

The City of São Paulo in the Context of a Sanctuary City from a Public Governance Perspective

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ABSTRACT

The concept of sanctuary cities has been in consistent development since 1971. There are conceptual differences between the contexts of sanctuary cities located in North America and those located in the European Union. The services and benefits offered to foreign immigrants in the city of São Paulo, in North America and in the European Union were identified through documentary analysis; allocated between three perspectives, namely, social, political and legal; and classified under eight criteria of analysis. Thus, the objective of this research was to analyze whether the services and benefits offered in the city of São Paulo to foreign immigrants configure São Paulo as a sanctuary city. The results indicate that the city of São Paulo offers 11% more benefits than sanctuary cities in the European Union and 14% more benefits than sanctuary cities in North America from a political perspective. However, the city of São Paulo offers 15% fewer benefits than sanctuary cities in the European Union and 31% fewer benefits than sanctuary cities in North America from a legal perspective. Finally, an analysis of the social perspective shows a balance in the benefits offered in the three locations. This work contributes to forming a clearer managerial view of the public governance and public policies present in the city of São Paulo and paves the way for the development of future studies on the subject in the social context found within this municipality.

KEYWORDS

Sanctuary City, Public Governance, North American Model, European Model, City of São Paulo.

1. INTRODUCTION

Global migration movements have remained constant since the first inhabitants decided to seek new paths.

In recent years, the movement of undocumented immigrants and refugees, whether to seek better living conditions, survival, relief from political persecution or other motivational factors, has seen considerable growth. Citrin and Sides (2008) claim that both Europe and the United States are currently facing challenges related to the economic and cultural integration imposed by immigration.

Although the United States has a greater tolerance for the cultural differences present between its citizens and immigrants, Citrin and Sides (2008) observe that both Americans and Europeans crave a lower numerical level of immigrants than that which they are currently faced with; however, both groups understand that the intensification of immigration requires more selective policies for the immigration process and that, at the same time, such policies must show support and receptivity regarding the culture of immigrants.

Mancina (2013) understands that the adoption of services and benefits related to the reception of international undocumented immigrants, which can be used to establish a locality as a so-called sanctuary city, has taken place in several municipalities, especially in the United States, where most sanctuary cities are concentrated. The author points out that in recent years, immigration movements have been growing rapidly, even in Europe, most of which have been stimulated by religious activists who invoke moral principles associated with religious traditions.

This movement of people that is characterized by immigration and the seeking of refuge and associated with the predisposition of municipalities to adopt policies to protect undocumented immigrants and refugees suggests that the evolutionary process of so-called sanctuary cities has contributed to the formation of a new construct. Specially, a sanctuary city is not merely a symbol; rather, its presence represents a question of social justice (Wonders and Fernández-Bessa, 2021).

In this context, the identification of the services that support foreign immigrants in the city of São Paulo and the comparison of these services with the characteristics and differences found in identified sanctuary cities located in North America and Europe may indicate the presence of the city of São Paulo in the context of a sanctuary city; furthermore, such a comparison may highlight how the level of support offered in São

Paulo aligns with the public governance process or contributes to the improvement of this process to benefit immigrants.

São Paulo is the largest urban center in Brazil; according to Kaufmann, Räss, Strebel, and Sager (2021), irregular immigrants seek to live in such environments, as doing so provides them with more opportunities. These individuals seek to inhabit and reside in large urban centers; they are not merely concerned with citizenship (Zuzarte, 2020). According to Juzwiak (2014), São Paulo is the largest and most economically important city in Brazil; it is also the city that, both historically and currently, receives the greatest number of immigrants to Brazil, either legally or illegally, with a long tradition of being the choice destination of immigrants seeking refuge and asylum. According to Berenice Maria Giannella, who is with the Municipal Secretariat for Human Rights and Citizenship (SMDHC), “São Paulo is the Brazilian city where most of the migrant and refugee population in Brazil lives, and we want to continue being a city that welcomes these people” (Nações Unidas Brasil, 2019).

Traditionally, the city of São Paulo has been recognized for its good and close relations with immigrants since its creation in 1554. In the 19th century, with the end of slavery, the city was one of the main places in the country that received immigrants aiming to work on coffee plantations. “In the 19th century, the Italians, Spaniards and, a little later, the Japanese came”, explains researcher Thiago Haruo from the Immigration Museum (Special Secretariat for Communication, 2019).

In this sense, the general objective of this research is to analyze whether the services and benefits offered by the city of São Paulo to undocumented foreign immigrants configure it as a sanctuary city. To achieve this objective, this research proposes the following specific objectives: 1) to identify the elements that are offered by cities in North America and the European Union to undocumented immigrants from the perspective of their immigration policies and 2) to analyze and point out the services and benefits that are offered by the city of São Paulo to undocumented foreign immigrants from the perspective of their public immigration policies.

The relevance of this study lies in the fact that in Brazil, the theme of immigration and public policies has acquired an increased and significant level of importance in the socioeconomic, political and legal contexts of the country. According to Patarra (2005), the immigration movements present in Brazil are currently a relevant social issue involving specific groups, especially those composed of undocumented immigrants, as they are vulnerable and subject to the actions of people who explore the possibility of

taking advantage of others; this issue requires the urgent reformulation and implementation of immigration policies, as well as actions that take into consideration the human rights of immigrants. The nonincorporation of this theme in the public management of the city weakens the public governance process, which requires defined policies and an adequate positioning in relation to immigrants from other countries. It is worth noting that the analysis of North America and the European Union does not present a theoretical core guide, even though these areas present a more structured political format for undocumented immigrants.

As the theoretical field is not consolidated, as a contribution to the field, this study presents the differences found between the two examined models from three different perspectives, namely, social, political and legal; these differences are then used to establish an analysis model for the theoretical framework of cities and their practices.

As a contribution to governments and organizations, this study presents a relevant contribution to the process of public governance, particularly in the matter of the services and benefits that Brazilian municipalities and states can develop for the population of undocumented immigrants who seek decent opportunities in Brazil to improve their lives.

2. THEORETICAL FRAMEWORK

This section of paper indicates the theoretical references on which the research is based in order to support the most relevant concepts of the main themes that are addressed throughout the study. Thus, the theoretical context herein is divided into three main topics, namely sanctuary cities, the context of immigration in Brazil and public governance, as well as their respective subtopics.

