KING

Knowledge for INtegration Governance

The legal and political dimension of local integration policy

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The KING project's objective is to elaborate a report on the **state of play** of migrant integration in Europe through an interdisciplinary approach and to provide decision- and policy-makers with **evidence-based recommendations** on the design of migrant integration-related policies and on the way they should be articulated between different policy-making levels of governance.

Migrant integration is a truly multi-faceted process. The contribution of the insights offered by different disciplines is thus essential in order better to grasp the various aspects of the presence of migrants in European societies. This is why **multidisciplinarity** is at the core of the KING research project, whose Advisory Board comprises experts of seven different disciplines:
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The project consists in the conduct of preliminary **Desk Research** to be followed by an empirical in-depth analysis of specific key topics identified within the desk research. To carry out these two tasks, each Advisory Board member chose and coordinated a team of two to five researchers, who have been assigned a range of topics to cover.

The present paper belongs to the series of contributions produced by the researchers of the "Social Science" team directed by Professor Rinus Penninx:

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Social Science		• **" The legal and political dimension of local integration policies" by Tiziana Caponio**
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The project is coordinated by the **ISMU Foundation**, based in Milan (Italy).

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The legal and political dimension of local integration policy

1. INTRODUCTION

This paper investigates the policies and practices of European cities to deal with issues of legal inclusion and participation in the public sphere, considering also the role assigned to immigrant associations in the decision making and implementation of local integration policies.

Although main competence over the legal and political dimension of integration lies at the national level, local authorities can nevertheless enjoy a considerable margin of manoeuvre in implementing national policies and/or can promote specific initiatives to facilitate immigrants' access to secure legal status (e.g., a dedicate office providing information on how to prepare the naturalisation procedure) or to favour their political participation (e.g., consultative committees).

In this paper I first analyse the issue of legal inclusion, distinguishing between access to legal status for undocumented immigrants on the one hand, and access to naturalisation and permanent status on the other. Then I turn my attention to immigrants' political inclusion, taking into consideration its two main sub-dimensions, i.e.
1) direct political inclusion, through local voting rights;
2) indirect political inclusion, through consultative committees.
3)

For each issue I analyse cities' policy frames, taking into consideration the main elements from which frames can be disclosed, i.e.: a) the target of the policy, or in other terms who is defined to be the beneficiary; b) the official aim of the policy; c) the strategy pursued, that is the kind of initiative actually promoted; d) the organisation of policymaking and implementation, in order to point out the model of governance underlying the analysed policy. With respect to governance, a particular attention will be devoted to relations of:
- vertical governance, i.e. with national/regional levels of government;
- horizontal governance, i.e. with NGOs and other local actors.
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The information sources are represented by the main research projects carried out in Europe on the two topics. Studies and publications considering various aspects of local integration policies often take also into account matters of legal inclusion and political participation. Yet, in this report we will consider primarily literature and projects explicitly focused on the legal and political dimension of immigrant integration, or which at least assign it a crucial relevance.

The main goal of the paper is that of identifying similarities and differences in European cities' policy frames on the (sub)dimensions of legal and political inclusion, and to point out the emerging of trends in terms of convergence or divergence across cities.

2. LOCAL POLICIES OF LEGAL INCLUSION

2.1. From undocumented to legal residence

The treatment of illegal immigrants is indeed a controversial issue, which however acquires a strong relevance for local authorities in the perspective of notions of urban citizenship (Bauböck 2003). With respect to this matter, a preliminary aspect that has to be considered when analysing local policy frames is that of multilevel governance and intergovernmental relations. In fact, criteria for the regularisation of undocumented migrants and access to legal status are established at a national level. Local authorities characterise as administrative arenas (Caponio 2010a), in the sense that they have responsibility exclusively on policy implementation, with respect to which they can enjoy different margins of responsibility and autonomy/discretion.

A distinction can be made between countries that assign to the cities explicit and formal prerogatives on matters of immigrants' regularisation and countries where these procedures are highly centralised. This opposition is very well illustrated by the cases of Spain and France (Burchianti 2010). In Spain, through the institution of the *padron municipal*, which is an administrative register where immigrants who live in a city can register just with their foreign passport and therefore without necessarily having a regular residence permit, the local administration can play an active role in favouring (or discouraging) undocumented immigrants' access to legal status. In fact, since 2003, the Spanish immigration law assigns to the municipalities the task of producing the so called "social rooting" (*arraigo social*) report, which is a fundamental requirement for seeking regularisation. On the other hand, in France the municipalities have no formal competence on matters of immigrants' legal status. At a local level is the Prefect (*Préfet*), as representative of the Ministry of the Interior and therefore of the national government, who enjoys quite a lot of discretional power in establishing who cannot be expelled and has to be regularised on the basis of humanitarian considerations.

However, cities, even when do not formally have any competence on matters of regularisation, can decide if simply overlooking the issue, and limit their intervention to what is eventually required by national laws, or if actively promoting policies which disclose a specific framing of the treatment of undocumented migrants. Four different such frames can be identified: 1) the security frame; 2) the humanitarian frame; 3) the human rights frame; 4) the deserving workers frame. These local frames can be more or less consistent with national policy frames on undocumented migration and legalisation (see for instance: Chauvin, Gracés-Mascareñas and Kraler 2013b). Yet, most of the consulted research does not specify the relation between framing processes at different levels of government.

