

SOCIAL INTEGRATION OF IMMIGRANTS IN ITALY, 1990-2010

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MASTER OF PHILOSOPHY

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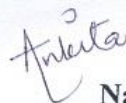
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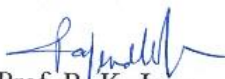
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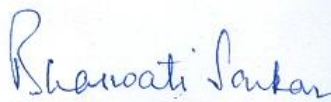
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We recommend that this dissertation be placed before the examiners for evaluation.


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*DEDICATED TO
SHALU BHAIYA,
MY NORTHERN STAR*

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CONTENTS

List of Tables, Maps and Figures	i
List of Abbreviations	ii
Preface	iii-x

CHAPTER- 1

Italy's Transition from Emigration to Immigration.	1-38
1.1 Introduction.	
1.2 Diversity- A Theoretical Understanding.	
1.3 State's Response to Diversity.	
1.4 Italy's Transition	
1.5 Conclusion.	

CHAPTER- 2

The Politicisation of Immigration Debate.	39-83
2.1 Introduction.	
2.2 Dynamics of Immigration in Italy.	
2.3 From First Republic to Second.	
2.4 The Centre Right-Centre Left Discourse: Politicisation of Immigration	
2.5 Conclusion.	

CHAPTER- 3

Challenges to Social Integration.	84-125
3.1 Introduction.	

3.2 Social Integration of Immigrants.

3.3 Challenges to Social Integration.

3.4 Conclusion.

CHAPTER- 4

126-133

Conclusion.

Bibliography

134-141

LIST OF TABLES

- 1.1: Immigrants in employment by status of residence and employment.
- 1.2: Emigration and Migration rate (per 1,000), 1876-1985.
- 1.3: Immigrants in Italy as per the region of origin, 1975-1999.

- 2.1: Foreign residents with a regular residence permit: most represented nationalities, 2010.
- 2.2: Resident foreign population by economic sector and geographic division, 2007 (absolute values in thousands).
- 2.3: Stock of foreign labour by nationality.
- 2.4: Estimates of the unauthorised immigrant population in selected OECD countries.
- 3.1: Foreign students in the Italian school, 2000-2010.

LIST OF FIGURES

- Figure 1.1: Italian Migration Abroad (thousands) 1876-1981.
- Figure 3.1: Differentiation between the legal and illegal immigrants.
- Figure 3.2: Public Opinion on the influence of immigrants.
- Figure 3.3: Public Opinion on the more restrictive immigration controls.

LIST OF MAPS

- Map 1.2: The following map depicts various routes taken by the migrants to enter into Europe.
- Map 2.1- Settlement of immigrants in Italian Regions, 2010-2011.

ABBREVIATIONS

CGIL- Confederazione Generale Italiana del Lavoro

CISL- Confederazione Italiana Sindacati dei Lavoratori

DC- *Democrazia Cristiana*

DS- Democratico Sinistra

EU- European Union

ILO- International Labour Organisation

IOM- International Organisation of Migration

ISTAT- Istituto Nazionale di Statistica

IZA- Forschungsinstitut zur Zukunft der Arbeit (Institute for the Study of Labour)

LN- Lega Nord

PCI- *Partito Comunista Italian*

PDS- Partito Democratico della Sinistra

PdL- Partito della Democratico

PD- Partito Democratico

PREFACE

Like other countries in Southern Europe, Italy has, in the course of three decades, rapidly and unexpectedly changed from a country of emigration to one of immigration. The immigrant population is approximately three million people out of a total of 58 million inhabitants, with the immigrant population less than 5 percent of the total population. Immigrants come to Italy mainly in search of employment and of a better life. They come from many different countries and continents of origin, profess different religions, and carry with them a mosaic of cultures and habits. The issue of immigration has recently become one of the most salient in the national political debates. The control of illegal immigration, as well as the integration of foreigners, has been topics around which public opinion has been polarized between those who call for ‘closing the borders’ and those who ask for an extension of immigrants’ rights and effective integration. This is a particularly important issue, since ‘the way in which a country faces immigration helps us to understand the specific character of its political system. In this field more than others, a regime shows its cultural tradition, declares its conception of democracy and of who has the rights to belong to it’.¹

Italy has developed a gradual approach to immigration, lacking until recently a comprehensive and consistent policy framework. Because of its geographical position, it is highly exposed to penetration by illegal immigrants from the south and from the east. Moreover, Italy has a widespread informal economy, thereby providing fertile ground for illegal migration to operate in. Combating undocumented immigration and the trafficking of human beings is a priority for both security and foreign policy. It is also an issue to which public opinion is extremely sensitive.

Despite several regularization programmes enacted since the late 1980s, which led to the legalization of more than two million immigrants, immigrant integration is still at an

¹Donatella Della Porta, ‘Immigration and Protest: New Challenges for Italian Democracy’, *South European Society and Politics*, 5(3) (2000), pp- 108-132.

early stage in Italy. Significant steps toward integration were taken in the period 1998–2001, when a centre-left government was in power. The Berlusconi government on the other hand put more emphasis on tight management of flows, limited the scope of integration to legal migrants only, and made the procedures involved in obtaining or renewing legal status even more bureaucratic and cumbersome.

Nonetheless, in 2002, this centre-right government enacted the largest regularization programme ever, involving 700,000 immigrants. At the same time, public opinion remains concerned about immigrants ‘invading’ their national territory, as well as endangering their national welfare and identity.

Italy, is not formally a ‘migration’ country, nor it has declared itself to be a ‘multicultural’. Its migration policy is based on limiting migration into the country to specific labour market sectors. At the same time, immigrant workers have certain rights such as family reunification, gradual reassurance regarding the possibility of staying in the country, and parity of access to public services. The Italian citizenship law is separate from the 1998 immigration framework law and, with 90 per cent of applications for naturalization being rejected; it is highly restrictive in both rhetoric and practice. In Italy the last general reform of citizenship dates back to 1992, when law no. 91 became the most important item of legislation in this field. Its two main axes are *Jus Sanguinis* that is acquisition through birth, and *Jus Conubii*, that is the acquisition of citizenship by marriage. A provision for dual citizenship was also introduced by the 1992 law in order to allow the many Italian citizens who had been residing abroad for generations not to have to renounce their Italian citizenship when acquiring a new one. At the same time, the law made it even more difficult for foreigners without Italian or European origins to have access to citizenship through *Jus Domicilii*, that is, stable residence. Accordingly, foreigners with Italian origins only have to wait for three years (two if their stay in Italy began before they turned eighteen) while EU citizens can become Italian after four years’ residence. Non-EU citizens on the other hand must be able to demonstrate that they have been living in Italy legally and uninterruptedly for at least ten years. Nonetheless, Law 40/1998, the first organic migration law, rests on three pillars, of which one is

‘integration’. The broad assumption underlying the legislation is that labour market integration – employment – is a necessary and sufficient condition to guarantee social integration, when coupled with parity of right of access to public services.

Several NGOs, trade unions and charitable organizations have been active since the 1980s in providing assistance to immigrants in the process of integration. To facilitate contacts, these organizations have encouraged the civic participation of immigrants and their involvement in representative bodies. Furthermore, these organizations have provided support to immigrant associations. Immigrant participation in trade unions, voluntary organizations and immigrants’ associations ensures their access to what is called ‘intermediate political rights’. From an institutional perspective, civic and political participation remains mostly the realm of Italian citizens and naturalized immigrants.

The whole idea of immigration in Italy has revolved around the debates concerning with labour markets and employment. There are certain questions that have remained unanswered even after almost three decades of immigration. The debate about the integration of the immigrants has emerged over a period of time, especially concerning the integration and rights of the second generation. Like any other country in Europe, Italy has a substantial percentage of aging population hence it needs immigration to balance the uneven age structure and to fill gaps in the labour market. So far the discussions relating to ‘immigration’ and ‘integration’ have exclusively focused on ‘first’-generation immigrants. The focus, not only, has to be on how the integration of first-generation immigrants occurs, but also has to relate to the second-generation immigrants, as they are the real test case for ‘successful integration’. They are going to have the biggest impact on Italian society, given that they are also a growing population.

The research on immigrant’s socio-political rights and integration has received very little attention. The literature so far has concentrated on the transition of Italy from an emigrating country to that of immigration. Asher Colombo and Giuseppe Sciortino (2010) stress that Italian immigration can be viewed as a fallback choice with respect to more ‘natural’ or desired destinations and the assumption of this difference naturally has consequences for the actual integration of immigrants in Italy. In spite of problems of

integration, the mobility of individuals in the past was viewed as a positive factor, able to generate reciprocal benefits in the economic sphere. Today, instead, it is seen as a potentially negative factor, a harbinger of problems, insecurity and marginality. This multiplicity is visible in the national origins of immigrants and the time span of the birth, life and death of the migratory fluxes. In the last thirty years, Italy has witnessed many migratory influxes from diverse areas. This diversity means that the standard images that link Italian immigration with a high degree of social marginalization do not correspond to the more complex realities, and by focusing on short-term aspects simply conflate highly differentiated patterns of migration into one single type. Luca Einaudi (2007) on the other hand, postulates that many of the difficulties involved in integrating migrants take a long time to become evident and only present themselves after many generations of immigration. The Italian policy debate focused more on issues concerning illegal migration and expulsions, quotas and immigrants' rights, rather than on integration. Given that the number of foreign residents tripled between 1996 and 2005 and that in the last few years the existing immigrant population has become a tangible presence, new debates have developed on integration. Issues of identity, the role of Muslim communities, citizenship and political rights, equal opportunities and access to public services have all come to the forefront. A clear Italian integration model has not yet emerged. Integration in Italy is a pragmatic combination of practices developed on the ground by local authorities, trade unions and the voluntary sector (including a strong Catholic presence) within a moderate form of multiculturalism. Housing and schooling are highlighted here as an illustration of the current issues.

The questions regarding how much migration and the resultant heterogeneity can a nation-state best accommodate are long standing ones. Diversity has become an inescapable fact of modern globalised world. Bhikhu Parekh argues that different kinds of cultural diversity, a result of long term immigration, raise different problems and argues that their successful 'integration' requires appropriate redefinitions of their own and receiving society's identity. Since many contemporary societies, especially in Europe, have defined themselves traditionally as nation states, they feel threatened by this diversity. A society is articulated at different levels: social, economic, political, moral and cultural, and state uses various methods for the immigrants to be part of this society-

Assimilation, Integration, and Multiculturalism. David Miller emphasizes that a multicultural society must allow each of its members to define her identity for herself, by finding the group or groups to which she has the closest affinity, and must also allow each group to formulate its own authentic set of claims and demands, reflecting its particular circumstances. The state must respect and acknowledge these demands on an equal basis.

Anna Triandafyllidou (1999) analyses the rise of immigration to Italy and the consequences it entails for the understanding of the Italian Identity. The focus is on the challenges that immigrants pose to the political and the cultural order of the host nation. Triandafyllidou hypothesizes that the presence of the immigrants activates a process of re-definition of the Italian Identity in an exclusionary way so as to raise symbolic boundaries between Us and Them. The transformation of Italy from emigration to immigration country has been sudden and unexpected. However, the percentage of immigrants within the whole population is still below the standards of other western European countries. The feeling of threat perceived by political parties and often expressed either by the media or by lay people does not seem justified. As a matter of fact, Italians seem still to be puzzled by the issue, afraid on the one hand of being 'invaded' and of losing their cultural or ethnic 'purity' and, at the same time, showing compassion towards immigrants and denying being racist. The efforts of Italian governments to tame the influx of immigrants failed to achieve their objectives. First, they perpetuated a situation of 'permanent social emergency' because they managed neither to control the migratory flows nor to integrate those already established in the country. Second, they failed to prevent violence and xenophobia against foreigners. Indeed the Italian public which was reported to show an attitude of 'social tolerance' towards immigrants soon became explicitly hostile and xenophobic.

The Political parties and opinions have played a pivotal role in forming the opinion regarding the immigration and integration policies. The rise of new social and political forces on both the left and the right marked the end of the post war immigration model, signaling the potential for conflict to ensue within the left and with the right pertaining to

the immigration and integration policies. Andrej Zaslove (2006), Anna Cento Bull (2010), and Jacqueline Andall (2007) examines the politicization of the immigration issue over the period of time along with the different stands taken by various political parties and how that has influenced the debates and the formation of the policies and legislations. The 1990's heralded massive changes in the Italian Politics with what is deemed as the Rise of the Second Republic of Italy, emphasizing on the rise of smaller, yet powerful, parties who were able to politicize the issues regarding the immigration and integration, which were previously avoided by the Christian Democratic and Communist parties. The left wing parties (1996-2002) were more interested in moving the public and political debate in a new direction regarding the immigration and integration, focusing primarily on the access to citizenship and the local vote. The debate loomed between the context of politicization of immigration that has created an important rift within the left between those that favour policy that grants immigrants more social and political rights and those who fear that immigration is linked to crime, unemployment, and a risk to national identity. The rise of the strong right wing parties, which have been able to retain power in the last two elections (2002, 2008), has re-defined the immigration rhetoric on the lines of negativity.

Another very important area of research in the analyses of the immigration and integration debate is the citizenship laws of Italy. These laws are highly restrictive in both rhetoric and practice, and the reluctance to liberalize citizenship has intensified due to growing generic anti-immigrant moods. Chiara Marchetti (2010) and Giovanna Zincone (2010) analyses this citizenship discourse in Italy in detail. Until 1998, nationality reform has followed a different path from immigration and immigrant policies, the relaxation of residence requirements, favoring minors, and *Jus Soli* were the result of imitating the legislation of other European countries of that time. Citizenship have become one of the most important areas of conflict over sovereignty and identity, becoming a vehicle for claims for the recognition of collective differences and, more generally, for the transformation of the rules governing relationships in the political and public spheres. The presence of the migrant deconstruct the apparent unity of citizenship drawing attention to the fact that recognition of civil, political and social rights, recognition of

identity, and participation in community life may be separate components, diverging or competing with one another. The emphasis is placed on certain lingering questions pertaining to the debate over the relationship between citizenship and integration. Should citizenship be intended as the final step in the accomplishment of full integration? Or should it be an incentive to integration, and therefore a preliminary or intermediate condition aimed at building a feeling of belonging and participation in the future citizen? The large majority of the bills on Citizenship emphasize the need for complete integration before applying for citizenship.

The immigration and integration debates in Italy have overlooked, in most sense, the questions pertaining to the second generation of the immigrants. There have been some lingering questions regarding the access to citizenship, participation in cultural and social life etc. Isabella Marinaro and James Walston (2010) analyses the theoretical and the empirical problems which the term 'second generation immigrants' creates in general and particularly in Italy. The article emphasizes the on the difficulties in defining 'Italian identity', immigration and 'second generation' has provoked a lively debate on what constitutes 'Italian-ness'. The critical issue in Italian politics and the society is the experiences, struggles and the expression of the identity of a rising number of the people, who have grown up in Italy and consider it their primary home but who are often denied treatment as 'real' Italians by their peers, in public debate and in legislations, hence fueling the integration debate. This debate is furthered by Bjorn Thomassen (2010), who presents an analysis of the heterogeneous realities of the immigrant population in Italy and Europe. For him, Italy is moving toward a more multicultural society, this is in a way a challenge depending upon one's perspective. The problems of integration that the first generation experiences are to a surprising degree experienced once again by the second generation. Indeed, feelings of discrimination may increase between the first and the second generation. There are signs that, there is a need to revise the 'gradual view' of integration which assumes that as the first generation of immigrants go through a rough period of adjustment, the second generation is more integrated, while the third generation has become totally assimilated with nothing but a distant memory of a once 'home country'. Clearly, many immigrants in Europe, and maybe especially the second

generation of immigrants, now wish to hold on to and develop cultural identities different from the ‘majority culture’ of the host nation. Earlier assimilation models predicted that it was a question of time before migrant and minority populations would either merge with the ‘normal’ majority culture or become marginalised altogether. This assimilation paradigm no longer functions according to its own predictions.

Migration, in its various forms, will continue to play a significant role in Italian policy making and society. In past years, the Italian policy debate focused more on issues concerning illegal migration and expulsions, quotas and immigrants’ rights, rather than on integration, hence there is a crucial need to re-orient the policies pertaining to the immigrants. Thus, the present research study provides an assessment of the policy making and the policy implication regarding the issues of immigration and integration in Italy. The whole idea regarding the integration of immigrants in Italy has revolved around the integration in economic sphere- concerning largely with respect to labour and employment, the social dimension has been largely overlooked giving rise to a number of questions pertaining to the rights of the immigrants, especially the second generation.

The literature focusing on the integration of immigrant is still emerging. The present study by analyzing and addressing issues pertaining to migration in Italy, the state’s response to this phenomena and the question of integration of the immigrants in the Italian society and not just in the economic sphere will add to the emerging literature on immigrant integration. The study begins with the hypothesis that “the immigrant integration policy of the Government of Italy is leading to greater economic as compared to social and political integration”. It poses certain questions as to how Italy change from an emigrating country to an immigration destination? What kind of impact did the end of Cold war and the systematic changes have on Italian migration? How has Social Democrats influenced the immigration and integration policy making? How has the debate concerning immigration and integration changed after the coming of the Right Wing Parties to power? How has the status of the second generation immigrants evolved over the years in Italy?

CHAPTER 1:
ITALY'S TRANSITION FROM EMIGRATION TO
IMMIGRATION

[1.1] Introduction

*Many of our societies are already very diverse.
But all of your societies- and many others around
the world too- will become more diverse in the
decades to come. This is the inevitable result of
the movement of people across international borders.*

Kofi Annan²

The post-war period was an era of reconstruction and industrial growth in Europe that was short on labour after the destructive Second World War. The need of the domestic labour market was met by foreign workers. The flows largely originated from outside Europe, and had largely to do with the colonial legacy of the receiving countries. The economic boom of 1950s - 60s in the North European countries made them the favoured destinations for the migrants. But the Italian experience is different, as it transformed from the 'transient stop' serving as a gateway into Northern Europe to an 'immigration destination' after the implementation of the restrictive policies aiming at 'zero immigration' by Northern European countries in 1970s.

With its long unpatrolled shore line, lax borders, and near absence of any immigration laws and legislations until 1986, Italy was an obvious and favoured destination for the migrants from Eastern Europe, Northern Africa and Asia. Moreover, Italy's widespread informal economy provided fertile ground for illegal migration to operate in. Combating undocumented immigration and the trafficking of human beings is a priority for both its security and foreign policy. It is also an issue to which public opinion is extremely sensitive.

This new phenomena of immigration gave rise to a crucial debate in the Italian political sphere, primarily relating to migrants and immigration policies regulating the inward

² United Nations Secretary General Kofi Annan's address to the European Parliament upon receipt of the Andrei Sakharov Prize for Freedom of Thought, Brussels, January 29, 2004.

flow. The debate pertaining to immigration is two-fold, on one hand the immigration debate tended to polarise around values of tolerance, openness, equality of opportunity, anti-discrimination towards the migrants and on the other hand, it deals with the rising insecurities among the citizens. States generally apply different strategies and policies so as to accommodate the migrants within their society, Italy is no exception. The transition of Italy into a favored destination for immigration resulted in the strong reaction among the domestic population.

Map - 1.1 **Regions of Italy**



source- <http://www.map-of-italy.org/about.html>

There was widespread anxiety about the possible negative consequences of immigration on employment and unemployed Italians, on the one hand, and fear that the distinctiveness of Italian cultural identity might be blurred because of the influx of large

numbers of foreigners, on the other, which led to significant changes in public opinion and perceptions with regard to immigrants and immigration.

Like any other European country, Italy has emphasized itself to be a ‘homogeneous’ society. It is therefore grappling with the issues that arise as a result of immigration. Apart from the racial diversity that immigrants introduce to the Italian society, the migrants are themselves diverse in terms of region of origin, religion, ethnicity and language. This adds a new dimension to the debate surrounding integration, multiculturalism, citizenship and identity. In order to understand the debate unfolding in Italy on these issues it is important to begin with a look at the theoretical debates surrounding them.

The first half of the chapter thus focuses on the theoretical understanding of the diversity that results from the migration of people and the implication that it has for a nation-state. It looks at how diversity management is conceptualized in theory. The second half of the chapter is Italy specific, focusing on its transformation from being an emigrating state to an immigrating state.

[1.2] Diversity - A Theoretical Understanding

The New Dictionary of the History of Ideas, defines diversity as the differences among people that can be described in many ways aside from race or ethnicity: one can refer to their opinions, their character, their height and weight, the degree of their health, and so on. But “diversity”, as it is has come to be used in public and scholarly discourse since the 1970s, refers specifically to those differences, primarily in race and ethnicity, which have been the basis of exclusion or segregation or differential treatment in public action and private social interaction. Its use and import is intimately linked to the great divide of race that has shaped so much of history, society, and culture.³

³Nathan, Glazer (2005), “Diversity”- *New Dictionary of the History of Ideas*, <http://www.encyclopedia.com/doc/1G2-3424300207.html>, [accessed on May 03, 2012]

There are two broad patterns of cultural diversity. In the first case, diversity arises from the incorporation of the previously self-governing, territorially concentrated cultures into the larger state - that is inclusion of the National Minorities. They usually wish to maintain themselves as distinct societies alongside the majority culture, and demand autonomy for their survival. Whereas, the second type of diversity arises from the movement of people from one state to another - that is through immigration. They typically wish to integrate into the larger society. While they do seek recognition of their ethnic identity, their aim is not to become a separate and self-governing entity. Rather they emphasise more on the modification of the institutions and the law of the society to make them more accommodating to cultural differences.⁴

Over a period, migration has emerged as the key source of diversity. It involves both skilled and unskilled labour recruited to meet the country's need, and those involved bring with them, their ways of life. People move freely within regional units such as EU, members of diaspora return to their lands of origin as these countries have become more prosperous than when they left them or because now they are free of the political problems that had precipitated their earlier departure, and they all bring ideas and practices acquired abroad. The indigenous people, territorially concentrated minorities, the sub-national groups, the religious communities and the immigrants represent different forms of diversity. But the immigrant is considered as an archetypal stranger⁵ to whom the society does not feel the same degree of commitment as it does to its own minorities which is the main concern of this chapter. It tries to understand the reaction of the state towards these migrants and migrant groups. As immigrants also wish to integrate into the larger society, and to be accepted as the full member of it, along with the recognition of their distinct culture and ethnic identity, hence begins the dilemmas and tensions of the society to commence the whole process of the integration of the immigrants. The contemporary developments, like bans on religious attire in public spaces, restrictions on speech, mandatory integration courses, in Europe raise complex and challenging

⁴ Will Kymlicka, *Multicultural Citizenship- a Liberal Theory of Minority Rights*, (Oxford: Clarendon Press, 1995).

⁵ Bhikhu Parekh, *A New Politics of Identity- Political Principles for an Interdependent World*, (Hampshire: Palgrave Macmillan, 2008).

questions regarding the ‘limits of the liberal state’s with respect to immigration, citizenship and the rights of ethnic and religious minorities. The liberal thinkers have viewed these developments as fundamentally progressive, designed ultimately to protect and safeguard basic liberal values of liberty, equality and tolerance in European societies. Immigration and incorporation processes always raise the issue of group boundaries of identity and belonging. The state has historically used immigration policy as a tool in fostering a particular national identity, balancing its pursuit of economic and strategic interests against concerns of national integration and social cohesion.⁶

Diversity has given rise to a series of important and potentially diverse questions. Minorities and majorities clash over issues like language rights, regional autonomy, political representation, education curriculum, immigration and naturalization policies etc. Finding feasible answers to these questions have become a difficult challenge for the present day democracies as all political systems are confronted with societies divided on the grounds of race, ethnicity, and religion, national and regional differences. Diversity thus is an undeniable reality of all modern states. But diversity is difficult to understand, as it can be seen as threatened as well as a threat. All societies are marked by plurality of cultures and cultural identities within a single political structure. Culture refers to a historically inherited system of meanings and significance in terms of which a group of people understand and structure their individual and collective lives. It is embodied in its beliefs and practices, which collectively constitutes its fuzzy yet recognizable identity⁷.

Governments throughout history have emphasized themselves to be homogeneous states, and have applied variety of policies to pursue the quest of cultural homogeneity. At times minorities have been physically eliminated, either through mass expulsions or genocide, for example Bosnian Crisis of 1990s; some are coercively assimilated in the majority culture like social treatments of American Blacks and Hispanics in 1950s and 1960s; or are considered to be the ‘resident aliens’, largely referring to the migrants, subjected to

⁶ Fiona B Adamson; Triadafilos Triadafilopoulos; Aristide R Zolberg, ‘The Limits of the Liberal State: Migration, Identity and Belonging in Europe’, *Journal of Ethnic and Migration Studies*, volume- 37:6 (2011), pp- 843-859.

⁷ Bhikhu Parekh, n.4

physical segregation and economic discrimination and denied political rights.⁸ In the post-cold war period the issues regarding the ethnic diversity and, group rights and representation have once again come to the forefront in big way giving rise to new debates and discussions.

There is a rich literature on the understanding of diversity and the challenges it presents. The arguments pertaining to diversity have been looked upon from various perspectives, but a lot of emphasis has been placed on the liberal thinking and multiculturalism. This debate would be analysed later in the chapter under Multiculturalism.

[1.3] State's Response to Diversity

The western experience is one of fusing the political and cultural identities, creating homogeneous nation-states in which the identities of citizenship and nationality are expected to coexist. In most polities the 'national identity' is that of dominant cultural mainstream with the other identities dissolved in it. In homogeneous societies classes, gender, and age groups constitutes the building blocks of social structure. In these society individual is the unit of decision-making, market economy and majoritarian democracy are the feasible propositions. However, in heterogeneous and plural societies, collectivities as opposed to individual becomes the salient unit of social structure, and hence market economy and majoritarian democracy need to be adapted to this diversity, so as to avoid the intense competition that is dysfunctional for the weak and minorities.⁹

Migration and movement across national borders have long been central forces in the production of culturally diverse societies – interest in the various questions posed by cultural diversity has intensified in recent years. The diversity characterizes the great majority of the countries in the world, and with the end of the cold war and bipolar international order, identity claims of migrants, ethnic, religious and cultural varieties are becoming stronger. Such developments seriously challenge the States, which respond to

⁸ Will Kymlicka, n.3

⁹ T.K. Oommen, *Pluralism, Equality and Identity- Comparative Studies*, (New York: Oxford University Press, 2002)

it through different policies, which range from assimilation and integration, to multiculturalism.

1.3(i) Assimilation

Assimilation can be described as a model which envisages that ethnic minorities will be incorporated fully into the society and State through a process of individual change in which individuals abandon their distinctive linguistic, cultural and social characteristics and takes on those of the dominant group. In this model there is no place envisaged for the retention of distinctive cultural, linguistic or social practices. By being completely absorbed into the mainstream society it is argued that the bases for ethnically based conflict cease to exist.

It is generally argued that a society cannot be cohesive and stable unless its immigrants assimilate into the prevailing culture and become like the rest, as every society needs a common system of meaning and values. Some assimilationists give the argument on ontological basis, and maintain that human beings feel at ease with those of their kind and find it extremely difficult to identify with those that they recognize as strangers. So far as immigrants are concerned, the choice before them is simple, if they want to be accepted completely in the society as an equal citizens, they should assimilate into the national culture, exchange their inherited identity for the one derived from their new country.¹⁰ This process was very much used until the 1960s, immigrants were expected to shed their distinctive heritage and assimilate entirely into the existing cultural norms of the host society. Assimilation was seen as essential for political stability, and was further rationalized through ethnocentric denigration of other cultures. This was very much evident in what Will Kymlicka calls as ‘Anglo-Conformity’ model of immigration, that is, some groups were denied entry if they were seen as unassimilable.¹¹

Iris Marion Young points out that, the assimilationist’s ideal assumes that equal social status for all persons requires treating everyone according to the same principles, rules,

¹⁰ Bhikhu Parekh, n.4

¹¹ Will Kymlicka, n.3

and standards hence argues in the favor the of politics of difference, which emphasises that equality as the participation and inclusion of all groups sometimes requires different treatment for oppressed or disadvantaged groups.

1.3(ii) Integration

Since assimilationists policies are viewed as unjust and illiberal, hence in the 1970s, under the pressure from the immigrant groups, a more tolerant and a pluralistic policy of integration was anticipated, which allowed and to an extent, encouraged the immigrants to maintain various aspects of their ethnic heritage.¹² It was accepted that immigrants should be free to maintain some of their old customs regarding food, dress, and religion and to associate with others to maintain these practices.

Bhikhu Parekh characterizes integration as a two-way process. Immigrants cannot integrate in a society if other members refuse to accept them. Integration therefore requires that both immigrants and the wider society should reach out to each other and respect their mutual obligations. Immigrants must commit themselves to the society in which they have chosen to settle, and acquire the cultural competence that is needed to navigate their way through its major institutions. As for the wider society, it needs to accept them as equal and legitimate members, and devise a programme of action capable of integrating them. This involves eliminating discrimination, and creating equal opportunity, inter-ethnic spaces at local and national levels, intercultural dialogue, and multicultural education. Since societies cannot be held together by common interest and justice alone, they need to forge emotional bonds. This is best achieved by re-conceptualising the national identity such that all its members can accept it and recognize each other as belonging to single community.

According to integrationists, integration involves three things. First, immigrants should commit themselves to their country of settlement and give it their undivided loyalty and allegiance. Secondly, just as immigrants should not keep looking at another society as

¹² This was largely envisioned as a response to the concept of ‘Melting Pot’ in America, under which immigrants were expected to assimilate entirely into the existing cultural norms of America.

their frame of reference, they should not segregate or isolate themselves from their country of settlement. They should participate in its common life like the rest of its members, and find ways of becoming an integral part of it. Thirdly, since society's institutions, values, practices and norms of behavior form the basis of its unity and express its historically acquired identity, immigrants should accept and internalize them and make them part of their identity. Some integrationists argue that the new identity should inform both the social and personal lives of immigrants. Others limit it to their social relations, leaving them free to lead their personal lives according to the ideals and values which derived from their own culture. The latter appreciate that the immigrant's social and personal identities, one derived from the wider society and widely shared, the other from their own culture and distinctive to them, might not harmoniously coexist. They leave it to the immigrants to work out their complex dialectic in their own ways and at their own pace.¹³

In a way integration is less demanding than assimilation as both the immigrant and the host country have duties. It is based on reciprocity. Since the host country slowly changes with mass immigration, a more cosmopolitan co-existence is emerging. Integration is open to multiculturalism because it is based on the idea of a liberal state that demands from its immigrants nothing more than learning the language of the country and accepting the principles of the constitution. In that sense, unlike assimilation, integration does not require giving up of cultural or any other identities to adapt the Host identity. In the integration paradigm it is not necessarily supposed to assimilate the "values" of the majority culture and to adopt its "customs." This is why integration, compared to assimilation, is much more flexible and open. It leaves the door open for multiculturalism; it is a more symbiotic relationship between a changing and evolving society and an equally changing state that is also constantly evolving.

¹³ Bhikhu Parekh, *Unity and Diversity in the Multicultural Societies*, (International Institute for Labour Studies, International Labour Organization, Geneva, Switzerland, 2005).

