discrimination of post-imperial migrants, we need to overcome the theoretical shortcomings arising from too compartmentalised approaches, and examine the multiple entanglements between different histories of postcolonial migration.<sup>11</sup> To do this, we propose establishing connections between different (post-)imperial migrants, relating the domestic national order and the late colonial world, and paying attention to the pan-European scale of the processes analysed.

### Labour and Citizenship in Late Portuguese Colonialism

The establishment in the nineteenth century of a model of colonial relations based on the exploitation and extraction of natural resources from the colonised territories, led Portugal to implement, like other colonial states, a colonial policy that sought to subject existing social systems to its economic priorities. This policy, which was accompanied by the colonising powers spreading into the interior of continents and by the overhauling of land and the conquest and removal of native peoples, included the creation of a subjugated and cheap labour force. Faced with pressing demands for the abolition of slavery, a new structure to classify and regulate colonised populations was needed to place them at the service of the colonial enterprise. Forced labour was the utilitarian answer to that, and it was adopted by colonial states even when they declared themselves abolitionists.<sup>12</sup>

In the case of Portugal, the overseas slave trade, which had been a cornerstone of Portugal's colonial economy, was abolished by decree in 1836. Still, neither the trade ceased nor the abolition of slavery was an immediate or complete operation.<sup>13</sup> Reproducing the logic of the British system, Portuguese abolitionist decrees provided for a transitional period of mandatory work that newly released subjects had to give to their former masters,<sup>14</sup> with many restrictions

11 Buettner, 'European entanglements'.

12 Frederick Cooper, 'Conditions analogous to slavery: imperialism and free labor ideology in Africa', in: Frederick Cooper et al (eds), *Beyond slavery: explorations of race, labor, and citizenship in postemancipation societies* (Chapel Hill 2000) 107–149.

13 João Pedro Marques, 'Uma revisão crítica das teorias sobre a abolição do tráfico de escravos portugueses', *Penélope* 14 (1994) 95–118.

14 Maysa Espíndola-Souza, 'A liberdade da lei: o trabalho do indígena africano na legislação do império português', in: *Anais do 70 encontro de escravidão e liberdade no Brasil meridional* (Curitiba 2015) 1–15.



on their freedoms. Furthermore, the contractual freedoms granted by the first regulations on free labour<sup>15</sup> were often no more than legal artifices. The clearest example of this is that of the coffee and cocoa plantations in São Tomé and Príncipe, whose development from the second half of the nineteenth century was based on the export of freedmen literally bought as servants in Angola.<sup>16</sup>

In addition, from the end of the nineteenth century until 1961, a series of legal frameworks and administrative measures operationalised the classification of colonial populations, intending to consolidate new forms of enforcing native labour. It was in this context that the legal and ideological category of 'indigenous' peoples from the African territories of Angola, Guinea and Mozambique was created,<sup>17</sup> thus reinforcing a dual racial classification among the inhabitants of colonial territories. These were: the citizens, white civilised Portuguese enjoying full citizenship rights; the indigenous, "primitive" and "savage" black Africans, subject to the obligations imposed by the colonial administration and without citizenship rights.<sup>18</sup> Citizenship was not beyond the reach of indigenous people, but its acquisition depended on their education and habits. European whites did not have to apply for citizenship status; despite their high illiteracy and poverty, they were natural-born citizens, many being far from the living standards required for blacks and *mestizos* to be considered 'civilised'.<sup>19</sup> This dual scheme, an offshoot of the evolutionary racialism of the nineteenth century, was firmly based on an ideal of gradual assimilation, according to which indigenous populations would have to follow the path of civilisation before they could be integrated into the national community. The colonial state would guide them to this end by curbing their rights to free movement and land tenure and by subjecting them to mandatory work, the payment of taxes and forced assimilation processes through education in lower and segregated schools.<sup>20</sup> Corporal punishment was also widely

15 Regulamento para os Contratos de Serviços e Colonos nas Províncias da África Portuguesa, *Diário do Governo*, no. 237, 25 November 1878.

16 Maciel M. Santos, 'Trabalho forçado na época colonial: um padrão a partir do caso português', in: Ricardo R. Figueira et al (eds), *Privação de liberdade ou atentado à dignidade: escravidão contemporânea* (Rio de Janeiro 2013) 417–431.

17 Cape Verde, Macau and the State of India were never subjected to Native Laws, and in São Tomé and Príncipe and East Timor, the Native Statute was in force only between 1946 and 1953.

18 Maria Paula Meneses, 'O "indígena" africano e o colono "europeu": a construção da diferença por processos legais', *E-cadernos CES* 7 (2010) 68–93.

19 Neto, 'A República no seu estado colonial'.

20 Normal education was mainly reserved for whites and assimilated black 'citizens', with the education of the *indigenes* handed over to Catholic missions where they were given only rudimentary education.

used as a form of reprimand, as shown by the widespread use of the ferule,<sup>21</sup> deemed indispensable for turning idle populations into a large workforce.<sup>22</sup> At first, according to the 1894 Colonial Administration Rules of Justice,<sup>23</sup> the obligation to work resulted from applying public works' penalties to indigenous people when convicted of drunkenness, offence to morals and disobedience.<sup>24</sup> But soon after, in 1899, a new work regulation<sup>25</sup> established that *all* indigenous people, not only convicted offenders, would be subject to the moral and legal obligation to work. Another strategy for mobilising African labour was the tax system. From 1906, the 'hut tax' was levied,<sup>26</sup> establishing that indigenous people should pay an annual fee for each hut they possessed and those who did not pay it were subject to forced labour.<sup>27</sup>

The legal enshrining of the separation of blacks and whites was based on a double strategy of colonial policy: constituting the *indigenes* as a workforce for the colonial enterprise and seeking the migration of Portuguese settlers to ensure white sovereignty in the colonial territories. However, this strategy to transform the Portuguese colonies in Africa into actual settlement colonies proved to be difficult to implement. The scramble for Africa and the Berlin Conference (1884–1885) had made the white settlement of Portuguese Africa a matter of urgency to prove the country's effective colonisation of those territories. But, despite the government's intentions to boost white settlement, interested parties were deterred by the difficult climate, deadly diseases, geographical distance, and poor living conditions, and only those who had nothing to lose, such as farmers from the poorest areas of Portugal, risked leaving for the colonies. As a result, at the turn of the century, Angola and Mozambique's white population was relatively small, standing at 9,198 and 2,064 individuals, respectively.<sup>28</sup>

After the end of the Monarchy and the establishment of the Republic in 1910, several attempts were made to change this situation, with the implementation

21 Neto, 'A República no seu estado colonial'.

22 Fernanda Nascimento Thomaz, 'Disciplinar o "indígena" com pena de trabalho: políticas coloniais portuguesas em Moçambique', *Estudos Históricos* 25:50 (2012) 313–330.