2.1.1. The security frame

The security frame targets primarily national residents, with the aim of reassuring them about the respect of legality in the city and about the enactment of controls on unwanted immigration. Usually, the political discourse in these cities is openly anti-immigrants and the concrete actions carried out are aimed at sending the message that undocumented migrants are not welcomed. The main strategy is that of introducing restrictive measures as public order ordinances that make life for them extremely difficult and therefore impede access to legal status. In terms of policymaking, political actors, and in particular local government majorities where anti-immigrant parties are represented, have indeed a crucial role; yet, implementation can be more or less consistent with official restrictive policy, depending on the administrative cultures of public officials and street-level bureaucrats.

The municipalities of the Lombardy region analysed by Ambrosini (2012) are a case in point: various ordinances have been approved in the late 2000s to contrast irregular immigration both explicitly, as in the case of enhanced controls on busses and even private houses, or implicitly, as in the case of the ordinances against Roma spontaneous settlements, where undocumented migrants are very likely to find a temporary shelter. These measures aim at excluding and expelling them from the city, while reassuring the local population about the centrality of security for the maintaining of social cohesion. To strengthen the security frame, some municipalities have also approved ordinances which restrict the right to reside officially in a territory by introducing hurdles in the registration procedures, such as the request of providing additional documentation (e.g. proving adequate income, criminal record etc.) or imposing a preliminary check on the healthiness and/or of the 'decency' of the dwelling.

The security policy frame emerging in many cities in the Lombardy region at the end of the 2000s can be regarded on the overall consistent with the national approach towards undocumented migration pursued in the same period by the 5th Berlusconi government (spring 2008). In this latter the anti-immigrant Northern League played a crucial role, since one of its leaders, Roberto Maroni, was appointed Minister of the Interiors (Ambrosini 2012, 5). Yet, it has to be pointed out that similar initiatives were undertaken by other Italian cities in the middle of the decade, when at the national level a centre-left government was in power and the policy frame on immigration was far less restrictive towards undocumented migrants (Zincone 2011). A case in point is that of Padua (Ostanel 2013): in the mid 2000s the then centre-left Mayor of the city, Flavio Zanonato, approved a series of ordinances targeting run-down blocks in the area of Via Anelli, indirectly hitting the undocumented migrants who used to live there as squatters.

2.1.2. The humanitarian frame

The policy target in the humanitarian frame is represented primarily by asylum seekers, including also those whose application has been rejected and therefore are at risk of being expelled. This category of migrants is presented as a particularly vulnerable one, which requires special attention and support on the part of public policy. Research on national regularisation policies (Chauvin, Gracés-Mascareñas and Kraler 2013b, 119) show the increasing centrality of employment as a condition for migrant legalisation, challenging the framing of undocumented as vulnerable individuals. Yet, some European cities do not seem to follow this trend, and continue to look at undocumented migrants primarily as individuals facing particularly severe dangers in their home countries and therefore deserving support on the basis of humanitarian considerations.

A strategy going in this direction is the Sanctuary City movement, which started in the US but since the late 2000s has taken more and more grounds also in the UK. Sheffield became a city of Sanctuary in 2007, followed by Bradford, Bristol, Coventry, Leicester, London, Norwich, Nottingham, Oxford and Swansea (Cities of Migration and Maytree Foundation 2012c, 23). According to the Maytree Foundation report *Good Ideas from Successful Cities – Municipal Leadership on Immigrant Integration*, policies in these cities are aimed at creating a favourable context for the protection of refugees and asylum seekers, in the perspective of favouring their permanent stay. In terms of local governance, sanctuary cities-like policies require broad partnerships between different actors, the local Council in the first place, but also NGOs, civil rights movements and community organisations. In the case of Sheffield, the initiative was taken by faith and community groups, but in the course of time over one hundred associations joined the movement (Cities of Migration and Maytree Foundation 2012, 24).

However, the Maytree Foundation report does not provide detailed information on the effectiveness of these policies in terms of changing attitudes in the local population towards refugees and favouring the access of these latter to legal status. More research is also needed on how the sanctuary-city approach to undocumented migration interacts with more restrictive policy frames at a national and European level.

The case of the US seems to demonstrate that sanctuary cities, by preventing staff working for city's services from asking individuals about their status, can effectively hinder the enforcement of federal and state legislation.

2.1.3. The human rights frame

A variant of the humanitarian frame can be found in the *human rights* frame, which regards undocumented in general, does no matter the reason of their stay (e.g., for work reasons, to seek asylum etc.), as particularly vulnerable individuals, who have to face more threats to their safety and security than ordinary residents and are at greater risk of marginalisation because of their lack of a residence permit. Cities that adopt such an approach show a particularly open stance towards undocumented immigrants' access to fundamental rights, from legal status to health, education, housing etc. and to legal status in particular.