1.3(iii) Multiculturalism

Multiculturalism is a recent phenomenon in political and social theory. Issues that are loosely grouped together under the heading of multiculturalism - including group representation and rights, the rights and status of immigrants, the recognition of minority nations and the status of new social movements – have become the long-standing problems of political theory and practice. All modern states face the problems of multiculturalism even if they are far from endorsing multiculturalism as a policy agenda. However, multiculturalism has become an existential fact for the modern states because they face the conflicting claims of groups of people who share identities and identity-conferring practices that differ from those of the majority in the states of which they are a part. The causes of these differences are manifold and complex. One of the causes has been the movement of people across the face of the earth, but only in relatively recent times has this movement been characterized as 'border crossing', immigration, and emigration.¹⁴

Multiculturalism encompasses a wide range of social groups which have, for various reasons, been excluded or marginalized from the mainstream society. A state is multicultural if its members belong to different nations (minority cultures), or have emigrated from different nations, and this fact is an important aspect of personal identity and the political life.¹⁵

Over a period of time terms like cultural diversity, pluralism and heterogeneity have been used interchangeably and differently by various scholars. J.S. Furnivall¹⁶ described that societies are plural in two senses, one was that each ethnic community existed separately and had its own communal morality, and secondly the private and the communal world were separated from the market place, hence giving rise to the ideas of public and private

¹⁴ Paul Kelly, *Multiculturalism Reconsidered- Culture and Equality and its Critics*, (Cambridge: Polity Press, 2002).

¹⁵ Will Kymlicka, n.3

¹⁶ T.K. Oommen, n.8

domains within the society. M.G Smith¹⁷ adds to the argument of Furnivall by distinguishing that there are many types of societies and plural is only one type of distinction. He identifies three types of societies: homogeneous, heterogeneous and plural. Smith distinguishes the cultural plurality of different societies on the basis of categorization of institutions, which are 'compulsory', 'alternative' and 'exclusive', and if the whole population shares the entire institutional system then the society is homogeneous. Whereas in the heterogeneous society people share the same set of basic institutions but they also participate in the alternate and exclusive institutions. But in the notion of plural society there is a formal diversity in the basic system of the institutions such as kinship, education, religion, property, economy but not in government. This is so because, 'given the fundamental differences of beliefs, values and organisations, that connote pluralism, the monopoly of power by one cultural section is the essential precondition for maintaining the society in the current form'. Scholars like T.K. Oommen, on the other hand defines cultural heterogeneity as a social fact; pluralism is a value orientation towards it: pluralism endorses the dignified coexistence of culturally diverse groups within a polity.¹⁸

Pluralism, in its broadest sense, is a belief in or commitment to diversity or multiplicity, the existence of many things. As a descriptive term, pluralism may denote the existence of party competition (political pluralism), a multiplicity of ethical values (moral or value pluralism), a variety of cultural beliefs (cultural pluralism) and so on. The modern form of pluralism is characterized by the autonomy and the integrity of social institutions and by the diversity and heterogeneity in social organizations. Divisions within the social systems convey an implication on how social relations work and the basis for order and conflict in social realm. The kind of pluralism found in the ancient societies, however, were often characterized by segregated groups that had sharp dividing lines between insiders and outsiders. The modern form of pluralism is an open system in which the typical individual occupies many different status positions, interactions occur daily with

¹⁷ Montserrat Guibernau, John Rex, *The Ethnicity Reader - Nationalism, Multiculturalism and Migration*, (USA: Polity Press, 1997).

¹⁸ T.K. Oommen, n.8

people who belong to different social groups and categories. The fluidity of modernity permits historically unprecedented degree of personal choice. The fluidity and permissiveness of the modern world is facilitated by multiple and overlapping group memberships. Modern society is further set apart from the others in scope of social differentiation that has occurred and the fluidity of movement for the individual as they form new social groups, make new lifestyle choices, define social boundaries, and move from one category to another.¹⁹ These have resulted in the expansion of diversity within a society and the nation-state.

However, pluralism as a point of view for understanding diversity has not been accepted by everyone. Liberals like Brian Barry finds the use of term pluralism as highly misleading. He defines pluralism as a political programme that aims to institutionalize cultural differences by segmenting the society, that is, “in condition of cultural plurality, the culturally differentiated sections will differ in their internal organization, their institutional activities and their system of belief and value. Where this condition of cultural plurality is found, the societies are plural societies.”²⁰ For him it is misguided because the presence of multiple cultures leads to the politicization of group identities and the development of group specific policies, which should be resisted. Instead the liberal doctrine, that is same law, should apply to all. As the liberal commitment to civic equality entails that laws must provide equal treatment for those who belong to different religious faiths and different cultures.

Liberalism’s ideals of equality in terms of opportunity, and identical choices, for Barry are a universal doctrine that applies to all persons in all societies as a matter of right and justice. It requires equal basic liberties, a strong view of equal opportunities and guaranteed economic resources for all persons. Societies whose institutions are not sufficiently developed to provide all these rights and goods still have a duty to work towards institutions that eventually will. For him, equal treatment is an integral feature of

¹⁹ Arthur G Neal, *Sociological perspectives on modernity- multiple models and competing realities*, (New York: Peter Lang Publishing, 2007)

²⁰ Brian Barry (2001), *Culture and Equality- an Egalitarian Critique of Multiculturalism*, Cambridge: Polity Press

liberalism. Equal treatment does not imply equal impact, he argues, but governing everyone according to the same legal rules. Almost any law will affect people differently, and, by itself, there is nothing inherently unfair about this.

In culturally homogenous society, individual share broadly similar norms, motivations, social customs and patterns of behavior. However, present day societies are largely diverse and because of diversity, the citizens are likely to disagree on what counts as equal treatment. Once the cultural differences are taken into account, equal treatment would not mean identical but differential treatment, raising the question as to how it can be ensured that there is a real equality across cultures and does not serve as veil for discrimination or privilege.²¹ Therefore it has been argued by the multiculturalists thinker like Will Kymlicka that, in a plural society it is necessary sometimes not only to grant different but also additional rights to some groups or individuals so as to equalize them with the rest or to achieve goals pertaining to political integration, social harmony and encouragement of cultural diversity with the aim to involve the groups into the mainstream society and give them substantial recognition. These rights enable individuals to form and maintain the various groups and associations which constitute civil society, to adapt these groups to changing circumstances, and to promote their views and interests to the wider population²². The protection afforded by these rights helps to protect the diversity from being marginalized.

However, it is increasingly accepted in many nation-states that some forms of cultural difference can only be accommodated through special legal and constitutional measures, hence giving a new dimension to the debate on diversity with the larger emphasis on group differentiated rights. This entails that as individuals have similarities and differences and they should be treated equally because of both; in the same sense, the culture and cultural groups is also interplay of uniformity and differences and these differences has to be acknowledged.

²¹ Bhikhu Parekh, 'Contemporary Liberal Response to Diversity', in *Debates in contemporary political philosophy: An anthology*, ed. by Derek Matraver and Johnathan E. Pike, (London: Routledge, 2003)

²² Will Kymlicka, n.3.

Multiculturalism has generally been discussed as a question about the applicability and possible insufficiency of traditional liberal models in relation to conditions of cultural diversity. Instead of the traditional liberal focus on individual rights and citizenship, for instance, multiculturalism has given rise to debates about group differentiated rights and citizenship. Similarly, instead of traditional liberal concerns with toleration and neutrality, multiculturalism has given rise to concerns with recognition as the proper response to cultural diversity. Multiculturalists assume diversity of values to be a value on its own, and that immigrants would contribute by not assimilating. In this quest, they would be assisted by the state, which would work to sustain diversity.

The notion of culture does not figure prominently in liberalism as it is strongly individualist, not in the sense that it ignores or is hostile to collectivities, but rather that in the sense that it sees these as outcomes of individual choices. Thus the identity of individual is at once pre-given, in the sense of being prior to its ends, and also 'chosen', in the sense that the individual 'makes' his/her identity through his or her choices (the associations joined, the values embraced, and so on).²³ Multiculturalists advocate that, because achieving one's cultural 'identity' is so central to a person's good, each distinct cultural group in a multicultural society should recognize and respect the cultural practices of others. For the liberal emphasis on individual's equal freedom to find their own good, makes achieving one's cultural identity difficult, if not practically impossible, and undermines the distinctness of cultural groups. Multiculturalism prescribes a policy of not just toleration, but also of accommodation of different cultural groups, many of which do not endorse all of the liberal social or even political norms.

Many nation-states pursue policies designed to protect the particular identity and culture of their members, hence creating an idea of a community which leads to a sense of belonging for the citizens. David Miller²⁴ emphasizes on the five elements that hold together a community: shared belief and mutual commitment, extended in history, active

²³Sanjay Seth, 'Liberalism and the politics of (multi)culture: Or, plurality is not difference', *Postcolonial Studies*, 4(1) (2001), pp- 65-77.

²⁴ David Miller (1995), *On Nationality*, Oxford: Oxford University Press.

in character, connected to a particular territory, and marked off from other communities by its distinct public culture serve to distinguish nationality from other collective sources of personal identity. For him, immigration might pose a problem only in two circumstances. One occurs where the rate of immigration is so high that there is no time for a process of mutual adjustment to occur; in such cases the education system and other such mechanisms of integration may be stretched beyond their capacity. The receiving community, recognizing the social problems that the immigration causes, may turn a cultural difference into a perceived cultural incompatibility and seek to deter further immigration. The other circumstance is where the immigrant group is strong and cohesive enough to constitute itself as an independent nation. This is not likely to arise unless the group in question has been expelled en masse from some other place. He emphasizes that, a multicultural society must allow each of its members to define her identity for herself, by finding the group or groups to which she has the closest affinity, and must also allow each group to formulate its own authentic set of claims and demands, reflecting its particular circumstances. The state must respect and acknowledge these demands on an equal basis.

Equality appears to be a point of agreement between liberalism and multiculturalism due to there being no discrimination over creed, color or sexual orientation. Will Kymlicka's theory on "minority rights"²⁵ is generally considered as the moot point of contention as liberals believe that multiculturalists take the concept of equality "too far". Kymlicka identified three types of minority right, each of which has been attacked by liberal thinkers. The first is self-governing rights to the people of a nation who have been oppressed. They deserve extended power over their historical land which was taken away from them. This often takes the form of devolution (such as with the Basque people in Northern Spain). The work of liberal thinker such as Locke who advocated imperialism as a way of bringing people to the "good life" has been used against this first minority right. If the right is for something which itself had a liberal justification then there is no need for an extra right to compensate for it. The second is poly-ethnic rights which are

²⁵ Will Kymlicka, n.3

awarded to immigrant cultures and allows them to maintain cultural distinctiveness. This often means exemption from current laws, for example Sikh men are allowed to carry a ceremonial dagger which goes against the possession of a knife law in the UK. This has been attacked by liberals because it does not allow for societal integration; therefore it will lead to ghettoization and social chaos. Also these poly-ethnic rights often allow for practices which are illiberal and intolerant in liberal eyes so cannot be justified to the, whereas to a multiculturalist they are vital to allow cultural and moral relativism. The final minority right identified by Kymlicka is representation rights. These are specific to liberal democracies as they address the problems of underrepresentation in parliament and other assemblies. This has been heavily criticized by liberals who argue that it goes against the key tenant of meritocracy by giving some people (minorities) an advantage in what ideologically should be a level playing field. A general criticism of all minority rights by liberals is that it is unfair and against the liberal principle of equality to give some people more rights than others. On the other hand, Multiculturalists argues that there is no equality if they are not granted these minority rights. ²⁶

Iris Marion Young²⁷ furthers this argument by emphasizing on ‘Politics of Difference’. She points out that, different groups dwell in the city alongside one another, interacts with each other in city spaces. If city politics is to be democratic and not dominated by the point of view of one group, it must takes account of and provides voice for the different groups that dwell together in the city without forming a community. For Young, social groups are relational outcome of interactions, meanings, and affinities according to which people identify one another. The self is a product of these social relations in profound and often contradictory ways. A person's social group identities, moreover, are in some meaningful sense shared with others of the group. Liberalism denies these differences by positing the self as a solid, self-sufficient unity, not defined by anything or anyone other than itself. It denies difference by bringing all such separated individuals

²⁶ Reynolds, Duncan (2012), “*To what extend is there tension between liberalism and multiculturalism?*”, URL- http://newpoliticalcentre.files.wordpress.com/2012/02/to_what_extent_is_there_tension_between_liberalism_and_multiculturalism1, [accessed on-05/05/2012].

²⁷ Iris Marion Young, *Justice and the Politics of Difference*, (New York: Princeton University Press, 1990)

under a common measure of rights. Hence it is necessary to acknowledge these differences and recognizing particular rights for groups is the way to promote their full participation. Recognition of group difference also requires a principle of political decision-making that encourages autonomous organization of groups within a public. This entails establishing procedures for ensuring that each group's voice is heard in the public, through institutions of group representation.

While Kymlicka and Young endorse a system of group differentiated rights that aims to uphold the institutions that plays a crucial role in protecting the diversity and culture identities, Charles Taylor, on the other hand, argues that taking special measure, like group differentiated rights, are insufficient without an actual appreciation and recognition of the culture and the diversity being protected by the society. In his "Politics of Recognition", Taylor emphasizes that "due recognition" means recognition of equal value of every human being, but also an acknowledgment of what makes every human being unique.²⁸ Taylor's, offers a theory of recognition as a sophisticated appeal for the acknowledgment of difference, in which the survival of minority cultures enables in fostering equal dignity, and prevents social fragmentation. He also furthers the argument of 'politics of difference' by pointing that the development of the modern notion of identity, has given rise to a politics of difference. Everyone should be recognized for his or her unique identity. With the politics of equal dignity, what is established is meant to be universally the same, an identical basket of rights and immunities; with the politics of difference, it is the recognition of the unique identity of individual or group, and their distinctiveness. The idea is that it is precisely this distinctiveness that has been ignored, glossed over, assimilated to a dominant or majority identity.

However, the critiques of the politics of difference points out that, it is nothing but denunciations of discrimination. The point that has to be understood is that its demands are hard to assimilate within the larger context, for it asks to give acknowledgment and status to something that is not universally shared. The politics of difference grows

²⁸ Charles Taylor (1995), 'The Politics of Recognition', in *Multiculturalism: Examining the Politics of Recognition*, ed. by Amy Gutman, (New York: Princeton University Press, 1995)

organically out of the politics of universal dignity, where a new understanding of the human social condition imparts a radically new meaning to an old principle, the various redistributive programs and special opportunities offered to certain populations seemed a form of undue favoritism. The ‘politics of recognition’ does not deny the Universalist idea of respect for persons as such; rather, it insists that a condition of equal respect is that the diverse cultural practices and values affirmed by different persons receive recognition of their equal worth.²⁹

Most countries encompasses people with different religious beliefs and other divergent ideas, Barry points out that there is nothing new in this, nor is there anything new about conflicts arising from differences. He points out that ‘politics of difference’ in itself is a formula for manufacturing conflict, because it rewards the groups that can most effectively mobilize to make claim on the polity, or at any rate it rewards the ethno-cultural political entrepreneurs who can exploit its potential for their own ends by mobilizing a constituency around a set of sectional demands.

One of the other most poignant critique of multiculturalism has been provided by Barry, he sees multiculturalists as denying the equality of basic liberties and fair opportunities that define equal liberal citizenship; moreover, they even help to undermine the economic claims of the poor by trying to shift political focus away from questions of distributive justice to a ‘politics of recognition’ of different cultural groups. Barry concentrates on the idea of equal treatment and criticises the multiculturalist’s view, that equal treatment requires treating people according to their different culturally derived beliefs and practices. He argues that this misconstrues the liberal ideal of equal treatment, which requires that people be treated according to the same rules.³⁰

The critiques have called multiculturalism to be an excuse for marginalization, exclusion and oppression, it is usually pointed that during the last decade most conflicts around the

²⁹Paul Kelly, n.13

³⁰ Brian Barry, n.19

world have been intrastate in nature, being linked to ethnic, religious or cultural differences. Moreover, the opponents of multiculturalism emphasise that giving differentiated right to the different groups and acknowledging these differences have led to the ghettoization of the minorities and migrant groups which impedes their integration into the mainstream society.

[1.4] Italy's Transition

As compared to the other European countries, immigration to Italy is a fairly new phenomenon. The post war period and until the mid-1970s it was regarded as the 'Country of Emigration', a trend that significantly influenced part of its economic, social and political history. The migration dynamics in Europe changed in the early 1970s after the oil price shocks. At the same time, a certain level of industrial development accompanied by a wide expansion of the services sector in Southern Europe created employment opportunities, thereby restricting the 'push' factors to emigration. On the 'pull' side, Western and Northern European countries had put a stop to labour migration from the early 1970s onwards, aiming at 'zero immigration'. Restrictive immigration policies were characteristic of many countries, including Britain and France, as a prerequisite for the successful integration of those already admitted.

Hence, in 1980s a new pattern of migration emerged, which involved the Southern European countries as receivers and the user of foreign labour, instead of serving as the 'Transient Stop' for migrants, as was the case in the past, while the traditional points of entry for migrants, that is the North and West Europe, were increasingly closed. Italy witnessed an unexpectedly high influx of the immigrants of non-Italian origin (from Africa and Asia, also from Latin America and East Europe) throughout the 1980s, who took advantage of country's economic growth and near absence of immigration controls. The 1981 Census revealed an unexpectedly 'High' number of foreign residents (210,937) and presences (109,841) on the Italian territory, but the issue of immigration did not immediately reach the political agenda, as the immigrants recorded were mainly of Italian

origin and in reasonable economic condition, hence they were neither in the need of cultural nor economic integration³¹.

Over a period of time numerous reasons to explain the surge of immigration in Italy have been put forward, which include long coastlines that are difficult to patrol; proximity to Eastern Europe and Northern Africa; and an increase in refugees and asylum seekers fleeing to Italy to escape poverty, political repression, and instability. Additionally, Italy has many available jobs, particularly in the tertiary or service sector, due to its low birth rate, and a pivotal role that has been played by the large underground economy, both in attracting immigrant workers and in providing with them the most unqualified vacancies from regular labour market³².

Table 1.1: Immigrants in employment by status of residence and employment

Residency	Employment	Total numbers in thousands (%)			
		1994	1996	1999	2001
Authorized	Registered	211 (30.6)	391 (52.9)	585 (61.9)	700 (60.3)
Authorized	Undeclared	138 (20.0)	166 (22.5)	245 (25.9)	160 (13.8)
Unauthorized	Undeclared	341 (49.4)	182 (24.6)	115 (12.2)	300 (25.9)
Total		690 (100.0)	739 (100.0)	945 (100.0)	1160 (100.0)

Source- Reyneri, Emilio 2004

1.4 (i) An Emigrating Nation

Italy is the country with a long history of emigration and a relatively short experience with immigration. The history of Italian emigration begins after the period of unification and has defined the Italian economic history for over a century. During the period from

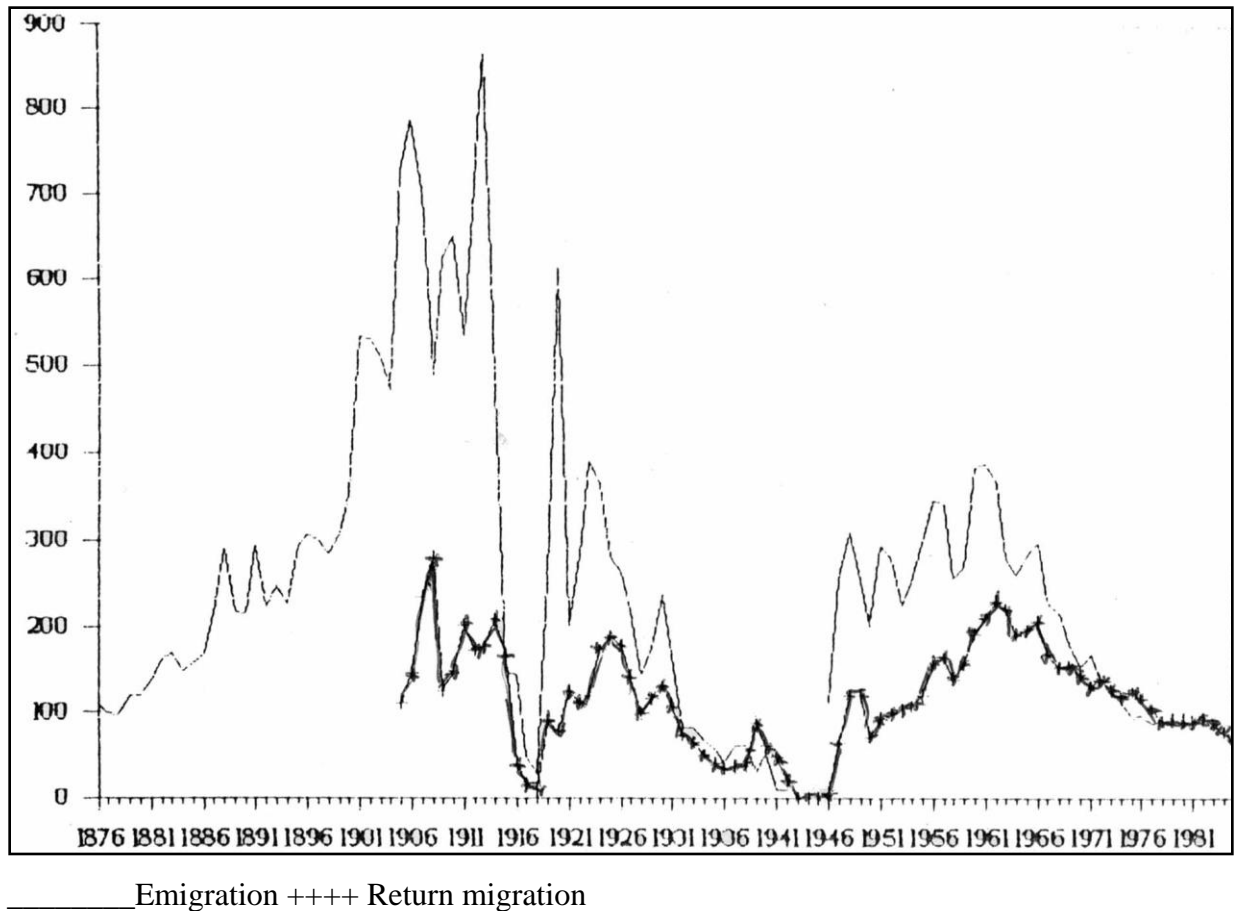
³¹ Giovanna Zincone, Illegality, 'Enlightenment and Ambiguity: A Hot Italian Recipe', *South European Society and Politics*, 3(3) (1998), pp- 45-82.

³² E Reyneri, *Immigration in Italy: trends and perspectives*, (International Organisation of Migration, Argo, 2007).

1861-1985 over 26 million people emigrated, with an average of 3.4 million emigrants per decade from 1875-1928 and 2 million between 1929 and 1975.³³

Mass emigration started with Italian unification: half of the emigrants moved towards other European countries, and the rest towards North and South America. The reasons were, on the one hand, the slow and difficult development of the Italian economy and, on the other, the economic expansion which characterised other countries between the second half of the nineteenth century and World War I.

Figure 1.1: **Italian Migration Abroad (thousands), 1876-1981**



Source - Bonifazi 2009.

³³ Daniela Del Boca and Alessandra Venturini (2003), *Italian Migration*. DP No.938, Forschungsinstitut zur Zukunft der Arbeit (Institute for the Study of Labour).

After World War II, Italians emigrated mostly towards Europe, especially Germany. In the same years, the development of the industrial North stimulated mass internal migration from the South to the North-West. The period of most intense emigration was the 1880s when flows from the Northern areas of Italy were integrated and replaced by flows from the Southern areas. The first period of Italian emigration was dominated by emigrants from agriculture as a result of the economic crisis and the poverty levels of Central and Southern areas, the industrialization process being concentrated mainly in the North western regions. Emigration from the industrial regions of the North was particularly evident only until World War I. In 1913, only 39 percent of total emigrants came from the North, while 47 percent were from the South and only 14 per cent from the Centre against a population distribution of 45 per cent, 38 percent and 17 percent respectively. In the North itself, most emigrants came from the North-Eastern regions: 33.3 percent, while only 23.4 percent came from the North-West, due to the differing stage of industrial development. Figure 1 shows there are increasingly sharp fluctuations after the turn of the century. Between 1875 and 1928 emigration from Italy reached its peak with about 17 million emigrants abroad, between 1929 and 1985 about 9 million left the country.³⁴

Considering the evolution of migration from 1876 to the second half of the 1970s, when net migration became positive, Bonifazi, Heins, Strozza, and Vitiello³⁵ identify six main stages in the emigration from Italy. Stage 1, from 1876 to the start of the 20th century, was characterised by a steady growth in emigration: from 100,000 expatriations a year at the beginning of the period to more than 300,000 a year in the last five-year period of the 19th century. Up until 1885, emigration to other European destinations prevailed, especially to France, but also to Switzerland, the Austro-Hungarian Empire and Germany; whereas in the following years, transatlantic flows were in the majority, divided almost equally among the United States, Argentina and Brazil. Initially, the migration flows came predominantly from the North of Italy, and it was only towards the

³⁴ *ibid.*, 6

³⁵ Corrado Bonifazi, Frank Heins, Salvatore Strozza, and Mattia Vitiello, (2009): *Italy: The Italian transition from an emigration to immigration Country*, IDEA Working Paper No. 5.

end of the century that there was an increase in the share of emigration from the South of the country.

Stage 2, running from the beginning of the 1900s until the start of the First World War, was the period when migration increased the most: on average there were more than 600,000 people emigrating each year, peaking at 873,000 emigrants in 1913. In this period, the transatlantic flow accounted for between 55 and 60 per cent of the total, with the United States alone absorbing more than three million Italian immigrants.³⁶ The main emigration destinations in continental Europe were France, Germany and Switzerland. In this period, there was an increase in the share of migrants from the South of Italy which came to constitute about half the flows leaving the country. Stage 3 coincided with the First World War and was characterized by a strong reduction in emigration. Stage 4 began at the end of the conflict and lasted until 1930. This was the stage preceding the full implementation of the Fascist government's anti-migration policy, which was applied progressively from 1924 until 1928 when it achieved full effect. The volume of flows to other European countries increased, with France being the main destination, while migration to the United States fell drastically, above all as a result of increasingly restrictive measures towards immigration, starting with the adoption of the Literacy Act of 1917, barring the entry of illiterate foreigners, up until the introduction of the quota system in 1921, strongly reducing the opportunities for Italians to gain entry.

In the 1930s, which comprise the first part of Stage 5, the anti-migration policy introduced by fascism and the Great Depression that began in 1929 led to a strong reduction in emigration. In the fifteen years covered by this stage, there was considerably less emigration, most of it to other parts of continental Europe.

The final period, Stage 6, began at the end of the Second World War when emigration resumed with renewed vitality, although not as strongly as during the peaks at the beginning of the century. In these years, Italy found itself facing two in-flows typical of

³⁶ *ibid.*, 7.

European migration at the time: migrants arriving from parts of the territory ceded to other states and those coming from the former colonies. In the first case, territories ceded to Yugoslavia witnessed an almost complete exodus of the entire Italian community that was forced to leave the region, even without any formal expulsion provisions being made. It is estimated by that between 200,000 and 350,000 people were involved. In the second case, following the loss of Italy's African colonies, in November 1949 it was estimated that 206,000 refugees came to Italy: 55,000 from Ethiopia, 45,000 from Eritrea, 12,000 from Somalia, and almost 94,000 from Libya.³⁷ The following table summarises the emigration and migration rates. The data show that emigration was not a steady flow, but was characterised by periods of growth and stagnation.

Table 1.2: **Emigration and Migration rate (per 1,000), 1876-1985**

	EMIGRATION	MIGRATION RATE
1876-1885	1,315	4.56
1886-1895	2,391	7.76
1896-1905	4,322	13.06
1906-1914	5,854	20.60
1876-1914	13,882	11.01
1915-1918	363	2.44
1919-1928	3,007	7.70
1929-1940	1,114	2.20
1941-1945	4,121	0.32
1946-1955	423	5.24
1956-1965	3,166	6.28
1966-1975	1,714	3.20
1946-1975	7,351	4.86
1976-1985	8611	1.53
TOTAL	26,595	

Source - Del Boca, D. and A. Venturini 2003.

³⁷ *ibid.*, 7

The period immediately after the Second World War in Europe was characterized by large south-to-north flows originating from the northern Mediterranean countries (Greece, Italy, Portugal, and Spain). Western and Northern European countries such as Belgium, Britain, France, Germany and Sweden received migration from the south of Europe and the Mediterranean, but also experienced incoming flows from African, Caribbean and Asian countries. The post-war years were a period of reconstruction and industrial growth in a Europe that was short of labour after the destructive war. Thus, foreign workers came to meet domestic labour market needs and were often seen as temporary sojourners. The flows originating from outside Europe was largely the result of the colonial legacy of the receiving countries, especially Britain, France, Belgium and the Netherlands, immigrants from former colonies were able to take advantage of an open policy towards labour migration.

Post Second World War the emigration was largely affected by the economic conditions in Italy and in the receiving countries, between the periods from 1946 to 1965; total outflow stood around 5.6 million emigrants, with a perceivable decline in non-European destinations as early as the second half of the 1950s. In this period, Italian labour constituted the most substantial part of immigration to many European countries with majority of the emigration flow from the southern part of Italy. Apart from witnessing an ever increasing flow of emigration during this period, Italian internal migration dynamics was also changing rapidly with the increase in the movement of people from the agrarian south to the developed and industrialised north and north-western Italy.

1.4(ii) The Laws Concerning Emigration

Italian government first viewed emigration as a concern in the late 1860s, hence the first laws controlling emigration were more of a circular, introduced subsequently in 1868, 1873, and 1876 allowing only those individuals to emigrate who already had employment contracts or could demonstrate that they had sufficient income to support themselves. The first legislation, ratified in 1888 with the vague intention of controlling the relationship between recruitment agencies and emigrants, reflected different political and economic interests. On one hand, mass emigration solved the problems of restructuring the

agricultural sector in the South and relieving poverty. On the other, employers in the industrial area saw emigration favourably only if developed coherently with the economic growth.³⁸

During these years numerous laws were introduced to control and protect emigration and emigrant's remittances. This effort was also accompanied by measures to provide the emigrants training support to facilitate integration. A General Commissariat for Emigration was established under the Ministry of Foreign Affairs. In 1924, the National Congress of Emigration and Immigration was held in Rome with the important goal of coordinating the actions of several sender and recipient countries. The outbreak of World War II limited the entry of foreigners and, nationally, the Fascist regime limited emigration. Restrictive legislation was introduced to limit permanent emigration (with the exception of family reunions) and encourage returns.

Post Second World War the emphasis was placed on the protection and promotion of emigration and various issues such as family reunion, remittances and social security were better organised. In 1947 the Department of Emigration was set up to replace the Department of Italian Abroad. The 1960s saw a more active involvement of various actors such as labour offices, trade unions and, employers who act explicitly to ensure better co-ordination and constant efforts to protect Italian emigration and the Italian community abroad.