23 Regimento da Administração da Justiça nas Províncias Ultramarinas, *Diário do Governo*, no. 43, 24 February 1894.

24 Valdemir Zamparoni, 'Da escravatura ao trabalho forçado: teorias e práticas', *Africana Studia* 7 (2004) 299–325.

25 Regulamento do Trabalho dos Indígenas, *Diário do Governo*, no. 262, 18 November 1899.

26 Replaced in 1919 by an indigenous capitation tax. This tax was only abolished in 1961.

27 Thomaz, 'Disciplinar o "indígena"'.

28 Cláudia Castelo, 'Colonial migration to Angola and Mozambique: constraints and illusions', in: Eric Morier-Genoud and Michel Cahen (eds), *Imperial migrations: colonial communities and diasporas in the Portuguese world* (London 2012) 137–156.

of an ambitious colonisation plan designed by Norton de Matos,<sup>29</sup> based on the economic development of the colonies through public works, the construction of thousands of miles of roads, bridges and railways, and the encouragement of European settlement. The completion of the military campaigns and the effective occupation of the interior of the territories granted to Portugal at the Berlin Conference favoured both the expansion of the colonial administration and the growth of agricultural production and the mining sector.<sup>30</sup> The settlement of Portuguese families was then promoted, which resulted in an increasing outflow of migrants to Africa from all walks of life. By 1920, the white population in Mozambique was around 11,000 people, and in Angola it already numbered 20,700.<sup>31</sup>

After the regime change, the republican colonial policy did not alter the essential principles of the colonial ideology. Indeed, it even reinforced them by adopting an ultra-colonialist character, evident in the change of the designation 'province' to 'colony' for the Portuguese overseas territories in 1914.<sup>32</sup> On the other hand, despite fighting what remained of slavery and promoting paid labour and better working conditions, it maintained, or even strengthened, the principle of racial discrimination between European 'civilised' (whites) and the African 'indigenous' people (blacks), stipulating that, as a rule, political rights would not be granted to the latter. This increasing racialisation of the notion of the *indigene* was accompanied by specific labour laws that allowed the state to control the movement of labour, confirming the continuity of corrective work as a specific punishment for the *indigenes*.<sup>33</sup>

Another form of forced labour was the *corveia* (statute labour) imposed on the rural population, including women and children, for the construction and maintenance of bridges, roads and administrative buildings, without any remuneration and under the pretext of public interest.<sup>34</sup> This situation was widely documented in the famous Ross Report on forced labour, presented to the Slavery Commission of the Society of Nations, which contains ample information on the abusive recruitment of workers.<sup>35</sup> In this context, cultural assimilation and miscegenation came to be increasingly rejected, prompting

29 José Norton de Matos was Governor of Angola (1912–1915), Minister of the Colonies (1915) and High-Commissioner of Angola (1921–1923).

30 Miguel Bandeira Jerónimo, 'Portuguese colonialism in Africa', in: Thomas Spear et al. (ed.), *Oxford research encyclopaedia of African history* (Oxford 2018) 1–30.

31 Castelo, 'Colonial migration to Angola and Mozambique'.

32 Lei Orgânica da Administração Civil da Províncias Ultramarinas, Law no. 277, 15 August 1914.

33 Regulamento Geral do Trabalho dos Indígenas nas Colónias Portuguesas, *Diário do Governo*, no. 124, 29 May 1911.

34 Neto, 'A República no seu estado colonial'.

35 E.A. Ross, *Report on employment of native labour in Portuguese Africa* (New York 1925).

an ideological rupture of the native elites with the colonial system, although, at first, they were a determining factor for the consolidation of the regime itself.<sup>36</sup> The policy of confiscating the best farmland of the native elites by enacting laws that favoured the interests of European farmers, even came to cause uprisings against settlers' farms in Angola, such as the *mata-brancos* (literally 'killers of whites') movement of 1917–1918.<sup>37</sup>

The fall of the First Portuguese Republic and the establishment of the Military Dictatorship in 1926, and of the *Estado Novo* (New State) regime in 1933 not only continued the compulsory recruitment of forced labour, but also definitively consolidated the legal inferiority of the indigenous peoples. Constitutional laws were enacted that established an integrated perspective of the colonies and their subjects, accompanied by the growing centralisation of power in the hands of the metropolis. This perspective was inaugurated with the publication of the Political, Social and Criminal Statute of the Indigenous Peoples of Angola and Mozambique of 1926.<sup>38</sup> The Native Statute (*Estatuto dos Indígenas*), as it became known, defined the indigenous people as 'individuals of black race or their descendants who, by their education and customs, are not distinguished from the common of that race', while at the same time definitively enshrining their status as non-citizens. As can be read in the Preamble to this law:

The rights related to our constitutional institutions are not attributed to the indigenous, due to a lack of practical significance. [...] We maintain for them a legal order specific to the state of their faculties, their primitive mentality, their feelings, their life, without neglecting to call them in all convenient ways to raise their level of existence ever higher.

The Statute was reformulated in 1929<sup>39</sup> to strengthen the idea that the *indigenes* should be governed 'by the uses and customs proper to their respective societies'. In this way, submission was combined with complacency regarding the cultural institutions of the indigenous people, even if it was assumed that it was the duty of the colonial state to lead them towards civilisation. The

36 A. Keese, *Living with ambiguity: integrating an African elite in French and Portuguese Africa* (Stuttgart 2007).

37 Neto, 'A República no seu estado colonial'.

38 Estatuto Político, Civil e Criminal dos Indígenas de Angola e Moçambique, Decree-Law no. 12.533, 23 October 1926.

39 Estatuto Político, Civil e Criminal dos Indígenas das Colónias Portuguesas de África, Decree-Law no. 16.473, 6 February 1929.

strategy adopted was thus of assimilation without detribalisation.<sup>40</sup> This strategy was definitively entrenched in the Colonial Act of 1930,<sup>41</sup> a constitutional law that enshrined the concept of Portugal as a colonial state composed of a number of non-citizen subjects inserted within their own culture of origin. It was nonetheless deemed essential to lead them towards civilisation, opening up the opportunity for some to become Portuguese citizens as proof that they had assimilated 'Portuguese civilisation'. The Colonial Act thus consolidated the idea of racially-based selective assimilation, which resulted in the political exclusion of the overwhelming majority of the colonial population.

Three population groups were established: the colonised black population was placed in the legal category of 'indigenous peoples'; the 'civilised', which included all whites (inherently); and a tiny minority of blacks and *mestiços*, classed as 'assimilated'. Citizenship (i.e. assimilation), proven by the national identity card, was acquired when the proponents were able to meet a set of requirements, including being over eighteen years old, speaking the Portuguese language correctly, exercising a profession, art or craft, demonstrating good behaviour, having acquired Portuguese habits and having neither objected to military service nor been a deserter. All these restrictions explain why so few received the status of 'assimilated'. The non-citizen status of the *indigenes* continued to be underlined by the imposition of the moral duty of work. Even though paid work was established based on a system of contracts, people who objected to paying taxes and anyone who committed a public offence was subject to compulsory hiring. The use of forced labour in public works was also maintained, although the *Chefes de Posto* (those responsible for the colonial administration at the local level) frequently referred them to private enterprises.<sup>42</sup> At the same time, the white minorities, who were arriving in the colonies in increasing numbers, were assured of a series of privileges. In this early period of the *Estado Novo*, tight restrictions were imposed on the entry of Portuguese migrants into Angola and Mozambique. Only Portuguese with a regular income or recipients of a call letter (*carta de chamada*) that assured them of employment or means of subsistence, could settle in the colonies. This policy aimed to prevent the entry of colonial migrants without capital and/or qualifications, which would increase the already high number of unemployed and poor whites living there.

40 Lorenzo Macagno, 'Assimilacionismo', in: Livio Sansone and Cláudio Alves Furtado (eds), *Dicionário crítico das ciências sociais dos países de fala oficial portuguesa* (Salvador 2014) 31–44.