This open stance can often reflect the political struggles between central and local government, as well as between right-wing and left-wing political majorities, around the issue of undocumented migration. A case in point is the Communist city of Pierre-Bénite, in the Lyon area in France, that in the 2000s set up, together with the NGO Cimade, particularly active in supporting immigrants, an "alert system" aimed at monitoring the difficult situations faced by some illegal immigrants in the city and at finding favourable solutions in collaboration with the Prefecture (Cinalli 2008). In this same period, The Socialist city of Villeurbanne (Cinalli 2008), always in the Lyon area, undertook the practice of favouring so called "republican sponsorships" of illegal immigrants on the part of national citizens or local officials. In particular, the sponsor engaged him/herself to support an undocumented immigrant by providing juridical advice to get access to legal status.

As is clear, in the French cities mentioned above the role of politicians in promoting actions overtly contradicting the national political attitude towards undocumented comes to the fore.[1] Other actors such as the NGO Cimade in the case of Pierre-Bénite are somehow associated to the initiative, yet this reflects primarily a top-down approach. Yet, the human rights frame does not imply necessarily a primacy of politics in the system of local governance. In the case of Ghent in Belgium (Gebhardt 2010), the municipality offers legal advice to all immigrants, irrespectively of their juridical conditions, in order to favour their access to other services and rights. Public officials together with NGOs are crucial in undertaking and carrying out this kind of legal service.

2.1.4. The deserving workers frame

According to the deserving workers frame, undocumented migrants are primarily foreign workers who haven't been able to enter legally or to keep their residence permit, even though there is a need for them in the local economy.[2] The aim is that of favouring the permanent stay of these – locally - "useful" workers. To this end, specific policies are likely to be undertaken especially during national amnesties, such as information and counselling services in order to provide support in filling up the application and following the regularisation procedure. These are usually *ad hoc* measures, which last for the short period of the amnesty campaign. Of a central relevance for the undertaking of such policies is the presence of strong policy networks between trade unions, employers organisations and NGOs. The municipality usually plays a

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[1]Chauvin and Garcés-Mascareñas (2012, 244) underline how in France in the mid-2000s many local city halls undertook initiatives similar to that of Villeurbanne to mark their opposition to Sarkozy's repression of undocumented immigrants.

[2]With respect to recent works on the "deservingness frame" of undocumented migration (see for instance: Chauvin, Garcés-Mascareñas and Kraler 2013a), which are focused essentially on national level policy and bring to light the moral basis of immigrants participation into the economy and labour market, at a local level a much more utilitarian considerations has to be pointed out, in the sense that deservingness is usually based on arguments regarding the positive contribution of immigrant workers to the local economy, rather than on employment as a civic obligation.

role in the coordination of such networks, favouring the dialogue with Police Headquarters and other concerned public institutions.

Examples of this kind of frame can be found in the studies examining the implementation of national laws on immigrants legalisation in Italian cities. In particular, Zucchini (1998) analyses the implementation of the 1995 amnesty in Turin and Brescia: in the first city, a mobilisation from below took place in order to facilitate the regularisation of immigrant undocumented workers, which lead to the emerging of a network between trade unions, NGOs, the municipality and the Police Headquarters; in the case of Brescia, instead, a far more restrictive framing prevailed, with no collaboration between the Police Headquarters and the other actors concerned with immigrants' rights, since the former emphasised the supposed neutrality of the regularisation procedure and the respect legality. Another study on the renewal of residence permits in different cities in the Piedmont region (Caponio 2007), shows the emerging of a particularly active pro-immigrant network in the case of Cuneo, sharing a common definition of immigrants as "useful and deserving workers". In 2003 trade unions, employers organisations, Catholic and lay NGOs, the Province and the municipality of Cuneo, together with the Police Headquarters, started to regularly meet in order to smooth the implementation of the 2002 immigration law, which imposed new restrictions on permits renewals.

2.2. Access to citizenship

Similarly to the case of access to legal status for undocumented migrants, it is up to national laws to draw the boundaries between citizens and non-citizens and to decide under which conditions the latter may aspire to become members of the national community. However, while only rarely acknowledged and studied, the local dimension of citizenship policy may nevertheless represent a crucial policymaking arena in contemporary receiving countries, since it is at a local level that criteria for membership in a certain community acquire social meaning. This is particularly evident in the case of Switzerland (Helbling 2008 and 2010), which is the best example, and probably unique, of a local political citizenship arena in Europe: in this country final decisions on applications for naturalisation are taken at a municipal level by a political body, either the local parliament, or the executive, or even the entire population through direct ballot (Helbling 2008: 13).

However, apart from the competence formally accorded to local authorities on naturalisation procedures, cities can play a role by promoting specific actions aimed at fostering access to citizenship. These can disclose different framings of the issue. From our literature review, two appear as particularly prominent: 1) the enabling and activating citizenship frame; 2) the local citizenship frame.

2.2.1. The enabling citizenship frame

The assumption characterising this policy frame is that it is not sufficient for an immigrant to satisfy the formal conditions required by the law (number of years of legal residence, language knowledge etc.) in order to apply for naturalisation. More is needed, in particular in terms of knowledge of the procedure, of the responsible bureaucratic institutions and of the possible problems that can arise. Hence, this frame targets foreign immigrants who, according to existing laws, meet all the conditions to obtain naturalisation, and aims at supporting and encouraging them to apply. The policy strategy usually pursued is that of rising awareness on the advantages of being a *de jure* citizen through citizenship campaigns. However, also other more specific measures are likely to be promoted such as language training to pass tests, administrative support in the undertaking and follow up of the procedure etc. In terms of organisation of policymaking, the initiative can be taken either top-down from the city's government or bottom-up from NGOs, in both

cases leading to the establishing of extensive networks and mobilisation around the citizenship issue.

