

Is there language policy for migrants in Brazil?

Linguistic ideologies and three language tests

by

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IS THERE LANGUAGE POLICY FOR MIGRANTS IN BRAZIL? LINGUISTIC IDEOLOGIES AND THREE LANGUAGE TESTS¹

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ABSTRACT: In this paper, we analyze the language testing regime in the context of transnational migration to Brazil and its relation to hegemonic linguistic ideologies in the construction of body differentiation systems. Therefore, we understand test as a formal instrument to measure proficiency, established as a pre-requisite to the entry, residence, and/or acquisition of nationality by migrants in several countries, working as a way of gatekeeping state frontiers, according to the researched literature. Initially, we identified three kinds of language tests in Brazil: the Certificate of Proficiency in Brazilian Portuguese for Foreigners (Celpe-Bras); the Portuguese test for foreign physicians within the federal government program “More Doctors for Brazil”; and the verification of Portuguese literacy in naturalization processes. The corpus analysis indicated several discrepancies between the state-of-art in the studies of language tests for migrants and the Brazilian reality, putting into perspective the very existence of a language testing regime in the country, considering that the articulations of its linguistic and gatekeeping aspects are contradictory. The resources indexed in the documents about tests in Brazil actually show the affirmation of autonomy in the management of the Portuguese language and the commodification of Portuguese teaching for foreigners as a market strategy and a showcase of a globalized Brazilian culture, in an ideological construction of static and naturalized correspondence between official language and nation, creating therefore hierarchies among “desirable” and “undesirable” migrant identities.

KEYWORDS: Language tests; language ideologies; language policy; migration.

1 Introduction

Contemporary world has been witnessing an increasing development in the spatial mobility of people, objects and symbolic capitals around the globe. Associated with the complex dynamics of the globalized market and the forces of consumption and digital communication, it operates in the opposite direction of nationalist control, threatening patterns of stability built since the eighteenth century. As a result and a response to this process, Nation States have been reinforcing the regulations on their borders, as an attempt of maintaining certain discursive and identity parameters. Reflecting upon this relation between the diversification of migration flows and its respective surveillance by

¹ Another version of this text was published in Portuguese in Dias and Pinto (2017).

state institutions, Blommaert (2010:171) observes how, in the face of “post-modern realities”, governments appear to formulate “very old modernist responses”.

In this scenario, the modern discourse around the Nation State and its languages is very productive to bring about a sense of belonging to the community, which is characterized by a supposedly cohesive set of values, cultural and linguistic traditions (Anderson 1983; Pratt 1987; 1991). A language variety is thus conceived as something that “belongs” to a “speech community”, defined by a shared space and time (Heller 2008; Vertovec 2011). However, when people move and shift this space-time axis, their communicative resources get affected, and what used to be effective in one part of the world might not work so well in another. In this interaction between (trans)national socioeconomic dynamics and local language practices, the politics of “assimilation” of migrants into the new national realities are performed through the hierarchical regulation of “desirable” and “undesirable” foreign identities (Codó, 2008; Jacquemet, 2005).

State institutions can set up many limitations and degrees of language practices within the national territory, creating conditions to differentiate people through language policy. The explicit language policies – norms that draw guidelines, rules, classifications, procedures and bureaucratic strategies concerning language practices (Behares, 2011) – pose an important convergent locus of several metadiscursive regimes about languages in migration contexts. They constitute institutionalized regulations that evidence structures, establish parameters and orient language uses and judgments about such uses in specific practices of social interaction (Signorini, 2008).

In those language policies, several linguistic ideologies are articulated. According to Silverstein (1979:193), linguistic ideologies are “any sets of beliefs about language articulated by the users as a rationalization or justification of perceived language structure and use”. They are responsible for legitimating patterns of differentiation and hierarchy of language practices, acting as a metapragmatic “mediator” in the social semiosis, through a system of indexicalities presupposed according to certain social positions (Pinto 2014b; Signorini 2008).

In Brazil, official discourses tend to incorporate some vague and contradictory language ideologies. On one hand, they follow the human rights’ debates about multilingualism (right to access official documents in one’s own language, for example). On the other, they promote hegemonic consensuses about national monolingualism (obligation to learn

Portuguese as a contact language in Brazilian territory, for example) (Pinto 2014a). Dias and Pinto (2015, unpublished) reached similar conclusions in their research about the explicit language policies for migrants in Brazil. As observed by the authors, Brazilian migratory legislation is very sparse and overgeneralized, which is noteworthy considering how profuse and detailed the national legal system is. This circumstance points to an institutionalized erasure of undesirable linguistic practices, associated with linguistic homogenization of Brazilian Portuguese as the one and only official language of the country² and as a key condition for proper integration and social cohesion.

