II. SOCIALINĖ POLITIKA

SOCIAL POLICY, LEGAL AND SOCIAL SERVICES IN PORTUGAL: NEW SOCIAL POLICIES AND CURRENT DEBATES[1]

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Summary

This article aims at contributing to understand Portuguese past and present social policies, within a European, global context. It questions the existence of 'new' assumptions for 'new' social needs. Firstly, social policies contexts and fundaments from the welfare state to the pluralistic welfare and workfare are approached and contrasted, while trying to understand the *European social agenda* in an age of globalization. Secondly, the new social contract and 'new' generation policies are discussed, while privatization, public responsibility or poverty criminalization problems are questioned. Inequalities, Policies of Difference and their current influences, assumptions, claims and dilemmas are also brought into debate. Finally, some recent Portuguese social inclusion policies, their priority areas and plans are presented and debated, and its economical bases are discussed with a focus on human fulfilment and happiness.

Keywords: 'new' generation social policies, social rights, 'new' times citizenship.

Introduction

In order to understand former and current Social Policies in Portugal it is crucial to question their role within contemporary society, taking in account that their configuration, within a view of public utility, is intertwined with their contexts of implementation. In the last decades in Europe and necessarily in Portugal, there have been important changes that have implied transformations within states and in

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the relations among states. These changes have been also implicit in the adoption of 'new' social policies, inspired in the New Public Management principles. These policies drive (and are driven by) citizens' global and local contexts restructuring, affecting and influencing their ways of life.

In the absence of a measure of European transnational regulation, an Open Method of Coordination with wide and comprehensive objectives was introduced. It defines European norms ('soft law'), which drives the policy making and implementation process and must be (re)contextualized by each country ('hard law'), according to its specific characteristics. National centres account for states enrolment in this process and establish liaisons at European level.

'New' social policies that are being introduced are informed by a new *ethos* aimed at overcoming the Welfare State limits. It must be stressed that Welfare State was quite poorly consolidated in Portugal, in terms of rights', social policies and measures deficit. The matter of the fact is that Welfare State implementation in Portugal was quite late. It emerged in a time when other Welfare States were reaching crisis, already, and Portugal was overcoming an everlasting dictatorship. Such delay and deficit in social protection and provision leads some to question the existence of real Welfare State in Portugal.

Besides that, one may say, it was characterized by tension between, on the one hand, excess of state intervention in institutional-organizational regulation and normalization and, on the other hand, deficit of state with regard to claims for public service and symbolic protection of the system's agents. At the end of the 20th century, Portugal might

"be seen as an example of the 'social model of the South', characterized by a fragmented and corporativist benefit system, a universalist National Health System, a low degree of state welfare penetration and the persistence of clientelism in access to welfare" (Portugal, 1999).

The 'new' social policies generation emerges in the current context of deep changes associated to globalization. They attempt at confronting the so-called former systems crisis. However, and even though great changes have occurred, a hiatus seems to continue to exist between citizens' real needs and the policies aiming at dealing with them, as well as a lacunae between legislation, law and regulation and the effective implementation of change in peoples' daily life.

1. 'New' assumptions for 'new' social needs?

1.1. From welfare state to pluralistic welfare and workfare

In the implementation of social policies process one can consider the sequential development of social assistance, social welfare and 'new' social policies. The development of social policies was inserted in the framework of Modern matrix that informed the Welfare State in Europe and, also, in Portugal (Rodrigues, 2000; Hespanha, 1999). It stood on social democratic notions that envisaged citizens' protection as a right and was issued on resources supplying basis to the national, working male citizen. Such protection was oriented by the principles of universal public coverage but it induced the creation of a strong state dependency. It was typified by citizenship deficit, with regard to participation and recognition. On the contrary, the 'new' social policies arise in the context of difference, diversity and wide fragmentation, in articulation with the claim for cultural rights. Feminist, ecologic, ethnic, sexual orientation, and other social movements are not alien to this (Hall, 1998). In another sense, we have been dealing with what some have called a "paternalist punitive state" which substitutes the former "motherly" protection and care relationship, as we will explore (Wacquant, 2000).