Italian emigration policies have had limited effects on the flows and directions of emigration. More important factors would appear to be the changes in the economic activities and the migration policies implemented in the countries of destination, for example, in 1917, the US prohibited entrance to the illiterate, reducing the eligible immigrants from southern Italy, and in 1924 they introduced the quota system restricting the right to a limited number of Italians.

³⁸ Daniela Del Boca and Alessandra Venturini, n.32

1.4(iii) The Changing Social Structure

The latter half of the twentieth century has witnessed greater changes in Italian society than at any time in the previous history of the area. The transformation from a largely agrarian, if urbanized, society to an industrial society within in the space of twenty years was followed by a further transformation into a post-industrial society with the service sector replacing industry as the major economic activity in an accelerating time span.

Emigration was an endemic feature of Italian society in the first hundred years of the nation's history. Some 13 million persons left Italy, mainly to the New World, between 1871 and 1920 when transoceanic emigration started to be controlled. It was seen by the Italian government at the time as a necessary safety-valve to relieve demographic pressure. Although emigration to northern Europe and Australia resumed in the post-war period for a couple of decades, what was new in the 1950s was massive internal migration, first from the countryside to the cities (rural exodus) and later, as the economic miracle got under way, from the South to Rome and the North (the great migration) because of the widespread underemployment in the countryside. Indeed, the end of mass transoceanic emigration in the 1920s and overpopulation in the countryside explains the Fascist's opposition to urbanization and the cultivation of the myth of 'rural' life. Urbanization would have boosted unemployment in the towns and created a serious social problem. Hence, labour mobility was discouraged.³⁹

In the two decades between 1953 and 1973, it is claimed that some 9 million Italians were involved in inter-regional migration. The peak migration periods were the 'miracle' years of 1958-63 and the late 1960s recovery (1967-71), interrupted by a brief halt for the first post-war recession (1964-66), at the annual rate of up to several hundred thousand persons. Moreover, migration patterns were becoming more complex.

The social consequences of this massive transfer of population were naturally different in the two areas affected: departure and arrival. The northern cities were absolutely

³⁹ Percy Allum, 'Italian Society Transformed', in *Italy since 1945*, ed. by Patrick McCarthy, (United Kingdom: Oxford University Press, 2000).

unprepared for this influx: housing was insufficient and overcrowded, and social services such as schools, hospitals, and transport, etc. were inadequate. The former, for example, resulted in the creation of small towns on the outskirts of the major cities. This in turn led to large-scale building programmes, creating an urban sprawl round the major agglomerations. Whole new suburban districts were constructed, usually lacking the basic amenities. In the South the hill and mountain villages were left to their fate. With so many young men leaving and only the old and women remaining, they slumped into irreversible decline and degradation.

1.5(iv) Reluctant Immigration Destination

Societies characterized by different cultural, linguistic or religious minorities may especially encounter challenges and obstacles in integrating diversity stemming from immigration while at the same time preserving their own culture and identity. Immigration is nowadays considered to be one of Europe's biggest challenges and poses a series of new questions to nation states and their populations: Who are we? Who belongs to us? The definition of one's own culture and values and one's own identity, gets blurred when confronted with the 'other'. The integration of immigrants thus becomes a key test for the openness and stability of civil societies.

The presence of foreigners is not a new phenomenon in the Italian society, as the policies pertaining to immigration from 1861 till the beginning of the First World War were not very restrictive and preventive. The Italian censuses show that between 1871 and the outbreak of World War II, foreigners made up around two or three per thousand of the Italian population⁴⁰. But it was not until the Oil crisis of 1970's that the migration processes towards Italy changed because the European countries that traditionally imported labor adopted a restrictive policy aiming for 'zero immigration'. The beginning of immigration in Italy is thus viewed as a fallback choice in response to the closing of

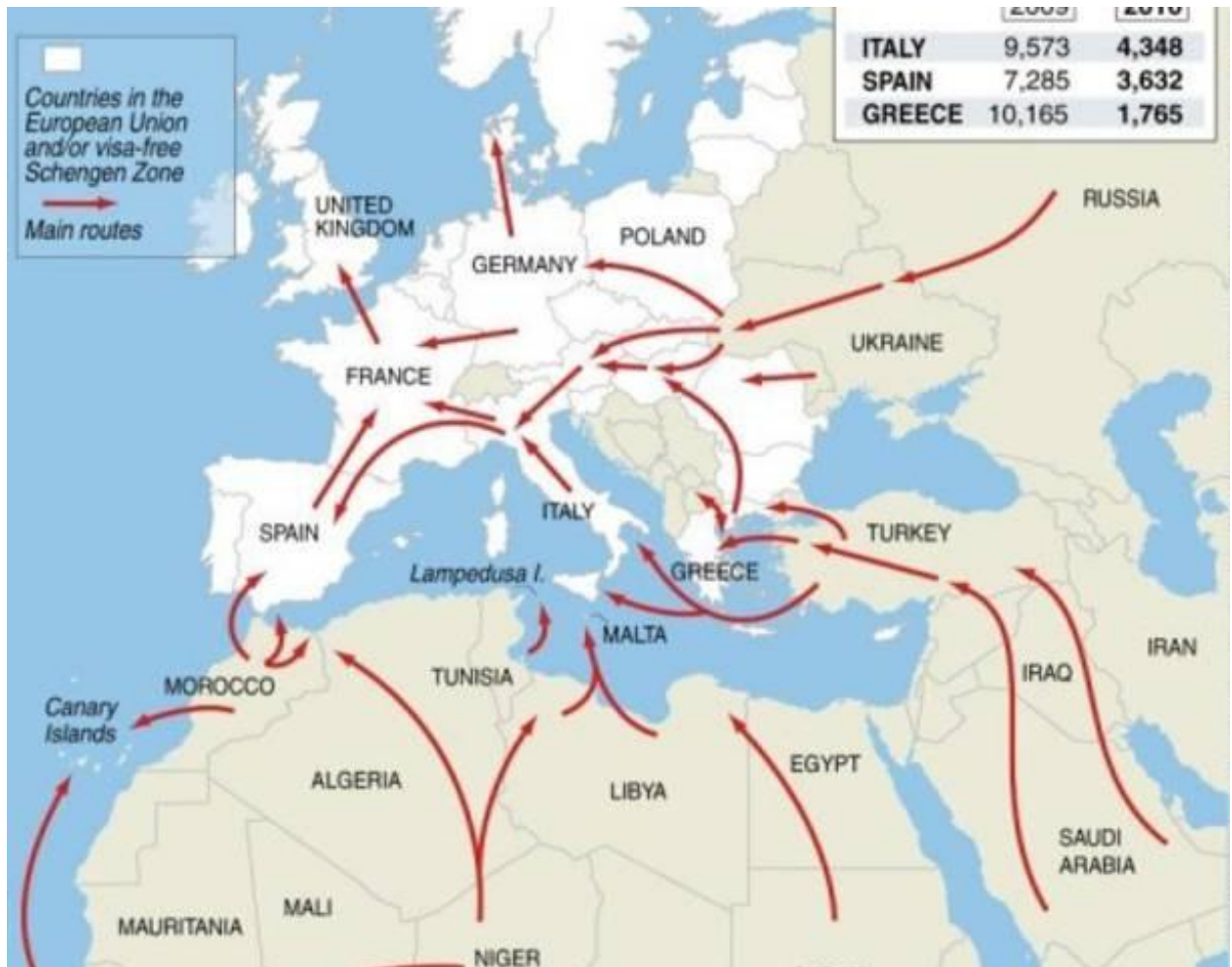
⁴⁰ Asher Colombo, and Giuseppe Sciortino, 'Italian immigration: the origins, nature and evolution of Italy's migratory systems', *Journal of Modern Italian Studies*, 9(1) (2004), pp- 49-70.

traditional European destinations. As compared to the 1960s experience, where migration was largely due to the demand in the countries of destination, in the 1980s immigration was initially pushed by supply factors, high fertility rates, lack of jobs in the country of origin, low wages and poor working conditions and, the given proximity to the destination. Some available job openings were found in sectors such as family services, in the agricultural, in construction and in many small industries, as well as in the thriving informal economy.

In the context of Italy, both the push and the pull factors have played a very crucial role. Firstly, its geography plays a very crucial role, its proximity with unstable and less developed areas (former Yugoslavia, Albania, Maghreb) resulted in originating important flows of migrants; length and accessibility of the borders with the Mediterranean Sea due to the Italian peninsula shape; position with respect to other destination countries, made Italy as transit country for flows of migrant directed towards other European countries and later to itself. Secondly the Italian Economy has been characterised with a large underground economy and strong demand for foreign born workers to solve the qualitative and quantitative shortages of workers in the labour market, create an important pull factor for migrants. Thirdly the lack of substantial migration policy played a major role in increasing undocumented stocks and flows. Along with the near absence of Asylum policy, and the high level of selectiveness in granting the refugee status and the poor benefits offered, contributes in explaining the low number of applications for asylum received by the Italian government. Given this adverse setting, it is therefore likely that a fraction of potential asylum seekers opt for unauthorised residence.⁴¹

⁴¹ Francesco Fasani, (2008), *Clandestine Undocumented Migration Counting the Uncountable. Data and Trends across Europe- Country Report- Italy*, 6th framework programme for research and technological development, European Commission.

Map 1.2: The following map depicts various routes taken by the migrants to enter into Europe.



Source- <http://www.allvoices.com/contributed-news/10808626>

However, when Italy began to witness immigration in the early 1970s, the country was basically open to migration flows because of the absence of any particular laws controlling the entry of foreign workers and the conditions under which they could stay. This substantial openness, in addition to the changes in migration policies that restricted any further entry into European countries with more experience with immigration, constituted some important factors for Italy's transformation into a new destination for immigration flows. This point of view suggested that immigration to Italy, as seen in other Southern European countries, was a transitory phenomenon, that would not involve large numbers and would certainly only be temporary because it was believed that Italy

was only a stage of the journey of migrants on their way to the more traditional European immigration countries.

This supposition was based on the hypothesis that this phenomenon was mainly caused by a worsening of social and economic conditions (push effects) in the sending countries, and did not take into consideration the fact that labour demand in the countries of Southern Europe might attract migrants. The role played by the demand for labour was underestimated because it was mainly a result of the segmentation of the labour market. There was a significant increase in job opportunities in the second category, i.e., the precarious, dangerous and badly paid jobs that the national labour force refused to do and that were waiting to be taken up by the immigrant labour force.

Asher Colombo and Giuseppe Sciortini⁴² identify the typology of immigration that was experienced by Italy. Beginning with the post-war decolonization, which had important migratory ramifications in all European countries - the colonists, administrative and military personnel returned home; on the other, citizens of former colonies moved in the same direction as the ex-colonizers for a better future. From 1940 to 1960 between 550,000 and 850,000 Italians returned to Italy from the former colonies and the rest of Africa. In some cases these homecomings were directly responsible for post-colonial migrations as Italian entrepreneurs, officials and executives brought with them Foreign Service personnel. The low cost of the voyage from Tunisia to Sicily transformed Italy known historically for emigration into one of the first bridgeheads of immigration from southern Mediterranean countries.

Work migrations and active recruitments are the second type of immigration experienced by Italy. Italy is in fact similar to the 'classic' migrations of workers. This type of immigration begins with the arrival of seasonal workers who are employed in fishing and agriculture in Sicily, with cross-border commuters from Yugoslavia to northeastern Italy, and with domestic workers in the big cities. By the mid-1970s, this wave of immigration

⁴²Asher Colombo, and Giuseppe Sciortino, n.39

had spread into new sectors such as fishing and into new areas of the island. Over time, similar waves of seasonal workers linked sub-Saharan Africa with Campania. A second case of active recruitment pertains to domestic work. Already by the 1960s, waves of workers had arrived from East Africa – linked to Italy by its colonial past – as well as from the Philippines and the former Portuguese territories. These immigrations, initiated by organizations connected to the Catholic Church, were made up of workers with work contracts, often through Italian agencies in their home countries, as well as workers with tourist visas. A third element of labor migration is connected to industry. In 1977, the hiring of Middle Eastern workers in factories was quiet common. Immigrants from Senegal and Ghana were subsequently hired as unskilled laborers in quarries, small and mid-size steel mills, textile and food factories in the Northern part of the country. In addition to waves of unskilled laborers, there is also a structured influx of foreign citizens from OCSE countries who assume important positions in the world of business, corporate management, and the cultural and fashion industries.

Table 1.3 - Immigrants in Italy as per the region of origin, 1975-1999 (%)

World region	1975	1980	1985	1990	1995	1999
Western Europe	53.2	45.9	43.2	24.2	19.1	13.5
Eastern Europe	6.4	8.5	8.9	9.3	21.7	26.3
North America	18.9	15.1	13.1	8.1	6.5	4.0
Latin America	5.6	6.4	7.0	8.4	8.8	8.2
North Africa	1.9	3.5	4.6	18.7	16.3	18.5
Sub-Saharan Africa	2.8	5.2	6.1	11.8	10.4	10.0
Middle East	4.0	4.7	5.3	3.4	2.9	2.0
Other Asian countries	3.8	7.5	9.0	14.5	13.9	17.2
Other countries; unknown	3.4	3.2	2.8	1.6	0.6	0.3

Source - Russell King 2002.

Students were also an important part of the whole process due to the low cost of university studies, the lack of numerical restrictions on enrolment, and frequent use of scholarships as tools of cooperation in development all contributed powerfully in drawing foreign students to Italy. For the most part students in Italian universities were the first in

the classification of residency permits at the beginning of this time period. In 1970, 27,000 of the 143,000 Italian residency permits were granted for study purposes. This figure increases in absolute value to arrive at 100,000 out of 645,000 in 1988 when, largely owing to more restrictive policies, the number of posts available to foreigners in the universities begins to decline.⁴³

At the end of 2001, Italy was home to 8,571 asylum seekers, refugees and other individuals under the supervision of the United Nations High Commission. This is a fairly modest figure compared with other European countries: in Italy, the number of claims for asylum has traditionally been very low, fluctuating between 2,000 and 3,000 requests annually in the 1980s, as it does not have any organic law on the right to asylum. Until 1990, only citizens from the Soviet bloc were recognized by Italy as potential asylum seeking destination.⁴⁴

Though the immigrant population is present throughout the country, but they are concentrated mainly in the urban areas of the centre and north of Italy where work opportunities are greater, especially in the tertiary sector and mostly in the informal labour market. In comparison to other European countries, Italy has a particularly large underground economy and a rigid segmentation of the labour market. These two structural features contribute significantly to the migrant's inclusion in low-paying, temporary, irregular jobs throughout the country. At the same time, this makes it difficult to provide data and design and implement appropriate policies since the presence and activities of most immigrants remain undocumented.

Labour-driven demand for immigrants in the domestic care sector, construction, agriculture, industry and the service sector has been the primary force driving immigration in Italy and Southern Europe over recent years. Such demand is fuelled by the effects of a long term decline in the birth rate and subsequently an accelerated ageing process which has transformed Italy into one of the oldest nations in the world. One

⁴³ *ibid.*, 57

⁴⁴ *ibid.*, 59

effect of an ageing population is that it produces a massive demand for domestic workers to take care of the few children, of the old and sick and to increase female participation to the labour force. This demand often falls on immigrant labour and therefore encourages immigration through the creation of job opportunities for migrant workers.⁴⁵

1.4 (v) Towards the First Legislation

Since the 1970s, and especially since the 1980s, Italy has been transformed from a land of emigrants into an immigration destination. In this period - for a series of complex reasons, which can be attributed to an unfavourable economic environment- Italian emigration progressively decreased, and up to 1980, the Italian emigrants returned to their country were more than the ones left abroad. In the 1970's, as Italian emigrants started to return home, the other nationals began to immigrate to Italy as well, this group was made up primarily of workers from Tunisia, who were employed in fishing and agriculture, and women coming from Eritrea, Cape Verde, the Philippines and Latin America, who were employed as domestic servants. During this period, administrative provisions regarding immigration were not structured in a systematic way.

The first important interventions in the field of immigration at the national level began in the 1980s, as the 1981 census revealed an 'unexpectedly' high number of the foreign residents (210,937) and presences (109,841) on Italian territory, but the issue of immigration was not yet addressed seriously, as they were largely of Italian origin. The biggest influx of the immigrants of non-Italian origin dates from between 1984 and 1989, when some 700-800,000 people entered the Italian territory, with half of them without legal permits. Thus, along with Germany, Italy shared the largest inflows within the European Community.⁴⁶

Until the approval of the 1986 law, the 1931 public order legislation remained in force (Royal Decree 18 June 1931, no. 773, articles 142-152) and many issues concerning

⁴⁵ Elizabeth Collet, Luca Einaudi, et al, *Rethinking Immigration and Integration: a New Centre- Left Agenda*, (London: Policy Network, 2007).

⁴⁶Giovanna Zincone, n.30

residence and the labour market were subject to administrative discretion and regulated by ministerial circulars. For this reason the Constitutional Court, in a ruling no. 46 of 20 January 1977, stated that “due to the sensitivity of the interests at stake, this issue needs to be thoroughly reorganized by Parliament taking into account the need to develop comprehensive and consistent regulations which guarantee the enjoyment of fundamental human freedoms in relation to the entry and the residence of foreigners in Italy”.

As a traditional country of emigration, Italian government tried to regulate the inflows, as a large number of immigrants were undocumented, and the legal entitlements of immigrants in Italy were to be defined. Hence, in 1981, Italy approved Convention No. 143/1975 of the ILO, and, in 1986, the Italian Parliament approved Law No. 943/1986 regarding foreign workers, a progressive legislation that placed foreign workers in the same category as Italian labourers⁴⁷. However, this law only pertained to workers with a company contract and excluded all other categories of foreign workers in Italy.

The aim of the act was to legalize and regulate the situation of immigrants in Italy and to prevent illegal immigration rather than to restrict access and cut down inflows. Two committees were created on that occasion. The first was attached to the Ministry of Foreign Affairs and had the purpose of regulating flows, controlling illegal immigration and repressing organizations working in that field. The general idea behind this committee represented the Italian experience with emigration, as Zincone notes, that is, legal immigration was caused by the pull effect of labour demand, illegal immigration was due to the hidden economy.

The second committee, with a consultative role, was attached to the Ministry of Labour and Social Security and it was supposed to be composed, among others, of six representatives nominated by the main non-EU immigrant organizations. Since it was difficult to select the most representative immigrant associations, the number of seats assigned to them was conspicuously enlarged. Some sixty people were admitted and the

⁴⁷ Law 943/1986, “Regulations regarding the employment and treatment of non-EU immigrant workers and against illegal immigration”.

logic of their appointment was in some way inspired by clientelistic criteria.⁴⁸ In fact, it was abolished three years later, as was the first one.

The bulk of the first provisions of the law in fact treated immigrants as workers; they were intended to protect nationals' employment from the 'unfair' competition from foreigners. Nationals were given priority in employment opportunity and non-EU workers were prevented from moving freely from one kind of job to another. Entry and work permits were given after having checked the lack of national manpower for those jobs. Non-EU foreign citizens wanting to work in Italy were supposed to register in special placement lists at Italian consulates in their own countries. The cost of migrant labour was equalized and even made higher in comparison with domestic labour by making employers pay more expensive social security contributions for non-EU workers. No serious effort, however, was made to eliminate the illegal employment of migrant workers in the hidden economy. Thus, the focus of Italian migration policies at that time was still restricted to the employment issue, although many immigrants were not in fact entering the workforce, at least the registered workforce.

The 1986 Act attempted to foster integration; it stated for instance that immigrants should have free opportunities for learning Italian. However, no public money or funds from the central state budget was reserved for these initiatives, and the law, while emphasizing good purposes, did not lay down any concrete means to implement them. The minor local finances were charged of these and other new duties connected to immigration. The discrepancy between principles underlying the legislation and actual implementation was evident.

Apart from introducing the first laws concerning the immigration, Law 943/1986 introduced the first regularisation of the undocumented immigrants, presenting them with an opportunity to attain legality and also regulated the conditions for admission and residence of foreigners into the country as well as guaranteeing their equal rights with

⁴⁸ Giovanna Zincone, n.30

Italian citizens, along with defining the conditions for regularisation of clandestine immigrant labourers. This law was defective in two fundamental aspects: first it ignored refugees and, and secondly, the conditions required for illegal immigrants to be eligible for regularisation were too difficult to be met. Thus, the turnout of the program was relatively low, only 105,312 immigrants managed to pass the test, in comparison to the number of illegal immigrants estimated to be present in the Italian territory at the time.⁴⁹

As the new law was inadequate in number of ways, the phenomenon of immigration was characterised as a “social emergency”, as a number of issues arose in relation to the immigrants including their social and cultural integration, informal labour and political asylum. Though the law was in no way very comprehensive, attention was paid to problems such as the poor delivery of social services, housing problems, the management of the labour market and, more particularly, the spread of the informal economy, an intrinsic feature of Italian society.

[1.5] Conclusion

Legislation on migration was introduced slowly, from the mid-eighties onwards, responding more to “urgency factors” than to a coherent migratory policy, embracing the issue of flows control and the one of integration. In this context the incorporation of the immigrants in the Italian society has taken place mainly through a labour market that needs labour force for manual and unqualified jobs abandoned by the nationals in informal sectors. Immigrants were needed for heavy, precarious, dangerous, low paid and socially penalized jobs.

Immigration policies debate emerged at the central level in 1989; by the end of the decade, the perception and political conceptualization of the issue had changed. The impact of relevant immigrant flows started to be dramatically visible in large cities and in southern agricultural areas. The lack of accommodation, the consequent squatting by

⁴⁹ Mariangela Veikou and Anna Triandafyllidou, (2000-2004): *Immigration Policy and its implementation in Italy- A report on the state of art*, European University Institute.

immigrants, the reactions of the nationals living near the occupied buildings, homeless immigrants subject to aggression by extreme right-wing youngsters, the illegal labour market and people living in brutal conditions were all features of an uneasy situation which reached a peak when a black labourer, Jerry Essan Masslo, was assassinated in Villa Literno (Calabria), in October 1989⁵⁰. Immigration appeared abruptly on the political agenda as an emergency issue and it was thoroughly reconceptualised. The change in the political majority in favour of the centre-right coalition in the middle of 1990s meant a drastic change in the government's approach to integration: an assimilation approach replaced cultural pluralism. Italian society is factually a heterogeneous society, but considers itself to be a homogeneous state.

The new guiding principles behind Italian migration policy were to give to immigrants already present in Italy the opportunity to lead a decent life and to strongly reduce inflows. Drastically limiting new arrivals was considered a precondition for the social rescue of those already in Italy.

Italy has developed a gradual approach to immigration, lacking until recently comprehensive and consistent policy framework. Because of its geographical position, this country is highly exposed to penetration by illegal immigrants from the south and from the east. Moreover, like other southern EU countries, Italy has a widespread informal economy, thereby providing fertile ground for illegal migration to operate in. Combating undocumented immigration and the trafficking of human beings is a priority for both security and foreign policy.

⁵⁰ Giovanna Zincone, n.30

CHAPTER- 2:
POLITICISATION OF IMMIGRATION DEBATE

[2.1] Introduction

The issue of immigration did not come in forefront of the Italian political agenda until the late 1980s, as by then the impact of the immigration flows started to become visible in the major cities and the agricultural scenario of the south. Hence, by the end of the decade the perceptions and the political conceptualization of the issue changed. The new guiding principles behind Italian migration policy were focused on giving the immigrants, already present in Italy, the opportunity to lead a decent life and to strongly reduce the inflows, drastically limiting the new arrivals; this was considered as the precondition for the social rescue of those already in Italy.

With the end of the cold war, immigration became one of the most contested issues in the Italian politics with varied opinions, and a very sensitive public and media opinion. This has also been facilitated by the changes in the political structure of the country, which has been hailed as the rise of Second Republic of Italy, with the coming of the Social Democrats and the Right wing in the power, respectively in 1990s and 2000s, eclipsing the Christian Democrats. This led to the rise of new questions and debates pertaining to the cultural and social implication of migration and the appearance of political conflict over these issues; and the limited political rights of the migrants, given the difficulties of obtaining the exclusive Italian citizenship.

The rise of new social and political forces on both the centre-left and the centre-right spectrum of politics marked the end of the post war immigration model, signaling the potential for conflict to ensue within the left and with the right vis-à-vis immigration policy. The questions raised were, whether the politicization of immigration has created an important rift within the left between those who favoured policy that grants immigrants more social and political rights and those who feared that immigration is linked to crime, unemployment, and a risk to national identity.⁵¹

⁵¹ Andrew Zaslove, 'The Politics of Immigration - A New Electoral Dilemma for the Right and the Left?', *Review of European and Russian Affairs*, 2(3) (2006), pp- 10-36.

In this chapter, the focus is on understanding the dynamics of immigration, along with the impact of the end of Cold War on the changes in Italian polity and its attitude towards migration. Since this period is marked with crucial changes in the political system, the role of the Social Democrats in the formulation of the immigration and integration policy making will be analyzed, along with the changing of the debate as the right wing parties came to the power, hence analyzing the Right-Left debate on migration and integration.

[2.2] Dynamics of Immigration

In the last two decades Italy has emerged to be the largest recipient of the migrants as compared to the traditional migration destinations of Europe. Italian immigration can be explained more by a demographic decline than by a strong economic growth. But some peculiarities of the labour market and the welfare regime are important to stress as it indicates jobs in which immigrants concentrate. A large emphasis has been put on the pivotal role of the underground economy both in attracting immigrant workers and in providing them with the most unqualified vacancies from the regular labour demand. In a job market strongly segmented by gender, age, educational qualification and region satisfying labour and population shortages, immigrants have raised certain problems, which only get aggravated by a political system and a public opinion where xenophobic tendencies are quite widespread.⁵²

Hence, in order to understand the integration debate and issues, it is crucial to trace the origins of the immigration and the transition that Italy went through in becoming an immigrant destination, as this process did play a very crucial role in the preparation and implementations of the subsequent policies and have also influenced the public and political opinion in the country.

Italian Immigration experience is generally considered different from the relative experiences of the European countries. Italian history does not include a fully developed and enduring period of colonial rule, and therefore contemporary Italy does not have to

⁵² E. Reyneri, *Immigration in Italy: Trends and Perspectives*, (International Organisation of Migration, Argo,2007)

deal with the claims of former colonial subjects. Italy is also distinguished by the relatively recent nature of the switch from an immigrant sending to an immigrant receiving society, with major waves of immigrants arriving only in the 1980s, and in relatively low numbers.

Italy's transformation into a country of immigration, as opposed to its former status as one of emigration, has contributed to the development of restrictive immigration policies over the last two decades. Italy's inexperience in regards to immigration has shaped its, rather limited and restrictive approach of the subject, overall culminating in policies that seek to stop immigrants from entering Italy by creating a web of bureaucratic processes. The economic boom of the post war years spurred an internal migration of workers from southern Italy to the northern part of the country, turning agricultural workers into industrial labourers. This internal migration was the first sign of immigration and was later accompanied by an external immigration of *extracomunitari*. However, it did not become very evident until the early 1990s and can be attributed to several exogenous factors that profoundly affected not only Italy but the international community as well.

Immigration has proved to be a difficult issue to deal with for the Italian government, as the issue has proved to be highly sensitive for the public in general, reflected in the progressive shift of society from a sort of 'social tolerance' to that of 'xenophobia and hostility'. It is because of the contradictions within the Italian socio-political and the economic sphere, the poor delivery of the social services; the problems of housing; management of the labour market and the spread of informal economy. The arrival of the immigrants provoked the extreme reactions and heightened the contradictions within the Italian society.

2.1 (i) Phases of Immigration

The immigration to Italy can be traced into specific phases, each with its own different trends and legislations. Over the period of time, the development of the policies pertaining to immigration has facilitated and restricted the flows of the migrants but each period is in itself a different experience for policy makers and the larger Italian society.

The first flow of immigrants into Italy started in the mid-1970s and included relatively limited numbers of students and refugees from different countries. The significant increase in the number of immigrants in Italy was witnessed after 1984, in the period when Britain, Germany and France closed their borders to immigrants, and when flows were, therefore, partially diverted towards Southern Europe. Hence, the first comprehensive immigration law was introduced into in 1986 (Law 943/1986). It regulated the entry of immigrants seeking employment and provided amnesty for undocumented immigrants who could prove such employment. Since the idea behind that law was that the immigration phenomenon was limited and transitory, it contained no rules aimed at encouraging integration.

The period between 1990 and 1996 was characterized by migratory flows mainly from the Balkan region and Eastern Europe. This was due to crisis in the region following the end of the Cold War and the iron curtain. This was a period of transition for the Italian political system, political crisis and corruption scandals, and the emergence of new parties hostile towards immigration, for example the Lega Nord. Italian immigration policy also had to adjust to emerging European migration policy and the attention paid by northern EU member states to the weak borders of the southern European countries. Through Law 39/1990, '*Martelli Law*', immigration began to be considered as a long-term phenomenon in Italy. This law defined special provisions regarding immigration, including the annual planning of migratory flows, and certain norms regarding the rights and obligations of foreigners in Italy. These involved their stay and work conditions as well as other matters concerning family reunification and social integration.

The second half of the 1990s saw a major settlement of immigrants in Italy and a higher number of requests for family reunification. The centre-left government in power from 1997 till 2001 implemented a new immigration policy (Law 40/1998). This was the so-called *Turco-Napolitano* law or the Single Text – *Testo Unico* – which set annual quotas for immigration flows and established a set of measures and consultative bodies aimed at immigrant integration. Annual flows were to be based on triennial plans to be prepared by the government. Workers could enter and stay in Italy under the following conditions: a) for seasonal employment (within the annually defined quotas); b) if they had an offer

of employment in Italy (again within the annual quotas predefined by the government; stay permits for work purposes were initially issued for one year); and c) if they were ‘sponsored’ by an Italian or a foreign citizen legally residing in Italy. Law 40/1998 stated that integration policies should ensure parity of access to public services.