41 Acto Colonial, Law no. 18570, 8 July 1930.

42 Neto, 'A República no seu estado colonial'.

These principles of racial discrimination remained unaltered until the end of the Second World War. The new world order established thereafter was characterised by increasing international pressure to decolonise, which forced Portuguese colonial policy to undergo some changes to prevent accusations of colonialism.<sup>43</sup> Accordingly, the constitution was revised in 1951, obliterating any mention of the term 'colonial' and redesigning the geopolitical architecture of the nation. Portuguese colonies were renamed 'overseas provinces', and Portugal was reconceived as a multi-continental nation composed of European and overseas provinces. On the ideological plane, this was accompanied by a new model of social and racial relations that would characterise the contacts between the Portuguese and the peoples colonised by them, replacing the previous unambiguous ethno-racial conceptions with a rhetoric of racial and cultural equivalence. This rhetoric was to find legitimacy in the theses defended by Gilberto Freyre, a Brazilian sociologist. He had spread his ideas about the particular nature of Portuguese colonialism and the hybrid cultural and racial forms that it favoured.<sup>44</sup> In this context, Freyre coined the term 'Luso-tropicalism' (literally referring to the Portuguese in the tropics), which eventually became the ideological foundation of the legitimization of Portuguese colonialism, which was supposedly based on assimilation, miscegenation and an absence of racist prejudice.

To apply these assimilationist principles, a new Native Statute was approved in 1954.<sup>45</sup> While maintaining legal and racial segregation, the new statute emphasised the provisional nature of the indigenous regime, in particular by allowing black individuals and their descendants to opt for (European) civil law. However, a highly restrictive interpretation prevailed. Although the Portuguese Nationality Law of 1959<sup>46</sup> unmistakably declared that all those born in Portugal were Portuguese – when the overseas provinces were regarded as an integral part of Portugal – the acquisition of citizenship by the indigenous peoples remained limited. While being nationals in the sense that they were under the protection of the Portuguese state, they were not citizens as long as they lacked the requirements of cultural assimilation to achieve political rights. This discrimination was fixed in the official documents: the indigenous booklet (*caderneta*) for blacks, and the identity card for citizens, required for

43 Bruno Cardoso Reis, 'Portugal and the UN: a rogue state resisting the norm of decolonization (1956–1974)', *Portuguese Studies* 29:2 (2013) 251–276.

44 G. Freyre, *Casa-grande & senzala: formação da família brasileira sob o regime de economia patriarcal* (Rio de Janeiro 1933).

45 Estatuto dos Indígenas Portugueses das Províncias da Guiné, Angola e Moçambique, Decree-Law no. 39666, 20 May 1954.

46 Lei da Nacionalidade Portuguesa, *Diário do Governo*, no. 172/1959, I Série, 29 July 1959.

enrolment in secondary schools and applying for jobs. Daily forms of discrimination were the norm, too, from lower salaries according to race to constraints on movement and spatial segregation, effectively preventing Africans from participating as equals in Portuguese social, economic and political institutions.<sup>47</sup>

However, discrimination in the colonies did not affect the blacks alone. It affected everyone born there, whether white or black, even though the latter undoubtedly suffered the most because of it. Not only were there considerable social differences among European settlers, but the administrative apparatus further distinguished between those born in the metropolis (European whites) and the 'natural' settlers from the colony (second-class whites), and they were assigned a different status accordingly.<sup>48</sup> The tremendous economic development of the colonies during the postwar period,<sup>49</sup> which in turn boosted white settlement migration, contributed to nuance these many class hierarchies existing in colonial society. Also, changes in colonial policy undertaken to counteract anticolonial activism, had resulted in easing restrictions on the migration of unqualified Portuguese to Angola and Mozambique, which contributed to alleviating social stratification. However, the indigenous regime system continued to carve a practically insurmountable gap between whites and blacks, constituting a potent inhibitor to the social mobility of the black majority: in 1960, about 95 per cent of Angola's colonial population and about 98 per cent of Mozambique's were considered 'indigenous'.<sup>50</sup>

This situation continued until 1961 when the Native Statute was abolished. That year, the growing condemnation of Portugal's African policy, the unstoppable course of decolonisation in the continent, and the beginning of the liberation wars in Angola in 1961 – followed by Guinea-Bissau (1963) and Mozambique (1964) – compelled a series of reforms to mask independentist tensions and defend the Portuguese government before international bodies. As a result, the Native Statute was abolished in 1961 by the hand of the then overseas minister Adriano Moreira, who introduced a series of assimilationist reforms to allow indigenous people access to Portuguese citizenship. Incentives for white settlement schemes were also approved to increase the presence of white Europeans to herald Portuguese sovereignty in the colonised

47 G. Bender, *Angola under the Portuguese: the myth and the reality* (Berkeley and Los Angeles 1978).

48 Antoinette Errante, 'White skin, many masks: colonial schooling, race, and national consciousness among white settler children in Mozambique, 1934–1974', *International Journal of African Historical Studies* 36:1 (2003) 7–33.

49 G. Clarence-Smith, *The third Portuguese empire, 1825–1975: a study in economic imperialism* (Manchester 1985).

50 *Anuário Estatístico*, 1900–1970.



territories. From then on, there was a sharp increase in migration to Angola and Mozambique. In 1962, after the colonial war had started in Angola, the free movement of people and goods was instituted within the Portuguese Economic Area, and the migratory flow to Africa grew. Legislative measures were taken as late as 1972 to divert the migration from Europe to 'Portuguese Africa' through dissemination actions and job offers. A year later, on the eve of the Revolution, the white population of Angola stood at 324,000 – compared with 44,083 in 1940 – and in Mozambique, the figure was 190,000, compared with 27,438 in 1940, totalling around 500,000 people.<sup>51</sup>

The increase in white settlement, together with the economic boom of the colonies, meant that, between 1961 and 1974, the paid labour force grew rapidly, especially in Angola, and forced labour became residual. However, the brutal inequalities that characterised colonial society remained, evident in the racial and social segregation that characterised colonial cities, separated into the city of cement and the city of the slums (*musseques*).<sup>52</sup> Furthermore, although equality in the remuneration of work was guaranteed, African workers continued to be paid less than Europeans.<sup>53</sup> At the beginning of the 1970s, the Portuguese government was starting to encourage economic immigration to increase the workforce in Portugal with workers from the colonies. In this context, Cape Verdean workers were invited to work in Portugal in construction and public works. As Susan de Oliveira rightly observes, it was their mobility potential that now was starting to be explored, anticipating another chapter in the labour relations that would soon open following decolonisation.<sup>54</sup>

### Decolonisation and Portuguese Citizenship

The end of the *Estado Novo* regime, following the military coup of 25 April 1974 (the Carnation Revolution),<sup>55</sup> marked the end of an era and announced the end

<sup>51</sup> Castelo, 'Colonial migration to Angola and Mozambique: constraints and illusions'.

<sup>52</sup> Elsa Peralta and Nuno Domingos, 'Lisbon: reading the (post-)colonial city from the nineteenth to the twenty-first century', *Urban History* 46:2 (2019) 246–265.

<sup>53</sup> Maria da Conceição Neto, 'De escravos a "serviçais", de "serviçais" a "contratados": omissões, percepções e equívocos na história do trabalho africano na Angola colonial', *Cadernos de Estudos Africanos* 33 (2017) 107–129.