The naturalisation campaigns carried out in some German cities such as Berlin or Hesse (Chopin 2006: 226) are a case in point. A more elaborated project has been promoted by the municipality of Hamburg, where volunteer facilitators from various different communities have been trained to provide advice about citizenship procedures to those who showed to be hesitant or needed guidance because of linguistic barriers, fear of bureaucratic processes or lack of knowledge on the benefits of naturalisation (Cities of Migration and Maytree Foundation 2012b). The implementation of the project has been carried out by a network of immigrant associations and local pro-immigrant rights NGOs.

2.2.2. The local citizenship frame

The target in the local citizenship frame is not a specific category of immigrants, but rather national legislation, which is regarded as too restrictive and as penalising immigrants integration processes. The aim is that of putting pressure on the national government for undertaking reform of the citizenship law, and to raise awareness in the national and local public on the issue. To this end, information campaigns and demonstrative actions are likely to be undertaken, to show that those who live and are fully integrated in the city should be considered as citizens in every respect. A centrality of the local government and, in particular, of political actors, can be expected in the undertaking of such policies, which have a highly polemic content vis-à-vis the national government.

A case in point is that of the recent initiatives undertaken by many Italian cities among which Rome and Turin to grant the honorary citizenship to immigrant children who were born and have been living in these cities. The honorary citizenship is just a symbolic reward, yet these ceremonies have the goal of putting on the agenda the unfairness of the national law towards second generations in Italy. This allows them to become citizens only at 18 years old, even when born in the country.

2.2.3. A unique case of local political citizenship arena: Switzerland

In the case of Switzerland, where, as mentioned above, local authorities have full responsibility on deciding on individual citizenship applications, we should expect the emerging of different frames, more or less favourable to accept foreigners as full members of the local community. In this respect, Helbling (2008 and 2010), shows how in some Swiss municipalities rejection rates are higher than in others and identifies three explanatory factors. First of all, different local understandings of citizenship have to be taken into account, since some municipalities emphasise cultural affinity while others show a more universalistic orientation; secondly, rejection rates are influenced by the strength at a local level of the Swiss People's party, namely the major Swiss right-wing populist party; third, direct democratic decision-making procedures are also relevant, since these may provide an opportunity for right-wing populist parties to mobilise the people. As a consequence, at least two opposite frames emerge, one reflecting an ethnic understanding of citizenship and an anti-immigrant stance, the second more open towards immigrants inclusion on the basis of a universalistic approach.

3. POLITICAL PARTICIPATION: POLICIES OF DIRECT AND INDIRECT INCLUSION

Similarly to access to legal status and citizenship, also the definition of the criteria for access to political rights is primarily a national competence. Cities have no autonomous powers on matters of political participation. Yet, processes of political mobilisation cannot but take place at a local level, where

immigrants interact everyday with the receiving society and its institutions. Therefore, the local level is of a crucial relevance for immigrants political participation and inclusion into the public sphere.

Two types of political inclusion can be identified: direct political inclusion, consisting of voting rights and incorporation into mainstream political institutions; indirect political inclusion, through consultative committees or immigrants' councils. The two are linked together: since access to local voting rights is not the norm in Europe,[3] throughout the 1990s various cities have undertaken initiatives aimed at including immigrants into the local political sphere at least indirectly through consultative institutions (De Haas 1997). Yet, these institutions can serve different purposes, and actually it is common to find them also in cities where immigrants have access to local elections.

First overviews of local policies of direct and indirect political inclusion have been provided in the context of two international research projects: the Unesco-MOST Programme Multicultural Policies and Modes of Citizenship in European Cities (Penninx and Martiniello 2004); the survey carried out among cities belonging to the ELAINE network in 1997 (De Haas 1997). Both projects have pointed out the relevance of intermediary political participation structures at a local level, also in cities where immigrants have access to local voting rights. More recent projects such as the CLIP research module on Inter-group Relations and Intercultural Policies (Heckman and Lüken-Klaßen 2010), show how in many cities these institutions are still relevant today, especially in the context of the intercultural policy turn. Consultative committees and platforms gathering together immigrant organisations can assume a crucial relevance in the implementation of various initiatives aimed at promoting intercultural dialogue, both at a city and district level. Furthermore, the CLIP research shows how indirect political inclusion can be carried out also on a more informal and *ad hoc* basis, with occasional meetings and/or participation in the implementation of specific initiatives targeting immigrant groups.

On the one hand, direct inclusion through voting rights can be either possible or not, depending on national legislation; on the other, indirect inclusion can characterise either as formal and institutionalised or an informal and/or ad hoc. By crossing these two dimensions, we obtain a typology of possible local frames of political inclusion.