The immigration policy scenario changed again since 2002, when the centre-right government coalition of the time adopted a new, more restrictive law 189/2002, the *Bossi- Fini* law. This law specified that all ‘social integration measures’ are limited to legal immigrants, and introduced a more repressive policy toward undocumented immigrants through the use of compulsory repatriation. Conditions for issuing or renewing a permit vary in line with the reasons for entering Italy (for example dependent employment, self-employment, family reunification, study and so on). The residence permit cannot last more than the work contract and a maximum period of nine months has been defined for seasonal workers, one year for temporary workers, and no more than two years for other workers (that is for work on a self-employed basis, work as an employee for an indefinite period and family reunification). Non-EU workers can enter Italy on a ‘residence contract’ (*contratto di soggiorno*) only. This is a contract of dependent employment signed by the employee and the employer. Upon expiration of the contract, the immigrant worker is allowed to stay in Italy for another six months in search of employment. It also establishes a needs-test for foreign workers, similar to the one existing in other EU countries such as Germany or Greece. The employer is obliged to advertise the job opening for at least 20 days. If s/he finds no Italian citizen or legal resident able to take up the offer, the prefecture authorizes the entry of a new non-EU worker.⁵³

2.2(ii) Causes of Immigration

Over the period of time, several factors have been recognized which are responsible for the gradual transition of Italy from an emigrating nation to that of the immigration destination. The first factor, or set of factors, centers on the ease of entry to Italy and its

⁵³ Anna Triandafyllidou and Ruby Gropas, *European Immigration: A Source Book* (England: Ashgate, 2007)

evolving function as a “replacement destination” for migrants excluded by the closing off of the traditional immigration countries of North Europe during the second half of the 1970s. Restricted entrance to France, Germany, Belgium diverted the migration flows originating from southern Mediterranean and Third World countries to the traditional transient stops in the Southern part of Europe- especially Italy and then, to a lesser extent, to Spain, Greece and Portugal. Italy's geographical position in the centre of the Mediterranean, the permeability of its borders, with a long coastline and a land border easily crossed by remote mountain routes and the leniency of formal entry control procedures made the country an attraction for immigrants from poor countries.

Another reason for the growth of immigration was the country's growing prosperity. Italy led the way in the reduction of the economic and social gap between the countries of Northern and Southern Europe. Italy's growth in per capita GDP was the highest in the European Community over the period 1960-85 - at constant prices the increase was 129.7% for Italy, compared to Belgium 121.9%, France 121.7%, (West) Germany 105.3%, Ireland 104.5%, Denmark 98.3%, the Netherlands 93.9% and the United Kingdom 74.4%. This increasing standard of living paralleled by the effective establishment of a welfare state, made Italy an attractive destination for labour migrants seeking better opportunities in Europe. Probably more important than the increase in prosperity, however, have been the peculiar character and evolution of the Italian labour market and the ways in which the economy has been restructured in the post- industrial era. These processes of restructuring have created a dual economic system and labour market in which the informal or underground economy and the secondary labour market of casual, unorganised labour have flourished. Typically the secondary labour market consists of insecure, part-time and seasonal work which is only attractive to marginal workers such as women and immigrants. Italian case has been transformed from an ‘anomalous case’ in the 1970s, through to an ‘exemplary case’ in the early 1980s, to a ‘model case’ in the current case.⁵⁴ It is no longer a traditional labour migration pattern, but rather a general population movement from south to north, following the

⁵⁴ Giovanna Campani, ‘Immigration and Racism in Southern Europe: Italian Case’, *Ethnic and Racial Studies*, 16(3) (2003), pp- 507-535.

sociopolitical crisis in the third world and especially in the Eastern Europe. It became a model case because of the prevalence of the underground economy, and its need for the unorganised labour force ready to work in any kind of working conditions and immigrants provided and fulfilled these situation quiet easily. Also, migrant workers responded to the segmentation of the Italian labour market, a process in which a number of migrant groups have been able to monopolize certain relatively non-competitive niches in the job market such as domestic service, low-grade seasonal hotel work, street-trading, harvest work and fishing.⁵⁵

Another structural factor behind mass migration into Italy is the demographic setting. Most of the immigrants (except those from Europe and North America) come from less-developed countries which have annual rates of population increase of around 2-3%. Italy has the lowest birth rate in the world, a total fertility rate of 1.3 children per women. Italy turns out to be in an even worst situation if we take into account the burden of the elderly pensioners on the working population, because the labour force participation of 15-64 year old population is the lowest in Europe: 62.7 per cent in 2004 versus an EU-25 average equal to 69.5 per cent. It has been estimated that the migratory inflows would be required to maintain either the size of the total population or the proportion of working-age population to elderly. Hence, maintaining constant the proportion of the working-age population to elderly people would require a net migratory inflow attaining yearly 1,500-1,900,000 in the 2020s and 2,000-2,900,000 in the 2040s.⁵⁶ Despite this the immigration is considered a threat. Demographers also shaped this image by insisting that the immigration from south constitutes a ‘demographic bomb’⁵⁷. In Italy, political forces are very much opposed to the immigration phenomenon, and use this image of demographic threat in order to push the government for more rigid and restrictive immigration policies.

⁵⁵ Russell King, ‘Recent Immigration to Italy: Character, Causes and Consequences’, *GeoJournal*, 30(3) (1993), pp- 283-292.

⁵⁶ E. Reyneri, n. 2.

⁵⁷Giovanna Campani, n. 4.

2.2 (iii) Characteristics of Immigration

Immigration to Italy represents the segmented nature of the State itself, it has largely been characterized by the two extremes - ranging from the segmented migration in terms of documented and the undocumented migrants, to differentiated labour market and economy, with a very dominant presence of the underground economy providing and to a very large extent fostering the illegal migration into the country. Immigration to Italy is an ethnic mix, leading towards a more heterogeneous society and public sphere, giving rise to new discourses on the settlement of these migrants on the lines of the North-South division of the country.

2.2 (iii.a) Countries of Origin

Italy, for more than two decade, has experienced a heterogeneous immigration. Up till 1990s the largest proportion of immigrants came from North Africa (up to 20% of the permits of stay), and with the end of the cold war the leading position was taken by Eastern-Europe (up to 25%). The proportion of migrants from Asia increased to 18%, whereas that from Central and Southern Africa decreased a little (down to 9%), that from South America was quite steady (around 8%).

It is a fact that, in the course of the past ten years there has been a very marked growth of populations originating from Eastern Europe, affecting the relative proportions of populations from Africa. “One of the reasons for this dynamic was the introduction, in the second half of the 1990s, at EU level, of restrictive policies regarding migrants from other continents, to favour the entries of migrants from EU candidate countries”⁵⁸. But with the fall of the iron curtain, the immigration from the Eastern Europe was on a steady rise which was evident from the falling of Morocco, which was the leading immigrant sender till 2002, to the third position in 2004, overcome by Romania and Albania. Tunisia and Philippines, which were at the top of the classification till mid-1990s, at

⁵⁸ Dossier Statistico Immigrazione Caritas/Migrantes 2006.

present, hold middle position only. On the contrary, not only Romania, but also immigrants from Ukraine and Poland have become very visible in Italy.

Table 2.1: Foreign residents with a regular residence permit: most represented nationalities, 2010.

Country of origin	Absolute numbers	in %
Romania	887 763	21
Albania	466 684	11
Morocco	431 529	10.2
China	188 352	4.4
Ukraine	174 129	4.1
Philippines	123 584	2.9
India	105 863	2.5
Poland	105 608	2.5
Moldova	105 600	2.5
Tunisia	103 678	2.4
Total 10 countries	2 692 790	63.5

Source: Fondazione Ismu elaboration on ISTAT data, 2010.

With nearly 5 per cent migrants from Moldova were in eighth position in the last amnesty, after Romania, Ukraine, Albania, Morocco, Ecuador, China and Poland. As per the impact of the EU enlargement, the recent growth of female migrants from Poland was essentially due to the 2002 regularization, but on the whole the inflows from EU8 countries were limited. Moreover, the restrictive policies that were adopted proved

inefficient. As in 2007, Romania joined European Union, giving them free labour market access to all the jobs they are most needed for: from housekeepers and caregivers to blue-collar workers in construction and metallurgical industry.⁵⁹

One of the most prominent phenomenon in the recent years has been the feminization of the immigrant's population, as the percent of women holding the work permit has been on a all time high with 34% by 2006. The overwhelmingly majority of migrants from some countries are female: in 2006 women represented a major share; almost 65 to 82% of migrants were from Poland, Ukraine, Moldova, Peru and Ecuador. The proportion of women was high among immigrant workers who availed themselves of a regularisation: from 26 to 31% in 1990, 1995 and 1998 and above 46% in 2002-2003, when nearly half of regularized migrants were working either as housekeepers or caregivers.

2.2 (iii.b) Settlement

As the most important reason for migration is the opportunity for better employment and a better life, the regional differentiation in Italy in terms of industrialized and developed Northern and Central and still developing and agricultural South, has a great influence on the settlement processes of immigrants. The territorial distribution confirms that migrant populations have settled in all parts of Italy, and that their settlement reflects the country's production "geography". In fact there are far more migrants in the North, which has been the preferred area of settlement since the early 1990s by virtue of the greater employment opportunities it offers. "This trend toward concentration in the North is far from exhausted and in 2005 further growth was reported in the area: the 59 per cent of 2004 has risen to 61 per cent, while the centre, in the same period, saw no increase, but did manage to maintain a substantial stability (26.8 per cent). At the same time we have witnessed a percentage decrease in the South and in the Islands (Sicily, Sardinia), down from 14 percent in 2004 to 12.2 per cent at the end of 2005".⁶⁰

⁵⁹ E. Reyneri, n. 2

⁶⁰ Dossier Statistico Immigrazione Caritas/Migrantes 2006.

The increasing proportion of immigrants living for many years in Italy confirms that the settlement process is now ongoing. Taking into account citizens from a high emigration country who are registered as residents, in 2005 nearly 27 per cent were living in Italy for over 10 years and nearly 24 per cent for 6 to 9 years. The settlement process, however, is poorly supported by the Italian policies. In fact, among people from high emigration countries who are entitled to hold a permanent permit of stay as residents for at least 6 years, only half managed to get it because qualifications are so restrictive and proceedings are long and difficult that many are discouraged to apply for. Furthermore, the legislation on citizenship is so strict that Italy has one of the lowest rates of nationality acquisition rate in Europe.⁶¹

Immigrants who entered Italy tend more and more to live in the Northern regions: almost 34-36 percent of non-nationals are settled in the North-West area and around 27 percent in the North-East area, whereas the proportions were respectively 29-31 per cent and around 20 per cent in the early 1990s. Thus, the proportion of non-nationals to resident population grew in the Northern regions from 1.4 per cent in mid-1990s to around 6.5 percent at present, whereas it increased only from 0.5-0.9 to around 1.5 per cent in the Southern area. Both the high geographic mobility of migrants inside Italy and the growing inflows from the Eastern Europe supported such a process of concentration, which was driven by the labour demand. Over time immigrants were more and more living in the regions where the labour market is tighter and the demand for them is higher. The following map depicts the foreign resident settlement as per the percentage of the total population for the year 2010-2011.

⁶¹E. Reyneri, n. 2

The labour market of Italy represents the dual aspect of the economy of the country; the market is segmented like the economy into formal and informal sectors. In the past decades the presence of immigrants in various sectors of the economy has increased manifold, increasing from less than 120,000 in 1991 to almost 420,000 in 2000. The growth was most notable in 1996, when the number of employees increased by almost a third in one year. In other years, the growth was significantly less, even though it was not interrupted during the years of economic crisis, from 1992 to 1995, when overall Italian employment figures dropped considerably. The increase in 1996 is mostly owed to the amnesty of 1995, when 140,000 immigrants declared their employment in order to gain legal status. On the other hand, the number of employees in 2000, not including the increase in domestic work, only takes partial account of the 190,000 workers who obtained legal status after an amnesty that began with a call for applications in 1998, and concluded with the granting of permits in early 2000.⁶³

Most of the immigrants are employed either in the primary sector (fishing and agriculture) or, more usually in the tertiary sector (domestic work, small enterprises etc). It was only after the end of the cold war that the industrial sector started to absorb the immigrants, but the process is limited to certain regions (in Northern and Central Italy) and to the jobs which are no longer taken up by the Italian labour. In general, small industries are keener to employ the immigrants as compared to the large enterprises because they are more likely to be able to sign contracts less favourable to the workers.⁶⁴

However, a new phenomenon has emerged, as migration flows are no longer attracted by an overall imbalance in the labour markets of the receiving countries but rather by the sectarian imbalances which may arise in a situation of unemployment where they are the result of the 'segmentation' process in the labour markets and apply mainly to the jobs of the at the lowest or the highest level of the occupational ladder. The immigration flows to Italy is no different from this phenomenon, as the place immigrants has taken in the Italian labour market varies according to the regions and local areas, to ethnic and

⁶³ Emilio Reyneri, 'Immigrants in a Segmented and often Undeclared Labour Market', *Journal of Modern Italian Studies*, 9(1) (2007), pp- 71-93.

⁶⁴ Giovanna Campani, n.4 .

national origin and gender. The migrants are predominantly present in the domestic labour (60%), in the metalworking sector (19.3%), in the construction sector (17.5%), in hotels and catering (16.3%), in agriculture (14%), in the tanning industry (13.9%), in the woodworking industry (13.2%) and in the textile industry (13%).⁶⁵ The ethnic specialization is particularly strong and is also related to the gender specialization and gender segregation. Domestic work involves women from Ethiopia, Cape Verde, San Salvador, etc, migrants from Former Yugoslavia are largely recruited in the constructions, people from Central Africa are employed mainly in the informal services but are also engaged in the industries in the Northern Italy, migrants from China are either self-employed (in restaurant business or leather-handicraft trade) or are employed by the established Chinese employers.⁶⁶

Moreover, the irregular labour market not only seems to work well as a means of attracting, filtering incoming migrants and providing them a transition into regular work, but also exploits the opportunity of a large migrant labour supply to reproduce itself. In fact, most authorized migrants are prone to undeclared work. The presence of authorized migrants in the underground economy depends on structural factors too: immigrants usually work in areas where irregular labour is more widespread and, since their work is often unsteady and they can rely on very poor family and social support, they are forced to take the first job they come across. Immigrant workers generally take jobs that Italians are unwilling to take, occupying a complementary role in sectors where it is difficult to recruit Italians. Inshort, immigrants perform the 5-P jobs (*pesanti, precari, pericolosi, poco pagati, penalizzati socialmente* (taxing, precarious, dangerous, poorly paid, socially penalised)).⁶⁷

⁶⁵Rossana Cillo, Fabio Perocco, n.12.

⁶⁶ Giovanna Campani, n.4

⁶⁷Jonathan Chaloff (2005), Italy, Jan Niessen, Yongmi Schibel and Cressida Thompson, (eds.), *Current Immigration Debates in Europe: A Publication of the European Migration Dialogue*, Migration Policy Group, European Commission Directorate-General Justice, Freedom and Security.

Table 2.2: Resident foreign population by economic sector and geographic division, 2007 (absolute values in thousands)

Division	Total (a.v.)	Sectors (%)						
		Agriculture	Industry	Construction	Wholesale and retail trade	Accommod. and food service	Other public, social and domestic service	Other service activities
Men								
North West	337.0	3.4	33.1	25.1	7.6	6.7	5.2	18.9
North East	269.9	2.2	40.9	24.7	8.6	6.4	2.5	14.7
Centre	219.4	5.3	18.8	37.5	9.2	7.9	8.2	13.0
South	97.2	13.5	11.5	20.3	26.0	6.8	15.4	6.4
Italy	923.5	4.6	29.7	27.4	10.2	6.9	6.2	14.9
Women								
North West	201.2	0.7	11.5	0.6	6.4	8.4	46.1	26.3
North East	138.9	0.9	22.3	0.6	6.9	13.2	25.4	30.7
Centre	165.2	1.9	10.1	0.8	8.3	13.9	47.4	17.6
South	73.6	5.7	5.5	0.0	7.7	11.6	60.1	9.4
Italy	578.9	1.7	12.9	0.6	7.2	11.5	43.3	22.7
Total								
North West	538.2	2.4	25.1	15.9	7.1	7.3	20.5	21.6
North East	408.8	1.8	34.6	16.5	8.0	8.7	10.3	20.1
Centre	384.5	3.9	15.1	21.8	8.8	10.5	25.0	14.9
South	170.9	10.1	9.0	11.5	18.1	8.9	34.7	7.7
Italy	1502.4	3.5	23.3	17.1	9.1	8.7	20.5	17.9

Source- Bonifazi, Heins, Strozza, and Mattia 2009.

Nevertheless, for authorized immigrants a position in the underground economy cannot be other than temporary because the periodic renewal of the residence permit requires proof of a regular income. Above all in the areas of domestic work and personal assistance, where there is a strong demand for immigrants, some establish themselves in a registered position just at the time of renewal, but this is a high-risk strategy because the proceedings for renewing the permits are cumbersome and need long time.

Table 2.3: **Stock of foreign labour by nationality**

	1995	1996	1997	1998	1999	2000	2001	2002	2003
Romania	5.7	17.6	17.8	19.2	41.5	47.0	52.7	56.6	194.4
Morocco	66.1	95.1	97.6	95.9	114.0	115.5	114.8	113.9	164.8
Albania	20.4	51.7	52.4	54.8	86.7	90.6	91.0	92.8	145.6
China	11.0	24.5	26.9	28.7	40.9	43.8	41.8	41.5	79.0
Philippines	29.2	48.6	49.1	49.4	56.0	53.2	54.1	51.1	60.7
Poland	6.1	14.4	13.1	12.1	16.6	17.0	17.0	17.4	45.8
Tunisia	25.3	32.9	33.2	31.6	35.5	34.2	38.6	36.2	45.5
Senegal	19.8	30.2	30.5	29.5	38.6	36.6	34.7	33.3	45.2
Ecuador	1.0	3.4	3.4	3.4	8.3	8.6	8.2	7.8	42.6
Peru	5.5	18.5	18.9	18.3	22.1	22.7	22.5	21.5	37.8
Egypt	11.2	18.8	18.6	18.0	26.9	25.2	24.0	22.3	37.1
Sri Lanka	12.6	19.6	19.6	19.8	22.6	23.4	25.3	23.4	30.7
India	4.6	10.9	11.4	11.0	14.8	16.1	16.2	16.6	30.3
Former Yugoslavia	27.5	26.1	24.2	23.9	23.8	24.6	23.0	22.2	27.9
Bangladesh	4.3	10.2	10.8	10.0	16.0	16.8	17.1	16.4	27.3
Other countries	183.6	234.1	232.7	235.0	263.4	262.7	260.0	256.7	464.9
Total	433.8	656.6	660.3	660.6	827.6	837.9	841.0	829.8	1 479.4

Source - OECD, International Migration Outlook, Annual Report 2006.

Moreover, it has been argued that the case for labour migration has also been influenced by fears about ageing populations. Demographic projections show that Italy will suffer from this problem in coming decades. The Italian birth rate is one of the lowest in Europe, at 1.2 per female. Many pensioners are already dependent on immigrants for health care and domestic help, and are likely to resist any moves to limit this supply. Even though many commentators have argued that immigration cannot be a tool for addressing the problem of rising dependency rates, immediate shortages in sectors such as domestic and health care work are likely to exert considerable pressure on Italian governments of any political hue to loosen migration provisions.⁶⁸

2.2(iii.d) Illegal Immigration

⁶⁸ Christina Boswell, *European Policies in Flux- Changing Pattern of Inclusion and Exclusion*, (London: Blackwell Publishing Ltd, 2003).

The lack of any coherent legislation, until recently, is generally considered to be the main reason of the beginning of immigration to Italy. But even with the introduction of the first immigration law in 1986, which consequently restricted the official immigration channels, Italy became a chosen destination of the migrants in the late 1980s. One of the results was the substantial irregularity of the good part of immigration. Due to this the emphasis in the legislations has been placed on combating ‘illegality’. But from the outset Italian policy has been somewhat ambivalent in its quest for restriction. Not only has it kept open a quota for legal migrants but it has also – more paradoxically from the point of view of deterring illegal immigrants – offered regular amnesties for illegal immigrants already in Italy.

Table 2.4: Estimates of the unauthorised immigrant population in selected OECD countries

	Number	% of total population	Year	Method of estimation
Australia	50 000	0.2	2005	Double card system
Japan	210 000	0.2	2005	Double card system
United States	10 300 000	3.6	2004 (18)	Residual method
Netherlands	125 000-230 000	0.8-1.4	2004	Capture/recapture
Switzerland	80 000-100 000	1.1-1.5	2005	Delphi method
Spain	690 000	1.6	2005 (4)	Regularisation
Italy	700 000	1.2	2002 (4)	Regularisation
Portugal	185 000	1.8	2001 (6)	Regularisation
Greece	370 000	3.4	2001 (3)	Regularisation

Source- OECD, International Migration Outlook, Annual Report 2006.

Restrictive provisions on entry and asylum have made it increasingly difficult for migrants to find legal routes into European states. Tighter visa requirements, carrier sanctions, readmission agreements, accelerated asylum procedures and ‘white lists’ of safe countries made it almost impossible for either refugees or economic migrants to enter legally. Meanwhile, the removal of emigration restrictions in former communist countries increased the possibilities for illegal entry via land borders with Germany, Austria and Italy, as well as via the Adriatic into Italy. This facilitated illegal flows of nationals from Central and Eastern Europe and the western Balkans and also transit

migration via these countries from the former Soviet countries, the Middle East, Asia and even Africa. Finally, the elimination of internal borders between EU states made illegal migration at external borders a subject of concern for all member states, particularly those in the Schengen area.

The gap between the planned legal quotas, the demand for foreign labour and the immigration pressure from non-EU countries continuously produce large numbers of undocumented immigrants. Italy's geographical location in the centre of the Mediterranean and its extensive coastline make it a relatively accessible country to illegal immigrants. The systematic inflow of undocumented immigrants has led to periodic regularization programmes. Five such programmes have taken place in the last 20 years: 1986, 1990, 1995, 1998 and 2002, involving more than two million immigrants. These programmes provide an indication of the number of undocumented immigrants residing in Italy in each period.

The underground economy in the Italy was a major factor in promoting unauthorized immigration. When developed countries adopted a restrictive labour immigration policy, entering and getting around the border controls meant that migrants had to bear hardships, expenses and sometimes also risks to cross into the developed Northern States. Thus, migrants tend to enter, without authorization, into Italy where it is easy to live and to work without a permit of stay for working reasons. Unauthorized migrants are cut off from registered jobs and huge irregular labour market provided them a safe haven to get employment. Unauthorized entry of labour migrants, however, was also driven by an important demand for registered workers that was not satisfied by the restrictive and ineffective quota system. The quotas were fixed more on political basis than taking into account the labour demand. Finally, a large unsatisfied demand also for declared jobs was confirmed by the fact that most of the regularized immigrants subsequently managed to get and to retain registered jobs. But for the illegal immigrants, only the backdoor of an unauthorized entry was open and the underground economy carried out the functions,

first, of attracting them and, second, of allowing them to work and to live till they were able to fill the regular labour demand.⁶⁹

Instead of focusing on the issues of the irregular employment, the debate in Italy tends to focus on the illegal entry and criminality. Italy first experienced significant flows from 1984 onwards, with an estimated 300,000–350,000 entering or overstaying between 1984 and 1989. Conflict in the former Yugoslavia and the crisis in Albania in the early 1990s triggered an additional influx, with large numbers of refugees and migrants arriving illegally by boat. In addition, illegal immigrants from China, Bangladesh, the Philippines, Turkey and Iraq have been using Tunisia, Greece, Albania and Turkey as transit countries to travel into Italy. Between July 1997 and January 1998 alone, an estimated 3,000 Kurds from northern Iraq and Turkey were smuggled to Italy by boat. The total number of people illegally entering in 2001 was estimated by the Interior Ministry at 20,000. Many of these stayed in Italy, where there were good possibilities for irregular employment, especially in the industrialized north. Others travelled on to other European countries, including France, Germany and the UK. It was precisely this problem of transit to other countries that prompted concerns among EU countries about Italy's membership of the Schengen Agreement, and its participation was therefore delayed until 1997. Calls for better management of Italy's borders have placed considerable pressure on both centre-left and right-wing governments to step up controls on illegal immigration. However, increasing anxiety over the security impact of illegal migration originated above all from internal political dynamics.⁷⁰

[2.3] From First Republic to the Second

One of the most prominent distinction persisting in Italy has been related to the discussions centering on Old and New politics. In Italy, it has become common to speak

⁶⁹ E Reyneri, n.2.

⁷⁰ Christina Boswell, n.18

of the First and Second Republics. The First Republic begins in 1948, when the postwar constitution was put into effect, and ends in the early years of the 1990s, heralding the rise of the Second Republic. The first few years following the end of cold war can appropriately be described as a period of transition between republics. No change in regime took place, but a sufficient transformation of parties, major political actors and style of politics occurred to justify the description of a new republic. The victory in the elections of March 1994 by a new coalition of parties and the creation of a centre-right government are generally cited as the formal beginnings of the Second Republic. This government was followed two years later by the centre-left coalition. Both the governments were involved in major changes in Italian political behaviour.⁷¹

2.3(i) The First Republic (1945-1992)

Since the end of the Second World War, the Christian Democratic Party governed Italy; they were able to maintain themselves in the political power from 1945, working in coalitions with the other parties, until their decline in 1992. In this period, the full impact of the Cold War was felt and the Left, represented by PCI (Italian Communist Party), was excluded from the government but they did prove to be effective opposition, due to cold war and because of the fear of spread of Communism, the PCI was not perceived to be a legitimate party of government even though it did have a tremendous presence at the municipal and the regional level.

It was not until the 1980s that Christian Democrats, due to its declining electoral support, was forced to form a coalition with four other parties: the Socialist Party, the Liberal Party, the Republican Party, and the Social Democratic Party. This period is referred to as the *Pentapartito*. It was within this political context in the mid-1980s that it became apparent that immigration policy makers needed to recognize the economic and social reality of immigration to Italy. The absence of an immigration law meant that there was no policy regarding the entry and residency of aliens, while social and civil rights were also insufficient. Since immigration was treated as a law and order issue, policy did not

⁷¹Sondra Z Koff, and Stephen P. Koff, *Italy- From the First to the Second Republic*, (London: Routledge, 2000).

address immigrant flows, employment, housing, education, training, health, and family reunification.⁷² Before 1986, Italy did not possess any immigration law. However, in the 1980s it became strikingly apparent that Italy could no longer ignore that it had become an immigrant receiving country. Italy's first immigration law was passed during the DC hegemony, albeit a declining hegemony.

The Law 943 of 1986 aimed to legalize and regulate the situation of immigrants in Italy and to prevent illegal immigration rather than to restrict access and cut down inflows. It introduced the first regularisation of the undocumented immigrants, presenting them with an opportunity to attain legality and also regulated the conditions for admission and residence of foreigners into the country as well as guaranteeing their equal rights with Italian citizens, along with defining the conditions for regularisation of clandestine immigrant labourers. This law was defective in two fundamental aspects: first it ignored refugees and, and secondly, the conditions required for illegal immigrants to be eligible for regularisation were too difficult to be met. Thus, the turnout of the program was relatively low, only 105,312 immigrants managed to pass the test, in comparison to the number of illegal immigrants estimated to be present in the Italian territory at the time.⁷³

The murder of a black laborer, Jerry Essan Masslo, created an uneasy situation in the country; immigration appeared abruptly on the political agenda as an emergency issue. Italian Government's political attitudes toward immigration started to converge with other European countries, at least in principle. In fact, the decree of 30 December 1989, which later became law, embodied this new political attitude, but more as a rhetorical stance than through concrete measures. As the situation pertaining to immigration changed from the late 1980s onwards, with growing public concerns about the social situation of illegal immigrants, many of whom were without accommodation or social assistance and lived in self-constructed camps on the edges of Italian cities. Italy was also under much pressure from other European Community states to control irregular migration flows. The Martelli Law of 1990 attempted to reassure other European

⁷² Andrew Zaslove, n.1

⁷³ Mariangela Veikou and Anna Triandafyllidou (2000-2004), *Immigration Policy and its implementation in Italy- A report on the state of art*, European University Institute.

countries of Italy's commitment to tackle the problem by introducing a number of provisions on migration control. It also included measures for labour immigration and asylum-seekers rights and introduced a second amnesty for irregular migrants.

2.3 (i.a) Martelli Law: 39/1990

In conformity with the Schengen Treaty⁷⁴ the Martelli Law abolished the special clause attached to the Geneva Convention thus accepting asylum seekers; on the other hand, Italy made visas compulsory for people coming from 'high emigration risk areas'⁷⁵. It also introduced proper accommodation and a minimum income level as criteria for residing on Italian territory. As regards the problem of regulating inflows, Law no. 39 of 28 February 1990 indicated not only economic reasons (the lack of national workers in some trades) or cultural preferences (people of national origin) as criteria for establishing priority in entering and legally residing in Italy, but it asked a Flows Committee to decide how many workers from non-EU countries could enter Italy every year. Priority in the right to a work permit was first given to national and EU citizens, then non-EU unemployed residents, then non-EU immigrants already resident but with a different residence permit, and lastly non-EU citizens still resident in their own countries. All these constraints resulted in a decision to cut the inflow of workers to a small number. This conclusion suggested that the Committee should extend its competence so as to adjust the quota of non EU citizens to be admitted every year according to the arrivals for family reunions and for humanitarian reasons - both to be included within the yearly quota.

The Martelli Law was just an apparent turn in the Italian policy of easy entry; it was considered as the strongest message that illegal entry to Italy and subsequent legalization

⁷⁴ Italy signed Schengen Treaty on 27 November 1990 and ratified it on 30 September 1993. The treaty came into force on 26 March 1995.

⁷⁵ As a consequence of Italian acceptance of international treaties, the Minister of Foreign Affairs (Circular no. 0002, 18th February 1991), defined five categories of countries subjected to different visa regulations, countries included in each category change continuously.

were the easiest way to immigrate into Europe. Along with this, it broadened the residence categories and permitted the non-EU migrants to enter for reasons of tourism, education, health and work. It established the employment quotas in consultations with the unions and the employers. It clarified expulsion procedures, and announced the second amnesty with considerable advance while border controls were not reinforced: it became easy to obtain proof of having arrived in Italy before 31 December and regularize on the spot.

The Martelli Law, against its proclaimed intentions, gave incentives to new clandestine entries to Italy. Preparation and implementation of the Martelli Law shows the important role played by Italian unions and Catholic voluntary associations in defending immigrant interests - illegal immigrant's interests in particular. These 'one-sided pressure groups' were active in reshaping the Martelli Law and in providing immigrants with the necessary proofs to be legalized.⁷⁶

The 1990 Law confirmed equal access to social rights but, as in the previous 1986 Law, little money was allocated for this aim in the national budget. One important exception was for temporary accommodation, for which resources were given top-down, from the central state to the Regions, which then had to be transferred to the local administrations. As for the other measures aimed at promoting integration, the financial burden for immigrant's welfare was borne by local authorities.

Despite the fact that Italy developed economically during this phase, as there was dramatic rise in the standard of living and the rapid industrialization, the country was politically stagnant. In the early 1990s, the continuation of the fall of communism and the political party scandals intensified the demand for change not only of the institutions, but also of the electoral law and the party system. Soon the old parties were replaced by new ones, and in 1994 the people went to the polls under a new electoral law. The initiation of the Second Republic was evident.

⁷⁶ Giovanna Zincone, 'Illegality, Enlightenment and Ambiguity: A Hot Italian Recipe', *South European Society and Politics*, 3(3) (1998), pp- 45-82.

The complexity of the Italian multi-party system has in part resulted from ideological divisions in the society. The Italian political culture provided fertile ground for a broad range of distinctive political parties, each representing a specific ideology. For the greater part of the First Republic, most of the political parties had distinctive belief system. Parties were conceptualized in spatial terms and placed on a left–right continuum according to their ideological tendency. But the political culture has been modified, especially in the last two decades.