<sup>54</sup> Susan de Oliveira, 'Índigenas, imigrantes, pobres: o afropolitanismo no rap crioulo – parte 1 e 2', *Buala*, 24 August 2015, <https://www.buala.org/pt/palcos/indigenas-imigrantes-pobres-o-afropolitanismo-no-rap-crioulo-parte-1>; <https://www.buala.org/pt/palcos/indigenas-imigrantes-pobres-o-afropolitanismo-no-rap-crioulo-parte-2> (both 10 May 2020).

<sup>55</sup> On 25 April 1974, the *Estado Novo* was overthrown by the Armed Forces' Movement (*Movimento das Forças Armadas* – MFA), created by members of the Portuguese Armed



of the Portuguese empire. The first hours of the Ongoing Revolutionary Process (*Processo revolucionário em curso*),<sup>56</sup> were marked by intense discussion of the future of the Portuguese territories in Africa, as two visions competed on the decolonisation process that Portugal should conduct. On the one hand, the wish of the Armed Forces' Movement (*Movimento das Forças Armadas* – MFA), in line with its original programme known as the 'three Ds' (democratise, decolonise and develop), was to conduct a rapid decolonisation that would lead to the independence of all the African territories under Portuguese rule. On the other hand, the first post-revolution president, General Spínola,<sup>57</sup> appointed for this post, had another plan for the Portuguese colonies. This plan had been expressed a few months before the military coup in his book *Portugal e o Futuro* (Portugal and the future), published in February 1974, and it consisted of creating a multiracial federation of Portugal and its colonies. His idea involved a lengthy process based on holding a referendum in the colonies concerning their future status. The General hoped the African people would opt for a Lusophone federation with Portugal instead of full independence. Being a strong and committed defender of the luso-tropicalist vision of the relationship between the Portuguese and the African peoples, Spínola was convinced that Africans would choose to remain under Portuguese influence: 'Our African populations are fully aware of the advantage of their Portuguese condition [...] We know well enough the African people to know what they believe in', he wrote in 1974.<sup>58</sup> However, this federation project was nothing but a 'desperate attempt' to save the Portuguese empire.<sup>59</sup> Inspired by the Gaullist *Communauté française*, implemented in French Africa between 1958 and 1960 (apart from Sékou Touré's Guinea, which gained independence in 1958), this federation would allow Portugal to retain control of main governance areas.

However, although Spínola's decolonisation project was supported by the majority of the former opposition to the *Estado Novo*,<sup>60</sup> and by potential voters

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Forces in 1973 in order to find a political solution to the three wars that the country was conducting in Angola, today's Guinea-Bissau, and Mozambique.

56 This period characterised Portugal until the approval of the new constitution in 1976.

57 General António de Spínola was an emblematic figure of the *Estado Novo* elite, but also an advocate for reform of the regime's colonial policy. Between 1968 and 1973 he was at the head of Portuguese Guinea as governor.

58 António de Spínola, *Portugal e o futuro* (Lisboa 2003) 137.

59 Pedro Aires Oliveira, 'A descolonização portuguesa: o puzzle internacional', in: Fernando Rosas et al (eds), *O adeus ao império. 40 anos de descolonização portuguesa* (Lisboa 2015) 60–77, 68.

60 Bruno Cardoso Reis, 'Visões das forças políticas portuguesas sobre o fim do império, dois planos em confronto e uma política exemplar de descolonização (1974–1975)', in: Fernando Rosas et al. (eds), *O adeus ao império. 40 anos de descolonização portuguesa* (Lisboa 2015) 78–101, 81.

of political parties situated on the right fringe of the political spectrum,<sup>61</sup> neither the African liberation movements nor the international community approved it. On 26 July 1974, the unanimous approval of Law 7/74 marked the end of months of uncertainty regarding the future of the African colonies, as the MFA's project became the official Portuguese decolonisation policy. The second article of this law recognised the right to self-determination in all its forms, including the right to total independence. In practice, this recognition allowed the negotiations between the Portuguese authorities and the different liberation movements, which had begun in the aftermath of the Revolution, to continue in better conditions and lead to a ceasefire and independence agreements. In Angola and Mozambique these agreements concerned not only the future of the colonies but also the future of the white settlers living in these two territories. On 7 September 1974, the Lusaka agreements, signed by the Portuguese authorities and the FRELIMO (Mozambique Liberation Front), scheduled the independence of Mozambique for 25 June 1975,<sup>62</sup> after a transition period of joint governance. The agreements stated that the provisional government would be committed to protecting people and property while also ensuring the 'principle of racial, ethnic, religious [...] non-discrimination' (Article 5). Article 15 then states that it is FRELIMO's aim to 'reaffirm its non-discrimination policy, whereby the quality of a Mozambican is not defined by the colour of the skin, but by the voluntary identification with the Mozambican Nation aspirations'. The Portuguese settlers of Mozambique were thus allowed by these agreements to choose to be Mozambican as long as they identified themselves with the independence conducted by the FRELIMO.

The Alvor agreements, signed on 15 January 1975 by Portugal and the three Angolan liberation movements – the People's Movement for the Liberation of Angola (MPLA), the National Front for the Liberation of Angola (FNLA), and the National Union for the Total Independence of Angola (UNITA) – were similar to the Lusaka agreements in matters such as the security of people and property (Article 24), as well as the access to Angolan citizenship.<sup>63</sup> Article 45 stipulates:

The FNLA, MPLA and UNITA reaffirm their policy of non-discrimination, according to which the quality of an Angolan is defined by having been born in Angolan territory or by domicile, provided that those domiciled

61 Carlos Maurício, 'A guerra colonial e a descolonização vistas pelas sondagens de opinião (1973–2004)', *Nação e Defesa* 130:5 (2011) 267–295, 280.

62 <https://dre.pt/web/guest/pesquisa/-/search/552782/details/normal?q=acordos+lusaka> (6 May 2020).

63 <https://dre.pt/web/guest/pesquisa/-/search/319897/details/normal?q=acordos+alvor> (6 May 2020).

in Angola identify with the aspirations of the Angolan Nation through a conscious choice.

Whereas all people born in Angola were recognised as Angolan (Article 46), for those not born in the former colony the agreements stipulated that their nationality claim would be examined on a case-by-case basis (Article 48). Moreover, according to the Angolan Nationality Law of November 1975, Angolan nationality could be denied to, and even withdrawn from, people who killed Angolan civilians, those who participated in the repression conducted by the colonial system, opposed the liberation struggle, and participated in activities to interfere with the decolonisation process (Article 4).<sup>64</sup>

However, even if both agreements allowed Portuguese settlers to stay in Mozambique and Angola and, under certain conditions, to become national citizens – as had already happened in other parts of European empires, such as French Algeria and Dutch Indonesia – the end of Portuguese rule in these two territories was accompanied by the mass departure of the settler population. The reasons for that departure varied. For some, the end of colonial rule, that until then had automatically set the white population at the top of the social, economic and political hierarchy, was the primary motivation to leave. For others, including people in favour of the colonies' independence, the decision to leave was made because of the context of uncertainty that soon pervaded Mozambique and Angola. In the case of the latter, the war between the three liberation movements that started up again after the signing of the Alvor agreements, and soon escalated into a civil war that lasted until 2002, did not give many options to stay in the newly independent country.<sup>65</sup>

In light of this situation, and the urgent desire of a growing number of Portuguese to leave the colonies, the Portuguese authorities, helped by the international community, organised an airlift from Angola to Portugal during the summer and autumn of 1975 to repatriate Portuguese ex-settlers. At the peak of the repatriation, between 6,000 and 7,000 passengers were arriving at Lisbon airport each day. It has been estimated that nearly half a million Portuguese ex-settlers, who became known as *retornados* (returnees), came and settled in Portugal after the Carnation Revolution.<sup>66</sup> The resettlement of this population had a significant demographic impact in the former metropole;

64 <http://citizenshiprightsfrance.org/wp-content/uploads/2016/04/Angola-Lei-da-nacionalidade-1975.pdf> (6 May 2020).