2.1. Sanctuary Cities

The origin of the concept of the sanctuary city, according to Ridgley (2011), is attributed to the incorporation of municipal policies in 1971 in the United States, specifically in the state of California, which established Berkeley as a sanctuary city that emerged from several trajectories of different political organizations. This movement initiated the process of establishing new municipal policies; these policies were utilized by the city of Berkeley to offer asylum to US Navy service members aboard the aircraft carrier *USS Coral Sea* when they started a campaign to prevent the American aircraft carrier from engaging in the Vietnam War.

As mentioned by Bau (1985), Coutin (1993) and Cunningham (1995), the history of the concept of sanctuary in the United States is long and without linearity since the concept took different paths in different periods and moments depending on the political particularities and cultural contexts of each place.

According to Mancina (2013), the increased momentum of the sanctuary movement can be seen during the period ranging from the 1980s to the 1990s, i.e., when religious and civil society representatives challenged the immigration authorities of North America by supporting refugees from Guatemala and El Salvador, as well as other vulnerable undocumented immigrants; these representatives provided support, defense and protection while find shelter in what they called "public sanctuaries."

Approximately half of Americans currently live under sanctuary policies that protect undocumented immigrants, according to The Washington Times (2018); this proportion of Americans is distributed among 564 sanctuary jurisdictions, according to the FAIR - Federation for American Immigration Reform (2018), which are made up of U.S. states, counties, and municipalities. The number of such jurisdictions has increased by 200 since former President Donald Trump took charge of the country on January 20, 2017.

The sanctuary movement has spread to cities in the UK and, more recently, to Canada, according to Basok (2009). According to the author, an estimated 500,000 undocumented immigrants reside in Canada, with the city of Vancouver adopting a position depicted by the slogan '*Fearless Access*' in 2016, which was followed by the similar actions of other cities such as Montreal and London in the Canadian province of Ontario.

Bauder (2017) understands that the sanctuary movement has its central focus in the United States and represents the phenomenon that has emerged from the nonmandatory cooperation of cities with federal immigration authorities, such as when the city of San Francisco self-declared itself to be sanctuary city in 1985.

The practices and policies of sanctuary cities have received widespread attention among activists, policy-makers and academics, predominantly in North America and Europe. "Many, however, have mentioned sanctuary city policies as part of the context of other sociocultural processes related to the experience of undocumented immigrants in the United States" (Quesada et al., 2014).

According to Chishti and Hipsman (2015), the concept of a sanctuary city refers to a set of relevant local policies and measures that establish the prevalence of their application to people with different nationality contexts, thereby limiting the application of federal immigration laws in that locality.

Bauder (2017) states that the services and benefits offered by urban sanctuaries do not eliminate illegality but rather encourage undocumented immigrants to deal more adequately with the situations that stem from such circumstances, thereby not combating the root of the problem but still allowing these individuals a less-troubled life given their condition of illegality.

In different nationality contexts, as Bauder (2017) proposes, the services and benefits offered by sanctuary cities focus on different populations and react to different legal and administrative circumstances, thereby enabling a comparison between sanctuary cities in Canada and the US, which specifically seek to protect undocumented immigrants, with those in the UK (and in the so-called the European Union), which involve a general commitment to welcome asylum seekers and refugees.

Nevertheless, as explained by O'Brien, Collingwood, and El-Khatib (2019), some sanctuary cities present characteristics of informality, having not established official related policies; however, similar to formal sanctuary cities, such places refuse to enforce federal laws and choose to not cooperate with federal immigration authorities without ensuring that such measures protect undocumented immigrants in their territories.

2.1.1. The North American Context

Sanctuary cities in the United States, according to Ávila (2017, p. 56), emerged in a democratic context that sought long-term solutions for the millions of refugees from Central America who arrived in the country, who were motivated by their survival of civil wars in their home countries.

Spreading across the country in 27 different states, the 172 counties and cities that have been labeled sanctuary localities are designated locations that refuse to assist the federal government in the enforcement of the immigration law of the country, according to reports by the Center For Immigration Studies - CIS (2019).

A publication of the National Conference of State Legislatures (2014) indicates that unauthorized immigrants are generally not eligible for public benefits at the federal level; however, this publication also lists, as shown in Table 1, the exceptions to this ineligibility and the benefits and services that are accessible to undocumented immigrants, with an emphasis on the fact that it is within the purview of each state of the federation to deny undocumented immigrants access to the listed benefits.

Emergency medical treatment under Medicaid, if the individual otherwise meets the eligibility requirements and the medical condition is not related to an organ transplant procedure;
Immunizations for immunizable diseases and testing for and treatment of symptoms of communicable diseases (does not include assistance from Medicaid);
Short-term, noncash, in-kind emergency disaster relief;
Programs, services, or assistance that deliver in-kind services at the community level, do not have conditions for assistance on the recipients' income or resources, and are necessary for the protection of life and safety: Includes access to soup kitchens, crisis counseling and intervention, short-term shelter, mental health services, and child and adult protective services;
Financial assistance in rural areas to farmers, owners, developers, and the elderly for loan insurance, the purchase of property, housing for trainees, and low-rent housing for farm workers under Title V of the Housing Act of 1949;
Loans and grants for water access and waste treatment to alleviate health risks under Section 306C of the Consolidated Farm and Rural Development Act;
Free public education for grades K-12;
Federally subsidized school lunch and school breakfast programs for individuals eligible for free public education under state or local law;
At the state level, medical coverage under SCHIP, including prenatal care and delivery services, for unborn children who meet other program eligibility criteria;
The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC);
The Child and Adult Care Food Program (CACFP);
The Summer Food Service Program;
The Special Milk Program;
Commodity Supplemental Food Program (CSFP);
The Emergency Food Assistance Program (TEFAP); and
The Food Distribution Program on Indian Reservations (FDPIR).

Table 1. Set of benefits and services offered by the United States federal government for which undocumented immigrants are eligible. *Source:* National Conference of State Legislatures (2014). Adapted by the author.

Similar to the establishment of policies by states and municipalities, regardless of federal immigration policies, the National Conference of State Legislatures (2014) ensures that the benefits offered to undocumented immigrants by sanctuary cities are also established correctly by each locality and points out that such benefits may present specificities that are inherent to the socioeconomic, political, and legal contexts.