Within the growing fragility of integration, preservation and social cohesion macro-devices, such as work, school and politics, it is difficult to define a common corpus that describes current social policies. The reason is that they come from different welfare systems and they had divergent evolutions (Rodrigues, 2007). However, these policies may be defined as *active* social policies, within a typology that emphasises its casuistic character and that contains the ideas of insertion, territorialisation, and equity, activation, growing flexibility, social participative management and compromise.

Presently, the implementation of new generation policies appears as result of the "old" policies inadequacy recognition. These were in use within a welfare state that worked as "indenisation machine" (Rosanvallon, 1995) and seem inappropriate to deal with the type of social risks recognised as emerging in modern societies. That is how "new social policy conceptions arise, within the framework of actors' new configurations and within the redefinition of social rights. In this context, the civil society takes on new expression towards rights fulfilment and the protection against social risks" (Pereirinha, 2001: 144).

1.2. *European Social Agenda* in an age of globalization

In the 1980s, the emergence of new social problems in Europe, articulating job scarcity and precariousness as well as other changes in the work field, in people's life styles, migration, resources scarceness, technological boom, lead to the arousal of the social exclusion problem (Stoer, Rodrigues e Magalhães, 2003; Pereirinha, 2001). One can find individual and familial, as well as great inequality phenomenon under the umbrella of exclusion. The concept of exclusion shelters new phenomena, which are not recognized within formerly existing categories such as for instance *poverty* (Rodrigues, 2000). Therefore, there is need to ask whether people are faced with new social questions or with politically distinctive ways to deal with old social questions. Nevertheless, within the European Union, the concept of exclusion has been used also to question the role of each member state social policies. Presently,

"there is a rupture with more traditional conceptions of monetary poverty in order to emphasise social disadvantages' multidimensional character and its relational dimensions (not merely distributive) as well as the dynamic character of its genesis and propagation conditions. (…) the existence of factors that limit or impede citizenship rights to be realized, specially social rights, which are in the core of the Welfare State, is assumed also" (Pereirinha).

Iris Young, in her critical effort to identify the limits of redistributive policies, points out that they are contained within systematic institutional oppression processes that impede certain people to learn and to use satisfactory and expanding skills in socially recognized spaces. Institutionalized social processes inhibit people's interaction and communication, their expression of feelings and perspectives. Simultaneously, there are domination institutional conditions that inhibit or impede people to participate in the definition and in the conditions of their actions. In this sense, hierarchical redistributive structures subject the majority to domination in important aspects of their lives (Young, 1990; Fonseca, 2008; Araújo 2007). However, many of them make use of significant institutionalized support to develop and exert their skills and abilities, to express and to be heard. As ways of social justice constraint, oppression and domination do include distributive patterns together with decision making procedures, the division of work and culture, which are not included within these (ibid.).

As a matter of fact, there is a risk that current social policies, within pluralistic welfare and workfare might contain rights' retraction as well, in what concerns redistribution and the commodification of social goods, under the veil of cultural and differences recognition.

Therefore, new assumptions, realities and needs are at stake, which introduce complexity as well as confusion, in the new times of pluralistic welfare and workfare. It is difficult to define a common corpus which shelters and clarifies the ambit and field of new social policies. In the collapse of some of the rights assured by 'old' social protection normative policies, emergent policies seem to provide more individualized attention to citizens. Nevertheless, doubts are raised about these measures' possibility to overcome the great amount of social needs and risks that are recognized in current time. Citizens claimed for new social policies that account for difference, many still suffer these policies inadequacy to answer their needs. If on the hand, social policies seem to pronounce an answer to citizens' needs and claims, on the other, it seems to carry a shift from state responsibility that is translated into more residual social policies, within a state mix idea that enrols civil society. Therefore, the question of how to move towards more advanced new social patterns in peoples' lives, while granting social protection systems' sustainability, remains to be answered.