According to Blommaert and co-authors (2014), social processes are distributed in interactional levels or layers, through which historical subjects circulate in terms of power and inequality. The indexical connections between the levels of this sociolinguistic scale are complex and context-dependent, pointing towards norms and orders that organize social life. In the case of our previous study (Dias and Pinto 2015, unpublished), we met with some known conclusions about large and small-scale relations (Blommaert 2010; Jacquemet 2011): the more “vague” is the voice in the upper level of the scale (federal laws) the voices in the opposite side of the scale (local bureaucratic control by state agents) become more multiple and specific. One of the forms of indexical connections between these poles is the establishment of language testing regimes as a way to regulate the entry and permanence of migrants within the national territory by the Public Administration.

Thus, in the present study, we aim to describe the circulation of language testing regimes for migrants in Brazilian official documents and Brazilian media. We also intend to identify, in these regimes, evaluations of competences and communicative resources and the indexical orders and body differentiations in such evaluations. Hence we will face up the language testing regimes for migrants in Brazil to national and transnational hegemonic linguistic ideologies.

To achieve our goals, we examined the recent literature on language testing for migrants and the recent literature on hegemonic linguistic ideologies in Brazil. Supported by this review, we gathered diversified empirical data on and of Brazilian Portuguese tests for migrants. Since this research integrates a larger one called “Body marks, linguistic marks:

² Portuguese language is not indeed the only official language in Brazil. Since 2002, Brazilian Signs Language (LIBRAS) is the second national official language, and some indigenous languages have an official language municipal status in about a dozen small cities, usually those where there is a majority of indigenous population. However, those cases don't affect the symbolic status of Portuguese as the only language neither the language ideology about monolingualism in Brazil.

metadiscursive intersections between languages and bodies in Brazil”, we used its empirical data to qualitatively gather documents (legal texts, official documents, news) on and about languages testing in Brazil. In this data, we have identified three types of language tests for migrants. Then we searched for new documents outside the main research data, for enlargement and accuracy of empirical material. At this point, we noticed the scarcity and the inaccuracy of Brazilian official information about the language testing. At the same time, we observed the dissonance between the literature on language testing and the Brazilian context, whereas the debates about language testing regimes are more consolidated in the contexts of Europe and the United States. These gaps were then configured to form an important guiding axis of the analyzed issues, which, considering the scope and the data available for our research, turn to the three previously identified tests.

After this initial exploration, we started the description of the data by identifying the indexical resources in the documents that point out the “reasons” e the “bodies” that need the language tests. We carried out the analysis by confronting these indexical resources to national and transnational linguistic ideologies about linguistic practices in Portuguese.

As the data showed, language tests constitute formal instruments of assessment to measure communicative abilities in a certain language through a set of pre-established criteria. Depending if the person meets the expectations (and the equivalent degrees) for so, the tests guarantee or deny him/her a certification of language proficiency³. Recent studies (Bachman and Purpura 2008; Blackledge 2009; Extra et al. 2009; Kunnan 2012; Mcnamara et al. 2015; Piller 2001; Shohamy 2001; 2013; Van Avermaet 2009) indicate, however, that beyond the sole purpose of measuring linguistic knowledge, such tests have the potential of gatekeeping the access of various rights, especially for migrants. Blackledge (2009), for example, underlines the use of language as a way of racializing language(s), and thus “purifying” and homogenizing the population in the UK. Shohamy (2013) emphasizes the role of tests as a tool of power and political control over linguistic

³ As defined by the Language Policy Unit of the Council of Europe: “Language tests are formal instruments of assessment. They can be used either to measure proficiency without reference to a particular programme of learning or to measure the extent to which learners have achieved the goals of a specific course. The language tests that adult migrants are sometimes required to take in order to secure entry to their host country, permanent residence or citizenship, may fall into either of these categories”. Available in: <<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680494490>>. Access in: 17. Apr. 2017.

realities, through the set of patterns of desirable and undesirable linguistic practices – and the respective identities associated with each.

As we can see, language testing regimes for migrants have two conceptual aspects. The first one – associated with the measurement of a strictly linguistic knowledge and largely used by official departments – refers to the institution of common, objective and supposedly impartial criteria to evaluate individuals. The second aspect is a consequence of the uneven power relationships established between the participants involved in a test situation, insofar as the evaluative authority prescribes a set of ideologically excluding tasks for which it expects a certain performance by the test takers (Shohamy 2013). Therefore, when language tests are imposed to migrants as a pre-requisite for obtaining temporary work/study visas, settling residence or applying for citizenship, the Nation State is establishing limits and degrees of language practices in its territory, and, at the same time, it is creating conditions to limit and differentiate bodies and identities within this same territory.