2.3 (ii) The Crisis of the Italian Political System

The collapse of Soviet Union brought about considerable changes within Europe, creating massive geopolitical disruptions. But in Italy, politics turned in on itself, trying to react to new problems with traditional tactics and solidarity between the traditional ruling parties. An unbalanced national budget, insufficient modernization, an aging institutional establishment, an increasingly inefficient welfare structure, all these crisis making elements were papered over by the defensive policies of the ruling parties. The inability of the Parliament and the Political Parties to embark on a reasonable process of reform, several observers began to wonder what, if anything might provoke a creative resolution of Italy's problems. Some asserted that the system needed to suffer an external shock, such as the crisis in Algeria that forced France to make the transition from the Fourth to the Fifth Republic. Some observers also feared that the system might need an endogenous shock, such as an economic breakdown due to the collapse of public finance.⁷⁷

Italian politics was changing very rapidly, which was largely overlooked by the ruling coalition of the *Democrazia Cristiana* (henceforth DC). One of the most prominent changes was the rise of Lega Nord (henceforth LN). As one of the first destabilizing phenomenon of the new political movement, LN, as the name suggest, centered in the Northern developed region of Italy. This league united several regional political parties, including the Lega Lombarda, established by Umberto Bossi, a self-made politician who quickly became attuned to public opinion in the North. The LN proposed a federalism

⁷⁷Edmondo Berselli, 'The Crisis and Transformation of Italian Politics', *Daedalus*, 130(3) (2001), pp- 1-24.

that verged on secession, expounded anti-welfare attitudes that did not completely hide a genuine anti-southern propensity, and issued vociferous demands to crack down on immigration. Once established as a serious political force, the LN was able to capitalize on the crisis of the evident weakness of the DC. As the Lega Nord grew, and the DC proved unable to rally its supporters, the old party patronage networks began to fall apart. Lega ensured its financial flows and investments, and managed power by securing the consensus of the Catholic Church, the entrepreneurial organizations, and the economic associations.

Another very important event that highlighted the public exasperation with the current political system was the referendum on the minor electoral changes. Mario Segni, a liberal Catholic and minor politician in the DC, embarked on a campaign to transform, through a referendum, Italy's electoral law, replacing a system of proportional representation with one based on a plurality of votes. The referendum movement quickly won popular support. Public opinion came to share the hope that a new electoral formula could restore rationality to Italian politics. The first phase of Segni's campaign took place in 1991, when the electorate was asked to vote on a minor aspect of the electoral law. While the referendum was largely ignored by the ruling parties, citizens regarded it as an opportunity to express their rejection of the status quo. Italians voted overwhelmingly to repeal the current electoral rules. It was a very explicit signal of a popular demand for reforms and transparent behavior.⁷⁸ Moreover, the coming in light of the corruption trail of many of the prominent political leaders in the 1992, proved to be the last straw for the First Republic of Italy, as it proved the fragility of a political class that seemed incapable of justifying itself and the failure of a political system.

Apart from the disillusionment with the current political system, immigration was also proving to be a contentious issue to be dealt with. Due to the consistent rise of the migrant's population during this period, immigration in Italy became a subject of 'great public concern'. Nonetheless, political parties across the political spectrum accepted that Italy needs migrant labour to fill labour shortages in specific areas. Immigration quotas

⁷⁸ *ibid.*, p. 7

have generally been viewed as inadequate for Italy's economic needs and powerful lobbies such as the employers association have called for larger quotas. In addition, Italy's informal economy is estimated to represent 25 per cent of total employment; the significant presence of labour migrants in this sector of the economy is clear from the results of Italy's most recent immigration amnesty when, in 2002, over 600,000 undocumented migrants were regularized. This has encouraged a facile association between migrants and 'illegality', and the centre-right parties have tended to focus their anti-immigrant mobilization on this issue. Party convergence regarding immigration was evident in the early responsive phase to immigration, when the dominant DC was in government and the Communists were in opposition. But with the collapse of Italy's established political regime, around 1992-94, and the birth of the so-called 'second republic', new parties were created and new political alignments formed⁷⁹, giving a brand new dimension to the issue of immigration.

2.3 (iii) The Rise of the Second Republic

The rise of the Second Republic was facilitated by the transformation and the revamping of the Italian Political System. The period from 1990-1994 is generally regarded as the period of crisis and transformation, as DC and the PCI tried to adopt themselves to the changing scenario and also this period marks the rise of new actors on the political scene of Italy.

Even though in 1992 DC was able to receive 30 percent of the votes, it was unable to cope with political change. It strenuously resisted any change in the electoral and institutional rules, despite popular support for such change. Hence it was no longer the key party in a democracy based on consensus and bargaining. While on the other hand, PCI, despite its Marxist origin, proved more adaptable. Like the DC, it had become firmly established in postwar Italy, demonstrating its loyalty to republican institutions and the democratic order. But the collapse of Soviet Union did take its toll on the party as it faced severe survival dilemma. From 1989 onwards, under the leadership of Achille

⁷⁹ Jacqueline Andall, 'Immigration and the Italian Left Democrats in Government (1996-2001)', *Patterns of Prejudice*, 41(2) (2007), pp- 131-153.

Occhetto, the party began a laborious process of revising, again, its ideology and organizational structure, trying to stake out a position halfway between the Social Democratic tradition and a non-ideological left-wing outlook, one that was sympathetic to environmental concerns and committed to a strong concept of social solidarity.⁸⁰

But the solidarity did not come to fruition as by 1991 the opposition to the reforms were getting stronger, culminating in the breaking away and the formation of a new party called Rifondazione Comunista. On the other hand, the PCI, it renamed itself as PDS (Partito Democratico della Sinistra). The daunting task for the PDS was that, after the plurality system was introduced, the new PDS could no longer afford to be a minority party, it had to aim at winning a plurality of votes in each election in order to rule on the basis of a political platform of broad appeal.

In 1993, a new referendum was called. The result was a plebiscite for the introduction of a plurality rule; despite this the political scene was in a state of turmoil. As a consequence of the electoral referendum of 1993, a law predominantly based on the plurality rule was approved (the new law decreed that 75 percent of the seats in Parliament would be assigned with the first-past-the-post system, while for the remaining 25 percent the election with the proportional method would be preserved).

It was the extraordinary success of the electoral referenda of 1991 and 1993, with the rebellion of the northern regions against the centralized state, and the onset in 1992 of judicial inquiries into political corruption (which began in Milan and then spread to the other main cities), against the backdrop of the Maastricht Treaty of 1991, that created the conditions for a radical transformation of the Italian postwar party system. But it was not until the 1994 elections that the old party system of Italy disappeared, despite the best efforts of the parties to reinvigorate them.

The result of the election of March 27, 1994 was no less than a surprise for the Italian political system as Silvio Berlusconi won an unexpected victory. The great innovation of these elections was the formation of Forza Italia, the movement-party set up by the

⁸⁰ Edmondo Berselli, n.27.

entrepreneur and television tycoon Silvio Berlusconi. In a very short time, taking advantage of his ready access to the mass media, Berlusconi was able to take advantage of the uncertain nature of the political system of the country. The government represented a complex coalition of Lega Nord, Alleanza Nazionale, and the Liberal Catholics. But the alliance did not last long, as in the later part of 1994 Lega Nord withdrew its support after a bitter dispute over reform of the welfare system.

Meanwhile, a new Center-Left alliance was established. It was called L'Ulivo and led by a Catholic economist, Romano Prodi. In an election held on April 21, 1996, this alliance conquered the majority of seats in Parliament. This victory was a result, in part, of continuing disagreements between Forza Italia and the Lega Nord.

The changing scenario and the alignments of the party system in Italy gave rise to new dilemma and uncertainties. The stability of the system was put to question and the disillusionment of the people with the democratic system was at the peak. In the past two decades Italy's political system has undergone extremely far-reaching changes and is still trying to find an equilibrium and structure. The dominant presence of both the centre-left and the centre-right represents a new chapter in the political system of Italy, this has influenced the debates pertaining to migration and integration to a very large extent. Both the party coalitions, while in power, have brought with them different agendas and proposals to handle the situation effectively, however successful they may have been.

[2.4] The Centre Right-Centre Left Discourse: *Politicisation of Immigration*

As long as the issue of immigration was limited to law and order it was largely characterized as consensual. As Italy developed into an immigration destination, the response towards the issue started to change, although there were early signs of reluctance to acknowledge it as such, the policy making was largely cross-party consensus.

However, the early 1990s represented a very different environment. With massive changes at the international level, Italian political crisis was taking a toll on the domestic

front. Immigration as a phenomenon came onto the forefront due to its rapid politicization because of several developments; the number of people arriving in Italy was on a steady rise, this was further facilitated by the increase in new arrival caused by several refugees crisis. In 1991 and later in 1997, large numbers of Albanian refugees arrived on the Italian shores. If initially, Italian public opinion was empathetic to the plight of the Albanians, public opinion soon turned to fear and apprehension. The new nature of immigration, that is, it's often illegal, precarious, and highly visible nature, coupled with the Albanian refugee crises and the dramatic arrival of illegal migrants off the Italian coastline was accompanied with the media's dramatisation of these events. In the 1990s the media increasingly associated immigration with crime, insecurity, international organized crime (referring to the smuggling and trafficking of migrants), and to the "flood" of economic and political refugees from the Third World.⁸¹

Italian politics underwent a dramatic and unprecedented upheaval. The ruling parties electorally and organisationally disintegrated, the two main parties of opposition (communists and neo-fascists) transformed themselves into different parties by shedding their ideological identities, the party system underwent a meltdown and transformation, and the electoral system was reformed from a proportional representation system to one based on a mix between proportional and majoritarian elements. The party system underwent bipolarisation into two broad and unwieldy coalitions – the centre left and centre right – and new political parties and alliances emerged. A decade of political change followed, involving, in some shape or other, all aspects of the Republic: institutions, parties, voting behaviour, policies, state regulation and the political class.

The first initiative on comprehensive laws on immigration in the post cold war period can be traced back to 1993, when the attempts were made not only to reform Martelli Law to make it more comprehensive but also to reform the entire legal treatment of non-EU foreigners. It was initiated by the then Minister of Social Affairs Fernanda Contri, under the Ciampi Government (April 1993-January 1994). The committee appointed by

⁸¹ Andrew Zaslove, n. 1.

Fernanda Contri was able to prepare a complete reform project in less than six months. In March 1994, an extensive bill (172 articles) on immigration was presented. The Bill introduced some relevant changes, such as basic public health provisions and public education - even for undocumented immigrants. The same Bill, for the first time in Italy, proposed the right to local voting for immigrants who had been legally residents in Italy for more than five years. However, the fall of Ciampi's government and the rise of Berlusconi's (April-December 1994) prevented the Contri Bill from becoming law.

Some of the measures of the Contri Bill were included in the Dini decree of 18 November 1995, named after the then prime minister (January 1995-April 1996), head of the cabinet that came after Berlusconi's. Its mandate was to deal with only the most pressing problems (avoidance of a political crisis during the Italian presidency of the European Union, preventing further rise in public debt) and to prepare new elections. The distinctive character of the Dini Decree, when compared with the Contri Bill, consisted of restricting the opportunity for appeal in cases of expulsion on the grounds of *ordre public*; as this had occasioned some critiques in terms of constitutional compatibility and has since been amended⁸².

2.4(i) Towards a Comprehensive Bill

The issue of immigration started to gather much public and political interest around the time of the Albanian Refugees Crisis of 1991 and 1997. As this issue emerged as an area of 'public concern, the need for the comprehensive laws and regulations was felt, but due to the extensive and crucial changes in the political spectrum of Italy the process was somewhat delayed.

As this period marked the end of the cold war, new issues emerged at the national and international stage, the post war migration system changed and a more complex network emerged. The two events led to the rapid politicisation of the issue in Italy, first was the rising problem of illegal migration into Italy, a phenomenon caused in part by political crises in the former Yugoslavia and Albania and the expansion of people-smuggling

⁸² Giovanna Zincone, n. 26.

networks using Mediterranean Sea routes. Increasingly restrictive migration and asylum legislation in other EU states also made Italy a more attractive destination for many illegal migrants. The second development was the collapse of support for the traditional mainstream parties in 1992–3, which led to a surge in support for the anti-immigrant far right parties. They owed much of their electoral win to the anti-immigrant stand and a tough stance on the growing problem of illegal migration. They were able to exploit what has been coined the Italian ‘invasion syndrome’, fears of uncontrolled migration into Italy, the Right-wing populist parties benefited from the political opportunities created.⁸³ Thus from being a country of emigration Italy moved to being a net recipient of migration in the late 1970s, and by the early 1990s the question had become one of the most urgent policy issues of the day.

In 1996 the new government was formed by Democratici di Sinistra (DS) amidst the growing concerns over immigration and the need for the vital and substantial immigrant legislation. However, until 1998 these developments did not substantively influence governing attitudes towards immigration policy, despite the fact that immigration policy was becoming increasingly comprehensive and progressive in a sense that, the Martelli Law (1990) was definitely a step forward from Law 943 (1986). It still did not adequately address work quotas and civil and social rights for immigrants. It became immediately apparent to the new government that it needed to update the Martelli Law.

In the initial process of drafting the immigration legislation, the unions, left-wing immigrant advocacy groups, and Catholic organizations were influential in pushing for measure that would encourage legalisation and integration of immigrants. However, as the drafting of the legislation progressed other forces began to exert and influence the policy process, demanding a more legalistic approach in order to control illegal immigration. External pressure from the European Union demanded more control of illegal immigration in order for Italy to comply with the Schengen accord. Domestically,

⁸³Christina Boswell, n.18

local mayors— influenced by a growing fear of immigration and perceived links to crime— pushed for stronger law and order provisions.⁸⁴

The government was quick to prepare the Bill (initial preparation and drafting stages). The Turco Committee was appointed in October 1996, and the Bill was completed in the spring of 1997. It took a great deal of time to discuss it in the Parliamentary Committee and on the floor of the House /from the end of May 1997 to mid-February 1998, due to the difficult stand taken by LN. The Lega was the only source of tough opposition during the negotiations and debate on the Turco-Napolitano Act. Even though some opposition members, especially from Alleanza Nazionale, tabled numerous amendments during the debate in the Senate, 40 per cent of all the amendments tabled in the Chamber of Deputies were sponsored by the Lega Nord, and this percentage rose to 70 per cent during the debate in the Senate. The Lega claimed to represent the ‘sole opposition’ to the Bill, while representatives of the Polo della Liberta (Freedom Alliance) accused them of pointless ‘opposition for the sake of it’ and said that they did not agree with the ‘racist tone’ and extremism of the Lega. The greatest tension occurred between the Lega and the Catholic groups, and between the Lega and Alleanza Nazionale, the cause of conflict being racist and anticlerical speeches by the LN MPs in the first case, and their secessionist claims in the second. Dissent came from the Greens and Rifondazione Comunista (Communist Refoundation), who complained that immigrants were given few legal rights in the case of deportation and refusal of entry.⁸⁵

2.4(i.a) Turco-Napolitano Act: Law 40/1998

In 1998, after being in power for two years, the centre-left coalition passed immigration legislation Law no. 40/1998. This law sought to define a different political framework for the management of immigration as it focused on three principal areas: the control of Italy’s borders, the adherence to European approaches to immigration, and openness to citizenship rights and greater integration for migrants.

⁸⁴ Andrew Zaslove, n.1

⁸⁵ Giovanna Zincone, n.4

The Immigration control had become an equally important dimension of the law, with the Turco-Napolitano adopting a tougher approach in relation to expulsions, entry and residence permits. In order to control clandestine entries, the Law foresaw the possibility of detaining illegal immigrants in special ‘centre of residence and assistance’. Detention in special centres can be applied not only to people caught illegally crossing the Italian borders and to people already requested to leave the country, but also to undocumented residents. A partial exception was made for those illegal residents who had come to Italy before the Law was enacted (as shown by their passport validation): this category of undocumented aliens can only be ordered to leave the country within 15 days. The Turco-Napolitano Law foresees three kinds of expulsion. The *administrative expulsion* (article 11) is decided by the minister of the interior for reasons of *ordre public* and state security or by the prefect of police both for *undocumented* aliens and for foreigners *suspected* of belonging to criminal organizations. The introduction of more severe measures towards undocumented people was due to the growing belief that illegal residence and criminal behaviour ‘go hand in hand’.⁸⁶

The Law no. 40, 6 March 1998 also makes clearer the conditions required in order to reside in Italy legally. Sponsorship is the most important innovation introduced by legislation in the field of entries (article 21). Italian citizens and foreigners (legally resident in Italy), regions, local administrations, unions and a list of recognized voluntary associations can guarantee and support immigrants ‘looking for a job’. To those ‘sponsored’ immigrants a temporary permit can be issued within the planned quota. After five years of legal stay in Italy, those foreign people who have not been indicted for crimes can apply for a residency card (*Carta di Soggiorno*). This card represented a tool for integration. The residence card produced a further layer of civic stratification in Italy but was envisaged as something that would give migrants greater access to a series of rights, such as the right to education, health care, family reunion and the local vote (Article 7).

⁸⁶ Giovanna Zincone, n.26

The second new and major innovation was the establishment of the Commissione per le politiche di integrazione degli immigrati (Integration Commission). The commission had a consultative role, in that it was established to advise the centre-left government on matters pertaining to immigration and the integration of migrants in Italy. It was also expected to respond to specific issues raised by the government. Two issues raised were the reform of the Italian citizenship law and the extension of the local vote to migrants, suggesting that the centre-left had identified these specific areas as especially important for the social, cultural and political integration of migrants.⁸⁷

As per the issue of acquiring nationality, Italian nationality law was reformed in 1992 (law no. 91); this law favoured the foreigners of Italian origin and EU-citizens, but was less generous than the previous legislation towards other categories of foreigners. The period of residence required by the previous law (15 June 1912 no. 555) was five years for everybody; now it was raised to ten for non-EU citizens, and reduced to four for EU-citizens and to three for people of Italian origin. The same law also introduced a *jus soli* element when it foresaw the possibility for foreign children born in Italy, and legally resident in the country for some time, to become citizens at the age of 18. The liberal principle of double citizenship was introduced as well. Since the chances of getting a regular permit and renewing it vary from region to region, the chances of being naturalized, and consequently of acquiring political rights, differ from place to place. This potential differentiation of naturalization and political rights goes together with a potential differentiation of political rights at the local level.

Both the Contri and the Turco-Napolitano Bills embodied local voting for documented immigrants after five years of legal stay. This was one of the rights that should be connected with the 'permanent card'. The Article 38 of the Turco-Napolitano Bill, that should have introduced local voting also for non-EU citizens, was removed and its approval postponed because the Constitutional Committee of Parliament decided against its constitutionality. However, in some Italian cities, immigrants enjoy the right to vote in consultative referenda. The Act no. 142, 8 June 1990, allows individual cities to adopt

⁸⁷ Jacqueline Andall, n.29

autonomous statutes. The cities such as Turin (title II, article 9) and Bologna (title II, article 3) have allowed foreigners who have legal residence to take part in local referenda.

Despite the fact that this law represented a step towards the integration of legal residents in the larger Italian society and politics, Turco Napolitano did, to a large extent, invite criticism from the Centre-Right parties. It is argued that the large part of the law is nothing but the representation of compromise between the Centre-Right and Centre-Left, for example, the right-wing parties wanted to make possible the expulsion of all undocumented foreigners and the left-wing of the majority coalition (backed by lower strata pressure groups) on the other, wanted to concentrate the expulsion efforts on criminals and leave the undocumented undisturbed. The Right wanted clandestine immigrants caught at the borders to be put in prison when it is possible to identify and expel them, and the Left was not prepared to consider clandestine entry as a crime. The same quarrel divided left-wing parties in government and centre and right parties in the opposition in August 1998, when the 30 days term of detention was elapsing for many unidentified clandestine immigrants. The ministers of the interior (Napolitano) and of social affairs (Turco), both belonging to DS, backed the decision to set them free - though making it clear that further police measures would be taken against them.⁸⁸

The Right wing, disagreeing with the Turco-Napolitano, spearheaded the mobilization against immigration by highlighting what it called as '*Italian-ness*', Lega Nord in its campaign for abrogation of the law pointed out the specific articles in the law, that it argued, privileged the foreigners over Italians; for example, Article 38.3, which established that schools must protect the culture and language of origin of the non-EU migrants, Lega⁸⁹ argued that 'It is a pity that similar treatment is not given to our

⁸⁸ Giovanna Zincone, n.26

⁸⁹ Jacqueline Andall, n.29

languages, our dialects and our local traditions which are opposed and mocked by the Italian state.’

The opposition was not only limited to the rejection of Turco-Napolitano, but they also made use of immigration as an electoral issue. This had been quiet evident since the early 1990s as, the politicisation of the issue by right-wing parties had started but largely remained at the local level. The Northern League used aggressive anti-immigration political campaign in the 1993 local elections, later it moved its action from the periphery to the centre. While, the left coalition tried to de-emphasise the immigration as an electoral issue, the opposition led by the Right wing, not only opposed the legislation but used the popular discontent to ignite a fierce parliamentary debate and shifted the locus of debate from parliament to media, and from policy making to electoral campaigning.

Immigration was used to draw new political borders between and within parties; to build and destroy alliances. Radical parties used this issue to moderate their stances when they need to acquire a democratic legitimating or raise their coalition potential; extreme and vocal stances when they want to strengthen their electoral appeal. Moderate parties in government used it to alternate liberal policies (when they want to attract or keep progressive parties in their coalition); conservative policies, when they want to please conservative groups. Immigration stances became the most visible indicator of what political track a party, a faction, or a single leader intends to take.

2.4 (ii) The Rise of Right Wing

For the first time in the evolution of Italian immigration policy the decision process was influenced by concerns over immigration, by the politicisation of immigration by radical right populist forces such as the Lega Nord. The 1998 immigration law, Turco-Napolitano can be viewed as an attempt to strike a compromise between the powerful lobby that supported the weak within society and the business associations that recognized the need for foreign workers and the demands of citizens, expressed in public opinion and local official, who called for more controls of illegal immigration.

Since the bill was not favored by the Right wing parties, especially the Lega, their mobilization against the bill was characterised by the use of the referendum. The referendum proposal, however, was rejected by the Decision no. 30 of the Constitutional Court in February 2000, and was ruled inadmissible in relation to Italy's broader obligations to Europe. Despite this rejection, Lega sought the help of Article 71 of the Italian Constitution, that is, "People's Bill", whereby citizens, having collected 50,000 signatures can present a law to the Parliament. This initiative was a joint venture for Umberto Bossi and Silvio Berlusconi, the timing of this initiative is critical for understanding the extent to which immigration is seen to be a useful mobilizing tool within the Italian political system. Important regional elections were to be held in April 2000 and immigration featured as a central issue in the political campaigns in the North, contributing to the centre-right's emphatic victory in all the northern regions. This People's Bill boasted of the fact that it had reduced the immigration law to only 13 articles compared to the Turco-Napolitano's 49 because ' . . . a large part of the [Turco-Napolitano] is dedicated to measures to assist those non-EU migrants present [in Italy] . . . There is no trace of this in our proposed text, which concentrates on principles that regulate entry flows and that fight illegal immigration.' The proposed law, in stark contrast to the Turco- Napolitano law, attempted to restrict family reunification, proposing that migrants would have to be present in Italy for three years before requesting reunification (Article 8); it proposed that citizenship could be acquired after ten years, but would be dependent on the fulfillment of specific criteria.⁹⁰

This initiative did touch a nerve with the larger population, who, at the turn of the millennia, chose a new government led by Centre- Right coalition. The heterogeneous and fragmented *Casa delle Liberta* (CdL, House of Freedoms) coalition that won the 2001 general election comprised four centre-right parties: the 'business party' of Forza Italia led by 'the knight of anti-politics' Silvio Berlusconi, the 'post-fascist' Alleanza Nazionale led by Gianfranco Fini; the northern-based regional populists of the Lega Nord led by Umberto Bossi and the Centro Cristiano Democratico–Cristiani Democratici Uniti (Ccd–Cdu) who fought the 2001 election as the Biancofiore (white flower coalition) and

⁹⁰ *ibid.*, p.150.

formed the *Unione dei Democratici Cristiani (UDC)*.⁹¹ As soon as, the new government was established, it prioritized in their agenda, the change in the Italian immigration law. However, there were differences within the coalition on what they perceived to be the most important issue within immigration, the *Lega* called for the zero immigration, linking immigration with radical Islam and an unwanted multicultural society, *Alleanza Nazionale* linked immigration to crime and the *Christian Democrats* demanded an amnesty for the democratic workers at a bare minimum, despite their ultimate goal of greater amnesty.

2.4 (ii.a) The Bossi-Fini Law: 189/2002

In February 2002, the new Bossi-Fini law passed through the Senate. This new legislation amended the Turco-Napolitano law. Several important changes were implemented. The new law linked employment with the ability to obtain a work permit or a visa. It was now only possible to receive a work permit if the applicant secures a job, a place of residence, and if the employer can guarantee return passage once the new arrival is not employed. Non-European Union citizens were no longer able to qualify for entrance visas in order to come to Italy to seek employment. Sponsoring a person who does not have a job in Italy was also no longer possible. Instead, entry was only possible if an employer, through one of the newly created local immigration centres, puts in a specific request for a specific quantity and a type of worker or for a specific individual. When the work permit expires the immigrant must find a new job, or return home.

The new Bossi-Fini law made family reunification more difficult. The law states that third-generation relatives cannot be sponsored by their families and that parents can only be sponsored if there is proof that they will be financially supported and if they can demonstrate that they are not already supported in their country of origin. Penalties for illegal entry were increased. Anyone caught attempting to enter the country illegally could be subjected to a jail sentence; on the third offence there is a mandatory jail sentence of between one and four years. Penalties for trafficking immigrants were

⁹¹ Andrew Geddes, 'Il Rombo Dei Cannoni? Immigration and the Centre-Right in Italy', *Journal of European Public Policy*, 15(3) (2008), pp- 349-366.

toughened and calls for the military to block boats attempting to smuggle immigrants into the country were legalized. Countries willing to help stop illegal immigration would be given funding priority. And finally, the Bossi–Fini law also claims that asylum laws would be streamlined. The law demanded that the processing of asylum claims must be accelerated. But it also demanded that claimants must not be given temporary work permits until it is assured that their claim for asylum is legitimate. Finally, quotas would be set more rigidly. At the end of the year, depending on demand and levels of unemployment, the quota for the following year will be determined. Since the quota system was selective in nature, the priority was given to the nationals from the states with which Italy had bilateral agreements. On the hindsight, it increasingly came to be structured in a manner reminiscent of the old *Gasterbeiter* model, clearly encouraging the entries for seasonal work rather than for permanent employment, this was also in response to the demands for the hyper-flexible labor power in the sectors most subject to “seasonality” (like agriculture, tourism, construction), and to reduce the ‘indirect’ costs to Italian state that would ensue if the workers gained the permanent employment. Despite the strict laws and regulations introduced by the law, under Bossi-Fini the largest ever regularisation of the undocumented migrants took place, legalizing almost 700,000 migrants.

The law was seen to be much harsher than any law ever passed by the Italian Parliament and did invite a fair share of criticism. The proceedings of the preparatory work on the Bossi-Fini Act led to a divided Parliament and a highly polarised and ideological political atmosphere which was very different from the discussion of the Turco-/Napolitano Act. Although there was not much opposition within the government coalition, the left, civil society organizations and industry objected to the new law. On several occasions, in cities such as Brescia and Rome, immigrants groups, opposition parties, anti-globalization groups and the unions proclaimed that the Bossi–Fini law was racist.⁹²

The opposition parties in particular complained of ‘serious doubts as to the constitutional legitimacy’ of the provisions under discussion, and described the Bill as a ‘manifesto

⁹² Andrej Zaslove, ‘Closing the door? The Ideology and Impact of Radical Right Populism on Immigration Policy, in Austria and Italy’, *Journal of Political Ideologies*, 9(1) (2004), pp- 99-118.

law' which had a purely demagogic, propaganda purpose and no operational capacity. All the opposition parties expressed deep suspicion and rejection of the Bill and the political philosophy that inspired it: the Democratici di Sinistra (DS), which was now in opposition, called for a radical review of the Bill, which in their opinion was based solely on 'contingent and particularistic political needs', the Margherita Party, a fairly moderate opposition party described the bill as having a 'punitive spirit' towards immigrants and a dangerous 'attitude of irritation' with the phenomenon of immigration, and Rifondazione Comunista (radical left) saw it as 'an attack on the dignity of foreign citizens'. The Green Party and Comunisti Italiani (the Italian Communists), also announced their tough opposition toward the bill.⁹³

Despite the largest regularization in 2002 and extensive immigration laws, immigration to Italy was on an all time high, reaching an estimated 5 million in 2006. The Italian political scenario changed yet again in 2006 when the Centre-Left came to power. The outcome of the parliamentary elections that gave a very thin majority of votes to the centre-left coalition originated an intense and bitter discussion. The central question was fundamentally whether Italy is sharply divided into two halves representing different worlds, with the allegedly more modern Northern regions all siding with the defeated centre-right coalition.

The Centre-Left, Prodi government that came into power after the elections had a different attitude towards the immigration, and attempted to move from a policy based on a posteriori regularization to an active immigration policy. In particular, a second decree-law on migration flows was passed, which enabled 350,000 immigrants to regular jobs; abolished the transition period limitations on workers from eight of the new EU member countries; implemented the Community directives on family reunion and long-term residents, with more favourable rules than those in force at the time; and proposed one bill to revise the law on acquiring citizenship and another to modify the Bossi-Fini law. The latter also had the two-fold objective of making the connection between entry and employment more realistic and creating a preferential system for qualified workers. The

⁹³ Giovanna Zincone, 'The Making of Policies: Immigration and Immigrants in Italy', *Journal of Ethnic and Migration Studies*, 32(3) (2006), pp- 347-375.

fall of the Prodi Government at the start of 2008 and the dissolution of Parliament prevented the approval of two measures presented by the executive regarding naturalization and immigration.

The immigration issue became caustic in the Italian arena and is one of the most salient issues for Italian voters. Italian center-right parties are especially impacted by the immigration issue as they are seen as the most obvious advocates for more repressive immigration policies. This was the main area of interest for Berlusconi's center-right coalition from 2001 to 2006. These parties adopted xenophobic rhetoric mirroring the anti-immigrant sentiments of their respective bases. Immigration as an issue was prioritised, in its 2008 electoral campaign. It was linked, in a contradictory relationship, with the economic issues. Immigration is highly functional to the economy of those regions of Italy that form the Centre-right strongholds and identity issues; immigration is seen as visibly threatening cultural values and disrupting community cohesion. They continued with this rhetoric while campaigning for the 2008 elections as well, when they again were voted in power.