2. New social contract and 'new' generation policies

As mentioned, in the current context, there are active and new social policies of insertion distinct from the classical resources distribution policies. Its main objective is people's insertion in society, both through work insertion and through socially recognized activities. More than a right of subsistence, which was recognized by the Welfare State, insertion recognizes the positive and useful role of male and female citizens' activities within society. As argued by Castells (quoted in Sousa et al, 2007), one is not dealing with the right to survive but with the right to live in society. There is a shift from a classical "motherly" and traditional social right citizenship philosophy that generated and emphasised a dependency and subordination relationship between the state and the beneficiary. Insertion is sustained in the reciprocal obligation between the beneficiary and society, within the framework of compromise and contract. On the one hand, social protection is expected to be released from its charitable and policing character and society is expected to take into account marginalized population's rights se-

riously, whilst recognizing their dignity as citizens. Individuals are not seen as assisted but as citizens. On the other hand, beneficiaries are expected to develop a positive obligation towards society, both through active job search and through socially recognized useful activities (IEFP, 2008).

In mainstream public action, classical policies' social selectivity is substituted by geographical selectivity through specific programs (Cavaco, 2001). This implies certain changes such as more active and trusting attitude from the state towards citizens. Increase in citizens' rights awareness and greater advance in solidarities and in new ways of action and struggle against passivity and fatalism come as (Cavaco). Therefore, one of the most relevant innovations in the new programmes is the replacement of abstract universally applied devices by defined, pragmatic and concrete social individualized insertion measures. These measures are not top-down but tend to consider beneficiaries as subjects who can be qualified and have capacity of autonomy (Hespanha, 1999).

There have been positive aspects in the new social insertion policies. In what concerns the activation dimension in the new policies, the need to struggle against the dependency from the state, to promote self-sufficiency, to make the beneficiary responsible for his/her situation and to guarantee a work force reserve, are to be emphasised (cf. Young, 1990; Sousa, Hespanha, et. al. 2007). Also to be underlined in these policies is its critical pondering when compared with former ones. The attempt to increase individuals' qualification and employability, whilst improving participation, decision making, self esteem and *autonomy*, the attempt to avoid a dependency culture and to raise *work ethics* as a society and a citizenship pillar, are to be referred as well. Nevertheless, there are certain negative aspects to be also mentioned, such as its punitive character, citizens well being diminishing in face of socially devalued and degrading activities, citizens occupational trajectories' precarious character, the risk to create a real *underclass* of assisted people, unemployed people high obligations generated by these active policies and, above all, the tendency to make marginalized groups responsible for their exclusion, whilst releasing capital, corporate leadership, enterprises and the hard structures of social inequality of any responsibilities for such situation (Cavaco, 2001).

2.1. Privatization, public responsibility or poverty criminalization?

Social policies with an active character and global nature are sustained on society mobilization as a whole and are implemented in the context of economical, political and cultural globalisation, which not only articulates with Portuguese short economical growth but with the recognition of other and new ways of social inequalities, as well. It implies networking and partnerships between different social actors, as a crucial support of individuals' autonomy processes. Civil society and state work in articulation, according to a welfare mix approach, which tries to achieve greater efficacy in political action (Pereirinha, 2001). While non profit private sector gets prominence in providing welfare, the state develops more decentralized intervention ways with regional, local character, not alien to the financial limits dealt by the state in order to develop its social functions. Also to be referred the role of private profit making institutions that somehow substitute the state, such as insurance companies, health organizations, and so on, whilst contributing to services' commodification (ibid.). A regulation model, shared by the state and society, within which funds and management are simultaneously *private* and *public*, is expanded (Sousa, Hespanha, et al 2007). It introduces changes to the more traditional approach, sustained on activity plans, under sector, centralized autonomous logic, financed by the State General Budget and inscribed in the hierarchic structure of responsibilities. An *integrated projects* approach is proposed as new basic action unit and objectives management requisite. It is characterized by limited duration of tasks achievement, actions revaluation, and by the organic implementation of partnerships between local agents, which work together in order to identify needs and conceive common projects (Sousa, Hespanha, et al).