Considering these theoretical insights and the Brazilian reality, we started to question if we could use of the expression “language policy for migrants” or if there really is a language policy applied to migration gatekeeping in Brazil. Do the traditional theoretical criteria fit the Brazilian testing regime? Is there any other element of analysis in our data to expand or shift the current perspective on language tests?

It was due to the recognition of the wide range of scenarios in migration dynamics and the diversity of analytical elements they mobilize that our initial exploration of literature about language tests led us to some difficulties to articulate categories of analysis. Furthermore, the dissonance between the literature and the Brazilian context, associated with the lack of a specific critical literature on language testing regimes in Brazil, brought us to impasses in terms of the key issues that could guide our analysis.

Nonetheless, Van Avermaet (2009) and Piller (2001) indicated us some interesting paths. Both the authors elaborate a typology of language tests according to the different degrees within the scale-level relationship between State and migrant. They categorize different types of tests taking the classifications and degrees provided by the official documents, but analyze them as forms of implementation of migratory language policies inserted in ideological processes and linked to certain notions of nationality, identity and language – under specific conditions, consequences and concepts, as we will explore bellow.

Van Avermaet (2009) argues that it is possible to identify a correspondence between the types of language tests, such as *admission*, *integration* and *naturalization*, and how far the migrant is in his/her “migratory path” (or, we could say, in what level of the migratory scale he/she is), such as: *enter*, *settle* or *apply for citizenship*.

As mentioned earlier, our data indicated three types of language tests in Brazil: 1) Certificate of Proficiency in Brazilian Portuguese for Foreigners (Celpe-Bras); 2) the evaluation of “knowledge in Portuguese for everyday situations of medical practice in Brazil” for exchange doctors within the federal program “Mais Médicos” [More Doctors for Brazil] (Article 16, § 2 of Interministerial Ordinance no. 1369/13)⁴; 3) the requirement to read and write in Portuguese, verified by the reading of sections of the Federal Constitution, in naturalization proceedings (Article 112, IV of Law no. 6.815/80 and article 129, I of Decree no. 86.715/81).

According to Van Avermaet (2009), we could classify the types of language tests in Brazil as follows: Celpe-Bras as an *admission* test, the test for members of the “Mais Médicos” program as an *integration* test, and the Portuguese test in naturalization proceedings as a *naturalization* test. In the following sections, we will put this categorization into perspective and describe important aspects of these tests, identifying their indexical orders and the relations between the communicative resources evaluated in the tests and the establishment of body differentiations.

2. Description of the corpus

2.1. Celpe-Bras

Regarding the Certificate of Proficiency in Brazilian Portuguese for Foreigners (Celpe-Bras), the official website of the Brazilian National Institute for Educational Studies and Research “Anísio Teixeira” (Inep – Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira), a special research agency linked to the Ministry of Education and accountable for “educational statistics that help formulate, implement,

⁴ The “Mais Médicos” is currently undergoing continuous dismantling since Dilma Rousseff’s impeachment in May 2016. We cannot preview how much it will last in the current political scenario.

monitor and evaluate educational policies in the federal government, as well as in state and local government levels”⁵, informs:

The exam required for the Certificate of Proficiency in Brazilian Portuguese for Foreigners (Celpe-Bras) is the official Brazilian certification of proficiency in Portuguese as a foreign language. Celpe-Bras is applied in Brazil and other countries by the National Institute for Educational Studies and Research “Anísio Teixeira” (Inep), supported by the Ministry of Education and in partnership with the Ministry of Foreign Affairs.

The tests take place in stations: higher education institutions, diplomatic representations and consular missions in Brazil and abroad, Brazilian and foreign cultural centers and institutes, and similar institutions interested in promoting and diffusing Portuguese Language.⁶

It is worth to mention that this website has been updated in March 2, 2017. Previously, there was a paragraph about the demands for the test:

Internationally, it [Celpe-Bras] is accepted in companies and educational institutions as a proof of competence in Portuguese language. In Brazil, it is required by universities for enrolling to graduation and post-graduation programs, as well as for validating diplomas of foreign professionals who intend to work in the country.

Some important elements of analysis were present in the excerpt above, such as the need of Celpe-Bras for validating foreign diplomas and for obtaining (and maintaining) scholarships in graduation and post-graduations courses provided by international agreements between Brazil and other countries. These features have strengthened Celpe-Bras in recent years, pointing to its status as a high-stake test, since important political,

⁵ Available in: <<http://portal.inep.gov.br/web/guest/about-inep>>. Access in May 05. 2017.