2.1.2. The European Context

The concept of sanctuary cities in the European Union presents basic differences when compared with the concept of sanctuary cities in North America, although such differences depend on the peculiarities of the local context. According to Bauder (2017), the European context of sanctuary cities differs from the American context in terms of the level of cooperation with federal immigration authorities, as well as the means by which to protect undocumented immigrants from federal immigration law enforcement. Squire (2009) indicates that the city of Sheffield in the United Kingdom became the first sanctuary city in the country in 2007, under the support of the city council and more than

70 business organizations. The author states that all those involved in the process of forming a sanctuary city, including the political, business class, community members, and undocumented immigrants themselves, consolidated a solid foundation of support and commitment to this initiative.

According to Bauder (2017), analogous to the American context, in which the concept of a sanctuary city applies to different countries and cities, in the European Union, although the concept of sanctuary is part of a broad political debate, each country in the European Union understands the meaning of a sanctuary city in a peculiar and proper way; thus, urban sanctuaries can present contextualized approaches to situations. Applied at the national level, the author proposes that these contextualizations can inspire innovative services and benefits for countries regarding the formation of their immigration policies, social insertion and the return of undocumented immigrants to their places of origin, including countries in which the concept of sanctuary city is not yet applied comprehensively.

The European Commission (2016) emphasizes that the European Union, through its economic and social policies, must support the flow of immigrants and refugees from other countries by meeting their immediate basic needs and building inclusion policies within the fields of society, education, the labor market, health and equality to offer everyone significant opportunities for social and economic participation, thereby establishing, for the purpose of the current research, an action plan with the following objectives:

- Establish policy priorities and specific measures to help European Union countries regarding the social integration of immigrants and refugees from other countries.
- Define the operational and financial support that the European Commission can provide to support the national policies of each country, as well as the various organizations working on the integration of immigrants.

This action plan includes initiatives defined by the European Commission (2016) of the European Union, which are presented in Table 2, to support the integration of immigrants and refugees from other countries into specific areas.

Area	Initiative
Predeparture/prearrival	Measures to promote the start of integration activities as soon as possible, i.e., before migrants begin their journey, and within the communities that will receive them.
Education	Measures to support the provision of language classes and promote inclusive education.
Labor market	Measures to promote the early identification of the skills and qualifications of newcomers and to promote the removal of barriers to vocational training and the successful sharing of good practices.
Basic services	Housing and health services are areas of national policy; however, the European Union can help fund and support best practices, especially for those who are the most vulnerable, and develop pilot training programs for health professionals.
Social inclusion	Measures to promote the active participation of newly arrived migrants in cultural, youth, sports and other activities, as well as measures to promote mutual understanding and combat all forms of discrimination.
Policy coordination	The European Integration Network can be used to encourage contact and cooperation between national, regional and local authorities, nongovernmental organizations that are active in the field and other networks that are active in specific policy areas such as employment and education.
Financing	In addition to available national funding, the European Union can co-finance different aspects of integration, ranging from social inclusion and poverty reduction to job creation, through its social, regional and rural development funds. The Asylum, Migration and Integration Fund can provide specific support for integration activities.

Table 2. Action plan for the integration of immigrants and refugees from other countries into the EU. *Source:* European Commission (2016). Adapted by the author.

Mascareñas and Eitel (2019) believe that many cities in the European Union have taken steps to support undocumented immigrants, such as the city of Barcelona in Spain and the city of Rotterdam in the Netherlands, and justify their attitudes based on political, moral, public health and safety, and social inclusion issues. Additionally, according to the author, in the Netherlands, the cities of Rotterdam and Amsterdam also provide housing for those who are the neediest.

The European Union has been making efforts to establish immigration policies by focusing on undocumented immigrants. However, the difficulty of reconciling the policies of each member country is an obstacle to the formation of a consolidated policy for the region. In this sense, Pachocka (2016) notes that the development of a European Union migration policy is limited, as it requires the development and sharing of good practices, adequate funding, solidarity and a willingness to cooperate on the part of all member countries.

Immigration policies should seek to establish a balance between citizens and legal and illegal immigration, with a focus on the preservation of human rights; this is corroborated by Pachocka (2016), who calls attention to the need for the greater understanding and awareness of European societies with regard to immigration issues, especially those

related to undocumented immigrants, human rights issues and the inclusion processes of undocumented immigrants prior to the development and implementation of immigration policies.

Not all benefits and social programs are accessible to undocumented immigrants, according to Orrenius and Zavodny (2016); however, the authors point out that in some northern European countries, immigrants who apply for asylum and unaccompanied children are able to receive housing, food and monthly financial aid. The authors highlight Germany as a country that provides housing, food, and a monthly cash allowance to asylum seekers who are registered under this immigration condition. Additionally, according to the authors and similar to the situation found in Germany, unaccompanied children in Sweden can receive a significant level of benefits to ensure the support of their families, without excessively stimulating the number of asylum applications by undocumented immigrants.

2.2. The Context of Immigration in Brazil

The number of refugees in Brazil has consistently increased in recent years, as published by the FAPESP Agency (2015), mainly because Brazil is considered by potential immigrants to be a country full of great opportunities. This concept is present in immigrants' perceptions due to the influence of the growing presence of Brazilian companies in other countries.

Brazil, according to the *Migration Policy Institute* (2018), is a priority destination in the choice of undocumented immigrants from the Americas, including Bolivians who are seeking asylum, Venezuelans who are fleeing from the political and economic crises present in their country, and Haitians who are motivated by economic problems, survival and humanitarian conditions; such diversity, in some ways, calls into question Brazil's ability at the national, state, and municipal levels to adapt to such circumstances.

According to the UNHCR – The Un Refugee Agency (2019), the political and economic crises that are present in some countries, such as Venezuela, have been causing an increase in the number of refugees seeking asylum in Brazil.

Juzwiak (2014) mentions that Brazil is a signatory of most international human rights treaties, repels slavery and human trafficking and aims to provide safe immigration following the principles of the treaties and conventions supported by the United Nations (UN), the Organization of American States (OAS) and Mercosur, in addition to

bilateral agreements that Brazil maintains with countries who hold positions of recognized relevance in regard to the issue of immigration.