65 Morgane Delaunay, *Le processus d'intégration des retornados au Portugal (1975–2018). Analyse comparée avec le cas français des pieds-noirs d'Algérie* (Rennes and Lisboa 2020) Thesis Université de Rennes 2/ISCTE-IUL, 73–87.

66 61 per cent came from Angola and 34 per cent from Mozambique: R.P. Pires, *Migrações e integração. teoria e aplicações à sociedade Portuguesa* (Oeiras 2003) 200.

by 1981, the *retornados* represented 5 per cent of the Portuguese resident population. In addition, tens of thousands of African people also sought refuge from Mozambique and Angola.<sup>67</sup>



Welcome of African refugees at Lisbon's airport during the decolonisation process. Photo credit: Portuguese Red Cross

The democratisation process that came into being with the Carnation Revolution made it clear that the Portuguese authorities needed to create a new set of laws. One of them concerned the thorny issue of access to Portuguese citizenship, as the end of the Portuguese African empire meant that the country returned to its original mainland frontiers (except for the archipelagos of Azores and Madeira, both soon to be autonomous regions). In the case of the *retornados*, because 61 per cent of them were born in Portugal and afterwards emigrated to the former African colonies there was no concern regarding their Portuguese citizenship. As for their children, who represented most Portuguese born in the colonies, their citizenship was also protected. All of this was amended by Decree-Law no 308-A/75, which kept Portuguese nationality for everyone born in mainland Portugal and the archipelagos of Madeira and Azores; for people who had already acquired nationality; people

67 Those 'refugees of decolonisation' were estimated to be 25,000: Pires, *Migrações e integração*, 251.

born overseas whose parents were born in Portugal; and for women married to, widows of, or divorced from, Portuguese men and their underage children (Article 1).<sup>68</sup> This new law also allowed access to citizenship to the descendants in the third degree of the above-mentioned persons (Article 1). People born in the colonies whose parents were also born there only kept Portuguese citizenship until those territories gained independence, apart from those who had lived in Portugal (mainland and archipelagos) for at least five years as of 25 April 1974, as well as their spouse and children (Article 2).

With this new law, access to Portuguese citizenship was no longer based on *ius solis*, as before, but on *ius sanguinis*. The purpose of this change was clear: to allow the return of Portuguese settlers and, at the same time, to prevent the arrival of a large number of African people who would seek refuge in Portugal because of the deterioration of the situation in the former colonies. This was clearly expressed by the 'father' of the law, the socialist Inter-Territorial Coordination Minister António Almeida Santos, himself a *retornado* from Mozambique. According to his writings, the British authorities had made the mistake of being too generous with Commonwealth citizens after decolonisation, which led to 'a vertiginous Indianisation and Africanisation of London' and other British cities.<sup>69</sup>

Although this law protected their interests, it also generated considerable objections among the *retornados*. While many of them complained of being accused of being racist by the Portuguese population after the adoption of the nationality law, some then accused the Portuguese government of racism. Such declarations can be seen in the readers' section of the newspaper created by the *retornados*, the *Jornal O Retornado* (1975–1981), in which luso-tropicalist theories were widely used to condemn the restrictions on Portuguese citizenship. One reader wrote:

the *retornados*, whether white, black, mixed, yellow or red, [...] all those born under the Portuguese flag, whether in Portugal or in a former overseas province, are Portuguese. And no one will ever be able to say they are not! They are ONE HUNDRED PERCENT Portuguese!<sup>70</sup>

This idea was also defended in Parliament by right-wing MPs such as Âmandio Vieira, a *retornado* himself, who declared in 1977: 'No matter the colour of their skin or the territory where they were born, in the past we assured them

68 Decree-Law no. 308-A/75, 24 June 1975.

69 A.A. Santos, *Quase memórias. Do colonialismo e da descolonização*, vol. 1 (Lisboa 2006) 276.

70 *Jornal o Retornado*, 10 August 1976, 21.

that they were Portuguese, just like people from Minho and Macau,<sup>71</sup> clearly alluding to the famous *Estado Novo*'s motto, 'Portugal, from Minho to Timor'. It should be noted that a proportion of the *retornados* were of mixed and African descent, the spouses and children of *retornados* of Portuguese descent. As they retained Portuguese nationality, it is difficult to gauge the share of the *retornados*' population they represented, as the question of race does not appear in the census that led to the counting of the *retornados*.<sup>72</sup>

The citizenship access changes also helped clarify the set of policies that the Portuguese authorities had begun to implement for the *retornados*. These were justified in the name of national solidarity because the *retornados*, being Portuguese citizens, were entitled to all the help needed. All the political forces of the emerging Portuguese democracy agreed on the absolute necessity to establish active measures to proceed with their integration. Some even insisted that it was the duty of the Portuguese people. In contrast, others were aware of the danger of social and political turmoil that this massive influx of people represented for an already unstable society.<sup>73</sup> Two key government agencies were created to design and implement these policies: the Institute for the Support of the Returning Nationals, IARN (March 1975), and the Commissariat for Displaced People (September 1976).

Accordingly, the Portuguese authorities implemented various emergency measures to help receive the former settlers. In a context of an acute housing crisis, the urge was first to accommodate the *retornados* who had nowhere else to go. Therefore, it was decided to temporarily use hotels, including at first the luxury ones in the capital, Lisbon.<sup>74</sup> Although designed to be temporary, this policy faced fierce criticism from segments of the metropolitan population, who accused *retornados* of living in luxury at the taxpayer's expense.<sup>75</sup> A less expensive solution was also implemented from 1975, which involved housing people in collective accommodation centres, such as summer camp buildings and even prisons, which humanitarian organisations sometimes managed.<sup>76</sup> It

71 *Diário da Assembleia da República*, 13 May 1977, 3712.

72 One estimation is between 25,000 and 35,000 individuals: Lubkemann, 'Race, class, and kin', 89.

73 Morgane Delaunay, 'La question des retornados dans le débat parlementaire portugais (1975–1976)', *The Portuguese Studies Review* 27:1 (2019) 177–199, 188–189.

74 Delaunay, Le processus d'intégration des retornados, 222.

75 Nuno Dias, 'A mão esquerda' do estado pós-colonial: o papel do IARN nas dinâmicas de incorporação das populações retornadas', in: Elsa Peralta et al. (eds), *Retornar. Traços de memória do fim do império* (Lisboa 2017) 121–140, 130.