Table 1 - Typology of policy frames on immigrants political participation

		Direct inclusion (voting rights)	
Indirect inclusion (consultative committees)		Yes	No
	Formal	Participatory frame	Representative frame
	Informal	Egalitarian frame	Mediation frame

In the sub-sections below we analyse these frames and provide examples for each one on the basis of the evidence available in the main research projects on immigrants political inclusion. Among these, of a particular relevance is the LocalMultiDem project, funded by the 6th Framework Programme of the European Commission, which has investigated immigrants and ethnic groups political and civic integration by considering, among other factors, the local political opportunity structure in 6 European cities, i.e. Budapest, London, Lyon, Madrid, Milan and Zurich. Furthermore, as anticipated above, also the CLIP project on Intergroup relations and intercultural dialogue carried out in 2009 took into consideration

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[3]According to MIPEX, in 2010 six countries accorded to immigrants active and passive electoral rights at a local level after three years of legal residence, i.e.: Denmark, Finland, Ireland, The Netherlands, Norway and Sweden. Another six countries allow full political participation at a local level but on a more restrictive basis: Lithuania, Portugal, Slovakia, Spain, Switzerland and the UK. Luxemburg enables immigrants to participate in voting after three years of legal residence but not to stand for elections. This is also the case in Belgium, Estonia, Hungary and Slovenia, even though these countries require five years of residence and registration to the electoral office.

immigrant associations and ethnic groups' representation. Other projects regarding more generally local integration policies have been considered insofar as these take into account the issue of immigrant political participation.

3.1. The participatory frame

The participatory frame characterises cities which allow both for immigrant direct and indirect inclusion. Not only foreign immigrants have access to voting right, but also specific institutions are put in place to provide a further channel of political participation. However, these institutions can vary considerably in terms of target and aim. As a consequence, the general participatory frame is likely to assume slightly different connotations, according to the type of consultative institution put in place.

A first goal can be that of providing a venue for the representation of different ethnic communities and immigrant groups. Amsterdam immigrant participatory policies in the 1980s and 1990s appear a case in point. The city of Amsterdam established advisory councils for minorities already in the early 1980s, mirroring the national Minorities Policy. The goal was that of providing venues for the representation of the immigrant communities living in the city and get them more involved in processes of policy formulation. In more concrete terms, five advisory councils were established, i.e. Turks, Moroccans, Surinamese/Antilleans, South Europeans and refugees, Chinese and Pakistanis, each one constituted of representatives of individual minority organisations and financially and administratively supported by the city administration (Alexander 2007, 178). In 2003 the advisory councils were discontinued, and a new Diversity Council was set up in 2005. This is constituted of representatives of different immigrant associations and acts as a public inquiry institution (Van Heelsum 2010), i.e. it airs criticisms and gives voice to the concerns of the ethnic communities. It meets about four times a year with the Advisory Board on Diversity and Integration, which comprises also experts. The new institution stresses the necessity of establishing a link and strengthening the dialogue between immigrant associations and the city administration, rather than simply representing the different ethnic minorities, as was the case with the previous advisory councils. According to some scholars (Uitermark 2012), the framing of Amsterdam policies of indirect political inclusion has moved from the multicultural approach of the 1980s and 1990s towards a greater emphasis on the diversity of the city as a whole. As a consequence, consultative institutions should not be aimed at simply recognising the interests of the different groups, but rather at debating and negotiating diversity, in a process where different parts are involved, i.e. members of ethnic groups and experts.

Another development in the local indirect inclusion policy can be found in the case of Copenhagen. Similarly to the Netherlands, also in Denmark access to local voting rights is allowed after 3 years of legal residence. Hence, immigrants can have access to direct political participation. Furthermore, since 1998, an Integration Council has been established "to 'attend to the interests of the ethnic minorities and act as their mouthpiece', as well as to 'guide the politicians, the standing committees and the administration of the city on how to secure an efficient and coherent integration policy'" (Penninx 2010). It used to be composed of nominated representatives of ethnic organisations, in addition to experts and representatives of the social partners, housing corporations and educational institutions. Since 2006 the representatives of immigrant groups are directly elected from the population of residents with (non-western) immigrant origin, and immigrant organisations as such are not involved anymore. A shift from group representation towards individual participation seems to have taken place.

In terms of governance models, the analysed cities seem to disclose a rather top-down organisation, in the sense that the different councils are promoted and set up by the city governing institutions (the council or the executive) and are somehow directly or indirectly linked to them.

3.2. The egalitarian frame

The egalitarian frame can be found in cities where local voting rights are accessible and no further formal institution of participation is in place, even though informal contacts and/or ad hoc consultation occasionally can take place, often through city participation platforms which are not dealing exclusively with migration related issues. In general, it is assumed that immigrants are *de facto* politically included since they have full access to local elections, and therefore, if willing, they can participate in the public sphere. Immigrants are put on the same plan as national citizens.

Yet, some of these cities seem to acknowledge that the fact of formally having the right to vote and/or to stand for elections does not entail that political participation will necessarily follow. In other terms, formal equality is not considered enough, while a more substantive notion of equality, implying active participation and concrete involvement in local politics is regarded as key to integration. Cities adopting such an approach will adopt policies of political inclusion that target individual immigrants and aim at fostering their political participation by turning a formal right into a concrete capacity. In terms of strategy, different kinds of actions can be undertaken, such as training courses in voting education, information sessions on local politics, information campaigns on electoral rights.