2.2.1. Immigration policies in the city of São Paulo and support for immigrants from other countries

São Paulo, as described by Juzwiak (2014), is the largest and most economically important city in Brazil; it is considered the city that both historically and currently receives the greatest number of immigrants who enter Brazil both legally or illegally, with a long tradition of being the choice destination of immigrants seeking refuge and asylum. According to Berenice Maria Giannella, who is with the Municipal Secretariat of Human Rights and Citizenship, "São Paulo is the Brazilian city where most of the migrant and refugee population lives in Brazil, and we want to remain a city that welcomes those people" (United Nations Brazil, 2019).

IOM BRAZIL (2019a), i.e., the , has pointed out that the city of São Paulo has a good migration governance policy that has been internationally recognized and results from innovative and inclusive characteristics; furthermore, the city boasts the best infrastructure for the immigrant public, such as reception centers (hostels) and various civil society organizations, as well as some public agencies that support both documented and undocumented immigrants.

The SMDHC - Secretaria Municipal de Direitos Humanos e Cidadania (2019) (Municipal Secretariat of Human Rights and Citizenship), has indicated that the city of São Paulo, which serves as the capital of the state of São Paulo, currently boasts four immigrant reception centers, one of which is exclusive for women, in addition to the possibility of also being served at all the social assistance reception centers that are also available in the city. The four immigration centers are as follows: 1) the Bela Vista Reception Center for Immigrants; 2) the Bom Retiro Reception Center for Immigrants; 3) the Pari Reception Center for Immigrants; 4) the Penha Reception Center for Immigrants.

In 2017, the Commission of Migration was created by the City Council of São Paulo (2017), with the mission of contributing to the more effective analysis of the Municipal Policy for the Immigrant Population, which was proposed in 2016; more specifically, the commission aimed to explore the context of the undocumented immigrants and refugees situation. According to councilman Eduardo Suplicy, who is president of the Commission of Migration, this commission was different from others, which usually start from a complaint. "We wanted to know how undocumented immigrants and refugees are living and how we can help them. Our city was formed by undocumented immigrants, and

receiving them well is essential" (councilman Eduardo Suplicy - Portal of the City Council of São Paulo, 2017).

In 2015, the International Organization for Migration (IOM) established, in partnership with the intelligence unit of "The Economist" magazine, a set of indicators that is intended to provide a reference by which to guide countries in evaluating their migration governance processes and directing their public policies toward immigrants. Among this set of indicators, which number 90 in total, 87 indicators have been identified by the IOM (International Organization for Migration) as serving as the basis for the composition of local migration governance indicators, which are represented by six dimensions of migration governance and constitute a basic reference for the development of municipal policies consistent with the needs of immigrants.

Immigration policies in the city of São Paulo are based on the six dimensions of migration governance, which represent the indicators of local migration governance, according to the IOM BRAZIL (2019b). These dimensions are associated with the immigration policy guidelines presented in Table 3, which were published in 2019 in an IOM report entitled *Indicators of Migration Governance: The City of São Paulo*.

DIMENSIONS OF MIGRATION GOVERNANCE	IMMIGRATION POLICY GUIDELINES FOR THE CITY OF São Paulo
RIGHTS OF MIGRANTS	Compliance with international standards and promotion of migrants' rights.
INTEGRATED GOVERNMENT APPROACH	Policy formulation using evidence and an integrated government approach.
PARTNERSHIPS	Building partnerships to address migration and related issues
WELFARE OF MIGRANTS	Promoting the socioeconomic well-being of migrants and society.
CRISIS MOBILITY DIMENSION	Effectively address the mobility dimensions of crises.
SAFE, ORDERLY AND REGULAR MIGRATION	Ensure that migration occurs in a safe, orderly and dignified manner.

Table 3. Political Guidelines for the City of São Paulo. *Source:* IOM BRAZIL (2019a).

The analysis of local migration governance indicators by the IOM (International Organization for Migration) shows that the city of São Paulo has structured key policies that are based on these six dimensions and promote initiatives that are relevant to the composition of a migration management model; this model benefits both immigrants and the communities that welcome them.

On 07/08/2016, Municipal Law 16,478 was instituted in the city of São Paulo and regulated by decree No. 57,533 of 12/15/2016 of the City Hall of São Paulo; this law

addresses the immigrant population and establishes principles, guidelines, and priority actions.

As presented in Table 4, Municipal Law 16,478 covers several themes that direct priority actions for the benefit of immigrants.

Theme	PRIORITY ACTIONS
SOCIAL ASSISTANCE	Assure immigrants of the right to social assistance, facilitate their access to social benefits and offer them reception services in situations of social vulnerability.
HEALTH	Ensure the unrestricted access of the immigrant to health services, considering the requirements of displacement related to mobility, the differences of epidemiological character and the peculiarities characteristic of the health services of the country from which the immigrant proceeds.
WORK	Ensure and stimulate the immigrant's right to decent work, observing equal treatment, as well as the opportunities offered, in relation to other workers, as well as promoting the inclusion of immigrants in the formal labor market and fostering entrepreneurship.
EDUCATION	Ensure the right to education in the municipal public education network of all children, adolescents, young people and adult immigrants, ranging from access to the permanence and completion of the educational cycle.
CULTURE	Respect diversity and cultural values, ensuring the participation of immigrants in the cultural agenda of the municipality, considering the realization of cultural manifestations in public spaces and the stimulus to intercultural production.
HOUSING	Promote actions to allow the immigrant access to housing programs, thereby reinforcing the immigrant's right to decent housing of provisional or definitive character.
SPORT AND LEISURE	Promote the inclusion of immigrants in sports programs and actions, in leisure and recreation activities, thereby ensuring their access to the municipal's public sports equipment.

Table 4. Priority actions aimed at immigrants in the city of São Paulo. Source: Municipal Law 16,478. Adapted by the author.

As disclosed by the bUNHCR – The Un Refugee Agency (2016), the municipal policy of the city of São Paulo as it relates to immigrants allows these individuals access to services and benefits related to social assistance, education, health and job opportunities, thereby guaranteeing immigrants the right to these services and benefits.

2.3. Public Governance

The word governance is currently used and mentioned in several fields of study, especially those directly related to business management process control. Mancina (2013) mentions that the governance process involves discovering the means by which to identify goals and the ways to achieve them; however, it is not easy to achieve these goals in practice, even if the paths are known by public management and political science.

The concept of governance is propagated by other forms of management, including public management and private business management, thereby allowing the rise of new concepts and specific definitions, such as public governance and corporate governance.