Roberto Maroni, the newly elected Interior Minister, presented a series of measures concerning immigration and crime, explicitly linking the two phenomena, which resulted in the 'security package', first presented to the Council of Ministers in May 2008, finally approved in July 2009, and introduced in August 2009 as Law 94/ 2009. The new law was designed explicitly to criminalize clandestine immigration, raising barriers to entry and facilitating the expulsion of illegal immigrant

2.4 (ii.b) The Security Package - Law 94/900

After the victory in 2008 elections, Italy's new government, led by Berlusconi, indicated a radical shift in the treatment of the people identified as threats to peaceful co-existence and who were deemed to cause sense of "insecurity" to the citizens. In the midst of continuing anti-immigrants rhetoric, Roberto Maroni, the new Interior Minister, introduced the "Security Package", which was approved on May 23, 2008. The package entailed the proliferation of the measures aimed at re-establishing the authority of the state, through tighter control of the territory by the police.

This law modified some measures, introduced new proposals, and abrogated certain others. The most prominent included the crime of illegal residence, which was introduced to avoid the Returns Directive Requirement that the guilty verdict under the criminal law be required for an immediate expulsion with the accompaniment to the border. This was changed from entailing a mooted custodial sentence to a fine that is so high that it is unlikely that any illegal migrant would be able to pay. A regularization procedure for the foreign housekeepers and carers was established after it became clear that many households would suffer from losing their services, hence a total of 294,744 applications for regularizations were granted.

The security package included non-comprehensive list of the measures that were to be adopted, this included the rise of the custodial sentences of between six months and three years for people who lease accommodation to undocumented migrants; criminalisation of the foreigners irregular entry and residence in Italy, to be sanctioned with a substantial fine of between Euro 5,000- Euro 10,000 and expulsion rather than imprisonment; restrictions in all aspects of migrant's relationship with public authorities, including municipal residents register for marriage, for which the foreigners would have to produce "documents that certifies the regularity of their stay in Italian territory; in the penal code, illegal presence on the Italian territory of the person found guilty entails an increase in sentencing of up to a third of the given offence, applicable to third country nationals and stateless people, but not to the EU- country nationals; it authorizes and regulates the setting up of the Ronde (citizen's patrols) for surveillance the territory and reporting of the crimes to public security bodies; for the purposes of integration, Italian language tests and an integration agreement were introduced as requirements for obtaining a residence permit.

Other provisions envisaged the enforcement of a series of controls on the status of foreign nationals in Italy, including making it the duty of money transfer agents to check the residence permits of migrants using their services and to report any illegal immigrants to the police (Article 1, paragraph 20). Further articles established that a foreign citizen married to an Italian can acquire Italian citizenship only after two years of legal residence in the country since the marriage took place, or three years in case of residence in another

country (Article 1, paragraph 11). Previously a period of only six month's residence was required. In addition, any request for Italian citizenship was a subject to the payment of Euro 200 (Article 1, paragraph 12), whereas previously this did not incur any cost. The new law made it more difficult for family members to rejoin their relatives in Italy. Article 1, paragraph 19a stipulated that family reunions would be subject to double certification by competent council offices, testifying to the fitness of housing accommodation both in terms of size and in terms of hygienic conditions. The law also established that foreign nationals can be kept in so-called 'centres of temporary permanence' (referred to by the new law as 'centres for identification and expulsion') for up to 180 days, whereas previously their stay in such centres was restricted to two months (Article 1, paragraph 221).

Along with passing this new law, the Berlusconi government initiated a new policy of sending migrants caught at sea back to Libya, under a bilateral agreement. Thus, on 6 May 2009, 227 migrants were forcibly returned to Libya by the Italian coast guard. Interior Minister Maroni was reported as saying that this was a historic 'turning point' in the fight against illegal immigration. This action met with numerous criticisms from international bodies, and the United Nations refugee chief intervened on 2 October 2009 asking European countries not to send migrants forcibly back to Libya.⁹⁴

The security package also dealt with the organized crime, drawing a closer link between the punishment for assisting illegal immigration and that meted out for other forms of criminal activity, and for offending public officers who were carrying out their duties. This drew criticism from not only within Italy but also from abroad calling these measures to be largely racist. The government responded angrily to these criticisms, portraying them to be anti-Italian and ill-informed.⁹⁵

⁹⁴ Anna Cento Bull, 'Addressing contradictory needs: the Lega Nord and Italian immigration policy', *Patterns of Prejudice*, 44(5) (2010), pp- 411-431.

⁹⁵Yasha Maccanico, 'Italy: The internal and external fronts- security package and returns to Libya', *Statewatch Bulletin*, 19(3) (2009).

Apart from the different approaches to immigration on the part of left and right, over the last few years the economic system has demonstrated its growing need for foreign workers. The extraordinary growth in the numbers of officially registered foreigners in this decade suggests an increasing stabilisation of numerous immigrant communities and the work of various migration networks, but it also demonstrates an increasingly strong demand for foreign labour in Italian factories and homes as a result of specific demographic, economic and social factors.

The Italian political system is trying to mediate between these two positions on immigration. Even when the political scene was dominated by the right wing, the needs of firms and families were considered because they needed an open policy for immigrants. This led to the largest regularization campaign ever witnessed in Italy. This mediation essentially consisted of the adoption of the quota mechanism for determining the number of new migrant entries. The results have not been completely satisfactory if one considers the large gap between the demand and the supply of regular migrant workers and the lack of an active recruitment policy of high-skilled migrants.

[2.5] Conclusion

There are various paradoxes of immigration policies in Italy. The first is the relative continuity of immigration policies, regardless of changes of government, and despite the fact that attitudes to immigration are a characteristic feature and a source of bitter conflict between the competing coalitions. The second paradox is that the main difference between centre-left and centre-right in Italy relates far more to proclaimed strategies and values than to legislation; hence hardcore concepts of immigration and core beliefs are not reflected in the area of operational aspects and policies, which are normally considered more malleable and changeable. The third paradox, connected with the first two, is that in both the governing coalitions/centre-left and centre-right/there is a discrepancy between public rhetoric and public action regarding illegal immigration. Although policy paradigms diverge, at least in the case of the major parties in the two political alliances, they agree on one point: they condemn clandestine and illegal immigration, and both coalitions have adopted special measures to combat it. However,

centre-left governments introduced, and centre-right governments have maintained, a basic welfare system (comprising most public health and education services) for undocumented immigrants, and both have introduced mass regularisation schemes. In particular, the largest regularisation ever performed in Europe was approved by the second Berlusconi government.⁹⁶

Despite the differences of opinions between the political parties on the issue of migration, there are few of the key factors that characterizes the Italian immigration debate: Italy's need for labour migrants; the representation of immigration as 'invasion' and the issue of control; substantial political change in the early 1990s, including the birth of Italy's 'second republic'; the specific nature of Italian centre-right and extreme-right political parties; the social and cultural implications of migration and the appearance of political conflict over these issues; and the limited political rights of migrants, given the difficulties of obtaining Italian citizenship.

In the recent past, the Italian policy debate focused more on issues concerning illegal migration and expulsions, quotas and immigrant's rights, rather than on integration which is evident from the policies and laws formulated by the subsequent governments. Given that the number of foreign residents tripled between 1996 and 2005 and that in the last few years the existing immigrant population has become a tangible presence, new debates have developed on integration. Issues of identity, the role immigrant communities, citizenship and political rights, equal opportunities and access to public services have all come to the fore.

⁹⁶Giovanna Zincone, n.43

CHAPTER- 3:
CHALLENGES TO SOCIAL INTEGRATION

[3.1] Introduction

The immigration policies in Italy are dominated mainly by the attempt to reconcile two opposing needs - first is a real need for immigrant labour to do the jobs that domestic workers would not consider which pushed for an immigration policy that was more permissive towards new entries, creating new and wider channels for regular arrivals and the second, is the strong drive towards a general reduction in the regular entry channels given the far reaching changes that immigration has on the makeup of the society in the long run. Migration flows are essentially perceived in negative terms by the public who see immigration, as a threat to security in three areas: economic - as a result of competition from immigrant workers; social – in the fear that immigration could also increase levels of crime; and national identity – a concern about “invasion” and the presumed unshakeable “otherness” of the immigrant.

With the politicisation of the immigration debate, varied views on the issue of immigration has emerged because of the extreme positions taken by the political parties, be they in government or in the opposition. Due to this, the emphasis, so far, has been placed on the policies regulating the flows as per the need of the economic and employment sectors of the country overlooking the social and political needs and rights of the migrants and the resident aliens within Italy. This has led to the rise of new debates and discussions on the social integration of the migrants into the Italian society. The integration of immigrants is an issue which the Italian government have found challenging to address. It was not until the 1998 Turco Napolitano law’s three pillar approach⁹⁷ that the integration of the legal residents came into the forefront of the political debate.

The Government’s strategy on migration policies has continued to be marked by the double-track “integration for regular immigrants and fight against illegal immigration” in

⁹⁷ Law 40/1998, Turco Napolitano Bill- it introduced a three pillar immigration policy focusing on the fighting the illegal immigration, secondly, regulating the legal migration and thirdly, integration of the resident migrants.

order to enhance public security, that is why, the regulatory system and immigration policies continues to be focused on the “Consolidated text of provisions governing immigration and the condition of foreigners”, approved in 1998 and amended by Law No. 189/30th July 2002, and most recently by Law No. 94/15th July 2009, containing “Provisions relating to public safety”, better known as “Security package”.

However, the understanding of the integration of migrants in Italy is, rather, limited to the assumption underlying the legislation that labour market integration – employment – is a right of access to public services, hence giving rise to a new dimension in the current debate, regarding the political and the social dimensions of the integration and the Italian immigration policies towards this.

Therefore, in this chapter the focus is on the analyses of the challenges to the integration in the Italian society, the emphasis is on the understanding of the integration debate, special attention would be given to the citizenship laws and the rights of the second generation immigrants in the Italian society.

[3.2] Social Integration of Immigrants

In terms of understanding the consequences of migration, there is consensus among migration scholars that initially it was characterised by a high degree of assimilation: most of the pre-World War I migrants somehow assimilated into a new ‘majority culture’ within one or two generations – and even when they did not, assimilation often remained their aspiration, the years from 1870 to 1914 were a period where the idea of homogenizing ‘national cultures’ was much more positively viewed.

However, the present day scenario is absolutely different, but the essence of migration has remained the same, and people still migrate for better employment opportunities and to lead a better life. But rather than assimilate in the larger society and majority culture, people are increasingly aware of ‘cultural difference’ and wish to preserve those cultural ‘traditions’. This has led to rapid reviewing of the immigration and the integration policies by the nation-states. There is a need to revise the ‘gradual view’ of integration

which assumed that, as the first generation of immigrants go through a rough period, the second generation is more integrated, while the third generation has become totally assimilated with nothing but a distant memory of a once 'home country'. This assimilation model predicted that, it was a question of time before the migrants and the minority populations would either merge with the 'normal' majority culture or become marginalized altogether.⁹⁸

3.2 (i) The Concept of Integration

The concept of integration, especially pertaining to migration, is open to a range of definitions changing significantly between various national contexts. Integration in its broadest sense implies a process of incorporating immigrants and ethnic minorities into the economy, society and political life of their host country. The economic and social dimensions of integration are probably the least difficult to define, implying, at a minimum, insertion into the labour market and education and welfare systems. Cultural integration is less easy to describe, but is usually taken to involve knowledge of the host country's language, some understanding of its society and respect for its basic norms. Finally, political integration implies the right to vote and to stand for election, usually acquired through naturalization. In many countries it is understood as the final stage of a successful process of integration.⁹⁹

Beyond the basic understanding of the phenomenon, there are a number of national and ideological variations as to how far the immigrants are expected to adapt to the receiving society's culture and values, and to participate in its social and political life.

⁹⁸ Bjorn Thomassen, 'Second Generation Immigrants or Italians with the Immigrant parents? Italian and European Perspective on Immigrants and their Children', *Bulletin of Italian Politics*, 2(1) (2010), pp- 21-44.

⁹⁹ Christina Boswell, *European Policies in Flux- Changing Pattern of Inclusion and Exclusion*, (London: Blackwell Publishing Ltd., 2003)

3.2 (ii) Integration Approaches

In very general terms, there are three dominant national approaches to integration in Europe that can be identified, reflecting the differing ideologies of integration.¹⁰⁰ First is the model of political assimilation of individuals into a national unity based on substantive values and rights which are binding for all. Through citizenship, the individual enters into a relation with the state, which cannot be mediated by groups, thus ruling out any ethnic, religious or cultural belonging which exceeds the immediate private sphere.

The second model is that of functional assimilation into an ethnically defined national state. This approach has also been characterised as differential exclusion, as migrants are included in one area, usually the labour market, but excluded from civic and political participation and lack a secure legal status. This model is prevalent in countries that do not see themselves as countries of immigration and that tend to regard the presence of migrants as a temporary phenomenon. This includes Germany, Austria, Denmark, Italy and Greece; though Germany has attempted, over the last few years, to move away from a strong ethnic underpinning of its national identity, whereas the newer receiving countries in Southern Europe have moved towards an emphasis on common ancestry. Such approaches limit integration by leaving migrants in legal uncertainty and failing to accord them a stake in society. The ensuing lack of identification on the part of migrants with the social order can in turn increase racism and xenophobia on the part of the majority population. In practical terms, policies guided by the ethnic or cultural model have focused on labour market integration, and granted migrants access to the core components of the social welfare system.

Thirdly, there are multicultural and communitarian models which are based on a pluralist conception of democracy in which the presence of different ethnic and racial groups is accepted and regulated through a management strategy. The concept of multiculturalism sets lower expectations about the degree to which immigrants should adapt to their

¹⁰⁰ OECD (2003), *Social Integration of Migrants and Ethnic Minorities- Policies to Combat Discrimination*, Brussels.

receiving societies. The multicultural concept allows space for the coexistence of groups with diverse culture, norms and even language. The rationale may be pragmatic, insofar as it is considered unfeasible or counterproductive to put pressure on immigrants to give up their own identities. Or it may be defended out of a more normative commitment to the value of cultural pluralism, which sees diversity as intrinsically desirable.

The different conceptions of integration are closely linked to the way different states conceive their own national identity and what it means to be a member of that society. These traditions of thought on nationality have been shaped in different European states through their experiences of nation-building, international and civil conflict, and democratization. Migration have forced many nations to rethink and re-evaluate these existing ideals, especially pertaining to National Identity and Integration of the immigrants, as the immigration has given rise to new ideologies and questions, that many of the states are still grappling to answer.

The major problem, while dealing with the implementation of the integration policies comes with the resistance to the change on the part of the immigration receiving society. It is crucial that the migrants take an active role in the integration process; this is only possible when the existing structures are not so rigid as to render the process futile. Successful integration requires meaningful interaction between the migrants and the receiving society, which means that integration has to be considered as a two-way process. The reciprocity is complex and multilayered process as it includes economic, cultural and social aspects, the successful integration cannot be promoted by designating a specific path and outcome. There is no integration paradigm that generations of migrants and receiving societies could follow, therefore integration takes place differentially in different sectors of society.¹⁰¹

Therefore, the question of social integration is not something that only concerns immigrants, but rather, the entire part of the population affected by problems which may

¹⁰¹ OECD (2003), n.4

result from the de-structuring of the previous social order. The demand for immigrant labour is often related to unstable, subordinate, entirely underground or even illegal jobs. Therefore, notwithstanding the countless obstacles, humiliations, and very high moral and material costs that immigrants have to face, there is still a substantial portion of migrants who manage to fit in. With the exceptions of those who were able to find and seize the chance to establish some good relations with the indigenous people who believe in equality, most of migrants face practices by different social and institutional actors that make access to – and the maintaining of – peaceful and regular insertion difficult.¹⁰²

Italy presents a complex case in terms of the understanding of the approach that the policy makers take towards the integration of the immigrants. The country has yet to begin to seriously engage with the problem of integration, and there remains a widespread, if often implicit, assumption among many of the public and some political elites that immigrants are temporary residents. Moreover, panic over apparently uncontrollable illegal entry has tended to dominate the policy agenda since the early 1990s, leaving little space for reflection on the complex issues raised by integration. Apart from some limited attempts to deal with integration in legislation of 1986, 1992 and 1998, most efforts have been undertaken by trade unions, Catholic organizations and immigrant groups, and there is nothing approaching consensus between political elites on strategies for dealing with integration. For these reasons, it is difficult to forecast what sorts of models or concepts will eventually shape Italian approaches to integration.

3.2 (iii) Integration Debate in Italy

The debate on integration of the immigrants in the Italian society started in the middle of the 1990s, when for the first time the flows of migrants stabilized and their considerable presence was felt at all levels of society. Legislations on migration were gradually introduced, from the mid-eighties onwards, responding more to urgency factors than to a coherent migratory policy, focusing on the issue of flows control rather than the one of integration. In this context the integration of the immigrants in the Italian society has

¹⁰² Salvatore Guild Palidda, 'Insertion, Integration and Rejection of Immigration in Italy', in, *Illiberal Liberal States*, ed. by Elseth Groenendijk and Kees Carrera, Sergio (England: Ashgate, 2009).

taken place mainly through a labour market where they were required to fill the gaps created by the natives who refused to work in the manual and unqualified jobs of the informal sectors.

Until 1998, the migration policies focused mainly on regularisation of irregular migrants and border control, and word integration was mentioned here and there in the Laws from 1986 onwards. Local institutions (Regions, Provinces and Towns) were charged to implement first integration policies as, for example, courses of Italian language for foreigners or take care of the housing. The role of the local authorities becomes crucial in a decentralized and the regionally diversified country. The local authorities cooperated with a network of NGOs, both religious and secular, who have been active in the habilitation of immigrants and have been involved in a number of projects pertaining to integration and immigrant's welfare.

With the Law 40/98, Turco-Napolitano, that a general integration policy was outlined by the centre-left government headed by Romano Prodi. In the introductory Report of the bill, the three goals of the Law 40 are so defined: “counteracting illegal migration and the criminal exploitation of the migratory flows; implementing of precise policies concerning legal entries, which must be programmed and regulated; setting up realistic integration paths entries for new immigrants and foreigner residents in Italy.”

A three years document established the guidelines for the implementation of the Law. In the DPR (Decree of the President of the Republic) of the 5 August 1998, implementing Law 40, the integration is defined as: “a process of non-discrimination and of recognition of differences, that means a process of hybridization and an experimental tool of new forms of relationships and behaviours in the continuous attempt to maintain universal principles and specificities, in the constant and everyday attempt of keeping together universal principles and specificities, of preventing situations of marginalization and ghettoization that threaten the equilibrium and social cohesion, and affirms the universal principles as the value of human life, the dignity of the person, the recognition of

women's freedom, the protection of childhood, on which there are no possible exceptions, even in name of the difference.”¹⁰³

The years from 1998-2001, under the leadership of Centre-Left, an attempt for developing an “Italian integration model” was prosecuted by the political powers through the involvement of a group of scholars, who are appointed to the National Commission for the policies of Integration of the immigrants, foreseen by the Law through the same DPR (Decree of the President of the Republic) of the 5th of August 1998, aimed at proposing a set of integration policies adapted to the Italian Context. The members of the Commission for the policies of Integration of the immigrants shared the principle that integration is an extremely complex concept, involving multiple dimensions –cultural, social and economic- that vary according to the territorial, the historical and the political contexts: “integration refers to a large spectrum of meanings, varying in time and space, according to the country that is considered, the historical-political contexts and the characters of the migratory phenomenon” . These meanings correspond to “models” – shifting ideally on a continuum from the assimilation model to multiculturalism.¹⁰⁴ However, the Commission for the policy of integration made the attempt to develop a specific model of integration for Italy, taking into account the experiences of the other countries and the specificity of the Italian context. The members of the Commission called the Italian “model” of “reasonable integration”. The pillars of the reasonable integration were the two fundamental interconnected principles: the recognition of the person's integrity and a low conflict-potential integration and the prosecution of a positive interaction with the Italian population.

The reasonable integration is based on the recognition of cultural pluralism, the refusal of assimilation and the intercultural approach, promoting the exchange between the

¹⁰³G. Campani, *Migration and Integration in Italy: A Complex and Moving Landscape*, Migration Citizenship Network, URL- <http://www.migrationeducation.org/fileadmin/uploads/IntegrationinItaly.pdf>, [accessed on- 24-March-2012].

¹⁰⁴Ibid., 3.

immigrants and the Italian society. At the same time, however, the necessity of sharing common values and norms was strongly affirmed. The reasonable integration is the product of the critiques to the assimilation model, but also to multiculturalism.

However, the changes in the political scenario of the country in 2001, coming of Centre-Right under the leadership of Silvio Berlusconi, resulted in the change in approach to migration: cultural pluralism was rejected in name of assimilation, while racist discourses are exploited by members of the government to get some consensus. The introduction of a new law, Bossi-Fini, amended the Law 40, introducing repressive measures, and drastically cutting the budget for integration. The National Fund for migration policies created by the Unified Act on Migration (art. 45 Unified Act) was censored. The new policies meant to counteract illegal migration flows, and the indiscriminate compulsory escorting of expelled migrants to the border meant an investment of huge financial resources and the employment of countless members of the police force. Moreover, the “Security Package” of the centre-right government did not improve the integration situation, as it also diverted all its efforts to security measures, borders control, and forced repatriations. Moreover, the unification of the contract of employment and of residence implied that, once again, immigrant acceptance and incorporation in the society was subordinated to the need of the workforce, which should be available to cover jobs refused by Italians. This signified unequal professional opportunities and the practical impossibility for immigrants to reach qualified positions. Immigration matters were addressed only from the perspective of public order and economy, disregarding other important aspects of a migrant’s life and interaction with the Italian society, namely cultural and social integration, and civil and political rights.¹⁰⁵

The integration process in Italy is largely the result of the interaction between immigrant communities and the civil society, represented by secular and religious associations. Moreover, the local experiences vary as well according to the immigrant’s communities. In Italy, there are a high number of immigrant’s nationalities, having different forms of

¹⁰⁵ S. Rusconi, *Italy’s Migration Experiences*, Migration Citizenship Network, URL- <http://migrationeducation.de/38.1.html?&rid=178&cHash=b18ff335ad74f6e52754cfcb43318922>, [accessed on- 27-March-2012].

integration according to their labour inclusion. The question of the integration of the second generation in Italy is still relatively new and one of the most debated issue along with the citizenship rights for the migrants as Italian laws are very restrictive in nature. In the recent years the emphasis on the importance of Italian culture and language have been placed, as an intrinsic part of the Italian Identity, and the question of how immigrants have diluted this traditional understanding has lead to rise in xenophobia and racism.

The processes of integration of the immigrants are recent in Italy and extremely differentiated according to the local realities and the immigrant groups. The concept of integration appears embedded in the political conflicts and discourses and responds to specific models, which is yet to be contextualized.

3.2 (iv) Italian Identity and Integration

The notion of an Italian identity never had the much appeal with the Italian population as it lacks a unified language, culture or sense of loyalty to the central state. The formation of the Italian nation-state was based more on compromise between different regional units than on a transcending idea of a homogeneous Italian political community. Unlike in other European countries, unification was not popularly conceived of as a struggle for national liberation. Loyalties to region and family generally remained more salient than national patriotism. Attempts by the Italian intellectual movement, the *Risorgimento*, to forge a national myth failed to inspire support for nationalism from either bourgeois or working-class Italians. Indeed, a strong concept of nationalism, briefly, gained credence during the Fascist era, and was subsequently discredited, at least in centre and left-wing circles, after the Second World War. The importance of the Catholic Church further diluted the notion of a homogeneous national community, promoting as it did a cosmopolitan rather than a nationally delimited community of values.¹⁰⁶

The idea of Italian identity, which was forged by the citizens, was challenged when Italy rapidly transformed from an emigration nation to a host. Numbers of foreigners residing

¹⁰⁶ Christina Boswell, n.3

in Italy started rising in the late 1970s after north-western European countries tightened their immigration regimes. Numbers increased further and quite dramatically after the collapse of the Communist regimes in eastern and central Europe in 1989. The efforts of Italian governments to control the influx of immigrants failed to achieve their objectives. First, they perpetuated a situation of 'permanent social emergency' because they managed neither to control the migratory flows nor to integrate those already established in the country. Second, they failed to prevent violence and xenophobia against foreigners. Indeed the Italian public which was reported to show an attitude of 'social tolerance' towards immigrants soon became explicitly hostile and xenophobic. One of the more pronounced cleavages to emerge was a north-south divide, a pattern of discrimination against the underdeveloped south often premised on notions of the ethnic inferiority of southerners. This cleavage resurfaced in the politics of the Lega Nord in the 1990s, most dramatically through its secessionist agenda. Interestingly, this party has also propagated an extreme anti-immigrant line, drawing on notions of cultural and religious differences between (at least north Italian) residents and foreigners.

Italian identity is of a predominantly civic-territorial in nature. The nation is defined as a historical community bound together by shared civic traditions and links to a territory. Nonetheless, these civic traditions are characterised by internal diversity and regionalism is prevalent, despite the, until recently, highly centralised structure of the state. Moreover, the Italian nation is marked by the difficult and ambivalent development of a national consciousness among the masses. The humanist, Catholic tradition plays an important part within the national cultural heritage. The transformation of Italy into a host country called for the re-definition of the national identity. The humanist tradition of hospitality and respect for cultural diversity, which dominated the collective self-representation is now put into question and the (un)justified character of racist reactions towards immigrants is questioned.

'Italian-ness' is re-considered under the light of the new social and economic conditions. Italians used to be emigrants themselves. They suffered from nostalgia in foreign countries, where they were often ill-treated and discriminated against. Now, suddenly,

Italy finds itself on the other side. It is one of the seven most industrialised countries in the world and, since the late 1980s, a country of immigration. The previous experience of Italians abroad, however, even though still recent (emigration from Italy continued until the 1950s), does not seem to favour an attitude of ‘openness’ towards immigrants. On the contrary, there is a defensive reaction towards them which often becomes active discrimination. This type of behaviour is in fact in conformity with an ethno-cultural conception of the nation that creates a symbolic barrier between Us and Them.¹⁰⁷

The presence of the immigrant as the ‘Other’ within the national territory activated a process of re-definition of the national identity which aims at emphasizing the differences between insiders and outsiders. Thus, the idea of the nation is defined in more exclusionary terms than before. Immigration is regarded as a catalyst for ‘negative change’ threatening traditions and harming one’s personal economic prospects. This has led to strong feelings of injustice, and rising insecurity. As a consequence, individual problems in the labour market, housing or schools are assigned to the ‘influx of foreigners’ which, in turn, is exploited by the (extreme) right for whom immigration constitutes the most important political issue.

[3.3] Challenges to Social Integration

A number of issues pertaining to the rights and claims of the immigrants have been present in the country for a very long period of time. The debate largely centers on the lack of the social integration of these migrants due to various reasons. Many of the difficulties involved in integrating migrants take a long time to become evident and only present themselves after many generations of immigration. Issues of immigrants as burden on Italian welfare system, segregation and schooling have developed over time, the uneven economic opportunities, access to citizenship, rights and representation of the second generation, are few of the challenges that are faced by the Italian government while addressing issues of immigration and integration.

¹⁰⁷ Anna Triandafyllidou, ‘Nation and Immigration- a study of the Italian Press discourse’, *Social Identities*, 5(1) (1999), pp- 65-88.

3.3 (i) Italian Welfare System

Italian welfare system can be characterised by some distinctive features, first is disproportionately concentrated on pensions, which account for more than 46% of total social expenditure. Other expenditure items, like unemployment, family related benefits or income support, taken together only amount to 25%. Migrant's welfare dependency usually refers to non-pension benefits, as this kind of transfers can be usually received after a short period of residence in the country. Pension contributions, on the other hand, are often perceived as a deadweight loss for migrants, especially when they expect to leave the country before retirement. The second important feature of the Italian welfare is its geographical fragmentation. Only a handful of programs are offered by the central government, while the entire areas of education scholarships, social or subsidized housing and income support are fully delegated to the local authorities, mostly municipal governments. Hence, each of the over 8,000 Italian municipalities decides what programs to introduce and how to administer them. Furthermore, such decisions are often subject to budget constraints and need to be reconfirmed fiscal year after fiscal year. In case financial resources ran out before the following budget is approved the programs are terminated and some applicants, who would have otherwise been eligible, are denied access. Thirdly, the Italian welfare regime is clearly characterized by the key role mandated to families for most welfare matters. Family's responsibilities for their members are not only legally mandated (both in reference to parents and progeny) but most of the administrative procedures are actually centered on the expectation that this will happen¹⁰⁸.

3.3 (i.a) Immigration and the Italian Welfare System

Immigrants have always been looked at as outsiders, almost as invaders of a foreign territory and beneficiaries of a welfare system not their own. The native population, seeing immigrants invading *their* country and receiving *their* benefits, is much less likely

¹⁰⁸ Giuseppe Sciortino, 'Immigration in a Mediterranean Welfare State: The Italian Experience in Comparative Perspective', *Journal of Comparative Policy Analysis*, 6(2) (2004), pp- 111 – 129.

to help support the welfare system that is supporting many foreigners. And even though immigrants are good for the Italian economy in financial terms, their contributions often go to the private instead of the public sector. This leaves the native population with the full burden of maintaining its welfare system plus the immigrants living off of its benefits. In recent years, Italians have seen a new dimension added to their already prominent immigration reality. Already a burden on the welfare state, reports of sexual and physical abuse by foreigners and criminal acts have flooded the Italian media and contributed to their negative image. This has been used to optimum advantage by the Centre-Right political parties, emphasizing on the anti-immigrants and racist sentiments within the public sphere and the need to curb the further immigration, blaming the immigrants for the rise in the crime rate.

Despite these xenophobic tendencies, immigrants are very crucial for Italian welfare system and society, as they represent the new and much needed labour force, taking up jobs that the natives are not ready to perform, and most of the time at much less wages. In most cases, immigrants respond to the need for work force in the underground economy that the native population refuses to perform because these jobs are often tedious, poorly compensated and at times, dangerous. The only real benefits are directed at the employers, who are able to contract cheap labor from immigrants. This is also the case in the provision of care services. These jobs are possible because of a plurality of factors, mainly an increased participation by women in the labour market, a lack of state provided care services.

Immigration is responsive to demands in labour market by both Italian families and firms. In the first case, immigrants are fundamental suppliers of welfare services in a time in which, due to socio-economic trends and the difficulties within the national welfare system, the demand for services to people and families is larger. In the second case, immigrants satisfy a request for labor not satisfied by the local labour pool. For that reason, the relationship between the Italian demographics and the immigration dynamics is very strong. The features of the national welfare model are strongly intertwined with the employment models and with the regulatory system of the labour market. The largest

problem of the Italian welfare system is that it builds upon an employment-based model, which links the benefits of social policy to merely on employment status rather than to citizenship. This is particularly serious in a context characterised by low employment rates (particularly, for women) and by high unemployment rates. This is because large sectors of the population have been excluded from important benefits (pensions, etc).

Since the welfare system is highly fragmented with respect to the development of the region, such areas are also those where migrants are more likely to locate for the obvious reason that, typically, the relative demand for unskilled labour is higher. In rich areas Italians are relatively more educated, thus reducing the supply of native unskilled labour and, potentially, increasing the demand for personal services, like housekeeping and child/old-age care. Hence, migrants cluster in rich areas and in unskilled occupations, where they earn lower wages than natives, who are concentrated in high-skill jobs. As a consequence, within geographical locations migrant's welfare dependency is relatively high.