⁶ Original text: “O Exame para Certificado de Proficiência em Língua Portuguesa para Estrangeiros (Celpe-Bras) é o certificado brasileiro oficial de proficiência em português como língua estrangeira. O Celpe-Bras é aplicado no Brasil e em outros países pelo Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira (Inep), com apoio do Ministério da Educação e em parceria com o Ministério das Relações Exteriores. As provas são realizadas em postos aplicadores: instituições de ensino superior no Brasil e no exterior, representações diplomáticas e missões consulares do Brasil no exterior, centros e institutos culturais brasileiros e estrangeiros e instituições congêneres interessadas na promoção e na difusão da Língua Portuguesa”. Available in: <<http://portal.inep.gov.br/web/guest/acoes-internacionais/celpe-bras>>. Access in May 05. 2017.

economic and educational decisions are made based on its results (Diniz 2008; Bizon 2013).

Even though this excerpt was suppressed from the website – which indicates how instable and unpredictable the current political scenario in Brazil is, as we will explore below – the data so far shows us that the focus of Celpe-Bras is indeed the access to the academic world. The Exchange Program for Undergraduate Students (PEC-G) and Graduate Students (PEC-PG), a cooperation program between Brazil and countries of the South-South axis in which foreign students can undertake full undergraduate and graduate studies at Brazilian public universities, requires the certificate for students from non-CPLP countries (Community of Portuguese Speaking Countries). Celpe-Bras constitutes, thus, an important public policy regarding mobility, by consolidating economic, cultural and educational relations among the partner countries. As Bizon (2013:53) points out, “there is a clear goal by the Brazilian government of marking its investment in these countries, in a properly documented and thus definitive way”⁷.

The structure of the exam is very detailed in the official materials, which emphasize the relation among language, identity and culture. According to the Celpe-Bras Examiner Handbook (Brasil 2013b: 7)

the proficiency of the test taker is measured by his/her performance in communicative tasks that emulate situations that may take place in the daily life of a foreigner who intends to interact in Portuguese [using his/her] knowledge of the language and the social rituals that rule interlocution.⁸

Celpe-Bras website also informs the structure of the test, comprising a written and an oral part. The oral examination assesses speech comprehension, fluency, vocabulary and pronunciation, from a series of questions derived of “provocative elements”, which, in turn, follow a “script of face-to-face interaction” available to examiners.

⁷ Original text: “nota-se, por parte do governo brasileiro, o claro objetivo de marcar, de modo devidamente documentado e, portanto, definitivo, seu investimento nesses países”.

⁸ Original text: “a proficiência do examinando é avaliada pelo seu desempenho em tarefas comunicativas semelhantes a situações que podem ocorrer no cotidiano de um estrangeiro que pretende interagir em português [utilizando] os conhecimentos de que dispõe acerca da língua e sobre os rituais sociais que regulam a interlocução”.

The “provocative elements” are composed of topics related to the contemporary world and some aspects of Brazilian reality. As Diniz (2008) confirmed in his research, the topics encompass a certain discourse of “Brazilianess”, such as national cuisine (2013-1st semester test) and soccer (2014-1st semester test). However, Brazil’s insertion in the processes of contemporary globalization has gained space in the test, which recently included topics such as internet and technology (2015-1st semester test) and sustainability (2016-1st semester test) and themes that characterize “Brazilianess” as “transnational”, such as a digital platform of interaction created by Brazilians (2015-2nd semester test) and sports tourism practiced by Brazilians abroad (2016-1st semester test).

The descriptions in the official documents make it clear that the Celpe-Bras test is a strategy of national language promotion. Since it is the main instrument of assessment in Brazilian Portuguese for migrants, its major effect is retroactive, as it rules how Portuguese language is taught in preparatory courses for the exam itself, in both Brazilian universities and foreign institutes. It is, at the same time, a market strategy and an affirmation of autonomy of the Brazilian State-nation, “not only regarding the production of a metalinguistic knowledge about Portuguese, but also regarding the management of this language in the international geopolitical scenario”⁹ (Diniz 2012:452-3).

2.2 “Mais Médicos” [More Doctors Program]

The “Mais Médicos” (More Doctors for Brazil) Program is part of a set of actions by the federal government aimed at improving the basic health care of the users of the Brazilian National Health System (Sistema Único de Saúde – SUS). The program has three main axes: emergency provision, education and infrastructure. According to the official website,

besides taking more doctors to regions where there is a shortage or a lack of these professionals, the program also provides more investments to the construction, renovation and expansion of Basic Health Units, in addition to new graduation and residency opportunities to qualify these professionals¹⁰.

⁹ Original text: “(...) não apenas em relação à produção de um saber metalinguístico sobre o português, mas também em relação à gestão dessa língua no cenário geopolítico internacional”.

¹⁰ Original text: “Além de levar mais médicos para regiões onde há escassez ou ausência desses profissionais, o programa prevê, ainda, mais investimentos para construção, reforma e ampliação de Unidades Básicas de Saúde (UBS), além de novas vagas de graduação, e residência médica para qualificar

The program also enables foreign doctors to practice medicine and carry on activities of teaching, research and extension within the limits and scope of the “Mais Médicos”. They receive a temporary visa to practice medicine for three years (which can be extended for another period of three years) and must follow some rules and procedures related to their condition as exchange doctors. One of these procedures concerns the Reception and Evaluation Mode, which is a mandatory stage for all the doctors with a foreign medical register (including Brazilian doctors who did not get their medical register in Brazil).