In Brazil, the principles of public governance already influence the state in the conception of public management models and in its relations with private initiatives and civil society. De Oliveira, Pisa, and Augustinho (2016) affirm that public governance brings public management closer to a new configuration that is characterized by entrepreneurial state management, with precepts of business management, which requires constant behavioral changes of all players involved in the public sector context fostered by the state.

According to the IOM BRAZIL (2019a), migration policies are part of migration governance and are widely used without a clear definition, including topics such as regulation, restriction and migration control. Additionally, according to the IOM BRAZIL (2019a), migration policies can cover several areas, including labor opportunities, integration and humanitarian migration/asylum, family, ethnicity and illegal immigration.

2.3.1. Public Policies

The construction and implementation of public policies require, as mentioned by Howlett and Cashore (2014), bold political articulation and technical design able to combine the goals that the policies contemplate with the resources of those involved in the process. This statement corroborates, with the definition of public policies proposed by Dye (2016), "... anything a government chooses to do or not do" (*Understanding Public Policy*, Chapter 1, Page 1).

Among several definitions and concepts about public policies, (Secchi, 2010, p. 2) proposes that "... public policy is an elaborate guideline to address a public problem." The author also defends that every definition of public policy has an arbitrary character, without a consensus identified in the specialized literature, due to the different answers to three fundamental questions:

1. Do government entities have exclusivity in the elaboration of public policies, or do they count on the participation of nongovernmental entities in their elaboration?
2. Are omission or negligence also objects referred to in public policies?
3. Do public policies consider only strategic guidelines, or are operational level guidelines also considered public policies?

3. METHODS

The present study applied documentary research as the technique for data collection, supported by documents that have been published from the perspective of the concepts inherent to the objective of this study; that were written by academic authors of scientific articles, entities and representative organizations acting on the basis of providing support and assistance to immigrants; that focus on the main locations targeted by immigration, both governmental and nongovernmental; and which serve as information vehicles in the form of articles in published renowned newspapers and journals, with a level of credibility that is recognized in the world scenario.

In this sense, specific academic and scientific articles, reports, news, and interviews, among other forms of knowledge, which have been published in the most important information vehicles, including academic websites and public, governmental and nongovernmental entities, journals and journals, which focus on the theme in question, were used.

It is worth noting that, aiming to establish a context for comparing the city of São Paulo with the North American and European models, the search for information sourced in those locations was established through documentary research conducted at the municipality, state, and country levels. In this same direction, the data and information collected, which refers to the services and benefits offered by North America and the European Union to immigrants, were analyzed from the perspective of their public policies aimed at undocumented immigrants and the basis of the immigration laws of these localities and were extracted from the consulted documents, articles, materials and websites; the services and benefits that were identified in each location analyzed demonstrated higher levels of adherence according to the descriptions of these policies and laws.

The process of public governance, according to the IFAC (2014), encompasses, in its structure, the administrative, political, economic, social, environmental, legal dimensions, among others, which, when put into practice, can ensure the achievement of the results committed to by governments with society. In the same vein, the Court of Auditors of The Union (2014) indicates that public governance can be analyzed from the following four perspectives of observation: 1) society and state; 2) federative entities, spheres of power and policies; 3) organs and entities; and 4) intraorganizational activities. For a more assertive analysis of the services and benefits offered to immigrants by the observed localities and aligned with the objectives of this study, three specific

perspectives were proposed and established for this study; these perspectives are considered to be the most representative of and significant to the issue of immigrants, under which services and benefits are classified. They are the 1) social perspective, 2) political perspective, and 3) legal perspective. Thus, the services and benefits identified for each of the localities were associated to at least one of these three perspectives, thereby respecting the adherence and alignment of the services and benefits to the proposed perspectives.

Municipal Law 16,478, which was established through decree No. 57,533 dated 12/15/2016, by the São Paulo City Hall, outlines the municipal policy for the immigrant population and establishes in its chapters and sections the parameters that serve as the basis for the identification of services and benefits that the city of São Paulo provides to immigrants; it also leads the choice of seven analysis criteria for comparison between the localities considered for this study. These criteria are a) accommodation, b) food, c) documentation, d) education and teaching, e) social inclusion, f) health, (g) security, and h) work.

The adoption of these analysis criteria allow the establishment of a normalized classification among the services and benefits offered to immigrant in each locality in order to seek the greatest possible execution of the associated services and benefits nested within each of the proposed criteria.

4. ANALYSIS AND DISCUSSION OF RESULTS

The tabulation process and the consolidation of the data and information considered two parameters to support the analysis: 1) incidence by perspective and 2) incidence by criterion. The first parameter, shown in the line "**INCIDENCE BY PERSPECTIVE**", represents the number of services and benefits to which each perspective corresponds, that is, the services and benefits allocated to each perspective. The second parameter, shown in the column "**INCIDENCE OF CRITERION**", represents the number of services and benefits associated with each criterion. Thus, correlations were established between these two parameters as they were observed in the localities.

Table 5 presents, for each location under analysis, the incidence rate of services and benefits identified for each of the three perspectives; specifically, this number represents the amount of times that the services and benefits in each perspective were allocated. Additionally, in the same table, the percentage value that corresponds to the relative

participation of each locality by perspective is presented, considering as a basis the total consolidated incidence rate between them.

LOCATIONS	PERSPECTIVE					
	Social		Political		Legal	
	Incidence	Percentage of participation	Incidence	Percentage of participation	Incidence	Percentage of participation
North America	19	38%	13	30%	15	48%
European Union	17	34%	14	33%	10	32%
City of São Paulo	14	28%	16	37%	6	19%
CONSOLIDATED TOTAL	50	100%	43	100%	31	100%

Table 5. Participation of the services and benefits of the localities by perspective. *Source:* Search data. Prepared by the author.

In the data presented in Table 5, for the social perspective, a balance is perceived between the participation of North America and that of the European Union, with percentages of 38% and 34%, respectively, in the global context of the three localities. In this sense, the city of São Paulo, at 28%, has a 10% and 6% smaller share in relation to those of North America and the European Union, respectively; this outcome points to a social perspective characteristic that is closer to that of the European Union.

The political perspective presents a higher percentage for the city of São Paulo, which boasts 37% of the total services and benefits found between the three locations. The localities in North America and the European Union show a balance among each other for this perspective, with the total for the European Union only being 3% higher than that for North American.