The city of Dublin is a case in point. In Ireland, legally resident non-EU citizens can vote in local elections, yet participation had historically been very low: in the 2007 election, only 8,400 out of a potential of 75,000 migrants registered to vote (Cities of Migration and Maytree Foundation 2012a, 18). Barriers identified included the very young profile age of foreign potential voters and a lack of targeted information on how to register and why they should vote. In view of the 2009 local elections in Dublin, the Migrant Voters Campaign Project was launched with the aim of raising awareness of migrants' voting right. In particular, the city organised one day voting education training for 74 community leaders who were then involved in delivering voters' information sessions within their respective communities and in other communities across the city. Posters advertising the project were translated into 25 languages as part of the registration campaign. To carry out the project, immigrant communities and their associations were involved since the very beginning: a steering committee of 16 immigrants from 12 countries representing ethnic, religious, cultural groups and business interests was established (Crawly and Crimes 2010). Therefore, communities have been involved in order to support immigrants' individual voting rights, which is the very focus of Dublin city policy in terms of political inclusion. In general, immigrant groups are consulted through both informal and formal channels such as focus groups on specific matters like access to public services, safety and security etc. Yet no permanent consultative committee has been established and consultation is always on an *ad hoc* basis.

A similar approach can be found in the city of Dortmund (Cities of Migration and Maytree Foundation 2012b). In Germany immigrants do not have access to local voting rights, yet the 20% of the population in 2011 had a migrant background. According to a study carried out by the Max Plank Institute for the Study of Religious and Ethnic Diversity (Schönwälder, Sinanoglu and Volkert 2011), they are significantly underrepresented in Germany's political institutions. In the case of Dortmund, always in 2011 the 28% of the population were of an immigrant origin, yet only the 5% of the local council members had such a background. To address this gap the city of Dortmund launched the project "Politics with Impact" (*Politik Mit-Wirkung*) with the aim of increasing the political participation of ethnic communities. The project was coordinated by the city Migration and Integration Agency and by the Integration Council, an advisory board founded in 1972 and whose members are elected since 1983. Even if in this city we find a formal representative institution of immigrants' interests, yet there seems also to be a clear consciousness of the limits of these kind of bodies and of the necessity to be directly involved in policymaking.

Usually the organisation of these policies is of a top-down kind, since these are initiatives promoted directly by the local government which seeks to address individuals. Yet, NGOs and immigrant associations can be involved in various manners in order to reach the potential beneficiaries.

3.3. The representative frame

The representative frame emerges when cities establish formal consultative institutions in order to compensate for the lack of access to local voting rights and to provide a venue for the representation of immigrants in the local political sphere. Similarly to the participatory frame, also in this case sub-frames can be pointed out, depending on who is the target of the policy, i.e. the subject to be represented in the consultative committee, if immigrant groups and their organisations, or individual immigrants.

If the target are immigrant communities, and the aim is that of representing the different groups living in the city and giving them the possibility to voice their view and interests in local policymaking processes, a first strategy that can be pursued is that of setting up a consultative committee composed of appointed representatives of the different groups. This is the case for instance in Lisbon of the Municipal Council of Migrant Communities and Ethnic Minorities, a consultative council that includes representatives of the bigger ethnic minority associations, established in 1993 (Ponzo 2010). New members are selected by current members of the Municipal Council and its president according to the criteria of "relevance": for each of the largest ethnic minority living in Lisbon, those that are regarded as the most relevant associations are invited, while other associations can attend the meetings, although without the right to vote.

However, the target can be represented also by individual migrants living in the city, in the sense that the consultative council can be regarded as an instrument to foster individual participation. Usually this is the case of consultative committees directly elected by foreign immigrants. These committees allow for the representation - depending on the electoral rules - of the immigrants and/or associations, which have received the higher number of votes. This does not guarantee that all the communities present in a city will have a sit, since also inter-ethnic and mixed associations can take part in the electoral competition. The goal is rather that of fostering immigrants' grassroots participation without taking for granted groups affiliations and identities. A case in point is the Foreigners' Council (KAV) set up by the municipality of Frankfurt (Lüken-Klaßen and Pohl 2010). Its 37 members are directly elected by third country nationals and participate in all of the City Council committees. Furthermore, it acts as an advisory council of the city government.

In a similar vein, the "Conseil des Résidents Etrangers Lyonnais" ("Council of Lyon Foreign Residents") of the municipality of Lyon, set up for the first time in March 2005, was explicitly presented by the city Mayor as an institutions which was not aimed at representing communities or immigrant associations, but rather the immigrant population as a whole. This stance clearly reflects the official rejection, quite strong in France, of any representation of communities or particular interests (Cinalli 2008). However, the CREL members were not elected but appointed for three years. After an information campaign carried out in the local press and through organizations in contact with foreigners (consulates, associations etc.), about 200 applications were received. The selection of councillors was made by taking into account different criteria, the idea of diversity being presented as a key one. First, the composition of the Council was made by considering the importance of the different immigrant groups settled in Lyon. Following this principle, 37 nationalities were allowed to enter, and for the most numerous communities (such the Algerians, 3 councillors were assigned, while less important groups obtain two councillors or just one. The rule of parity, i.e. equal representation of men and women, was also respected and criteria such as the age, the social

backgrounds and the local districts of the members were also taken into account. Some of the CREL's members are also associations' militants.