Legal migrant's use of the welfare programs in Italy is actually more limited and uncertain than the increase in the overall foreign population. Such a phenomenon is surely connected with their stage in the life cycle, as most immigrants are currently young and employed. It is, however, also connected to a very sharp selective process, accompanied by a systematic use of administrative delays. The structure of the immigration regime categorizes migrants into a variety of residential statuses, with very different levels of rights and entitlements. Furthermore, there is evidence that the overall structure of such a migratory regime keeps migrants as long as possible in the categories where fewer rights are enshrined and where the protection of such rights is less stable. Residence cardholders are fully included in the welfare system and are eligible for non-contributory cash benefits and income support programs.¹⁰⁹ They are entitled to access all the employment related insurance programs on the same conditions of natives, as well – when and if employed – as most services are provided in kind.

¹⁰⁹ *ibid.*, 14

The only existing legislation on immigration portrays immigrants as persons that need to be regulated and controlled. Even the Immigration law of 1986, that was supposed to give regularized immigrants the same social rights as Italian citizens, fell short. It was not until 1998 that the law made a distinction between legal and illegal immigrants. For the most part, legal immigrants are entitled to the same social rights as Italian citizens under the Law n.943/1986. They are given full access to education, health care, pensions, and other social services. Still, the access to social benefits is complicated and does not yield the same effect on immigrants as it does on the native population. Undocumented immigrants do have basic rights that include health care access and limited education. The Bossi-Fini law of 2002 further stipulated that all social integration measures be limited to documented immigrants only, meaning that organizations like Caritas that regularly offer aid to all immigrants were legally prohibited from helping illegal immigrants. These private organizations however continue to operate on humanitarian grounds rather than follow restrictive legislation.

Italy has been slow in implementing laws and regulations pertaining to the welfare of the immigrants already present rather, it has emphasised on the restriction to access of immigrants to benefits such as pensions.

3.3 (ii) The Dilemma of the Second Generation

International migration derives from and nurtures from the processes of unification and diversification, in the contemporary period the simultaneous growth of interdependence and differentiation between the social groups seem to be pulling in the different directions. This has led to brand new understanding of the national identity and whether it has contributed in the formation of an altogether new group of identity¹¹⁰. This is a very crucial question for the second generation of migrants, who in a sense are Italians searching for a new belonging-ness and the rights to new identity.

¹¹⁰ Czarina Wilpert, 'Ethnic and Cultural Identity: Ethnicity and the Second Generation in the Context of European Migration', in *New Identities in Europe- Immigrant Ancestry and the Ethnic Identity of Youth*, ed. By Karmela Liebkind, (England: Gower Publishing Company, 1989).

Italian identity has been shaped for centuries by the experience of emigration. The progeny of emigrants were supposed to assimilate quickly in the receiving countries, maintaining, however, some special connection to the motherland and some affinity with Italian culture and patterns of sociability. A large part of Italian emigration policy was rooted in this paradoxical goal of supporting both assimilation and hyphenation. The transformation of Italy into a country of immigration has dramatically changed this perspective, and – after three decades of sustained immigration – the country has not yet developed an adequately shared narrative about its demographic present and future. About one in ten newborns in Italy are born to two foreign parents, and family-reunification flows are a sizeable reality. This segment is not only numerically relevant: it is also the component most likely to have significant long-term and far-reaching consequences for Italian society. This has led to rise in the new debates pertaining to: What is happening to the growing number of children who are born in Italy to foreign parents or who are immigrants themselves? What forms of social integration do they experience in the classroom and in the neighborhood? Which symbolic elements do they mobilize in defining themselves?¹¹¹

The rapid growth of the immigration has led to the rise in the foreign citizens legally residing in the country, from 2,670,000 in 2005 to 4,330,000 in 2008 to about 4.5 million in 2009. In 2008, for the first time ever, Italy overtook the EU average- 7.2 percent of its population being made up of migrants, also that more than the fifth of the population of migrants comprises of the minors- the children born and raised in Italy. More than 72,000 children were born in Italy of foreign citizens, equal to 12.6 percent of the total births, and another 40,000 arrived because of the family reunification. In 2009 and 2010 more than 700,000 children of foreign origin, without Italian citizenship, aged between three

¹¹¹Martina Cvajner, 'Migrant Friendships, Migrant Loves – Taking the Sociability of Second Generations seriously', *Journal of Modern Italian Studies*, 16(4) (2011), pp- 465-477.

and eighteen were enrolled in Italian schools, representing 6.4 percent of the total population.¹¹²

In most cases the second and third generations have no personal experience of migration, hence the term, second generation, in itself is criticized as it lacks clarity. As in its broadest use it is generally taken to refer to any person who has at least one foreign-born parent, the term is methodologically opaque because it does not distinguish between individuals born in Italy or abroad; those who have Italian citizenship or not; whether they have grown up within the Italian school system or are native speakers of Italian. It fails therefore to help clarify either the great diversity that exists among the sons and daughters of migrants, in terms of their ages, forms of integration and identification within the multiple contexts of Italian society, or the ways they combine and negotiate Italian and other cultures.¹¹³ The term has taken on the negative connotations particularly in media where it is largely concentrated on the topics pertaining to crime and urban safety.

One of the biggest contradictions in the lives of the so called second generation is that Italian system does not recognize them as Italian nationals until their eighteenth birthday, when they have one year to request citizenship. This requires that applicants demonstrate uninterrupted residence in the country since birth. Thus, the children born to the foreign parents in Italy are likely to be culturally integrated with their Italian peers, yet they lack the most important right which would guarantee them same freedoms and mobility. Formal citizenship is now also becoming a criterion for access to education, because of Berlusconi government's recent cap of thirty percent on the number of 'immigrant' children to be allowed in the classroom, which would lead to the risk of expulsion of thousands of students from the Italian education system. For 'second-generation' adults who lack documents qualifying them for citizenship, the barriers to participation

¹¹² Chiara Marchetti, 'Trees without Roots: the Reform of Citizenship Challenged by the Children of Immigrants in Italy', *Bulletin of Italian Politics*, 2(1) (2010), pp- 45-67.

¹¹³ Isabella, Marinaro, and James Walston, 'Italy's Second Generations- the Sons and the Daughters of Migrants', *Bulletin of Italian Politics*, 2(1) (2010), pp- 5-19.

multiply: they have no formal political voice and they are excluded from access to employment in much of Italy's still very large public sector. Moreover, the Bossi-Fini immigration law makes their right to reside in Italy dependent on a legal work contract, thus exposing those who are unemployed, on temporary job contracts, or part of Italy's large unofficial job market, to the constant risk of deportation to a country they may never have lived in.

The second generation has provided the Italian society with the multitude of challenges, be it pertaining to the understanding of Italian identity, or to the questioning of the age old citizenship laws of the country or to the broader socio-cultural processes of integration. The questions of 'assimilation', 'adaptation' or 'integration' change meaning with the different generations, the second generation has more expectations and different needs as compared to the experiences of their parents. The sense of self-identification has emerged very strongly among these groups of people, as the reference to second generation applies to a specific group which can be traced to their immigrants status and their culture of origin, which is not necessarily how they see themselves, as it labels the people who are not immigrants as immigrants.

The identity formation among the second generation immigrants mainly depends on the larger society and its dealing with foreigners. The problems of integration that the first generation experiences are to a surprising degree experienced once again by the second generation. Indeed, feelings of discrimination usually increase between the first and the second generation. In the Italian scenario, the first-generation immigrants came from economically less-developed regions and were expected to take jobs that natives would not, and accepted that they would do so. Whereas this will most often not be the case for the second-generation immigrants, who have grown up in Italy, and who, rightly, anticipate having similar life expectations as other members of their group. The first generation may have experienced discrimination, but they may also have been more willing to 'accept it'. To a large degree, however, discrimination along racial lines is inherited. The second generation immigrants, in contrast to their parents, expect to be treated like anybody else in Italy. Yet these expectations may not match their

experiences, especially so long as the ‘host society’ keeps categorizing them as immigrants.¹¹⁴ The dilemma for them is largely to compromise between their personal aspirations and their parent’s expectations, which generally leads to the split between the one and the ‘other’ culture and between the personal expectations and person’s actual experience in the society. The second generation groups are actively participating in challenging the traditional conceptions of the Italian identity being synonymous with being ‘white’ and ‘catholic’¹¹⁵.

The phenomenon of children with immigrant origin in Italy is very complex and multifaceted. The heterogeneity of the phenomenon depends on very different factors such as the age of arrival in Italy, the way in which the reunification of the family of origin occurred, the way in which the country of origin of their parents has been left and what kind of ties still exist with the family of origin, the socio-economic status of the family and which type of ethnic minority they belong to. The second generations are confronted with a difficult reality because although they were born in Italy, many continue to be foreigners, which complicate the integration process. The lack of citizenship creates many obstacles, both emotional and practical, regarding employment opportunities and legal residence, and the difficulty with personal identity if one is not considered a citizen of the country one considers home. For second generation immigrants in Italy, belonging to a dual-identity is complex, because although they may feel Italian, the society in which they live does not recognize them as such.

The diversity of Italy’s migrant communities, not simply in terms of ethnicity, labour market integration or regional settlement, but also in terms of the stage they have reached in the immigration cycle, has meant that, while some minority groups have a relatively recent presence in Italy, others are already at the second-generation stage. Public and political attention has continued to focus on new waves of migration and especially on undocumented migration. As a consequence, the conditions of settled communities have

¹¹⁴ Bjorn Thomassen, n.2

¹¹⁵ Isabella Marinaro, and James Walston, n. 17

tended to be of peripheral concern to immigration social-policy makers. The experiences of the children of migrants, the so-called second generation, have received very little attention.¹¹⁶

3.3 (ii.a) Education as a tool for Integration

Education is considered as the most viable tool for the integration of migrants, especially the young migrants, into the Italian Society. The part of the Consolidation Act governing immigrant's rights and identifying integration policies recognizes that the right to education as fundamental human rights that must be guaranteed regardless of a person's legal status. It has been considered as the most important tool for integration, focusing primarily on the social inclusion of young migrants and second generation. With the gradual stabilization of immigration in Italy, there is an increasing presence of foreign pupils in schools.

The first institutional documents published in Italy on the issue of the education of immigrant pupils dates back to 1989. The circular number 301 of 1989: a memorandum of the Ministry of Education of the time, dealt with the "Inclusion of foreign pupils in compulsory schooling, the promotion and coordination of initiatives for exercising the right to study" This document was first of its kind, containing the form of the elements needed to set out an educational operation based on respect for individual's rights, and thus of multilingualism and multiculturalism. It both identifies the general criteria around which to shape interventions, following the principles and values of the Italian constitution and of relevant European legislation, and highlights the weak points in the education system to be addressed in order to be able to put in place fitting policies, respectful of diversity. It also fixed the guidelines for intercultural education which stress the linguistic needs of students and the education to differences. Multiculturalism moved forward more quickly in the field of education. Ministry of Education Circular number 205, 27 July 1990 foresaw not only that foreign students should be taught the history and culture of their country, where possible, but even that schools or classes without foreign

¹¹⁶ Jacqueline Andall, 'Second-Generation attitude? African-Italians in Milan', *Journal of Ethnic and Migration Studies*, 28(3) (2002), pp- 389-407.

students should promote multicultural information and attitudes. For these reasons, the District Education Office was requested to organize training programmes for teachers in co-operation with local authorities and universities. These administrative guidelines were embodied in recent legislation. Ministry of Education Circular no. 301, 8 September 1989, and Circular no. 205, 27 July 1990, suggested putting up to five students of the same origin in the same class, in order to avoid isolation and segregation. This kind of desegregating measure was abandoned in recent legislation, whereas another integration measure included in the same circular was kept and reinforced both by Law no.40 and *Documento programmatico* 1998, that is, the introduction of extra hours to teach Italian and fill foreign student's 'knowledge gaps'.¹¹⁷

The Ministerial Memorandum 73 of 2 March 1994, presented the complexity of the intercultural approach and stressed on the perspective created on an international level of the intercultural education as an "educational perspective for everybody". Starting from an idea of intercultural education coherent with the one already proposed by the European Council, according to which the intercultural education must be the highest educational answer to the multicultural society, it indicated all the steps that the school must take to face all the needs of the new society.¹¹⁸ The effective strategies included in it go from the creation inside the school of an environment which will make easy the integration among students and between them and the teachers, to a new informative organization, stressing the vocational training for teachers.

However, the school attendance rate for foreign children is lower than that of Italians at all ages, with slightly widening gaps in the transition from the first to the second level of compulsory schooling and bigger differences in the later years of secondary school. Around 94.4 per cent of foreigners between the ages of 6 and 10 were enrolled in school, 91.9 per cent of those were between 11 and 13 years old, and 63.3 per cent of those between 14 and 18 years old, figures which are proportionally lower than those of Italians

¹¹⁷ Giovanna Zincone, 'Illegality, Enlightenment and Ambiguity: A Hot Italian Recipe', *South European Society and Politics*, 3(3) (1998), pp- 45-82.

¹¹⁸ G. Campani, n.7

by nearly 3, over 4 and over 23 percentage points respectively. There are evident differences between different generations of young immigrants, a gap that from the age of 14 begins to expand gradually to reach truly significant differences at 18. Lower school attendance rates mainly concern children who came to Italy between the ages of 13 and 17, followed by those who came when they were under 13, regardless of whether they arrived at school or pre-school age; from the age of 16 levels of school attendance are clearly lower than foreign children born in Italy.¹¹⁹ But the fact remains that on an average second generation immigrants have a higher dropout rate than other Italians, achieve lower grades and enroll to technical schools rather than to higher education. Many suffer from poor language skills upon arrival in the country.

Table 3.1: Foreign students in the Italian school, 2000-2010

School year	Numbers	% of the overall school population
2000-2001	147 406	1.8
2001-2002	181 767	2.3
2002-2003	232 766	3.0
2003-2004	282 683	3.5
2004-2005	361 576	4.2
2005-2006	424 683	4.8
2006-2007	501 494	5.6
2007-2008	574 133	6.4
2008-2009	629 360	7.0
2009-2010	673 592	7.5

Source- Caritas Migrantes 2010.

Italian schools currently host half a million non-Italian pupils, a number which has been tripling every five years. Their geographical distribution follows the presence of adults

¹¹⁹ Corrado Bonifazi, Frank Heins, Salvatore Strozza, and Mattia Vitiello (2009): *Italy: The Italian transition from an emigration to immigration Country*, IDEA Working Paper No. 5.

and therefore northern Italy has the highest number of immigrant children. A growing physical concentration of migrants in certain areas enhances the problem of segregation.¹²⁰ The Education Ministry has recommended that local school authorities act to prevent the formation of schools or classes reserved for children of migrants alone, because segregated education reduces learning opportunities and prepares for exclusion on the labour market. Although racist incidents occasionally take place in Italian schools, generally school authorities are keen to support foreign students and follow a principle of respect for cultural heritage of foreign pupils and support integration through cultural and religious dialogue. Another challenge is to increase the number of special teachers supporting newly arrived children with language problems. Adult language courses play a significant role in integration too. In 2003 almost 120,000 foreign adults are enrolled in language courses in schools. They can aid linguistic and social integration and facilitate the acquisition of labour market skills which, in turn, promotes a greater inclusion in society. This inclusion then promotes a more positive perception of migrants on the behalf of the native population.

Despite the high numbers of the immigrant's children in Italian schools, the situation is viewed as an emergency. The lack of any coherent policy at the centre level and, absence of regulations and financial support leaves the burden of the education for migrant's children on the local level of governance. As a consequence the quality of services for integration strongly depends on local decisions and tools, and is highly fragmented on national territory. The local authorities usually have to cope with a scarcity of budget and personnel due to policy cuts in education induced by the government. The local authorities have cooperated with the network NGOs, religious and secular, in their various programmes for imparting of education.

¹²⁰Luca Einaudi, Immigration and Integration Policies in Italy, in *Rethinking Immigration and Integration: a New Centre- Left Agenda*, ed. by Elizabeth Collet, Luca Einaudi et al, (London: Policy Network, 2007).

3.3 (iii) Citizenship Debate

Migration has led to the transformation of the idea of citizenship, drawing attention to the contradictions involved in the links between the protections of rights on the one hand, and membership of a specific political community on the other. Citizenship then became one of the most important areas of conflict over sovereignty and identity, becoming a vehicle for claims for the recognition of collective differences and, more generally, for the transformation of the rules governing relationships in the political and public spheres. The presence of the migrant comes to deconstruct the apparent unity of citizenship drawing attention to the fact that recognition of civil, political and social rights, recognition of identity, and participation in community life may be separate components, diverging or competing with one another.¹²¹

The Italian citizenship laws can be traced back to its unification in 1861, when the membership of the State was dependent upon the membership of nation, with whole idea of community of shared beliefs and traditions, and common descendants. This was very much prevalent even when the emigration from Italy was on a full swing, as the nation favored to advance the citizenship in terms of the *jus sanguinis*¹²², in order to keep the ties with the expatriates. However, if looked from the new and changed situation of Italy as being an immigrant destination, the need to incorporate the migrants into the national community did not receive an adequate response.

The acquisition of citizenship of course does not guarantee full integration by itself, but it is a necessary step for those wishing to settle permanently and integrate. Denying full rights to a large part of the permanently resident population in the long term can only serve to accentuate feelings of discrimination and alienation, planting the seeds of discord. A quicker acquisition of nationality could facilitate the integration process by lending long term immigrants a status which allows them to be perceived as more

¹²¹Chiara Marchetti,n.16

¹²² *Jus Sanguinis*- citizenship by descent, defines citizenship based on family relationships, as a status that can be passed on to offspring and emphasizing a biological and ethnic link between citizens of a nation.

legitimate. Furthermore, voting rights help to undermine xenophobic or discriminatory behaviour at the political level, forcing mainstream parties to take into consideration the interests of migrants and abandon confrontational politics. Immigrants benefit from having a voice and the ability to participate in the political life of the country, whilst politicians benefit from a more inclusive and representative constituency.¹²³

The current citizenship laws can be traced back to the 1992 (Law no. 91), its two main axes are the *jus sanguinis*, and *jus conubii*, that is the acquisition of citizenship by marriage. It also provided for the dual citizenship, in order to allow the many Italian citizens who have been living abroad for generations not to have to renounce their Italian citizenship while acquiring a new one. It provides for a gradual naturalisation of non-European Union nationals after a ten-year period of regular residence (before 1992, five years were necessary), it was largely through *jus domicilli*, that is the stable residence. For foreigners of Italian origin only three years of regular residence are necessary (two years for minors resident in Italy), while four years of regular residence are required for EU nationals. Citizenship can be acquired at birth when the child is born in Italy from stateless parents or if they are unknown, or if the child does not assume his/her parent's citizenship according to the law of the country of origin. Minors who have been left in Italy can also assume citizenship. Children with at least one Italian parent are automatically recognised as Italian citizens. In the case of children born on Italian soil of foreign parents, Italian citizenship can be acquired only on a request presented between their 18th and 19th birthdays (this right is lost if the application is not made prior to the 19th birthday). In addition, applicants must be able to demonstrate that they have lived in Italy without any interruption.

Regarding non-EU nationals, regularity of presence is not enough to gain citizenship; much depends on the circumstances of the individual and on the attitude of the Italian authorities. The granting of citizenship after this period remains discretionary. The law states that citizenship 'can be granted'. Thus the Italian state has powers to consider various other factors in deciding whether or not to confer citizenship. These factors can

¹²³ Elizabeth Collet, Luca Einaudi, et al (2007), n.24

include the general conduct of the immigrant during his or her period of residence, level of integration into Italian society, income, fulfillment of fiscal obligations and a judgment regarding the applicant's willingness to become a member of the Italian national community.¹²⁴

Over the period of time many reform proposals have been presented for the revaluation of the citizenship laws, but to no avail due to the excess politicisation of the issue. One of the earliest reforms was presented in the year 2006 by Interior Minister Giuliano Amato. The main point of controversy surrounded the number of year's residence necessary for the right to apply for citizenship. The government proposal was that there should be a requirement of five years of continuous and legal residence. All the centre-right parties viewed five years as too short a period. Other issues dealt with in the bill, the discussion showed greater convergence, as in the case of the proposed introduction of *jus solis* for the children of non-EU nationals, the regulation of citizenship acquisition through marriage, and the verification of applicants' linguistic and cultural knowledge and level of social integration.

This was followed by the introduction of Bressa text in 2007, which proposed that citizenship by naturalisation could be acquired after five years. Citizenship would no longer be considered as a 'concession', but rather an 'attribution', thus becoming a collectable right (*diritto esigibile*). Concession of citizenship would be granted following the swearing of loyalty to the Italian Constitution and respect for fundamental principles such as the equal dignity and rights of all persons. The aspiring citizen would be required to have an income at least as high as that provided for by the rules pertaining to the residence card (*carta di soggiorno*). He or she should not have committed a crime punishable by more than three years in prison (art. 6), and would have to take an examination demonstrating social and linguistic integration. The level of Italian language would have to be equivalent to grade 3 of elementary school (art. 5). The applicant would also have to have a sufficient knowledge of the civic life of Italy, and Italian culture and

¹²⁴ Giulia Bigot and Stefano Fella, 'The Prodi Government's Proposed Citizenship Reforms, and Debate on Immigration and Its Impact in Italy', *Modern Italy*, 13(3) (2008), pp- 305-315.

history and of the Italian Constitution. A ceremony was provided for, in which citizenship would be bestowed by the mayor after the applicant had sworn to respect the Constitution, the fundamental rights enunciated therein and the principle of equal human dignity (art. 11). As regards application of the *jus solis* principle (the concession of citizenship to children born in Italy to foreign parents), the Bressa text proposed that this be applied provided that at least one parent was resident in Italy for at least three years without interruption, with no check on income required (art. 2), or if at least one of the parents was born in Italy and legally resident. Within a year of the achievement of the age of adulthood, the citizen would be able to choose to renounce Italian citizenship if in possession of other citizenship. Nevertheless, the acquisition of citizenship for the newborn child would need to be requested at the time of the registration of birth. If this was not the case, the child would then be able to apply for citizenship within one year of reaching the age of 18. Regarding citizenship acquisition through *jure matrimonii*, it was proposed to tighten restrictions to counter so-called ‘marriages of convenience’. Thus there would be a two-year waiting period after a wedding in Italy and a three-year wait if the wedding was held abroad (art. 3). The bill would also provide for *jus domicili* for minors born abroad with at least one parent residing and living in Italy for five years and who had attended school in Italy. It also provided for the maintenance of dual citizenship. This was strongly lobbied for by representatives of the Italian community living abroad.¹²⁵

This was, however, not accepted by the leaders and the representatives of the Centre-Right, especially the LN. It considered the relaxation in the citizenship laws as against the loss of Italian Identity and loss of traditions and culture of the nation. For them, immigrants presented an imminent cultural and security threat. Moreover, with the coming of centre-right in power in 2008, the hard-lined approach toward the immigration and the integration again came into forefront, which was quiet visible in the proposals and counter-proposals presented for the reformation and re-evaluation of the citizenship laws.

¹²⁵Giulia Bigot, and Stefano Fella, n.28

The Sarubbi-Granata bill presented in 2009, aimed at modifying the current Italian citizenship law, and was authored by Deputies Andrea Sarubbi of the Democratic Party (Partito Democratico, PD) and Fabio Granata, of the PdL (Popolo della Liberta). The bill was immediately welcomed by Rete G2, the association founded in 2005 by the sons and daughters of immigrants with the goal of lobbying for a change to law no. 91 of 1992. Law no. 91 was passed at a time when Italy had recently become an immigration country, having been for over a century a country of emigration. However, the provisions did not move radically beyond the previous legislation (law no. 555 of 1912), apart from the ratification, already provided for in law no 123 of 1983, of a couple's equal right to transmit citizenship to their child. Children of immigrants are not automatically considered Italian citizens under this law, even if they were born in Italy or arrived in the country when very young. Furthermore the law has created '*Italiani con permesso di soggiorno*' (Italians with residence permits), to focus public attention on the discrimination which children of immigrants face. Rete G2 demanded that the jus sanguinis principle of citizenship be replaced with jus soli as the main criterion. They also demanded that all children who, even if born outside Italy, went to school there for the first time be automatically eligible for Italian citizenship. Their argument is that school is where the socialisation process making a person part of a country's culture, takes place.

Interestingly, both these points were addressed in the bill; it proposed that the child of a foreign couple, if one member had been living legally in Italy for five years, receive the right to Italian citizenship. One of the parents would have to declare this officially when recording the child's birth at the registry office. The child would then have the right to refuse citizenship when eighteen years old, or to apply for it if the parent chose not to make the official declaration. The bill also introduced provisions to enable Italian citizenship to be obtained by minors going through the Italian school system. It reduced from ten to five years the period of legal residence required for eligibility for Italian citizenship. However, in addition to proof of residence and fluency in Italian, the bill gives great importance to a ceremony through which applicants swear allegiance to the

Italian Constitution, thereby demonstrating that they genuinely want to be integrated into the Nation. It is important to emphasise that, taking such an oath is not merely a formal act, but is indispensable to completing the procedure leading to the acquisition of citizenship, so that, if one is unjustifiably absent from the oath-taking ceremony, the procedure will be suspended, and if one declines to take the oath, the procedure will be nullified- “It is argued that in this way [by requiring the oath], it is possible to merge and harmonise the different but intimately linked requirements of security and integration in managing the processes of integration”.¹²⁶

This was for the first time that the demand of the second generation was considered in the policy-making; however the political clout of the nation was very much visible in the emphasis that was given to the security and integration. Linking both meant, linking the repression of illegality and criminality on one hand, and the introduction of the regulations which are believed to ‘integrate’ the legal migrants on the other hand. The bill represented the paradigm of rejection (security) and acceptance (integration) together.

Despite being one of the most liberal bills, nothing much came out of it, as an alternate bill was presented by the Deputy of PDL, Isabella Bertolini. It reintroduced the ten-year residence criterion adult migrants have to fulfill to be eligible to apply for citizenship, and it re-affirmed the non-recognition of Italian citizenship for the children of migrants born in Italy. Bertolini’s bill confirmed the spirit of law no. 91 and made two substantial additions: firstly, that an adult migrant who wishes to apply for Italian citizenship must take a course in Italian history and culture by the beginning of his/her eighth year of legal residence in the country; secondly, in addition to a former minor having to be eighteen years old and having to have lived uninterruptedly for eighteen years in the country, s/he must demonstrate that s/he has passed through the Italian school system with “profit”.¹²⁷

¹²⁶ Emilio Giacomo Berrocal, ‘Building Italian-ness through logic of the Other in Us and the Self in the Other: an Anti-Nationalist Approach to the Italian Debate on a New Citizenship Law’, *Bulletin of the Italian Politics*, 2(1) (2010), pp- 69-90.

¹²⁷ *ibid.*, 13.

The opposition to this was also very apparent, with the declaration of LN that, they do not consider citizenship the tool for the integration of the migrants in the Italian society; rather they view as the point of arrival along the path, as a reward for those immigrants who succeed in demonstrating a willingness to be integrated in the Italian culture, that is to say, citizenship as a means to an end rather than an end in itself.

The Italian citizenship laws and the corresponding proposals are contradictions in themselves, the citizenship is related to having certain characteristics; to having spent a long time in Italy and to the recognition of stratification among foreigners. At the same time, acceptance of these requirements makes the discretion, the arbitrariness and the unpredictability of the process of applying for citizenship even more unbearable. The hostile attitude towards the immigrants also appears to back up the most conservative proposals presented by the deputies. Those of the second generation – more than first-generation migrants or their foreign-born children are closer to Italians than to the illegal immigrants who are often marginalised and criminalised by the Italian population. Those immigrants remind them of the precariousness of their own situation and of the widespread tendency to define all immigrants as dangerous. This has internalised the climate of mistrust and fear of immigrants and therefore try constantly to place themselves as close as possible to Italians.¹²⁸

However, despite everything the current citizenship law, along with other immigrant and immigration policies, is not equipped to deal with the challenges that Italy's new reality as an immigrant destination country presents. The most recent law governing citizenship dates to 1992 and is a restrictive reform of the previous law, passed in 1912. Neither laws envision the presence of a large population of immigrants and second generation immigrants in Italy, and thus have left their legal status in midpoint. The implications of citizenship reform are far-reaching. Immigrant integration is a constant theme in Italian public discourse, and facilitating naturalization and access to citizenship by birth would be one step towards a meaningful integration in society. Further, reforms would carry

¹²⁸ Chiara Marchetti, n.16

added weight, considering that Italian citizenship grants not only benefits and rights within the national borders but also within the European Union.¹²⁹

3.3 (iv) Representation of Immigrants in Public and Press Discourse

For a very long period of time, the discourse on migration in Italy has been dominated by illegal migrants, crime rates, and employment. The public opinion has been split between those who welcome and those who are hostile to immigration. On the one hand, this does not prevent the majority of Italians from thinking that immigrants are necessary for the economy, for the needs of private individuals, and even that they should be given the right to vote in local elections. The main characteristics of *pro-immigrant mobilization* in Italy have been the *paternalistic* role¹³⁰ played by the institutional left and trade unions; the high degree of involvement of the third sector in the implementation of integration policies; and the very weak autonomous presence of immigrant-based groups. On the other hand, there is always a majority that considers immigration as the cause increasing crime and insecurity.

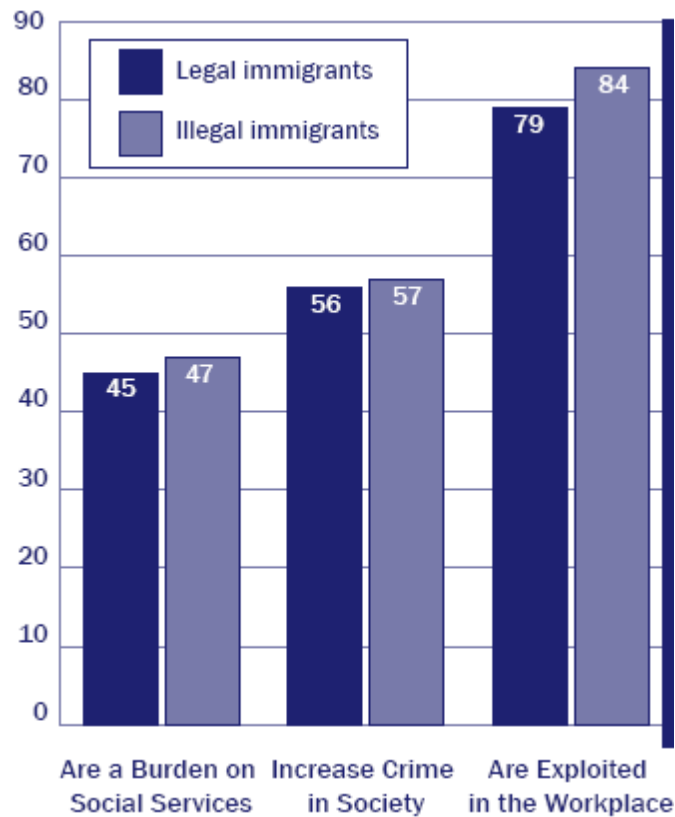
Initially understood to be a temporary situation, the Italian society is coming in terms with the recognition of the irreversibility of the process of immigration. Hence, the public opinion is shifting from tolerance to intolerance, at least with regard to the expectation of future migratory flows. Yet, at the same time that migrants are increasingly perceived by Italians as a problem rather than a solution.¹³¹

¹²⁹Georgia E. Bianchi, 'Italiani Nuovi o Nuova Italia? Citizenship and Attitudes towards the Second Generation in Contemporary Italy', *Journal of Modern Italian Studies*, 16(3) (2011), pp- 321-333.