76 Morgane Delaunay, 'La fin de l'empire colonial portugais: le processus d'intégration des retornados au Portugal (1975–2018)', in: Olivier Dard et al. (eds), *Déracinés, exilés, rapatriés? Fins d'empires coloniaux et migrations* (Bruxelles 2020) 75–94, 86.



is no surprise that the living conditions in these collective centres were harsh and drew criticism from *retornados*, who accused the authorities of housing them in concentration camps.<sup>77</sup> It is worth noting that although these policies were intended to support the integration of *retornados*, that is, those recognised as Portuguese citizens under the new Nationality Law of June 1975, the Portuguese authorities also supported some of the African refugees who came to Portugal along with the *retornados*. As a matter of fact, in July 1978, about 3,000 Angolan refugees were housed by the Portuguese authorities.<sup>78</sup> From July 1978, the authorities were also involved in repatriating hundreds of refugees who wanted to return to Angola.<sup>79</sup>

The other challenge was to provide jobs for the *retornados*. In a context of a generalised economic crisis, the Portuguese authorities feared the economic situation would be worsened by integrating hundreds of thousands of workers.<sup>80</sup> With this in mind, in June 1976, a loan programme was set up to help the *retornados* create small and medium-sized businesses.<sup>81</sup> For the government, the country had to try and gain from absorbing a population known for its entrepreneurial expertise and treat it as an opportunity to revitalise the economy, particularly in the interior regions suffering from a high rate of rural exodus.<sup>82</sup> As for the African refugees, who had no family connections in Portugal, they tended to settle in the capital's suburbs, sometimes, like some *retornados*, in the shantytowns that appeared around the major cities.<sup>83</sup>

Despite the Portuguese state's efforts, the *retornados* did not find it easy to integrate into Portuguese society. Some fell into tough social circumstances

77 MPS also complained about this situation during parliamentary sessions: Delaunay, *Le processus d'intégration des retornados*, 233–234.

78 Arquivo Histórico Diplomático, Ministério dos Negócios Estrangeiros, *Angola – Refugiados, Repatriamento de refugiados angolanos*, 13 July 1978.

79 Arquivo Histórico Diplomático, Ministério dos Negócios Estrangeiros, *Angola – Refugiados*, Memorandum from the Foreign Affairs Office to the Ministry for Transport, 20 December 1978.

80 Delaunay, 'La question des retornados', 187–189. The authorities designed a reintegration policy for public servants from the former colonies, leading to the integration of more than 40,000 workers. Pires, *Migrações e integração*, 239.

81 Delaunay, *Le processus d'intégration des retornados*, 262.

82 Unlike the French settlers repatriated from Algeria in 1962, who mostly settled around Paris and in the south of France, in spite of the attempts by the French authorities to prevent it (Delaunay, *Le processus d'intégration des retornados*, 162), a large number of the Portuguese *retornados* went back to their regions of origin. This led to their greater geographic dispersion throughout the national territory. However, more than 40 per cent settled in and around the two biggest cities, Lisbon and Porto: Pires, *Migrações e integração*, 203.

83 Stephen C. Lubkemann, 'The moral economy of Portuguese postcolonial return', *Diaspora* 11:2 (2002) 189–213, 200.

and had to rely entirely on state support, while others failed to adapt to their new life in the former metropolis.<sup>84</sup> Like the French case of the *pieds-noirs*,<sup>85</sup> some *retornados* also suffered from unfriendly behaviour from the rest of the population, who sometimes saw them as active and committed agents of colonialism and nostalgic for the former regime. The state's measures to help them might also have created a sense of resentment against the *retornados*.<sup>86</sup> The *retornados* born in the colonies, coming from families with roots going back various generations, and who had no family connections in the former metropole, were among those more susceptible to experience severe difficulties. The race factor also made the integration of *retornados* of African descent and refugees more problematic; the latter were also less protected by the state and could easily suffer racism, an experience shared by the immigrants arriving soon after in postcolonial Portugal.

### Immigrants, Labour, and Citizenship

In the early years after the democratic revolution of 25 April, 'immigration was synonymous with African immigration'.<sup>87</sup> It included two distinct subsets of individuals: refugees, mainly Angolan but also Mozambican; and Cape Verdean labour migrants.<sup>88</sup> Whereas the 1981 census records a total of 45,222 foreign residents from the former African colonies, a large number – 28,685 – only arrived after 1974.

In 1981, a new nationality law, Law number 37/81, of 3 October, deepened the option for *ius sanguinis* to limit the establishment of immigrants, particularly from the former African colonies. Even though *ius sanguinis* was the dominant criterion, the new law allowed nationality to be granted to the children of immigrants who had lived in Portugal for six years<sup>89</sup> if they declared they wanted to be Portuguese (Article 1). That left many children born in Portugal without access to citizenship. In practice, the requirements for immigrants to acquire naturalisation were not that different from those needed to obtain the status of *assimilados* during colonial times. These included: being of age or emancipated under Portuguese law; being domiciled for at least six years in Portuguese territory or 'under Portuguese administration' (that is, Macau and

84 Delaunay, Le processus d'intégration des *retornados*, 370–374.

85 E. Comtat, *Les pieds-noirs et la politique. Quarante ans après le retour* (Paris 2009) 421–426.

86 Delaunay, Le processus d'intégration des *retornados*, 386–402.

87 Pires, *Migrações e integração*, 125.

88 Pires, *Migrações e integração*, 133.

89 If their parents were not in the service of the respective country.



Timor-Leste, whose decolonisation processes had not been completed); sufficient knowledge of the Portuguese language; moral and civic behaviour; and ability to govern themselves and make a living (Article 6). Some exceptions to these criteria (language and behaviour) were foreseen in the same article, applying in particular 'in relation to those who have had Portuguese nationality, to those who are descended from Portuguese to members of communities of Portuguese descent and foreigners who have rendered or are called upon to provide relevant services to the Portuguese state'.<sup>90</sup> Since an ethnonational conception of citizenship was favoured, many African immigrants and their children born in Portugal ended up being excluded or facing many bureaucratic difficulties in regularising their situation.

While Portugal's entry into the European Economic Community in 1986 facilitated the movement of Portuguese workers to higher-income European countries, such as Germany and France, it also attracted to the country many unskilled or low-skilled workers, especially from Cape Verde.<sup>91</sup> The major investments in EEC-funded public works required labour for civil construction. This, together with the insertion of Portugal into the European market, attracted immigrants. Accordingly, in the 1990s, there was an increase in the foreign resident population, accompanied by the growth of immigrant communities from Portuguese-speaking African countries and Brazil.

The number of undocumented people<sup>92</sup> led to major statistical fluctuations in the proportion of African immigrants in Portugal during the 1980s and 1990s. This was a situation that was only partially corrected with the extraordinary regularisation processes of 1993 and 1996. In 1993, about 23,000 foreigners regularised their situation, many of whom were again undocumented in a short time due to the precariousness of the titles they were assigned. During the 1996 extraordinary regularisation process, African immigrants stood out among regularisation requests.<sup>93</sup> Thanks to these

90 *Nationality Law*, Law no. 37/81, 3 October 1981.

91 João Peixoto, 'A emigração', in: Francisco Bethencourt et al. (eds), *História da expansão Portuguesa*, vol. 5: *Último império e recentramento (1930–1998)* (Lisboa 1999) 152–181, 158; Rui Pena Pires, 'A imigração', in: Bethencourt et al. (eds), *História da expansão Portuguesa*, vol. 5, 197–213, 207–208.