In this module, the doctors take classes about legislation of the Brazilian National Health System, its operation and attributions (especially the basic health care attention), and Brazilian Portuguese language. According to the program website,

During this period, an evaluation will be applied to test the knowledge of the participant on daily situations of medical practice in Brazil and during the execution of the module. According to his/her performance in the test, the doctor will be approved or submitted a new evaluation under a recovery regime.¹¹

As well as Celpe-Bras, the evaluation of knowledge in Portuguese for exchange doctors of the “Mais Médicos” [More Doctors] Program is inserted in a wide set of actions of educational character of the Brazilian State. In the old electronic portal of the Program, it was informed that:

The Reception and Evaluation Module of the exchange doctors [...] uses the combination of moments of face-to-face concentration with others of distance learning, where, in a more instrumental approach to medical communication, the Portuguese language learning will be worked longitudinally throughout all the three years of the doctor’s performance in the project¹².

a formação desses profissionais”. Available in: <<http://maismedicos.gov.br/conheca-programa>>. Access in Jul 13. 2017.

¹¹ Original text: “Nesse período, será aplicada avaliação para testar os conhecimentos do participante em Língua Portuguesa nas situações cotidianas da prática médica no Brasil e durante a execução do módulo. Conforme o desempenho na avaliação, o médico poderá ser aprovado ou submetido a nova avaliação em regime de recuperação”. Available in: <<http://maismedicos.gov.br/medico-intercambista>>. Access in Jul 13. 2017.

¹² Original text: “O Módulo de Acolhimento e Avaliação dos médicos intercambistas [...] utiliza a combinação de momentos de concentração presencial com outros de Ensino a Distância, onde o aprendizado de Língua Portuguesa num enfoque mais instrumental para a comunicação médica será trabalhado em caráter longitudinal ao longo de todos os três anos de atuação do médico no projeto”

Although there are no further details about the form of this language test for foreign doctors, it is possible to notice that it aims to check their learning at the end of a course, where the language teaching is completely linked to medical practice contents. In September 2013, in a note on the host and evaluation module carried out in the first stage of the program, the Educational Ministry emphasized its continuing evaluation nature, noting that it would “serve as a baseline for better performance in the specialization course in Primary Care that will occur over the three years of professional participation in the ‘Mais Médicos’ Program”¹³.

Unlike the Celpe-Bras, the official information regarding language testing in the “Mais Médicos” Program is very imprecise and sparse throughout the official documents. However, the subject is highly publicized in the media, through a discourse that uses the Portuguese language as an anchor to political-ideological critics to the Program, as we noted in this editorial of the Journal of the Brazilian Medical Association (AMB):

There are scientific studies indicating that the language barrier is associated with receiving 50% less analgesic after fractures in long bones [...], lower adherence to the treatment (doing what the doctor advised), a triple of missed follow-up visits in the cases of asthma patients [...] less satisfaction by the patients, and a lower rate of explanation regarding possible side effects of medications [...]. The authorization for the practice of medicine by physicians without adequate training and without a reasonable cultural and linguistic adaptation is based neither on empirical experiments nor on scientific evidence (Caramelli 2013:408).¹⁴

This excerpt indicates elements of the monolingual ideology as a way of barring the performance of migrant doctors in the country, by appealing to the notion of total correspondence between linguistic and professional competence. Thus, according to the discursive strategy of the editorial, the lack of knowledge in Portuguese becomes a barrier

Available in: <<http://portalsaude.saude.gov.br/index.php/cidadao/acoes-e-programas/mais-medicos/mais-sobre-mais-medicos/5958-medicos-curso-de-acolhimento>>. Access in: May 02. 2016.

¹³ Original text: “servirá como linha de base para melhor desempenho no curso de especialização em Atenção Básica que ocorrerá ao longo dos três anos de participação do profissional no programa Mais Médicos”. Available in: <<http://portal.mec.gov.br/component/content/article?id=19074:nota-sobre-o-modulo-de-acolhimento-e-avaliacao>>. Access in: May 02. 2016.