The legal perspective portrays the largest percentage discrepancy between the three locations analyzed; North America is shown to be dominant in regard to this perspective, with a difference of 16% more than that of the European Union and 29% more than that of the city of São Paulo; São Paulo also differs significantly from the European Union, with a score of 13% less for the perspective in question.

North America has a profile that is more consistent with the political and legal characteristics, with significantly greater weight for the latter perspective. In the analysis of the American context, Cottle (2018) draws attention to the fact that sanctuary cities in North America act according to their own laws and legal decisions, which is corroborated by O'Brien et al. (2019), who discuss the autonomy of sanctuary cities in North America that establish and follow up their own immigration laws.

The European Union shows a noticeable linearity between the three perspectives in the provision of services and benefits by perspective, thereby demonstrating remarkable balance. The social character of these localities is evident in the analysis of the documents and in the literature on the immigration process in the European Union. Squire (2009) strengthens the support of the community by arguing that both politics and businesses are turning to support the European Union's initiatives, which is in line with The European Commission (2016), Bauder (2017) and Pachocka (2016), all of which highlight the European Union's stance of welcoming undocumented immigrants in a more conscious and humanitarian way by focusing on human rights and its search for political and legal solutions to the social inclusion of these immigrants even before the establishment of the development and implementation of immigration policies.

The city of São Paulo stands out due to its predominance in the category of the political services and benefits offered to immigrants and refugees compared to those offered within the other two localities. It is important to highlight the low level of participation of the city of São Paulo in the context of the legal perspective, which reinforces the character of the municipality's own initiative in the context of its own public immigration policies, as highlighted by the IOM BRAZIL (2019a); such policies are presented in an innovative and inclusive way, and the city's immigration policy stems from the initiative of the city council without being a legal obligation or an imposition by the federal immigration authorities. Thus, the city's history pertaining to immigration policy is seen to be consistent with the low level of participation in the legal perspective and a much higher level of participation in the political perspective. The social perspective appears in the context of Municipal Law 16,478, which justifies the results of the participation in services and benefits from this perspective.

Table 6 presents, for each analyzed location, the numerical incidence rates of the criteria, as well as the percentage of incidence of each criterion, relative to the total number of services and benefits identified for each locality.

ANALYSIS CRITERION	LOCATIONS		
	North America	European Union	City of São Paulo

	Incidence	Incidence Percentage	Incidence	Incidence Percentage	Incidence	Incidence Percentage
Accommodation	1	3%	3	13%	2	11%
Food	4	14%	1	4%	0	0%
Documentation	2	7%	0	0%	1	6%
Education and Teaching	2	7%	2	8%	2	11%
Social inclusion	4	14%	9	38%	6	33%
Health	8	28%	1	4%	2	11%
Security	8	28%	4	17%	2	11%
Work	0	0%	4	17%	3	17%
TOTAL SERVICES AND BENEFITS	29	100%	24	100%	18	100%

Table 2. Participation of analysis criteria by location. Source: Search data. Prepared by the author.

The data presented show, for North America, a predominant focus on the health and security criteria, which, together, total 56% of the services and benefits classified within the overall criteria. The incidence percentage rate of the security criterion reinforces the concept of the sanctuary city, as understood by Hintjens and Pouri (2014), as a place of protection and security for immigrants and refugees, i.e., a place that protects them from federal immigration law and keeps them free from deportation.

The result of the health criterion, which presents a significant incidence percentage rate of 28%, is aligned with the policies of the services and benefits offered to immigrants and refugees in North America, as reported by the National Conference of State Legislatures (2014) and the New York City Comptroller - Office of Public Affairs and Stringer (2018). The food and social inclusion criteria, both of which comprise 14% of the services and benefits offered to immigrants, are also explained in the reports of the National Conference of State Legislatures (2014) and *the* New York City Comptroller - Office of Public Affairs and Stringer (2018); similarly, two other criteria—documentation and education and teaching—both have an incidence rate percentage of 7%, with explanations also being reported in the reports of the abovementioned entities.

The accommodation criterion has an incidence percentage of 3%, which, although not representative when compared to that of the security and health criteria, is reported by *the* New York City Comptroller - Office of Public Affairs and Stringer (2018). It is worth mentioning that in North America, the work criterion comprises 0% of the participation within the set of services and benefits offered to immigrants, as it is not included in the

set of policies adopted by sanctuary cities in North America published by the ILRC (*Immigrant Legal Resource Center*) (2016).

The European Union boasts a predominant social inclusion criterion among the set of criteria adopted, with an incidence percentage rate of 38%; this result is in line with the proposal made by the European Commission (2016) regarding the definition of initiatives aiming to support the integration of immigrants and refugees into the European Union. This incidence percentage for the social inclusion criterion is equivalent to the percentage outcomes found for the security and work criteria, which together add up to 34%. The outcome of the security criterion, with an incidence percentage rate of 17%, aligns with the understanding of Têucher (2018) and Mascareñas and Eitel (2019) on the need for more justice and awareness in the foundation of an integrated policy for the European Union regarding the reception of immigrants and refugees. Similarly, the work criterion, which has an incidence percentage rate of 17%, coincides with the statement made by Orrenius and Zavodny (2016) regarding the search for greater job opportunities, even an informal search, in the southern region of the European Union.

The accommodation criterion, with a 13% incidence percentage rate for the supplied services and benefits, is the 4th most relevant criterion; this outcomes shows that this criterion represents a fundamental role in the supply of services and benefits to immigrants and refugees. Chandler (2018) emphasizes the commitment of religious entities to the sheltering of such people, which is corroborated by Mascareñas and Eitel (2019), who refer to the offer of housing in the Dutch cities of Rotterdam and Amsterdam. The criteria of education and teaching, with 8% of total, and food and health, each of which has 4% of the total, do not have significant relevance when compared to the criteria previously discussed; however, these criteria are present in the integration process of immigrants and refugees that has been proposed by the European Commission (2016). The documentation criterion has zero incidence percentage rate (0%), as this criterion does not appear in the action plan proposed by the European Commission. Bauder (2017) mentions the stimulus provided by the European Union for the return of immigrants and refugees to their places of origin, thereby indicating that the regularization of documentation is not a priority in meeting the basic needs of these people.