This new social policies *experimentalist* approach stands on greater proximity to problems, allows for more integrated, multidimensional and cooperative inter-institutional action. At the same time, it has greater action flexibility and less bureaucracy management, as well as it promotes greater autonomy through the use of local decision making processes and resources. It is typified also by identity and cohesion around shared objectives, and it opens the possibility to build strong, positive identification among partners. It allows for information greater and easier circulation as well as it has social capital mobilisation potential, to produce help and link agents, while it provokes strong social dynamism (Sousa, Hespanha, et al, 2007; cf. Mishra, 1998).

In turn, there is a decentralization philosophy promoting state's *decentralized* action, embodied in integrated action structures, which are sustained on local nets and partnerships, and tend to involve lower levels of government in national policies of local management and development. This more "remote management" (cf. Santiago, Magalhães et al., 2005) is sustained on the assumption of local

greater capacity to evaluate insertion needs and policies adjustment, towards local, regional and national resources and policies conjunct management. This may avoid duplication and maximize synergies and has the potential to mobilize local groups and agents towards objectives (Cavaco, 2001).

Even though they seem appealing and innovative, these new modes of decentralized action are not exempt of problems. For example, there is a need to confront local initiatives efficacy difficulties to solve national problems, territory social protection unequal distribution, the difficulty to control the use of resources, and the "shifting" possibilities in policies execution between national strategic objectives and local concretization, among others (Cavaco).

Under the influence of globalization associated phenomena and processes, the new social policies that elapse from the Welfare State social contract break, express the breakage in what Mishra (1998) referred as the historical doing of great success, economical efficiency and dynamism with equity and solidarity, constituted more or less efficiently in different countries and in different aspects within each country. On the other hand, the new policies bring a set of innovations that could deepen social rights, if only it did not express the decline of western economies and its consequences in great number of people's exclusion and effective life precariousness.

It seems that these new policies may embody a crusade against the Welfare State by the Penitentiary State (Wacquant, 2000). This phenomenon emerged with great visibility in the 1980s, during Reagan and Thatcher governance, and later on with Bushs'. Loic Wacquant raises the possibility that social protection deterioration and salary's lack of ruling, at an international level, might correspond to a new "penal common sense" and the "criminalization of misery". He even speaks about the extinction of the Welfare State social sector and the enlargement of the Penitence-State penal sector (Wacquant). This author clearly refers to the moral panic that is installed around a discursive set of socially built assumptions, which are instituted through its omnipresence and internationally exported from the USA. These ideas report to an *apparent object* constituted by young people, delinquency, urban violence, sensitive neighbourhoods and lack of civilities, which victimize the poor and excluded.

We are faced with a planetary ideological marketing, frequently shaped as repressive and intolerant policies towards migrants, homeless people, etc. (Rosanvallon, 1995). A kind of "penitentiary economy boom" that is embodied in prisons, security systems, imprisonment health insurances, "zero tolerance" policies that struggle against a dangerous and alienated underclass, constituted by the members of popular class that are repelled to the work market margins and abandoned by the protection State. That is how an "organized denial of justice" becomes apparent, introducing "intensive police" measures, such as police hunts in very poor areas and to ethnical minorities, with mediatisation objectives, which shape the police approach to misery. Such "intensive police" would substitute the Welfare State "communitarian police" (Wacquant, 2000).

2.2. Inequalities and Difference Policies: Current Influences, Assumptions, Claims and Dilemmas

In a context where a set of social inequalities may be hidden under the social exclusion umbrella, several social movements with diverse worries and orientations, such as feminist, ecologic, ethnic, sexual orientation, and others, claim for the development of difference policies, which allow for recognition (Hall, 1998; Stoer, Rodrigues e Magalhães, 2003). Policies of Difference arouse within this framework (Young, 1990). They stand on the argument of Equal Opportunities' insufficiency due to its mere focus in granting access and equal treatment to citizens who were localized in different social positions. This gives room to the notion of equity, which has a focus in granting access not only to equal opportunities but in processes and results, as well as it takes peoples unequal starting points, citizens diverse placements and positions in account. This is how positive discrimination policies as well as facilitating and compensatory actions are justified and brought into action, in the new plans (Rodrigues, 2000; Rodrigues & Stoer, 2005).