¹⁴ Original text: “Há estudos científicos indicando que a barreira da língua está associada ao recebimento de 50% a menos de analgésico após fraturas em ossos longos [...] à menor aderência ao tratamento (fazer o que o médico orientou), ao triplo de faltas às consultas de seguimento nos casos de pacientes com asma [...] menor satisfação por parte dos pacientes e menor taxa de explicação com relação a eventuais efeitos colaterais de medicamentos [...]. A autorização para o exercício da Medicina de médicos sem treinamento adequado e sem razoável ambientação cultural e linguística não está baseada nem em experiências empíricas nem em evidências científicas” (CARAMELLI, 2013, p 408).

when it inevitably becomes a repeated practice of medical errors, posing, therefore, a serious risk to the patients' health. The supposed need for a "cultural and linguistic environment", not clearly defined, shows that the desirable integration of migrants means the elimination of differences to guarantee social harmony and cohesion.

2.3 Naturalization

In Brazil, the Statute of the Foreigner (Law No. 6.815/80, article 112, IV) establishes as a requirement for the granting of naturalization "to read and write in Portuguese language", which could be demonstrated by "reading sections of the Constitution" (Decree 86.715/81, article 129, I). This normative configuration could rise multiple possibilities of proficiency evaluation by the judge in the Naturalization hearing, since there is no system of common criteria for language evaluation purposes – except a graphocentric model that supports the linguistic ideologies in Brazil, that is, the idea that to know Portuguese is to be able to read and write in this language (Pinto 2014b; Signorini 2002). The following case-law, concerning the denial of nationality to a Lebanese migrant, is elucidating in this respect:

Although this Judge has obtained testimonial evidence and statements that the claimant has sufficient income of his own to provide for his subsistence and he is also able to read and write the national language, he cannot substitute the administrative decision. Since this is a discretionary act, no illegitimacy is envisaged, since the Executive Branch, by reasoned decision, rejected the claimant's request within the scope of convenience and opportunity, a binomial of discretionary acts. (Brasil 2007)

However, the provision establishing that the knowledge of Portuguese language would be done by reading sections of the Constitution was revoked during the course of this research by Decree No. 8,757, dated May 10, 2016. This Decree amended some rules regarding the legal situation of foreigners in Brazil, like temporary visas and asylum conditions. These changes reflect a scenario of ongoing legislative changes on the subject, which was mostly regulated by laws from the Military Dictatorship period (1964-1985). The most important and significant legislative change was the Law 13.445/2017, sanctioned by the Presidency of the Republic in May 25 2017, which will replace the old Statute of the Foreigner in November 25 2017. Although some progressive aspects of the

new Law were vetoed by the current President of Brazil – like the granting of amnesty to migrants who entered the country until July 2016 and the free circulation of indigenous people in borderlands –, the new legal text points to a strategic policy of attraction and retention of qualified migrants through the unbureaucratization of the migration process.

Regarding the Portuguese test, the new Law establishes as a condition for ordinary naturalization “to communicate in Portuguese Language, considering the conditions of the claimant” (Law No. 13.445/2017, article 65, III). However, like most of the other changes in the new migration Law, this rule still depend on a Normative Resolution by the National Immigration Council to regulate the ordinary procedure of the acts, which, for the time being, are carried out according to the decision of state agents.

Considering, besides, that we did not find any detailed official information about the current Portuguese language evaluation procedure for the granting of naturalization, we can affirm that it still is a highly discretionary act, in which the judge, according to “opportunity and convenience”, will determine the level of proficiency of the claimant for naturalization, granting her/him or denying her/him Brazilian nationality.

3. Rethinking the concept of language test

As mentioned above, the concept of language test applied in migration contexts builds on the interplay of two constitutive aspects: one that is strictly linguistic and another that expands this notion of “linguistic”, conceiving the proficiency assessment as a way of gatekeeping the access of migrants to certain levels of the social scale. This interplay is what allows a typology of language tests based on the correspondence between the scalar mobility intended by the migrant and the linguistic demands he/she has to fulfill in order to do so.

Considering this complex and multilayered relationship between the migrant and the Nation State, Ingrid Piller (2001) refers to a useful distinction described by sociologists between “thick” and “thin” citizenship – the first one corresponding to a feeling of total belonging to the nation and the second corresponding to a feeling of “strangerhood” towards the nation. The author states that on a scale from thick to thin citizenship, “native-born citizens of privileged ethnicity, race, class, gender, religion and

so forth would be placed at the thick end, while non-naturalized residents of discriminated against groups would be located on the very thin end” (Piller 2001: p. 264). Naturalization would represent, for example, a step forward on the scale from thin to thick.

The elements that circumscribe the subjects in this scale are very diverse and depend on the ways linguistic ideologies are articulated in the country, as well as their experiences with migration flows. Piller (2001) highlights, for example, that, in Israel, national belonging is largely based on religious and/or ethnic affiliation, not demanding knowledge in Hebrew. In France, the main criterion for national belonging is culture, and the French language is the channel to access it and properly assimilate the French community. In Germany, national identity is historically based upon ancestry, which, until 2000, almost excluded the naturalization processes (acquired, with rare exceptions, by descent, generating entire German populations who did not speak German). Piller also observes that some countries with a large experience of migration (Australia, Canada and the United States) tend to define citizenship as based on rights and obligations. In those cases, language tests serve to show that the migrant has “enough knowledge of the official language to be able to understand and carry out the rights and duties conferred through citizenship” (Piller 2001: 266).