The city of São Paulo has an incidence rate of 33% for the social inclusion criterion, which is the city's highest incidence rate outcome and 16% higher than the second-place criterion when examining the services and benefits to immigrants and refugees. When comparing the social inclusion criterion across the three locations, the city of São Paulo

indicates a greater compatibility with the European Union, i.e., only 5% less, than with North America, thereby demonstrating a clear tendency to offer services and benefits that have a significant reception component obviously present in the immigration policy of the municipality; in São Paulo, this component is represented by Municipal Law 16,478 (2016) regarding the establishment of priority actions aimed at immigrants and refugees. The work criterion appears to be the second-largest present in the services and benefits offered to immigrants and refugees in São Paulo, with an incidence percentage rate of 17%, which is equal to that presented for this same criterion by the European Union; this outcome demonstrates a significant similarity between these two localities. The IOM BRAZIL (2019b), in its Migration Governance Report, has recognized the support of the city of São Paulo in regard to the care, guidance and provision of authorization to immigrants and refugees for decent work.

The criteria of accommodation, education and teaching, health and security for the city of São Paulo all present equal incidence percentage rates of 11%, which is an outcome that indicates remarkable balance and uniformity in the provision of the services and benefits that are distributed within the proposed criteria; there is an emphasis placed on the education and teaching criterion, when compared to that of North America and the European Union, as São Paulo boasts a difference of more than 4% and 3%, respectively. It is worth noting the compatibility of the accommodation criterion in the city of São Paulo with that presented by the European Union, as ensured by the priority actions contained in Municipal Law 16,478 (2016).

The documentation criterion, which has an incidence percentage rate of 6% in the services and benefits provided by the city of São Paulo, demonstrates compatibility with the same criterion in North America but does not appear as relevant, although it is as important as the other criteria.

The food criterion has an incidence rate of zero, as it is not a specific benefit addressed by the immigration policy of the municipality. However, breakfast is served in shelters provided by the city of São Paulo, which are intended for immigrants and refugees.

4.1. Discussion of Results

Based on the documents and articles analyzed regarding the three locations in focus, it is noticeable that North America, with regard to the issue of immigration that are specifically aimed at immigrants and refugees, presents a connotation that is very based

on laws; that is, adapting to the format of this research, North America concentrates in its laws the conditions for the treatment given to immigrants. The mutual political opposition, as perceived in the documentary analysis, between the self-styled sanctuary cities and the federal immigration authorities appears to be an antagonistic force. On the one hand, sanctuary cities, which have their own laws and autonomy, seek to protect immigrants and refugees from the actions of federal laws. On the other hand, federal immigration laws seek to act more rigidly in order to drastically restrict the presence of these immigrants within the territory.

In North America, the legal perspective has the highest incidence rate (48%) among the three perspectives, which is due to the independence of municipal authorities in the establishment of their own laws. The context of sanctuary cities shows a strong social component, as these municipalities protect immigrants and refugees from deportation by federal authorities. This result is reflected in the incidence rate of the social perspective (38%); although the outcome of the social perspective is 10% below that of the legal perspective, this does not suggest that it is less important but is rather a consequence of the soundness of municipal laws.

The incidence rate presented by the political perspective (30%) in North America, although it is lower than the others, has relevance in the establishment of policies applied to immigrants and refugees, which are understood as complementary to the previously mentioned perspectives.

The incidence percentage rates of the three perspectives in the European Union are balanced, with irrelevant variations between them; i.e., the difference between the highest percentage, which is for the social perspective (34%), and the lowest percentage, which is the legal perspective (32%), is only 2%. The context of the European Union, as noted in the documentary analysis, shows a strong tendency to and greater focus on providing welcome, well-being and security for immigrants and refugees.

Unlike the characteristics of North America, the European Union does not have a high level of concern about the deportation of immigrants and refugees; instead the European Union offers conditions of survival through the services and benefits contemplated by immigration policies as a way to stimulate the return of these immigrants and refugees to their places of origin. A free stay in the sanctuary localities located in different countries throughout the European Union differs from that offered by sanctuary cities in North America, which protect immigrants and refugees only within the limits of the municipality that is considered a sanctuary city. The European Union deals with

immigration as a consensus among the participating countries, thereby providing, as noted in the document analysis, broader geographical mobility.

The city of São Paulo has the highest incidence percentage rate for the political perspective (44%). Although traditionally, the city of São Paulo has characteristically welcomed immigrants, with Italian and Japanese immigrants providing the greatest amount of evidence, the profile of these two immigrant nationalities differs from the profile that is examined in the current research. The approach taken in this study is immigration that is undertaken for survival needs and to seek out better living conditions, in addition to immigration that is motivated by various modalities such as political, racial, ideologic, among others; this is a profile that continues to increase because Brazil is the only examined locality that accepts the arrival of immigrants and refugees without restrictions. In this sense, the documentary analysis points to the need for a specific law of immigration for the city of São Paulo because it is the most sought-after destination by immigrants and refugees due to the economic and social conditions of the municipality, which is a fact that ratifies the incidence percentage rate of the political perspective.

Municipal Law 16,478 (2016) includes a significant range of services and benefits offered by the city of São Paulo to immigrants and refugees, with a predominant social nature, which is in line with the incidence percentage rate of the social perspective (39%). These two perspectives, namely, social and political, already present services and benefits in relevant quantities, thereby leaving the legal perspective with the lowest percentage of participation (17%)’ however, the legal perspective should be viewed in conjunction with the support of municipal initiatives toward immigrants and refugees, as seen by the national immigration policies.

In the criteria of analysis for North American, the two incidence percentage rates that stand out in North America, namely, health and security, both equal (28%), thereby reinforcing the peculiar characteristic of sanctuary cities in North America in regard to the protection of immigrants and refugees against deportation by federal authorities; as already mentioned, these cities are strongly focused on opposition to the application of federal immigration laws.

The incidence percentage rates of these same two criteria, namely, health and security, for the European Union (4% and 17%, respectively, which together result in 21%) and for the city of São Paulo (11% for both, which together result in 22%), have unrepresentative values in relation to those found for North America; however, the first two locations show a significant alignment of these criteria when compared with each

other. This result demonstrates a more humanitarian and social profile in regard to welcoming immigrants and refugees, which is in line with the data prospects for these locations.

The social inclusion criterion for both the European Union and the city of São Paulo presents very close incidence percentages (38% and 33%, respectively); i.e., this criterion represents the highest values in both localities when compared to the other criteria. The results portrayed by these data reinforce the conceptual similarity of the services and benefits offered to immigrants and refugees, thereby converging these two locations to similar profiles of immigration policies.