The need to develop specific policies to fight the diverse social exclusion ways and to promote minority groups' inclusion, namely women, elderly, youth, people with disadvantages, minority ethnicities, and so on, is emphasised. These must approach the need for employment promotion – which includes education and qualification, job offer, professional training and social protection (at the level of 1st generation rights), leisure and belonging to community; the need to construct articulate and coordinate, consistent and coherent response systems; the need to change institutional logics and to create organizations which are close and easily accessed by people; the need to develop projects that are less subjected to time limits and that might be replicated and enlarged, within a framework of stability and regularity; and the need to invest in local development projects, on and endogenous basis are good examples of this (AFMP, 2001).

2.3. Current Portuguese social inclusion policies: priority areas

Against this view of and discussion about social policies' evolution pathways and theoretical, political, sociological assumptions, we will focus on the Portuguese current Plans and Actions, which have been developed under the European norms and advise. The Inclusion National Action Plan 2006-2008 will be used as an example, and the 3rd National Plan towards Equality – Citizenship and Gender, the 3rd National Plan against Domestic Violence, and the 1st National Plan against the Human Beings traffic will be referred as some selected important national plans, with a focus on more particular areas, which illustrate Portuguese current reality. As a consequence a more descriptive approach has been chosen to develop this point, which should be read under the theoretical framework and argument that have been developed up until now.

PNAI – the **Inclusion National Action Plan 2006-2008** represents the national social inclusion strategy that stands on the *Coordination Open Method* (COM, 2005, Brussels), which is a coordination method applied to social protection and social inclusion policies in the EU. It is a multidimensional and systemic strategy, whose dimensions are inclusion, pensions, health care, and continuous long lasting care. This is a reference document about priority actions within the national social inclusion process, which is aimed at politicians, experts and citizens in general. It constitutes a transversal planning strategic tool that integrates actors and sectors. It envisages at contributing to revert poverty and exclusion, promoting a fairer social order, within more cohesive society that moves towards greater sustainable development.

Its strategic objective emerges within the **2005-2010 European Social Agenda** framework (Social Europe in a global economy) that aims at reinforcing citizens' trust through social policies modernization; and it is developed, as referred above, according to the COM. This plan is supported, as well, in the need to advance and deepen Lisbon Strategy in what concerns the guarantee of economical growth and social cohesion.

The **2006 Spring European Council Common Objectives** – social protection and inclusion, which roots PNAI, has defined as its main objectives: to promote social cohesion and equal opportunities for all through viable, accessible and efficient social protection and social inclusion policies; to foster close interaction among economical growth objectives, better jobs and a sustainable development strategy; to reinforce agents' governing, transparency and participation in the policies conception, appliance and follow up.

Some **Orientation Principles** have been defined, which focus on consecrating citizenship *basic rights*, such as work and social insertion; *civic rights*, culture, education, housing, social and cultural life participation; *responsibility*, that aims at making society and its citizens responsible for eradicating poverty and exclusion, particularly in what concerns contractual answers of social protection; *integration, multidimensionality and convergence* in economical, cultural, social and environmental measures in communities' development, whilst appealing to the convergence of synergies and resources; *universality* and *positive differentiation*, focusing on treating all citizens equally on the basis of their diverse situations and needs; *actions' territorialisation*, to create resources and potentiate competences dynamics; *gender recognition* of equal opportunities and gender perspective as a guarantee of rights use in private and public life.

Political Priorities have been defined as well. These stand on the analysis of the socio-economical context and its reflections over poverty and social exclusion, whilst identifying a restrict set of action priorities, which allow for local concretization of European objectives. The Portuguese situation diagnose shows the need to combat the historical deficit in what concerns poverty. It shows that children, elderly and people with incapacities are the most vulnerable to poverty and exclusion. It also brings into evidence that migration fluxes and immigrants' insertion conditions locates this group as one of the most vulnerable, as well as it allows for prevention measures against discrimination phenomena to be held. According to this diagnosis, three **main political priorities were defined in Portugal**: to combat children's and elderly poverty, through measures that ensure basic citizenship rights; to correct disadvantages in education, training and qualification; to overcome any type of discrimination, whilst reinforcing the integration of people with disabilities and immigrants.