Taking this intricate and diverse set of and criteria into the analysis of our corpus, we noticed that the classification usually adopted by the literature does not properly fit the reality of the language-testing regime in Brazil. The Celpe-Bras, for example, does not necessarily stop the entrance of migrants in the country, that is, it is not an imperative for the migrant to receive a “stamp” in his/her passport. In the same way, the evaluation of foreign doctors of the “Mais Médicos” program is not an essential condition for them to settle residence in Brazil. In this scenario, only the naturalization cases can fit the proposed typology, as they can allow or deny the Brazilian citizenship based on linguistic criteria. Nevertheless, it is necessary to follow the repercussions of the recent legislative changes about the issue to see how this type of test is going to function.

However, more than a “misfit” regarding the typology of tests, the discrepancies between the analysis of the corpus and the state of art about language tests led us to question the existence of a language-testing regime for migrants in Brazil, thus putting into perspective the very notion of what a language test is.

4. Conclusion: Is there a language testing regime for migrants in Brazil?

Considering the double articulation of the concept of language tests for migrants adopted in this study, two questions become fundamental to identify a regime of migratory tests in Brazil: 1) Do the evaluations have a linguistic feature? 2) Are they gatekeepers? Thinking about possible answers for these questions led us to important resignifications in our research.

Initially, it is evident that the Celpe-Bras is the most detailed, standardized, publicized and regulated language test in the official discourses in Brazil, being the only one that fits the traditional concept of tests as formal instruments of assessment to measure language proficiency. In the “Mais Médicos” program, Portuguese language is one of the axes that integrate the training process of the foreign doctors, and the test at the end of the Reception Module evaluates the language use in the context of medical practice. In contrast, the Portuguese evaluation in naturalization processes does not follow any objective criteria; the language is assessed by a discretionary act of a judge, which might not be strictly linguistic, as seen in the jurisprudence mentioned earlier.

Such observations about the linguistic feature of the tests seem contradictory to their gatekeeping aspect stressed by the literature. We observed that, among the corpus, Celpe-Bras, although extensively standardized, is less likely to prevent entrance or permanence of migrants in Brazil. Its retroactive effect as a guideline to Portuguese courses for foreigners shows the insertion of this exam in a complex network of institutions and services aimed at the internationalization of Brazilian Portuguese. The preparatory courses offered by Brazilian universities for foreign students who intend to enroll in the PEC-G/PEC-PG program, for example, allows them to access and experience, in advance, a Brazilian academic environment, as well as an institutional bond to a public university. Likewise, a possible fail in the Celpe-Bras test, although might prevent the access of the migrant to a Brazilian university through PEC-G/PEC-PG, does not prevent the mobility of foreign students in the country – or even the possibility of taking the test again.

What is significant here is the political gesture of the Brazilian State regarding the insertion of Brazilian Portuguese in a transnational geopolitical space, linked to a project of promoting the national language. The context and the settings of this testing regime seem to function as a showcase of Brazilian culture around the globe and a

demonstration of autonomy in managing the Brazilian Portuguese language in the international geopolitical scenario (Diniz 2012). Likewise, this testing regime is related to the insertion of Brazilian Portuguese in the transnational market of migratory language teaching for labor purposes, as shown by the increasing number, along the years, of questions about job market in the online material of the Celpe-Bras.

In the “Mais Médicos” program, the official material states that, in case of failure in the Reception and Evaluation Module, the exchange doctor will be immediately removed from the project. Here, the gatekeeping aspect is restricted to the participation in the program, not preventing the integration of the migrant neither the practice of medicine in the country through other channels. The knowledge of Portuguese seems to be a larger concern outside the institutional scope of the program, through a continuous evaluation by the media and the online forums, as a form of hierarchizing foreign identities.

In contrast, the evaluation of Portuguese in naturalization processes has the most potential of gatekeeping the acquisition of migrants’ rights, since it can prevent their mobility in the citizenship scale. At the same time, it is the least regulated and the least grounded in strictly linguistic criteria of the tests. In this type of test, we notice that the concept of language can be metapragmatically used to justify a decision of the judge, but, in most cases, it is a mere formal ritual (not always observed, by the way).

The complexities and contradictions of the Brazilian testing regime for migrants seem to challenge some theoretical insights about language tests, since the linguistic aspect of the tests in Brazil is not attached to their gatekeeping aspect, that is, language assessments are not necessarily a condition to the entrance and permanence of migrants in the country. In fact, the tests analyzed in this research seem to indicate an attempt, by the Brazilian State, of making statement in a superdiverse international scenario through through promotion of Brazilian Portuguese, in an ideological conception of static and naturalized correspondence of official language and nation.