¹³⁰ Donatella Della Porta, 'Immigration and Protest: New Challenges for Italian Democracy', *South European Society and Politics*, Volume- 5(3) (2000), pp- 108-132.

¹³¹Judith Adler Hellman, 'Immigrant Space in Italy: When an Emigrant Sending becomes an Immigrant Receiving Society', *Modern Italy*, 2(1) (1997), pp- 34-51.

Figure- 3.1: **Differentiation between the legal and illegal immigrants.**



Source- Transatlantic Trends 2010.

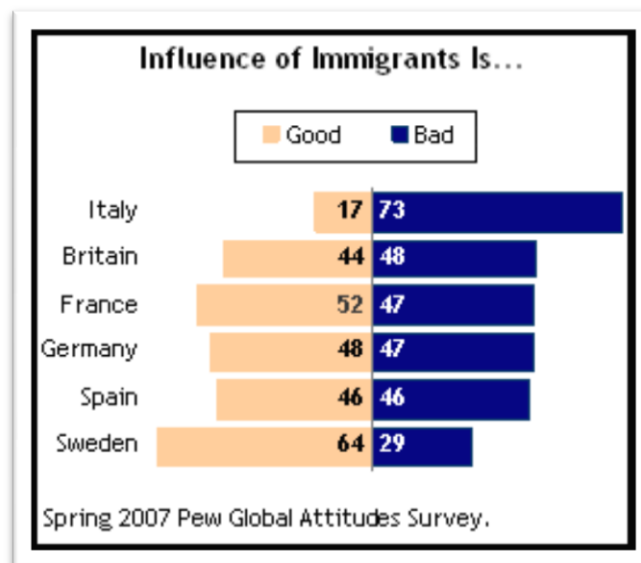
During the last two decades, the Italian mass media have promoted a negative and highly stereotyped image of immigrants. The main criticism against the media is the tendency to transmit alarmist information on immigration. News reports have been linking immigration and undocumented (clandestine) entry to Italy, transforming all immigrants into ‘illegal’, ‘criminals’ or ‘threats’ for a large part of public opinion.¹³² During recent years have shown how mass media have focused on immigrants mainly when they were involved in criminal episodes.

The other common theme in Italian political discourse and mass media is their perceived threat to Italian ‘national identity’. When reporting on cultural and religious difference at

¹³² Giuseppe Sciortino, and Asher Colombo, ‘The Flows and the Flood: the Public Discourse on Immigration in Italy, 1969–2001’, *Journal of Modern Italian Studies*, 9(1) (2004), pp- 94-113.

the collective level, namely as regards the cultural and religious rights of the immigrant population, the coverage becomes ambivalent at best.¹³³ Media discourse emphasizes that diversity can pose a threat to social cohesion and national culture. While living together with people from different cultures may be feasible at the individual level, it is presented as an almost insurmountable challenge at the societal level.

Figure- 3.2: **Public Opinion on the influence of immigrants.**



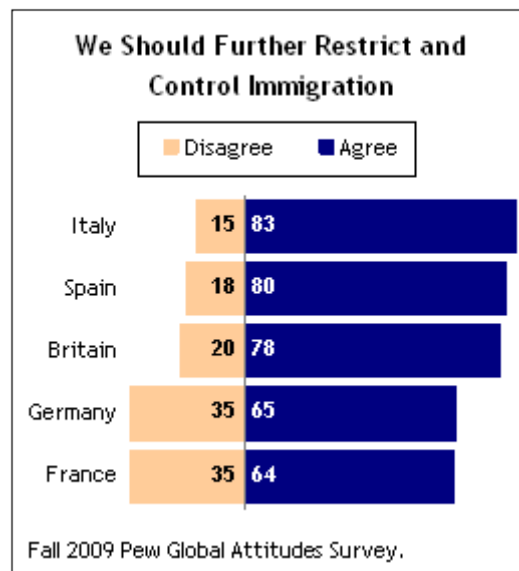
Source- PEW Global Attitude Survey 2007.

Italian public attitudes, initially characterized by ‘social tolerance’ towards immigrants, have given way to hostile and xenophobic behaviour in recent years. It is since the 1990s that creeping xenophobia in new forms in terms of explicit racist reactions, such as those seen in the propaganda of the northern Lombard League, have emerged. These hostile attitudes have surfaced against a backdrop of various factors. First, the number of immigrants to Italy has steadily risen over the past few years (that is, an average influx increase of 11.4 per cent between 1990 and 2009). Second, the country has suffered from unclear and underdeveloped immigration and settlement policies, combined with an inefficient public administration responsible for the management of the phenomenon.

¹³³ Anna Triandafyllidou, and Ruby Gropas, *European Immigration: a Source book*, (England: Ashgate, 2007).

Immigrants in Italy, as in many countries, were suitable ‘scapegoats’ for all kinds of problems that society was facing. The idea of immigration as a ‘problem’ develops with reference to three main points: a) a security threat (the invasion threat, undocumented immigration, and criminality); b) a threat to jobs (the destabilisation of the labour market); and c) a threat to cultural and religious identity.¹³⁴

Figure- 3.3: **Public Opinion on the more restrictive immigration controls.**



Source- PEW Global Attitudes Survey 2009.

This image has been used to extreme by the right wing populist parties to further the anti-immigrant rhetoric, which usually borders on xenophobic tendencies of the party. The support for the strict legislation on entry and employment of the migrants has been the result of the spread of anti- migration feelings.

3.3 (iv.a) Criminalisation of Immigration Debate-

Immigration has proved to be a contentious issue for two specific reasons: firstly is the fear in the mind of the citizens that the migrants usurp the jobs and employment and worker flows from countries characterized by a different composition of the labor force

¹³⁴ Anna Triandafyllidou and Ruby Gropas, n.37

may have significant redistributive consequences for the native population. Second, there are widespread concerns that immigrants increase crime rates.

In spite of a decrease in the number of serious crimes and the fact that the majority of immigrants are accused of criminal offences that are less serious than those attributed to Italians – or only due to the illegality of their presence – there has been an increase of 137.5 per cent in arrests and 40 per cent in the number of those imprisoned. However, whereas in 1990, 82 percent of those arrested and 84.6 per cent of detainees were Italian, in 2007 Italians are less numerous than foreigners among those arrested, and represent the 65 percent of detainees. This process of substitution of Italians with foreigners among the objects of the activity of the police and criminal justice system developed mainly during the 2001-2004 period, but it has continued without interruption. Beyond the criminalization of immigrants that reflects widespread racism among one part of society and practiced by several zealous citizens, entrepreneurs in the field of security, politicians, the media and agents of local and national institutions, it must be noted that a minority of immigrants (mostly young people) have quickly integrated into illegal activities (in particular in the street sale of drugs and counterfeit products, in thefts and small-scale handling of stolen goods).¹³⁵

Fears about immigration and security have been linked not only to illegal entry but also, increasingly, to perceptions about criminality among the immigrant population. Since the early 1990s there have been widespread concerns, articulated by a predominantly anti-immigrant populist media, that immigrants are responsible for rising crime in the northern regions. Immigrants from the Balkans, and particularly Albania, are widely believed to be involved in organized crime, with links with Italy's own mafia. Surveys have suggested that 75 per cent of Italians believe that immigration and crime are directly linked¹³⁶. It is these perceived linkages between immigration, crime and security that appear to be the main obstacle to expanding or even sustaining existing provisions on the

¹³⁵ Salvatore Guild Palidda n.6

¹³⁶ Christina Boswell, n.3

recruitment of labour migrants. Since the early 1990s, right-wing parties have mobilized European migration policies in flux support by linking rising crime rates in northern Italy to an increase in immigration and promising to introduce tougher measures to address the problem.

Despite the large scale regularisation post Bossi-Fini, the social alarm caused by immigration has not diminished: immigration is perceived more and more as the source of the crime that the mass media depict as rampant, and consequently of the risk to personal safety perceived by citizens. This particular feeling of constant “danger” can also be found in other major European countries, but in Italy public debate has been particularly permeated by news stories recounting heinous crimes and the role played in them by immigrants. Despite the fact that the country is afflicted with other major social problems that affect the majority of the population (for example high levels of unemployment among women and the young; low salaries and pensions; the loss of competitiveness of production systems on the international market; the pervasiveness of the black market economy and cash-in-hand work; the existence of four different types of mafia and widespread political patronage and corruption in the civil service)¹³⁷, both public and political debate seem to be dominated by a total obsession about the link between immigration and crime.

3.3 (v) Immigrant Groups and Organisations

The important role in shaping the Italian debate on immigrant integration have been played by more inclusionist and anti-racist strands of thought which is often articulated by civil society groups. One of these is the Catholic universalist ethic of extending charity and hospitality to those in need, which has led many Catholic organizations to become involved in assisting immigrants, and has prompted Church criticism of some of the current government’s more restrictive policies. The second is a more left-wing tradition of solidarity with immigrants, manifested in left-wing political party’s traditional defense of immigrant rights and in trade union’s attempts to incorporate legal

¹³⁷ Sergio Cecchi, ‘The Criminalization of Immigration in Italy: Extent of the Phenomenon and Possible Interpretation’s, *Italian Sociological Review*, 1(1) (2011), pp- 34-42.

immigrants. Often these views have been linked with an almost nostalgic view of Italy as a former emigration country, implying a special understanding of immigrants and a duty of reciprocity to those now seeking to settle in Italy. These groups had some success in influencing government policies from the mid-1980s onwards through bodies such as the *Comitato per una legge giusta*, an alliance of trade unions, NGOs and Catholic organizations which was formed to lobby for more inclusive provisions shortly before the adoption of legislation in 1986. The *Patto per un Parlamento antirazzista* was another example of an alliance of left-wing politicians, church groups and union-sponsored immigrant groups; it put up candidates in the 1992 parliamentary elections.¹³⁸

The 1986 law entitled legal immigrants to equal labour rights, health and social services, education and family reunion, a progressive step but one which essentially only put Italy in line with minimum international standards. The law also made provisions for a consultative committee to the Ministry of Labour and Social Security, which would include representatives from immigrant organizations. This approach was broadened by the 1990 Martelli Law, which extended access to social assistance, and by the 1998 Turco-Napolitano Act, the 'Single Act', which introduced special support for immigrants learning Italian as well as possibilities for children to learn the language of their country of origin at school. It granted full civil rights and most social rights to legal immigrants, who were now entitled to an unrestricted residence permit after five years. It also created a new body, the Council for Immigrants, which was to represent and promote the concerns of immigrants. They remained essentially piecemeal and limited in impact. Some of them have since been withdrawn or reformed by the right-wing coalition government.

Both Catholic groups and leftwing parties have tended to adopt mainly ethical arguments for assisting immigrants, to the exclusion of more pragmatic concerns. This emphasis on the ethical ideals of solidarity or humanity appears to have had two consequences. The first is to provide a justification for immigration that may be fairly fragile when

¹³⁸ Christina Boswell, n.3

confronted with concerns about security or cultural identity. The second is that a focus on the duties of charity or solidarity is in many ways too limited: it implies alleviating hardship and suffering among immigrants instead of addressing the longer-term need for effective legal rights and integration. As some critics have argued, this too falls prey to the assumption that immigration is essentially a short-term phenomenon rather than incorporation.¹³⁹

An important exception to this tendency is the trade unions, which have been active in promoting the integration of the immigrant workers they represent, and on very pragmatic grounds. An estimated 67 per cent of legal immigrant workers are affiliated with a union, an exceptionally high level compared to other European countries. The unions have been keen to incorporate immigrants, to regularize their status and to improve their socioeconomic conditions, in large part because of their interest in eliminating illegal labour, which can undercut or displace legal employees. The two major Italian unions, the *Confederazione Generale Italiana del Lavoro* and the *Confederazione Italiana Sindacati dei Lavoratori*, have immigrants' bureau at the district, regional and national level, through which they represent immigrants' claims, and lobby local health and education services to provide better access and services for immigrants. These initiatives go some way towards filling a vacuum left by the state's failure to produce a strategy for integration, but these are not long term processes.

Unions and pro-immigrant associations are also a means of political participation and channels of representation. The rate of unionization of immigrants, which was quite low in the early 1990s, appears now to be increasing. Many immigrants addressed the CGIL and CISL Immigrant Bureaux in order to be helped in the legalization procedures. The Unions are investing in the future of the immigrants: they are promoting a sort of free affiliation, giving membership cards at a very low price or even free, with the aim of gaining real members once immigrants have found stable work.¹⁴⁰

¹³⁹ *ibid.* 85.

¹⁴⁰ Giovanna Zincone, n.21

Immigrants also have their own associations, but their role is still weak and under-represented, because of their structural inconsistency: they do not have any stable source of money, and often have no fixed premises. The size of the migrant group does not seem to have a direct and proportionate influence on the formation of immigrant's associations in Italy. In Italy, the national laws provided two kinds of opportunities to the migrants to form their own groups or organizations: representative institutions and financial resources. As for representative institutions, the first immigration law, approved in February 1986, established a national consultative committee on immigration attached to the Ministry of Labour, which provided for the participation of delegates from the six most representative immigrant's associations. According to this law, similar consultative bodies were to be established by regional governments (Italy has 20 regions). As for funding, the second immigration law, in December 1990, allowed regional governments to provide financial support to immigrant's associations. As a consequence, many immigrant associations, which were previously just informal groups, legalised their statute and registered in regional registers. In terms of the access to regional funds, this was often discouraged by the introduction of extremely restrictive clauses, requiring that associations had to be formally registered for at least two years. Moreover, only small contributions were granted, obliging associations to put forward financial resources themselves in order to initiate their activities.¹⁴¹

Italian associations, whether trade-union or Catholic organisations, are regarded by immigrant's associations as crucial in providing logistic and organisational support, as they often act as intermediaries to gain access to public funding. Thus, the unions and the Catholic Church seem to crowd out the initiatives of immigrant associations, especially as far as the organisation and provision of services are concerned. However, these same Italian organisations act as intermediaries and provide organisational facilities. This is of

¹⁴¹ Tiziana Caponio, 'Policy Networks and Immigrant's Associations in Italy: The Cases of Milan, Bologna and Naples', *Journal of Ethnic and Migration Studies*, 31(5) (2005), pp- 931- 950.

course a strongly asymmetrical relationship that does not help immigrant's associations to become autonomous, but rather tends to lock them in a paternalistic outlook.

Serious attempts to grapple with questions of integration have been impeded by the anti-immigration rhetoric of rightwing populist parties and by the continued preoccupation with what is considered to be the more urgent issue of controlling illegal entry. Nonetheless, more inclusionist strands, whether leftist, trade unionist or Catholic, continue to surface in the debate, even though they are perturbed at present by a lack of robust support from left-wing political parties.

Finally, in Italy there are no signs of an emerging elite consensus on integration, and the resulting lack of policy suggests that Italy will be plagued with the problems at the social and the political level. The right wing continues to have incentives to mobilize support through crude ethno-cultural arguments, effectively precluding a serious debate on ethnic diversity and integration. Also, there are other important traditions in Italian thought that emphasize social responsibilities to outsiders, and there is a clear business and trade union interest in incorporating labour migrants. But the ethical arguments based on social responsibility have provided fairly weak resistance to the right-wing agenda. Meanwhile, business interests may be content to continue to accept the current pattern of illegal entry and subsequent regularization and the absence of a coherent strategy for integration. In the meantime, however, arguments based on fears about cultural difference play a role in justifying a more restrictive agenda, although the salient and most pressing issue will remain that of controlling illegal immigration.

[3.4] Conclusion

Immigration in the late 1970s and early 1980s, have been followed by new migratory pattern that, especially in the last decade, have become greater in size and with specific characteristics. At the beginning of 2010, foreigners accounted for about 8.5 per cent of the population in Italy; however, they were very varied in terms of area of origin, demographic characteristics, migration models, length of stay, degree of rootedness and

inclusion in the country's social and productive systems.¹⁴² Immigrant integration has proved to be a core challenge in liberal democracies. In Italy, the political discourse has largely focused on the issues of fighting the illegalities of immigration rather than on the process of integration of the migrants that have been living in the country for decades.

Despite more than three decades of immigration history, Italy still, to some extent, has to come on terms with itself being a migrant destination. The legislations that have been passed over the years have largely focused on the regulation of the flows and the quotas for the labour migrants, as per the need of the economy without dealing with the social and political implications of the migration. The concept of integration was first dealt in Law 40/1998, Turco-Napolitano, which set annual quotas for immigration flows and established a set of measures and consultative bodies aimed at immigrant integration. The immigration policy landscape has changed since 2002, when the centre-right government coalition at the time adopted a new, more restrictive law 189/2002 (known as the *Bossi-Fini* law). This law specifies that all 'social integration measures' are limited to legal immigrants, and introduces a more repressive policy toward undocumented immigrants through the use of compulsory repatriation.

The understanding of integration of immigrants in Italian society is rather limited. The migrants do have certain rights, to education, health services etc, which give them gradual reassurance of their being part of country in some ways. The citizenship laws are highly restrictive in both rhetoric and practice, with over 90% applications being rejected. The broad understanding of integration refers to the labour market integration that is employment, as a necessary and sufficient condition to guarantee social integration, coupled with parity of right of access to public services. Over the period of time, the NGOs and the charitable organisations have facilitated the integration policies, and furthered the civic participation of the migrants. But due to the restrictive policies adopted by the government, the integration process has been limited to the legal and naturalized migrants.

¹⁴² Eleonora Mussino, and Salvatore Strozza, 'The Delayed School Progress of the Children of Immigrants in Lower-Secondary Education in Italy', *Journal of Ethnic and Migration Studies*, 38(1) (2012), pp- 41-57.

CHAPTER- 4: CONCLUSION

As indicated at the onset this study began with the hypothesis that immigrant integration policy of the Government of Italy has resulted in greater economic as compared to social and political integration. Like in countries across Europe immigration is an issue of increasing concern in Italy. A study of the process and dynamics of immigration in Italy leads to the following findings.

Firstly, to begin with Italy was a country of mass emigration. The switch in migration status from that of a sending to a receiving destination occurred in 1972 when immigration exceeded out-migration for the first time. This was rather sudden and the country appeared to be unprepared in legal, policy and psychological terms. Immigration changes the character of the state in so far as nation states are conceptually understood to be homogeneous in nature. Nation states are composed of a dominant group which organizes the society after their image reflecting their historical traditions and values. In this set up minority groups struggle to retain their diverse culture, religion and history in the private sphere. Nation states on their part confronting diversity can choose to either assimilate or integrate them. It may also choose to opt for multicultural solutions.

Secondly, over the years immigration in Italy has been substantial which has necessarily made it more diverse. But, the study clearly indicates that following the traditional nation state pattern, the Italian state does not allow for dual identities, and the native population demands assimilation to Italian culture. Since the beginning of its transformation from an emigrant to an immigrant country, Italy has struggled with the immigration phenomenon. Overall, Italy has utilized a passive approach, unable to actively promote integration policies until fairly recently. Contrary to many other countries, Italy lacks a concrete approach to immigration. Its practice is not based on one specific model and is therefore difficult to define. Italy has always confronted the various flows of immigrants on a case by case basis. For example, rather than confronting illegal immigration and the large number of illegal immigrants on Italian territory, when the number of illegal immigrants becomes too large, the government typically declares a crisis and issues decrees to legalize thousands of illegal immigrants who can demonstrate their residence in Italy as of a certain date.

Thirdly, one of the main problems in managing immigration in Italy is the weakness of the central government. This regime pattern of a weak central government has created a society with strong regionalisms and thus a divided society which rely greatly on the local and regional authorities initiatives. Since the welfare system provided by the central government is weak, the regional actors and the private social sector have taken the lead in immigrant assistance. This has created a fragmented network of assistance and integration policies, with significant differences between the policies from region to region. The private social sector, initially led by Catholic organizations such as Caritas, began to flourish in the 1990s. Caritas has been the predominant actor in this sector ever since. The private social sector covers an array of services for immigrants (and Italians as well); for example, initial assistance in accessing housing and health benefits, employment search (often in the black market or precarious positions), and language training. This assistance network, allows immigrants to have a starting point, however, it is often not enough to truly include immigrants in society or to provide them with the realistic possibility of achieving socio-economic parity with the natives. As the private social sector has evolved, many organizations are now offering services beyond basic assistance, focusing more on the successful integration of immigrants: for example, promoting integration programs, organizing cultural events, educating teachers and social workers etc. There have been high expectations that the private social sector and the government would cooperate, with the government providing funds for special projects to promote integration, and the private social sector creating and implementing the necessary services. However, the system remains fragmented and lack of cooperation between cities does not allow for knowledge sharing and strategy building.¹⁴³

Local authorities, have difficulty assuming control, given the myriad of the civil society and the perpetual lack of funding from the centre government. This governance model has however a number of advantages for the integration of immigrants, including flexibility and a potential capacity for rapid evolution. The system has generated many

¹⁴³ Beatrice Maria Rosa Nanni, *The Challenges of Second Generation Immigrants in Italy -a Comparative Analysis between Italian Immigrants in the United States and Egyptian Immigrants in Italy*, (Masters of Art thesis, Chapel Hill: University of North Carolina, 2007).

different solutions for integration that no single actor can address alone. On the other hand, the model places the burden on local authorities to coordinate actions and rationalise limited resources for the greatest effect.¹⁴⁴

There has been certain approaches taken by the government for the integration of the immigrants in the Italian society, like in the Italian Security Act of 2009, the Integration Agreement links the legal status and access to rights to successfully passing a series of tests. The Agreement works on a principle of gaining or losing points: winning points when passing the tests on Italian language and civic culture as well as completing a series of activities such as being enrolled in an Italian school or volunteering; and losing points when being found guilty of a crime. The particularity is that the Agreement and the test of the Italian language were introduced under the Security Act and not in the immigration law, depicting that the overall theme is that of security and not the social issues.

Fourthly, apart from the diversity that immigrants introduce to Italian society, the immigrant population, is itself extremely heterogeneous coming from over 190 countries. This complicates the phenomenon, because a single integration policy or approach cannot address the situations of the vast variety of immigrants. The term “integration” evokes a wide range of related concepts: acculturation, inclusion, and the more consistent idea of belonging, that is, taking part in, or feeling that one is part of, a given context/environment. The issue at stake here is exactly to distinguish the different ways to construct and negotiate such a sense of belonging. The Italian system for governance of integration policy for immigrants is conditioned by a number of institutional factors which limit the possibility of inclusion and acceptance. The emphasis is placed on the local initiatives for the social and political integration instead of the comprehensive policies at the national level. The system reflects the fragmentation of Italian social actors, the extensive civil society in Italy and the dominance of the social partners in determining the direction of local economic policy. The local experiences vary as well according to the immigrant’s communities. In Italy, there are a high number of

¹⁴⁴ OECD (2006), From Immigration to Integration- Local Solutions to a Global Challenge, Brussels.

immigrant's nationalities, having different forms of integration according to their labor insertion and the question of the integration of the second generation in Italy is still relatively new.

Fifthly, the Italian Citizenship Law based on *jus sanguinis* whereby citizenship is only granted to the children of Italian citizens is critical vis-a-vis integration of the immigrants. Birth on the Italian territory does not provide citizenship, thereby excluding second generation immigrants from being full members of the society in which they are born. Italian Law number 91 of 1992 declares that second generation can access citizenship upon reaching adulthood. However, this citizenship is not granted automatically. The previous law of 1912, number 555 article 3, allowed for automatic citizenship rights for second generation residents on their eighteenth birthday, which was revised in 1992 law. The new requirement included that these individuals apply for citizenship in the one year period between their eighteenth and nineteenth birthday and they must demonstrate continuous residency since birth. However, citizenship is by no means guaranteed once this process is completed, it often takes many years to achieve. Ironically, this law gives foreign citizens, who reside abroad, with Italian descent easier access to citizenship than foreigners who have permanent residency in Italy. The citizenship application process is long and complex and is an obstacle for the complete integration of second generations.

Citizenship can also be acquired through permanent residence, although the residency period necessary for eligibility differs according to country of origin. Preference is given to European Union citizens for who four years of residence is required, five years for asylum seekers, and ten years for immigrants from any other non-EU country. There is an ongoing political debate regarding citizenship for immigrants and their right to vote. Due to the delayed acquisition of the citizenship, the question of the limits of political participation for legal foreign residents in the absence of voting rights has been raised. There have been a lot of proposals and counter proposals for the re-evaluation of the citizenship laws as per the current situation, but to no avail due to the excess politicisation of the issue.

Sixthly, Italian immigration and integration debate can be characterised as reflecting ambivalent policies. The emphasis on the economic aspects of immigration rather than on the integration of the immigrants is very much visible in the policy making and implementation in Italy. The economic conditions of immigrants are an important question for the immigrants, the host society, and the integration process. Economic equality with the native population is one of the most important elements in enabling the integration of immigrants. Immigrants are often found in precarious jobs and seasonal employment with low income levels, which binds them to lower social class status. Immigrants are often employed in positions which Italians no longer want to perform, predominantly in the industrial, construction, services (such as domestic work, child care, and elderly care), agriculture, and hotel industries. The immigrants are considered to fill in the gaps in the employment sector that has been left by the citizens.

Policies related to immigration in Italy are guided overwhelmingly by economic rationale. Thus the laws made so far have concentrated more on the labour demands of the economy as opposed to the issues of the integration of the migrants in the social fabric of the country. The Law 943/1986 regulated the entry of immigrants seeking employment and provided amnesty for undocumented immigrants who could prove such employment. Since the idea behind that law was that the immigration phenomenon was limited and transitory, it contained no rules aimed at encouraging integration. In Law 39/1990, '*Martelli Law*', immigration began to be considered as a long-term phenomenon in Italy. This law defined special provisions regarding immigration, including the annual planning of migratory flows, and certain norms regarding the rights and obligations of foreigners in Italy. Law 40/1998, *Turco-Napolitano* law or the Single Text – *Testo Unico* – which set annual quotas for immigration flows. Law 189/2002, the *Bossi-Fini* law, specified that all 'social integration measures' are limited to legal immigrants, and introduces a more repressive policy toward undocumented immigrants through the use of compulsory repatriation. If integration is considered as quality employment with the same conditions for immigrant workers as for Italians, then success stories are rarer.

Immigrants, like Italians, mostly manage to find jobs through their social networks of personal acquaintances and contacts.¹⁴⁵

Seventhly, the restrictive policies adopted by the government have actually contributed to a considerable increase in undocumented migration. This type of migration has also been facilitated by the large underground economy, which provides considerable opportunities to these migrants to work. To curb this problem of illegal immigration, the government over a period of time has adopted policy of regularisation which has become the most prominent characteristic of the Italian migration system, notwithstanding that most of the political parties have generally stated their opposition to these kinds of measures.

Eighthly, the whole Italian immigration experience has been characterized by the absence of systematic policies to manage the new flows and to integrate the already established communities. Instead of managing the new flows, ad hoc amnesties processes have taken place every five years (1986; 1990; 1996; 1998; 2003), regularizing undocumented migrants who were already working in Italy. In fact, the importance of the black market creates a vicious situation where immigrants are, at the same time, needed by the labour market and over-exploited by employers. The regularisation programmes were implemented by governments of different political leanings. In particular, the last regularisation implemented by the centre-right government with the Bossi-Fini Law (Law 189/2002) was the most far-reaching measure ever introduced in a European country. More than 705,000 applications were made and nearly 647,000 were accepted. After 2002, there were no other regularisation procedures, even though some provisions to control immigration flows have been similar in substance to the mechanisms and rules used in the previous amnesties. In fact, the Prodi government of the centre-left decided, in 2006, to issue a second decree-law on immigration flows which allowed all 540,000 foreigners who presented an application to enter the country for economic reasons to be regularly employed. The effects of this measure have been only temporary, considering that at the beginning of 2008 the volume of irregular immigration was estimated to be

¹⁴⁵ OECD, n.2

650,000.¹⁴⁶ Hence the relevance of regularization as a policy approach to handle irregular immigration can be questioned.

Ninthly, the lack of coherent policies to deal with legal and the illegal immigration in Italy can be considered as the most important problem. Italy still considers itself to be a new destination for immigration despite three decades of immigration flows, this attitude of the political leaders is reflected in the policy making. The regulatory framework of the majority of law sees the immigration question principally as a problem of public order, in which the basic idea is that foreigners on national territory are an issue, first and foremost, for State security in the “true” sense of the protection and defense of public order. On this basis a series of instruments were devised to provide continuous control of the immigrant population on two fronts. First, control of the flow of new entries and of the irregular immigrant population was enhanced by stricter policing of regular entry channels and an increase in the number of expulsions. Second, the control of regular immigrants already present was reinforced by creating a new kind of permit to stay linked to a work contract, and by complicating the procedures for the renewal of that permit in order to make immigration more temporary in nature and to discourage stabilization. In short, the measures contained in the laws seem to depict a “reluctant” approach of the government to deal with immigration and integration of the immigrants.

Immigration phenomena have transformed societies around the globe throughout history and have enabled the fusion of cultures to shape nations as we know them today. Integration discourse is not simply a political issue; rather, it is today the cornerstone of any civil society. The analysis of the policies adopted by the various Italian governments by academics has lead to the different conclusions on what issues needs to be addressed, the two most important and common approaches seems to be, firstly, the Italian government should consider instituting a regulated immigration process in order to better control the phenomenon. Second, it should consider granting birthright citizenship or *jus soli*, in order to allow second generation immigrants to become citizens. These issues

¹⁴⁶ IDEA *Policy Brief Italy 4*, April 2009.

would not only help in regulating immigration but also would eventually lead to more comprehensive policies pertaining to the integration of immigrants in terms of social and political.

The fast pace of contemporary migration has many benefits but also the potential to recreate spacial and social exclusion. There is a need to carefully construct and implement policies that would benefit not only the host country but also the immigrants present within, so that such problems can be avoided or at least minimized. Current immigration flows show no sign of abating, due to the continuing economic disparity between nations and the demand for labour. Therefore, the emphasis must be on proper management of the migration flows and the coherent integration policy for the immigrants present within the society. The current Italian integration policies needs to be revised and re-evaluated into progressive policies based on the attribution of new rights and responsibilities to immigrants, and on systematic opposition to segregation in schools, housing, employment or religion. The Government faces the challenge to raise institutional awareness of such issues as well as promote in the wider public the knowledge of the general benefits of immigration and the necessity of harmonious and tolerant coexistence.

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