Pertinent **Politics to Answer Strategic Priorities** were defined as a consequence, these are aimed at: granting access to all to resources, rights and basic services; finding answers to extreme ways of exclusion and discriminations; granting active inclusion for all in the work market and to struggle against poverty and exclusion of marginalized groups; granting good coordination among government and all other agents dealing with inclusion measures. According to the defined priorities, relevant **political priority measures** were organized, which take into account equal opportunities, family and professional life conciliation, territorialisation, and so on, in order to overcome the areas of greater fragility. These measures include: providing access to quality goods and services; a double strategy

(preventive and reactive) through transversal measures which grant an insertion basic minimum income together with the reinforcement of professional insertion measures; housing market action; territorial action in marginalized areas to fight against desertification and isolation and that favour integration; citizens' counselling and information to avoid indebt; social monetary protection reinforcement; positive discrimination of less favoured and mono-parental families; qualification of the existing answers at the level of equipments and services; focus in families' conciliation needs and children's superior interests; active employment families' policies; educational measures to foster the accomplishment of pre-schooling and basic schooling; professional insertion of less favoured groups within the framework of active employment and professional training policies.

Other selected important national plans are now referred in order to make more explicit some of the current inclusion national worries and compromises.

The **3rd National Plan towards Equality – Citizenship and Gender** comes as a result of the Council of Ministers Resolution, number 82/2007, of 22nd June. It envisages fighting gender inequalities at all levels of social, political, economical and cultural life. It comes to consolidate national politics in what concerns gender equality and a mode of citizenship that integrates Human Rights as well as it contributes to enlarge democracy.

In its turn, the **3rd National Plan against Domestic Violence** comes as result of the Council of Ministers Resolution, number 83/2007, 22nd June. It envisages consolidating a prevention policy against domestic violence, thought the promotion of information and training campaigns, as well as victims support and sheltering, within reinsertion and autonomy logic.

The **1st National Plan against the traffic of Human Beings** comes as result of the Council of Ministers Resolution, number 81/2007, 22nd June. It envisages promoting Human Rights through the comprehensive analysis of trafficking in human beings, in order to find an answer to effectively fight such phenomena, through multidisciplinary cooperation among the diverse agents involved.

Other plans have been developed according to other problematic areas that have been identified in Portuguese society, which lead to Portuguese government compromise with its citizens and with the European Community. Some have been developed with more specific focus and others in more transversal, complementary ways. For instance, some young peoples' active job insertion programs have been quite successful, in what concerns employment activation as well as it has had positive result in public services that adopted such policies and that have developed more personalized, active and preventive posture, as a consequence (Sousa, Hespanha et al 2007).

Though, there have been some general implementation difficulties due to a diversity of reasons. On the one hand, people find it difficult to understand the compromise they assume with the state and the former failure of similar plans build people's distrust, on the other, the fact that these plans' implementation is developed within quite beaurocratic structures, means that people directly dealing with beneficiaries do not have a global understanding of what they are doing, which leads to discretionary actions. As a result there has been certain resistance from beneficiaries (institutions and professionals) towards such policies. Therefore, there is a need to understand these manifestation's deep meanings and find ways to overcome them, whilst reinforcing peoples trust, through well adapted, reliable, and successful programs, where social policies may easily be recognized when put into its practical configuration.

It needs to be emphasised that the new political-social framework has led to transformation of the nature of social policies as it enlarges their action. In a positive light, nowadays, instead of trying to fix problems, supplying survival resources within dependency logic from the state, social policies try to act over causes, within an idea of prevention, which might foster plain citizenship, through social compromise between the state and the beneficiaries. Yet, within this articulation, social expenditure is considered to be productivity cost and investment in health, education and human resources is developed in the expectancy to generate positive economical results. To be noted the economical dimension centrality, on a mercantile capitalist basis, to guarantee rights that should, on the opposite, be focused on the worries of happiness, well-being and human fulfilment. This can be seen as one of the perverse effects of this new generation social policies in Portugal, as the resource to greater dependency from market mechanisms in well-being provision means an increasing commodification of rights. It also transforms citizens to mere consumers so emphasising unequal situations in social rights fulfilment.