92 In 1988, the number of undocumented immigrants in Portugal was estimated at 60,000, of whom 70 per cent were from Portuguese-speaking African countries, 12 per cent from the Indian subcontinent and 8 per cent from Brazil: Maria do Céu Esteves, *Portugal, país de imigração* (Lisboa 1991) 49.].

93 That is, Angolans (26 per cent), Cape Verdeans (20 per cent), Guineans (15 per cent) and Santomeans (4 per cent). The Brazilian presence among the undocumented was already noted (7 per cent). There was also a new type of migrant, with the immigration of small business owners: 10 per cent of requests for regularisation were made by immigrants from the Indian subcontinent and 5 per cent by Chinese, populations that essentially dedicated themselves to trade.

processes, we know that in 1999 African immigrants accounted for 55 per cent of the resident foreign population.<sup>94</sup>

In 1991, Portugal joined the Schengen Agreement. This agreement on free internal movement and tight border control outside the Schengen Area only came into force in March 1995. Still, its effects were already noted in the Portuguese legislation of the early 1990s. The 1993 immigrant statute (Decree-Law no. 59/93 of 3 March) made the procedures even more bureaucratic by increasing the number of visas (from four to nine) needed to stay in Portugal, and also further restricted the chances of family reunification while at the same time incorporating elements that made it easier for European immigrants from the Schengen Area to stay. In this legal context, the continued presence of non-Western European migrants became even more precarious. The 'Schengen era' was also felt in the greater restrictions on acquiring Portuguese citizenship. The first amendment (Law no. 25/94) to the 1981 Nationality Law created different restrictions for both being given nationality by origin and naturalisation. In Article 1, children of undocumented immigrants, although born in Portugal, were excluded from acquiring Portuguese nationality by origin: the criterion of parents' 'habitual' residence was changed to residence 'with valid title'. And the criterion of six years (residing 'with legal title') now applied only to children of nationals of Portuguese-speaking countries. To have Portuguese nationality by origin, children of immigrants of other nationalities born in Portugal needed their parents to have lived in Portugal for ten years 'with a legal title'. In terms of naturalisation, the changes established in Article 6 were symmetrical: six or ten years of residence with legal title, depending on whether or not they were foreign nationals from a Portuguese-speaking country. A new criterion was added, which required naturalisation applicants to 'prove an effective link to the national community', shortening the criterion of 'moral and civil behaviour' to 'civil behaviour'. These choices denote an option to reinforce the labour market segmentation through a cultural preference for immigrants and their children from the former colonies.

At the beginning of the twenty-first century, new migratory flows into Portugal were no longer related to the colonial past but linked instead with the dynamics of European integration and the country's attractiveness in relation to the most economically deprived areas of the continent; these circumstances prompted the arrival of Ukrainian immigrants and other Eastern Europeans. But the tendency for African immigrants to do manual work and unskilled labour persisted. In 1981, 43.9 per cent of migrants (mostly Africans) were production workers in the extractive and manufacturing industries and

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94 Pires, *Migrações e integração*, 140–147.

machine drivers. As decades passed, the distribution of the immigrant population by professional sector still pointed to great social disparities; in fact, between the 2001 and 2011 censuses, the proportion of the foreign population among unskilled or low-skilled workers increased from 21.5 per cent to 26.7 per cent. Because of this relationship between countries or continents of origin and labour, migrants and descendants were easily racialised. Africans/Afro-descendants and 'Ukrainians' (a name used both for Ukrainians and for other Eastern European migrants) were expected to work in construction (men), cleaning and domestic services (women), and other low-skilled jobs. It is important to note that the white skin of Eastern Europeans, even in the same professions, puts them at an advantage because they present a positive image rooted in the history of whiteness.<sup>95</sup> Asians are expected to be shopkeepers, retail stores selling cheap items are called Chinese shops, South Asians are sometimes called Indian or Pakistani without differentiation (even if they are Bangladeshis) and are associated with grocery stores or mobile phone stores.

In 2006, the fourth amendment to the Nationality Law of 1981 (Organic Law no. 2/2006) made a symbolic break with direct or indirect references to the colonial past. According to Article 1 (a), the Portuguese by origin are: 'The children of a Portuguese mother or a Portuguese father born in Portuguese territory'. The reference to territories under Portuguese administration was thus dropped.<sup>96</sup> Also, the difference between children of immigrants from Portuguese-speaking countries and those of other nationalities disappears: children of foreigners born in Portugal 'if one of the parents has legally resided here for at least five years' may be considered Portuguese by origin. Moreover, to solve the problem of the third generation of citizens of foreign origin, the 2006 amendment also deals with second generations born in Portuguese territory, giving access to Portuguese nationality to 'individuals born in Portuguese territory, children of foreigners, if at least one of the parents was also born here and is resident here, regardless of title, at the time of birth'.

The seventh amendment of the law in 2015 (Organic Law no. 9/2015) extended access to Portuguese nationality to the grandchildren of Portuguese born abroad who so request it and who have an 'effective connection with the national community'. The criterion of connection to the national community is defined by 'sufficient knowledge of the Portuguese language and by the existence of regular contacts with the Portuguese territory'. It makes the granting of nationality depend on 'non-conviction, in a final sentence, for

95 See N.I. Painter, *The history of white people* (Nova Iorque 2010).

96 Macau reverted to Chinese sovereignty in 1999, Timor-Leste became independent in 2002, with the end of the Indonesian occupation.

committing a crime punishable by a maximum prison sentence of three years or more, according to Portuguese law'.<sup>97</sup> In 2017, 480,300 immigrants with valid residence permits were registered in Portugal. It was the highest number recorded since the Foreigners and Borders Service (SEF) appearance in 1976. According to SEF's most recent report, the immigration structure has changed, and Brazilians are now the largest immigrant community (21.9 per cent).<sup>98</sup> It is important to note that many people are not included in these figures: many Portuguese children of immigrants whose Portuguese nationality was recognised and other long-term residents who became naturalised.

Despite some changes, the distribution of immigrant nationalities by work sector and income level show that social discrepancies persist. Western European immigrants are the only ones whose unemployment benefit is above the average received by Portuguese citizens, above €525.10 per month.<sup>99</sup> Another way of assessing the different economic and social insertion of individuals according to the country of origin, is to look at the legal actions taken against immigrants by the SEF. Brazilians, Africans, South Asians and Eastern Europeans are the nationals most prosecuted by immigration authorities.<sup>100</sup> But, at the same time as a certain segment of the children of foreigners was denied access to nationality, and when many undocumented workers were the target of repression, there was a highway created for the entry of immigrants with capital. Known as golden visas, 8,466 Residence Permits for Investment Activity (Law no. 23/2007, of 4 July) were issued between October 2012 and April 2020, representing €5,139,988,416.56 of investment. More than half of the golden visas (4,518) were issued to people of Chinese nationality.<sup>101</sup>

97 The 2015 amendment also excluded from access to nationality by naturalisation, individuals who 'constitute a danger or threat to national security or defence, through their involvement in activities related to the practice of terrorism, under the terms of the respective law'.