The incidence percentages rates of the other criteria for each locality are equally important but do not present an order of magnitude that needs to be highlighted for the purpose of comparing the three localities. The values perceived in the eight criteria indicate similarities between these localities (highlighted in Table 2). For this comparison, a maximum difference of 6% was considered between the values of the incidence percentage rates to determine the similarity between the three localities. There were two similarities found between the cities of São Paulo and North America, while there were find similarities found between the city of São Paulo and the European Union and only one similarity found between North America and the European Union.

A specific law for the protection of the legal reception of immigrants against deportation is not required in São Paulo since this authority lies in the federal realm instead of the municipal realm, as presented in the structure of government in North America. In this sense, the more humanitarian and social profile of the city of São Paulo is more aligned with the model of the European Union in regard to maintaining the appropriate proportions in relation to the social, political and legal systems of the European Union, as well as the cultural differences present in a process of this nature.

The conceptual differences between what is understood as a sanctuary city in North America and the European Union, according to the research data, clearly point out that the American concept is based on the counterposition of federal immigration law enforcement, which favors the deportation of immigrants and refugees, while the European concept is based on social and humanitarian aspects. In this context, the city of São Paulo is configured as a sanctuary city within the European model. Although there are peculiar characteristics present in this configuration of the city of São Paulo in relation to immigrants and refugees, the essence of the concept of a sanctuary city, which is

currently presented according to the proposals that have been made by several authors, is that of reception, protection and integration.

5. CONCLUSION

This qualitative research, in its general objective, proposed to analyze whether the services and benefits that are presented by the city of São Paulo to undocumented immigrants from other countries configure this city as a sanctuary city. Furthermore, in order to fulfil this general objective, this research proposed the following two specific objectives: 1) to identify the elements that the sanctuary cities of North America and those of the European Union offer to undocumented immigrants, from the perspective of immigration policies and 2) to analyze and point out the services and benefits that the city of São Paulo offers to undocumented immigrants from the perspective of its public immigration policies, which led to the present study.

The theme of a sanctuary city, which is central to the current research, is not a familiar theme in Brazil even though it already has a history in North America, where it was conceived,. The growing movement of immigrants and refugees to Brazil who come from countries in conflict and in precarious economic situations, motivated the current research, which could trigger a series of studies that bring about a broader view of public governance and its relevance in the process of improving the current public immigration policies, as well as in the formulation and implementation of new public policies aimed at immigrants and refugees. In this context, the city of São Paulo, which has already been recognized by the IOM (International Organization for Migration) as a leading location in the migration management process, can serve as a reference for other localities that also receive a significant number of immigrants and refugees and wish to establish public governance objectives that include the issue of immigration as a priority of their public management process.

The analysis of the results obtained in the documentary research for the social, political and legal perspectives indicates incidence percentage rates with varied orders of magnitude. The social perspective is shown to be the most balanced among the values presented for North America, the European Union and the city of São Paulo, at 38%, 34% and 39%, respectively. In the context of the other two perspectives, namely, politics and legal, the discrepancies between the three localities are more pronounced; the largest difference between the values is found in the political perspective, which is 14% higher for the city of São Paulo in relation to that found for North America and 11% higher in

relation to the European Union. The legal perspective also presents discrepancies between the three localities, with even more marked differences of 31% and 15% found for the city of São Paulo and for the European Union, respectively, compared to that found for North America. This outcome points to a greater similarity between the city of São Paulo and the European Union in regard to the profile of the provision of services and benefits to immigrants and refugees.

Within the scope of the analysis criteria proposed in this study, 56% of the total services and benefits offered to immigrants and refugees in North America are concentrated in the health and security criteria. However, for the city of São Paulo, the percentages of incidence for these same criteria, added together, represent 22% of the total services and benefits offered to immigrants and refugees; this is a figure that is very close to the sum found for the European Union, which is 21%. This minimal difference of one percentage point demonstrates, considering the common concepts of reception and protection that are present in sanctuary cities, regardless of the locality, a greater conformity between the characteristics of the city of São Paulo and the European Union. While the results of the individual incidence percentage rates for these two criteria, namely, health and safety, in both the European Union and São Paulo present some discrepancies, they are less significant compared to those found for North America.

The results obtained show that for each of the three localities, at least one analysis criterion presents a incidence percentage rate of zero; that is, for the city of São Paulo, for North America and for the European Union, the criteria of food, documentation and work present a zero value, respectively, which is why they are not considered in this discussion of the results.

From the perspective of the three remaining analysis criteria, namely, accommodation, education and teaching, and Social Inclusion, for each of the localities, the incidence percentage rates of each of these three criteria added together present values of 55% for the city of São Paulo, 59% for the European Union and 24% for North America. These figures show a balance between the city of São Paulo and the European Union, with a difference of only 4%. Among the incidence percentages presented for the three criteria, there is a uniformity between the incidence percentage rates for the education and teaching criterion in the three localities; i.e., the city of São Paulo boasts 11%, the European Union has 8% and North America has 7%. The greatest influence on the significant difference that is presented as the sum of the incidence percentages of North America (24%) for the three criteria of accommodation, education and teaching, and

social inclusion and that for the city of São Paulo and for the European Union is found in the accommodation criterion, with 11% for the city of São Paulo, 13% for the European Union and 3% for North America, and in the social inclusion criterion, with 33% for the city of São Paulo, 38% for the European Union and 14% for North America. These outcomes demonstrate a greater level of adherence and conformity regarding the characteristics of the city of São Paulo with those of the European Union.

The current research sought to fulfill the proposed objectives, both general and specific, and has concluded that the city of São Paulo is configured as a sanctuary city that is more aligned with the European model than with the North American model because it presents more social and humanitarian views; however, in some respects, São Paulo is similar to the American model.

This study contributes to the development of academic research that is focused on social and political issues that motivate the migration process between nations. Specifically, with regard to Brazil, the research has identified which factors are important in regard to mobilizing a range of immigrants and refugees to the country. In the practical aspect, this study makes a relevant contribution to the improvement of public immigration policies in the city of São Paulo by emphasizing the process of public governance as being essential to the management of immigration issues within both the municipality and the country. Furthermore, the study can serve as a basis for other localities who wish to establish their own immigration policies or improve those that may exist, as well as to highlight the role of governance in public management.

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