However, most of existing studies on immigrant consultative committees do not allow to conclude that these institutions can effectively compensate for the absence of local voting rights. In other terms, their involvement in policymaking processes is not usually investigated in-depth. In general though, these committees seem to have a quite limited role in the definition of local policy. In the case of Lyon for instance, the CREL is regarded as a place of reflection and proposal. It must gather at least four times a year in plenary assembly, and has a formal right of information about local policies; furthermore it can make proposals, spontaneously or when consulted by the City Council. Yet, the City Council has neither the obligation to consult the CREL each time it examines a special issue related to immigrants' integration nor to follow its advice.

Similar issues are raised in Però (2005) study of the Consell Municipal d'Immigració established in 2001 by the City of Barcelona. According to the city council official documents, the Consell is a consultative body aimed at favouring immigrants' participation and at creating the necessary conditions for their access to full citizenship, regardless of their administrative situation. To this end, different actors are taking part in the Consell, not only immigrant associations, but also pro-immigrant autochthonous organisations and 'mixed' organisations, as well as representatives of the local authorities and of employers' associations. Yet, according to Però (2005, 9) its concrete functioning reveals how the Consell played a limited role in local policymaking, since it met rarely, only once or twice per year, and just on the initiative of the city council, while requests for extraordinary meetings coming from the associations were systematically disregarded.

3.4. The mediation frame

The mediation frame can be found in those cities where no formal voting rights are accorded and no institutional channel of representation is in place, yet immigrants are consulted when decisions or initiatives that directly concern them are to be taken, either informally or through formal *ad hoc* consultative platforms. Occasional mediation and consultation is the usual mode of immigrants inclusion into the local public sphere. In terms of organisation of policymaking, usually a centrality of public officials can be noticed: these latter, especially if they have a long experience on matters of immigrants integration, can mobilise the immigrant organisations they are in touch with. This does not of course ensure representativity, but primarily some feedback from part of the policy recipients.

The mediation frame seems to characterise a recent immigration city such as Valencia in Spain (Caponio 2010b). Even though a formal institution of immigrants representation is not present, CAI (*Centro de Apoyo a la integración*) officials have established networks with the main communities and immigrant organisations, and informal meetings are organised with them when the municipality is in the process of discussing the Pluri-annual Integration Plan. Furthermore, immigrant associations are sometimes involved as partners in the carrying out of specific activities, in particular intercultural festivals and other public events.

A similar approach can be found in the case of Turin (Caponio, Ribas and Nielsen 2000; Ricucci 2009). With respect to immigrants' political participation, this city has undergone two main phases: the mid 1990s, which were characterised by the prevailing of the representative frame; the 2000s, when an approach based on mediation started to take place. In the first period immigrants' political participation featured as a particularly prominent issue in the local political agenda, as pointed out by the decision of establishing in 1995 the Municipal Consultative Committee. This was directly elected by immigrants who had been living in the city for more than three years on the basis of a complex electoral system aimed at ensuring the

representation of the main geographical areas of origin of the immigrants living in the city, i.e. Europe, Eastern Europe, North Africa, Sub-Saharan Africa and Asia. However, the Municipal Consultative Committee was abandoned in 1997, given the scarce participation of immigrant associations in the meetings. They revealed to be structurally weak, and often lacked the resources to organize on a permanent basis (Caponio, Nielsen and Ribas 2000).

Since then, the issue of immigrants' participation in Turin was side-lined, even though immigrant associations have often been involved in projects of urban regeneration at a district level, as in the case of the project The Gate, carried out in the Porta Palazzo area and funded by the European Social Fund. In the mid-2000s the then centre-left political majority decided to undertake a formal revision of the City Statute to allow for immigrants' participation in the city districts elections. Even though the initiative was boycotted by the Council of State, that ruled it as unconstitutional, it clearly points out the emerging of a new framing of immigrant participation, not as groups' representation but rather as a matter of individual inclusion into general voting rights. At the same time, the city administration had been carrying out processes of informal mediation with immigrant associations on particularly problematic matters. A case in point is the Pellerina Park mediation process. In 2006, hundreds of Latin American immigrants started to join informally together in this park at the outskirts of the city to suit their need for socialisation on Sunday, causing protests among Italians because of noise, rubbish, unauthorised barbecues etc. As a response, the Integration Department initiated a process of counselling with Latin American associations to better organise the use of the park and to allow both Italians and immigrants to benefit from it. Contrary to the case of Valencia, in Turin we find a direct involvement of the Deputy Mayor on Immigrant Integration in these mediation processes. This can be explained by considering the particular background of the then Deputy Mayor as practitioner in the field of urban regeneration and immigrant integration (Ricucci 2009).
A different approach is followed by the city of Milan, where the local administration throughout the 1990s and 2000s had in place neither formal immigrants' consultative committees, nor informal mediation processes with immigrant associations (Caponio 2005; Cinalli 2008). In this case, mediation has been carried out primarily with Italian NGOs, especially of a Catholic background, working for immigrant integration, that have a long tradition of intervention in the social policy field.