98 105,423 Brazilian immigrants. The 34,663 Cape Verdean immigrants are in second place (7.2 per cent), followed by Romanians 30,908 (6.4 per cent), 29,218 Ukrainians (6.1 per cent), 26,445 British (5.5 per cent), 25,357 Chinese (5.3 per cent), 19,771 French (4.1 per cent), 18,862 Italians (3.9 per cent), 18,382 Angolans (3.8 per cent), 16,186 Guineans (3.4 per cent), with 155,085 belonging to other nationalities (32.3 per cent)

99 For instance, Brazilians (4,772) received an average of €448.40 per month in unemployment benefits, Ukrainians (2,104) €434.70, Cape Verdeans (1,548) and Indians (453) €425.80 and €428.10 respectively and Spanish (355) €637.30 per month: Catarina Reis Oliveira and Natália Gomes (coord.), *Indicadores de Integração de Imigrantes 2019* (Lisbon 2019), 188 and 190.

100 Serviço de Estrangeiros e Fronteira, *Relatório de Imigração*, 28–29.

101 Other relevant nationalities acquiring this type of residence permit are: Brazilian (895 permits), Turkish (401), South African (334) and Russian (316). Associated with these golden visas, 14,522 residence permits were issued for family members: Serviço de Estrangeiros e Fronteiras, 'Autorização de residência para investimento (outubro

Between 2017 and 2018, a joint campaign by immigrant, anti-racist and Afro-descendant movements was launched, named 'For another nationality law'. This campaign stressed that 'The Portuguese do not have a single colour, nor a single origin'. It is worth remembering that in the protests of the late 1970s, *retornados* also claimed Portuguese citizenship regardless of 'colour'. However, the campaign 'For another nationality law' refers to African independence movements and holds a critical position towards 'colonial domination'. Accordingly, a petition that brought together 6,072 signatures was submitted to parliament, which aimed at correcting 'situations of injustice towards the children of immigrants born in the national territory under a law dating from 1981'.<sup>102</sup> Despite some improvements in access to citizenship for individuals born in Portugal, the campaign was not a complete success. The eighth amendment to the 1981 Nationality Law (Organic Law no. 2/2018, of 5 July) removed some obstacles to acquiring nationality by the children of foreigners born in Portugal. Before, it was necessary to declare that they wanted to be Portuguese, now it is enough not to reject Portuguese nationality. The minimum term of residence of one of the parents was also reduced from five to two years, and the proof of residence became the identification document of one of the parents. However, foreign citizens sentenced to a term of imprisonment of three years or more remain excluded from the acquisition of Portuguese nationality. Despite a slight improvement, this measure prevents many socially excluded individuals born in Portugal, or residing in the country for most of their life, from becoming citizens with full rights. A 'life sentence' affects their lives even after the sentence has been served.

## Conclusion

We have argued that labour, citizenship and race relations are central to analysing imperial and post-imperial migrations. As the Portuguese case demonstrates, settlement colonisation shaped racially-based social relations that lasted half a century after decolonisation. The forced labour of the 'indigenous' people provided the colonial power with manual workers who were thus removed from the non-capitalist economy. Also, the possibility of access to

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2012-abril 2020)', *Serviço de Estrangeiros e Fronteiras*, 2020, [https://www.sef.pt/pt/Documents/ARI\\_CUMULATIVO\\_2012\\_ABRIL2020.pdf](https://www.sef.pt/pt/Documents/ARI_CUMULATIVO_2012_ABRIL2020.pdf) (1 June 2020).

102 'Petition no 390 / XIII / 3 Calls for the amendment of the nationality law regarding the recognition of nationality by origin in the children of immigrants', *Parlamento*, 19 October 2017, <https://www.parlamento.pt/ActividadeParlamentar/Paginas/DetalhePeticao.aspx?BID=13071> (1 June 2020).

citizenship through cultural and economic criteria raised *assimilados* to the status of resident citizens who, together with the white settlers, formed the basis for the international legitimization of Portuguese sovereignty over African territories. The ending of native status in 1961 and the mass establishment of white settlers in the final years of Portuguese colonialism, sought to sail against the wind of decolonisation, but failed to bridge the social and racial chasm created by colonialism. This is made evident by the continuity between Cape Verdean workers' migration before and after Cape Verde's independence in 1975. Also, there is a continuity between the status of indigenous people and the mandatory loss of citizenship for those who could not prove European ancestry or meet the criteria for the naturalisation of immigrants. Between the 1990s and the early 2000s, there was a preference for immigrants from the former colonies to access citizenship, but as migrant communities in the country diversified as a reflection of the international division of labour, a higher social status started to be granted to white European migrants. The racial question affecting African and Afro-descendant communities is a pressing issue in today's political and social debate regarding citizen participation and police violence, and unequal social conditions.

Since the beginning of 2019, these issues have been gaining more and more attention in Portugal. In January that year, the main topic in the news, in parliament and on the streets was a violent police assault in an impoverished black neighbourhood known as Bairro da Jamaica in the Lisbon Metropolitan Area. A protest followed this by a few dozen young Afro-descendants, which ultimately led to their arrest. In May 2019, eight policemen were convicted and nine acquitted in a trial about violence against black people in 2015 in the Cova da Moura neighbourhood and Lisbon Metropolitan Area.

As these events featured in the public debate, the development of the social struggle of anti-racist and Afro-descendant movements also made its entrance into parliament in October 2019 with the election of three black women as MPs: Romualda Fernandes (Socialist Party), Beatriz Gomes Dias (Left Bloc), and Joacine Katar Moreira (Livre). A new political party also emerged during these last elections: for the first time since 1974 and the end of the dictatorship, a far-right party – *Chega* ('Enough', in English) – is represented by one MP in parliament. One of the measures that this new party aims to implement to 'rebuild Portugal' is to 'spread knowledge about Portugal's history and our contribution to civilisation, with emphasis on the country's foundation and discoveries'.<sup>103</sup>

103 <https://partidochega.pt/70-medidas-para-reerguer-portugal/> (20 May 2020).





'Systemic racism is a colonial legacy'. Protest against police violence, Lisbon, 1 February 2020'. Photo by Vilmária Santos.

All this has led to an extremely polarised debate on the inclusion and exclusion of post-imperial nation states, which is not taking place in Portugal alone. As in other Western European countries, in Portugal, the transition from empire to the post-imperial European present was arrived at through a nationalistic logic that failed to recognise the Europeaness of millions of racialised people living within Europe's borders. It remains to be seen where this debate will lead. But in Portugal, the black and anti-racist movement continues to gain strength, and in early 2020 the biggest demonstrations involving Africans and Afro-descendants ever to take place in Portugal filled the streets. On 6 June 2020, after the Covid-19 pandemic lockdown, major demonstrations took place in Portuguese cities in solidarity with the Black Lives Matter protests. This growth of the anti-racism movement for justice, more public representation of people of African descent and better living conditions, is having an impact: The government announced in May 2020 its willingness to make some

changes to the Portuguese nationality law and move one step closer to *ius solis*, the decades-old promise that 'someone who is born in Portugal is Portuguese, period'.<sup>104</sup>

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<sup>104</sup> This article was written before the publication of the most recent amendments to the nationality law by Organic Law n.º 2/2020, of 10 November. Although without assuming an *ius solis* principle, the new law came closer to this objective, as claimed by social movements, by also granting nationality to 'individuals born in Portuguese territory, children of foreigners who are not in the service of the respective state, who do not declare that they do not want to be Portuguese, provided that, at the time of birth, one of the parents legally resides in Portuguese territory, or has resided here, regardless of title, for at least one year': paragraph f of article 1 of Law No. 37/81, of 3 October, in its current version. In a different political context than the one analysed in this article, the nationality law and immigration rules are being revised again to attract cheap labour from Portuguese-speaking countries.