Nevertheless, the concept of language test continues to be discursively mobilized through metapragmatic resources in the institutional and non-institutional sphere to negotiate the scalar mobility of “desirable” and “undesirable” migrants. That is evident in the editorial of the Journal of the Brazilian Medical Association (AMB), which, when evaluating practices of oral and written uses Brazilian Portuguese by foreign doctors,

instantiates discourses about the centrality of a supposedly homogeneous culture (“cultural baggage” that must be recognized by “attentive” Brazilian doctors) in the linguistic knowledge. At the same, the text builds as its background the superiority of literature over other linguistic knowledges – sliding to the myth of Portuguese as a difficult language (“the difficulties of the Portuguese language, different and strange”¹⁵). In a strategy of hierarchization of bodies, the editorial seems to expand the “cultural baggage” as diverse and multifaceted, but also implies that, to be a good doctor in Brazil, it is necessary to know “geography”, “history of Brazil” and “Guimarães Rosa”¹⁶.

In this discourses, there is an evident articulation of language ideologies about the national monolingualism, the superiority of the literary norm over oral practices and the naturalized correspondence between language, culture and nation, which are relevant to the “institutionalization of social mechanisms of regulation, control and valuation of the access, production, consumption and circulation of linguistic-discursive resources”¹⁷ (Signorini 2008: 119).

The hierarchizations between the linguistic uses and forms and the sociocultural patterns of migrants’ bodies differentiation mutually support each other. Thus, the apparent incentive to the assimilation or integration of the migrant through the learning of the national language and its correspondent culture, associated with the supposedly neutrality of the State departments and the official depoliticization of differences, emerges as a strategy of “harmonious coexistence within social heterogeneity” (Codó 2008: 6).

These reflections indicate that, underlying explicit language policies, several linguistic ideologies overlap and contradict each other, requiring theoretical resignifications about language tests in migration to Brazil, especially considering 1) the tensions between a tendency of heterogeneity and a persistence of uniformity, through which the relations of language, State and ideology are built in the contemporary world; 2) the naturalization of some language ideologies – monolingualism, graphocentrism and

¹⁵ Original text: “as dificuldades da língua portuguesa, diferente e estranha” (Caramelli 2013: 407).

¹⁶ João Guimarães Rosa (1908-1967) was a Brazilian writer and doctor, considered one of the greatest novelists of Brazil. His work is known for its linguistic innovations using regionalist features.

¹⁷ Original text: “institucionalização de mecanismos sociais de regulamentação, controle e valoração do acesso, produção, consumo e circulação dos recursos linguístico-discursivos”.

the Modern correspondence between language, culture and nation – through the dispersion and rareness of norms and legislations on language testing regime.

4. Final words and next steps

During this research, we came across two kinds of conflicts between the corpus and the state of art about language tests for migrants. The first kind of conflict concerns the lack of a precise and detailed empirical data about the Brazilian language-testing regime. When confronted, for example, with informal conversations with migrants who went through test situations, it is possible to see how much information is not officially available and how varied are the institutional and non-institutional actions in this field. The second kind of conflict has to do with the fact that the literature about language tests – mostly about Europe and the United States, where the culture of tests is more consolidated – does not properly fit the data concerning Brazilian reality.

Taking these conflicts as important research results, we noticed that, in a complex and scalar bureaucratic system as the one presented, the fractioning of information can work as an erasure of the contradictions and a standardization of the understanding about this very system, leading to predictable and desirable procedures within it. Thus, the diversity of criteria found in our data points to a common tendency: the purpose of tests is “not necessarily the establishment of an objective standard of the applicant’s proficiency but rather the maintenance of the boundary between nationals and non-nationals and the safe-guarding of the privileges of the former” (Piller 2001: 268).

The confrontation of the empirical data presented in this work and the theoretical reflections drawn upon it indicate that the analysis of migratory contexts can no longer be based on traditional interpretation models of migration as stable and linear. It has to assimilate the complexities and contingencies of superdiversity, whose language interactions are organized in varied and unpredictable (yet highly regulated) scale levels (Blommaert 2010; Vertovec 2007).

Considering this scenario, we recognize the need of expanding the empirical scope of this field of study. The competences and communicative resources in migratory contexts are evaluated from different indexical orders and the relationship between language and identity does not build only on the explicit language policies, but also on

interactions among people – and their respective (marked) bodies. Thus, the next stage of the research is an ethnographic study, aimed at crossing the micro and macro contextual aspects that frame the experiences of migrants and index differences and inequalities of social, economic, educational and linguistic rights.

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