This is to say that, whereas in the Welfare state there was a tension between social institutional regulation and citizenship deficit in what concerns people's participation, nowadays, new social policies seem to take into account the articulation among culture, participation and economy. Also the present tension, confusion and opacity between the commodification of social policies and its new dimensions (the ideas of *active* social policies, insertion, territorialisation, equity, activation, growing flexibility, social participative management and compromise), needs to be emphasised. They seem to lead to a focus on recognition, representation and redistribution. If one thinks in terms of social justice,

the latter would mean progress if only it did not refer to the loss of universality and the assumption of residual policies which only apply to certain groups and conditions.

Conclusions

This article contributes to highlight changes, limits and progresses in Portuguese social policies, stemming from the social assistance period, moving through the Welfare State, with a particular focus in 'new' social policies, within pluralistic welfare and workfare, in present time. We argue that whereas significant pathways to try to increase social rights were made, it seems that the quality of social policies has been effectively reduced. In reality, the welfare state provided quite successful conciliation between equity and solidarity in what concerned its pursuit of universal public and coverage, even though social benefits were quite poor.

Some deep changes have occurred within society and in social policies in the last two decades in our country. It is assumed that poverty and exclusion worries are at the core of social policies. It was understood that not only lack of resources but also the lack of recognition and work are ways of discrimination avoiding social insertion. Our analysis leads to conclude that somehow social rights seem to be diminishing together with the increase of many peoples' poverty, exclusion and growing fragilities and that the promises of current social policies do not seem to have been fully achieved.

In a positive light, one must emphasise that new social policies have enlarged their action and they pronounce a movement towards fostering recognition and citizenship as a consequence. One can say that some decentralization and network policies, as well as more specific programs, which are being developed and that embody social protection in Portugal, have been quite successful as generally greater level of insertion has been achieved. Despite that, one must say that even though such programs are well intended and have been developed partly under the European umbrella, there has been some lack of capacity to effectively affect and improve many peoples' lives.

In fact, social policies have been narrowed in a context of unsolved/yet to be solved structural crisis. The problem of redistribution remains unsolved and new terms have not been found to express it in the 'new' economical and global context of change. Therefore, and as result, new articulations are required among social policy, with social cohesion at its core, economical policy, which tries to implement competitiveness, and employment policies, which focus in quality employment for all. Therefore, one must say that the concept of social rights has changed. A 'new' social policy agenda that shelters 'new' protection social patterns in face of rights' emerging precariousness urges.

The challenge social scientists and practitioners are faced with is to unveil these processes and to help rethink these policies in order to shift it into its more noble pathways. We would say that even though European and National attempts to improve citizens' lives through the introduction and implementation of more citizens' friendly social policies are to be valued, one must question its underlying principles and decide the values and structural measures to be implemented today and in the future in our world, whereas questioning the tension between global commodification and the possibilities of planetary, human and world sustainability.

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SOCIALINĖ POLITIKA, TEISINĖS IR SOCIALINĖS PASLAUGOS PORTUGALIJOJE: NAUJOJI SOCIALINĖ POLITIKA IR AKTUALŪS DEBATAI

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Santrauka

Straipsniu siekiama prisidėti prie Portugalijos socialinės politikos analitinio diskurso europinio bei globalinio plėtojimo. Pirma, straipsnyje analizuojamas socialinės politikos turinys pereinant nuo gerovės valstybės prie pliuralistinės gerovės ir "workfare" modelio, apžvelgiama europinė socialinė globalizacijos amžiaus dienotvarkė. Antra, nagrinėjamas "naujasis" socialinis susitarimas ir "naujosios" kartos politika, apžvelgiamos privatizacijos, nelygybės, visuomeninės atsakomybės bei skurdo kriminalizacijos problemos. Galiausiai, apžvelgiamos dabartinės Portugalijos socialinės integracijos politikos prioritetinės sritys bei veiksmų planai, vertinamas jų ekonominis pagrindimas.

Pagrindinės sąvokos: "naujosios" kartos socialinė politika, socialinės teisės, "naujųjų" laikų pilietybė.