Examples of the mediation frame can be found also in cities with a longer immigration history such as Vienna. In this city, the municipality department responsible for immigrant integration policy (MA-17), is particularly involved in the coordination of the so called 'Associations platforms' established at a district level, where different communities, NGOs and local politicians address the development of their district. As is clear, these platforms have a broader scope than representing the different immigrant communities in the city. They are participatory instruments which provide to associations in general, not only immigrant ones, a voice in district policymaking processes; therefore immigrants and ethnic minorities are treated as equal partners (Fassmann, Kohlbacher and Perchinig 2010). In a similar vein, the city council of Kirklees does not provide an institutionalised council for relations with ethnic or religious organisations, since it believes that there are a range of mechanisms for communities to engage, including through local elected members, various voluntary sector networks, consultation exercises and direct contact with officers (Crawly and Crimes 2010b) Yet, the city Council has informal, regular contacts with ethnic and religious organisations and provides funding to most of them.

4. CONCLUSIONS

The analysis carried out in this paper shows how cities can play a relevant role also in matters which are primarily of a national competence, i.e. access to legal status and citizenship on the one hand and immigrant political inclusion on the other. The literature review shows a highly scattered picture on both

dimensions, with different kinds of policies unfolding different frames of immigrants legal and political integration. It is difficult to identify clear trends, either of convergence or divergence. Yet, we can point out at least some prevailing approaches.

On the legal dimension, some cities emerge as advocating a conception of urban citizenship (Bauböck 2003) open towards undocumented and/or towards immigrants access to naturalisation, often contrasting national restrictive understandings of who has the legitimate right to live in a country. Yet, and opposite to this, other cities adopt a *security framing*, which is aimed at excluding - more than at including – undocumented immigrants from the local society, while as far as citizenship is concerned, the ethnic frame characterising some cantons clearly goes in the same direction. Local administrations do not emerge as necessarily more accommodative or far-sighted than national authorities. Matters of economic utility for the local economy can represent a legitimate base for some opening towards the incorporation of undocumented migrants (see the *deserving workers* frame). Yet, such an open stance cannot be given for granted.

As for access to citizenship, the lack of systematic studies on local level policies, does not allow us to advance generalisations on cities' frames on this specific issue. As a matter of fact, and with the exception of Helbling (2008 and 2010) study on Switzerland, existing research usually takes into account virtuous cases of cities that have undertaken an initiative on this matter, yet we lack a clear picture of the factors that can push cities to mobilise on immigrants' naturalisation. The experience of some of the analysed cities, and in particular those which are grouped under the *enabling citizenship* frame, seems to suggest that citizenship can be a contested issue across levels of government, and in particular between national and local levels. In Italy, through symbolic policies such as the granting of honorary citizenship, some cities have overtly contested the incapability of the national government to bring about a reform of the obsolete 1992 citizenship law.

As for political inclusion, four different frames have been identified as emerging from the crossing of two distinct dimensions, i.e. direct inclusion through voting rights, which is dependent upon national legislation; indirect inclusion through consultative committees, informal mediation and/or *ad hoc* consultation (see figure n. 1). In other terms, cities where immigrants enjoy local voting rights can either pursue a strategy aimed at strengthening their individual participation in local elections, which unfold a prevailing *egalitarian* frame, or can promote specific institutions in order to provide a further channel of political participation, as in the *participatory* frame. If local voting rights are not available, cities can either set up consultative institutions in order to compensate for the lack of electoral political participation, as in the case of the *representative* frame, or prefer to carry out just informal and/or *ad hoc* consultation with immigrant associations, as in the case of the *mediation* frame. In any case, if we consider those cities where consultative institutions are in place, we see that these can serve different purposes and reveal at their turn different frames of immigrants indirect inclusion, i.e.: the group-oriented frame, aimed at ensuring representation and recognition of immigrant groups and associations; the individual participation frame, which on the contrary emphasises immigrants individual participation, as in the case of elective consultative committees; the diversity frame, which regards as crucial the recognition and negotiation of diversity rather than of difference.

Again though, also with respect to the dimension of political inclusion, it is difficult to identify clear trends, since most of the analysed studies are descriptive and limited to the cities' recent experiences. The few ones that adopt a historical perspective seem to reveal a certain disenchantment towards consultative institutions, especially if these are aimed at group recognition. A certain trend towards mainstreaming political rights can be hypothesised, as emphasised by those cities that show a preference for elective consultative committees and/or adopt a strategy aimed primarily at putting pressure on the national government in order to allow immigrants' access to local voting rights. As a consequence, consultative institutions are regarded more and more as instruments for establishing a dialogue between the different

actors involved in matters of immigrant integration, rather than as strictly representative bodies.

To sum up, in terms of multilevel governance, cities appear indeed crucial actors both on the legal and political dimension. Cities are not only the level at which national policies are concretely worked out, but they show a considerable capacity of elaborating their own original policy approaches even on matters, such as undocumented access to legal status, naturalisation and political participation, which are traditionally of a national competence. Yet, if and to what extent cities promote more accommodative and pragmatic policy frames is an open question. Cities can either promote inclusion, as most of the cases analysed by the literature reviewed in this paper seem to suggest, or exclusion, or can be simply indifferent towards the legal and political dimension of immigrants' integration. More systematic research taking into account also cases of "unfriendly" cities cannot but be of an extreme relevance in order to shed new light on the factors accounting for different trends in local immigrant integration policy.

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